The European Union

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No Innocent Bystander, No Honest Broker

Europe seeks to play the role of neutral mediator in the Arab-Israeli conflict. Yet for a host of reasons — most of them self-serving — Europe has demonstrated a clear pro-Arab bias, including insensitivity to Israel 's security needs. And it excuses Arab terrorism that no civilized nation would ever tolerate if faced with similar attacks. Ironically, much of the instability in the Middle East stems from the way Europe handled the region as colonial powers.

Much of the violence in the Middle East is a European legacy

Unlike nation-states in Europe, modern Lebanese, Jordanian, Syrian, and Iraqi nationalities did not evolve. They were arbitrarily created by colonial powers.

In 1919, in the wake of World War I , England and France carved up the former Ottoman Empire into geographic spheres of influence, dividing the Mideast into new political entities with new names and frontiers. ¹ Some of the newly created states' names came from classical antiquity, such as Syria and Palestine , while others were based on geographic designations, such as Jordan and Lebanon . Iraq , for example, was a medieval province with borders very different from those of the modern state, which excluded Mesopotamia in the north and included part of what is now western Iran . Territory was divided along map meridians without regard for traditional frontiers (i.e., geographic logic and sustainability) or the ethnic composition of indigenous populations. ² The prevailing rationale behind these artificially created states was how they served the imperial and commercial needs of their colonial masters. Iraq and Jordan , for instance, were created as emirates to reward the noble Hashemite family from Saudi Arabia for its loyalty to the British against the Ottoman Turks during World War I, under the leadership of Lawrence of Arabia. Iraq was given to Faisal in 1918. To reward his younger brother Abdullah with an emirate, in 1922 Britain cut away 76 percent of their mandate over Palestine earmarked for the Jews and gave it to him, creating the new country of Transjordan or Jordan , as it later was named.

The European nation-state model was ill suited to the structure of social organization indigenous to the Middle East where clans, tribes, ethnic groups, Islamic sects, and regional loyalties dominate social units. Much of the conflict in Arab states today reflects that reality, and anti-Zionism has become the glue that holds them together.

Iraq is a case in point. Writing in the *Guardian*, Oxford historian Avi Shlaim notes that in the 1920s, pan-Arabists hoped Iraq "would be a national prototype for other Arab nations — a 'Prussia of the Middle East.' Iraq, however was an artificial state," said Shlaim, "cobbled together by Britain out of three ex-Ottoman provinces, and bereft of any ethnic or religious rationale ... lack[ing] the essential underpinnings of a national bond." The Kurds in the north, comprising 20 percent of the Iraqi population, are a non-Arab Indo-European ethnic group that aspired to political independence as part of Kurdistan . The Shiite Muslims in the south (50 percent of the population) viewed Arab nationalism as a devilish plan by the rival Sunni Muslims (30 percent) to dominate them. "In the face of such deep and pervasive divisions, it was a well-nigh impossible task to achieve the two basic objectives of the Arab national movement: unity and independence." Yet many Arabs, writes Shlaim, saw anti-Zionism as a convenient tool and grand cause that would unite Arabs by "keeping Palestine in Arab hands.... Unity would be forged on the anvil of war against the common enemy."

Still, the Arabs' hatred of Israel has never been strong enough to prevent the bloody rivalries that repeatedly rock the Middle East from civil wars in Yemen and Lebanon to the war between Iraq and Iran , or gassing of countless Kurds in Iraq . Since their creation as states, Lebanon , Syria , Jordan , and Iraq (and their respective national identities) have been held together by demographic balancing acts or dictatorial regimes and anti-Zionist glue. The fragility of these national identities has been demonstrated time and again in civil wars, feuds, assassinations, coups, and uprisings sparked by tribal, ethnic and religious rivalries, and conflicting loyalties.

The manner in which European colonial powers carved out political entities with little regard to their ethnic composition not only leads to inter-ethnic violence, but also encouraged dictatorial rule as the only force capable of holding such entities together, according to Hebrew University Professor Shlomo Avineri. ³ That phenomenon also poses a stumbling block that to this day makes democratization a difficult objective to achieve in places like Iraq.

Against this backdrop, members of the EU want another chance to remold the Middle East, including a solution to the Arab-Israeli conflict, which the British were unable to resolve during 30 years of British Mandate rule. Even during that period, Great Britain 's track record was poor, conjuring up a series of so-called peace plans that attempted to appease the Arabs so that they would accept the Jews. Today, the EU aims to solve the conflict at Israel 's expense for a host of self-serving reasons.

Europe's claim that it can be an even-handed mediator does not hold water

Beside a poor record in solving problems as colonial powers, member states of the EU would make poor facilitators in the Middle East for several reasons, including their dependence on Arab trade and Arab oil.

As an alliance of 25 western European nations, the EU has staked out a position as one of the four players of the so-called Quartet, which seeks "to promote a just, comprehensive, and lasting settlement of the Middle East conflict." ⁴ The other Quartet members include the United States , Russia , and the United Nations, the last largely controlled by the Third World .

Europeans and Jews share a host of cultural values and economic bonds, but the relationship is anomalous in that it includes a strong economic partnership and a weak political partnership.

Centuries of European antisemitism culminated in the Holocaust, made possible not only by the rise of Nazism in Germany , but by the acts of other European countries as well — acts of commission and omission. Two years after World War II, European nations supported the UN plan calling for a Jewish state, \S support that reflected both a sense of guilt toward the Jews and national interests. Although every Arab state rejected Israel 's right to exist, Western Europe \S forged diplomatic and economic relations with Israel . Britain and France even established strategic relations with Israel in the early 1950s when Britain sought to regain control over the Suez Canal from Egypt .

Europe and Israel share a host of enlightened values. Putting aside the role of Jews in Western culture, the EU and Israel logically ought to be natural partners, since Israel has developed into a vibrant, open democracy much like the nations of western Europe.

Israel values and upholds freedom of the press and religion, and maintains a judicial system based on the rule of law just as EU member states do. Israel is also committed to human rights, including the rights of women, gays and lesbians, and minorities. For instance, if one examines infant mortality levels, a universally accepted yardstick of commitment to human rights used by the United Nations, Israel has a lower infant mortality rate among its Arab minority than minorities in France, Britain and other European countries. Its social philosophy and health and welfare system are also similar to Europe 's, and its standard of living is on a European level. Culturally, Israel 's admiration and appreciation of classical European culture is almost unprecedented. Israeli theatergoers exceed the number of fans who attend sporting events. The number of orchestras and other ensembles, combined with the number of classical music patrons, also is high.

Europe is Israel 's largest trade partner, and Israel has been a member of the European Economic Union since 1975. In 2005, about 39 percent of Israel 's imports came from Europe and about 29 percent of Israel 's exports went to Europe . In 2005, for instance, EU exports to Israel totaled \$17.3 billion, and Israel is the UK 's second-largest trade partner in the Middle East after Saudi Arabia . In 1995 the British did more trade with five million Israelis than with the combined economic power of 95 million Arabs in the nations of Algeria, Egypt, Jordan, Lebanon, Syria, and Yemen. Israel 's scientific, technological, and research capabilities also drive trade relations, which is why the EU in 1995 made Israel the first non-European member of its Fourth Framework R&D program.

Given the shared values and economic, technological and cultural ties, the question arises why Europeans and Israelis are not more closely allied politically. An Anti-Defamation League study described the relationship as "an anomalous

strategic relationship," 10 citing a number of underlying reasons based on historic ties, political economics and realpolitik or "politics based on practical and material factors rather than on theoretical or ethical objectives." Whatever the reasons for the cleavage between economics and politics, none support the EU's claim that it can be an honest broker in the Middle East.

Europe - Systematically appeasing Arabs at Israel's expense

Except for a brief period in the 1950s and early 1960s, Europe has based its Middle East policy (and foreign policy elsewhere) on a crude form of *realpolitik* that has left Israel in the lurch several times.

European politics have always been Machiavellian, based on a raw form of *realpolitik*. Thus, even when members of the EU supported Israel for a brief but crucial time in the 1950s and early 1960s, support was based purely on state interest.

After Abdul Nasser took over Egypt in 1953, Great Britain , France and Israel , all perceived the pan-Arabism that Nasser championed as a threat. The three, each for its own reason, joined forces in the 1956 Sinai Campaign - the Europeans to ensure free access to the Suez Canal, Israel to ensure its security from the growing threat posed by Egypt, which had become a base for infiltrators and a client state for mass quantities of East European arms.

For a period of time, France and Israel even developed an extraordinarily close relationship in the 1950s and early 1960s, against the backdrop of France 's war in Algeria , when some of the strategic interests of the two countries merged. And in the 1950s, German reparations also helped build the State of Israel. Yet, historically and practically, Europe has had too many interests in Arab countries for Israel to compete for long when European foreign policy is based exclusively on a highly cynical form of *realpolitik* that is endemic to Europe 's political culture.

A *Jerusalem Post* editorial published in April 2003 ¹¹ reflects the Israeli sense of distrust of Europeans, crystallized by Europe's *realpolitik*: "The basis for mistrust is not Europe 's wartime history," wrote the *Post*. "What we can't forget is what has happened since, at times when the chips were down and Israel 's very survival was at stake." The paper cited the embargo France imposed on Israel on the verge of the outbreak of the Six-Day War that stopped the supply of spare parts for equipment France had previously sold to Israel . And again, Europe demonstrated just how untrustworthy it was when all nations except Portugal refused to allow U.S. cargo planes to fly over their countries to rush emergency supplies to Israel during the 1973 Yom Kippur War.

The *Jerusalem Post* also criticized Europe 's unbridled support for the Palestinians, while ignoring their terror campaign. Perhaps the culmination was in 2002 when French president Jacques Chirac invited the head of Hezbollah to a summit of French-speaking nations as an honored guest. ¹² Moreover, Israelis cannot forgive the indifference most Europeans have demonstrated toward Israeli casualties, as respected European intellectuals justify suicide bombings as testimony to Israeli oppression and guilt.

Europe's support for the Arabs today, based on the mistaken assumption one can buy immunity from Arab terror and ensure the flow of oil, is about as viable as Europe's sell-out of Czechoslovakia in 1938 for "peace in our times." ¹³ In the meantime, by not setting limits, Europe 's shortsighted policy encourages extremism. Continued support of the Palestinians, despite the terrorism, prolongs violence and loss of Israeli and Palestinian lives.

What is behind the EU's special relationship with the Arab world? Historic ties. Trade. Oil. Demographics. Rivalry with the United States.

The EU has a special relationship with the Arab world, although the latter boasts no democracies, affords its citizens few civil liberties, and treats women as second-class citizens. It is also a region rife with antipathy toward the Western civilization, which grew out of Europe . Indeed, many practices common in the Arab world, including the absence of basic civil liberties, the brutality against its own citizens, and a culture that glorifies terrorism and death, contradict fundamental values that the EU embraces. Still, the link exists. As discussed, objective reasons explain why the relationship exists based on history and strategic needs. But other reasons tied to the decadence of Europe and the lack of a moral dimension in most European politics also explain why the relationship continues.

Historic ties: The bond between Europe and the Arab world has its origins in the age of empire building and colonialism when Europeans ruled the Middle East, a strategic area both in terms of oil and access to their colonies in the Far East. After conquering the Middle East in World War I, Europeans essentially ran the region directly or through friendly proxy governments, for nearly the first half of the twentieth century. As the *Daily Telegraph* points out: "In dismantling the Ottoman Empire in the late 19 th century ... [the British] made a reciprocal commitment: If the Arabs would become British allies against the Turks, they would promote the revival of the Arab world in return." And so Arabists began to play a core role in the British foreign office, among policy-makers, civil servants, bureaucrats and diplomats, and this pro-Arab bent continues to this day. France and England created new, though unstable, polities as they had promised — all are neighbors of modern-day Israel . Yet as the *Daily Telegraph* notes, "The emotional commitment [to the Arab world] exists to this day. One encounters officials in the government and civil service who seem right out of a Lawrence of Arabia syndrome." ¹⁴

France 's ties with its former colonies go even deeper. This ties include not only an almost intimate relationship with French-speaking nations in the Third World, but in numerous cases France has sent its forces in to prop up African regimes or keep locals from killing one another. ¹⁵

Oil: Access to Middle Eastern oil has been a major factor in Europe's relationship with the Arab and Muslim world since the discovery of oil in Iraq in the 1920s. In part, that is because Europe is much more dependent on Arab oil than the United States . As a result, the industrialized European Union is a major consumer of Middle East oil, and its dependence on the oil is increasing. In 1995, Europe imported 57.3 percent of its oil from the Middle East; the United States imported only 20.5 percent. ¹⁶ Meanwhile, renewable energy constitutes only 6 percent of the EU's total energy supply, according to the *Guardian*, ¹⁷ and its dependence on oil imports as a whole will rise to 90 percent by 2030. Against that backdrop, it is easy to see why Europe views Israel as the fly in the ointment in terms of securing a vital asset - perhaps the real fuel behind the disparaging remark of the French ambassador to London , at a buffet – labeling Israel "that shitty little country." ¹⁸

Trade: The Middle East is also a lucrative market for European products, including industrial goods, and the EU receives significant Middle East investment capital as well. In 1995, the volume of EU exports, for example, totaled \$77.5 billion – 18 percent of EU exports to developing countries; the U.S., in contrast, is far less dependent on Middle East trade, which comprises only 8.8 percent of all American exports.

Because the Middle East accounts for more than 40 percent of the world arms market, the EU continues to sell arms to the region, as does the United States . Yet Europe's behavior toward Israel hardly engenders trust, even though leaders such as the UK 's Tony Blair declare their friendship to the Jewish state. Prior to the 2003 war in Iraq , for example, Britain imposed an unofficial embargo on key spare parts and equipment to Israel , including one-of-a-kind British-made catapult pellets for pilot ejection seats. ¹⁹ An even more blatant example occurred in 1979: After the UK expressed its commitment to Israel 's security, it allowed the British government-owned-and-operated international oil company, British Petroleum, to refuse to sell Israel British crude oil after Israel lost oil deliveries from Iran and Sinai. ²⁰ Other EU countries, including Germany and Belgium , have also imposed embargoes against Israel . ²¹

Demographics: EU states, particularly the southern European nations of France, Spain, Italy, and Portugal, worry constantly that political unrest or economic instability in the Middle East and North Africa could lead to uncontrollable migration across the Mediterranean into Europe. Muslims today number 12 million in Europe, including about 6 million in France (or 10 percent of France 's overall population) and 2 million in the UK. France 's large Muslim population thus constitutes an electorate that must be reckoned with, compared to the estimated 700,000 French Jews.

Birth rates also play a role in Europe 's position toward the Muslim world. While high birth rates among Muslim immigrants in Europe are gradually changing European demographics, native Europeans birth rates are at zero population growth or even lower. Coupled with a further influx of Muslim refugees and illegal immigration, the homogeneity of European nation-states and the fragile ethnic balance in countries such as Belgium is being challenged. ²⁴ Added to that mix is the growing activism of second-generation, university-educated Muslims in Europe who have become involved in Islamic causes ²⁵ and are setting the tone for anti-Zionist protests, which Europe 's radical Left also supports. ²⁶ In Antwerp , for instance, 30,000 persons of Arab origin live in a city of 450,000. The Arab European League, a marginal emigrant organization, not only organizes pro-Palestinian protests; it has called for creation of an Islamic political party and seeks to make Arabic the fourth official language of Belgium after French, Flemish, and German. ²⁷

Such trends can be expected to grow, as Europe 's non-Muslim population remains flat or declines through 2015, according to the European Community's 2002 *Social Situation Report*. At the same time, the "Middle East populations will be significantly larger, poorer, more urban and more disillusioned," by 2015, warns a CIA global report. All of that means the EU will continue to depend on Arab labor, according to Professor Kenneth Stein of Emory University, and that phenomenon must ultimately impact on European policy.

"So what happens when European labor demand meets Arab supply over the next two decades and beyond? ...

Externally, mass immigration will influence common or separate policies towards immigration, asylum, exiles and foreign policy choices with respect to Israel ." 28

On July 28, 2004 Princeton historian Bernard Lewis told the conservative Hamburg-based daily *Die Welt* that:

"Europe would be Islamic by the end of this century 'at the very latest,' ... Asked whether the EU could serve as a global counterweight to the United States , Lewis replied simply: 'No.' He saw three potential 'global' players: China , India , and possibly a revivified Russia . 'Europe,' he said, 'will be part of the Arabic west, of the Maghreb .' He did not assert this as a risqué or contrarian proposition. He just said it, as if it were something that every politically neutral and intellectually honest person takes for granted." ²⁹

Europe – Looking for world balance of power

Europe aspires to superpower status. This is 'understandable,' but Israel impedes this strategy by its 'dissonance' with its Arab neighbors. European aspirations threaten America 's freedom to protect its own vital interests.

The United States has come to the aid of Europe three times in the 20 th century — in World War I when it saved France by breaking the horror of trench warfare; in World War II when it liberated Europe from Nazi domination; and in the Cold War when it contained Soviet expansion. Yet, as former Israeli foreign minister Moshe Arens recalled, "Gratitude does not seem to be a component of European foreign policy," 30 as their ingratitude was only surpassed by their colossal hypocrisy.

Since 1995, the EU has been building the foundation to expand eastward by creating a Euro-Mediterranean Partnership, $\frac{31}{2}$ which would create a new relationship between the two sides of the Mediterranean-based common interests. By 2010, a security alliance and a free trade zone is envisioned, which for example, enable Europe to reach parity with the economic power of the U.S. economy *and* challenge the U.S. politically by presenting a united front. The concept, founded at the Barcelona Conference in 1995, views the Mediterranean as a single region from an economic and security standpoint. It aspires to link 27 countries in one bloc - 15 members of the EU with 15 Mediterranean partners. The latter includes Turkey , Jordan , Lebanon , Syria , Israel , and the PA. Peace and stability in the Mediterranean region are considered prerequisites for economic and social development, which is why the partners are trying to hammer out agreement on a joint "Charter for Peace and Stability in the Mediterranean Region."

Is the EU's plan designed to challenge American hegemony internationally, as Shlomo Perla, 33 a scholar of international relations at Bar-Ilan University, suggests? "[The EU's] policy is a symptom of a world system in the making in the post-Cold War era," writes Perla. The aims of a French-led EU policy are "augmenting its power and international posture to such a degree that would lend it a super power status capable of performing in the global arena parallel to and independently of the United States."

Indicative of that trend, according to the Council on Foreign Relations, is the decline in voting coincidences at the United Nations between the United States and EU member states (all so-called friends and allies). From an average rate of voting the same 68.5 percent of the time in 1999, the EU's rate of voting with the U.S. dropped to 62.5 percent in 2000 and to 53.5 percent in 2001.

Impeding the EU's aspirations is the persistence of the Israel-Arab conflict, ³⁵ and Europeans want a solution, even if it is gained at Israel 's expense. Moreover, a European solution would enhance the continent's status while at the same time it would challenge American hegemony.

Thus, although the United States and Israel maintain a strategy that refuses to reward Palestinians with political gains if they continue to espouse terrorism, the EU in February 2002 adopted a French plan that called for the immediate creation of a Palestinian state and its immediate recognition by Israel as the *starting point* for peace talks.

Such cynical application of power politics by the EU for narrow short-term gains demonstrates a lack of responsible global leadership and the absence of balance vis-à-vis the Arab-Israeli conflict, and it should invalidate the EU from serving as honest broker or facilitators when talks resume.

Such behavior is based almost solely on ulterior motives that have little to do with peacemaking. The conflict and Europe's role as a member of the Quartet are unfortunately no more than instruments that allow the EU to exploit a key role in the Arab-Israeli conflict - no matter how or at who's expense - as a demonstration of Europe 's arrival as a major power broker. $\frac{36}{2}$

The EU is Palestinian Authority's largest donor

Knowing its funds are siphoned off to fund terrorist activities, not humanitarian objectives, the EU's External Affairs Commissioner Chris Patten and his pro-Palestinian supporters in the European Parliament have stymied attempts to investigate the misuse of funds.

The EU accounts for 53 percent of all economic aid donated to the Palestinian Authority. By comparison, the U.S. contributes 11 percent. Since 1993, the EU has provided more than \$1.8 billion worth of aid to the Palestinian Authority. Between 1993 and 1997, the EU invested 257.7 European Currency Units (the predecessor to the Euro) per capita on Palestinians, but only 23.2 ECU per capita in African countries, and only 11.2 ECU per capita on other inhabitants around the Mediterranean rim. That is an astronomic investment in a peace dividend that refuses to materialize, whose failure Europeans tend to pin on Israel , not the Palestinians. Furthermore, the EU has refused to recognize that its funding has been misused.

Instead, the European Commission's Foreign Relations Chief Chris Patten has done everything in his power to block investigation of where the EU's monthly \$10 million payments to the Palestinian Authority goes, even after the Israeli government and military provided documentation proving that the funds were financing terror cells, including Yasser Arafat's Fatah, 39 Proof has included papers bearing Arafat's own signature in connection with the Karine-A arms shipment, approval of payment of \$2,000 each to families of Hamas suicide bombers, and a \$9,000 payment to a car rental company in Gaza after the firm's car, being used by a Hamas activist, was blown up by Israeli forces. 40 In January 2003, Patten persuaded enough supporters of a probe to withdraw their support, undercutting the 157 votes necessary (out of 626 members of the European Parliament or MEPs) to launch an investigation, putting off debate of the issue. 41 The commissioner was reported to have said he needed a full parliamentary inquiry "like a hole in the head." 42 Ilka Schröder, 43 a German MEP branded the commissioner's behavior akin to "winking approval of terrorist attacks," and charged that taxpayers' money was being used to "sponsor anti-Semitic terrorist acts." 44 Schröder, together with British MEP Charles Tannock and French MEP Francois Zimeray, head a cross-party group of 170 MEPs who are calling for "more transparency." 45 Zimeray, a lawyer and French socialist, said he was amazed by the European Parliament's unfairness toward Israel in the four years he had been a parliamentarian: "What struck me is not so much the excess of criticism leveled at Israel, but the extraordinary indulgence toward the Arabs, just like they had an immunity," he said. 46

The EU - Ignoring Israel's needs and human rights

The EU's desire to court favor with the Arab world has led its members to support radical anti-Israel resolutions in the UN and adopt a series of pro-Palestinian declarations that ignore Israel 's needs, including Israel 's human rights.

Europeans share a host of common policy positions with Arab leaders on how to resolve the Arab-Israeli conflict. The most obvious is an insistence on a fully independent Palestinian Arab state in the West Bank and Gaza , a position the EU made official in its 1999 Berlin Declaration in exchange for the Palestinians' agreement not to unilaterally declare statehood without making peace with Israel . 47

The EU has supported numerous anti-Israeli resolutions adopted by the United Nations. Particularly jarring are the ones taken in the UN Human Rights Commission, a UN body with a history of biased votes against Israel . Among those that passed in 1999 with the help of European votes was a call for Palestinian self-determination based on Resolution 181 (the UN Partition Plan of 1947). If implemented, the Jewish state would be cut to half of what it was *prior* to the Six-Day War; if implemented, Israel would be forced to allow all Arab refugees from 1948 — estimated

today at some 4 million persons – the right to return and settle in Israel proper. Both parts of the resolution would effectively spell the end of Israel – one by geography, the other by demography. Another striking anti-Israel vote came on April 15, 2002, 48 in the midst of a wave of suicide bombings: six of nine EU members on the UN's Human Rights Commission – Austria, Belgium, France, Portugal, Spain, and Sweden – voted in favor of another resolution 49 that condemned Israel and affirmed "the legitimate rights of the Palestinian people to resist Israeli occupation," which effectively gave terrorism a green light. Italy abstained. Only Germany and the UK opposed the motion. The U.S. issued an official protest to the Human Rights Commission, 50 branding the resolution "more unbalanced and inflammatory than in the past," adding that the vote "casts the Commission in the position of supporting the use of terrorism and violence against Israeli civilians rather than promoting protection of human rights," and noting "the right of any country, including Israel, to act in its own self-defence – to protect its own citizens from attack."

Exactly one year later, the same commission adopted a resolution sanctioning the Palestinians' use of "all available means, including armed struggle," a designation that implied that suicide bombings are a legitimate tactic against Israelis. Only five countries, including the United States , voted against it. The UK and France abstained. Russia approved the motion. $\underline{\mathfrak{u}}$

Both the 2003 and 2002 votes followed the 2001 Durban Conference on Racism, which European governments and Europe-based NGOs, including Amnesty International, attended, even though the conference turned into an Israel-bashing orgy. The United States and Israel walked out, but the fact that the European participants continued to participate gave the conference an aura of legitimacy and credibility.

Another watershed event was the anti-Israel Resolution ES-10 52 passed by the General Assembly in July 2004, in 'response' to the biased anti-Israel advisory ruling of the International Court of Justice that month regarding the 'illegality' of Israel's security fence. Most European countries opposed the request for an advisory opinion as 'not the appropriate forum' and most abstained in passage of the GA request. 55 The EU was aware that the ruling was designed to bash Israel, but in the process would politicize the Court and undermine its prestige. Nevertheless, after the ruling, the EU blindly accepted the 'findings' of the openly-biased proceeding that was rift with selective and even fallacious use of documents to reach a foregone conclusion, as if the ruling was Scriptures. In ES-10, the EU voted for a resolution that 'grants' Palestinians title to disputed territories [i.e. usage of the designation "Occupied Palestinian Territory (including East Jerusalem)" whose future is supposed to be the foundation for comprehensive peace (the 'peace for territories' principle), undermining the peace process. The EU turned a blind eve to the fact that the resolution pretends the GA and the ICJ have obligatory powers that do not exist in the UN Charter. 54 The resolution claims "Israel is under obligation to ... cease forthwith ... construction of the Wall ... dismantle [it]... and make reparation for all damage caused [to Palestinians" and "demands that Israel ... comply ... [and] demands that all Member States comply with its legal obligations as identified in the advisory opinion." Neither the ICJ ruling nor the GA resolution mention the 'terrorism,' which is considered irrelevant to the security fence issue by the GA and the Court – another expression of European indifference to Israeli suffering. If this was not enough, European UN ambassadors and senior officials in the European Union's took an unprecedented step: They worked hand-in-hand with the PLO observer to the UN, Nasser al-Kidwa to make minor amendments in the original draft presented by the Arab League and penned by the PLO, so that the EU could vote for it. 55In the aftermath, a senior EU delegate claimed "we succeeded in balancing the wording of the resolution." 56US ambassador to the UN John Danforth branded the resolution "utterly one-sided since it refrains from mentioning the threat of terror hovering over Israel ." 51The European Union considered abstaining, but then simply capitulated to appease the Arab bloc, voting en bloc – all 25 EU states 58 in favor of the resolution. By their reckless actions they gave the resolution an aura of respectability and legitimacy. The unanimous vote (rather than a split vote) was the upshot of pressure on member states from Dutch foreign minister Bernard Bot – the president of the EU. The EU's foreign policy chief Javier Solana hailed passage of the 'fence resolution' as a victory of EU policy, declaring that "in our vote, we presented joint superior values and policy lines which we intend to promote internationally," further clarifying that "the fact that no European state abstained from the vote derives from the fact that the EU is a political union." ⁵²Such conduct and concepts of "balance," "superior values," and enlightened "policy" disqualify the EU from any claims that it can serve as an honest broker in direct negotiations between Arabs and Jews, or be a constructive facilitator in any other capacity in the peace process. The United States and Australia, it should be noted, voted against the resolution and Canada abstained.

Two years after France welcomed UN General Assembly resolution demanding that Israel dismantled the barrier as suggested by the International Court of Justice, its Foreign Minister Philippe Douste-Blazy declared on Thursday, October 19, 2006, that he has changed his opinion on Israel 's controversial separation barrier in light of its drastic effect on terror:

"I have significantly evolved on the matter of the separation fence" said Douste-Blazy on French Jewish television TFJ on Thursday. "Although the wall was a moral and ethical problem for me, when I realised terror attacks were reduced by 80 percent in the areas where the wall was erected, I understood I didn't have the right to think that way." 60

Yet the EU's pro-Arab bias is not confined to UN votes. The European Council, the central policy body of the EU, often employs language that mirrors positions held by Palestinian Arab leaders.

When Israel imposed closures, blockades, and curfews to protect its citizens from terrorists (who move explosives and operatives by mixing with civilian traffic – even posing as people in need of emergency medical care), the EU accused Israel of punishing the innocent. When Israel pursued a policy of targeted killings against the leaders of terrorist cells who were orchestrating terrorist attacks or making bombs, the EU branded those pinpoint actions "extra-judicial killings," arguing that they "do not bring security to the Israeli population." ⁶¹ Ironically, those very counterterrorism tactics they repudiate are employed by American and British forces in Iraq . ⁶² In short, Europe's response to every tactic Israel employs to counter terrorism whether passive or proactive – is viewed as illegitimate or detrimental.

Even isolating Arafat in his Ramallah compound for a month in April 2002, while providing him and his entourage with ample food supplies, was met by a steady stream of European well-wishers. A year later, while on a state visit to Israel , German Foreign Minister Joschke Fischer said there were some 30 European diplomats who wished to meet with Arafat, including the EU's Foreign Policy Chief Javier Solana. Those meetings could only undermine American and Israeli efforts at the time to pressure Arafat to turn the reins of power over to a successor. ⁶³

European expressions of condolence also are carefully balanced, creating moral equivalency between victims and victimizers. Consider the following sequence of events: $\frac{64}{3}$

- · On March 6, 2003, an EU representative laid wreaths in Haifa where a suicide bomber had killed 15 Israelis and wounded 30 the day before. The next day the EU 'responded to events in Haifa and Gaza ,' referring to the Haifa bus attack *and* an Israeli incursion into Gaza to ferret out terrorists, balancing the two events and declaring, "terrorism and violence must end."
 - · On March 21, 2003, the EU called for "immediate publication and implementation of the Roadmap."
 - \cdot On March 31, 2003, following another suicide bomber attack, this time in Netanya, the EU evenhandedly "condemned all use of violence."
 - · Israel responded in a three-day (April 2-4) incursion into Tul Karm to root out terrorists; it included rounding up and systematically questioning 2,000 men, 11 of whom were taken into custody for interrogation. In the course of the incursion, the Tul Karm head of Islamic Jihad was apprehended and the bomb factory he operated destroyed. At the time, he was preparing a car bomb for detonation in Tel Aviv over Passover. On March 7, the EU responded to the Israeli action by "condemning the use of 'collective punishment' in Tul Karm."

Human Rights Watch, an NGO which is hardly pro-Israel, investigated the phenomenon of suicide bombing. It charged that the systematic and intentional nature of those attacks as well as their scope constituted "crimes against humanity." 65 Despite that independent finding, the EU has yet to condemn such Arab terrorism in a strong, singular, unequivocal, unconditional voice.

In fact, just the opposite has occurred: rather than condemn Palestinian Arab terrorist tactics, the European Council's December 2002 Declaration on the Middle East condemned Israel's "excessive use of force" when it retaliates against the terror attacks. But the charge seemed hollow in light of the way the British dealt with Palestinian violence under the British Mandate; during the Arab Revolt of 1936 to 1939, they killed 5,032 Palestinians, wounded 14,760, detained 50,000, hanged 146, and sentenced to life prison terms 2,000, according to Oxford historian Glen Rangwala. In addition, during that three-year counterinsurgency campaign 5,000 houses were demolished in reprisals, and 40,000 Arab residents of Palestine, mostly wealthy families, fled to neighboring countries. During the eight-year Algerian Civil War, France escalated its troop levels in Algeria from 50,000 personnel in 1954 to 400,000 in 1962. One million Algerians died in the course of the war.

Europe's historical indifference to the fate of the Jews

Past indifference has resurfaced in apathy and a business-as-usual attitude to the onslaught on Jews by Palestinian terrorists. Newspapers and respected individuals vilify Israel , and boycotts seek to place Israelis beyond the pale of civilized society.

Europe is witnessing a wave of antisemitic activity of against local Jewish communities with the desecration of synagogues and cemeteries, and attacks on those identifiable as Jews. Although Muslim immigrant youth from North Africa of carry out most of the physical and verbal violence, indigenous European antisemitism, though more refined, is resurfacing as Israel bashing in the media and in European and international institutions.

Yet in France where 404 antisemitic incidents were reported between September 1, 2000 and January 31, 2002, politicians were slow to take a stand, viewing such violence with 'a certain indulgence or understanding' similar to their attitude toward Jews in Israel who are subject to attacks. Not until a noticeable escalation of racist attacks that terrified French Jews and damaged France 's international reputation, did President Jacques Chirac promised in November 2003 to get tough on antisemitism.

And although criticism of Israel among EU diplomats is commonplace, a clear distinction must be made between legitimate criticism and antisemitism or Israel bashing, for the latter of which there is no shortage of examples: Portuguese Nobel Prize winner Jose Saramago suggested that "Israel is guilty of recreating Auschwitz at Ramallah." A Guardian editorial stated that Israeli military actions in Jenin were "every bit as repellent" as the terrorist attacks of September 11 against the United States . The Vatican daily $L'Osservatore\ Romano$ charged Israel with engaging in "aggression that turns into extermination." A pro-Palestinian demonstration in Barcelona "against Israeli genocide" included the burning of the Star of David. 1

A 2002 Anti-Defamation League opinion poll of 2,500 Europeans in Britain , France , Germany , Belgium , and Denmark revealed that 30 percent had no constraints about voicing antisemitic sentiment and 45 percent questioned the loyalty of their Jewish neighbors, saying they "believe Jews are more loyal to Israel than their own country." The poll also found that 30 percent believed that "Jews have too much power in the business world."

Beyond demonizing Israel and supporting pro-Palestinian protests, Israel bashing concentrates on marginalizing Israelis or putting Israel beyond the pale of civilized society. One of the most troubling aspects exists among the European intelligentsia who are attempting to organize a boycott not just of products like Israeli-grown oranges, but of Israeli academics. This move was launched on April 25, 2002 through a letter in the *Guardian* signed by 123 British academics; a similar call appeared the next day sponsored by Norwegian academics, who suggested that to do otherwise would be "collaboration." ⁷² The calls for such boycotts are staggering, given the six suicide bombings that had occurred in Israel the previous month in which 60 Israelis were killed, including 29 at the infamous Passover Seder massacre. ⁷³ Fifteen others were killed at a restaurant, nine in a bus, six at a bus stop, two at a supermarket, and one at a café. The timing of the boycott only deepened the chasm between Europeans' concern for Palestinians and their apparent apathy for the fate of Jews. In 2002, 25 Israeli researchers who sent submissions to scholarly journals were informed that submissions from Israelis were not accepted. ⁷⁴

France – Endangering Israel and U.S. Security

European *realpolitik* constitutes a threat not only to Israel , but also to the United States , and neither nation should allow such behavior to determine their security needs. Among European nations, France stands as the worst offender.

France constitutes a threat not only to Israel 's security, but to America 's as well. Based on the same self-serving and cynical *realpolitik*, France not only refused to join the coalition to topple Saddam Hussein in hopes of avoiding future Arab terrorist attacks, but it also apparently conducted secret briefings with Iraq's regime concerning U.S. plans against Iraq, according to the *Sunday Times*, which found dossiers of evidence in the rubble of Baghdad's Ministry of Foreign Affairs. ²⁵

Two new books by distinguished French intellectuals also try to answer why France is so deeply anti-American. One, *The Anti-American Obsession* by Jean-Francois Revel found that anti-Americanism is a product of French political and moral failures; the other, *The American Enemy* by scholar Philippe Roger, finds the origins of anti-Americanism

go back to the fallout between America and France after the American Revolution and the Monroe Doctrine proclamation. ⁷⁶ Writing in the March-April 2003 issue of *Foreign Affairs*, ⁷² Walter Russell Mead, a senior fellow at the Council on Foreign Relations, summed up the problem: "Anti-Americanism developed and persisted in France because the United States thwarted, threatened, and diminished France." As a result, Mead writes:

...a well-defined set of ideas and perceptions ... over time have crystallized into a coherent world view. Anti-Americanism ... is very different from opposition to some specific American policy; it is a systematic view of the United States as a danger to all one holds dear.

The Foreign Report analysis reveals that French President Jacques Chirac's position is unprecedented — equal only in unlimited power in modern French history to that of Charles de Gaulle. "Chirac is now determined to repeat de Gaulle's feat," the journal reports. Moreover "for the first time since 1945, France has a German partner prepared to criticize the USA ." The French objective, following the U.S.'s decision to invade Iraq without specific UN approval, according to Foreign Report , is "a France that leads all those willing to stand up to U.S. 'arrogance' around the world, a France that articulates Europe's distinct opinion and enjoys a good reputation in the Arab world as well." France is no longer "just a nuisance" to the United States . France constitutes "a real menace" to the United States and to world peace, says Foreign Report .

The first test of wills will be whether the EU, under French leadership (along with Russia and the UN), will set the tone of the Quartet's Road Map and succeed in "putting Israel *on* the negotiating table, not *at* the negotiating table," as some Israelis put it. Or, will the United States meet the European challenge to its leadership based on both national interest and a moral dimension to foreign policy.

A *Washington Times* editorial, quoting Washington Institute scholar Robert Satloff's criticism of the Roadmap, notes "virtually identical language to 'cease the violence' against the other, as if blowing up a restaurant or commuter bus is the moral equivalent of a commando raid against a terrorist safe-house." Satloff had branded the "parallelism between Palestinian and Israeli behavior a sham, even indecent." ⁷⁸

A Comparative study of EU hypocrisy

The leniency with which the European Union (EU) judges Palestinians' reforms compared to the strictness of EU demands for reform by the Turks reveal Europeans' duplicity and lack of integrity, and should disqualify the European Union from playing any significant role in the Middle East peace process, under the guise of being an 'honest broker.'

The historic decision of the European Commission in mid-December 2004 that Turkey is now ready to begin full negotiations on joining the European Union (EU) is an excellent opportunity to benchmark the sincerity of Europeans and their ability and suitability to serve as impartial and honest 'peace facilitators,' by examining the way Europeans judge Turks, and the way they judge Palestinians.

Turks have been scrutinized by the EU to evaluate Turkey's readiness for membership in the European Union — that is, its ability to live side-by-side with England, France, Germany, Spain, Italy and other EU members without Turks being a detriment to their neighbors. Parallel to this process, the EU has been evaluating the Palestinian Authority's readiness for statehood — that is, Palestinians' ability to live side-by-side with Israel without being a jeopardy to their neighbor. While the goals are different, the EU has declared in both cases that the realization of the two goals both require the respective Middle Eastern society to undergo far-reaching reform, to adopt western values and western standards of conduct.

Objectively, the absence of any 'reversibility mechanism' to statehood make compliance by Palestinians a far more serious matter than compliance by Turks...whose membership in the EU can always be revoked if Turkey fails to fulfill its commitments. Yet, a host of EU documents – official compliance and progress reports and pronouncements by EU leaders regarding the status of the Turkish regime and society and the Palestinian regime and society and the readiness of each, show just the opposite! When compared on a host of levels – both general issues such as the principle of 'an independent judiciary' and specific issues such as zero-tolerance for 'honor killings,' EU benchmarking standards reveal:

- · European yardsticks for Turkey joining the EU demand Turkey carry out far-reaching political and social reform *on the ground* and at *all levels of society*. European leaders expect this process will require *10 to 15 years* of negotiations to ensure such a step will not undermine European enlightened values or jeopardize European economic prosperity. In sharp contrast, European yardsticks for Palestinians amount to praise for *fabricated non-existent* reforms. Moreover, Europeans call for dropping the required *incremental progress* from the Roadmap all in order to forge the way for *immediate* establishment of a Palestinian state, ignoring that such a polity, in the absence of massive reform political and social, would endanger the security and political and economic sustainability of Israel and merely perpetuate the Arab-Israel conflict.
- · The EU applies one set of strict *European* standards to Turks based on *actual performance* and not just structural reform or intentions, and another set of 'lax' *Middle Eastern* standards to Palestinians based on a combination of reforms-on-paper, wishful thinking and doctored evidence that magnifies progress of marginal importance and little substance.

The unavoidable conclusion? Such duplicity and lack of integrity should disqualify the European Union from playing any significant role as a 'key facilitator' or 'honest broker' in the Middle East peace process.

Benchmarking strides towards European-style civic society: Turkish society vs. Palestinian society

Turks: For nearly 44 years — since 1963, Turkey has knocked at Europe 's door requesting membership in the EU. The Europeans, however, have been in no rush to invite a Muslim country into their midst, even if it is the most westernized and most democratic Moslem country in the Middle East . Although Turkey is already a strategic partner in NATO and some 2.5 million of its citizens are peaceful and productive immigrants/guest workers in Europe , Europeans have exercised great caution due to disparities between West political, social and economic Judeo-Christian culture and values, and those common in the Muslim Middle East. Only in 1999 was Turkey accepted as a *candidate* for EU membership , with no timeframe for actual negotiations. At the close of 2004, after five years of farreaching Turkish constitutional and legal reform, the EU concluded that Turkey had reached a point where negotiations could commence "under certain conditions." ⁸⁰But it is far too premature to break out the Champagne . N egotiations are expected to take ten to fifteen years, and even then "the outcome is not a foregone conclusion," ⁸¹ declared Romano Prodi, the former President of the European Commission.

Turkey must 'walk the walk.' To be more precise, it must meet EU dictates over which there is no negotiation: 'Become European' in thought and deed. The *Recommendation* adopted in December 2004 states that membership negotiations are conditional to fundamental reform not only on the declarative-structural level, but also regarding realities "on the ground." Implementation must be "sustainable" and "irreversibility" and reforms must be "confirmed over a longer period of time." Europeans intends to "continue to monitor" the process and examine it under a microscope every inch of the way. §2

The first yardstick for progress is to meet the Copenhagen Political Criteria (adopted in June 1993 by the EU for all candidates.) The Copenhagen Criteria state: 83

"Membership criteria require that the candidate country must have achieved stability of institutions guaranteeing democracy, rule of law, human rights, and respect for and protection of minorities."

Olli Rehn, the member of the European Commission responsible for EU Enlargement, made it clear in an address to the European Parliament that there are no 'discounts' for Turkey.

"... These criteria, the fundamental values on which the European Union is based, are not subject to negotiation" and [there will be] "a suspension mechanism in case of serious and persistent breach of democratic principles." 84

The fundamental freedoms Rehn cites include "women's rights, trade union rights, minority rights and problems faced by non-Muslim religious communities" and "consolidation and broadening" of legal reforms including "alignment of law enforcement and judicial practice with the spirit of the reforms" and a host of other demands. In fact, Europe demands a complete 'makeover,' from women's rights to recycling of trash. 85

If this wasn't clear enough, President Prodi told the European Parliament the breadth and the tempo negotiations should take:

"We must take the time needed to make sure that *all the important reforms adopted become day-to-day reality for Turkish citizens, both men and women*. And we must also tell our Turkish partners clearly and calming that any breakdown in this program towards democracy, human rights, fundamental rights and the rule of law *as practiced in the European Union* will automatically bring negotiations to a halt." 86 [emphasis, the author's]

To what degree Turkey has complied or not complied is presented in the minutely-detailed *2004 Regular Report on Turkey's progress towards accession* **Ireleased in Brussels in October 2004 in preparation for the vote.

"Nothing has been concealed, covered up or distorted, neither the positive nor the negative aspects," stressed Prodi in his presentation. 88

The 187-page report is, indeed, detail-oriented, studious and frank. One should also note: In contrast with all the other candidate nations — all others 'European-Christian' countries - Turkey is the only nation whose timeframe for ascendancy is extended and open-ended, with no assurance of acceptance even if it meets every EU dictate. Furthermore, demands have been voiced that any future vote on Turkey 's membership be preceded by referenda in individual countries, $\frac{89}{2}$ another unprecedented hurdle. Some parties have already backtracked, such as the Christian Democrat Party in Germany , which suggested blocking full access with a special category of "privileged partnership" for Turkey . $\frac{90}{2}$

Palestinians: During four of the five years that Turkey's very eligibility to *sit* at the negotiating table with Europeans was being weighed – provided Turkey met European demands not only for sweeping reforms of its political and legal structure, but also that *all* Turks acculturate themselves to European standards and values, in word and deed – Palestinian leadership walked away from Final Status talks at Camp David (July 2000) and launched a systematic onslaught of suicide bombers and other terrorist attacks against *their* negotiating partner which continues – albeit with less success – to this very day.

The violence unleashed against Israel is not the work of 'a few spoilers' or 'renegade organizations' on the margins of society. Social scientists who have studied the phenomena underscore that suicide bombings are "a highly communitarian enterprise" because they depend on a strong institutional dimension, that are initiated by tightly run organizations that recruit, indoctrinate, train and promise to reward perpetrators and their families — in terms of material gains and enhanced social status in the community-at-large. Perpetrators come from all levels of society, and support among rank-and-file Palestinians for such crimes against civilians — atrocities equal per capita to fourteen 9/11s — peaked in December 2001 at 86%. Such acts continue to enjoy the support of a solid majority of Palestinians in all walks of life. As late as September 2004, 77% of Palestinians in the West Bank and Gaza supported a double bombing of two public buses in Beersheba . There is no change in this day-to-day reality and there is no recognition of these dismal realities by the EU whatsoever.

Not only is this enduring feature of Palestinian society ignored. The European Union pays lip-service to the principle of performance-based progress, but fails to 'walk the talk' when it comes to implementation. Like Turkey 's appeal for EU membership, realization of Palestinian aspirations was supposed to be performance-based. The timetable embedded in the Oslo Accords for establishment of limited Palestinian self-determination – internal self-rule 93 – was five years (envisioned to be consummated in 1999). The Oslo Process hinged on the Palestinian leadership abandoning armed struggle and negotiating an end to the conflict, and establishing the infrastructure for enlightened self-rule. This proviso was never met.

The latest scheme – the three-phase Roadmap ⁹⁴ adopted by the Quartet ⁹⁵ in May 2003 – speaks of full independence for Palestinians within three years (envisioned by 2005). Stage II, which supported establishment of an independent Palestinian state with provisional borders and attributes of sovereignty within a 6 month period (!) hinged on compliance with Stage I, which demands "unconditional stoppage of violence" and steps towards comprehensive reform of the Palestinian Authority.

In the four and a half years since the outbreak of the second Intifada (October 2000), Palestinians have failed to comply with repeated pleas and pressure from the international community to stop the violence, beyond empty declarations of intent. This includes not only appeals from American and Arab leaders, ⁹⁶ but also the Europeans themselves. In early April 2003, while on a state visit to Israel, including a meeting with Arafat, German foreign minister Joschke Fischer said there were some 30 European diplomats who wished to meet with Arafat, including the EU's Foreign Policy Chief Javier Solana, assuming they could cajole or pressure Arafat into reining in terrorist groups

and reforming the Palestinian Authority. The amount of 'good behavior time' (i.e. no terrorist attacks) required prior to resumption of negotiations was gradually lowered from six months to one week — but to no avail. Palestinians failed to honor these most basic commitments: (1) to abandon terrorism and their goal of destroying the State of Israel, both in word and deed and (2) to reform their regime along democratic lines, as a precondition for any sustainable and stable two-State solution.

These 'realities on the ground,' discussed in detail later in this white paper — hardly consonant with European standards demanded of Turkey -- are totally ignored by the EU in their efforts to advance immediate Palestinian statehood, come hell or high water.

Not only Israelis suffer from Palestinian lawlessness. Palestinian society itself lacks any semblance of internal 'rule of law' or civic society. Palestinian human rights organizations report domestic violence and clan vendettas have intensified, and extortion, gang rule and general misuse of power at all levels have become an enduring feature of Palestinian society since self-rule was established a decade ago. The chief human rights group within the Palestinian Authority, the Palestinian Human Rights Monitoring Group (PHRMG), labeled this phenomenon "an *Intra'fada*." 98A concrete example of compliance and non-compliance with European standards of human rights that has nothing to do with the Arab-Israeli conflict, is enlightening.

Benchmarking the EU's attitude toward 'honor crimes': Turkey vs. the Palestinian Authority.

Attitudes towards 'honor killings' are illustrative of the gross disparity between the treatment of Turks and Palestinians by the EU.

Turks: Under directives from Europe, Turkish 'honor killings', where men kill women family members for real or imagined sexual indiscretions to 'save family honor', have been made a felony carrying a *mandatory* life sentence. ⁹⁹ This is instead of the lighter sentences for "extenuating circumstances" meted out by sympathetic Turkish and other judges common in the Middle East. Under the original Turkish Penal Code, ¹⁰⁰ "severe provocation is cited as a mitigating circumstance" in cases of 'honor crimes,' with provisions for reducing punishment to one-eighth of the original sentence. Human rights activists reported that this allowed Turkish courts to "reduce a life term to fifteen years," adding that in practice due to the age of the perpetrator, ¹⁰¹ time off for good behavior and so forth, punishment is often whittled down to six years in jail.

In the summary of compliance with the Copenhagen Political Criteria, the EU's 2004 Regular Report on Turkey concluded: 102

"Significant progress had been achieved in aligning the overall framework for the exercise of fundamental freedoms with European standards. The principle of equality of men and women has been strengthened and provisions allowing reduced sentences for so-called 'honour killings' have been removed."

But for the EU, the proof of the pudding is in the eating. While the report recognized that "crimes against life that are motivated by 'tradition and customs' had been made much more severe," 103 and praised "...the Diyanet 104 instruct[ing] imams and preachers to speak out against 'honour killings' during the Friday prayers," the Report asserts that this is not enough. 105

"...the situation of women is still unsatisfactory: discrimination and violence against women, including 'honour killings' remains a major problem."

The *Report* states frankly that "sustained efforts will be required to ensure that women take an equal place in society."

Palestinians: As early as August 2002 the PHRMG published a special report 106 on "honor killings" among Palestinians, charging that there is a "wide scope of the phenomena in the Palestinian society" and warning that "the law is absent – or neglected in [honor crimes]." The Women's Centre for Legal Aid and Counseling (WCLAC) charged in an investigation of cover-ups of murders 107 that "as a whole, the judicial system conspires against victims." 108 Between 1996-1998 there were 234 cases of women having died, of which 177 files were closed with the cause of death

having been ascribed to "fate." Despite these two damning reports, as well as other similar accounts as recently as April 2004, 109 there is no mention of 'honor killings' or women's rights in general in the EU's discussion of reform in the PA. Nor are human rights violations by the Palestinian Authority against its own people discussed in the EU's annual reports on human rights. Other countries are cited: Pakistan , for instance, is censured for 'honour killings.' The only behavior of the Palestinian Authority towards its own citizens that was raised was to "question the death penalty." In sharp contrast, the report noted that the EU had introduced numerous condemnations of Israel in the UN Commission on Human Rights for violations of Palestinian human rights. 110

Even more 'basic' reforms such as establishing 'rule of law' in the machinery of Palestinian self-rule are subject to a 'double standard' between Turks and Palestinians when it comes to benchmarking compliance.

Benchmarking the EU's gauges of compliance: Genuine or fabricated reforms?

How did the European Union judge the reforms demanded by the Quartet – of which the EU itself is a member, compared to demands made of Turkey by the EU? The double-standard ranges from major issues such as adoption of western standards of judicial process to 'minor' but universal issues of abuse of children.

Reform of the judicial system:

Turks: In the Recommendation adopted in December 2004, the judicial system was, quite naturally, scrutinized in detail. Compliance included making the domestic legal system subservient to a series of overarching EU conventions and courts; rewriting the *entire* Penal Code. Adopting 261 new laws between October 2003 and July 2004 alone, including abolishing capital punishment; and totally revamping the structure of the courts from abolishment of security courts down to reducing case loads in lower courts, setting new criteria for judgeships and even mandating salary scales of junior magistrates, and providing legal aid. All this said and done, Enlargement chief Rehn nevertheless underscored:

"These laws cannot yet be considered a reality **on the ground**; we will need to see how they are implemented." $^{\text{III}}$ [emphasis in the original]

Palestinians: In contrast with strict standards for reform to which Turkey is subject, the EU simply *pretends* that reform is afoot among Palestinians. Some of the claims are simply pathetic, particularly the ones addressing reform of the judicial system.

A May 2004 report on *The EU's relations with West Bank and Gaza Strip* 112published by the European Union concludes that "...in June 2002, the Palestinian Authority, in response to domestic and international pressure, adopted a wide-ranging program on reform." The EU report is full of praise for "important measures", "significant progress" and "key reform" that only need "consolidation."

The report cites "important measures ... for legislation on the independence of the judiciary" ... providing as substantiation the adoption and entrance into force of Basic Laws that like the promise to stop the violence, are empty words. It lauds the launch of "modernization of the Palestinian judicial system" with EU funding, an 'achievement' that boils down to the EU "training judges and prosecutors" and funding "refurbishment of select courts" ... as if the problem is chairs or computers. By contrast, Palestinian human rights activists put their lives in jeopardy to expose the true state of the judiciary (and other areas of 'rule of law'). A month prior to the EU report, PRMG published a 32-page publication that underscored 113

"...Although in August 2003, then PA Minister of Justice ... came out in support of abolishing the state security courts and to transfer authority to the Attorney General, this step towards more accountability was never implemented" ... [and] "... confusion of executive and judiciary" has led to "legal power [being] abused for personal or fractional interests."

Like wise, there is nary a word from the Europeans in *their* report about the corruption, graft, kickbacks, and extortion cited to be a major blight in Palestinian self-rule by a large majority of Palestinians in opinion polls and in Palestinian human rights reports. ¹¹⁴

Expectations that reform, including a more enlightened and independent judiciary, would follow the election of PA Chairman Mahmoud Abbas (Abu Mazen) as Yasser Arafat's duly-elected successor have not materialized. In April 2005, for example, the Palestinian Authority suspended a senior Muslim religious judge (kadi) Dr. Hassan Jouju, for criticizing the lack of reform of the judicial system and continuing anarchy, lawlessness and corruption in PA courts. Denial that reform isn't working is sweeping, even systematic throughout the EU structure. The European Council of Ministers — the most senior and powerful body in the EU — issued a series of 'conclusions' that contrast sharply with the strict standards, tempo and provisos the EU demands of Turkey.

The Ministers' 2002-2004 minutes ¹¹⁶ are peppered with praise and support for 'cosmetic' or totally non-existent reforms, while seizing the day to call for acceleration of the peace process towards establishment of a Palestinian state. For instance, the Council "noted the progress in the process for the appointment of a Palestinian Prime Minister and the formation of a Palestinian government" – without examining whether power was actually transferred to this new post (April 2002). It expressed support of "the Palestinian Authority's commitment to make rapid progress on security" – without even one example of where this took place. In a similar vein it praised "the new will on the Palestinian side to promote reform" (June 2003); "continued support for Palestinian reforms and economy" (July 2003) and "called upon the Palestinian Authority to continue their reform programme" (September 2004) – without any substantiation for such 'achievements'. There is absolutely no relationship between the 'conclusions' reached by 25 EU ministers and *realities on the ground*.

Irony of ironies, these rosy assessments are totally in conflict with the findings of the Independent Task Force on "Strengthening Palestinian Public Institutions" — a body *commissioned by the European Commission itself* in 1998! Every year hence, ¹¹⁷ the Task Force has monitored reform progress in the PA and published its findings on implementation of the Task Force's 1999 proposal for reforms.

The Task Force is chaired by a former prime minister of France Michel Rocard and authored by two renowned Palestinian scholars, Cambridge academic Dr. Yezid Sayigh and director of the Palestinian Center for Policy and Survey Research in Ramallah, Dr. Khalil Shikaki. The most recent report, *Reforming the Palestinian Authority: An Update April 2004*, ¹¹⁸is scathing. One by one, the compliance report ticks off attempts at reforms which "remain unimplemented," "difficult, if not impossible, to reform," or "paralyzed" in process. The report concluded that "little was achieved" by the 6-month government led by Mahmoud Abbas (Abu-Mazen) (March 2003-September 2003). At the time of publication (April 2004), the compliance report summed up the pathetic performance of Ahmed Qurei's (Abu Ala) government (October 2003 – present), saying:

"The *most significant process* was the cabinet's decision in February 2004, approved by the president, to cease paying the sal arie s of the National Security Forces (under the president's control) in cash and instead to channel all sal arie s through bank transfers." [emphasis, the author's]

In short, Palestinian Authority most revolutionary change was a pay slip of a bank deposit in lieu of a pay envelope stuffed with cash for State-supported thugs whom the PHRMG have accused of using their authority and weapons for personal clan vendettas and extortion from businesspersons and other strong arm tactics that terrorize the local population. The Task Force report put particular emphasis on the total lack of an independent judiciary under then presiding prime minister Abu Ala , charging:

"The interference of the president [E.H. Yasser Arafat] in the affairs of the judiciary has increased considerably during this period...and the ability of courts to implement their decision, always limited, has diminished even further."

In August 2004, one of the chief authors, Dr. Khalil Shikaki, told the Council for Foreign Relations in an interview that there still was no progress towards reforming the judiciary 119

"Theoretically, we have an independent judiciary, but the reform process has not yet reached the judiciary. At the moment, the judiciary is in total disrepair, and it hasn't yet been able to function effectively."

During the corresponding period, as noted above, the European Union's benchmarking of Palestinian performance babbled on about steps towards 'an independent judiciary'... One wonders what the Turks would think of this assessment of reform, but alas, the Task Force's 'unenthusiastic' reports regarding "Reforming The Palestinian Authority" *appear nowhere* on the EU website (www.europa.eu.int). It is only mentioned in passing with no information on its findings, and *no hyperlink* to copies of its reports archived elsewhere on the Internet, though all of its other documents are rich with links.

At the same time that it was *fabricating* Palestinian reforms, hell-bent to establish a Palestinian state ASAP, the EU sought to *reform* the Roadmap. In November 2004, the EU's foreign and security policy chief Javier Solana penned a confidential seven-page 'plan' designed to "ensure a Palestinian state can be established" although no substantive reform had taken place. To overcome this 'problem,' Solana simply declared that the performance-based dimension of the peace process - including the reform process, was passé. According to the *Voice of America*, he called upon the EU's partners in the Quartet – the United States, the United Nations and Russia to "accelerate the drive for Middle East peace" by abandoning "an incremental approach" 120 – shorthand for compliance-based progress founded on genuine reform and an end to terrorism. The plan, presented to a meeting of EU foreign ministers in early November 2004, was reported to have gained the unanimous support of all the EU's foreign ministers. 121

Just as duplicitous, the same day (December 16/17, 2004) that the EU took the historic vote to begin *decade-long* negotiations with Turkey, it also issued a "Declaration on the Middle East Peace Process" ¹²² that called for "seiz[ing] this opportunity (E.H. upcoming Palestinian elections in mid-January 2005) to *accelerate the implementation of the Roadmap* and re-launch a meaningful political process," with nary a word about the need for democratic reform, and an end to terrorism and State-sponsored incitement.

Such self-delusion or crass 'posturing' on the basis of *realpolitik* (i n either case at s omeone else's expense) is not limited to the fate of Israelis facing a rogue state next door. In the EU's eagerness to exonerate the PA of any wrongdoing, it even extends it to turning a blind eye to the abuse of Palestinian children.

Abuse of children

Palestinians: A May 15, 2002 'investigation' by the General Secretariat of the Council of the European Union lead into charges that Palestinian children were being subjected to incitement is further evidence of the 'see no evil, hear no evil' mindset when it comes to Palestinians. The charge was examined from the narrow perspective of new schoolbooks that had been funded by the EU, enabling investigators to ignore encouragement of children to become martyrs in kindergarten pageants, elementary and middle school summer camps, and video clips for teens on PA-run television of martyrs who beckon viewers to join them in Heaven. Likewise the EU fails to note the parallel drop in the age of eager 'volunteers' for suicide missions to pre-teens, and the rise in the number of teens actually losing their lives as *shahids*.

Turks: The Turks, by contrast, were taken to task for far less serious sins, such as textbooks that contained gender bias and negative stereotypes of minorities.

Benchmarking the EU's standards for combating corruption

Judging from the EU's evaluations, in many areas one would think that Turkey was the despotic and repressive regime, and the Palestinian Authority was the one honestly striving to reform its system. Corruption is a case in point. It throws into relief the totally different 'points of reference' Europeans are applying to Turks and to Palestinians.

Turks: Despite a host of anti-corruption measures, the compliance report on Turkey does not shy away from warning that "surveys continue to indicate that corruption remains a very serious problem," although a 1,200 word report by the Turkish parliament's newly established Anti-Corruption Committee called for lifting the parliamentary immunity of "25 former government ministers, including former prime ministers."

Palestinians: Widespread corruption in high places in the PA is only alluded to in the EU's update on its relations with the West Bank and Gaza Strip. It speaks of "significant progress" ... with regard to management of the PA's public finances, and particular, the strengthening of financial control." It cites "full responsibility placed on the Finance Ministry for managing the Palestinian Authority payroll" as one of the "achievements [that] have advanced reform in the PA more than any other initiative in the period since 2000." The credibility of such a sweeping claim is countered by many of the findings of the EU's own Task Force – for instance, that "in the area of public administration efforts to restructure ministries and government agencies have come to nothing." ¹²⁴ Moreover, *Forbes* revealed that Arafat became one of the richest leaders in the world due to lack of fiscal controls, ¹²⁵ and to his dying day in late 2004, the PA chairman never relinquished the power of the purse. Even more pathetic is the EU's praise for "transparency in the

PA's public finances"...which boils down to "publication of the budget on the Internet" — all the more hollow, considering that only a tiny percentage of Palestinian households and businesses have computers, not to mention Internet access.

Benchmarking - Different points of reference

Even more fundamental, the EU chooses to employ entirely different 'points of reference' for benchmarking Turkey and the Palestinian Authority.

Turks: Turkey is judged by high European standards of enlightened government, with no discounts for *geography*. In September 2004, the European Economic and Social Committee (EESC) issued a press release to this effect that underscored:

"The EESC reiterates that Turkey should meet the same political criteria as other candidate member states before negotiations can be opened and that its performance in the reform process should be measured by the same standards as those used for other candidate member states." 126

Palestinians: Palestinians, by contrast, are judged by standards in the Middle East or by how much an utterly corrupt regime has 'progressed.' Thus, the EU's Palestinian report praises:

"...significant progress ... with regard to the management of the PA's public finances," noting that the PA's "level of fiscal responsibility, control and transparency ... rivals the most fiscally advanced countries in the region."

In other words, Palestinians are benchmarked against the regimes of Syria , Saudi Arabia and Egypt – not England , France and Germany , or even Cyprus , Latvia or Hungary .

Benchmarking the EU's consideration of the relevance of economic disparities

Comparison of demands that Israel embrace the Palestinian economy demonstrate that Europe 's 'double standard' in political and social norms is no less blatant in the economic sphere.

Turks: One cannot simply ignore the fact that one of the three pillars for Turkey joining the EU is Turkey achieving a sustainable, stable, robust market economy. Eligibility is based on the "acquis" — how a candidate nation's economy meshes or doesn't mesh with the EU's legal and institutional framework. Half of the EU's 187-page 2004 report on Turkey's compliance evaluates 28 domains, from uniform standards for scientific research and requisite corporate law such as anti-trust legislation, to free movement of goods, persons, ¹²⁷ services, and capital. Suffice it to say, the summary of Turkey's status is studded with phrases such as "in the very early stage," "little progress" and "very limited." The bottom line: Turkey has a long way to go.

There is genuine anxiety among Europeans that consummation of Turkish membership in the EU will have serious ramifications on Europe's economic wellbeing due to Turkish demographics and a host of disparities with Europe such as standards of living and levels of unemployment. ¹²⁸ Fears are reflected in French warnings by Jacques Chirac's party that Turkey 's accession would "dilute" Europe . ¹²⁹ Public opinion polls published in *Le Figaro* found two-thirds of the French and 55% of the Germans ¹³⁰ oppose Ankara becoming an EU member. ¹³¹ There are similar sentiments — that Turkey is "simply too big, too difficult and too poor" to join the EU — being voiced in Austria , Denmark and Cyprus . ¹³² Even the European Commission's President Romano Prodi, citing Turkish demographics, Turkey's level of economic development and other factors, stated frankly a few weeks before the historic vote that the disparities "call for profound reflection and clear precaution." ¹³³ Put bluntly, a large percentage of Europeans don't want Turkey thrust into their lap 'hat in hand.' Yet, there is no such caution exercised where Israel is concerned.

Palestinians: The EU (and others) unjustly blame Israel for the present state of the Palestinian economy, although most of the Palestinian reversals to the level of a poor Third World nation have nothing to do with Israel and the disruption to economic life caused by closures and other security measures in the wake of the Palestinian onslaught. The real cause is a decade of ineptitude and greed under Palestinian self-rule, exacerbated by four and a half years of local chaos brought on by living in a war zone of their own creation, and runaway population growth that eats up all economic gain in housing, creating a 5-6% per annum surge in the labor force that would be impossible even for highly developed economies to grapple with." 134 Disregarding all these factors or any reference whatsoever to context, the EU charges that the "unprecedented collapse in the Palestinian economy since September 2000" including "high levels of unemployment, a collapse of investment, a fall in exports and a sharp decrease in labour income from Israel" — were the result of "[Israeli] closures and curfew, restricting movement of both goods and people ... and destruction of infrastructure and the collapse in domestic revenue." Consequently, it calls upon Israel to 'undo the damage.' One of the five elements of the European Council's plan to accelerate the peace process is "facilitation of rehabilitation and reconstruction by Israel"... 135

Leaving aside the question of who is responsible for the dismal state of Palestinian society, the EU expects Israel to 'piggyback' the Palestinian economy back to prosperity – ignoring the stark disparities between Israel's European-level economy, and the bleak economic indices that the EU published in its May 2004 report on the situation in the West Bank and Gaza. 136

Israel 's GDP was 20 times that of the Palestinians (and half the Middle East , for that matter) even prior to the second *Intifada* . The EU's 'double standard' is clearly evidenced:

- The EU worries that Turkey 's per capita GDP is \$6,700, compared to \$24,457 among the 25 members of the EU, and a third that of the EU's 15 charter members. It is unconcerned that Palestinians' per capita GDP is less than \$1000, compared to \$18,900 in Israel .
- The EU 25, with 454 million persons, is reluctant to wrestle with absorbing 66.5 million Turks into their economic structure, but sees nothing incongruous in expecting Israel's 6.7 million population to address the economic needs of 3.4 million Palestinians currently residing in the West Bank and Gaza (and an estimated 8.7 million worldwide -5 million of them UNRWA-registered refugees -56% of them under the age of 25, 137 most of whom expect a Right of Return to Israel).
- The EU worries about Turkey 's high annual birth rate of 2.3% labeled "staggering" by *Newsweek* which threatens Europe's near zero population growth, but it remains unconcerned that the Palestinian birth rate in 2002/3 spiraled to 9%, a world record $\frac{138}{3}$ from 'regular' run-away rates of 5% in the West Bank and 7.1% in Gaza . $\frac{139}{3}$ The birth rate among Israeli Jews is just under 3%.
- The EU worries it will be flooded with Turkish workers in light of Turkish high unemployment rates (13.2%) 140 and a burgeoning workforce, it is unconcerned that unemployment among Palestinians is 30%, with a negative economic growth of -25% (Minus twenty-five percent).

A final disparity is Romano Prodi's plea for "profound reflection and clear precautions" in Europe , saying it is imperative for Europeans to prevent Turks from "weakening the structure we have been building for over 50 years." ¹⁴¹ The same sensitivity and prudence is hardly evidenced when it comes to dangers that Palestinians will weaken the structures that *Israel* has built in the past 50 years that have propelled it from the 'developing nation' status it occupied in the early 1950s, to membership among the 'important emerging economies' today.

IN A NUTSHELL

- The EU's colonial legacy is responsible for much of the turmoil in the Middle East, including the channeling of ethnic tensions and other frustrations against Israel.
- The EU's close political and economic ties with the Arab world, including historic bonds and the EU's dependence on Arab oil, make it blatantly pro-Arab. That bias is expressed in the UN and in a host of other forums where the EU seeks to appease the Arab world at Israel 's expense.

- Europe has prodded Israel to take risks in order to achieve a peace settlement with the Palestinians, but it
 showed little understanding for Israel 's plight once the peace process collapsed. The EU rejects virtually all of
 Israel 's efforts to counter Palestinian terrorism, be they passive or proactive. In essence it demands that Jews
 return to the powerlessness that preceded the establishment of Jewish statehood.
- For Europe, "solving the conflict in the Middle East" covers a host of ulterior motives. The driving force is how the power matrix will look in the post-Cold War world. The EU seeks to bolster its status as a force to be reckoned with in both the economic and political sphere vis-à-vis its rivalry with the U.S. 142
- Antisemitism still pollutes European society, but it now takes the shape of Israel bashing, rejecting all of Israel 's responses to Palestinian violence.
- The EU's behavior makes it ineligible as a neutral facilitator. It should not be allowed to pressure Israel on lifeand-death security issues, nor to decide Israel 's destiny.
- Lee introductory chapter to Bernard Lewis, The Crisis in Islam: Holy War and Unholy Terror (New York: Modern Library, 2003), pp xvi, xx-xxi.
- ² For a discussion of this characteristic, which has stymied attempts to create genuine nationhood and transformed anti-Zionism into a device as a unifying factor around which Arab nationalism could be crystallized see: Avi Shlaim's review of Adeed Dawisha's *Arab Nationalism in the 20 th Century: From Triumph to Despair*," *Guardian*, March 29,2003 at: http://education.guardian.co.uk/higher/books/story/0,10595,924043,00.html. (10818)
- ³ This insight was raised in a July 11, 2003 op-ed piece in the Hebrew daily Yediot Aharonot.
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- ⁵ Voting for the UN plan were Belgium, Denmark, France, the Netherlands, Norway, and Sweden.
- ⁶ One should not forget Israel 's debt to the Soviet bloc and the Czech arms that enabled Israel to survive the War of Independence when the West, including the United States, instituted an arms embargo.
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