



# THE EU AND JERUSALEM: THE POTENTIAL FOR PUSHBACK

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The US embassy move from Tel Aviv to Jerusalem in May 2018 set a dangerous precedent that both encouraged Israel to continue its annexation of Palestinian land and invited third states to join in violating their obligations under international law. Although condemned by many states, others followed suit and opened embassies in Jerusalem. Normalization was relatively swift.

The international community has long been impotent with regard to securing Palestinian legal and historic rights [in both East and West Jerusalem](#). These include the right of return for refugees, restitution of property, and full political rights, as well as, of course, freedom from occupation together with the rest of the West Bank and the Gaza Strip.

Indeed, while the UN and much of the international community have consistently condemned Israel's 1967 annexation of East Jerusalem, Israel has continued to cement its control over the city on the ground and through legislation. The recent normalization of Israeli sovereignty over all of Jerusalem yet again sends a message that Israel faces no consequences for annexing Palestinian land and for violating international law.

The EU has taken a clear discursive line on Jerusalem, keeping with both international law and international consensus. However, its meek responses to Israeli violations characterize third states' lack of will to uphold their responsibilities and challenge Israel.

The abnegation of third state obligations is only part of the story; the EU is complicit in Israeli violations through myriad trade and funding links, such as through Horizon 2020, a research and innovation program with an 80 billion euro budget.

Schisms within the EU regarding the issue of Palestine present challenges. Poland and Hungary, for instance, have authoritarian governments that are closely allied with Israel. These internal EU dynamics have prevented any meaningful action with regard to Palestine.

Despite these issues and the global political shift to the right, there remains potential for the EU to pressure Israel. Strong European popular support for Palestinian rights and sovereignty, as well as the fact that the EU is premised on international law and human rights, renders it one of the few remaining spaces to pursue Palestinian human rights in the international political arena.

## Policy Recommendations

1. The EU should encourage its member states to issue statements condemning the US embassy move.

2. The High Representative of the Union for Foreign Affairs and Security should reiterate that EU member states must uphold their third state responsibilities to not aid Israeli war crimes or US violations of international law.
3. The EU must reassess its Horizon 2020 guidelines, which are inherently complicit in Israel war crimes.
4. EU member states must enforce non-recognition of Israeli sovereignty over Jerusalem.
5. Following the precedence of [eight EU countries](#) last year who sought compensation from Israel for the confiscation of EU-funded solar panels from a Bedouin community, the EU and EU member states independently should take legal action and build cases for financial compensation from Israel when it destroys such construction or projects that they fund.
6. EU member states must assert Palestinian legal and historic rights in both East and West Jerusalem.