

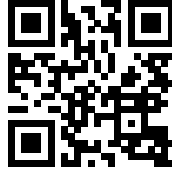
PARTNERS IN CRIME

**EU complicity in Israel's
genocide in Gaza**



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Published by the Transnational Institute
with a contribution from Stop Wapenhandel

Amsterdam, June 2024

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Acronyms

BDS	Boycott Divestment Sanctions
CFSP	Common Foreign and Security Policy
DCU	Dublin City University
ECCP	European Coordination of Committees and Associations for Palestine
EC	European Commission
EEC	European Economic Community
EIB	European Investment Bank
ENP	European Neighbourhood Policy
EP	European Parliament
EU	European Union
FoI	Freedom of Information
FTA	Free Trade Agreement
GATT	General Agreement on Tariffs and Trade
HR/VP	High Representative for CFSP, Vice-President of the European Commission
IAI	Israel Aerospace Industries
ICJ	International Court of Justice
IDF/IOF	Israel Defense Forces/Israel Occupation Forces
IHL	International Humanitarian Law
IMEC	India Middle East Europe Economic Corridor
IRGC	Islamic Revolutionary Guard Corps
LNG	Liquefied Natural Gas
MEP	Member of the European Parliament
MoU	Memorandum of Understanding
NATO	North Atlantic Treaty Organization
OPT	Occupied Palestinian Territories
PLO	Palestine Liberation Organization
R&D	Research and Development
R&I	Research and Innovation
UAV	Unmanned Aerial Vehicle
UN	United Nations
UNRWA	United Nations Relief and Works Agency
UK	United Kingdom
US	United States
WCK	World Central Kitchen
WFP	World Food Programme
WHO	World Health Organization

Brief explanation of the EU Institutions referenced in this report

European Council

The European Council is made up of the heads of states or governments of the EU's 27 member states, as well as European Council President and European Commission President. The Council defines the EU's political direction and priorities but does not have a direct role in passing laws. It sets out the EU's Common Foreign and Security Policy (CFSP) and nominates and appoints candidates to certain high-profile EU roles. The Council meets on a quarterly basis, although the President may convene additional meetings if urgent issues arise. Decisions are generally taken by consensus, but on certain issues, for example CFSP, decisions must be unanimous. A qualified majority is also sometimes used for reaching decisions.

European Commission

The European Commission (EC) is the EU's executive body. It proposes new laws, which are then scrutinised and adopted by the European Parliament and the Council of the European Union. It also manages the EU's budget and EU policies (except for the Common Foreign and Security Policy, which is overseen by the High Representative for CFSP, Vice-President of the European Commission, HR/VP). The Commission consists of a 'college' of Commissioners, one from each EU member state, with responsibilities for a different policy area, and led by the Commission President. The EC President defines the policy direction for the Commission apart from foreign policy. To select the president, the European Council proposes a candidate who must then be elected by a majority of Members of the European Parliament (MEPs). The HR/VP is responsible for steering the EU's Common Foreign and Security Policy and representing the EU on related issues. The HR/VP chairs meetings between the foreign ministers (Foreign Affairs Council), defence ministers, trade and development ministers and oversees EU military and civilian missions abroad. The HR/VP is elected by the European Council through a qualified majority vote. The President of the Commission must endorse the decision.

European Parliament

The European Parliament (EP) is the only directly elected EU body. It has legislative, supervisory, and budgetary responsibilities. The parliament passes laws based on proposals from the European Commission. The EP President is elected by its members and oversees the work of the Parliament and its constituent bodies as well as the plenary debates.

Other EU institutions include the Council of the European Union, the Court of Justice of the European Union, the European Central Bank, and the European Court of Auditors. There are also various EU bodies, including the European Investment Bank, which is referenced in this report.

Summary

At the time of writing people across the European Union (EU) were preparing to vote in the European Parliament elections against the backdrop of Israel's genocidal war in Gaza, in which the EU is complicit.

Since the attacks of 7 October, the EU has provided political cover and material support for Israel. This has continued through almost eight months of unrelenting bombardment with almost 40,000 people killed, the forced displacement of 2.3 million people, the fastest descent into starvation of an entire population ever recorded and the total destruction of Gaza's civilian infrastructure including homes, hospitals, schools and universities, places of worship and bakeries. This support continued as Israel was placed on trial for genocide at the International Court of Justice (ICJ) in The Hague and as the International Criminal Court (ICC) announced that it would seek arrest warrants for Israel's prime minister Benjamin Netanyahu and defence minister Yoav Gallant.

Even amid Israel's most recent and particularly barbaric attack on a makeshift refugee camp in Rafah, in which at least 45 people, mostly children, were burned alive in tents, the EU did not waver. The following day European Commissioner Olivér Várhelyi touched down in Tel Aviv on an official EU visit saying he was 'honoured' to meet Netanyahu. He also met President Herzog, Foreign Minister Israel Katz, and Defence Minister Yoav Gallant.

The tone of the EU's support for Israel was set when European Commission President Ursula von der Leyen tweeted a photo of the European Commission building in Brussels lit up in an Israeli flag. She pointedly said 'Israel has the right to defend itself – today and in the days to come. The European Union stands with Israel'. In doing so she gave Israel a green light to begin its military campaign on Gaza with EU approval. In the eight months since, the EU has failed to take any concrete steps, such as implementing sanctions, an arms embargo, or cutting diplomatic and trade ties. Its response has been purely rhetorical, and extremely poor at that, at times shamefully repeating Israeli propaganda. For months the European Council wrangled over whether to call for a 'pause', 'pauses', 'window', 'windows' or a ceasefire until finally in March 2024, by when over 30,000 people in Gaza had been killed, it called for 'an immediate humanitarian pause leading to a sustainable ceasefire'. The European Parliament was marginally faster than the Council having called for a ceasefire three weeks earlier at the end of February, but the following day amidst devastating scenes of a massacre in which Israeli soldiers killed over 117 Palestinians as they desperately scrambled for aid, the Parliament overwhelmingly voted down a resolution calling for an arms embargo.

For decades, the EU has maintained close ties with Israel, treating it as a de facto EU member state, even as it expanded its illegal military occupation of Palestine and frequently invaded and waged war in neighbouring territory. It is unsurprising therefore that the EU has failed to hold it to account now. Although relations between the EU and Israel are governed by the EU Israel Association Agreement which contains a human rights clause, the EU has consistently refused to invoke this stipulation. Not only has the EU failed to abide by its own norms, which compel it to break ties with Israel on account of human rights violations, it has also actively

maintained relations over the past eight months by approving funding for Israeli entities and fostering closer ties with the Israeli state and institutions. For all its talk of human rights, the EU has shown itself to be every bit as colonialist now as various European states were for centuries. It is only possible to understand the EU's abject failure to intervene in the face atrocities and an avalanche of human suffering unparalleled in recent history if viewed through the lens of colonialism. Israel began as a colonial project and it continues to be a colonial outpost today.

The EU has enabled and normalised a genocide by adopting a 'business as usual' approach to Israel and its closest ally, the US, particularly by continuing to allow US arms shipments bound for Israel to transit through European territory.

Were the EU to have applied pressure in October by imposing sanctions, an arms embargo and prohibiting the transit of US military equipment through Europe, Israel's genocidal war on Gaza may have been curtailed. The EU chose not to act then, and it continues to fail in its legal and moral duty to act now. This political cover and material support, particularly in light of the ICJ's interim ruling which put all states on notice of a plausible case of genocide, makes the EU directly complicit in it.

Key Findings

The EU and Israel have adopted a 'business as usual' attitude throughout the ongoing genocide in Gaza, with the EU, and its member states, continuing to provide political cover and material support.

Since 7 October 2023, the EU has approved 130 Horizon Europe research projects involving Israeli participants, which have received a total of €126 million. The overall value of these projects is much larger. At least two of these projects directly fund the Israel Aerospace Industries (IAI), one of Israel's largest arms companies, which is in receipt of almost €640,000. Two other projects directly fund Israel's Ministry of Health, which has received €983,775.

Most of the Horizon Europe funding is going to Israeli universities, which are often close partners of Israel's military and arms industry, at a time when every university in Gaza has been bombarded and destroyed. Moreover, many of the projects fund innovative medical research at a time when Israel has laid siege to Gaza's hospitals and ransacked its health facilities leaving hundreds of bodies in multiple mass graves on hospital compounds.

By way of example, under the Horizon Europe programme there is one project that involves an Israeli entity that works alongside the Israeli military conducting 'war games and simulations'. This project, titled EU-GLOCTER, is worth a total of €2.6 million and is coordinated by Dublin City University in Ireland involving a collaboration with various partners including Israel's Reichman University and Counter-Terrorism Solutions Ltd. Other projects are similarly problematic and involve funding for surveillance, digital advances and technology – this at a time when Israel is waging a war that is highly dependent on high-tech digital war tools.

For some time, the EU has been directly funding arms companies under two specific funds – the Act in Support of Ammunition Production (ASAP) worth €500 million and the European Defence Fund (EDF) worth €8 billion. Private, and highly lucrative, arms companies that are currently in receipt of European public money to the tune of €426 million are arming Israel. The funding allocated under the ASAP, €229 million, almost half of the total amount, was approved after 7 October 2023. The German company Rheinmetall, which is sending tank shells to Israel, has received over €133 million under the ASAP and over €36 million under the EDF. Norwegian company Nammo, with subsidiaries in other Nordic countries, which is arming Israel with bunker defeat munitions, a shoulder fired 'bunker buster' rocket, has received over €96 million under ASAP and a subsidiary company has received €27 million under EDF. Other European arms companies in receipt of European public money that arm Israel include Leonardo, in receipt of almost €115 million, ThyssenKrupp, over €1 million, Rolls Royce, €600,000, BAE Systems €500,000 and Renk over €420,000.

For years the European and Israeli arms industries have been deeply enmeshed, with trade between the two being mutually beneficial.

EU member states also contribute significantly to Israel's military might, both in terms of developing its own arms industry and in building its military strength. Germany is Israel's second-largest arms supplier after the US, with arms export licences worth €0.88 billion between 2018 and 2022. This accounts for half of the EU's arms exports over this period. In 2023 German exports to Israel increased tenfold from €32.3 million to €326.5 million with the vast majority of new licences being granted in the period following 7 October.

After Germany, Romania, France, Italy, the Czech Republic and Spain (in order of decreasing value) were the EU's largest arms exporters to Israel. The UK's total export value was €167 million but since Brexit it is only partially included in the EU's total arms export value, which was €1.76 billion from 2018 to 2022.

Some large arms exports that took place in the years covered in this research – 2018–2022 – from European countries to Israel can be directly connected to the current war on Gaza, such as engines for Merkava tanks and Namer armoured vehicles (MTU – Rolls-Royce subsidiary, Germany), Sa'ar corvettes (Thyssenkrupp Marine Systems, Germany), naval guns (Leonardo, Italy) and howitzers (BAE Systems, UK).

At least 25% of components for spare parts directly exported to Israel for the upkeep of F-35 fighter jets, currently being used to bomb Gaza, come from European countries including Belgium, Denmark, Finland, Germany, Italy, the Netherlands, Norway, Switzerland and the UK. Only the Netherlands has placed restrictions on these exports following a case brought before the Dutch courts by civil society groups, which was won on appeal.

In total, EU countries denied 20 arms export permits for Israel between 2018 and 2022, mostly for firearms. The governments which issued the denials are not named.

As well as exporting directly to Israel, components manufactured by EU member states that are exported to the US will often end up in weapons systems that the US then exports to Israel. This happens because the US does not allow other countries to have a say over its arms exports, meaning that there are no end-user agreements between EU member states and the US. Moreover, open or general licences, as opposed to one for each export, or categorising goods as dual-use as opposed to solely for military use, allow states to export more easily and circumvent regulations.

Israel's arms industry fosters close ties with the IDF and Defence Ministry and regularly markets its products as 'battle tested'. The EU legitimises this marketing strategy by purchasing these products.

Israel was the world's tenth-largest arms exporter for the period 2018–2022, by far the largest per capita, with roughly 25% of these exports going to European countries. Germany was by far the highest importer and drones are one of the best-selling products. The EU's border and coast guard agency, Frontex, leases drones from Elbit and IAI for surveillance flights. Elbit has subsidiaries in 11 European countries including Austria, Belgium, France, Germany, Hungary, Italy, the Netherlands, Romania, Sweden, Switzerland and the UK.

Several EU and other European countries – including France, Germany, Greece, Italy, the Netherlands, Poland and the UK – participate in military cooperation with Israel, for example with joint military exercises, training or information and intelligence exchange. Israel is also a close partner of NATO and since 2017 it has a permanent and official mission to NATO's headquarters in Brussels.

In 2018 Europol signed a working arrangement with the Israeli law enforcement authorities – including the Israel National Police and the Israel Security Agency, which are involved in the current war on Gaza – on fighting serious crime and terrorism, through exchange of information, knowledge and best practices, participation in training activities and advice and support in investigations. In September 2022 the EU and Israel completed negotiations for an additional personal data-sharing agreement between Europol and Israeli law enforcement. In December 2022 the EU froze further steps to adopt the treaty, because of the anticipated policies regarding the West Bank.

The closest form of security cooperation between EU and Israeli entities takes place in the field of research and innovation (R&I). Israel has been associated with the Framework Programmes, the overarching EU funding instrument for R&I, since 1996. Since 2007, under Framework Programme 7, Horizon 2020 (2014–2020) and Horizon Europe (2021–2027), so far 84 of them have earned €69.39 million from 132 security projects.

In respect of energy agreements, in 2022, the EU, Egypt and Israel signed a Memorandum of Understanding (MoU), which saw the EU import gas from Israel via Egypt. In a response to a parliamentary question on the matter, European Commissioner on Energy Kadri Simson confirmed on 12 January 2024 that until the end of November 2023 the EU had imported 1.3 bcm of LNG under the terms of this MoU. Moreover, on 29 October 2023, Israel's Ministry of Energy awarded licences to six companies for gas exploration in Gaza's maritime area, including Italy's Eni S.p.A.

In September 2023, an MoU was signed between the EU, France, India, Italy, Saudi Arabia, the United Arab Emirates (UAE) and the US, for the India Middle East Europe Economic Corridor (IMEC) project. Since 7 October France appointed a special envoy to oversee the project and the Greek Prime Minister stressed its importance. European Commission President Ursula von der Leyen has also continued to endorse the project even amidst Israel's genocidal war on Gaza. Separately, a Tel Aviv rail-link project received €250 million from the European Investment Bank in December 2023, over two months after Israel's genocidal onslaught on Gaza had begun.

Introduction

In January 2024, Israel was put on trial for the crime of genocide at the International Court of Justice (ICJ) in the Hague.¹ The case brought by South Africa and endorsed by various countries around the world was in response to Israel's war on Gaza, which was continuing at the time of writing, with a death toll of almost 40,000 and Gaza largely reduced to rubble. Although the ICJ may take years to reach a final verdict, statements of genocidal intent by Israel's highest-ranking officials, coupled with the conduct of the Israeli Occupation Forces (IOF), as well as the catastrophic violence being livestreamed by those experiencing it, have led genocide scholars, legal academics and practitioners, and United Nations experts, to overwhelmingly conclude that the situation unfolding in Gaza amounts to genocide.

Under the provisions of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, the act of genocide and complicity in it are punishable under the Convention. As the title of this paper – *Partners in Crime* – suggests, in its perpetration of the 'crime of crimes', Israel is not acting alone but rather with the political and material support of its allies, notably in the United States and Europe. Indeed, in its defence arguments before the ICJ, Israel's lawyers quoted an extensive passage by the current European Commission President Ursula von der Leyen to justify its onslaught.² This research paper seeks to examine the complicity of the EU in Israel's genocide in Gaza. To do this it is necessary to contextualise the EU's actions since 7 October 2023 against the backdrop of a relationship between Europe and Zionism spanning over a century.

Chapter 1 sets out the origins of Europe's colonial aspirations in Palestine beginning with the break-up of the Ottoman Empire during World War I (1914–1918), the Sykes–Picot agreement of 1916 and the Balfour Declaration of 1917. It then refers to the role of the British Mandate and the League of Nations during the 1920s and 1930s, before detailing the eventual withdrawal of Britain from Palestine in 1948, leading to the formation of the state of Israel. This chapter cannot possibly give a comprehensive analysis of this complex history, but presents a brief overview of key events, which show that the state of Israel was founded as part of a European colonialist project, led by Britain, endorsed by France, and subsequently supported by the emerging United Nations system. Understanding these origins is crucial to understanding the EU's support of Israel today.

Chapter 2 looks at the evolution of the relationship between Israel and the EU in its previous iterations as a six-nation Coal and Steel Community and subsequently the European Economic Community (EEC) to its current 27-member composition as the European Union (EU). It details conversations held in 1950s between European and Israeli political leaders, who explored the possibility of Israel joining the EEC, as well as the first Free Trade Agreement (FTA) signed

between the two entities in 1975. It then examines more recent bilateral agreements including the Association Agreement of 1995, and the European Neighbourhood Policy, among others. It draws attention to Israel's multiple invasions of neighbouring states as well as the intensification of its occupation of the Palestinian territories, to which the EU, for the most part, turned a blind eye. The chapter closes with a case study on EU Israel cooperation in respect of energy and strategic transit routes.

Chapter 3 focuses specifically on the arms trade as a central component of the EU's complicity in Israel's genocide in Gaza. The chapter begins by detailing the EU's regulatory framework that applies to the export of arms to countries outside the EU. It then examines the deeply enmeshed European and Israeli arms industries. The chapter also focuses on research collaboration related to the military and security realm, between European and Israeli entities funded through EU research programmes. Finally, this chapter looks at collaboration between Israeli and European arms companies.

Chapter 4 looks at the political and material support provided by the EU to Israel in the wake of the 7 October attacks. It includes a timeline of events from 7 October 2023 to 7 May 2024 focusing mostly on the actions of EC President Ursula von der Leyen, HR/VP Josep Borrell, as well as key moments in the European Council and European Parliament. It also details projects funded through the EU's Horizon Europe programme involving Israeli entities, which have been approved since 7 October. At least two Horizon Europe projects fund Israeli arms company Israel Aerospace Industries Ltd while others fund universities that work in close collaboration with the IOF. Other forms of support, including finance from the European Investment Bank, are also discussed. Finally, this chapter looks at the European arms companies providing arms to Israel that are in receipt of European public money through the European Defence Fund (EDF) and Act in Support of Ammunition Production (ASAP).

CHAPTER 1

The origins of Europe's colonial aspirations in Palestine



Source: Al Jazeera – Palestine and Israel Brief History Maps and Charts from 1917 to the present day

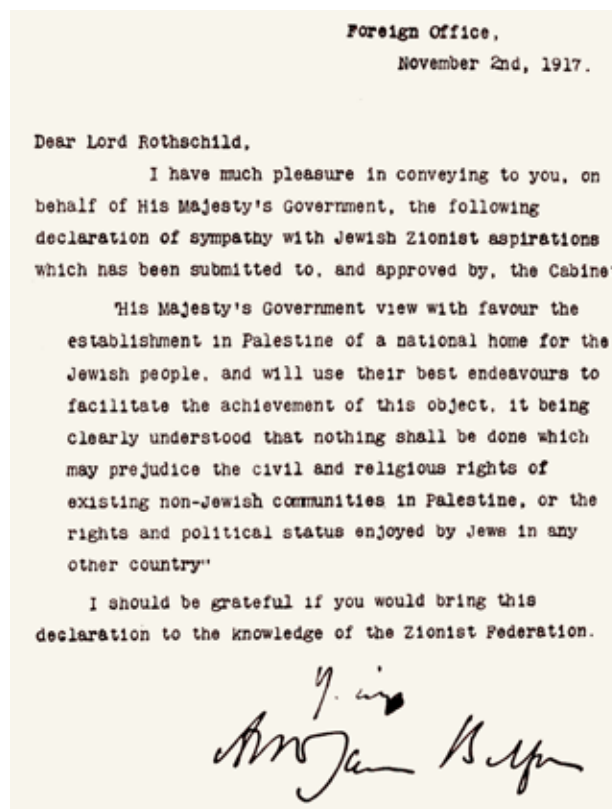
For four centuries, Palestine formed part of the Ottoman Empire, with the city of Jerusalem holding particular significance for the Ottomans as a religious centre for people of Christian, Jewish and Muslim faiths, who peacefully lived side by side on these lands.³ At its largest, the Ottoman Empire spanned much of Southeast Europe, West Asia and North Africa, encompassing the lands of Palestine and neighbouring territories. The empire's downfall and eventual end came during World War I.

As part of their colonial aspirations in West Asia, the British and the French, in anticipation of the break-up of the Ottoman Empire, set their sights on gaining control over its territories, including Palestine. Under the secret Sykes–Picot Agreement, negotiated between a Briton, Mark Sykes who was a political advisor and diplomat, and a French diplomat, François Picot, the borders of West Asia were drawn. Italy and Tsarist Russia were privy to the secret negotiations although they did not draw any benefit from them, with Lenin later dubbing it 'the agreement of the colonial thieves'. The Agreement, which partitioned the land previously under the Ottoman Empire, was later formalised by the two European colonial powers in London and Paris on 16 May 1916. Under the terms of the Sykes–Picot Agreement the British and French firmly set their sights on establishing a foothold in the Levant, influencing the shape the region would take for decades. Palestine would eventually be brought under British control.⁴ Building a settler colony (in this case a Jewish state in Palestine), in the Arab Machreq exemplified the colonial practice of settling White people in colonies where they would serve the interests of the respective colonial powers.

Britain had set its sights on exerting control over Palestine considering that settling a pro-British Jewish population there would provide Britain with access to territory in the proximity of the Suez Canal and thus access to a vital communication route to India, another of Britain's colonies (affectionately known as the Crown Jewel of the British Empire). Establishing a British controlled outpost in Palestine, with a view to building a port, would open up a transit route from the Mediterranean Sea to Iraq's rich oil resources located further inland. Palestine was therefore strategically located at the centre of various communications routes including the Mediterranean Sea, the Suez Canal with a gateway to the East, and in close proximity to Iraqi oil.

On 2 November 1917, Britain's foreign secretary, Arthur James Balfour (known for his anti-Semitic, white supremacist and colonialist views), wrote a letter to Lord Rothschild, an aristocrat and a Zionist, declaring 'his Majesty's government view with favour the establishment in Palestine of a national home for the Jewish people'. The British cabinet's only Jewish member, Edwin Montagu, commented 'I wish to place on the record my view that the policy of His Majesty's Government is anti-Semitic and in result will prove a rallying ground for Anti-Semites in every country in the world.'⁵ His concerns were ignored however and the letter, which became known as the Balfour Declaration, marks the formal beginning of British colonial dominance in Palestine. A month later in December 1917 the British army captured Jerusalem.⁶

The Balfour Declaration



Matzpen, an Israeli anti-zionist organisation would later describe the Balfour Declaration as a marriage where Zionism was wedded to colonialism.⁷ There are various statements from British political figures in the years following the Balfour Declaration which demonstrate the function that this 'marriage' served, with the British administration in Palestine facilitating 'Zionist settlement activity and help[ing] to train their armed militias.'⁸

Zionism

It is beyond the scope of this research paper to include an in-depth analysis of Zionism but the following passages are quoted in full from other sources to provide a brief overview for the reader:

- The Oxford Dictionary of Phrase and Fable defines Zionism as ‘a movement for (originally) the re-establishment and (now) the development and protection of a Jewish nation in what is now Israel. It was established as a political organisation in 1897 under Theodor Herzl, and was later led by Chaim Weizmann’.⁹
- Dr. Noura Erakat, university professor, legal scholar and human rights lawyer, drawing on the work of scholar Faye Sayegh in *Zionist Colonialism in Palestine* (1965), sets out the following in a piece titled *Beyond Discrimination: Apartheid is a Colonial Project and Zionism is a form of Racism*:¹⁰

‘In 1965, Palestinian scholar, Faye Sayegh developed a racial theory of Zionist settler-colonization. As an instrument of nation-building predicated on the removal and juridical erasure of the Palestinian people, he explains, Zionist colonization should be understood as “racial elimination” and thus distinct from those European colonial projects defined primarily by racial domination. Sayegh continues that the Zionist belief that Jews constitute a race and a singular people, irrespective of religious piety or identification, produces “three corollaries: racial self-segregation, racial exclusiveness, and racial supremacy.”

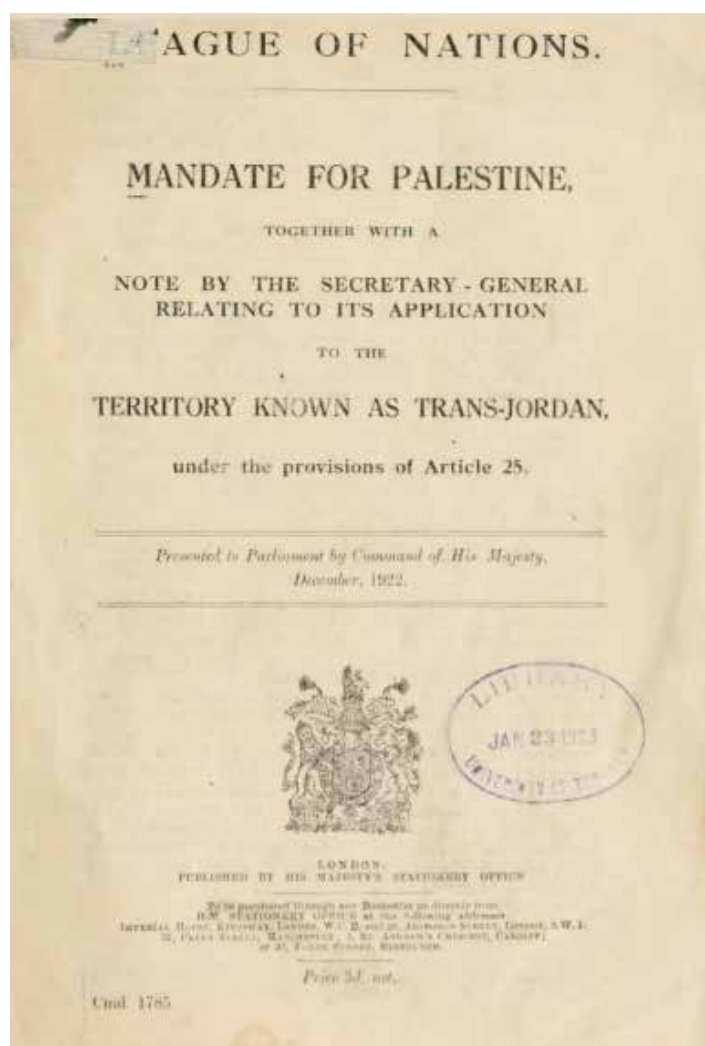
- Zionism was formally recognised by the UN General Assembly as a form of racism and racial discrimination in 1975 but was subsequently revoked in 1991.¹¹ Quoting Dr. Erakat’s aforementioned piece:

‘Sayegh would lead the UN effort to amend the Decade Against Racism to insert the word, “Zionism” wherever apartheid, colonialism, and racial discrimination appeared in the text. His efforts culminated in the passage of UNGA Resolution 3379 condemning Zionism as a form of racism and racial discrimination in 1975. In 1991, the Palestinian Liberation Organization agreed to a process within the General Assembly to rescind the Resolution as a condition for entering into the Madrid and Oslo peace talks.’

- In a piece published by the Huffington Post Dr. Peter Cohen, retired sociologist at the University of Amsterdam, set out that:¹²

‘The view that Jews are a nation is the primary belief underlying Zionism. The notion of Jewish nationhood is a 19th – century invention, and like many other 19th – century inventions it is taking a long time to unravel and lay to rest. ... Zionism is a conceptual ideology in which it is assumed that part or all of the land of Palestine belongs to ‘the Jews’. ... Such assumptions lead to organised conquests, expulsions, land dispossession or ... episodes of brutal violence’.

In 1920, representatives from Britain, Belgium, France, Greece, Italy and Japan attended the Conference of San Remo to discuss the governance of territories they had captured during World War I. The territory that today roughly comprises Syria and Lebanon was brought under French control, while Palestine was taken by Britain. The conference essentially amounted to European (apart from Japan) states exercising territorial control over foreign lands as part of their colonial ambitions. Among the other agreements reached at the conference was an Anglo–French oil agreement regarding Iraqi oil deposits.¹³ The ‘Mandate for Palestine’, including the notion of creating a home for the Jewish people, whereby Britain would occupy and control Palestinian territory, was formally endorsed by the League of Nations in 1922.¹⁴ The League of Nations was formally dissolved in 1946 following the end of World War II (1939 – 1945) and the establishment of the United Nations.



From 1920 until 1948 British forces occupied Palestine and engaged in violent acts against the population, including destroying their homes and attacking and repressing revolts as well as crushing and suppressing any semblance of Palestinian political and national representation. In the meantime, Britain encouraged Jewish migration from Europe to Palestine, giving considerable political and economic privileges to Jewish populations including the freedom to set up chartered colonising companies, while also facilitating land confiscations from Palestinians to set up Jewish settlements and arming and training various Zionist forces and militias to help them carry out their colonial endeavours.¹⁵

In 1937, two years before the beginning of World War II, a Commission was appointed by the British Government, which recommended the mass removal of Palestinians from their lands to pave the way for a Jewish state. This was realised a decade later in September 1947 when a newly formed United Nations General Assembly voted in favour of Resolution 181, which called for separate Jewish and Arab states in Palestine. The United Nations was born out of the ashes of World War II during which six million Jews were killed by the Nazis. The antisemitism that led to the holocaust did not occur in a vacuum, however, and should be considered in a broader context of anti-Jewish sentiment and hostility in Europe that has spanned centuries. It is beyond the scope of this research to develop this point further but it is briefly mentioned to provide context for the emigration of Jewish people from Europe following World War II. The aforementioned UN resolution effectively partitioned Palestine into two states, one Arab and one Jewish, which soon afterwards became Israel, with Jerusalem being placed under an international regime.¹⁶

In a period known as the Nakba or catastrophe, heavily armed Zionist groups unleashed a brutally violent assault on Palestine, attacking cities, destroying villages, killing some 15,000 people and forcibly expelling at least 750,000 Palestinians from their homes. More than 78% of historic Palestine was brought under the control of Zionist forces and the original inhabitants expelled from their land. The remaining 22% comprises the lands known today as the West Bank and the Gaza Strip.¹⁷ Palestinians were displaced within their own territory, while also being expelled to neighbouring Jordan, Lebanon and Syria and today there are almost 6 million Palestinian refugees whose displacement stems from this period.¹⁸

On 14 May 1948 British rule in Palestine formally came to an end with the state of Israel replacing it.¹⁹ The US President Harry Truman was the first world leader to recognise Israel, doing so only 11 minutes after its creation.²⁰

As the timeline of events shows, the state of Israel, which has existed for 76 years, was born out of European colonialist aspirations in West Asia as the Ottoman Empire began to crumble. Britain and France saw the chance to carve up the territory that today roughly comprises Iraq, Israel, Jordan, Lebanon, Palestine, and Syria, partitioning these lands between them in agreements, the repercussions of which are strongly felt today. Israel thus was born as a colonialist project and throughout its 76 years of existence, it has enjoyed unwavering support from several Western states. This relationship is mutually beneficial. For its part, Israel receives the backing of the world's most powerful countries as it ethnically cleansed Palestine (and continues to do so) to bring about the logical conclusion of the Zionist ethno-nationalist state for Jewish people only. Meanwhile for Israel's allies in Europe and beyond, most strongly expressed by the US, their strong ties with Israel allow them to maintain a foothold in the Middle East from where they can continue to exert dominance and control over neighbouring Arab states and populations and thereby prolong colonialist and imperialist dynamics that have played out in the region for over a century.

CHAPTER 2

Forever friends: The European Union and Israel

‘Today we celebrate 75 years of friendship between Israel and Europe. We have more in common than geography would suggest, our shared culture, our values, and hundreds of thousands of dual European Israeli citizens ... Europe and Israel are bound to be friends and allies. Your freedom is our freedom.’²¹

– European Commission President Ursula von der Leyen
on ‘Israel Independence Day’ 14 May 2023



Since its founding, Israel has enjoyed a special relationship with Europe, both in terms of its direct engagement with European states, as well as with the EU in its various iterations since its formation in 1952. In 1957, meetings were held between Jean Monnet, on behalf of Europe, and Shimon Peres, then Director General of the Israeli Ministry of Defence and special envoy of Prime Minister Ben Gurion, on behalf of Israel, to explore the possibility of Israel ‘obtaining full economic and political EEC membership’.²² Although it never became a member of the EEC, it has enjoyed a special relationship with Europe for decades. The first Free Trade Agreement between the EU and Israel dates from 1975 when a General Agreement on Tariffs and Trade (GATT) was concluded between ‘the European Communities and Israel’.²³ It aimed to reduce customs, particularly on industrialised products, and eliminate duties on 70% of Israeli agricultural products exported to the EU.²⁴ In the 1990s new negotiations took place between the two entities with the European Council granting Israel ‘special status’ in 1994. ‘The European Council believes that Israel, on account of its high level of economic development, should enjoy special status in its relations with the EU on the basis of reciprocity and common interests. In the process, regional economic development in the Middle East including in the Palestinian areas, will also be boosted’.²⁵ A year later in 1995 the EU Israel Association Agreement was concluded and signed, coming into effect in 2000. In 2009, the EU’s foreign policy chief, Javier Solana said of EU Israel relations **‘Israel is closer to the European Union than any other country in the world outside Europe ... Israel is ... a member of the European Union without being a member of the institutions.** It’s a member of all the EU programmes including the research and technology programmes’.²⁶

Today, the legal basis for bilateral relations between the EU and Israel is the 1995 Association Agreement. It 'includes provisions on regular political dialogue, on freedom of establishment and liberalisation of services, the free movement of capital and competition rules and the strengthening of economic and social cooperation'.²⁷ Crucially, the Agreement includes a human rights clause which states 'Relations between the Parties, as well as all the provisions of the Agreement itself, shall be based on respect for human rights and democratic principles, which guides their internal and international policy and constitutes an essential element of this Agreement'.²⁸ Trade relations between the two signatories are governed by this Agreement, which establishes a free trade area. The EU is Israel's largest trade market, accounting for roughly a third of its total trade, amounting in 2022 to €46.8 billion. The EU's imports from Israel were worth €17.5 billion while its exports to Israel amounted to €12.2 billion.²⁹ The arms trade between the EU and Israel is discussed in chapter 3.

In addition to the Association Agreement, in 1995 the EU organised the Barcelona Process to strengthen relations with countries located around the Mediterranean.³⁰ The process involved all EU member states, as well as governments from the Balkans and the wider Mediterranean region, including Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Syria, Tunisia, and the Palestinian Authority. The subsequent Union for the Mediterranean established on 13 July 2008 by the then French President Nicolas Sarkozy, consisted of all EU member states as well as those countries on the Mediterranean, including Israel and many Arab states.³¹

The objective of bringing Israel into these political spaces went beyond purely satisfying trade and economic goals, it also served to normalise the state of Israel, particularly with its Arab neighbours.

Moreover, the EU's technical and financial cooperation with Israel is governed by the European Neighbourhood Policy (ENP) with a joint action plan concluded and adopted in 2004, the objective of which was to 'gradually integrate Israel into European policies and programmes'.³² The Action Plan aimed to create opportunities for cooperation in three areas – political, economic and trade, and people to people. This further enhanced the Association Agreement and complemented it. At the end of 2007 a Twinning Cooperation instrument was created to promote 'the approximation of Israeli norms and standards to those of the EU', with projects launched for this purpose in 2008. The European Neighbourhood and Partnership Instrument, a financial instrument that supports the ENP, signed a financing agreement between the EU and Israel in July 2008 to 'allow support for Israel under the European Neighbourhood Policy Action Plan'. A sum of €14 million for the period 2007–2013 was allocated³³ and during the subsequent period 2014–2020, a further €14 million went to Twinning projects.³⁴

While European states and Israel were busy strengthening relations in the initial decades after its violent formation, Israel was tightening its grip on Palestine as well as waging war with its neighbours. It is impossible to detail the full extent of Israeli aggression here but some key events are referenced.

- In 1956, the year preceding Israel's talks with French officials on its potential membership of the EEC, it massacred Palestinians in the villages of Qalqilya, Kufr, Qassem and Khan Yunis,³⁵ and also joined forces with Britain and France to invade

Egypt in response to President Nasser's decision to nationalise the Suez Canal. The joint invasion allowed for the consolidation of relations between Israel and two of the most powerful Western states, both permanent members of the UN Security Council.

- In 1967 Israel illegally occupied the rest of historic Palestine and began building settlements in the West Bank and the Gaza Strip. It also illegally occupied the Syrian Golan Heights and the Egyptian Sinai. Despite UN Security Council Resolution 242 calling for Israel to withdraw from the Occupied Territories, Israel did not comply and the international community failed to hold it to account. This lack of compliance and accountability set in train a pattern whereby for decades Israel has systematically violated international law in the OPTs and the international community has consistently failed to hold it to account. Less than 10 years later the EEC signed its first FTA with Israel, even as it illegally occupied Palestinian territory in violation of international law.
- In 1978 and again in 1982 Israel invaded Lebanon, tens of thousands were killed and injured.³⁶
- In 1987, an uprising known as the First Intifada began after 20 years of Israel's brutal occupation. It was violently crushed, leaving 1,500 Palestinians dead and tens of thousands injured.³⁷
- In the 1990s secret negotiations between the Palestine Liberation Organization (PLO) and Israel led to the signing of the Oslo Accords, which raised hopes that a new era of peace may lie ahead for Palestine. Instead, the Accords saw Israel intensify its stranglehold on the West Bank and eventually place Gaza under a full blockade in 2007.
- In 2000 the Second Intifada took place, in which almost 5,000 Palestinians were killed and over 50,000 injured.³⁸
- In 2006 Israel waged another war against Lebanon resulting in over 1200 people being killed.³⁹

Despite Israel's systematic violations of international law, its relations with the EU continue to flourish. Even as Israel launched military assaults on the besieged Gaza Strip in 2008 (Operation Cast Lead), 2014 (Operation Protective Edge), 2018 and 2021, in a policy Israel calls 'mowing the lawn' – killing at least 4,000 Palestinians and fewer than 100 Israelis⁴⁰ – at no point did the EU or its member states take any concrete steps to restrict Israel's actions or hold it to account.⁴¹ The response then, as now, remained purely rhetorical. Likewise, as Israel expands its illegal settlements in the West Bank, with the exception of wholly inadequate sanctions placed on four individuals and two entities allegedly connected to settler violence, the EU has yet to take decisive measures that might actually bring pressure to bear on the Israeli state.

CASE STUDY: EU, Israel and energy cooperation

In contravention of claims to uphold human rights and in direct violation of article two of the Association Agreement, the EU has deepened trade relations with Israel, despite recognising the illegal character of its actions, particularly in respect of its illegal settlements in the West Bank, recognised as such by the EU.⁴² An examination of the cooperation between the EU and Israel in respect of energy provides a case in point.

Following the discovery of offshore gas in 2009, Israel went from being a gas importer to a gas exporter, predominantly to neighbouring Egypt and Jordan, but with its sights firmly set on exporting to Europe. The EU, particularly following the 2022 full-scale Russian invasion of Ukraine, began looking to source its energy elsewhere. Discussions followed on the possibility of connecting energy grids via an East Mediterranean pipeline and the Euro-Asia Inter-connector sub-sea cable.⁴³

In June 2022, the EU, Egypt and Israel signed a Memorandum of Understanding (MoU) that allowed Israeli gas to be exported to the EU via Egypt to enable and expedite the stable delivery of natural gas to the EU through Egyptian Liquefied Natural Gas (LNG) infrastructure, including through encouraging European energy companies to invest in Israeli gas fields.⁴⁴ Although the flow of gas was temporarily suspended by Israel in the wake of the 7 October attacks, it subsequently resumed 'without impacting EU supply' according to a response to a parliamentary question dated January 2024.⁴⁵

Israel continues expanding its gas exploration and industry including through granting licences to European energy companies. On 29 October 2023, Israel's Ministry of Energy awarded licences to six companies, including Italy's Eni S.p.A. to explore Gaza's maritime area, a move which Palestinian human rights organisations said was a violation of international law.⁴⁶

In 2023, Israel's Ministry of Energy stated that the royalties of companies extracting natural resources saw an increase of US\$466 million compared to the previous year. This was largely due to a third gas field, Karish, which began operating in October 2022. Additionally, exports to Jordan and Egypt rose by 25%, including gas converted to LNG in Egypt to be shipped to Europe as per the aforementioned 2022 MoU.⁴⁷

The EU's interest in Israel is heavily influenced by its strategic location. During the G20 Summit in September 2023, a new project was announced and an MoU was signed between the EU, France, India, Italy, Saudi Arabia, the UAE and the US, which was celebrated by Israeli Prime Minister Benjamin Netanyahu. It is known as the India Middle East Europe Economic Corridor (IMEC) project.⁴⁸ The project is a major railway and ports initiative connecting Asia, the Gulf and Europe, with Israel foreseen as the main connecting hub with railway electrical cables and green energy pipelines.⁴⁹

This represents an effort by the EU and US to facilitate the normalisation of relations between Arab states and Israel following the Abraham Accords in 2020.⁵⁰ While normalisation between Saudi Arabia and Israel is a prerequisite for the project to succeed and is currently stalled because of Israel's ongoing genocide, several other signatories to the MoU have demonstrated their political commitment to the project. In February 2024, India and the UAE signed the first formal agreement on the corridor, while France appointed a special envoy to oversee the project and the Greek Prime Minister stressed its importance at an event in New Dehli.⁵¹ Normalisation is also a top priority for the EU, as highlighted by European Commission President Ursula von der Leyen on two separate occasions in October and November 2023 as Israel was in the initial days and weeks of its genocidal war on Gaza.⁵² For its part, Israel has included the IMEC project in its 'day after' scenario. In May 2024, the Jerusalem Post reported on Prime Minister Netanyahu's 'Gaza 2035' plan,⁵³ the first step of which involved 'creating safe areas free of Hamas control'. This was followed by additional steps to turn Gaza into an industrial hub with a port connecting to the Gulf through rail and pipeline infrastructure.⁵⁴ The plan fits within the thinking that inspired the IMEC project and if carried out would place Israel as the centre piece in a transit hub for trade between East and West.

As this chapter shows, EU Israel relations are deeply enmeshed, with EU leaders making statements to the effect that Israel is a defacto EU member state. Israel enjoys access to extensive pools of European public money and the EU, through Israel, maintains a foothold in the Arab region. Despite Israel's illegal and brutal occupation of Palestine, as well as its multiple invasions of neighbouring states, the EU continued to intensify relations with this rogue state, violating its own norms in respect of human rights and the rule of law.

CHAPTER 3

European-Israel arms trade relations



Israel's origins are rooted in European colonialism and the violent dispossession of Palestinian land. Against this backdrop, close ties were forged between the EU and Israel over decades, most notably in the highly lucrative arms industry. Arms are the fundamental component through which Israel is able to continue waging its genocidal war on Gaza and much of the weaponry discussed in this chapter is likely being used against Palestinians in Gaza today. As such, this chapter provides an extensive overview of the arms trade between the EU and Israel, focusing in particular on the years preceding the current onslaught on Gaza.

Before delving into the specific exports it is worth briefly discussing the regulations on the arms trade that apply to EU member states.

The European Union's Common Position on Arms Exports

Arms exports from the EU to third countries, including Israel, are legally bound by the EU's Common Position of 8 December 2008 defining common rules governing control of exports of military technology and equipment.⁵⁵ This sets out eight criteria under which arms exports are to be assessed.

ARTICLE 2

Criteria

1. Criterion One: Respect for the international obligations and commitments of Member States, in particular the sanctions adopted by the UN Security Council or the European Union, agreements on non-proliferation and other subjects, as well as other international obligations.

An export licence shall be denied if approval would be inconsistent with, *inter alia*:

- (a) the international obligations of Member States and their commitments to enforce United Nations, European Union and Organisation for Security and Cooperation in Europe arms embargoes;
- (b) the international obligations of Member States under the Nuclear Non-Proliferation Treaty, the Biological and Toxin Weapons Convention and the Chemical Weapons Convention;
- (c) the commitment of Member States not to export any form of anti-personnel landmine;
- (d) the commitments of Member States in the framework of the Australia Group, the Missile Technology Control Regime, the Zangger Committee, the Nuclear Suppliers Group, the Wassenaar Arrangement and The Hague Code of Conduct against Ballistic Missile Proliferation.

2. Criterion Two: Respect for human rights in the country of final destination as well as respect by that country of international humanitarian law.

- Having assessed the recipient country's attitude towards relevant principles established by international human rights instruments, Member States shall:

- (a) deny an export licence if there is a clear risk that the military technology or equipment to be exported might be used for internal repression;
- (b) exercise special caution and vigilance in issuing licences, on a case-by-case basis and taking account of the nature of the military technology or equipment, to countries where serious violations of human rights have been established by the competent bodies of the United Nations, by the European Union or by the Council of Europe;

For these purposes, technology or equipment which might be used for internal repression will include, *inter alia*, technology or equipment where there is evidence of the use of this or similar technology or equipment for internal repression by the proposed end-user, or where there is reason to believe that the technology or equipment will be diverted from its stated end-use or end-user and used for internal repression. In line with Article 1 of this Common Position, the nature of the technology or equipment will be considered carefully, particularly if it is intended for internal security purposes. Internal repression includes, *inter alia*, torture and other cruel, inhuman and degrading treatment or punishment, summary or arbitrary executions, disappearances, arbitrary detentions and other major violations of human rights and fundamental freedoms as set out in relevant international human rights instruments, including the Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights.

Having assessed the recipient country's attitude towards relevant principles established by instruments of international humanitarian law, Member States shall:

- (c) deny an export licence if there is a clear risk that the military technology or equipment to be exported might be used in the commission of serious violations of international humanitarian law.

3. Criterion Three: Internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts.

Member States shall deny an export licence for military technology or equipment which would provoke or prolong armed conflicts or aggravate existing tensions or conflicts in the country of final destination.

4. Criterion Four: Preservation of regional peace, security and stability.

Member States shall deny an export licence if there is a clear risk that the intended recipient would use the military technology or equipment to be exported aggressively against another country or to assert by force a territorial claim. When considering these risks, Member States shall take into account *inter alia*:

- (a) the existence or likelihood of armed conflict between the recipient and another country;
- (b) a claim against the territory of a neighbouring country which the recipient has in the past tried or threatened to pursue by means of force;
- (c) the likelihood of the military technology or equipment being used other than for the legitimate national security and defence of the recipient;
- (d) the need not to affect adversely regional stability in any significant way.

5. Criterion Five: National security of the Member States and of territories whose external relations are the responsibility of a Member State, as well as that of friendly and allied countries.

Member States shall take into account:

- (a) the potential effect of the military technology or equipment to be exported on their defence and security interests as well as those of Member State and those of friendly and allied countries, while recognising that this factor cannot affect consideration of the criteria on respect for human rights and on regional peace, security and stability;
- (b) the risk of use of the military technology or equipment concerned against their forces or those of Member States and those of friendly and allied countries.

6. Criterion Six: Behaviour of the buyer country with regard to the international community, as regards in particular its attitude to terrorism, the nature of its alliances and respect for international law.

Member States shall take into account, *inter alia*, the record of the buyer country with regard to:

- (a) its support for or encouragement of terrorism and international organised crime;
- (b) its compliance with its international commitments, in particular on the non-use of force, and with international humanitarian law;
- (c) its commitment to non-proliferation and other areas of arms control and disarmament, in particular the signature, ratification and implementation of relevant arms control and disarmament conventions referred to in point (b) of Criterion One.

7. Criterion Seven: Existence of a risk that the military technology or equipment will be diverted within the buyer country or re-exported under undesirable conditions.

In assessing the impact of the military technology or equipment to be exported on the recipient country and the risk that such technology or equipment might be diverted to an undesirable end-user or for an undesirable end use, the following shall be considered:

- (a) the legitimate defence and domestic security interests of the recipient country, including any participation in United Nations or other peace-keeping activity;
- (b) the technical capability of the recipient country to use such technology or equipment;
- (c) the capability of the recipient country to apply effective export controls;
- (d) the risk of such technology or equipment being re-exported to undesirable destinations, and the record of the recipient country in respecting any re-export provision or consent prior to re-export which the exporting Member State considers appropriate to impose;
- (e) the risk of such technology or equipment being diverted to terrorist organisations or to individual terrorists;
- (f) the risk of reverse engineering or unintended technology transfer.

8. Criterion Eight: Compatibility of the exports of the military technology or equipment with the technical and economic capacity of the recipient country, taking into account the desirability that states should meet their legitimate security and defence needs with the least diversion of human and economic resources for armaments.

Member States shall take into account, in the light of information from relevant sources such as United Nations Development Programme, World Bank, International Monetary Fund and Organisation for Economic Cooperation and Development reports, whether the proposed export would seriously hamper the sustainable development of the recipient country. They shall consider in this context the recipient country's relative levels of military and social expenditure, taking into account also any EU or bilateral aid.

Although it may seem very clear that under these criteria, particularly the second related to human rights and international humanitarian law (IHL), no EU member state should be transferring arms to Israel at present, or arguably ever, the application of the EU Common Position poses huge challenges for those trying to rely on it to stop arms exports. Given that arms transfers continue to occur, the question arises of whether the Common Position is justiciable. In theory it is, but in practice there are huge obstacles to overcome, making it virtually impossible to litigate, meanwhile companies continue exporting arms and states show no political will to restrict them.

The challenges may be summarised as follows:

- The EU criteria are left open to interpretation and implementation by the individual member states. There is no oversight of how each member state applies them nor any accountability procedure for transfers that may fall outside the criteria.
- There are significant gaps in transparency related to arms exports, how each state carries out risk assessments on whether to export, if they are carried out at all.
- Having *locus standi* granted by a court may pose challenges if there is no direct victim. Moreover, there are often other, country specific, obstacles that make it difficult for civil society organisations to successfully bring a case against an arms export decision.
- Causation poses a challenge in proving the connection between exports and the alleged violation.
- Variations apply in how the Common Position is codified into domestic law by each member state.
- Challenges are also related to components, dual-use equipment, and whether it is war materiel.
- Even if the aforementioned aspects are overcome, courts may deem export policies to be within the political rather than legal sphere with courts showing reluctance to wade in to separation of powers issues and preferring instead to dismiss the case.

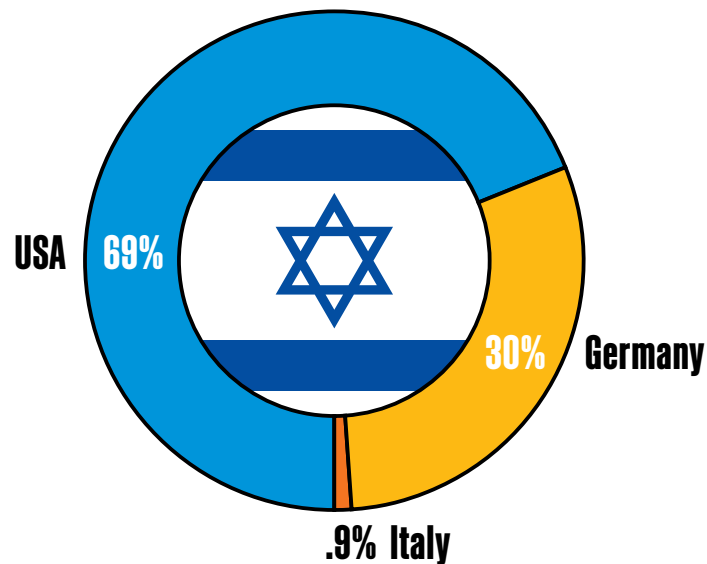
In short, this is a recipe for disaster – a weak regulatory framework with scant oversight and accountability procedures to oversee one of the world's most lucrative and highly corrupt industries dedicated to the production of lethal weapons, which states see as a demonstration of their military might and therefore are reluctant to impose an arms embargo. Moreover, those with the power to impose such embargoes at times have a financial stake in the arms deals at the centre of them.

European arms exports to Israel: more than meets the eye

The US is by far the most significant supplier of arms to Israel, with military support amounting to over US\$3 billion annually. At the same time, Israel has also developed its own arms industry on which it relies for military power.⁵⁶ European states contribute significantly to Israel's military strength, both in terms of developing its own industry and in building its military strength.

Germany is Israel's second largest arms supplier, with arms export licences worth €0.88 billion during the period 2018 to 2022. This accounts for half of the EU arms exports in these years. Romania, France, Italy, the Czech Republic and Spain (listed in order of decreasing value) are the other main EU arms exporters to Israel. The UK's total value is €167 million, but since Brexit is only partially included in the total EU arms export value of €1.76 billion. Because the UK left the EU during the period covered in this research, sometimes the term European is used to reflect this reality over the entire time period, which thus tends to include EU27 and the UK.

Large arms exports to Israel, 2019–2023

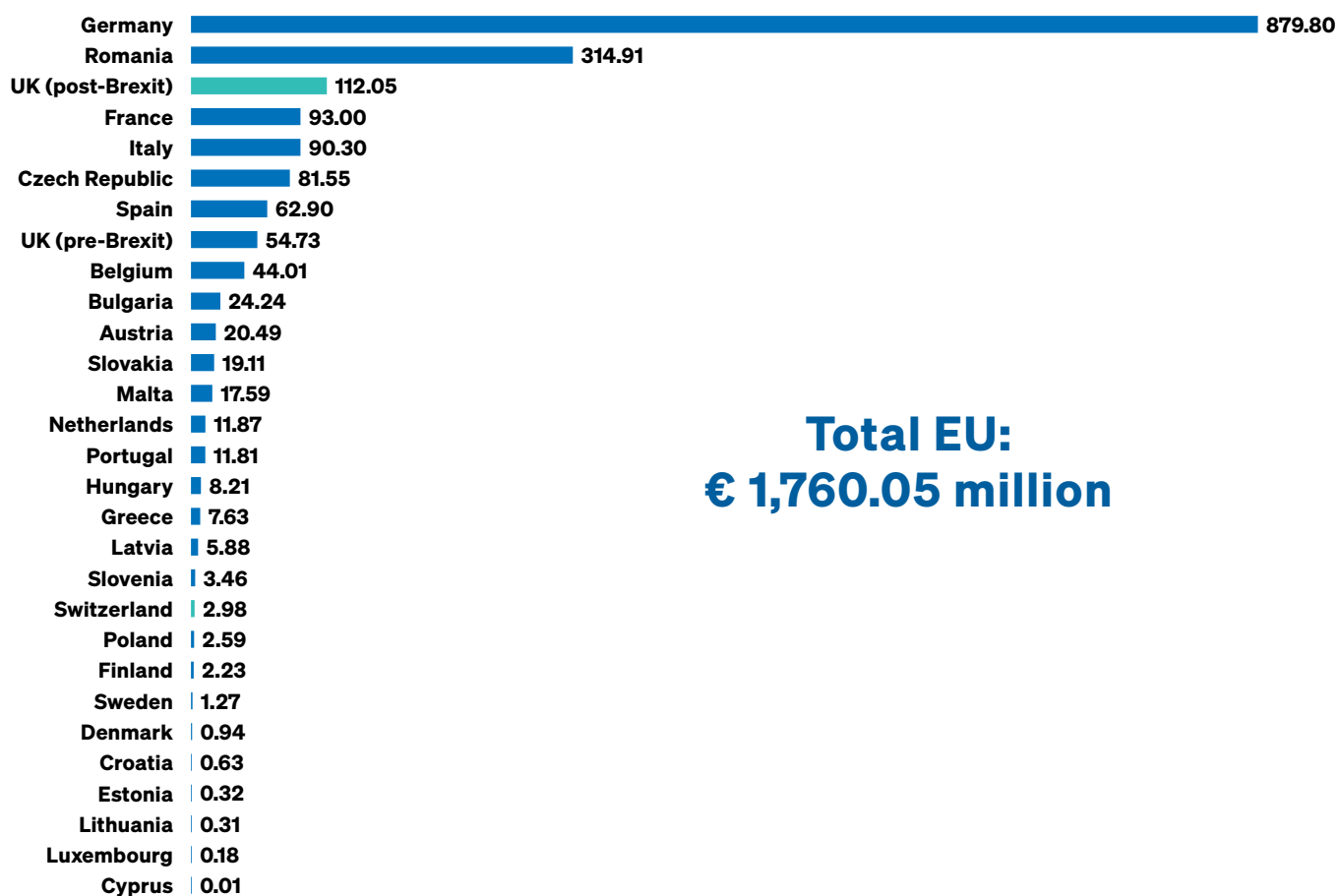


Source: SIPRI Fact Sheet, March 2024

While Israel is not among the top 20 destinations of EU arms, the provision of EU and UK arms remains important as they are Israel's only significant arms suppliers apart from the US and consist mainly of important weapons systems such as aircraft, warships, tanks and armoured vehicles. The largest recent deal, worth €3 billion, was for three submarines from the German company ThyssenKrupp, signed in January 2022.⁵⁷ A similar previous deal is under investigation concerning allegations of bribery and corruption.⁵⁸

Some large exports that took place in the years covered in this research – 2018–2022 – from European countries can be directly connected to arms used in the current war on Gaza, such as engines for Merkava tanks and Namer armoured vehicles (MTU (Rolls-Royce subsidiary), Germany), Sa'ar corvettes (Thyssenkrupp Marine Systems, Germany), naval guns (Leonardo, Italy) and howitzers (BAE Systems, UK).⁵⁹ Several countries are also involved in production for the F-35 fighter jet (see Table 1).

TABLE 1. EU member states' arms exports to Israel (2018–2022)
export licenses granted, in € million⁶⁰



In 2021 the UN Human Rights Council called for restrictions on arms exports to Israel saying that countries should ‘refrain from transferring arms when, in accordance with applicable national procedures and international obligations and standards, they assess that there is a clear risk that such arms might be used to commit or facilitate serious violations or abuses of international human rights law or serious violations of international humanitarian law.’⁶¹ There have been numerous calls for an EU arms embargo against Israel because of the occupation and violent repression of Palestinians, coming from many non-government organisations (NGOs) as well as from the European Parliament, but this has never been on the agenda in the Council. It would need to be approved by all member states, which is highly unlikely, given some EU countries’ close relationship with Israel. Several European countries have put restrictions on arms exports to Israel in the past, including Belgium, the Netherlands, Norway, Spain, Sweden and the UK. In total, EU countries denied 20 arms export permits for Israel between 2018 and 2022, mostly for firearms. The governments which issued the denials are not named.⁶²

While the overall view might be that European states apply a somewhat cautious arms export policy towards Israel, there are several, less publicly visible, ways in which this is undermined:

- US weapons systems which are exported to Israel on a large scale often contain components from producers from many other countries. For example, European parts for the F-16 and F-35 (see below) fighter jets, Apache attack helicopters and Hellfire missiles end up in Israel in this way. In the license-granting process for the

export of such parts, the criteria of the EU Common Position on Arms Exports – such as possible use for human rights violations, the aggravation of armed conflict or tensions or the threat to regional peace and stability – should normally also be checked for the end user and not only the initial export destination. In the case of the US, most countries relinquish this because it does not want foreign interference in its arms exports. Norway, which has not directly exported arms to Israel, is one example of being involved in such covert exports, including of components for Hellfire missiles.⁶³

- Other loopholes could be created via ‘open’ or ‘general licenses’, which allow the holders to export specified (categories of) goods without having to apply for a permit for every single export. There is often no transparency about what is exported under such licenses. The UK and the Netherlands are two of the countries which have used this option for arms exports to Israel.
- Countries that do not export arms to Israel might still be involved in the transit of arms to the country. A clear example is Ireland, which does not export arms to Israel but allows the use of Shannon Airport for US military stopovers, which may have included arms transport flights to Israel.⁶⁴ The Irish government has consistently denied calls by peace activists to search US military flights using Shannon Airport.
- Most countries apply much less restrictions on dual-use exports – goods which can be used for both military and civil purposes – to Israel, even when these are likely to be used by military or security forces. Exports of cameras, night vision equipment and chemicals fall into this category.

F-35 programme

The F-35 is an expensive fighter jet, which is one of the main new combat aircraft for many Western countries, including for the use of nuclear weapons. It is being developed and produced through an international programme, led by the US. The main contractor is Lockheed Martin (US), with Northrop Grumman (US) and BAE Systems (UK) as the main partners.

While Israel is not one of the official partner countries in this programme, it has a special status as a Security Cooperative Participant. It also received unique approval from the US to make some modifications to the plane, to integrate its own electronic warfare systems (produced by Elbit), resulting in the F-35I Adir-variant. In total Israel has ordered 75 F-35Is.⁶⁵ In 2018, Israel was the first country to use the F-35 in combat, during clashes with Iran in Syria.⁶⁶

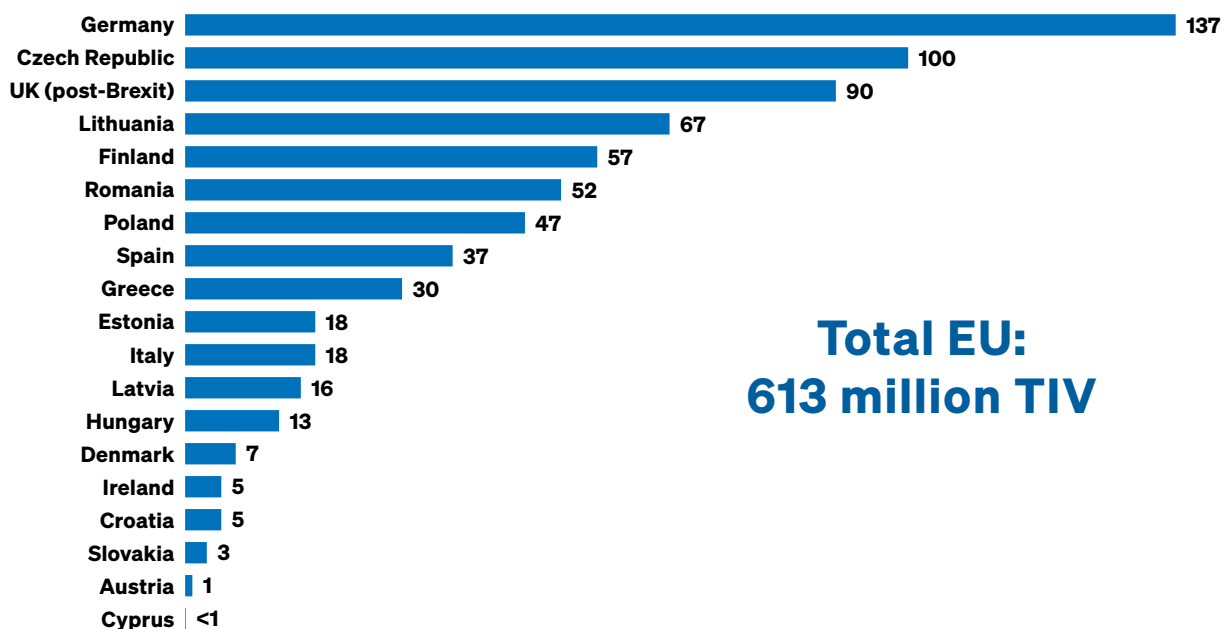
Most countries which purchase the F-35, in particular the partner countries, also produce parts for it. By the summer of 2023, about 25% of F-35 parts came from Europe, according to Lockheed Martin.⁶⁷ This includes companies from Belgium, Denmark, Finland, Germany, Italy, the Netherlands, Norway, Switzerland and the UK.⁶⁸ Europe also houses facilities for the maintenance of European F-35s, including Israeli planes, with a regional warehouse for spare parts in the Netherlands and engine maintenance locations in Norway and Italy.

Israeli arms exports to the EU: legitimising the ‘combat-proven’ marketing strategy

The Israeli military and security industry fosters close ties with the IDF and the Defence Ministry. ‘Long before there’s a marketable product, the tech companies offer it to the IDF, the police, or the intelligence agencies, and they try it out, sometimes in ongoing operations, to test and to improve it’, said Itamar Yaar, former deputy head of Israel’s National Security Council.⁶⁹ According to Antonie Loewenstein, author of *The Palestine Laboratory* (2023), ‘[t]he occupation, in the West Bank and Gaza, is the perfect place to develop and test new weapons systems including surveillance drones, intelligence gathering tools and artificial intelligence weapons. Once they’ve been used against Palestinians, the relevant companies market them at global weapons fairs. [...] ‘[B]attle-tested’ defense equipment is promoted with videos and photos taken in Palestine to show how ‘effective’ it is to global buyers.’⁷⁰

This sales strategy is highly successful. Israel is the world’s tenth largest arms exporter (2018–2022)⁷¹ and by far the largest per capita.⁷² About 25% of Israeli arms exports go to European countries.⁷³ The sharp increase in military budgets and the context of accelerated militarisation since the start of the full-scale Russian invasion in Ukraine in February 2022⁷⁴ has boosted European demand for and acquisition of Israeli arms, for example of missile defence systems.⁷⁵ Such purchases legitimise the controversial marketing techniques of Israeli arms companies and strengthen their position and capacities. According to Eugene Kogan in *European Security & Defence*, ‘Israeli arms exports to the EU allow for continued extensive investment in R&D in order to remain in the forefront of the world’s defence industries’, thus further fuelling the cycle of testing new arms and technologies.⁷⁶ Jeremy Issacharoff, Israel’s former ambassador to Germany, described the increase in arms sales to Europe as a ‘diplomatic boost for Israel’, expecting the countries concerned to become ‘more understanding of Israel’ and its operations against Palestinians.⁷⁷ National governments have routinely dismissed concerns voiced by politicians, NGOs and activists about European purchases of Israeli arms, predominantly arguing that they are just looking for the best equipment and do not want to take the background of arms sellers into consideration.

TABLE 2. EU recipients’ major conventional arms from Israel (2019–23)
value in million TIV⁷⁸



Drones are one of the best-selling products of the Israeli military and security industry. In Europe alone, Azerbaijan, Croatia, Cyprus, the Czech Republic, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Kazakhstan, the Netherlands, North Macedonia, Poland, Russia, Serbia, Slovakia, Spain, Sweden, Switzerland, Turkmenistan and the UK all operate Israeli drones – mainly from Elbit, IAI and Aeronautics – for military and/or security purposes.⁷⁹ Controversially, the EU border and coast guard agency Frontex, involved in illegal ‘pushbacks’ and other human rights violations against migrants, has contracted both Elbit and IAI to perform drone border-surveillance flights on the Mediterranean.⁸⁰ Frontex routinely transfers information about positions of refugee boats, gathered via drones and other surveillance methods, to the Libyan Coast Guard, which, often violently, pulls these boats back to Libya, where people end up in notorious detention centres, where they face murder, torture and slavery.⁸¹

Fuelling violence and repression worldwide

Israel’s (increased) arms exports to Europe are aided by the fact that several Israeli military and security companies, including the major three – Elbit, Israel Aerospace Industries and Rafael – already have a foothold in Europe, through local subsidiaries or cooperation with European companies.⁸² Elbit, for example, has subsidiaries in 11 European countries: Austria, Belgium, France, Germany, Hungary, Italy, the Netherlands, Romania, Sweden, Switzerland and the UK.⁸³

The consequences of the strong position of the Israeli military and security industry on the global market are far-reaching. It has a long record of arms exports to authoritarian regimes. ‘Many Western states sell arms, but what’s unique about Israel is that, wherever war crimes and crimes against humanity are being committed, you find Israel is present’, according to the human rights lawyer Eitay Mack.⁸⁴ Israel’s arms export licensing system includes no human rights compliance provisions and is very opaque. Past destinations included apartheid South Africa, Rwanda in the early stages of the genocide and more recently South Sudan, Myanmar, the Philippines and Azerbaijan.⁸⁵

The Israeli industry is also an important player on the shady counter-terrorism market, which often extends into repression against any political opposition. Pegasus Spyware of the NSO Group is used by many authoritarian regimes worldwide to hack, surveil and control activists, journalists and politicians.⁸⁶

Military and security cooperation: strengthening Israel’s military-industrial complex

The EU is, as yet, still evolving as a military power and as such has no direct strictly military cooperation with Israel. However, considering that the EU is now rapidly building up and expanding this role and its military and arms industry infrastructure this might well change in the future. Several EU and other European countries – including France, Germany, Greece, Italy, the Netherlands, Poland and the UK – participate in military cooperation with Israel, for example with joint military exercises, training or information and intelligence exchange.⁸⁷

As stated earlier, in 1995 the EU and Israel signed an Association Agreement, which entered into force in June 2000. The agreement is mainly about trade and economic cooperation, but it also

mentions security and migration issues. The EU commits to ‘providing regular information to Israel on issues relating to the common foreign and security policy, which shall be reciprocated’ and both partners will cooperate on migration with a view to ‘increasing the effectiveness of measures aimed at preventing or curbing illegal migratory flows’.⁸⁸ The agreement explicitly states that the EU and Israel can take measures in the field of arms production and trade and military research, but that this can be done only if ‘such measures do not impair the conditions of competition in respect of products not intended for specifically military purposes’, does not cover dual-use products.

An annual Association Council meeting was held in October 2022 for the first time in a decade, after a long disagreement about the EU’s position on Israeli settlements in the Occupied Palestinian Territories (OPT). The EU’s position for this meeting mentioned that Israel is a ‘key partner’ for peace, security and migration, noting ‘significant [...] security operation’ and ‘positively ongoing project-based cooperation between Israel and EU Member States’ on these issues. While remaining critical about Israel’s occupation of Palestinian territory, its treatment of Palestinians and its operations in Gaza, the EU reiterated its ‘fundamental commitment to Israel’s security, including with regard to threats in the region’ and promised both Israel and the Palestinian government ‘an unprecedented package of political, economic and security support’ if they came to a final status agreement between them.⁸⁹ In the context of the meeting, European Commissioner Várhelyi expressed ‘Europe’s unwavering commitment to the security of the State of Israel’ and called ‘cooperation with reliable security partners like Israel so important for our internal security’.⁹⁰

The 2005 EU/Israel Action Plan includes cooperation on ‘strategic issues and regional security’ and ‘the fight against terrorism’.⁹¹ As the Euro-Mediterranean Human Rights Network notes the action plan makes ‘only a brief and general mention of human rights issues in contrast to Action Plans between the EU and other countries. There is no specific action item for human rights. The human rights language in the EU-Israel Action Plan is very vague and generally worded’.⁹²

In 2018 Europol signed a working arrangement with the Israeli law enforcement authorities – including the Israel National Police and the Israel Security Agency, which are involved in the current war on Gaza – on fighting serious crime and terrorism, through exchange of information, knowledge and best practices, participation in training activities and advice and support in investigations.⁹³

In September 2022 the EU and Israel completed negotiations for an additional personal data-sharing agreement between Europol and Israeli law enforcement.⁹⁴ Haim Regev, the Israeli ambassador to the EU, praised the agreement as one of the steps in ‘an unprecedented acceleration in [...] bilateral relations’ between the EU and Israel.⁹⁵

According to Statewatch, the negotiated agreement ‘would allow the exchange of personal data, including sensitive categories of data such as biometrics, racial and ethnic origin, or religious or political beliefs’ and ‘[i]t also includes derogations that would allow data transferred by Europol to be used in the occupied territories’.⁹⁶ Several EU member states voiced opposition to the treaty, which had already been put forward to the European Parliament, because of this

possibility. In December 2022 the EU froze further steps to adopt the treaty, because of the anticipated policies of the new Israeli government regarding the West Bank.⁹⁷

The subject of cooperation between the EU and/or its member states and the Israeli military-industrial-academic complex has been raised many times, in particular during periods of war or intensified attacks on Palestinians. In 2002, within the context of the Second Intifada, answering parliamentary questions about the involvement of IAI in a EU-funded research project on the civil application of UAVs, the Commission said that, while it 'is very concerned about the current situation in the Middle East, it believes that it is important to maintain relations with Israel and that suspending the Association Agreement would not make the Israeli authorities more responsive to its concerns at this time'.⁹⁸ The same excuse has been used over and over again.

Security research

The closest form of security cooperation between EU and Israeli entities – companies, authorities, research institutions, higher educational establishments – takes place in the field of research and innovation (R&I). Israel has been associated with the Framework Programmes, the overarching EU funding instrument for R&I, since 1996. The Framework Programmes run for seven years each, in parallel with the cycles of the EU budget (multi-annual financial framework). For Israel, this participation means 'a significant contribution to scientific and technological research, as well as to the economy, it promotes Israeli industry and at the same time opens up opportunities for Israeli companies in European markets'.⁹⁹

Israel's participation in the Framework Programmes has been guided by agreements for each separate programme.¹⁰⁰ While these agreements include no restrictions on who can participate, the EU in 2013 established general 'Guidelines on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the EU from 2014 onwards' which are applicable to these agreements as well. These guidelines stipulate that 'only Israeli entities having their place of establishment within Israel's pre 1967 borders' – this does not apply to Israeli public authorities at the national level – and if 'the activities [...] carried out in the framework of EU-funded grants and prizes [...] do not take place' in the occupied territories (Golan Heights, Gaza Strip and West Bank (including East Jerusalem) are eligible for EU funding, unless these activities are aimed 'at benefiting protected persons under the terms of international humanitarian law who live in these territories and/or at promoting the Middle East peace process in line with EU policy'.¹⁰¹

These guidelines are not comprehensive, as, in the context of Israel's participation in the Framework Programmes, they leave room for participation of national authorities located in occupied territories and for all entities which are active in the occupied territories and/or whose work contributes to violence and human rights abuses – such as military, security and police authorities, military and security companies and universities – as long as the funded activities do not take place there.

Security research has been included as a full-fledged topic of the framework programmes since Framework Programme 7 (2007–2013), after extensive lobbying efforts by the military and security industry to do so, and based on an advisory report by an official Group of

Personalities, which was dominated by representatives from this industry.¹⁰² Israeli entities have participated in Framework Programmes' security research from the start. Since 2007, under Framework Programme 7, Horizon 2020 (2014–2020) and Horizon Europe (2021–2027), so far 84 of them have earned €69.39 million from 132 projects. With this Israel is the second-largest non-EU beneficiary of this funding, after Norway, and by far the largest non-European recipient.¹⁰³ Financially, the companies IBM Israel, Elbit and Verint have been the largest beneficiaries of EU security funding. In five of the seven projects in which Elbit participated, it cooperated with Leonardo (Italy), the largest arms company in the EU. Apart from its four projects in security research, IAI participated in 40 non-security Framework Programmes projects, often cooperating with European arms and aerospace companies Airbus, Dassault, Leonardo, Siemens and Saab.

TABLE 3. Major Israeli participants EU-funded security research (2007–2023)

Name	Projects	Total amount
Ministry of Public Security	19	€ 2.26 million
Magen David Adom in Israel	12	€ 3.50 million
IBM Israel – Science and Technology	9	€ 5.37 million
Elbit	7	€ 5.17 million
Technion – Israel Institute of Technology	7	€ 2.82 million
Hebrew University of Jerusalem	6	€ 1.81 million
Tel Aviv University	5	€ 1.13 million
Dr Frucht Systems	4	€ 2.56 million
Israel Aerospace Industries (IAI)	4	€ 4.53 million
Israel Electric Cooperation	4	€ 1.29 million
Motorola Solutions	4	€ 2.81 million
Verint Systems	4	€ 4.30 million

Israel's Ministry of Public Security (now called Ministry of National Security) participates in the most projects. It is responsible for law enforcement (including the national police, prison service and border police) and is currently headed by Itamar Ben-Gvir of the far-right Otzma Yehudit party, who is known for his racist and anti-Arab views.¹⁰⁴ The Ministry, and in particular its police and prison services, are deeply involved in Israel's apartheid and occupation policies. As the Ireland Palestine Solidarity Campaign (IPSC) sums up, in line with many reports by human rights organisations, 'It oversees routine commission of serious human rights abuses and international law violations against the Palestinian people, and racism and violence directed at minorities within Israel. These well documented violations include brutal killings, the torture and imprisonment of children, medical negligence of political prisoners, home demolitions, persecuting human rights defenders, violent racism, and the entrenchment of Israel's illegal settlements (the Ministry itself is even located in a settlement).'¹⁰⁵

The participation of this ministry, and of other Israeli participants from its military-industrial-academic complex, in EU-funded (security) research has been questioned by MEPs and NGOs. In reply to these criticisms the European Commission has always taken the line that it sees no problems, follows the rules and that the projects and participants concerned 'compl[y] with ethical, societal, and legal standards'.¹⁰⁶

In a few of the clearer cases, pressure from NGOs and activists has pushed European partners to withdraw from participating in research projects with Israeli entities. The most prominent example of this is the Horizon 2020 LAW-TRAIN project, with the participation of the Israeli Ministry of Public Security and National Police, which aimed to develop and coordinate a methodology and training platform in international police interrogation methods for law enforcement officers. The project attracted criticism from the start, because of the use of torture by Israeli interrogators, which led to withdrawal from the project consortium by the Portuguese Ministry of Justice and, in the last stages, the Catholic University of Leuven (Belgium).¹⁰⁷

Universities

According to the Boycott, Divestment and Sanctions (BDS) Movement, which calls for an academic boycott, '[f]or decades, Israeli universities have played a key role in planning, implementing and justifying Israel's occupation and apartheid policies, while maintaining a uniquely close relationship with the Israeli military'.¹⁰⁸ The European Coordination of Committees and Associations for Palestine (ECCP) notes that 'Israeli security forces have become increasingly dependent on high-tech devices from Israeli universities' and that 'all Israeli universities serve a securitisation agenda, blurring the civilian/military distinction'.¹⁰⁹

Nevertheless, Israeli universities are active participants in many Framework Programme (security) research projects and foster extensive cooperation programmes and projects with many European universities. In the same realm, European universities regularly participate in security research projects with Israeli entities or, more generally, in research projects with large Israeli arms companies, in particular IAI. The University of Patras (Greece) has 13 joint projects with IAI, while the University of Stuttgart (Germany) and Delft Technical University (the Netherlands) both participate in nine projects with IAI.¹¹⁰

TABLE 4. European Universities frequently cooperating with Israeli entities in Framework Programmes security research (2007–2023)

Name	Country	Joint projects	Name	Country	Joint projects
Sheffield Hallam University	UK	8	Universität Wien	Austria	4
Università Cattolica del Sacro Cuore	Italy	7	Technische Universität Berlin	Germany	4
Hochschule für den Öffentlichen Dienst in Bayern	Germany	6	Trinity College Dublin	Ireland	4
Katholieke Universiteit Leuven	Belgium	5	Università Degli Studi Roma Tre	Italy	4
Vrije Universiteit Brussel	Belgium	5	Universidade de Coimbra	Portugal	4
Rīgas Tehniskā Universitāte	Latvia	5	Universidad Politécnica de Madrid	Spain	4
			University of Warwick	UK	4

Cooperation with European governments and companies

As the EU build-up of its own military structures and infrastructure is still in its early, though rapidly developing, phases, there is not as yet any significant military cooperation between the EU and Israel. While Israel is the non-European country that most profits from EU security research funding, for now it is not eligible for funding from the European Defence Fund for military research and development.

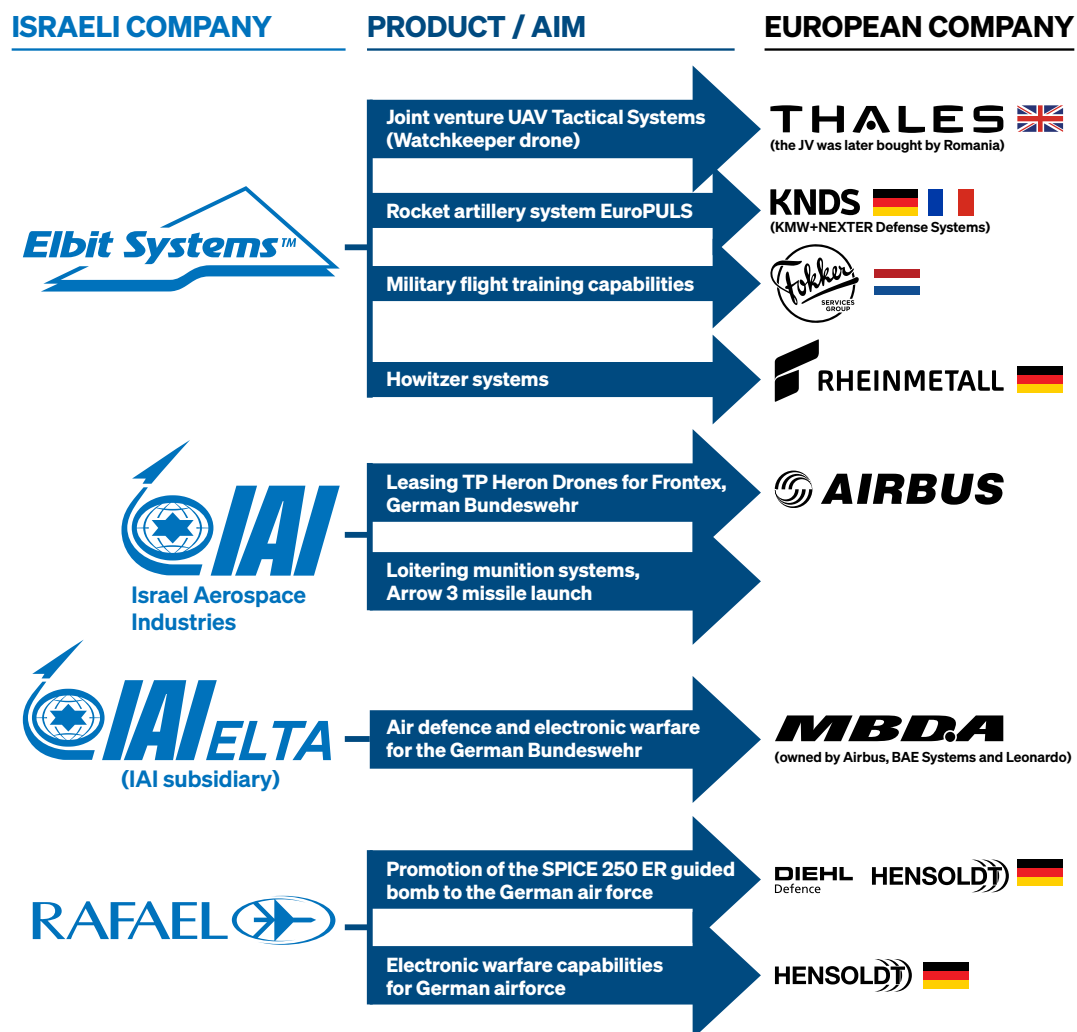
Israel does, however, have various forms of bilateral military cooperation with several European countries, including:

- **Germany**, again a major and longstanding partner, particularly in the area of armaments and arms development.¹¹¹ According to the German government, 'Germany has a special responsibility for the existence and security of Israel'.¹¹²
- **France** has extensive military cooperation with Israel, including strategic consultations, meetings between military authorities, exchanges of technical expertise and intelligence and joint research.¹¹³
- Military relations between Israel and the **UK** have intensified over the last five years. In 2019 the first joint military exercise, with F-35s, took place, and later that year Israeli aircraft participated in an exercise in the UK.¹¹⁴ In 2020 the UK and Israel signed a military cooperation agreement, which is classified, but includes defence education and joint training,¹¹⁵ followed by the 2030 Roadmap for UK-Israeli Bilateral Relations in 2023, 'boosting economic, security and technology ties', which mentions in particular joint defence activities against Iran.¹¹⁶
- **Italy** concluded a military cooperation agreement with Israel in 2005, which includes education, training, joint military exercises and arms transfers and co-production. Arms exports under this agreement are not reported to parliament.¹¹⁷
- Over the last 30 years, **Spain** and Israel have signed several military agreements, including on defence industrial cooperation (1997), research and development (2004) and collaboration between counter-terrorism units (2012). In 2010 a broad Memorandum of Understanding (MoU), which would 'serve as a legal framework for the development of any bilateral collaboration project in the field of defense', was concluded. Its contents were kept secret.¹¹⁸

Other countries that have signed military cooperation agreements with Israel include **Finland** (2012, largely classified), **Greece** (several cooperation agreements) and the **Netherlands** (2021). Multiple EU member states have held joint training and military exercises with Israel.¹¹⁹

Israel has also long been a close partner of **NATO**. Since 2017 the country has a permanent and official mission to NATO headquarters in Brussels.¹²⁰ In January 2023 the Israeli President Herzog addressed the North Atlantic Council, 'demonstrating the deepening partnership between the Alliance and the State of Israel', which 'Over the last year [...] has grown, with NATO welcoming Israel's intention to strengthen the naval interoperability by recognising Israel as a partner for NATO's Operation Sea Guardian,¹²¹ and IDF military medical academy now serving as a unique asset for NATO's Partnership Training and Education Centres community'.¹²² At the end of September 2023, a NATO military committee visited Israel, where it was briefed on the military capabilities of Israel's Gaza Division, and their use of artificial intelligence and robotics to monitor border crossings.¹²³

Collaboration between Israeli and European arms companies



In addition to their cooperation in EU-funded security research projects, Israeli and European military and security companies regularly collaborate in research, development, production and sales of arms and technologies. Israel's major arms companies team up with Europe's largest arms producers, such as the joint venture UAV Tactical Systems between Elbit and Thales in the UK for the production of the Watchkeeper drone, which has recently also been purchased by Romania.¹²⁴ In the last couple of years, Elbit has also signed cooperation agreements with, for example, KNDS (KMW+NEXTER Defense Systems, Germany/France) on the production of rocket artillery system EuroPULS, Fokker Services Group (the Netherlands) on military flight training capabilities and Rheinmetall (Germany) for the production of howitzer systems.¹²⁵

At the opening of its office in Germany, IAI stated that '[c]ollaborations with European companies form an important part of IAI's presence in Europe, seeking to create synergetic solutions for the European and international market'.¹²⁶ On several occasions, including for Frontex and for Bundeswehr missions in Afghanistan and Mali, Airbus has operated TP Heron drones leased from its partner IAI.¹²⁷ In 2023 the IAI subsidiary ELTA Systems signed a cooperation agreement with MBDA (owned by Airbus, BAE Systems and Leonardo) to promote joint solutions for air defence and electronic warfare to the Bundeswehr, while IAI itself signed one with MBDA to produce and market loitering munition systems as well as a partnership on the launch of the Arrow 3 missile in Germany.¹²⁸

Rafael signed a partnership agreement with German arms companies Diehl and Hensoldt in 2023, to promote the SPICE 250 ER guided bomb to the German air force.¹²⁹ With Hensoldt Rafael previously cooperated on integrating and offering electronic warfare capabilities to the same client.¹³⁰ In February 2024 Rafael said it was talking with several European companies about cooperation on defence against hypersonic missiles.¹³¹

In 2022 Leonardo's US subsidiary Leonardo DRS merged with the Israeli arms company RADA, specialised in radar systems. The merger was aimed to 'give Leonardo a stable domestic presence in the Israeli industrial context, supporting the further development of Leonardo's international markets, while allowing RADA to access opportunities in European and export markets and programmes'.¹³²

To conclude, the EU and many of its member states often feign a critical stance against Israel's occupation and oppressive policies against the Palestinians, but beyond the rhetoric there is an extensive programme of arms and dual-use exports to Israel, arms imports from and cooperation with Israeli arms companies, and military and security cooperation with Israel, including in high-profile EU-funded security research. This infrastructure legitimises, supports, strengthens and expands Israel's military-industrial complex and its military and security capabilities and capacities. Cooperation has intensified in recent years, despite Israel's increasing grip on Palestine, intensified under its current government.

CHAPTER 4

EU complicity in genocide: a timeline of key events from 7 October 2023 to 7 May 2024

On 7 October 2023, militants from Hamas' armed wing and other groups broke through the militarised 'security' barrier that has enclosed Gaza for 17 years and carried out a violent attack in Israel. According to official Israeli figures 695 Israeli civilians, including 36 children, were killed, as well as 373 security forces and 71 foreigners, giving a total of 1,139; 252 hostages were taken back to the Gaza Strip.¹³³

In his statement to the people of Israel in the aftermath of the attack the Israeli Prime Minister Benjamin Netanyahu said: 'All of the places which Hamas is deployed, hiding and operating in, that wicked city, we will turn them into rubble. I say to the residents of Gaza: Leave now because we will operate forcefully everywhere ... this war will take time'.¹³⁴ For anyone remotely familiar with Israel's brutal occupation of Palestine, this statement sent a terrifying chill down their spines. The EU, as one of Israel's closest allies, was extremely familiar with its sustained political and military oppression of the Occupied Palestinian Territories (OPTs) over decades. Rather than urging restraint, however, the EU's response in the days that followed served to give the green light to Israel's genocide in Gaza. This chapter sets out a timeline of key events from 7 October 2023 until 7 May 2024 illustrating how, through its actions, the EU is complicit in the crime of crimes, genocide.¹³⁵

'All of the places which Hamas is deployed, hiding and operating in, that wicked city, we will turn them into rubble. I say to the residents of Gaza: Leave now because we will operate forcefully everywhere ... this war will take time.'



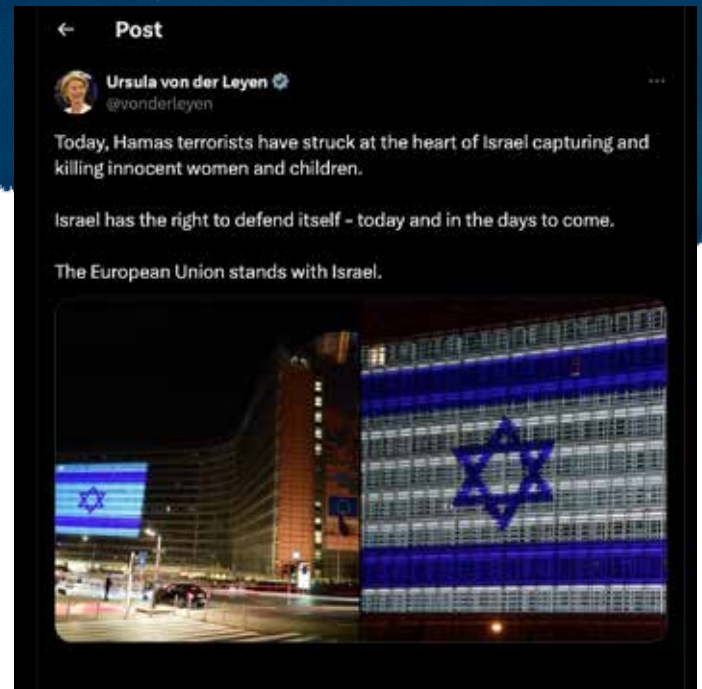
7–8 October

As the aforementioned attack was unfolding, the EU's HR/VP Josep Borrell tweeted repeatedly and issued an urgent statement on behalf of the EU condemning it and calling for an 'immediate cessation of these senseless attacks and violence'.¹³⁶ While HR/VP Borrell's swift response was to be expected considering the office he holds, over seven months later he has yet to show the same vigour and urgency in condemning Israel's genocidal assault on Gaza and its military support for the expansion of illegal Israeli settlements in the

West Bank. At a minute after midnight on 8 October, EC President Ursula von der Leyen tweeted an image of the EC's Berlaymont headquarters in Brussels lit up in the Israeli flag stating that 'Israel has a right to defend itself – today and in the days to come. The European Union stands with Israel'.¹³⁷ In response, Israel's ambassador to the EU, Haim Regev said 'the sight of the Commission building lit up with the Israeli flag warms our hearts and strengthens our resolve'.¹³⁸

In the first 24 hours following the 7 October attack, Israeli forces killed over 400 Palestinians in Gaza.¹³⁹

By lighting up the Berlaymont, President von der Leyen conveyed uncompromising support for Israel's military campaign. A Freedom of Information (FoI) request would later reveal that the cost of this spectacle to the European taxpayer came in at €28,520,¹⁴⁰ while the political cost of this and von der Leyen's subsequent actions is incalculable, and will certainly have lasting repercussions for the EU's credibility and legitimacy for years to come. At the time of writing both were in tatters. Moreover, matters related to foreign affairs and defence do not fall within the remit of the EC President but are exclusively overseen by the HR/VP. But although President von der Leyen clearly overstepped her mandate in the days and weeks that followed, she has to date not been held publicly to account for breaching the confines of her role. Israel's genocide in Gaza has shone a spotlight on the deep dysfunctionality of the EU as a collective political bloc and its unwillingness to hold its 'friend and ally' to account for one of the most egregious, catastrophic and barbaric events in recent history. ***For all its talk of human rights and the rule of law, the EU has been every bit as colonialist today as European powers of the past. Old habits die hard.***



9–11 October

9-10 October

On 9 October, the Israeli Defence Minister Yoav Gallant announced that **‘we are imposing a complete siege on the city of Gaza. There will be no electricity, no food, no water, no fuel, everything is closed. We are fighting human animals and we are acting accordingly’**.¹⁴¹ This statement, along with similar declarations by senior Israeli government officials, would form the basis of South Africa’s case arguing clear genocidal intent. Despite this, on 10 October, President von der Leyen issued a statement saying of 7 October **‘it is an act of war ... And there can only be one response to it. Europe stands with Israel. And we fully support Israel’s right to defend itself’**.¹⁴²

On the same day and in another solo run, the EU Neighbourhood Commissioner Olivér Várhelyi announced that the EC would be suspending aid to Palestine. Although this was retracted some hours later¹⁴³ it revealed the disarray inside the Commission. It also had the knock-on effect of setting in motion a debate among EU member states, with Germany announcing a review and temporary suspension of aid to Palestine.¹⁴⁴ Before Israel’s military operation began on 7 October, over 80% of Gaza’s population was entirely dependent on humanitarian aid for survival.¹⁴⁵ Although HR/VP Josep Borrell expressed caution that actions such as cutting off water, electricity, and food to a civilian population may constitute violations of international law, his words were overshadowed by the actions of President von der Leyen, who began, entirely unchecked, to present herself as Israel’s staunchest and most unwavering ally on behalf of the EU.¹⁴⁶

11 October

At around midday on 11 October, European institutions came to a standstill as staff poured into the forecourt of the European Parliament to attend a ‘solemn moment’¹⁴⁷ convened by Parliament President Roberta Metsola and attended by the EC President von der Leyen, European Council President Charles Michel and Israeli Ambassador Regev. The ‘moment’ commemorated only Israeli victims, despite the fact that by then 1,100 Palestinians had been killed in Israeli airstrikes and almost half a million had been displaced.¹⁴⁸ Israel was reassured that ‘this is Europe and we stand with you’ and during the week that followed the Israeli flag was hung at the entrance to the European Parliament. Almost eight months on and with nearly 40,000 Palestinians known to have been killed, European institutions have yet to acknowledge these atrocities in a similar, or indeed any, show of solidarity with the Palestinian people. In the Parliament’s final plenary in April a request for a moment of silence for Palestinian victims was ignored and a call for a resolution on the situation in Gaza was rejected.¹⁴⁹



Source: <https://x.com/vonderleyen/status/1712061838928625880>

Late on 12 October, Israel issued an evacuation order to the 1.1 million people living in northern Gaza giving them 24 hours to 'evacuate south for your own safety ... and distance yourself from Hamas terrorists who are using you as human shields'.¹⁵⁰ Such an order, which in practical terms was impossible to implement, was also a violation of international humanitarian law (IHL), particularly because an occupying power is responsible for the safety of those living under its control. On the same day *Jewish Currents* published a piece by the Israeli scholar Raz Segal, an expert in holocaust and genocide studies, sounding the alarm that **'Israel has been explicit about what it's carrying out in Gaza ... [this is] a text book case of genocide'**.¹⁵¹ Nevertheless, EC President von der Leyen and Metsola, President of the European Parliament, touched down in Tel Aviv just before noon, and by midday were circulating images of themselves on social media clad in bullet-proof vests and accompanied by Israel's highest-ranking military officials as they visited 'one of the epicentres of the atrocities'.¹⁵² They did not visit Gaza.



In a photo op some hours later both presidents stood alongside the Israeli President Herzog and proclaimed that 'we are friends of Israel ... Israel has a right and duty to respond'.¹⁵³ The following day Francesca Albanese, the UN Special Rapporteur on the situation of human rights in the Palestinian Territories, occupied since 1967, issued a stark warning that the people of Gaza were in grave danger of 'mass ethnic cleansing'.¹⁵⁴

15–20 October

15 October

A week after 7 October, with a death toll in Gaza that had, by then, surpassed that of the 7 October attack, the European Council issued a statement setting out the EU's common position. It emphasised Israel's right to defend itself in line with humanitarian and international law and to ensure the protection of civilians. By then it was already crystal clear from the genocidal intent of its rhetoric and the ferocity of its military operation that Israel had no intention of complying with either of these caveats but was forging ahead with plans to reduce Gaza to rubble and erase its population, something Europe chose to ignore, much the same way that it ignored Israel's systematic violation of international law for decades.¹⁵⁵

17 October

On 17 October, Israel carried out an airstrike against the Al Ahli Baptist Hospital, killing approximately 500 people.¹⁵⁶ President von der Leyen responded in a tweet expressing that she was 'saddened by the strike' before following up with a second tweet, which said that 'Hamas' terror has plunged Israel and Palestine into a new spiral of violence'.¹⁵⁷ Targeting civilian infrastructure such as hospitals is a clear violation of international humanitarian law (IHL). Had the international community drawn a red line at this attack and imposed sanctions and an arms embargo perhaps the genocidal war on Gaza could have been curtailed. It failed to do so, however, and instead gave carte blanche for Israel's occupation forces to continue their brutal onslaught, which overwhelmingly targeted hospitals, schools, universities, places of worship, homes, bakeries, and all such infrastructure essential for sustaining and enriching the lives of people living and working in Gaza. When on 18 October there was a debate in the European Parliament on the events of Israel and Palestine in the presence of the EC, during the first plenary since 7 October, EC President von der Leyen left the chamber almost immediately after the debate began.¹⁵⁸

20 October

On 20 October, EU representatives Ursula von der Leyen, Josep Borrell and Charles Michel flew to Washington DC where they met with US President Joe Biden to 'stand with Israel and against terror'. Israel dominated the agenda and although by this point the IOF had killed over 4,000 Palestinians, their suffering was largely attributed to 'Hamas terrorist actions' and not to Israel's onslaught.¹⁵⁹ Moreover, statements that the EU and US would work towards de-escalating a potential regional conflict appeared wholly at odds with reality given that the US had deployed its military to the Mediterranean and continued to provide heavy weapons and artillery to Israel. Meanwhile the EU and its member states actively supported Israel politically and materially, while simultaneously allowing the US, Israel's closest ally, to use European territory for stop-over flights bound for the Middle East and most certainly providing support for Israel's genocidal war.¹⁶⁰



Source: <https://x.com/vonderleyen/status/1715422522047406593>

21–30 October

On 21 October, after two weeks of a total blockade on Gaza and with supplies running dangerously low, a trickle of aid began flowing through the Rafah border crossing in southern Gaza.¹⁶¹ It was then, and remains at the time of writing, wholly inadequate to deal with the humanitarian needs of the people of Gaza. ***At this point almost 5,000 people had been killed, including 35 UN staff, and over half a million people had been displaced.***¹⁶²

Meanwhile in Brussels, European leaders were wrangling over semantics and whether to call for a ‘window’, ‘windows’, a ‘pause’, ‘pauses’, a ‘humanitarian pause’ or a ‘ceasefire’.¹⁶³ So, in the EU and other countries, while leaders fought over language from the safety of European capitals, Gaza’s death toll rose to 6,500. The EU finally settled on ‘pauses’ indicating that Israel can get on with committing genocide as long as it takes ‘pauses’ along the way. On 26 October, 76 MEPs sent a letter to Presidents Ursula von der Leyen and Charles Michel, and HR/VP Borrell declaring that the situation for civilians in Gaza was inhumane and calling for an immediate ceasefire and for the blockade to be lifted.¹⁶⁴ Their call fell on deaf ears, however, and it would be many months later and after tens of thousands of people had been killed before European leaders would revisit the possibility of uttering the word ‘ceasefire’.

On 27 October Israel imposed the first of many total communications blackouts on the Gaza Strip as bombs rained down from the skies and the ground invasion that had been looming since 7 October got underway. Those following von der Leyen’s twitter account may well have wondered whether her communications had been shut down as well since she was totally silent on the ground incursion and she made absolutely no mention of Israel or Palestine on her social media account until early November. Josep Borrell did acknowledge the blackout, however, noting that ‘a pause of hostilities is urgently needed to enable humanitarian access’.¹⁶⁵ Two days later he announced that more humanitarian assistance for Gaza was a priority, again reiterating the EU’s ‘calls for humanitarian pauses’ though stopping short of taking any concrete action.¹⁶⁶ By 30 October over 8,000 people had been killed by Israeli fire. Meanwhile Gaza’s health ministry repeatedly issued urgent warnings that hospital generators were hours from shutting down, rendering them unable to treat the wounded, as well as dozens of babies in incubators and patients on life support.¹⁶⁷ Across Europe and around the world millions rallied in opposition to Israel’s war on Gaza, but their calls went unheard and the political and material support for Israel from the world’s most powerful nations continued.¹⁶⁸ The disconnect between the people and their political representatives had never been so apparent and it was abundantly clear that the vast majority of those in public office did not represent the wishes of their constituents, but rather upheld a status quo that protected the establishment.

31 October – 4 November

By the beginning of November Israel had dropped more than 25,000 tons of explosives, the equivalent of two nuclear bombs, on Gaza, the most densely populated place on the planet.¹⁶⁹

On three consecutive days Israel dropped what were likely to have been US-manufactured bunker buster bombs, designed to penetrate hardened surfaces or structures deep underground before exploding, on the densely populated Jabalia refugee camp in northern Gaza.¹⁷⁰ At least 400 people were killed in the first attack with more deaths resulting from subsequent assaults. Although humanitarian organisations decried these attacks stating that it should be a wake-up call, it was not. In response HR/VP Borrell first acknowledged Israel's right to defence, before going on to say he was appalled by the casualties from the attacks on Jabalia refugee camp.¹⁷¹ By now a pattern had emerged whereby EU leaders would first affirm Israel's 'right to defend itself' before subsequently qualifying that statement, saying that it must do so in line with international law. The problem, however, is that there is no such right in international law for an occupying power, as confirmed by the ICJ¹⁷² in 2004. Applying the same flawed logic, for example, to Russia's invasion and occupation of Ukraine would give the Russian army the right to self-defence in the territories they illegally occupy. No such right exists, and yet almost all leaders continued to repeat what is legally and morally indefensible, thus providing political cover for Israel.¹⁷³ By 4 November close to one million people, just under half of Gaza's population, had been displaced south.¹⁷⁴



6–7 November

In less than a month Gaza's death toll from Israeli strikes had surpassed 10,000, of whom 4,100 were children, with UN Secretary General Antonio Guterres saying, uncompromisingly, that 'the nightmare in Gaza is more than a humanitarian crisis. It is a crisis in humanity'.¹⁷⁵ The EU continued to call for 'humanitarian pauses' without taking any concrete steps to bring pressure to bear to bring them about. And although the EU announced a further €10 million in funding to UNRWA,¹⁷⁶ it failed to cut the problem off at its source – namely, to introduce arms embargoes or sanctions to curtail Israel's actions, or refuse port of call to US arms shipments transiting through Europe.

After a month of horror in Gaza, European leaders settled into a pattern of deploying the following rhetoric, which was largely influenced by Israeli propaganda:

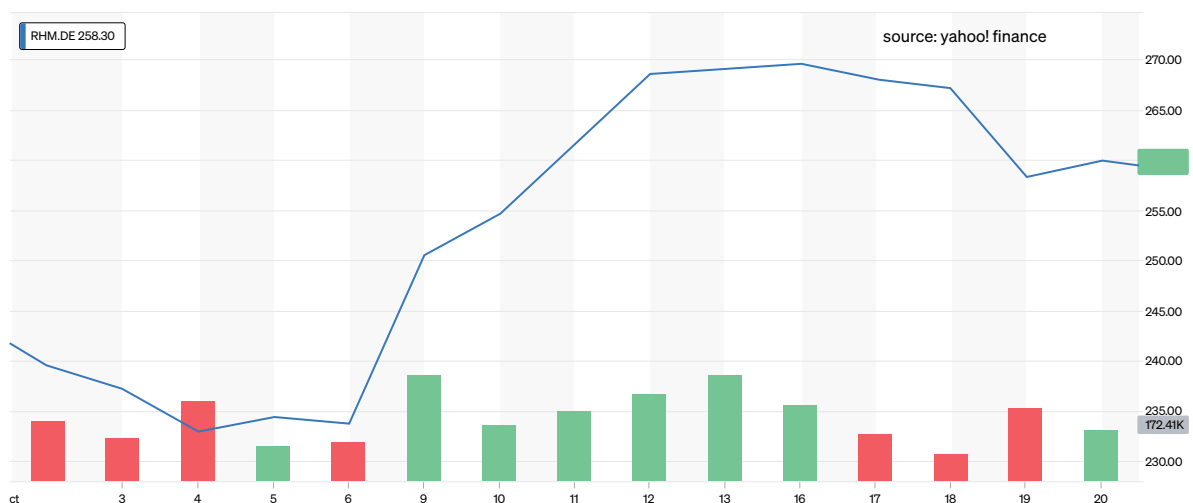
- 'Israel has a right to defend itself', sometimes qualifying that with 'in line with international law', sometimes not, though no such right exists on occupied land as mentioned previously.
- Israel is 'the only democracy in the Middle East', though not for Palestinians with Israeli citizenship who don't enjoy full democratic rights, and certainly not for Palestinians who have been living under the illegal occupation for decades. Israel is not now, nor has it ever been a democracy. It is an apartheid state.
- condemning ' Hamas terrorists' – those who failed to do so were stigmatised and silenced.
- calling for the release of the hostages – which is necessary and urgent, although far too often this appeal appeared to be more about scoring political points rather than trying to pressure Israel to negotiate their release rather than pummeling to pieces the territory where they were being held captive. Equally, inside Israel discontent with Netanyahu's war cabinet and calls for a ceasefire to bring home the hostages were rarely covered by European media outlets, which overwhelmingly chose instead to give credence to Israeli propaganda. Additionally, solely calling for the unilateral release of Israeli hostages without referring to the release of Palestinian political prisoners in Israeli jails again aims to solely condemn the actions of Hamas without acknowledging or condemning Israel's repeated violations of international law.
- calling for the protection of civilian life in Gaza, while knowing full well that Israel had no intention of doing so. At times it was suggested that it was Hamas using them as human shields that put them in harm's way.

Rarely, if ever, did EU leaders condemn Israel outright even after it had killed over 10,000 people in the first month.

When it became increasingly difficult to talk about events inside Gaza while still avoiding any mention of Israel, the rhetoric shifted to talking about 'the day after' and reviving the 'two-state solution', a convenient way of distracting from the current moment, while not outright ignoring Gaza. Over seven months later there still is 'no day after', just day after day of unrelenting bombing, starvation, death and destruction, an ongoing genocide, that few, if any, European leaders have denounced unequivocally. Until they do so and Israel is held to account and restrained, there will be no 'day after'.

8 November

On 8 November, President von der Leyen met Israeli foreign minister Eli Cohen and again assured Israel of 'our full solidarity', even though, as mentioned earlier, the EC president oversees the EU's civil service and meeting the foreign minister as though he were her counterpart once again exceeded her mandate.¹⁷⁷ On the same day the German government released data that showed that its military exports to Israel had increased nearly 10-fold, with permit requests made since 7 October being given priority. Reuters reported that **'the majority of individual export permits – 185 out of 218 – were granted' after the 7 October attack.**¹⁷⁸ For its part the Netherlands continued to allow the delivery of F-35 components to Israel even as lawyers for the Foreign Ministry warned that there were 'serious violations of humanitarian law of war' being committed and that the licences should have been denied.¹⁷⁹ Using the case of German arms company Rheinmetall, which has provided tank ammunition to Israel since 7 October,¹⁸⁰ as a case in point, in the days following 7 October, its stock value rose exponentially and has continued to do so since. The same is true of other arms companies getting rich from genocide.



As discussed in chapter 3, the export of arms from EU member states is regulated by the EU's Common Position, though each country has a free rein with how it implements it and there is no central oversight body to contest controversial arms transfers. With such massive profit margins and such a poorly regulated industry it's little wonder that arms continue to flow to Israel.

11–15 November

By the second week of November Israel's war on Gaza was firmly centred on destroying Gaza's health infrastructure with head of the World Health Organization (WHO) briefing the UN Security Council on the 'unimaginable conditions' inside Gaza's health facilities. Israel's military spokesperson clarified that 'if we see Hamas terrorists firing from hospitals, we'll do what we need to do'.¹⁸¹ However medical personnel repeatedly denounced this as Israeli propaganda stating that there was no evidence for claims that armed militants were operating from Gaza's hospital facilities, nor was there evidence of tunnels underneath them.¹⁸² Nonetheless, on 11 November IOF tanks positioned 20 metres from the al Quds Hospital opened fire on the facility with at least 14,000 people sheltering inside; meanwhile snipers positioned around Al Shifa Hospital targeted people in the vicinity. On 12 November the **HR/VP released a statement shamefully repeating Israeli propaganda condemning 'the use of hospitals and civilians as human shields by Hamas', but failing to denounce Israel for targeting structures that are protected under international humanitarian law. The statement also called for 'immediate pauses in hostilities', once again suggesting that genocide is fine as long as you take a break every now and then.**¹⁸³

The statement was subsequently used by Israeli government spokesperson Eylon Levy to substantiate its propaganda stating 'this isn't an Israeli talking point. It's an explicit Hamas strategy'.¹⁸⁴ The stance taken by the EU at this crucial time, when Israel had forewarned that its genocidal campaign would involve destroying Gaza's health facilities, is unconscionable and unforgivable. On 15 November Al Jazeera reported that Israeli forces had raided Al Shifa Hospital with thousands of people trapped inside and decomposing bodies found buried in a mass grave on the hospital grounds.¹⁸⁵ This would be the first of many mass graves to be uncovered in Gaza, many located within hospital compounds. In the days that followed President von der Leyen remained completely silent on the matter, while HR/VP Borrell would, by now sounding like a broken record, call for 'immediate humanitarian pauses', condemn Hamas, reiterate Israel's right to defend itself in line with international law, though failing to denounce the catastrophe unfolding in Gaza's hospitals and clearly and unequivocally name the perpetrator.



16 November – 1 December

16 November

On 16 November VP/HR Borrell travelled to Israel where he met with President Herzog, as well as families of the hostages, and visited kibbutz Be’eri. Though he mentioned that ‘far too many civilian lives have been lost – on both sides’ he failed to denounce the unfolding war crimes in Al Shifa Hospital where the IOF raid was ongoing as Borrell stood in Tel Aviv alongside those giving the orders for it. Other hospitals were reporting total power outages rendering it impossible to continue providing care. The head of UNRWA, Philippe Lazzarini, decried a ‘deliberate attempt to strangle our operation’.¹⁸⁶ The following day Borrell claimed that ‘the EU is a friend of the Palestinian people’ as he met with Palestinian Authority President Abbas, words that rang hollow then and continue to do so,¹⁸⁷ while on 18 November President von der Leyen said while she was in Egypt that ‘as team Europe we are the largest aid donor to the Palestinian people’, as she posed for a photo op next to an aid consignment. While aid is undoubtedly providing a much-needed lifeline for the Palestinian people, those in positions of power must use their political leverage to implement sanctions and an arms embargo, and not simply apply a band-aid by supplying humanitarian assistance.¹⁸⁸

24 November – 1 December

After almost 50 days of unrelenting bombardment from land, air and sea and with a death toll of 14,532, including some 6,000 children, on 24 November a truce came into effect across the Gaza Strip. During the truce a prisoner exchange was agreed where Hamas released 110 captives from Gaza while Israel released 240 Palestinian political prisoners held in Israeli jails. Two days before the truce took hold President von der Leyen released a statement celebrating the agreement making reference to the release of Israeli hostages while failing to mention the release of Palestinians.¹⁸⁹ In a subsequent statement on 27 November she again failed to mention the Palestinians released.¹⁹⁰ Human rights groups have frequently denounced the appalling conditions inside Israeli prisons, including cases of torture and degrading treatment, as well as arbitrary arrests. Prior to 7 October there were 5,200 Palestinian political prisoners in Israeli jails, including 170 children.¹⁹¹ In the month following 7 October over 2,000 Palestinians were arbitrarily detained and held without charge or trial.¹⁹² Though the UN called for the truce to become a lasting ceasefire, Western diplomatic pressure, such as imposing sanctions and an arms embargo to back the UN’s call with action and thereby deter Israel from continuing with its war, was not forthcoming. On 1 December Israel resumed its onslaught on Gaza, dropping leaflets warning people to evacuate Khan Younis and ordering them to move further south to Rafah on the Egyptian border.¹⁹³

On 30 November an online journalism outlet, +972 Magazine, published the first in a series of investigative pieces shedding light on Israel’s use of artificial intelligence systems that ‘enabled the Israeli army to carry out its deadliest war on Gaza’.¹⁹⁴ The piece, titled ‘A Mass Assassination Factory’ detailed how ***Israeli occupation forces use AI generated ‘power targets’ and knowingly targeted and killed hundreds of civilians confirming that ‘nothing happens by accident’.***¹⁹⁵ A subsequent investigation by the same outlet titled ‘Lavender: The AI machine directing Israel’s bombing spree in Gaza’

detailed how Israeli occupation forces ‘marked tens of thousands of Gazans as suspects for assassination using an AI targeting system with little human oversight and a permissive policy for casualties’.¹⁹⁶ The AI output was treated ‘as if it were a human decision’ with an actual human only dedicating an average of 20 seconds to approving each target before a bombing was authorised.¹⁹⁷ An additional automated system called ‘Where’s Daddy?’ was designed to track an individual that had been identified as a target, following them to their family, and then bombing them.¹⁹⁸

One may wonder what ‘smart’ weaponry has to do with the EU, and while it is not possible to draw a direct line between the EU and the AI systems mentioned here, the fact the EU has allocated millions to Israel for digital and technological R&I means that it is at least plausible that the knowledge production funded may have directly or indirectly fed into the creation of these systems.



Horizon Europe

As discussed in Chapter 3, Israeli entities have enjoyed access to EU R&I funding for many years. Even as Israel carries out a genocide in Gaza the EU has continued to approve projects involving Israeli entities under its Horizon Europe programme, some with direct links to arms companies and the armed forces.

In the seven-month period covered in this report, the EU approved a total of 130 projects involving Israeli participants allocating to them over €126 million.¹⁹⁹ It is not possible to analyse all 130 projects but of note are the significant number of medical projects, including two involving the Israeli Ministry of Health. It is repugnant that while the EU is funding Israel's health system to the tune of tens of millions of euros, its armed forces are desecrating that of Gaza by targeting hospitals, health care workers, and civil defence teams. Moreover, as the EU pours millions of euros into Israeli universities, many of which are affiliated with the IOF, **Israeli forces have destroyed all of Gaza's universities and killed 5,479 students, 261 teachers and 95 university professors over a six-month period in what the UN has termed 'scholasticide'.**²⁰⁰

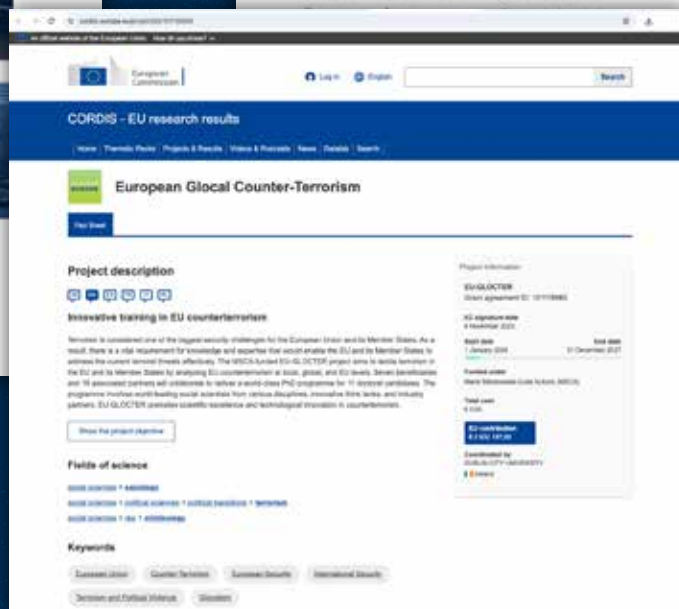
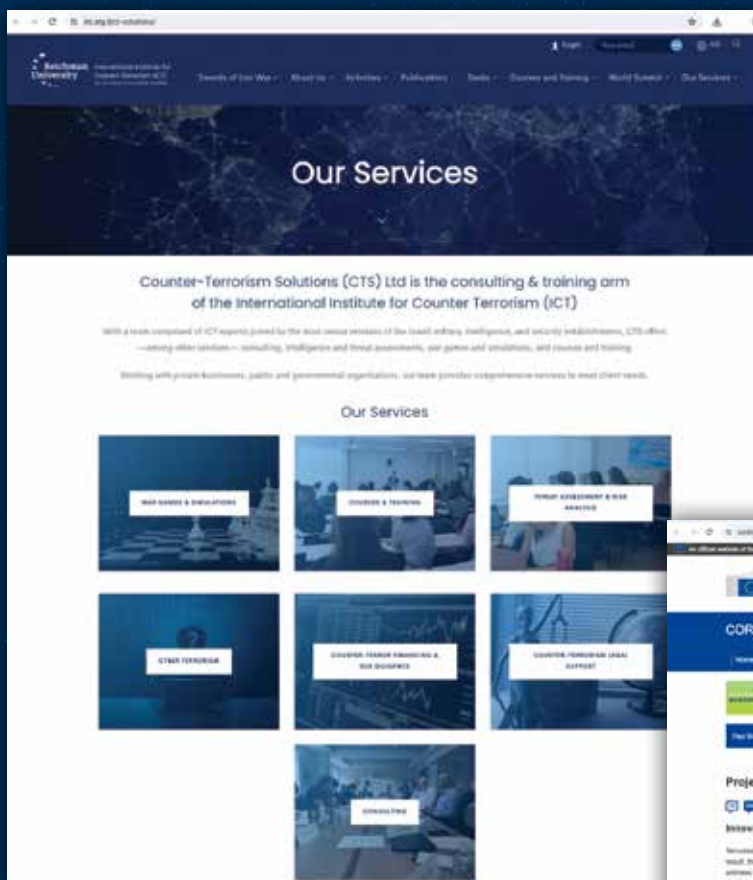


TABLE 5. Most commonly funded Israeli entities, the number of projects funded and the amount (between 7 October 2023 and 7 May 2024)

No. of Projects	Israeli Entity	Amount Recieved
24	Tel Aviv University	€ 28,659,828
21	Hebrew University of Jerusalem	€ 27,048,962
19	Weizmann Institute of Science	€ 20,867,960
12	Technion	€ 8,831,833
5	Bar Ilan University	€ 3,530,667
4	Ben-Gurion University of the Negev	€ 6,121,845
4	University of Haifa	€ 4,661,336
3	Reichman University	€ 3,467,354
2	Ministry of Health	€ 983,775
2	Israel Aerospace Industries	€ 639,983
34	Other	€ 21,220,144

TOTAL: 130 projects – € 126,033,687

One of Israel's largest arms companies, Israel Aerospace Industries (IAI) is participating in at least two projects and has received almost €640,000 of European public money since 7 October.²⁰¹ On its website IAI describes itself as offering 'a vast portfolio producing air and missile defense, unmanned aerial systems (UAS), ground robotics, precision-guided weapons, and loitering munitions. We deliver special-mission aircraft, modernize military aircraft and helicopters ... Our technology expertise features systems and solutions from reconnaissance satellites and radars to all aspects of command, control, and communications, computing and cyber, intelligence, surveillance, and reconnaissance systems (C5ISR).'²⁰²

Another particularly problematic Horizon Europe project approved since 7 October is the €2.6 million 'European Global Counter-Terrorism'²⁰³ project, coordinated by Dublin City University (DCU) in Ireland, with the participation of the Israeli Reichman University, which is in receipt of € 271 432 of European public money for this project. The website of the Israeli partner entity named as part of this project states that 'with a team comprised of ... experts joined by the most senior veterans of the Israeli military, intelligence, and security establishments, CTS [Counter-Terrorism Solutions] offers ... consulting, intelligence and threat assessments, war games and simulations, and courses and training.'²⁰⁴ **There is something particularly abhorrent about the EU funding 'war games and simulations' in Israel, while next door in Gaza Israel is carrying out an actual war that at the time of writing had killed almost 40,000 people.**

December

With few exceptions, President von der Leyen remained mostly silent on the ongoing genocide in Gaza throughout the month of December.²⁰⁵ For his part, Josep Borrell acknowledged the resumption of fighting following the truce at the beginning of December and reminded Israel of its obligations under international law.²⁰⁶ Borrell also suggested that the EU might follow the US lead and explore ‘EU reactions to settler violence in the West Bank’, mentioning possible sanctions and a visa ban against extremist settlers.²⁰⁷ Such measures were eventually taken some months later, but this was the wrong solution to the wrong problem and another attempt to divert attention away from the genocide in Gaza. Borrell went on to suggest the need to ‘reinforce sanctions against Hamas and other terrorist groups’ but **failed to mention the possibility of imposing sanctions on Israel, which by then had killed nearly 16,000 people in Gaza, including more than 6,000 children.** Though decisions to impose sanctions are taken by the European Council, the HR/VP’s office plays a ‘key role in preparation, maintenance and review of sanctions’²⁰⁸ and while sanctions cannot be implemented solely by the HR/VP, it certainly falls within his remit to initiate the possibility in the same way that he suggested sanctions on Hamas²⁰⁹ or in the numerous other examples where the EU has applied sanctions – Russia being an obvious case in point. Sanctions are contingent on the political will to apply them, something that has been sorely lacking with regard to Israel.

6-14 December

On 6 December UN Secretary General Antonio Guterres used his most powerful diplomatic tool, invoking UN Charter Article 99 to force a discussion on the war in Gaza in the Security Council. He warned that **‘public order in Gaza could soon break down amid the complete collapse of the humanitarian system, and that there was no effective protection of civilians and that “nowhere is safe in Gaza”’.**²¹⁰

The fact that Article 99 has been invoked only four times in the UN’s history is indicative of the extraordinary circumstances unfolding in and spiraling from the war on Gaza. Its invocation passed without changing the reality on the ground in Gaza and on 8 December the US government vetoed a ceasefire resolution at the UN Security Council, with the UK abstaining and France voting in favour. The US exercised its veto three times over the course of the seven-month period covered in this report. On 9 December the leaders of Belgium, Ireland, Malta and Spain pushed EU leaders to call for a ceasefire. The following day nearly 300 people were killed in Gaza, with the UN warning that ‘food, water and fuel’ were being used ‘as weapons of war’.

By mid-December hunger was prevalent across the entire Strip and starvation had taken hold particularly in the north. On 12 December the UN General Assembly voted overwhelmingly in favour of an immediate humanitarian truce supported by 153 countries, of which 17 were EU member states 10 countries voted against including Austria and the Czech Republic, while 23 abstained including Bulgaria, Germany, Hungary, Italy, Lithuania, Netherlands, Romania and Slovakia²¹¹ Despite the overwhelming support for a ceasefire, Israel’s genocidal war continued with Al Jazeera reporting that bodies had been found piled up inside Shadia Abu

Ghazala School in northern Gaza, while another bombardment of the Jabalia refugee camp killed at least 196 people.²¹² The ferocity of this violence appeared to go entirely unnoticed among European leaders, with few if any words of condemnation even as video footage continued to livestream nightmarish scenes

of a population under siege and constant bombardment for over two months. Josep Borrell addressed the European Parliament on 13 December but, apart from coming to the defence of Secretary General Antonio Guterres for calling for a ceasefire, his speech was mostly a rehash of previous ones regretting the loss of civilian lives, recalling international law norms but failing to condemn Israel or push the EU towards taking concrete actions against the country.²¹³ On 14 December hundreds of EU staff gathered in Brussels for a sit-in demanding an immediate ceasefire in Gaza, a call that went unheeded by their bosses.²¹⁴



The European Council met in Brussels in mid-December but failed to issue a joint statement on the situation in Gaza because of disagreement on calls for a ceasefire. ***Although by then the death toll stood at 18,000 there were still no words of condemnation of Israel's conduct.***²¹⁵

18–20 December

On 18 December the EU condemned Houthi actions in the Red Sea stating that ‘disruption of international navigation and maritime security is unacceptable and must cease’. It is worth contrasting the strength of the condemnation and the words used for the protection of shipping routes rather than the protection of human lives in Gaza.²¹⁶ On 20 December the EU took its first concrete action in relation to Israel's genocidal war, though it was not to protect the Palestinian people but rather to deploy an EU military-mandated force to the Red Sea to protect shipping lanes. The EU's priorities were clear – even during a genocide it would be business as usual.²¹⁷ Josep Borrell proclaimed ‘we match words with action’ with regard to the maritime deployment. Unfortunately, this could not be said of the EU's failure to take any action whatsoever in relation to Israel's war on Gaza.

22–31 December

On 22 December a UN Security Council resolution was adopted in relation to humanitarian assistance but did not call for a ceasefire.²¹⁸ Some days later on 25 December, while much of the world celebrated Christmas, Israel pummelled Gaza's Maghazi refugee camp killing over 100 people while on the following day the Israeli prime minister warned that the intensity of the fighting would not ‘soften any time soon’²¹⁹ Hundreds of people were killed over 24-hour periods in the days between Christmas and the end of the year with the violence largely ignored over the festive period. On 29 December South Africa announced that it had initiated proceedings at the ICJ against Israel under the 1948 Genocide Convention.

As 2023 drew to a close the death toll in Gaza was 21,822 killed, of whom at least 9,100 were children. In less than three months Gaza had largely been reduced to rubble with most of its infrastructure destroyed.

1-14 January

The new year began with a slight change in tone from VP/HR Borrell who denounced Israeli Finance Minister Bezalel Smotrich and National Security Minister Itamar Ben-Gvir for 'inflammatory and irresponsible statements' when they called for Palestinians in Gaza to voluntarily emigrate to solve the humanitarian crisis. His UK counterpart echoed this sentiment using similar language, suggesting that the responses were coordinated.²²⁰ On 11 January Borrell voiced similar criticism of 'some IL government representatives'²²¹ but again stopped short of condemning the Israeli state for its systematic actions that were soon to come before the world's top court formulated as acts of genocide. On 11 January South Africa's case against Israel got underway in The Hague, though no official EU delegation attended to observe the hearings and apart from a few MEPs from the Parliament's Left Group, there was virtually no response from the EU to the hearing. Moreover, coinciding with the hearing US and British warplanes, ships and submarines launched dozens of strikes across Yemen following actions by the Houthis to intercept ships connected to Israel in the Red Sea.²²² The timing of this intervention, precisely on the same day of the ICJ hearing, suggests that it might have been planned to divert media attention away from what was going on in The Hague. On 12 January Israel's defence team relied on the words of EC President von der Leyen to justify their actions in Gaza.²²³ On the same day Israel imposed an internet blackout across the Strip.²²⁴ On 14 January Germany announced its decision to intervene in the ICJ case on Israel's behalf.²²⁵



18–22 January

On 18 January President von der Leyen met with Israeli president Isaac Herzog and assured him that ‘the EU will keep calling for the release of all hostages held by Hamas’ while also mentioning the humanitarian crisis and ‘protecting civilians’.²²⁶ As usual, there was no condemnation of Israel and the fact that the ‘humanitarian crisis’ was one entirely of its making. One might speculate when reading such statements that the source of the apocalyptic crisis was unknown or unidentified since it was rarely actually mentioned. On the same day, the European Parliament passed what was largely reported as a call for a ceasefire, although in fact what the resolution called for was a ceasefire precisely along the same terms set out by Israeli Prime Minister Netanyahu, namely that a ceasefire should only come ‘provided that all hostages are immediately and unconditionally released and the terrorist organisation Hamas is dismantled’.²²⁷ The resolution was celebrated by Israel proclaiming **‘the European Union wants Israel to win this war against Hamas’**.²²⁸ A day later on 19 January the Council of the EU ‘established a dedicated framework of restrictive measures that will allow the EU to hold accountable any individual or entity who supports, facilitates or enables violent actions by Hamas and the Palestinian Islamic Jihad’.²²⁹ No such measures were put in place against Israel, though by then it had killed at least 25,000 Palestinians in Gaza. A session held by the Foreign Affairs Council on 22 January ended without a call for a ceasefire.²³⁰



Source: <https://x.com/ClareDalyMEP/status/1748307056132608430/photo/2>

26 January

On 26 January the ICJ recognised that the horror unfolding in Gaza plausibly constitutes genocide and threw out each of the arguments made by the defence. The EU issued a brief four-line statement taking note of the order and its binding nature and reaffirming its support for the ICJ.²³¹ Although the 1948 Genocide Convention places a legal duty on states parties to prevent and punish genocide, none of the EU's 27 member states, all of which are signatories of the Convention, took any concrete measures such as sanctions or an arms embargo, to prevent genocide from happening in the aftermath of the interim ruling.



To coincide with the ICJ ruling, Israel accused 12 UNRWA staff of being involved in the 7 October attack, with bilateral donors, one by one in a domino effect, announcing that they would be suspending or withdrawing funding from the UN agency as a result. Despite the – continued – lack of evidence, and the fact that on the same day the ICJ had categorically rejected all of Israel's arguments rendering it an actor with no credibility, governments took Israel at its word and cut off the only lifeline to Palestinians. Ten EU member states, including Austria, Estonia, Finland, Germany, Italy, Latvia, Lithuania, the Netherlands, Romania, and Sweden, suspended UNRWA funding immediately following the unsubstantiated allegations, and at the time of writing only three of those – Finland, Germany and Sweden – had reinstated it.²³² Commissioner Varhelyi once more went on a solo run and announced the withdrawal of EU funding tweeting that the 'Commission takes robust steps following the allegations against UNRWA. No business as usual'.²³³ And once again Varhelyi's message was retracted when HR/VP clarified that EU funding to UNRWA would not be suspended.²³⁴ January drew to a close with 1,500 EU civil servants signing a letter warning the bloc's leaders of their obligations to peace and calling for an arms embargo, steps which EU member states were legally bound to take under the duty to prevent genocide, yet they failed to do so.²³⁵

February

In the first plenary of the European Parliament since the ICJ hearing a motion to debate the interim ruling was overwhelmingly rejected by 249 votes to 77 with 23 abstaining.²³⁶ President von der Leyen had little to say about Palestine instead returning to her usual topics – EU support for Ukraine, bolstering EU defence, a further sanctions package on Russia – being top of her agenda. She welcomed the launch of the EU's naval force operation in the Red Sea saying 'beyond crisis response, it's a step towards a stronger European presence at sea to protect our European interests'.²³⁷ Since there are no European interests vested in Palestine, it would seem there is nothing there to protect.



Source: <https://x.com/ClareDalyMEP/status/1754573735711928387?t=xflZ3iS0KVbR0pNy25ch1Q>

On the anniversary of the full-scale Russian invasion of Ukraine the Berlamont was lit up in the Ukrainian flag in honour of 'the heroic Ukrainian people [who] have been defending their country from the aggressor'.²³⁸ A similar gesture in solidarity with the Palestinian people under unrelenting bombardment from a different aggressor would have to wait.



In the days following the ICJ interim ruling Israel began preparing plans for a ground 'operation' in Rafah, the most densely populated city in Gaza following the mass displacement of people to the most southerly point. Approximately 1.4 million Palestinians were forced there during previous evacuation orders, and where 275,000 were already living.²³⁹ Though HR/VP Borrell expressed alarm at the reports of the looming invasion, he again stopped short of pushing for concrete action from the EU. While EU member states also expressed concern, they took no action and at the time of writing Israel's ground invasion was underway.²⁴⁰ A statement by Josep Borrell on behalf of the EU recognised Israel's right to defend itself in line with international law, before going on to ask the Israeli government 'not to take military action in Rafah that would worsen an already catastrophic humanitarian situation'.²⁴¹ Such language, or indeed any language, was wholly inadequate to restrain a genocidal state and failed to reflect the urgency. Again, there was no mention of any concrete measures to restrain Israel or that would be taken if it forged ahead with the planned invasion.

Perhaps the first act that directly affected Israel's genocidal war, though invariably it was minimally felt, was a Dutch court ruling on 12 February that halted the transfer of components for F-35 jets to Israel.²⁴² In an address at the Foreign Affairs Council HR/VP Borrell remarked that 'if the international community believes that this is a slaughter, that too many people are being killed, maybe they have to think about the provision of arms', but although initiating the possibility of an arms embargo falls within his mandate, no further action was taken.²⁴³ A statement by UN experts later in the month welcomed the suspension of arms transfers to Israel by Belgium, Italy, Spain and the Netherlands, though these suspensions were either temporary or partial and fell desperately short of a full arms embargo that would have affected Israel's military operation – or at least sent a clear message that Europe would no longer be unconditionally supporting a genocide.²⁴⁴

On the same day South Africa submitted an 'urgent request for additional measures' from the ICJ in view of the impending Rafah invasion.²⁴⁵ Two days later, on 14 February Ireland and Spain sent a letter to the European Commission calling for an 'urgent review' of the EU–Israel Association Agreement citing the 'deteriorating situation in Israel and in Gaza' – but several ministers spoke out against the idea.²⁴⁶ At the time of writing, the EC had yet to respond to the request. Clearly it did not consider that an urgent review was warranted, despite implementation of the agreement being contingent on upholding human rights standards.

Meanwhile in Gaza Israeli forces continued their onslaught. With over 29,000 people killed, on 19 February EU foreign ministers, with the exception of Hungary, managed to find the word ceasefire in their vocabulary and called for 'an immediate humanitarian pause that could lead to a sustainable ceasefire'. The statement also called on Israel to refrain from carrying out its planned military action on Rafah stating that it would 'worsen an already catastrophic humanitarian situation'.²⁴⁷

On 28 February the European Parliament called for an unconditional ceasefire for the first time since 7 October. However, the following day as Israel opened fire on an aid convoy in what became known as the 'flour massacre', killing at least 117 people as they desperately scrambled for aid amid mass starvation, the European Parliament voted overwhelmingly against a resolution calling for an arms embargo.²⁴⁸ **By the end of February at least 30,035 people had been killed and over 70,457 were injured, along with an unknown number of people buried under the rubble.**

1 March

In the aftermath of ‘the flour massacre’ EC President von der Leyen said she was ‘deeply disturbed by images from Gaza. Every effort must be made to investigate what happened and ensure transparency.’²⁴⁹ She did not mention Israel. Indeed, she has consistently failed to mention Israel alongside the horrific violations that it is committing, making her expressions of concern ring hollow and insincere in the face of the apocalyptic scenes being live streamed from Gaza. Expressing concern, without naming the aggressor, is a massive part of the problem and is what has contributed to Israel’s impunity over decades. The EC announced that it would proceed with the disbursement of € 50 million to UNRWA and increase emergency support by €68 million in 2024. While this aid is undoubtedly much needed, it continues to provide a band-aid, and a smokescreen for people in power who, instead of using political leverage to introduce sanctions and an arms embargo, send aid. During this period there was a growing focus on the need for humanitarian assistance and governments including European governments doing more to provide much-needed aid. At the same time, their actions did nothing to not only stop the Israeli bombings and attacks on civilians and civilian infrastructure in Gaza, but also did nothing to condemn Israel for preventing the entry of humanitarian aid, and preventing Israeli civilians from blockading and destroying aid entering Gaza. However necessary, humanitarian interventions can never resolve underlying political problems.²⁵⁰

2 March

On 2 March, HR/VP Borrell published a statement which said ‘over a hundred civilians were killed and many others wounded when desperately trying to get food from a convoy, many of them victims of the Israeli army fire during the ensuing stampede. The firing by Israeli soldiers against civilians try to access foodstuff is unjustifiable’. The usual check-list of lines to include in such statement was met – condemnation of the ‘barbaric terrorist attacks’ and ‘the right of the State of Israel to defend itself within the limits of International Humanitarian Law’.²⁵¹ It was by then obvious that Israel had no intention of abiding by international law, and equally clear that the EU and its member states had no intention of holding Israel to account for failing to do so. And so, the dynamic continued to play out whereby the EU would speak with varying degrees of disapproval of Israel’s actions in Gaza – sometimes naming Israel, sometimes not at all – but failing to do anything to bring pressure to bear for its actions.

2 March

On 3 March the US began air-dropping food to Gaza, and a situation unfolded where there were simultaneously US bombs and food drops raining down from the skies over Gaza. European countries, including France, Germany, Spain and the UK, followed suit and also made airdrops of food, with the EU co-financing some of the deliveries.²⁵² It is noteworthy that ***the European countries dropping food, like the US, are among those that have been most involved in supplying Israel with arms in recent years, pointing to the obscenity of the action. If these countries stopped sending weapons there would be no need to send food.*** While airdrops may feed a few hungry people, Gaza’s population of 2.3 million were experiencing imminent famine. These

actions were about being seen to be doing something rather than actually doing something effective. Moreover, Gaza is not on another planet or in a remote or inaccessible location, as inadequate amounts of food were dropped from the sky there were tonnes of food-aid and other essential supplies being withheld by Israel while Gazans faced starvation and death. In the days that followed numerous people were killed and injured from airdrops falling from the sky with parachutes that malfunctioned.²⁵³

5 March

On 5 March MEPs from the European Parliament's Left Group led by Ireland's Clare Daly and Mick Wallace hosted a delegation of doctors from PALMED who had returned from Gaza to share their testimony detailing the health crisis in Gaza's hospitals.²⁵⁴ Such events will serve as a chilling reminder once the dust has settled on the genocide in Gaza, that the **EU knew exactly what was happening there but chose to do nothing to stop it and instead looked the other way.**

During the period covered in this report on EU complicity in a genocide, the EU commemorated the holocaust in November, as well as the genocides in Bosnia and Rwanda in March and April respectively and placed a banner outside the European Parliament that read 'never forget genocide'. It is difficult to articulate the extent of the cognitive dissonance on display in Brussels since October but it may be succinctly summed up in the act of placing a banner outside an EU institution that reads 'never forget genocide' while inside those institutions the vast majority of EU leaders were doing exactly that.



5 March

On 7 March HR/VP called on ‘all those concerned about the situation in Gaza [to] put pressure on Israeli government to grant unimpeded humanitarian land access and not blocking convoys. Other options are not enough: air drops good but insufficient, sea corridors needed but take time. And time is of essence’.²⁵⁵ Humanitarian aid organisations and UN agencies have been unequivocal in their demand that in the absence of a permanent ceasefire, humanitarian aid will not flow unimpeded. And while the sentiment of HR/VP’s message is to grant access to aid, it misses the fundamental and repeated demand of humanitarian workers for an urgent ceasefire. Moreover, time was of the essence five months ago when international experts were forewarning that Israel was displaying genocidal intent and rights groups and grassroots activists, particularly Jewish Voice for Peace, were loudly asserting that ‘never again is now’.²⁵⁶

8 March

On 8 March the EU ‘urged’ Israel to reverse its decision for the approval of 3,426 housing units that will further expand its illegal land grab and occupation in the West Bank, but again, no steps were outlined to stop the expansion. ‘Urging’ Israel is clearly a waste of time.²⁵⁷ In the case of Ireland, a bill prohibiting trade with occupied lands passed through the upper house of parliament (Seanad) and received large support in the lower house (Dáil) some years back, but since 2020 it has been blocked by the government. Enacting this bill would send a clear message to the Israeli government that there can be no business as usual during a genocide, yet the Irish government has failed to take the necessary steps to implement it.²⁵⁸

10 March

While Western governments were congratulating themselves on their ineffective, and at times lethal, air drops, the Palestinian health ministry issued a dire warning that famine in northern Gaza had reached dangerous levels and that starvation and dehydration had already claimed the lives of 25 people.²⁵⁹ Two days later on 12 March Josep Borrell, in his address to the UN Security Council, said ‘Starvation is being used as a war arm [sic] and when we condemn this happening in Ukraine, we have to use the same words for what is happening in Gaza ... this isn’t a natural disaster. It’s not an earthquake or a flood – it’s man-made’.²⁶⁰ And while he again asked ‘Israel not to impede humanitarian support to go in’ he stopped short of denouncing the problem at its source – Israel’s brutal military operation in Gaza facilitated by Western weapons.

13 March

A joint statement was issued by the Republic of Cyprus, the EC, Qatar, the United Arab Emirates (UAE), the UK and the US, on advances towards the implementation of a maritime corridor to deliver humanitarian assistance to Gaza through a floating pier.²⁶¹ At the time of writing the pier, which cost US\$320 million, had disconnected from Gaza’s coast and been washed away during rough seas. It was operational for only one week.²⁶² Again, this is a case of applying the wrong solution to the wrong problem. Were the US and EU to instead have come together many months earlier to introduce an immediate arms embargo and sanctions on Israel, there would have been no need for a maritime humanitarian corridor. Israel’s military operation is entirely dependent on arms being supplied primarily by the US, which often transit through European countries on their way to the Middle East, but also by European states.

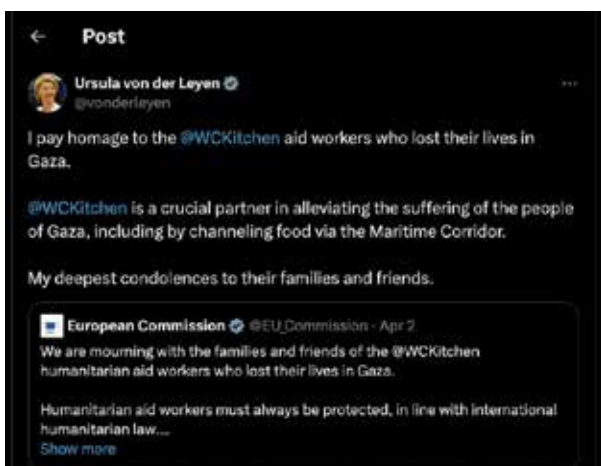
- 15 March** By mid-March President Benjamin Netanyahu had outlined and approved plans for Israel's military operation into Rafah stating ***'This is a sacred mission ... We are determined to win — to achieve absolute victory'***.²⁶³ Ahead of the approved plans, the IOF began ordering Rafah's 1.5 million refugees in Rafah to relocate to 'humanitarian islands' in central Gaza. Once again, a displaced population was being forced to relocate and once again the EU and its member states did nothing to pressure Israel to shift course.
- 18 March** Even against the backdrop of a dire warning from the World Food Programme (WFP) that the vast majority of Gaza's population 'is at risk of starvation' an EU Foreign Affairs Council meeting ended, once again, without a call for a ceasefire. Instead, the Council discussed 'sanctions on Hamas and sanctions on extremist settlers'. The Council also discussed the EU-Israel Association Agreement, 'explicitly based on values shared by the EU and Israel such as respect for human rights, the rule of law and democracy'. The end result was to consider inviting the Israeli Foreign Affairs Minister and the Prime Minister of the Palestinian Authority to a future council.²⁶⁴ ***It beggars belief that in the same meeting EU foreign ministers could acknowledge that an entire population was facing famine, but fail to take any steps towards addressing the situation and postpone it to a future occasion.***
- 21 March** Finally, ***over five months later and with over 31,000 killed, Gaza largely reduced to rubble, and famine taking hold across the Strip, EU leaders managed to agree on a call for 'an immediate humanitarian pause leading to a sustainable ceasefire'***. This was the first common statement of its kind since 7 October. The European Council President Charles Michel celebrated the statement saying that with this message we are 'a credible actor'.²⁶⁵ It is hard to believe that anyone watching proceedings in Brussels since 7 October would describe the EU as anything other than highly incompetent at best, or otherwise utterly useless and defunct.
- 25 March** A few days after the EU's appeal, the UN Security Council called for a 'lasting sustainable ceasefire' to be implemented for the remaining two weeks of Ramadan, this time with the US abstaining on the vote. It had previously vetoed all attempts by the Security Council to call for a ceasefire. Israel was swift to condemn the US for failing to exercise its veto, describing its decision to abstain as a 'clear retreat' from its previously held position and behaving like a spoilt child that didn't get its way, cancelled a high-level delegation to Washington.²⁶⁶ On the same day at the UN in Geneva, the UN Special Rapporteur Francesca Albanese presented her report to the Human Rights Council entitled 'Anatomy of a Genocide', which concluded that 'there are reasonable grounds to believe that the threshold indicating Israel's commission of genocide is met'.²⁶⁷ She was subsequently accused of a 'history of anti-Semitic comments' by the US, an allegation that was not backed up by evidence, while the EU opted for undermining her professionalism, expertise and the impartiality of her mandate by calling for 'proper and independent investigations on all allegations' suggesting that she had not done her job properly.²⁶⁸
- 27 March** On 27 March Ireland became the second EU country to formally announce that it would intervene in South Africa's case against Israel at the ICJ, the first being Germany, which intervened in support of Israel.²⁶⁹ On 28 March the ICJ reconvened in The Hague to deliver its ruling on a request from South Africa to grant further provisional measures in light of the worsening situation in Gaza.²⁷⁰

1 April

On 1 April Israel carried out an airstrike in Syrian territory against the Iranian consulate in Damascus, killing at least seven officials, including a top commander in Iran's elite Revolutionary Guards (IRGC), as well as six Syrian nationals.²⁷¹ The incident constituted a violation of international law – namely the UN Charter, the Geneva Conventions and their Protocols and the Vienna Convention – and marked a dangerous escalation of tensions in the region, which were already close to boiling point along Israel's border with Lebanon and in the Red Sea. The following day Israel again struck Syria, something it has been routinely doing since 7 October but that has seldom been covered in mainstream media and thus evades international condemnation.²⁷²

On the same day Israel carried out an attack on the World Central Kitchen's humanitarian convoy in Gaza, despite its having obtained the necessary permission from the IOF, killing all seven staff, including six international workers and one Palestinian.²⁷³ The EU issued a statement on the attack on the humanitarian operation,²⁷⁴ and EC President paid 'homage to the WCK aid workers who lost their lives in Gaza', again failing to condemn the fact that they were deliberately targeted or who was responsible for these murders.²⁷⁵ Although Israel has systematically attacked humanitarian aid convoys, hospitals, UN shelters, journalists, and killed tens of thousands of Palestinians – this attack on an international convoy provoked global outrage. The EU issued a statement on the attack²⁷⁶ while US Secretary of State urged Israel, whose military forces were entirely responsible, to investigate itself.

Moreover, as condemnation for the WCK attack grew, hellish accounts continued to emerge from Gaza's Al Shifa Hospital as **Israeli troops withdrew from the compound following a two-week raid, the second such raid since 7 October. At least 400 patients were killed and 800 were arrested. In the weeks that followed at least three mass graves containing hundreds of bodies were recovered** from the vicinity of Al Shifa.²⁷⁷ Other hospitals suffered similar atrocities and mass graves were also found. Despite the barbarity of these attacks, they were largely ignored in political spaces and in the mainstream media.



Source: <https://www.aljazeera.com/news/2024/4/1/no-life-here-israeli-army-withdraws-from-al-shifa-hospital-in-gaza>

Meanwhile also on 1 April Israel passed a law permitting it to shut down media operations in Israel, including Al Jazeera which is one of the only news outlets reporting from inside Gaza, a move which was eventually realised a month later as this report was being finalised. At the time of writing, **at least 107 journalists and media workers had been targeted and killed in Gaza,**²⁷⁸ in what is largely considered a deliberate strategy to silence those reporting on the genocide and to control and distort the narrative.

It is illustrative of where EU and Western priorities lie that leaders were virtually silent on the unspeakable horror at Al Shifa Hospital, the Israeli strike on the Iranian consulate, and the legal changes permitting restrictions on free press and freedom of expression inside Israel, but were swift in their condemnation of the killing of international aid workers.

5 April

In an indication of who calls the shots, following a phone call from US president Joe Biden, Israel announced that it would reopen the Beit Hanoun (Erez) crossing for the first time since 7 October. The White House said that President Biden had called for ‘an immediately ceasefire’, signalling that he was prepared to ‘make changes to Washington’s ironclad political and military support for Israel’ if the flow of aid did not increase. As mentioned in chapter 3, the US is by far Israel’s largest military provider and were it to pull the plug on this support, the genocide could have ended many months earlier. The reality is that the US and Israel rely on each other. Through Israel the US has maintained a foothold in the region for decades, while through the US, Israel has received political cover and material support for its illegal occupation and since October to carry out its genocidal war. This was the first clear indication that the ‘ironclad’ relationship between the two parties might be under strain to the point where the US was prepared to take action. **The US Secretary of State Antony Blinken said in Brussels, while standing alongside EU leaders, ‘really the proof is in the results, and we will see those unfolding in the coming days, in the coming weeks’. Clearly, the over 33,000 people killed, the man-made famine, and the 1.7 million already displaced was not yet a conclusive result and there was a need for further ‘proof’ of Israel’s intentions.**²⁷⁹ Israel had no intention of protecting civilians. It made that crystal clear from day one and acted accordingly and Western leaders failed to take steps to stop it.

7 April

Israel’s genocidal war on Gaza entered its seventh month with a death toll of over 33,000, including 13,800 children, as well as 458 people in the West Bank. At least 95 journalists had been killed, 62% of all homes in Gaza were destroyed, the health system had almost entirely collapsed and 80% of schools and all universities had been targeted and bombed.²⁸⁰ While truce talks were ongoing, there was no end in sight after 184 days of total destruction of Israel’s making.

9 April

The Left Group in the European Parliament invited the UN Special Rapporteur Francesca Albanese to present the findings of her Human Rights Council report in an event hosted by MEPs Clare Daly, Mick Wallace, Manu Pineda and Mark Botenga, and in which Palestinian lawyer Diana Buttu and Israeli author and analyst Daniel Levy also attended virtually.²⁸¹ Meanwhile, the British Foreign Minister David Cameron announced that the UK had no intention of halting arm sales to Israel, which as we saw in chapter 3, enjoyed a lucrative arms trade for already many years. On the same day, the largest international aid airdrop in a single day was carried out, according to the British Ministry of Defence, involving Egypt, France, Germany Indonesia, Netherlands, UAE, the UK and the US, pointing to the absolute absurdity of this action. The US, followed by Germany, France, the Netherlands and the UK were simultaneously supplying Israel with arms while airdropping food to the people who had survived being killed by weaponry these very same countries had manufactured.²⁸²



12 April

A three-day Palestine conference was cancelled in Germany soon after it started when German police took to the stage and shut the event down. The police cited statements made by one of the speakers in the past that were allegedly ‘anti-Semitic’ as the reason for cancelling the event. They also prohibited one of the speakers, the British-Palestinian doctor Ghassan Abu Sitta, from entering Germany placing a Schengen-wide ban on him, which he later challenged in the German courts. The conference was supported by a German-based Jewish Voices group, whose bank account was frozen by a state bank in the lead-up to the conference.²⁸³ In the days following the crackdown, German police prohibited the use of all languages apart from German and English from being spoken at the protest camp in front of the Bundestag, citing the impossibility of monitoring speeches for possible offensive statements made in other languages.²⁸⁴ Although the German crackdown in response to 7 October may be the most extreme it is not an outlier and across EU countries Palestinian solidarity has been subjected to restrictions and criminalisation.

At the time of writing Palestine solidarity protests were banned or restricted in at least 13 EU countries including Austria, Bulgaria, Czech Republic, Estonia, Finland, France, Germany, Hungary, Italy, Latvia, the Netherlands, Poland and Sweden, with police using excessive force such as pepper spray, kettling, police dogs, and in the case of the Netherlands bulldozers. Symbols such as Palestinian flags and scarves were also widely outlawed across the EU. Legal challenges have resulted in some of these bans being overturned but crackdowns and criminalisation of the right to protest were ongoing as of May 2024.²⁸⁵

Meanwhile in Brussels, the Council of the EU released a press statement announcing sanctions on three entities – the Al Quds Brigades, Nukhba Force and the Qassam Brigades – for their

'responsibility in the brutal and indiscriminate terrorist attacks' of 7 October.²⁸⁶ No sanctions were brought against Israel, which at this point had killed 27 times as many people as were killed in the 7 October attack with the genocidal war ongoing and people dying by the tens, and at times by the hundreds, every day.

On 12 April, the European Investment Bank (EIB) announced plans to increase financial support for the development of the European defence industry, a move welcomed by HR/VP Borrell.²⁸⁷ In December 2023, the EIB approved a loan worth €250 million for a new light rail system in Tel Aviv.²⁸⁸ The EIB has previously funded projects, including one involving Israeli water company Mekorot, which has been denounced for sinking wells on Palestinian land,²⁸⁹ worth €120 million.²⁹⁰ Considering that the EIB is now actively planning on providing loans to Europe's defence industry, and that it already provides loans to Israeli entities, it may only be a matter of time before the EIB begins directly lending to Israeli arms companies.

Overnight on 13 April, Iran launched hundreds of missiles and drones in its first direct attack on Israel since its attack on the Iranian diplomatic compound in Syria, the vast majority of which were intercepted by Israel, with assistance from French, British and US forces. No one was killed in the attack.²⁹¹ Although she had nothing to say on her twitter account about the Israeli attack on the Iranian consulate in Damascus, EC President von der Leyen was swift to 'strongly condemn Iran's blatant and unjustifiable attack on Israel'.²⁹² This was followed by an EU statement which 'condemns in the strongest terms the Iranian drone and missile attacks against Israel', reiterating the EU's 'commitment to the security of Israel' before calling on all parties 'to exercise utmost restraint'.²⁹³ The G7 leaders also condemned Iran's attack in a message delivered by President von der Leyen, who reaffirmed the G7's 'unshakable commitment' to Israel's security and going on to say 'Iran's actions risk provoking an uncontrollable escalation' calling on Iran and its proxies to immediately cease attacks' before announcing that the G7 will reflect on further sanctions on Iran, specifically on its drone and missile programmes.²⁹⁴

At this point Israel had killed over 33,000 people in Gaza and was on trial at the world's top court for genocide, and had killed people in the Iranian diplomatic compound in Damascus, while Iran had not killed anyone, yet the EU was discussing further sanctions on Iran.

Two days later on 16 April the Foreign Affairs Council held an extraordinary session to discuss the Iranian strike, declaring they were 'united in: – condemning the attacks – committing to Israeli security – preventing an escalation & calling all actors to restraint – increasing sanctions to Iran – not forgetting Gaza'.²⁹⁵ In the frenzy that took hold in Brussels following the Iranian attack, leaders however seemed to already have largely forgotten about Gaza as they deployed the EU's war template in much the same way as they did following Russia's illegal invasion of Ukraine or the 7 October attacks, fuelling rather than defusing tensions.



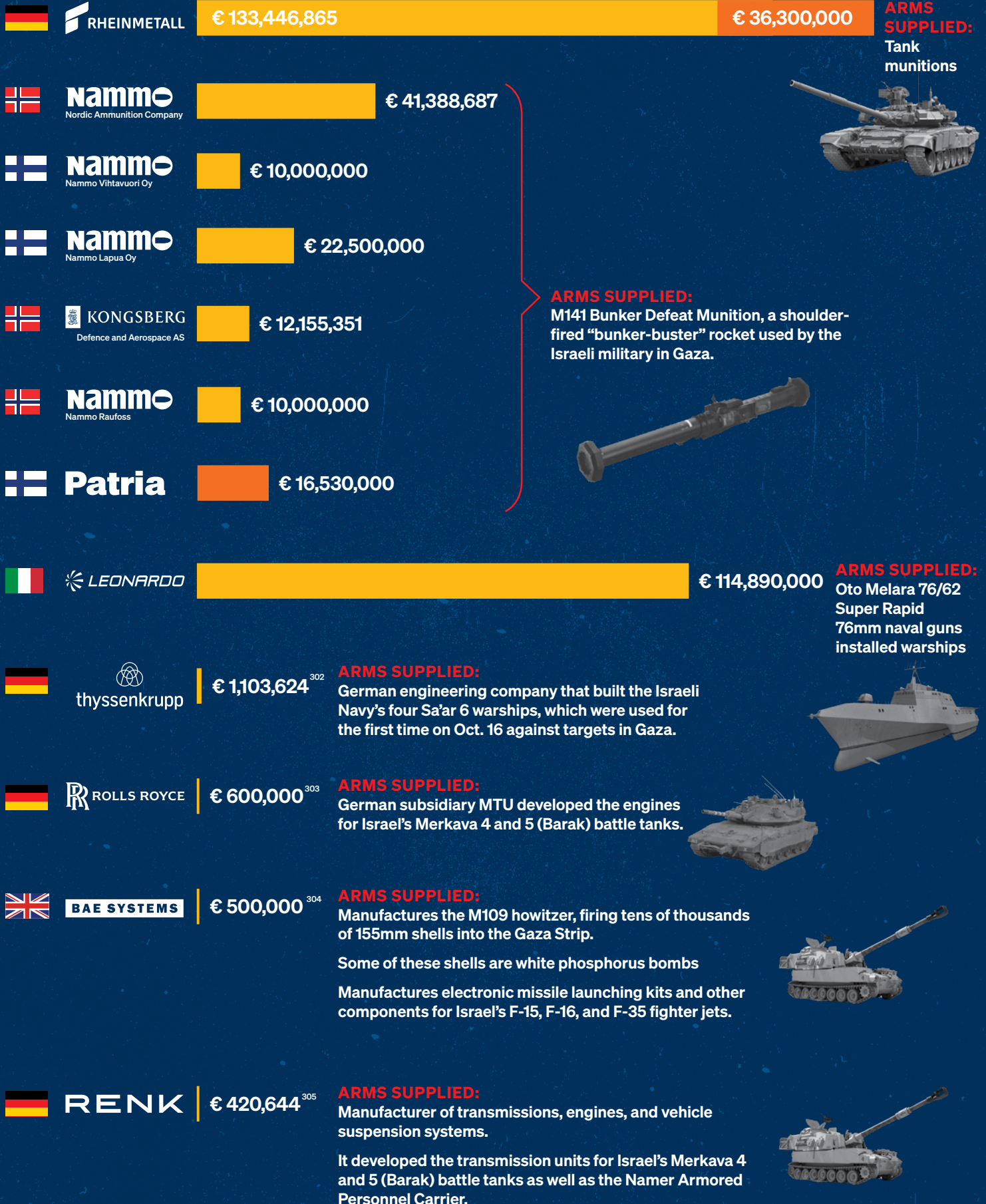
As Ursula von der Leyen began her opening remarks at the European Defence and Security Summit, David Cronin, the Irish journalist and editor of *Electronic Intifada*, attempted to make a citizen's arrest of her before being hauled from the room by security personnel.²⁹⁶ In an article published in *Electronic Intifada* some days later David Cronin commented that von der Leyen and other officials have 'generally adopted a business as usual approach towards Israel while it continues carrying out a genocide'. While it might have been unusual, though not before time, that someone would make a citizen's arrest of Ursula von der Leyen, it was certainly not unusual to see her presiding over a defence summit. In recent years the EU has embraced wholesale militarism and war politics, much of this on von der Leyen's watch, who recently said the EU needs to 'turbocharge defence-industrial capacity'.²⁹⁷ In its 2021 – 2027 budget the EC, under von der Leyen's leadership, allocated tens of billions in military and security spending.²⁹⁸ Of particular concern are the European Defence Fund (EDF) and the Act in Support of Ammunition Production (ASAP) worth €8 billion and €500 million respectively. These pools of European public money go directly to arms companies for the research and development, and production (ASAP) of lethal weaponry. There are various arms companies currently exporting arms to Israel that are in receipt of a total of over €426 million in European public money. Although Israel is on trial for genocide at the world's top court, the EU has not stemmed the flow of public money to these private entities, even as they sell weapons to the Israeli state.



Funding Arms Suppliers

Act in Support of Ammunition Production (ASAP) and European Defense Funds (EDF)
funding to Arms Suppliers

■ Amount ASAP²⁹⁹ ■ Amount EDF³⁰⁰ ■ Arms supplied to Israel³⁰¹ (Source – AFSC website)



Across the Atlantic, students at Columbia University set up an encampment to protest the university's ties to Israel calling on it to disclose its investments and divest from them. The following day, the university authorities called the New York City police to the campus to break up the encampment and more than 100 protesters were arrested. These encampments were replicated in universities in Michigan, Massachusetts, and North Carolina, and within a week more had sprung up across the US from Texas to California and stretching across the border to Canada. By the end of April encampments had started springing up in universities in Europe and Latin America with more were being announced as this publication was being finalised.³⁰⁶

On 7 May, as the genocide in Gaza entered its eighth month with over 34,000 killed, the European Commission and the state of Israel held the EU Israel **'high-level seminar on combatting racism, xenophobia and antisemitism'**. It was presided over by Margaritis Schibas, EC Vice President for Promoting Our European Way of Life, and Israel Katz, Israel's Minister of Foreign Affairs.³⁰⁷ Israel is a racist, apartheid state and it was on trial for genocide – a crime inherently driven by racism or xenophobia – while the aforementioned seminar took place. Moreover its leaders have regularly made overt and explicitly racist comments about the Palestinian people.³⁰⁸ Untroubled by this, the EU went ahead with the joint EU – Israel anti-racism event. Though this event may have surprised some, when one considers that the EU's own policies, particularly with regard to borders and migration, are also extremely racist and colonialist, it is hardly unexpected that these two actors would join forces.

A day later on 8 May in response to a parliamentary question sent six months earlier on the suspension of the EU Israel Association Agreement, the HR/VP predictably expressed grave concern, mentioned 'pauses', humanitarian corridors, the protection of civilians, Israel's right to defend itself, and shared values, human rights. With regard to the substance of the question he said the 'Council agreed to continue following this question closely and to invite the Foreign Minister of Israel for a discussion on this matter'.³⁰⁹ ***In other words, as far as the EU was concerned, it would be business as usual, making it a partner, and therefore complicit, in the crime of crimes – Israel's genocidal war in Gaza.***



Amsterdam student protests May 2024

Conclusion

In the final plenary of the European Parliament in April 2024, its president, Roberta Metsola, said as she listed the EU's achievements over the previous five-year cycle that 'we have stood up for humanity in the Middle East'. This report leads to a starkly different conclusion.

Israel is committing a genocide and not only has the EU done nothing to stop it, but has been complicit in it. This will be the EU's legacy for decades to come. Future generations will not understand how European institutions backed a genocidal regime to the hilt, even in the face of irrefutable evidence that there were war crimes, crimes against humanity and a genocide being committed against the Palestinian people in Gaza.

On 7 October 2023, Prime Minister Benjamin Netanyahu forewarned of Israel's genocidal intent. Similar statements from top Israeli officials in the following days, coupled with the ferocity of the military campaign in Gaza, meant that legal and genocide scholars swiftly began sounding the alarm on genocide. Rather than heeding these warnings the EU added fuel to the fire by providing political cover and material support to Israel. This report details the extent of that support and argues that without it, particularly in respect of arms sales and permitting arms shipments to transit through European ports from the US, Israel's genocidal regime would have been isolated early on and forced to shift course.

EU member states, all of which are parties to the 1948 Genocide Convention, have been formally put on notice since January 2024 following the ICJ's interim ruling. Then, as now, they have failed to act.

EU-Israeli relations are underpinned by the Association Agreement, which contains a human rights clause. This has not been invoked despite the clear violations of human rights law taking place. Had the EU triggered this clause it could immediately have cut trade ties with Israel and pressured it to stop the genocide. It chose not to, in violation of its own norms.

The EU has channelled vast sums of public money to Israeli research institutions over previous and current research funding programmes. This funding has continued to flow and research projects are still being approved even as Israel carries out a genocide. The fact that European public money is being channelled to arms companies and other entities involved in the perpetration of Israel's onslaught in Gaza means, in effect, that the EU is financing a genocide. Moreover, arms trade between European states and Israel has flourished in recent years, with much of the weaponry provided by EU member states being used today in Gaza.

Since October 2023, EU leaders have continued to engage their Israeli counterparts following in the footsteps of European Commission President Ursula von der Leyen, who set the tone of the EU's response, giving the green light to Israel's genocide. As the HR/VP stood in Tel Aviv in November, the Israeli military was raiding hospitals amid reports of numerous mass graves and people being buried alive by bulldozers. Even after 117 people were massacred by the Israeli army while scrambling for food aid, the European Parliament voted down a resolution for an

arms embargo. And most recently a European Commissioner was 'honoured' to meet with Netanyahu in Tel Aviv as images emerged of a massacre in which people, mostly children, were burned alive in tents in Rafah. This report documents countless similar examples, meaning that even when the EU did deploy somewhat more critical language towards Israel, its rhetoric was never backed up with concrete action showing that there was never any intention of restraining Israel. Moreover, the EU has continued its close ties with the US, Israel's closest ally, adopting a 'business as usual' approach, that has served to normalise genocide.

The EU has proven to be entirely unwilling to stop a genocide. It has abandoned any façade of being concerned with human rights and the rule of law and has exposed its racist and imperialist core going back over centuries. But people across Europe refuse to fall into line with the shameful complicity of political leaders and, like others around the world, are exposing and challenging the structures of power that drive militarism and war. The struggle for Palestinian liberation has become the pinnacle of the global anti-colonialism and anti-war movement that loudly proclaims 'no one is free until Palestine is free'.

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