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***To the attn. of:***

**Ms Kaja Kallas**

EU High Representative for Foreign Affairs and Security Policy / Vice-President European Commission

**Ministers of Foreign Affairs of European Union (EU) member states**

20 February 2026

Dear High Representative,  
Dear Ministers,

## **EU must centre Palestinians' human rights and international law**

We are writing to you ahead of your discussion on the situation in the Middle East at the Foreign Affairs Council on 23 February 2026, to raise our urgent concerns over the situation in the Occupied Palestinian Territory (OPT).

Following the establishment of the Board of Peace, itself in brazen disregard for international law and human rights, the EU has raised legitimate concerns, including President of the European Council Antonio Costa's "serious doubts" over its "scope, governance and compatibility with the UN Charter."<sup>1</sup> With Commissioner Dubravka Šuica's attendance as observer at the Board's first meeting and the announced participation of Nikolai Mladenov, appointed as Director-General of the Board of Peace and High Representative for Gaza, at the upcoming Foreign Affairs Council we urge you to adopt a clear and principled stance.

The EU's engagement with the Board of Peace, and any participation in it, must be strictly conditioned on respect for Palestinians' human rights and for international law, on the unequivocal rejection of any arrangements that would further entrench the fragmentation of the OPT, Israel's unlawful occupation, the system of apartheid and the ongoing genocide in Gaza; and on the requirement that Palestinians exercise meaningful leadership over governmental functions in the Gaza Strip.

The decision by two EU member states – Bulgaria and Hungary – to join the Board of Peace as members, and by the EU itself and five member states – Cyprus, Czechia, Greece, Italy, Romania – to join as observers raises a serious risk of complicity in violations of international law and human rights that are likely to ensue if this fundamentally flawed mechanism is not urgently made rights-compliant and aligned with international law.

The Board of Peace represents a dangerous assault on United Nations mechanisms and international justice institutions. The EU and its member states must be absolutely clear: the Board of Peace is no substitute for the United Nations, the international human rights framework and international justice mechanisms built through decades of concerted efforts to strengthen global governance through adherence to universal values, cooperation and equality between member states. It is vital that the EU upholds its commitments to the international human rights system and its obligations under international law. At the moment when legal protections and the UN human rights and humanitarian architecture are most urgently needed, the EU must firmly resist all attempts to undermine them.

Yet as discussions now focus on the Board of Peace, we urge you to centre the lived reality of Palestinians in the OPT and in Israel in all your political and diplomatic engagements, both bilaterally and multilaterally.

Since the announcement of the so-called ceasefire on 9 October 2025, Israeli authorities have brazenly continued committing genocide against Palestinians in the occupied Gaza Strip.<sup>2</sup> Israeli military operations have continued, killing over 600 Palestinians since October 2025. The estimated death toll of Palestinian victims since October 2023

<sup>1</sup> European Council, [Oral conclusions drawn by President António Costa following the informal meeting of the members of the European Council of 22 January 2026](#), 23 January 2026.

<sup>2</sup> Amnesty International, [Israel/OPT: Post-ceasefire: Israel's genocide in the occupied Gaza strip continues](#), 27 November 2025.

now exceeds 72,000 – a conservative figure, with multiple expert assessments indicating that the number is likely significantly higher – and more than 170,000 people have been injured, many whom are now living with life-long disabilities. More than 80% of structures in Gaza, including essential civilian infrastructures such as hospitals, has been destroyed or damaged by Israeli military since October 2023.

While there has been a reduction in Israeli air attacks and some limited improvements in the cross-border movement of goods and people in the so-called ceasefire, Israel has continued to deliberately inflict on Palestinians in Gaza conditions of life calculated to bring about their physical destruction, with no evidence to indicate that Israel's intent has changed.

The Israeli military operations aimed at effectively creating a no-go zone for Palestinians across nearly 60% of the Gaza Strip have further worsened conditions, causing further mass forcible displacement of Palestinians and exacerbating the already inhumane living conditions. With 90% of Palestinians in Gaza forcibly displaced and living in makeshift tents or partially destroyed buildings, enduring the harshest winter in years, Israel continues to block the entry of prefab shelters further compounding these dire living conditions.

Israel's decision to suspend the registration of 37 humanitarian INGOs operating across the Occupied Palestinian Territory, unless they comply with arbitrary and discriminatory registration requirements, is set to take effect in less than a week. The removal of these NGOs would shut down health facilities, halt food distributions, collapse shelter pipelines and cut off life-saving care for Palestinians.<sup>3</sup> These restrictions constitute deliberate obstacles on humanitarian operations, in clear defiance of Israel's obligations under international humanitarian law as an Occupying Power, as well as the International Court of Justice's 2024 provisional measures<sup>4</sup> and its 2025 advisory opinion.<sup>5</sup>

Israel continues to obstruct medical evacuations outside of the Gaza Strip, prohibit medical evacuations into the West Bank and subject Palestinians returning from Egypt to Gaza to abuse, mistreatment and intimidation at the Rafah Crossing Point, whose operations are facilitated by the EU Border Assistance Mission (EUBAM Rafah).

In the occupied West Bank, including illegally annexed East Jerusalem, the situation is dramatically worsening, as attacks by Israeli forces and state-backed violent settlers have killed more than 1,100 Palestinians and displaced tens of thousands since October 2023. The most recent land registration measures approved by Israel's cabinet, which advance the de facto annexation of the occupied West Bank, constitute yet another brazen violation of international law and run counter to the International Court of Justice's advisory opinions of July 2024<sup>6</sup> and July 2004.<sup>7</sup> The adoption of these measures in the midst of supposed efforts to secure peace in the region once again demonstrates Israeli authorities' complete disregard for international law and the total impunity they enjoy for systematic violations.

In Israel, a series of bills currently proceeding through the Knesset would allow Israeli courts to expand their use of death penalty in ways that would be applied discriminatorily against Palestinians.<sup>8</sup> These proposals would further entrench Israel's apartheid system by introducing additional provisions designed for selective use against Palestinians. In some cases, the death penalty would become mandatory or imposed without the right to appeal. Any death sentences imposed under these amendments would violate the right to life and, when imposed against Palestinians in the OPT, may constitute war crimes. The EU's longstanding, principled opposition to the death penalty in all cases and all circumstances must lead to strong and vocal opposition to these legislative amendments.

In the occupied Gaza Strip, in the occupied West Bank, including illegally annexed East Jerusalem, and in Israel, all the EU's red lines have been crossed, and multiple times. Yet measures have been delayed, stalled, shelved, despite assurances that "the threat of sanctions remains on the table" until there is "real and sustained change on the

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<sup>3</sup> [53 International NGOs warn Israel's recent registration measures will impede critical humanitarian action](#), 2 January 2026.

<sup>4</sup> International Court of Justice, Provisional measures, [Application of the Convention on the Prevention and Punishment of the crime of Genocide in the Gaza Strip \(South Africa v. Israel\) – Order of 26 January 2024](#); International Court of Justice, Provisional measures, [Application of the Convention on the Prevention and Punishment of the crime of Genocide in the Gaza Strip \(South Africa v. Israel\) – Order of 24 May 2024](#).

<sup>5</sup> International Court of Justice, Advisory Opinion, [Obligations of Israel in relation to the presence and activities of the United Nations, other international organizations and third states in and in relation to the Occupied Palestinian Territory](#), 22 October 2025.

<sup>6</sup> International Court of Justice, Advisory Opinion, [Legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem](#), 19 July 2024; Amnesty International, [ICJ opinion declaring Israel's occupation of Palestinian territories unlawful is historic vindication of Palestinians' rights](#), 19 July 2024.

<sup>7</sup> International Court of Justice, Advisory Opinion, [Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory](#), 9 July 2004.

<sup>8</sup> Amnesty International, [Israel/OPT: Knesset must drop discriminatory death penalty bills that would further entrench Israel's system of apartheid](#), 3 February 2026; Amnesty International, [Israel/OPT: Legislative proposals on death penalty violate international law](#), 3 February 2026.

ground.”<sup>9</sup> The EU must cease its wait-and-see approach as international law is dismantled piece by piece and Palestinians continue to suffer the consequences. The EU must urgently act to bring an end to Israel’s ongoing genocide against Palestinians in the occupied Gaza Strip, to its unlawful occupation of the OPT, to its cruel system of apartheid against Palestinians, and to all other violations of international law, and to ensure it is not complicit in these violations. For much too long, the EU has refused to uphold its legal obligations and use the concrete measures at its disposal, while favouring statements and diplomatic engagement, with no meaningful progress on the ground, quite the opposite.

The EU and its member states have an obligation under the Genocide Convention to take all reasonably available measures to bring an end to Israel’s genocide against Palestinians in Gaza. They must also comply with their obligation to not contribute to it, nor to Israel’s other grave violations of international law, including the crime against humanity of apartheid, and serious violations of international humanitarian law. As confirmed in the ICJ’s Advisory Opinion of July 2024, states are also “under an obligation not to render aid or assistance in maintaining the situation created by Israel’s illegal presence in the Occupied Palestinian Territory.”

We therefore urge the EU and member states to use this Foreign Affairs Council to take meaningful and urgently needed measures, including:

- **Ensuring that any EU engagement related to the Board of Peace is firmly grounded in international law, human rights, accountability, and meaningful Palestinian ownership;** and refraining from participating in or supporting any mechanisms that would entrench Israel’s violations of Palestinians’ rights, undermine international law and the international rules-based order, or risk the EU or its member states’ complicity in, or acquiescence to, violations of international law.
- **Suspending in full or in part the EU-Israel Association Agreement,**<sup>10</sup> based on Israel’s clear violation of Article 2 of the agreement as established in the EU’s review of June 2025 and the countless human rights violations which have taken place since.
- **Take steps to prevent trade or investment relations that may aid or assist in the maintenance of the illegal situation created by Israel in the OPT** and contribute to the commission of violations of international humanitarian and human rights law: This must include a total ban on all imports and exports of goods and services from and to Israel’s illegal settlements in the OPT as well as investments therein.
- **Impose a comprehensive arms embargo on Israel:** This should include all arms or equipment or technology or parts that risk enabling Israel to continue its genocide against Palestinians in Gaza, as well as its unlawful occupation and system of apartheid, including policing and surveillance equipment. States that facilitate the transfer of arms to Israel are acting in contravention of their obligations under Common Article 1 of the Geneva Conventions and Article 6 of the Arms Trade Treaty and must act to prevent all such transfers with urgency.<sup>11</sup>
- **Impose targeted sanctions against Israeli officials** most implicated in crimes under international law.
- **End the exemptions for visa-free travel to the EU for Israeli settlers:** By granting visa-free access to the EU to Israel citizens living in settlements in the OPT, but requiring visas for Palestinians living in the OPT, the EU and its member states are contributing to Israel’s system of apartheid against Palestinians. Providing visa-free access to settlers also violates the obligation not to recognize as legal the situation arising from the unlawful presence of Israel in the OPT, as per the ICJ Advisory Opinion of July 2024, and the EU’s own differentiation policy.
- **Support the work of the International Court of Justice, the International Criminal Court, the UN Commission of Inquiry, UN institutions and mandates, and Palestinian human rights organizations**<sup>12</sup>: Member states that called for UN Special Rapporteur Francesca Albanese’s resignation based on a deliberately manipulated and truncated video to fabricate accusations against her must retract and publicly apologize for their role in

<sup>9</sup> EEAS, [Foreign Affairs Council: press remarks by High Representative Kaja Kallas after the meeting](#), 20 October 2025.

<sup>10</sup> Amnesty International, [EU/Israel: Promises of humanitarian aid must not lead to inaction on EU-Israel Association Agreement – Letter](#), 14 July 2026.

<sup>11</sup> Amnesty International, [Israel/OPT: States must not assist the Holger G’s transportation of explosives to Israel](#), 18 December 2026.

<sup>12</sup> Amnesty International, [Israel/OPT: US sanctions against Palestinian NGOs a blatant attack on human rights](#), 4 September 2025.

spreading disinformation.<sup>13</sup> Similarly the European Commission Spokesperson who shamefully insinuated that her statements were antisemitic must publicly apologize and openly acknowledge the harms caused by their repeated conflation of antisemitism with legitimate criticism of Israel's violations of international law.. Member states and EU institutions must investigate how this clear disinformation campaign was so readily repeated and disseminated when a simple verification demonstrates the video was deliberately edited to manipulate and misconstrue her messages. Rather than being distracted by such shameful attacks, the EU and its member states must take a stand for international law and express their public support for UN mechanisms, reaffirming the integrity of UN-appointed independent human rights experts as they did in the January 2026 Council conclusions.<sup>14</sup> The EU and its member states should also strongly condemn the United States' sanctions issued against ICC judges and officials, as well as against the UN Special Rapporteur on the OPT, exert diplomatic pressure on the US government to reverse them, and mitigate and block the effect of the sanctions by activating the EU blocking statute. These measures must be extended to respond to the sanctions that the US administration has imposed on Palestinian human rights organizations which for decades, despite operating under Israel's oppressive laws, policies and practices, have continued to document human rights violations and advocate for the protection of Palestinians. They are the voice of Palestinian victims and must be allowed to carry out their vital work.

- **Publicly oppose Israel's proposed legislative measures expanding the use of the death penalty with discriminatory application against Palestinians:** Use all tools at the disposal of the EU and member states to ensure that plans to adopt and implement these amendments are abandoned and that the death penalty in Israel is fully abolished, in line with the EU's longstanding commitment to the fight against the death penalty.
- **Publicly oppose Israel's rules for the registration of international NGOs which are gravely at odds with international law:** In light of the requirements to share extensive personal data of employees and their family members, the EU should review Israel's adequacy decision with the General Data Protection Regulation (GDPR).
- **Publicly condemn and call on the Israeli authorities to stop subjecting Palestinians to abuse as they return to the occupied Gaza Strip from Egypt through the Rafah border crossing** and ensure that EUBAM Rafah does not provide any form of support or legitimization to such abuse.
- **Call on Israel to provide full access to the occupied Gaza Strip to journalists, human rights monitors, forensic experts and investigators** to safeguard evidence and ensure that truth, justice and accountability are duly pursued.

We stand ready to meet with you to discuss our urgent concerns or provide further information.

Sincerely,

Erika Guevara-Rosas  
Senior Director for Research, Advocacy, Policy and Campaigns  
Amnesty International

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<sup>13</sup> Amnesty International, [Global: European states must retract outrageous attacks on UN Special Rapporteur Francesca Albanese](#), 13 February 2026.

<sup>14</sup> Council of the European Union, [Council Conclusions on EU Priorities in UN Human Rights Fora in 2026](#), 30 January 2026.