



21 February 2007

Dear Chancellor Dr. Merkel,

We respect and appreciate your recent initiatives to revive the Middle East peace process through a political dialogue between various parties in the Middle East conflict, especially the government of Israel and the Palestinian National Authority.

As a network of more than 80 human rights NGOs based in Europe, North Africa and the Middle East, we have monitored and condemned violations of human rights and international humanitarian law in the past months and years. Therefore we welcome initiatives for a political dialogue between the conflicting parties.

We understand your initiative as acting EU president as a symbol of the responsibility of the international community, and especially the EU and Germany, towards a just, lasting and peaceful solution to the Israeli-Palestinian conflict, based on international law, including international human rights and humanitarian law. This is part of the obligations of all UN members as well as the High Contracting Parties to the Fourth Geneva Convention, and was confirmed by the International court of Justice Advisory Opinion on "Legal Consequences of The Construction of a Wall in the Occupied Palestinian Territory" rendered on 9 July 2004. For the EU and Germany, the EU Association Agreement with Israel and the interim Association Agreement with the PA place the protection of human rights at the centre of the relationship.

It is our great common concern, irrespective if we are Israelis, Palestinians or Europeans, that all efforts, including any initiative started or supported by Germany, the EU or the international community not be in conflict with international law.

Furthermore we would like to emphasise that this body of international law must be applied not only to processes aimed at achieving a peaceful, durable and just solution by the parties, but also during the ongoing conflict.

We are deeply convinced that a peaceful, durable and just solution in the Middle East cannot be reached outside the framework of the protections afforded under international law, including international human rights and humanitarian law.

Fostering and defending international human rights now and in a future political solution to the conflict would, at the same time indispensably support democracy and the rule of law in the region. Failures to protect human rights can only play into the hands of national or religious extremists.

We are concerned about the economic sanctions against the Palestinian National Authority since March 2006. In light of our monitoring of the human rights conditions in the OPT, we believe that the sanctions have had grave implications on the human rights of the Palestinian civilian population. Some of these have long-term, possibly irreversible, effects. We therefore call upon the EU to review its decisions concerning these sanctions, which have proven to be counterproductive as they primarily punish the civilian population and contribute to spreading poverty and radicalism in OPT.

The EU's Temporary International Mechanism (TIM) does not present a solution. It is rather an extension to the prolonged practice of providing humanitarian aid whereas the only sustainable solution would be to eradicate the sources of violations.

Additionally, in light of the effects of Israel's systematic discriminatory treatment of its Palestinian Arab citizens, the EU should ensure that the commitments included in the EU/Israel Action Plan in this regard are respected. For instance, the jointly agreed action to promote and protect rights of minorities, including enhancing political, economic, social and cultural opportunities for all citizens and lawful residents'. The EU should therefore take steps to ensure that its cooperation with Israel is contingent on Israel making moves to end all discriminatory state practice and rectifying its effects.

We have identified the following key areas of conflict to which the international standards of human rights and humanitarian law must be fully applied:

In the short term:

- Restrictions of movement of Palestinians in the Occupied Palestinian Territory,
- The humanitarian situation in the Gaza Strip,
- The Wall, most of which is built inside the OPT,
- Torture and ill treatment of Palestinians in interrogation and detention by the Israeli authorities,
- Settler violence against the Palestinian population in the West Bank, and
- The continued expansion of Israeli settlements and infrastructure in the West Bank.

Long term issues within the framework of a political solution to the conflict in the region:

- End of the Israeli occupation of the Palestinian Territory (the Gaza Strip and West Bank, including East Jerusalem) since 1967 and the right of Palestinians to self-determination,
- The dismantling of Israeli settlements on occupied territory, prohibition of annexation of land, including the construction of the wall on occupied territory,
- The recognition of the plight of Palestinian refugees and an agreement by all parties on a just and durable solution to this issue that would be acceptable to all sides, and
- The right of all people of the region to the rights set in international law and UN conventions, with an emphasis on the International Covenant on Civil and Political Rights, Convention against Torture, and the International Covenant on Economic, Social and Cultural Rights.

Defending and fostering human rights successfully, as in our mandate, cannot be reached without the active support of the international community on all levels.

We are looking for a more active role on the part of the EU in the building of a peaceful, durable and just solution to the conflict. We ask the EU to implement and activate relevant EU instruments and initiatives, such as the Association Agreement and the European Neighborhood Policy's Action Plan that both stress the importance of respect for international law and human rights.

Sincerely Yours,



Mr. Kamel Jenboubi,  
President,  
Euro-Mediterranean Human Rights Network

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*The EMHRN was established in 1997 as a civil society response to the Euro-Mediterranean Partnership. The network contains today 84 NGOs working together in order to promote and protect human rights in the Euro-Med region. During its lifetime the EMHRN has become a renowned source of information for EU institutions, individual countries as well as for organisations and individuals interested in the Euro-Med human rights environment.*

P.S. For your information the meeting of our working group on Palestine/Israel and Palestinians will take place on 23-27 February, in Berlin, where we will discuss perspectives of the human rights situation in the conflict. Our contact person, should you or your representatives, wish to be in contact with us, is our Working Group Coordinator Ms. Marita Roos who can be contacted at:

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