

The Palestinian Stop the Wall Campaign

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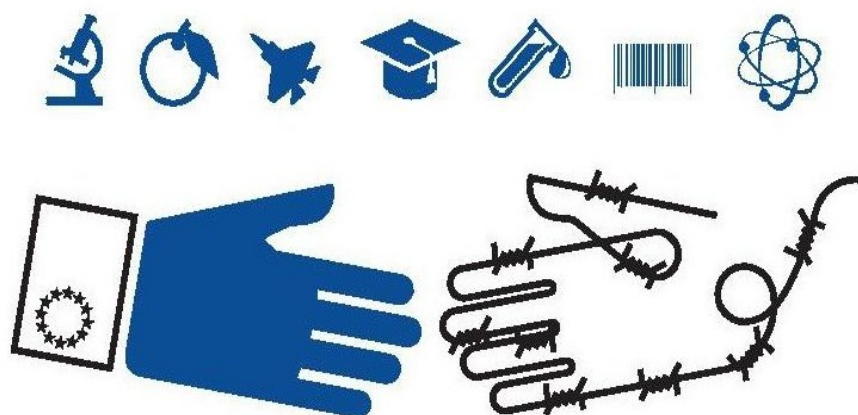
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Recommendations for the ITRE Committee

regarding the participation of entities of the Israeli military, police and homeland security sector in Horizon2020

STOP EU FUNDING TO ISRAELI MILITARY COMPANIES



February 2017

Research by civil society has shown that current and past EU funded projects:

- Have supported the development of Israeli drones technology¹
- Have supported the further development of technology used to build/maintain the illegal Wall, enforce the siege on Gaza, during Israeli military aggressions including war crimes and possibly crimes against humanity.²
- Dual use is inevitable: As Isaac Ben-Israel, Chairman of the Israel Space Agency, puts it: *"because we are a small country, if you build a small-satellite production line, say at IAI, it will be used for military and for commercial."*³

Palestinian and European civil society, including the European Coordination of Committees for Palestine (ECCP) and MEPs have raised since years questions regarding the **implications of the participation of the Israeli military, police and homeland security sector in EU funding programs (FP7, Horizon2020):**

- Such EU funding, which provides know-how and technology for Israeli military, police and homeland security and the implementation of related policies and actions, **inherently provides aid and assistance to Israeli occupation and military aggression** and with this war crimes and grave violations of human rights and international law by Israel.
- Funding for these actors, directly involved in grave violations of international law and human rights, **legitimises Israeli military aggression, repression and related human rights violations.**

This **contradicts EU policies** against Israel's illegal settlement project, the Wall, the siege on Gaza and concerns over Israeli military aggressions.

Excluding Israeli entities from the military, police and homeland security sector from funding is a necessity:

- To **comply with the international duty** (1) to take effective measures to halt grave breaches of international law (2) not to aid and assist grave breaches of international law nor maintain the situation created by them.⁴
- Such funding violates the growing call for a military embargo on Israel.
- Considering that **the EU has no means to stop Israeli companies from misusing** the technology and know-how developed through their R&D funding, this is the only way to comply with EU Horizon2020 ethics regulations:
 - **Not to fund research funding for dual use**
 - **To avoid the risk of misuse or malevolent use of research results for unethical purposes**
 - **To avoid Mission/Function Creep** of technology/information harmful for ethical values or civil rights.

We urge the EU, **at a minimum, to ensure strict application of existing EU regulations and positions as regards to the participation of Israel and non-member states in EU funding cycles, especially given the lack of oversight** beyond the projects:

1. The EU double use, misuse and malevolent use regulations:

- The Horizon 2020 framework in Article 19, point 2 on ethical principles, clearly states that *"research and innovation activities carried out under Horizon 2020 shall have an exclusive focus on civil applications"*.⁵ It has to be absolutely ensured that **non-EU member states participating in EU research funding, especially when they have a long track record of human rights violations, cannot participate in any research that produces knowledge or technology that maybe used for non-civilian purposes, misused or produce mission or function creep.**
- **Clear, transparent and effective mechanisms to implement EU rules on dual-use, misuse and malevolent use⁶ and function/mission creep⁷, especially in cases of third state participation, need to be ensured.**

2. Considering the lack of oversight on the actors, their compliance with international law and human rights and the possible use of such technology in violations after the end of the project period, **military companies of third states, especially when with a long track record of human rights violations, are to be excluded.**

3. The **current contradiction between EU policy and EU funding has to be solved**: The EU should not continue to fund the actors based in third states that implement or are responsible for actions the EU considers grave violations of international law and human rights.

1 For example: Israeli Aerospace Industries (IAI) participation in: Open Architecture for UAV-based Surveillance System, FP7: FP7-Security, Completed: 31/5/13 See: <http://www.eccpalestine.org/wp-content/uploads/2016/05/Projectsunderscrutiny-3-1.pdf>

2 For example: FP7 and Horizon2020 projects with the participation of Elbit Systems and IAI detailed here: <http://www.eccpalestine.org/wp-content/uploads/2016/05/Projectsunderscrutiny-3-1.pdf>

3 <http://spacenews.com/qa-with-isaac-ben-israel-chairman-of-the-israel-space-agency/#sthash.7E5fRwmj.dpuf>

4 See, for example, the decision of the International Court of Justice on the legal consequences of Israel's construction of the Wall. <http://www.icj-cij.org/docket/index.php?p1=3&p2=4&case=131&p3=4>

5 Unfortunately, already in 2014 the EC has published a guide on how to access, among others, Horizon2020 with double use projects. The guide states the many opportunities for funding double use projects under Horizon2020 and offers "a snapshot of the Horizon 2020 strands that provide the most promising funding opportunities for the development of dual-use technologies, products and services". See: "EU funding for Dual Use - A practical guide to accessing EU funds for European Regional Authorities and SMEs", by The European Commission Enterprise and Industry, October 2014-

6 Misuse/Malevolent use concerns research involving or generating materials, methods or knowledge that could be misused for unethical purposes. http://ec.europa.eu/research/participants/data/ref/h2020/other/hi/guide_research-misuse_en.pdf

7 Defined by EU as: type of misuse concern, where an experiment, a technology or information/data is used beyond the approved plan and thereby could harm fundamental ethical values or civil rights. http://ec.europa.eu/rea/pdf/5_ethics_in_h2020.pdf