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Answer given by High Representative/Vice-President Borrell i Fontelles
on behalf of the European Commission
(8.11.2024)

The EU has taken good note of the advisory opinion of the International Court of Justice (ICJ) in respect of the ‘Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem’¹.

The EU has a long-standing position of non-recognition of Israel’s sovereignty over the territories occupied by Israel since June 1967 and considers Israel’s settlements in the Occupied Palestinian Territory as illegal. EU positions are fully aligned with recent United Nations Security Council resolutions in particular 2334 and 2735² regarding the status of the Occupied Palestinian Territory, and EU policies are therefore overall consistent with the conclusions of the advisory opinion of the ICJ. Already since 2013, EU support in the form of grants, prizes or financial instruments must comply with the ‘Guidelines on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967’³. The EU differentiation policy implies that goods originating from Israeli settlements in territories occupied since June 1967 do not fall within the scope of the EU-Israel Association Agreement⁴ and therefore cannot benefit from trade preferences under the agreement. Member States will discuss the implications of the advisory opinion on EU positions and policies further in the relevant Council preparatory bodies.

The EU has already listed nine individuals and five entities⁵ under the EU Global Human Rights Sanctions Regime, for serious and systematic human rights abuses against Palestinians in the West Bank. Any decision to list additional individuals and entities is for the Council to adopt by unanimity.

¹ <https://www.icj-cij.org/node/204176>

² <https://documents.un.org/doc/undoc/gen/n16/463/89/pdf/n1646389.pdf> and <https://www.securitycouncilreport.org/un-documents/document/s-res-2735.php>

³ [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52013XC0719\(03\)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52013XC0719(03))

⁴ https://eur-lex.europa.eu/resource.html?uri=cellar:411c0668-144d-44a1-a5e3-dd2342f7a5b5.0017.02/DOC_1&format=PDF

⁵ https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202401175 and https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202401967