

BRICUP and AURDIP Delegation to Brussels, July 13th 2011: Requirements for a new Strategic Framework for the future of EU Research and Innovation Funding.

Contents

- Briefing from the Delegation.
- Appendix 1- Israeli participants in FP7 complicit with violations of international law.
- Appendix 2- FP7 Projects which allow Israeli participants to develop technology that they have deployed in order to facilitate the violation of international law.
- References.

1 Requirements for a new Common Strategic Framework for the future of EU Research and Innovation Funding

Israel is a state that denies the Palestinian people their rights under international and humanitarian law, and commits daily acts of violent oppression against innocent civilians. It is therefore of deep concern to the **British Committee for the Universities of Palestine (BRICUP)**, to the **Association des Universitaires pour le Respect du Droit International en Palestine (AURDIP)** and a growing number of other civil society organizations throughout Europe, that the EU has developed an intimate relationship with Israel in the area of research and innovation through a number of EU programmes which have delivered millions of euros from the EU taxpayer into Israeli universities, companies and other institutions that are deeply complicit in developing instruments of oppression of the Palestinian people.

The European Union is bound by

- Its founding principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law’.
- The Lisbon Treaty, and other treaty commitments, which oblige the EU to promote the rule of international law
- The International Court of Justice which, in 2004, held that international law places obligations on third parties not to render assistance to the maintenance of unlawful acts
- The EU’s own research guidelines, which stipulate that projects must meet fundamental ethical principles and, specifically, the rules of its Framework 7 research programme, which exclude proposals that ‘contravene fundamental ethical principles.’

- The terms of the EU-Israel Association Agreement, Article 2 of which states that human rights and democratic principles constitute an **essential element** of the Agreement.

These obligations supersede all other considerations, even in the absence of any internationally agreed formal legal sanctions.

Nevertheless, a wide range of Framework 7 projects involve, either the development of new weapons, surveillance and other systems of human rights abuses and other criminal acts directly, or the further development of technology that has been specifically developed in order to facilitate violations of international law. (see Appendix 1 and 2 below)

The European Union continually seeks to attract greater respect, and greater interest and involvement of its citizens and civil society in its research and innovation activities, but this will not occur as long as it fails to adhere to the basic principles on which it was founded. This willingness to exempt Israel from the human rights obligations demanded of other countries is also bringing the EU into increasing disrepute with civil society internationally, thereby reducing its ability to influence world events.

The EU must therefore set up robust mechanisms for ensuring that all supported organizations respect human rights, and are not complicit in human rights abuses. The new Framework under discussion must therefore include effective safeguards to exclude any projects involving military research, and specifically the development of new weapons, surveillance and other systems used for human rights abuses and other criminal acts. The EU should develop guidelines and performance indicators which will ensure that EU taxpayer's money does not find its way to organizations complicit in human rights abuses and international law violations. **Strict criteria must be applied to the companies and institutions themselves, and not simply to the projects they participate in (see Appendix 2 below).** Only then, can European civil society be sure that EU tax revenue is not being diverted from peaceful objectives to the development of weapons and surveillance techniques for use against innocent civilians.

At present such mechanisms are, either lacking, or are widely abused. In the case of Israel, the current EU policy is to turn a blind eye to transparent abuses. This must change. **The EU must not allow its research funds to be used to subsidize the unlawful occupation of the Palestinian territories and the imprisonment of civilian populations. If world class excellence is to be pursued, it must not be at the expense of the EU's founding principles of human rights and democracy, respect for international law and the EU's reputation around the world.**

Signed on behalf of BRICUP (www.bricup.org.uk) by Professor David Pegg, Biology Department, University of York; Professor Jonathan Rosenhead, Department of Management, London School of Economics; Dr Monica Wusteman, Department of Biology , University of York (retired).

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2 Appendix 1

Israeli participants in FP7 complicit with violations of international law

1. Elbit Systems

Elbit Systems is an Israeli arms company that is involved in the construction of Israel's illegal Wall and the supply of equipment and weapons to the Israeli military. According to research compiled by the Norwegian government, Elbit Systems "supplies an electronic surveillance system called 'Torch' for the separation barrier. Torch is designed to detect persons attempting to cross the barrier and to provide this information to the staff who guard it". The system was designed and is manufactured specifically for use on the Wall (1). Subsidiaries, Elbit Electro-Optics and Elbit Security Systems, supply additional equipment for the Wall (2). A Norwegian government report states that the involvement in Elbit Systems in the Wall is likely to be on-going and that "it must be presumed that the company will be involved...after the construction of the barrier has been completed"(3). In addition, Hermes Unmanned Aerial Vehicles (UAVs) supplied by Elbit Systems were used to attack civilians during the 2008-09 attack on Gaza. These were described by Human Rights Watch as indiscriminate and disproportionate in such a way that renders them violations of international humanitarian law. The attacks killed 29 civilians, eight of them children (4)

In 2004, the International Court of Justice ruled the Wall to be illegal. Elbit Systems has developed and supplies a surveillance system specifically for use in the Wall and is therefore complicit with this unlawful act. The ICJ ruling also stated that "all States are under an obligation not to recognize the illegal situation resulting from the construction of the wall and not to render aid or assistance in maintaining the situation created by such construction"(5). By supplying the Israeli military with UAVs used in violations of international law, Elbit Systems is also complicit with that violation.

Elbit Systems participates in 4 FP7 projects (6).

2. Israel Aerospace Industries

Like Elbit Systems, Israel Aerospace Industries (IAI) provides equipment used in Israel's illegal Wall and supplied drones to Israel that were used in attacks against civilians during the 2008-09 attack on Gaza. IAI's subsidiary provides observation systems for the Wall.(7) IAI's Heron UAV systems were used in the attacks on civilians condemned by Human Rights Watch as being in violation of international law (8). As with Elbit Systems, IAI is complicit with Israeli violations of international law relating to the construction of the Wall and the targeting of civilians during the 2008-09 attack on Gaza.

IAI participates in 14 FP7 projects (9).

3. Ahava Dead Sea Laboratories

Ahava Dead Sea Laboratories is a cosmetics manufacturer and retailer partially owned by three illegal settlements in occupied Palestinian territory. The company factory and Visitors Centre are both located in the illegal Israeli settlement of Mitzpe Shalem in the occupied Palestinian West Bank (10). In May 2011, Israeli organisation Coalition of Women for Peace uncovered evidence showing that, in 2004, Ahava was given a license for excavating minerals by the Israeli Civil Administration, which is the representative of the Israeli government in the occupied West Bank, and that the excavation site on the occupied shores of the Palestinian section of the Dead Sea is currently active (11).

Israeli settlements in occupied Palestinian territory are recognised by the European Union as illegal according to international law (12). Under the Statute of the International Criminal Court, “the transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies” constitutes a war crime in international armed conflicts” (13). Experts in international law argue that corporations that have relations with a settlement of a type of conduct that “abets or [...] assists” the continued existence of a settlement are complicit with the violation of international law.(14) In addition, Ahava is involved in the direct appropriation of natural resources from occupied Palestinian territory. This is prohibited by Articles 53 and 147 of the Fourth Geneva Convention and Articles 52 and 53 of the Hague regulations (15).

Ahava participates in 3 FP7 projects (16)

Motorola Israel

Israeli settlements on occupied Palestinian territory are illegal under international law and companies that provide assistance to their continued existence are complicit with this violation of international law. Motorola Israel is involved in several different aspects of the Israeli occupation of Palestine and of the population transfer of Israeli citizens in to Palestinian territory. It also provides equipment to the Israeli military. Motorola has created at least four surveillance systems used in at least twenty illegal Jewish-only settlements and military camps throughout the occupied West Bank (17). In addition, until 2009, Motorola Israel was Israel’s leading company in the design and manufacture of electronic fuses for aircraft bombs and guided munitions, including those used against civilians during the 2008-09 assault on Gaza (18). Provision of equipment to the Israeli military led a UN fact finding mission in to the this assault to implicate Motorola Israel in the war crimes reported to have taken place then (19).

Motorola Israel participates in 2 FP7 projects (20)

4. Hebrew University of Jerusalem

One of the Hebrew University’s campuses has expanded on to confiscated land in occupied Palestinian territory. Some of the university owned student quarters are located in a settlement neighbourhood of occupied Palestinian East Jerusalem (21). In addition, the Hebrew University maintains close ties with the Israeli military. All Israeli military colleges and training facilities are under the academic auspices and responsibility of the Hebrew University. The university trains soldiers in the sciences and technology and hosts a military base on its campus (22).

The Hebrew University is directly involved in the transfer of civilians into occupied territory which, as described above, is a violation of international law amounting to a war crime. In addition, through its deep links with the Israeli military, the university is directly complicit with violations of international law and abuses of human rights, including those that took place during the 2008-09 assault on Gaza.

The Hebrew University of Jerusalem participates in 126 FP7 projects (23)

5. Technion – Israel Institute of Technology

Technion is coming under increasing scrutiny from academics concerned with its involvement in and collaboration with the Israeli military and Israeli arms companies. The institute conducts a wide variety of research into technology and weapons used to oppress and attack Palestinians. For example, Technion researchers have developed special unmanned vehicles that aid the Israeli army in destroying Palestinian houses (24). The Institute also provides specially tailored courses and programs for military officials and Israeli arms company executives (25). Technion has a history of deep collaboration with Elbit Systems, including receiving research grants and opening a joint research centre (26).

House demolitions have been widely condemned by international and non-governmental organisations. Israeli demolitions of Palestinian houses breach international law which allows destruction of property only where it is a military necessity (27). By knowingly developing technology used in house demolitions, Technion is actively and directly complicit in these violations of international law. More broadly, through its deep and on-going relationship with the Israeli military and industry, Technion is complicit with the violations that they commit.

Technion participates in 106 FP7 projects (28).

3. Appendix 2

Projects which allow Israeli participants to develop technology that they have deployed in order to facilitate the violation of international law.

We are deeply concerned that Israeli researchers are able to participate in FP7 research projects in order to further develop technologies that they have deployed in order to facilitate the violation of Palestinian rights and international law. The following FP7 projects illustrate this problem:-

Open Architecture for UAV-based Surveillance Systems (OPARUS), received an EU subsidy of €11.88m for the development of Unmanned Aerial Vehicles, despite the fact that their use is illegal above Europe. Israeli Aerospace Industries (IAI) participates in the project. According to Human Rights Watch, armed Heron drones manufactured by IAI were involved in at least some of the deadly drone attacks on Palestinian civilians during Operation Cast Lead, which in total killed 29 civilians, eight of them children (29). The UN Goldstone Report found serious evidence of war crimes and crimes against humanity perpetrated mainly by Israel against the occupied Palestinian population in Gaza.

IDETECT4ALL, received an EU subsidy of €2.29m for the development of intruder detection and authentication optical sensing technology. According to the project website, the project is developing technology “to detect the presence of objects inside or in the surrounding area of restricted critical infrastructures” (30) One of the four Israeli companies in the consortium, Motorola Israel, provides very similar surveillance systems for at least twenty illegal Israeli settlements and the illegal apartheid wall (31).

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