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Answer given by Mr Šefčovič
on behalf of the European Commission
(3.1.2025)

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 and policies are fully aligned on the United Nations resolutions regarding the status of the Occupied Palestinian Territory and are therefore overall consistent with the conclusions of the Advisory Opinion of the ICJ. The EU differentiation policy implies that goods originating from Israeli settlements in occupied territories since June 1967 do not fall within the scope of the EU-Israel Association Agreement² and therefore cannot benefit from trade preferences under the Agreement. Member States will discuss further in the relevant Council preparatory bodies the impact of the Advisory Opinion on EU positions and policies.

As regards targeted EU restrictive measures (sanctions) imposed on extremist settlers in the occupied West Bank and East Jerusalem, the EU has already listed nine individuals and five entities³ under the EU's Global Human Rights Sanctions Regime for serious and systematic human rights abuses against Palestinians in the West Bank. Additional proposals brought forward by Member States and the High Representative/Vice-President are currently under discussion in the relevant Council preparatory bodies. Any decision on further sanctions is for the Council to take in unanimity.

¹ <https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-adv-01-00-en.pdf>

² https://eur-lex.europa.eu/resource.html?uri=cellar:411c0668-144d-44a1-a5e3-dd2342f7a5b5.0017.02/DOC_1&format=PDF

³ https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202401175; https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202401967