

January 30, 2017.

To: the Belgian Federal Prosecutor, the Minister of Justice and the Minister of Foreign Affairs.

Dear Sir,

The participants in this intervention - 482 professors and researchers from all Belgian universities and intellectuals, as well as 190 artists and cultural practitioners (see list attached) - have the honor to draw your attention to the ethical and legal objections which, in our view, have to be made against the participation of the Belgian authorities in the EU Horizon 2020 "*Law-Train*" project (ref.: 653 587). The project is coordinated by the Israeli Bar-Ilan University (Prof. Sarit Kraus) and counts among its partners the Israeli Ministry of Public Security, in this case the Israel National Police. The project aims to optimize "*cross cultural*" interrogation methods and training.

Our objections:

1. International Law. With Resolution 2334 of the UN Security Council, the international community once more condemned Israel's occupation and colonization policies for being "a flagrant violation under international law". Nevertheless, in plain defiance of 2334 but emboldened by the US presidency of Donald Trump, the Israeli State is accelerating its policies of dispossession. It applies, for example, to East Jerusalem. In line with its systematic Judaization, Palestinian homes and neighborhoods (Silwan, e.g.) continue being demolished - 2016 saw more house demolitions in East Jerusalem than any year since 1967- complemented now with the approval of building permits for hundreds of houses in three East Jerusalem settlements.

In the past, with the same purpose, not only Jewish settlers but also Israeli civilian institutions have been transferred to the Arabic part of town. It is the case with the Ministry of Public Security and the Headquarters of the National Police, partners "*Law-Train*". The Israeli Ministry of Science and Technology as well was established in occupied Jerusalem. Accepting this colonialist objective, in June 2014 the EU-Israel R & D Association Agreement "Horizon 2020" was signed jointly in that same Ministry by Ms. Catherine Ashton, High Representative of the Union for Foreign Affairs and Security Policy, and the Israeli Minister. This kind of diplomatic recognition of an Israeli national institution based in occupied territory was allowed, exceptionally, by the 2013 EC Guidelines (para. 11.b). In our view, though, it is contrary to the EC's professed "*position of principle*" but most of all to (at least the spirit of) the Geneva Convention, art. 46, para. 6, and to numerous Security Council resolutions (e.g. Resolution 465). On the other hand, because of the National Police's participation in "*Law-Train*", a part of the project's activities is located in Occupied Territory - in contradiction to the EC Guidelines, anyway. For more details, see our Dossier, Chapter 1.

2. Police Racism and Violence. In order to enforce "*order and security*" on its territory, the Israeli Ministry of Public Security relies on the Israeli Police services (the infamous Border

Police, included) and the Israeli Prison Service (IPS). For their actions against the Palestinian population inside Israel and in the Occupied Territories, they have been denounced repeatedly for serious violations of international humanitarian law, e.g. by the UN (e.g. its Committees against Torture, against Racism, Human Rights, and others) as well as by many international and national (Israeli, Palestinian) human rights organizations.

A matter of the gravest concern is always the fact that in the course of their daily “*routine*” of controlling, arresting, incarcerating and interrogating Palestinian men, women and minors, these services, along with the army, are guilty of systematic racism, outrageous violence, abuse and torture, terror, collective punishments and summary killings. The presence, therefore, of their Ministry as a partner in an EU R&D project necessarily legitimizes and normalizes practices amounting to international crimes. See Chapters 4 and 5 of the Dossier, where these crimes are documented.

3. *“Dual Use”*. The project’s proclaimed objective is to optimize “cross cultural” interrogation skills for the benefit of the fight against international crime. The possibility, however, that results obtained will also be used for the benefit of a greater “efficacy” of so-called “anti-terrorism” interrogations of Palestinian detainees (in 2016 they were no less than 7,000 Palestinian prisoners, including over 400 children) cannot be excluded. On the contrary: in view of the documented criminal practices of the Ministry’s various departments this may be regarded as being more than likely. See Chapter 3 in the Dossier. On the other hand, the suggestion that competences resulting from the project might bring about a more humane treatment of Palestinian prisoners, is completely unrealistic. As was stressed by the executive director of the Israeli ngo, The Public Committee Against Torture in Israel (PCATI), among the operatives of the Israeli police and security forces all initiative is missing that might indicate they are looking for changes in their current techniques.

4. *Legalized Racism*. The *“Ethical Guidelines and Procedures”* of *“Law-Train”* require explicitly *“that each partner respects the laws and regulations of the other participating partner countries”*, a requirement raised to being *“fundamental to the conduct of the project.”* However, as it was denounced by inter alia the UN Committee for the Elimination of Racial Discrimination (CERD), racial or ethnic-religious discrimination against *“non-Jewish”* citizens is deeply rooted in Israeli legislation and its institutions (Adalah listed more than 50 discriminatory laws). And the demolition of Palestinian houses and villages, inside Israel as well as in the West Bank, is approved by the High Court. Because the project’s *Guidelines* deny partners the right to freedom of opinion and expression, European partners are made complicit in a policy of flagrant violations of international law and human rights. See the Dossier, Chapter 2.

5. *“Ethics Check”*. The *“Ethics Check”* of the project by the European Commission and the Catholic University of Leuven, focused on the methodological deontology of research. Especially in the case, however, of research pertaining to policing methods and techniques, a fundamental ethical evaluation can only be achieved if the project is situated within the concrete socio-political context of the country in which it was launched and is being led. In the

case of "*Law-Train*", coordinated by an Israeli university maintaining close ties with the security services (Shin Bet), and based on the active partnership of the Israeli police forces, that context is one of oppression and dehumanization of the indigenous population.

6. EU dialogue. We are deeply concerned about the tragic fate of the Palestinian people and the inhuman living conditions imposed on them since half a century. Being a part of what the Israeli journalist Amira Hass calls Israel's "*policies of cruelty*", the daily misdemeanors of the police and security forces have a decisive impact on the lives of their victims. The European Commission, it is true, assures us that it conducts an ongoing dialogue with the Israeli authorities, a dialogue focusing, inter alia, on a number of European concerns about human rights, e.g. with regard to torture practices during interrogations (some of them were very recently revealed by Israeli interrogators themselves). The reality on the ground, however, allows only one rational conclusion: on the part of the Israeli politicians dialogue and consultation are no more than pretexts allowing them to continue trampling the rules of international humanitarian law, against everything and everyone. Europe's priding itself on its fundamental ethical principles while maintaining a "*special*" and "*close*" relationship with the Israeli State, is inevitably understood by the rest of the world as an expression of hypocrisy.

Dear Federal Prosecutor, a Belgian partnership with the Israeli Ministry of Public Security, in this case the Israeli police, is neither ethically nor legally defensible. We urge you to follow the example of the Portuguese authorities and withdraw the Belgian Ministry of Justice from this highly contentious project. Such a withdrawal would signal to the Israeli politicians that Europe, and especially Belgium, will no longer tolerate the misdemeanors of their order and security forces against the Palestinian population. US policy taking a radically one-sided turn, now, the respect for the rules of international law and the human rights will more than ever be the responsibility of Europe. The time for words - speeches and admonishments - is definitely over.

A halt must be called to the injustice of which Palestinian children, women and men are victims since decades. Wishing to make a contribution, however modest, we did not limit ourselves to a list of generalities but composed as well a documented dossier.

Thanking you for your attention and hoping for a favorable response to our aspirations, we remain

yours sincerely,

Herman De Ley, for

The Organizing Committee: Prof. Marie-Christine Closon (UCLouvain), Prof. Patrick Deboosere (VUBrussel), Prof. Lieven De Cauter (KULeuven), Em.Prof. Herman De Ley (UGent), Lieve Franssen (dirigent Brussels Brecht-Eislerkoor), Carl Gydé (director CAMPO), Prof. Perrine Humblet (ULBruxelles), Prof. Marc Jacquemain (ULiège), Raven Ruëll (metteur en scène).