



16th May 2012

Open letter to the Government of The Netherlands:
Prime Minister Mark Rutte
cc Foreign Minister Uri Rosenthal
cc State Secretary Ben Knapen

RE: Dutch-Israeli Cooperation Council

The Quaker Council for European Affairs (QCEA) is deeply concerned by the intention of the Dutch Government to intensify bilateral relations with Israel through the Dutch-Israeli Cooperation Council, due to be signed on 7th June 2012.

The Netherlands brands itself as the legal capital of the world and Article 90 of the Dutch constitution states: "The government promotes the development of the international legal order." The Netherlands' decision to strengthen bilateral relations with Israel therefore runs contrary to the Dutch position on international law.

The international community, including the European Union, recognises that Israel consistently flouts international law and human rights standards. The EU High Representative for Foreign Affairs has repeatedly stated that Israeli policies such as settlement expansion are contrary to international law. The European Union's position is clearly outlined in the Council Conclusions on the Middle East Peace Process, adopted at the Foreign Affairs Council meeting in Brussels on 14th May 2012 by all EU Member States including the Netherlands.

Despite this, Israel continues to violate international law. The International Court of Justice in The Hague, the Netherlands, declared in 2004 that the wall built by Israel is illegal. The Court also confirmed the illegality of the Israeli settlements and this verdict was affirmed by the UN General Assembly (A/RES/ES-10-15 of 20 July 2004). The Netherlands voted in favour of this resolution.

Nevertheless, Israel continues to build the illegal wall in the West Bank and expand settlement construction in the West Bank. Recently the Israeli Government approved the three settlement outposts of Bruchin, Rechelim and Sansana, officially sanctioning the annexation of more Palestinian land. The illegal blockade of Gaza continues, while Israel's Supreme Court has recently ruled that Israeli companies can exploit West Bank resources, even though this is in contravention of international law and specifically Articles 43 and 55 of the Fourth Hague Convention.

The Dutch Government states that it is in favour of a comprehensive peace agreement between Israel and the Palestinians, with a two-state solution with the 1967 borders as starting point. The Government has called on both sides to refrain from steps that impede the resumption of negotiations and which prejudge the final outcome of the negotiations. Israel's settlement expansion and construction of the wall within 1967 borders change the facts on the ground and attempt to influence the final outcome of negotiations.

The Dutch Government's decision to intensify its relations with Israel, a state which consistently flouts international law and human rights standards, conflicts with its own stance on the peace process and the international legal order. In light of the recent collapse of the VVD/CDA-led coalition government, QCEA calls for any decision on the formal intensification of bilateral relations, through the Dutch-Israeli Cooperation Council or any other agreement, to be postponed until a new Dutch government is formed.

For the Netherlands to preserve its reputation as a protector of human rights and international law, it is vital that these issues are included within the framework of any bilateral agreement. QCEA recommends that the Dutch-Israeli Cooperation Council include the following:

1. an affirmation that the territorial applicability of the agreement corresponds to the EU and internationally recognised 1967 borders of Israel
2. a human rights component which states that the agreement is conditional upon respect for human rights. The EU-Israel Association Agreement is no substitute for this in a bilateral agreement
3. a political dialogue which includes regular discussion on the Middle East Peace Process and international law.

We hope that any strengthening of Dutch-Israeli relations will be proactively used as an opportunity to protect human rights, international law, and provide a just solution to the conflict in Israel-Palestine so that both peoples may live in peace, security and stability.

Yours sincerely,

The Quaker Council for European Affairs

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