

La Grande Bretagne souhaitait que les lignes directrices de l'UE s'appliquent aussi aux individus

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While most European Union diplomats backed new guidelines prohibiting EU agencies from funding Israeli bodies connected to West Bank settlements, the British delegate to the talks went even further, suggesting the guidelines should apply to every Israeli citizen who lives beyond the Green Line.

That emerges from the notes taken by a senior European diplomat who attended the talks, held in Brussels over the last few weeks.

On June 28th, the European Commission distributed guidelines to all its agencies and foundations about the Israeli settlements in the West Bank, East Jerusalem and the Golan Heights. Ten days later the European Commission held a discussion on the issue, attended by delegates from all 28 EU member states, including a senior European diplomat who shared his notes with Haaretz.

The document he drafted shows that the delegates of the member states knew of the guidelines at least three weeks earlier. Unlike EU foundations and agencies, the member states are not obliged to carry out the directives. Foreign Ministry officials in Jerusalem said they could adopt them partially or in full. Officials from the European External Action Service (EEAS), who drafted the guidelines, said they started working on them in October 2012 with the intention of submitting them before 2014.

"Israel had been kept informed throughout the process and was advised about the publication of the Commission Notice," an EEAS member said in the discussion.

The British diplomats "warmly welcomed the guidelines and asked why they were not applicable to individuals," he wrote.

A member of the EEAS replied that there were several reasons for this. One was that it involved hundreds of thousands of people. "It was considered impractical to 'chase' individual persons and would also mean that they would be singled out," he said.

The French diplomats supported the guidelines and asked whether they would apply to the Horizon 2020 plan — an agreement between Israel and the EU for cooperation in investments in research and development, enabling Israeli high-tech companies to win grants and investments of hundreds of millions euros.

Negotiations over the agreement are due to begin next month, while the guidelines are slated to go into effect on January 1. Members of the EU demanded introducing a clause into the agreement stipulating that Israel recognizes that the settlements in the West Bank, East Jerusalem and Golan Heights are not part of its sovereign territory. Israel has refused to sign this clause.

EU officials replied at the debate that "the guidelines were 'soft law' and would therefore apply without prejudice to the text in the Horizon 2020 regulation."

The only reservations raised at the debate were about when to issue the guidelines. The Dutch representative "asked about the initial Israeli reactions in light of ongoing shuttle diplomacy by Kerry."

The German representative "queried the timing of the publication of the guidelines...Had the EEAS consulted with Israel about the possibility of publication after the summer period, given that they do not take effect until 2014?" The Italian representative also asked about the timing.

The EEAS officials responded that the timing was not related to tactical considerations or political developments. "In discussions with the Israeis, their main concern is the bilateral Memorandum of Understanding on Horizon 2020," one of them said.

The EEAS officials said that although the guidelines would go into effect only on January 1, 2014, they were examining the possibility of applying them earlier, in some cases.

"EEAS is discussing possible problematic cases...and will address them on a case-by-case basis," an official said.

The diplomats said the European Commission's Budgets Division insists the guidelines may not be implemented retroactively on programs that received grants in 2013.

Israel is pressuring the EU to postpone the publication of new guidelines conditioning all future agreements on Jerusalem's acknowledgement that its occupied territories are not part of Israel.

Prime Minister Benjamin Netanyahu spoke on Wednesday evening with the president of the European Commission, Jose Manuel Barroso, to express his concerns about the move. The guidelines, which were drawn up by the European Commission, the executive arm of the EU, are expected to be officially released on Friday.

According to a senior Israeli official, Netanyahu asked Barroso to postpone the publication of the new rules, warning that publishing them on Friday would hinder U.S. efforts to restart the peace process with the Palestinians. The two leaders agreed to continue discussing the matter, the source said.

The new guidelines would prohibit EU agencies and funds from providing funding, financial investments, grants, scholarships or prizes to any Israeli bodies that are directly or indirectly related to the settlements.

While Netanyahu was speaking with Barroso, Justice Minister Tzipi Livni, who is the minister responsible for peace negotiations with the Palestinians, spoke on the telephone with Catherine Ashton, the High Representative of the Union for Foreign Affairs and Security Policy for the European Union.

Livni too asked Ashton to postpone the official publication of the new rules, citing efforts to restart the peace talks. Livni apparently tried to convince Ashton that it is important for the EU to allow Israel and the Palestinians to negotiate an agreement on the border, as opposed to the EU making a unilateral decision.

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