

PASSIA Roundtable with Dr. Muriel Asseburg

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Participants: Dr. Muriel Asseburg (Senior Fellow, Africa and Middle East Division, Stiftung Wissenschaft und Politik, German Institute for International and Security Affairs), Hannes Alpen (Director, FES), Islam Abdul Jabbar (Project Manager), Dr. Khaled Khatib (Director of the Palestine Heritage Museum), Dr. Hani Abdeen (Head of the Medical School at Al-Quds University and Waqf Council Member), Jamal Al-Aref (Consultant, Former Deputy Middle East Representative at ANERA), Dr. Mahdi Abdul Hadi (Head of PASSIA), Adnan Joulani (Executive Director, PASSIA), Deniz Altayli (Program Director, PASSIA), Lauren Draper (Researcher, PASSIA).

Abstract: Dr. Asseburg begins the roundtable discussion with an assessment of the EU's positioning towards Palestine, the internal conflicts within the EU, and policy options as well as available instruments on the Palestine question. Then, the discussion was open to all in the room, who asked questions or gave their thoughts on the topic.

Initial Assessment from Dr. Asseburg

I. Current EU Role on Palestine

- A. EU and its member states were never dominant players, but have become even less relevant over time.
- B. The EU helped shape international language on the conflict in the past (e.g. on Palestine as an issue of self-determination rather than refugees only, on the PLO as a legitimate partner, on parameters for conflict resolution)
- C. Three primary reasons the EU and its member states have become ever less relevant and cannot even contribute effectively to the modest goal of keeping the two-state solution on the table:
 1. Acceptance of US as main facilitator on Israel-Palestine, own role seen as secondary
 2. The EU and its member states agree on parameters of conflict resolution, but even close partners (like France and Germany) cannot agree on how to deal with current challenges or on steps *toward* resolutions.
 3. European policies have been contradictory with regards to two-state outcome, intra-Palestinian reconciliation, Palestinian self-determination, etc.

II. Current Situation within EU

- A. Member states remain divided or are growing even more divided when it comes to how to tackle the current situation.
 - B. There are divisions *between* and within the institutions of the EU.
 - C. Policies agreed upon by Europeans are not implemented, for example, differentiation is agreed policy but neither territorial clauses nor correct indication of origin of goods are consistently applied.
- III. External Circumstances Affecting the EU
- A. The war in Ukraine has absolute priority, little capacity left in EU and member states for issues other than dealing with the consequences of this war. As well as de-risking towards China.
 - B. Europeans understand the nature of the current government of Israel, but are so far mainly focused on the domestic dynamics around the judicial overhaul.
 - C. The EU and its member states have an extensive array of policy tools at their disposal to tackle the situation in Palestine/Israel.
- IV. Policy Instruments and Options for the EU
- A. Issues Related to EU
 1. Stop being driven by lobbying institutions, e.g. on Palestinian schoolbooks, UNRWA, etc., focus on relevant issues
 2. Act within smaller coalitions, rather than trying to attain unity between the 27 member states.
 3. Stand behind EU representatives, e.g. High Representative Borrell, when he is treated as *persona non grata* by Israel.
 - B. Rights-Centered Approach in Israel-Palestine Conflict
 1. Human Rights and international law as important guidelines in current period.
 2. Support human rights defenders, support international bodies, such as ICJ, ICC, in their investigations and proceedings.
 3. Assume responsibility of third parties under international law with regards to the upcoming ICJ advisory opinion (rather than the way the ICJ opinion on the wall was dealt with).
 - C. Develop a legal review (regarding annexation) and an options paper
 1. An options paper was developed before, but it was not acted upon.
 2. An options paper should lay out all available policy options, including incentives and sanctions, etc. In a sense, that could be a reverse “price-tag” approach, in which Israeli actions in contravention of international law would lead to concrete European measures.

- D. Need for more concrete steps to counter Israeli measures in the “Battle for Area C”, first and foremost changing the approach stressing the Palestinian right to development and the EU’s (as well as other internationals’) right to support it.
- E. PA Governance
 - 1. The EU has conditioned its support to the PA on maintaining stability rather than on human rights and governance.
 - 2. The EU has believed that if the PA is pressured on governance, it will collapse. There is urgency to change the approach and condition funding to the PA on human rights and governance to improve its legitimacy.
- V. In order for EU and its member states to move to more active engagement, they will need to feel that either the conflict is no longer contained or that they have a Palestinian partner with a clear vision for the way forward. If these things don't happen, the EU will continue approaching the situation with tactical steps (e.g. on E1), but not a new strategic approach – which would be needed in the current dramatic situation.

Roundtable Discussion – Participants’ Interventions

- VI. Funding for the PA
 - A. Most of the funding from the EU can only be used by the PA where Israel gives permission (like building schools). Where is the PA sovereignty in this system?
 - B. The EU treats some Palestinian actors as terrorists and that has affected PA elections, amongst other dynamics, but it has not recognized actors in the Israeli government as terrorists.
 - C. Ultimately the EU is still supporting the PA because it is up to Palestinians (not the international community) to dissolve the PA. Question asked: Could the EU not make funding the PA conditional?
- VII. Palestinian Governance
 - A. Some argued that there has been no action (demonstrations, etc.) from the Palestinians toward their own governments.
 - B. Others argued that there is less emphasis on strengthening the internal structure because the occupation would still exist even if the PA were not corrupt.
 - C. Europeans are asking Palestine for unification; but even the PA lacks unity.
 - D. If the EU accepts what is happening here as apartheid or as a one-state situation, they would have to act differently.
 - E. Palestinians need to approach the EU and say “If you want to keep the two-state solution alive, you must act in x, y, and z way.”
- VIII. EU dependence on Israeli Gas, and vice versa

- A. Some at the roundtable believed that the EU was now dependent on Israeli Gas (due to the Ukrainian War), thus the EU will not hurt the relationship with Israel right now.
- B. Others then responded that the EU is the *only* market for Israeli gas, so if the EU put sanctions on Israel, then Israel would be forced to bend.

IX. Human Rights Violations in Palestine

- A. Palestinians find themselves low on the list of EU priorities, and the EU is seemingly only focused on human rights in Palestine, rather than politics.
- B. Some argued that the EU can silence Palestinians by throwing money at the conflict, but Israelis are hard to please, they won't antagonize Israel.

X. Israeli Lobby

- A. There is a very strong Israeli lobby in Europe, but why is there not an equally strong Palestinian lobby from the wealthy Palestinian diaspora in Europe?
- B. Israel understands well policy-making in foreign contexts and is utilizing this knowledge to its advantage; conversely, Palestinian advocacy is not smartly directed toward governments.
- C. Successful counter lobbies work best when you have cooperation between progressive Jews/Israelis and Palestinians (not least because this mitigates anti-semitism accusations).
- D. We need to show politicians that when they engage with the issue of Palestine, you can be seen as a winner and a progressive, instead of just seeing it as risky.
- E. There is no logical explanation (other than lobbying) as to why the actual politics don't reflect the power balance between Europe and Israel (with Israel actually being a *small* player with limited weight)

XI. Is the average European citizen aware of what is happening in Palestine?

- A. Do the German people care about what is happening here?
- B. There was debate as to whether Europeans are or are not aware of the current situation in Palestine.
 - 1. In countries such as France, Spain and others, parliaments have voted to recognize Palestine as a state, but the governments have not acted on this vote.
 - 2. In Germany, there is a clear trend in public opinion that is critical of the way that German historical responsibility is translated into support for the state of Israel and its policies. Still, in Germany there is a strong pro-Israel lobby and right-wing pro-Israel media that make people/politicians shy away from taking a stance.

- C. Younger Palestinian activists have been successful in tapping into other activist circles and building alliances, e.g. with the Fridays for Future and Black Lives Matter movements.

XII. Explanation for German Behavior

- A. Germans have a “historic responsibility”, which has been translated into support for the state of Israel. The state of Israel has become the ultimate arbiter about Germany “having repented from its sins”. It is therefore difficult for Germany to criticize/pressure Israel.
- B. The less the approach works with the German people, the more intensive the campaigns by the government of Israel and lobby groups become to keep the political class on track, often using the accusation of Israel-related antisemitism.
- C. There is an uptick in right-wing populism, parties and groups that white-wash their image by supporting Israel.
- D. Germany is still among the largest bilateral donors to UNRWA, the PA, and to critical Palestinian organizations.