



EUROPEAN UNION

The Representative
(WEST BANK and GAZA STRIP, UNRWA)

Jerusalem, 30 March 2020

The Palestinian NGO Network (PNGO)
Ramallah

Clarification letter regarding the EU-funded contracts

Dear PNGO Members,

The EU believes that an empowered and pluralistic civil society is not only an asset in itself but also, and most importantly, an indispensable component of any democratic system. As reflected in the *Joint European Roadmap for Engagement with Civil Society in Palestine*, the EU has always been working to help creating an environment where civil society organisations are able to play their legitimate role in Palestinian society either as service providers or advocates. The EU has always been – and continues to be - a key partner of Palestinian civil society. There is no doubt that this support will continue as we work together to maintain the viability of the two-State solution, as well as to enhance Palestinian identity and presence across the Palestinian territory, and particularly in East Jerusalem and Area C.

Unfortunately, we have noticed a misinformation campaign in the last few months, regarding a specific element included in recently signed EU grant agreements with civil society organisations. This campaign continued despite our active engagement in several meetings with representatives of the Palestinian civil society, the Palestinian Authority and the PLO.

It appears therefore necessary to explain the factual background and to clarify the EU position on the provision of EU financial assistance to CSO:

1. The EU has been a long standing supporter of the Palestinian people in their quest for freedom, independence and self-determination. This was first laid out in the Venice Declaration and subsequently confirmed in various European Foreign Affairs Council Conclusions. The EU fully respects the right of Palestinians to use all means allowed under International law and relevant conventions to achieve a peaceful resolution of the Israeli-Palestinian conflict, in line with international agreed principles.

2. The EU requires all partners implementing EU-funded projects to apply EU Law as stipulated in the contractual agreements. This includes respecting the applicable EU legislation on Restrictive Measures. It is important to underline that this legislation is not directed at Palestinian CSO but covers all recipients of EU funds worldwide. As far as Palestine is concerned there are no Palestinian natural persons on the restrictive measures list pursuant to Council Regulation 2580/2001.

3. While the entities and groups included in the EU restrictive lists cannot benefit from EU-funded activities, it is understood that a natural person affiliated to, sympathizing with, or supporting any of the groups or entities mentioned in the EU restrictive lists is not excluded from benefitting from EU-funded activities, unless his/her exact name and surname (confirming his/her identity) corresponds to any of the natural persons on the EU restrictive lists.

4. Organizations implementing EU-funded projects are not required to sign any statements, annexes, or declarations beyond the standard contract documents (<https://ec.europa.eu/europeaid/frag/>). These contractual documents are not specific to Palestine but apply to all recipients of EU funds worldwide.

5. The purpose of the clause is for implementation of financial procedures. The EU does not ask any civil society organization to change its political position towards any Palestinian faction or to discriminate against any natural person based on his/her political affiliation.

6. There is a clear difference between respect of financial procedures and listing of entities. EU Member States, the European Commission and the EU Delegations worldwide are required to implement and respect EU laws and regulations. The procedures for listing/delisting any entity or person is explained at the EU Council related website <https://www.consilium.europa.eu/en/policies/fight-against-terrorism/terrorist-list/>. Therefore, any party, that would like to request the listing/delisting of any entity/individual can follow the legal procedures clearly described in the abovementioned website.

7. The EU fully acknowledges the role of a vibrant viable and pluralistic civil society in Palestine. While developing our roadmap for engagement with the Palestinian civil society, we have held several meetings with its different components. Our main question at the time of these consultations was how European development partners can best help creating an environment where civil society organisations are able to fully play their legitimate role in Palestinian society, not only in their important function as service providers but also as advocates and watchdogs. The Roadmap is embedded in the European Joint Strategy in Support of Palestine, which emphasizes the importance of CSO to contribute to poverty reduction in all its dimensions as well as to the promotion of democracy, human rights, gender equality, freedom of expression, freedom of association and freedom of assembly.

It is against this background that the EU calls on all parties to refrain from spreading false and misleading information and to avoid language of aggression and threats. Such language is not compatible with the culture of tolerance and mutual respect which we all want to see applied in dialogue and communication, both between ourselves and with the public.

The EU and its member states will remain the most important donor and a reliable and predictable partner for the Palestinian people.

This letter aims at providing clarifications on the applicable EU legislation and represents the official position of the Office of the EU Representative Office in Jerusalem.

Best regards,


Sven Kühn von Burgsdorff