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A lasting and ambiguous "special" relationship

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- 1 Few players on the international scene are able to claim such a rich and ambiguous relationship as Israel and the European Union<sup>1</sup> (EU). The EU is one of the prime commercial partners of Israel, along with the United States, with a commercial exchange volume that reached 20.2 billion Euros in 2009<sup>2</sup>. On the geostrategical level, the two players cooperate more and more actively on common threats, such as an Iranian nuclear power. On the cultural and scientific as well as the commercial level, the EU is often defined as the Israeli "*hinterland*"<sup>3</sup> due to the latter's regional isolation. Their relations have proven to be profound and enduring – since the establishment of the diplomatic relations in 1959 – despite a particularly restrained geopolitical context. The different crises that have affected the regional stability – the Six-Day-War of 1967, the October War of 1973, the Lebanon War as well as the two Intifadas of 1987 and 2000 – have never permanently threatened the deepening of their relations. Yet, it does not change the fact that their recurrent political dissent regularly characterizes the course of events. Following Operation "Cast Lead", led by Israel in the Gaza Strip from December 27, 2008 to January 18, 2009, the ratification of certain agreements between Israel and the EU has been officially frozen, more particularly a protocol on the participation of Israel within the EU-programs, which were signed on May 17, 2008. Incidentally, shortly after the events of the "Arab Spring", which were sparked off by the popular uprisings in Tunisia in December 2010/ January 2011, the EU and Israel have been divided on their significance: democratic movements that should be encouraged, according to the first; a threat that could even destabilize the Middle East and its own security according to Israel.
- 2 Thus, their political relations have turned out to be especially ambiguous. The fact is that in Israel, the EU is often perceived as hostile<sup>4</sup>; the statements of the European Council are usually characterized as "pro Palestinians." Certain authors even maintain that this tendency is reflected in the "linkage", thus determining the development of the relations between the EU and Israel at discretion of the latter to act in pursuance of the "Two-State

solution"<sup>5</sup>. Yet, from the European point of view, this position toward the conflict, which is defended by the Member States, does not constitute a hostile declaration toward Israel, quite on the contrary. The creation of a Palestinian State is actually considered to be the only long-term solution for the Israeli security, thus favoring a regional stability<sup>6</sup>. Thus, the "linkage" is not supposed to act against Israel but for its interest.

- 3 We characterize the relations between the EU and Israel as "special" due to two main reasons. First, Israel enjoys a privileged status vis-à-vis the EU, which is distinguished by a continuous strengthening of their agreements despite their political differences. Second, this relationship seems to be doomed to their fervor. As history is the source of understanding, of cultural affinity but also of perpetual mistrust between these two players, declarations of friendship do regularly follow strong criticism on both sides.
- 4 In this article we will strive to render an account of the special and ambiguous character of this relationship through the study of three factors: historical, realist and normative. We will start with the historical factor – more specifically, with the relations between Israel on the one hand and France, Germany and Great Britain on the other hand – and its influence on the EU-Israeli relationship. Then, we will examine their mutual interests by studying the deepening process of their agreements in the different sectors – economics, science and security – in a challenging environment. Finally, we will compare their perceptions as well as their mutual expectations and we will attempt to determine to what extent they are able to determine the future of the EU-Israeli relations.

## History, at the source of Israel's 'special status' vis-à-vis the EU

- 5 History has profoundly marked the relationship between Israel and the EU, for better and for worse. If it provides cultural tools, which will encourage a better mutual understanding, it is also the source of mistrust and resentment, as the wounds of the past are still quite present in their minds. We will present at first the relations between Israel and the European countries – in particular, France, Germany and Great Britain – and their influence on the EU-Israeli relationship; subsequently, we will concentrate on the interdependency between the history of the Jewish and European peoples.

## France's, Great Britain's and Germany's relations with Israel and their impact on the EU's policy

- 6 The special status that Israel enjoys vis-à-vis the EU must be understood in the light of the historical process leading to the creation of the state of Israel in 1948 and nine years later to the creation of the European Economic Community (EEC). It must also be understood as the fruit of the relations between Israel and the European countries. While the Second World War provided the essential momentum for their respective creations, the history of both Israel and the EU are rooted in old ideas and intensive debates. Insofar as they must confront specific problems, which are determined by the different regional environments and which are related to specific myths, their views differ regularly. Nevertheless, their relations are based on the shared ideals of democracy, human rights and freedom<sup>7</sup>, principles that they both are supposed to abide by in order to ensure their legitimacy internally and on the international scene.

- 7 Shortly after the creation of Israel in May 1948, Germany – because of the Holocaust – and Great Britain – because of its resolution to limit the Jewish immigration to Palestine after the publication of the British White Paper of 1939 – are considered by Israel to be the "black beasts"<sup>8</sup>. France, on its part, had been Israel's main strategic ally since 1956<sup>9</sup> until the rupture in 1967. Indeed, shortly after the visit of Abba Eban, the Israeli Prime Minister, to Paris at the end of May 1967 – when Egypt deployed its army in Sinai and decided to impose the blockade of the Straits of Tiran – de Gaulle decides to stop the delivery of arms to Israel<sup>10</sup>. From the French point of view, this decision answered a desperate intention to prevent an Israeli attack that could have harmed the French interests in the region<sup>11</sup>. In Israel, it was received like an unacceptable betrayal since its survival was at risk. Hence, shortly after the Six-Day-War, the United States replaced France and became Israel's unfailing ally.
- 8 These turbulent relations have a strong impact on the perception of the EU in Israel. Moreover, the elaborated position by the EU toward the Israeli-Palestinian question, which is based on the European Council's Declaration of the Venice Summit of June 1980, is often seen in Israel of being "pro-Palestinian". In this Declaration, the Member States, under the leadership of France, recognize the right of the Palestinian people to self-determination and oppose the Israeli occupation of the occupied territories. According to certain authors, this declaration deepens "the lack of the EU's legitimacy in the eyes of the Israelis"<sup>12</sup>. At any rate, the Israeli distrust toward the Europeans explains the weak impact of the European position on the "hearts and minds". The lack of a genuine European-Israeli dialogue that could facilitate a better mutual understanding constrains the quality and fruitfulness of their relations<sup>13</sup>.
- 9 In addition, the European's belief in an effective multilateralism in international relations often clash with the Israeli distrust toward the international community<sup>14</sup>. The European view, which consists in promoting an institutionalization of international relations in order to make these more predictable and more peaceful, faces quite often the Israeli desire for autonomy<sup>15</sup> from a strategic point of view. This desire distinguishes itself in the investment of a strong and technologically advanced army, the obligatory drafting and an important reserve force in Israel, whereas the tendency across Europe is rather the demilitarization<sup>16</sup>.

## Sources of distrust and mutual understanding

- 10 The Israeli suspicion toward the EU draws its roots from the persecution of the Jewish people on the European continent as well as from the atrocities committed by the Nazis and their allies during the Second World War<sup>17</sup>. As a result, according to certain Israelis, "Europe cannot be trusted"<sup>18</sup>, inasmuch as its political positions reflect its "anti-Semitic tendency"<sup>19</sup>. This also explains the absence of the Israeli desire to have the EU strongly involved in the peace process, including other factors – as for example the American reluctance in this respect<sup>20</sup>.
- 11 History can also be exploited in order to delegitimize the European position when it opposes the Israeli interests. For example, in 1980, the Begin administration did not hesitate to compare the Declaration of the Venice Summit with the work written by Hitler: "Since *Mein Kampf* was written, the entire world, including Europe, has never ever heard anything more explicit regarding the aspiration of destroying the Jewish State and

its nation," he states<sup>21</sup>. Closer to us, certain authors maintain that more than 60 years after the end of the Second World War, anti-Semitism is at its peak in Europe<sup>22</sup>.

- 12 Anyway, it is clear that recent history has significantly influenced Member States' policies toward Israel. Between 1948 and 1951, shortly after the war, the difficulty of finding "places for the Jews of Europe" caused the departure of 332,000 of them to the new State of Israel, in particular from Germany and Poland, whereas 165,000 left for France, Great Britain, Australia or America<sup>23</sup>. In light of this historical reality, the financial compensations, paid by the FRG to Israel and following the Treaty of Bonn in 1952, allowed Germany to reinforce its legitimacy on the international scene, which had been clouded by its responsibility in the war. Today, unified Germany as well as Poland or the Czech Republic – three countries that have been particularly marked by Nazism – continue to strongly support Israel from a political point of view. Conversely, this support allows them to defend more liberally the common position of the EU in regards to the conflict: the Two-States solution – one Israeli and the other Palestinian.
- 13 That being so, history constitutes a source of mutual understanding between the EU and Israel. The ideology of the political and intellectual movement regarding the foundation of Israel – Zionism – has been growing on the European continent from the end of the 19<sup>th</sup> century. Without the European Age of Enlightenment, it would have definitely never existed<sup>24</sup>. The Jewish people have deeply contributed to the European history and culture and the European and Jewish schools of thought have had a mutual effect on each other: "Mendelssohn [Moshe] was to Kant what Freud was to psychology and Einstein to physics (...), Matisse to Chagall, Hegel to Pinsker"<sup>25</sup>. Yet, it doesn't change the fact that the appeal for auto-emancipation, comprised in the Zionist ideal, also reflects the complexity of the relations between the Jews and Europe, inasmuch as it suggests that "the conventional wisdom of Jewish emancipation within European society was doomed to failure"<sup>26</sup>.
- 14 On the subject of demographics, different figures demonstrate the long-standing closeness of the Israeli and European societies. A study by the Konrad Adenauer Foundation confirms that in 2009, 40% of Israelis were eligible to receive a European citizenship due to their European roots<sup>27</sup>, thus facilitating their free movement. This reality translates itself onto the economic plan by the fact that within the foreign branches of the 20 biggest Israeli multinational companies, 48% were European in 2009<sup>28</sup>. Sharing ideas and common values do indeed make the interaction between the two players easier. Thus, in spite of being possible to defend the opinion, according to which the Israeli society Americanizes itself<sup>29</sup> or will even become a more and more oriental<sup>30</sup>, Mediterranean<sup>31</sup>, society, actually "a combination of Krakow and Casablanca"<sup>32</sup>, these common cultural factors between Israel and the EU are essential tools that might even reinforce their relations and thus, overcome their disagreements.

## A continuous deepening of their agreements in a challenging regional context, the "linkage" in question

- 15 The relations between the EU and Israel are characterized by the regular improvement of their agreements in the different sectors. Today, Israel has one of the most advanced status among the non-member States regarding its contractual relations with the EU. Thus, in the eyes of many Israelis, the EU is considered their natural economic and in particular, scientific *hinterland*<sup>33</sup>. The strategic cooperation between these two players has

grown, more particularly since the attacks of September 11<sup>th</sup> due to the perception of common threats.

### Israel's perception of the EU as its natural economic and scientific *hinterland*

- 16 The perception of the EU by Israel as its *hinterland* – due to the hostility of its regional environment – has significantly promoted the Israeli economic development. Even though Israel does not belong to the European Economic Area (EEA)<sup>34</sup>, as Norway for example, and is not located on the European continent, as Switzerland for example, that is a member of the European Free Trade Association (EFTA)<sup>35</sup>, it is particularly well integrated in the European market as well as in a certain number of European programs<sup>36</sup>. The first agreement of free trade between the EU and Israel was signed in 1975<sup>37</sup>. It constitutes a clear schedule that aims at reducing customs, especially on industrialized products, and the elimination of these duties on 70% of Israeli agricultural products that are exported to the EU. According to Israeli sources<sup>38</sup>, this agreement is Israel's prime success vis-à-vis the EU. Since then, the development of their economic relations hasn't stopped making progress, despite being regulated by fluctuations of the peace process.
- 17 New negotiations between the two players took place at the beginning of the 90's. A "special status" was granted to Israel by the European Council in Essen in 1994, when the Barcelona Process was about to be launched: "The European Council believes that Israel, on account of its high level of economic development, should enjoy special status in its relations with the EU on the basis of reciprocity and common interests. In the process, regional economic development in the Middle East including in the Palestinian areas, will also be boosted"<sup>39</sup>. This status will thus guarantee Israel its privileged status towards the EU, regardless of the conditions or terms of its agreements with the latter.
- 18 The second major agreement – the "Association Agreement" – is signed in 1995, shortly after the Oslo agreements. It is in effect the Israeli-Palestinian peace agreement that will give the EU the political justification for this new development. Besides, the EU benefits from this opportunity in order to launch its own initiative, the "Euro-Mediterranean Partnership" – which is also called the "Barcelona Process" – aiming at economically contributing to the Israeli-Arab peace process. The new Israeli-European agreement is thus framed by this initiative and calls itself accordingly "the Euro-Mediterranean Agreement that establishes a partnership with Israel," the same name as the other agreements that were signed with the other Mediterranean countries in spite of the more advanced status of Israel towards the EU. It expands the agreement's scope of 1975 in the industrial and agricultural sectors and includes a series of mutual agricultural concessions that concern approximately 90% of Israeli exports to the EU. Different institutions are moreover established, mainly the EU-Israel Association Council, which meets once a year and which aims at providing a political initiation, necessary for the strengthening of their relations. Even though Israel does not like the Euro-Mediterranean appellation – Israel doesn't quite appreciate its regional reference – the framework of its agreements, which dictates common rules for all Mediterranean countries, presents certain advantages in different sectors. It concerns in particular the principle of the accumulation of rules of origin in the Euro-Mediterranean zone. It allows the Mediterranean countries to develop their commercial trade so as to guarantee accumulated cuts on customs duty regarding exports to the EU.

- 19 Their relations have been developing gradually despite the failure of the peace process, in particular in the public, agricultural and scientific sectors. The special status that Israel enjoys is particularly evident in the last sector. It is in effect the first Non-member State to sign an agreement with the EU in 1996, which allows its participation at the Fourth European Framework Program, the European research platform. Israel is currently actively participating in the Seventh Framework Agreement (FP 7 2007-2012), functioning as an associated state<sup>40</sup>. According to figures that were provided by ISERD (*Israel-Europe Research and Development Directorate for the EU Framework Program*) – the agency that coordinates the research program in Israel – the financial value of European projects, in which Israeli researchers were involved, reached Euro 4.3 billion, of which 1.5 billion were for industrial projects, in August 2010.
- 20 The breakout of the Second Intifada slows down the progress of the agreements between the EU and Israel; however, it does not impede the renewal of Israel's participation in the European research program in 2003. It is only in 2005 that a qualitative jump occurs in their relations. The first EU's action plan in the framework of the neighborhood policy<sup>41</sup> is actually signed with Israel at the end of 2004. It does not include major agreements between the two parties but it lists potential future agreements in different sectors. Following this expansion wave of 2004, the new European paradigm of "neighborhood policy", which encompasses agreements with neighbors, from the East as well as from the South, is a major evolution for Israel. In fact, contrary to the Euro-Mediterranean partnership agreements, which created a *de facto* regional interdependence, the action plans are based on a "bilateralisation" of relations between the EU and the signatory states. Israel has campaigned for the recognition of its particular status, compared with the other states in the region, and thus, on the whole, this approach satisfies its expectations<sup>42</sup>. These agreements are based on the concept of "differentiation". The deepening of the relations with each state does from now on depend on its level of commitment and not on all the Mediterranean countries anymore. Ten sectoral sub-committees are thus created between Israel and the EU that aim at examining the developmental potentials in everyone of the following sectors: 1. industry-commerce-service, 2. domestic market, 3. research-innovation-society of information-education-culture, 4. transportation-energy-environment, 5. political dialogue and cooperation, 6. justice, 7. economic and financial sector, 8. cooperation on customs matters, 9. social services-immigration, 10. agriculture and fishing. A last sub-committee, which is informal, calls itself the "human rights and international organization".
- 21 This new agreement is also the first one to clearly state a *linkage* between the deepening of relations between Israel and the EU and the resolution of the conflict. Israel is in effect committed to "working together with the EU, on a bilateral basis and as a member of the Quartet, with the aim of reaching a comprehensive settlement of the Israeli/Palestinian conflict and a permanent two state solution with Israel and a Palestinian state living side by side in peace and security in accordance with the roadmap, and the obligations of the parties set out in it"<sup>43</sup>. The introduction of the agreement does furthermore clearly state that "the level of ambition of the EU/Israel relationship will depend on the degree of commitment to common values as well as the mutual interests and the capacity of each party to implement jointly agreed priorities"<sup>44</sup>. Thus, with its signature, Israel commits itself to act in accordance with the Two-States solution if it wishes to significantly strengthen its relations with the EU.



- 22 Two years after the action plan's ratification, shortly after the international conference of Annapolis in November 2007 – when the political regional context seems relatively stable – on the initiative of Israel, the EU agrees to upgrade the level and intensity of their relations during the Eighth Association Council on June 16, 2008. It includes the improvement of their political dialogue, the deepening of Israel's integration within the European Single Market through a better accordance of the Israeli legislation with the European *acquis*, a better cooperation in the war against crime, terrorism and money laundering, an increasing cooperation in the aerial sector, a future agreement in the education sector through the participation in the Erasmus Mundus and Tempus programs, the opening of the European Health Program 2008-2013 to Israel, and finally, a facilitation in the trilateral cooperation with the Palestinians on the issues of energy, transportation and commerce. In its declaration regarding the Association Council, the EU confirms the existence of the *linkage*: "The process of developing a closer EU-Israeli partnership needs to be, and to be seen, in the context of the broad range of our common interests and objectives which notably include the resolution of the Israeli-Palestinian conflict through the implementation of the 2SS"<sup>45</sup>.
- 23 Yet, further to the Israeli Operation Cast Lead in the Gaza Strip between December 27 and January 18, 2009, the EU decides to officially freeze the upgrade process. Nevertheless, certain agreements are ratified after January 2009. One such case is the agreement on "agricultural products, processed agricultural products and fish and fishing products" ratified in January 2010, which allows according to Israeli figures a 20% growth in Israeli exports in the subsequent years. In the other sectors, the ice is more visible. Thus, the ratification of two agreements finds itself put on ice: the first one concerns a protocol on Israel's participation in the Community's programs, which was signed in May 2008<sup>46</sup>; the second one is an ACAA (*Agreement on Conformity Assessment and Acceptance of Industrial Products*) on pharmaceutical products, which was signed in May 2010. These two agreements require the approval of the European Parliament – obligatory since the Treaty of Lisbon came into effect – before being ratified. Nevertheless, the Tenth EU-Israel Association Council of February 22, 2011 confirms that "in this framework the EU is prepared to further explore with Israel the opportunities still offered by the current Action plan."<sup>47</sup> In other words, the official freeze of their relations would expire, yet the development of the year 2011 did not really demonstrate this.

## An international context favoring a growing strategic cooperation

- 24 The EU – bilaterally and conjointly – and Israel benefit from a growing cooperation in the security sector. This is the result of a growing EU empathy toward the kinds of threats that weigh on Israel's security, in particular the threat of terrorism<sup>48</sup>, after the attacks of September 11, 2001 in New York, which came after those of Madrid in 2004 and then, of London in 2005. They declared their common willingness to cooperate in counter-terrorism and intelligence sharing in order to reduce the access of terrorist networks to economic and financial resources notably, such as drugs or money laundering<sup>49</sup>. Moreover, during the Eighth Euro-Israeli association council of June 2008, the two parties committed themselves to deepen their strategic relations. Israel should be invited to *ad hoc* reunions of different working groups in order to discuss subjects like the war against terrorism, a cooperation within international forums, the European security and defense politics, and the control of arms trade<sup>50</sup>. Conclusions that were adopted by the Council of



the EU in December 2008 anticipated an Israeli participation within certain European working groups, Euro-Israeli ministerial meetings at different levels, as well as a more frequent Israeli access to the PSC (Political and Security Committee)<sup>51</sup>. Nevertheless, the implementation of this strategic upgrade has been frozen since Operation Cast Lead. This demonstrates that the development of their strategic relations is also strained by their political dissent. In addition, a more technical agreement is signed on June 1, 2009, which should facilitate the exchange of classified information between the EU and Israel. It must 'fulfil the objectives of full and effective cooperation between the Parties on matters of common interest relating in particular to defence and security issues'<sup>52</sup>. Finally, the Israeli cooperation with European organizations and institutions that fight crime and terrorism has developed in particular during these last few years<sup>53</sup>.

- 25 Indeed, the countries tend to create alliances according to their perception of common threats<sup>54</sup>. International terrorism, as for example the perspective of an Iranian nuclear threat, has now become a major concern for the two players. Since 2003, France, Germany and Great Britain have headed an international coalition – with the United States, Russia and China – the EU3+3, which aims at preventing the development of Iranian nuclear weapons through diplomatic and financial sanctions. Israel is extremely worried by the Iranian nuclear threat and cooperates thus with certain European countries, including France, in order to lead certain operations that aim at delaying the expansion of this program. Besides, Hamas – the Palestinian branch of the Muslim Brotherhood in the Palestinian Territories – is also perceived as a threat by Israel and the EU. After the legislative Palestinian elections of January 25, 2006 that lead to its victory, the Member States, through the European institutions, decided in fact not to support the new Hamas government that was established in March through a freeze of its direct funding to the Palestinian Authority (PA), of which the EU is the main donor. From a political point of view, the Member States are opposed to the legitimization of this government on the international scene, based on three criteria that are the condition of its recognition by the Quartet Members<sup>55</sup>, being the recognition of Israel, the renunciation of violence and the recognition of agreements that were signed previously by the PA. A Hamas leadership of the Palestinian Territories is thus considered by Israel, the EU and the United States as a threat to the regional stability as well as to the continuity of the peace process. These different players encourage thus, either directly or indirectly, the conflict between the PA's security forces and those of Hamas<sup>56</sup>, a conflict that lead to Hamas takeover of the Gaza Strip in June<sup>57</sup>.
- 26 The EU and Israel have actually a common interest in ensuring regional stability. Yet, they disagree quite often on the strategy to adopt and their disagreement concerns first and foremost the Palestinian question. Thus, public coverage is given to their differences as for example the EU's criticism toward the construction of new blocks in the West Bank as well as in East Jerusalem or also its support for the decision of 2004 by the International Court of Justice against the construction of a separation wall. Furthermore, the Member States criticized openly the land attack from January 3 2009 during Operation Cast Lead in the Gaza Strip that followed air attacks, lead by the Israeli army from January 3, 2009<sup>58</sup>. These differences between the EU and Israel are reinforced by divergent views and expectations. Since they can profoundly influence the future of their relations, the following outline will be described.

## Dissonant views and ambiguous expectations determining the future of the EU-Israeli relations

- 27 Firstly, the manner on how Israel and the EU understand the issue of security differs strikingly, mainly due to their geographic environment and to their divergent strategic culture. The strategy of the European security of December 2003 answers a "global" definition of security. It describes the economic development, the respect for law and the democratic governance of the "neighboring" States as the best method to assure the stability at its borders and thus, its own long-term security. Furthermore, no common enemy is identified<sup>59</sup> except common threats as for example, terrorism, weapons of mass destruction or even states that are considered to be "weak." Israel for its part insists that it is surrounded by enemies, either by future potential entities or by enemy states, the main one being Iran. The "Arab Spring" proves how fragile everything can be, even the peace agreement that was signed with Egypt in 1979. This is exemplified by the frequent attacks against the Egyptian gas pipeline due to its export to Israel or by the accessibility of the Sinai region to criminal networks. The budget differences of the EU and its Member States as well as the Israeli ones reflect these differences as well as the social choices carried out by these actors. The EU's most costly item in 2011 is entitled "cohesion for the growth and employment" and represents 36% of its total budget<sup>60</sup>. In Israel, the main budgetary item in 2011 is the one of the Ministry of Defense, in Hebrew the Ministry of Security<sup>61</sup>, including 1/7<sup>th</sup> of the total budget. In comparison, the most costly item for 2011/2012 in Great Britain – the Member State that has the highest defense budget within the EU – is the one of social protection. Its defense sector represents only 1/17<sup>th</sup> of the total budget<sup>62</sup>. The remarks made by Moshe Dayan when he was the Minister of Defense at the beginning of the 70's, demonstrate these different societal choices: "It is impossible to hold two banners at the same time," he says in order to justify the priority given to the "security banner" over the "banner of the social well-being" and other societal objectives<sup>63</sup>. Nevertheless, the importance of the social protest movement in Israel, which started in the summer of 2011 and which is also called social justice (*tzedeq hevra*) – in a country where the wealth gaps between the different social classes are the highest in all the countries of the OECD<sup>64</sup> – demonstrates the limits of these societal choices.
- 28 Secondly, being dependant on these divergent perceptions, their doctrines on the use of force differ, too. Israel reacts to the threats, which it faces, by the use of frequent force.<sup>65</sup> The objective is to periodically deter its enemies from all significant attacks<sup>66</sup> – against Hezbollah in South Lebanon during the summer of 2006 or Hamas in the Gaza Strip from the end of December 2008 to mid-January 2009. In contrast, the EU, as a regional organization, is not directly responsible for the common defense of its Member States given that NATO has been playing this role until now<sup>67</sup>. Besides, the Member States have not had to face existential threats on their own territories since the end of the Cold War<sup>68</sup>. Nevertheless, the war in the Balkans has proved them that they need to create a capacity for autonomous action at the EU level, supported by credible military forces<sup>69</sup> and therefore, that they need a genuine common defense policy<sup>70</sup>. Furthermore, the armies of the Member States must also adapt to the new challenges that are caused by new types of battle spaces, which are often located in distant territories in Africa or the Middle East<sup>71</sup>. These different realities create divergent evaluations on the threat and strategy to be employed. This can be seen by the reaction of certain leaders of European countries

regarding Operation Cast Lead, who denounce the presence of the Israeli army in Gaza, and also by discussions between Europeans and Israelis on the strategy toward the Iranian threat, even though their final objectives are similar on this matter.

- 29 Thirdly, as already seen, the European and Israeli views as to the Palestinian question differ significantly. Prime Minister Benjamin Netanyahu and his coalition – made up of the *Likud*, the ultra-orthodox party *Shas* and *Israel Beitenu*, Avigdor Lieberman's nationalist party – maintain, in order to justify their little enthusiasm on the creation of a Palestinian State, that Palestinians' mind "are not ripe enough." They maintain that if a Palestinian State would be created, it would not lead to peace, insofar as the Palestinians – who cannot be satisfied with their borders – will just not stop attacking Israel in order to reclaim their lands. Thus, from their point of view, the creation of a Palestinian State would not solve the Palestinian issue. Besides, even though Benjamin Netanyahu has endorsed the Two-State solution during his speech at Bar Ilan on June 15, 2009, the absence of consensus on the borders of this State and on the commitment to a clear schedule prevents any significant progress. The *linkage* is thus perceived by this government as an obstacle to be avoided during negotiations with the EU and the pursued strategy consists in promoting negotiations on technical subjects, thus the least political as possible.
- 30 With regards to their mutual expectations, which result from these different views, these have strongly constrained the framework of their current and future relations. Basically, the EU expects Israel to abide by certain of the norms – whether technical or political – belonging to the "acquis communautaire" if it wishes to integrate further the European Single Market or to participate in its programs. This is supposed to allow a better predictability of Israel's policies as well as of its companies thus stabilizing their mutual relations in the long run<sup>72</sup>. Regarding the political issue, the EU would also want Israel to act in accordance with the Two-State solution. And yet, Israel has never totally stopped constructing new living blocks in its colonies in the West Bank, which proves its low enthusiasm toward this solution. Regarding the technical issues, the adoption of EU legal norms within the scientific and economic sectors, in particular, has enabled the EU – as well as Israel – to achieve long-term economic gains. This allows the EU to increase its normative power<sup>73</sup> – insofar as the Israeli enterprises that want the export goods to the EU are forced to adopt EU technical standards – thus facilitating the commercial trade between the two actors. This process of adoption of EU standards is described as "spontaneous"<sup>74</sup>, since it is in Israeli companies' best interest to adopt them. It is more problematic when it is "requested" by the EU insofar as it creates antagonistic reactions in Israel for reasons that are rational as well as irrational. The cost of the necessary investment in order to adopt the European *acquis* in the different sectors seems rather too high and the benefit hardly calculable in the short term<sup>75</sup>. In addition, when this process concerns political issues – minority rights, immigration, peace process, or the economic cooperation in the Mediterranean – it is often perceived as affecting the Israeli sovereignty. Conversely, from the European point of view, the adoption of the *acquis communautaire* is one of the necessary conditions for any country that wants to reinforce its relations with the EU.
- 31 From the Israeli point of view, it is essential for the EU to recognize the "special status" that it was granted by the Essen Council in 1994. This request is systematically repeated in the Israeli discourse<sup>76</sup>. Israel does not really wish to become a member of the EU<sup>77</sup>, for the time being at least, despite declarations from certain elites<sup>78</sup>, but wants to deepen as

much as possible, and in a bilateral manner, its agreements with the EU in different sectors: first and foremost trade, then science, transportation and education. Furthermore, this deepening of their relations would also concern the strategic level as Israel wants to become associated to different working groups or EU institutions whose decisions affect the EU's Common foreign and security policy as well as its defense policy. From the EU point of view, Israel's participation in certain EU working groups would allow to achieve a better comprehension of mutual views and interests, but this strategic upgrade remains globally subjected to Israel's abidance with the two state solution.

- 32 These different expectations between the EU and Israel – resulting from a rich mutual history as well as from divergent political views – are crucial while the two players renegotiate the normative framework of their relations. This ambiguous "*special relationship*" has endured since the establishment of their diplomatic relations in 1959 thanks to the deepening of their agreements in numerous sectors. Nevertheless, as we have seen, it is also constrained by a particularly strained political context. A renewed strategic dialogue between the two actors would allow for a better mutual understanding, in particular on the Palestinian question.

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## NOTES

1. In this article, the 'European Union' includes both the EU institutions as well as Member States.
2. Visit the Internet site of the DG Trade: [www.ec.europa.eu/trade/creating-opportunities/bilateral-relations/countries/israel/](http://www.ec.europa.eu/trade/creating-opportunities/bilateral-relations/countries/israel/) [accessed on August 1, 2011].
3. This term was especially used by Oded Eran, the former Israeli ambassador to the EU during a conference at the Konrad Adenauer Foundation in Jerusalem on January 4, 2010. See also Dror, Y., Pardo, S., "Approaches and Principles for an Israeli Grand Strategy toward the European Union", *European Union Foreign Affairs Review*, 2006, vol. 11, p. 18.
4. In the Israeli media, Pardo and Peters demonstrate for example that despite the excellent commercial relations between the EU and Israel, the EU is presented as a marginal economic power with an "anti-Jewish" tendency. Pardo, S., Peters, J., *Uneasy Neighbor: Israel and the European Union* Plymouth, Lexington Books, 2010. p. 87.
5. For example: Steinberg, G., "Kantian Pegs into Hobbesian Holes: Europe's Policy in Arab-Israeli Peace Efforts." *The Israeli Association for the Study of European Integration* 2004, vol.5, Shepherd, R., *A State beyond the Pale: Europe's problem with Israel*, London, Phoenix, 2010.
6. Council of the European Union. Foreign Affairs Council. 8 December 2009, European Council. Conclusions on the Middle East. Amsterdam, 16 and 17 June 1997.
7. European Union. Action Plan EU/Israel. Brussels, 2005: [www.ec.europa.eu/world/enp/pdf/action\\_plans/israel\\_enp\\_ap\\_final\\_en.pdf](http://www.ec.europa.eu/world/enp/pdf/action_plans/israel_enp_ap_final_en.pdf) [accessed on June 1, 2011].
8. Yacobi, H., Newman, D., "The European Union and Border Conflicts: Power of Integration and Association", in Diez, T., Albert, M. et Stetter, S. (dir.) *The European Union and Border Conflicts: Power of Integration and Association*, Cambridge, Cambridge University Press, 2008. p. 181.
9. Barnavi, E., "Israël et la France : des relations en dents de scie", in Dieckhoff, A. (dir.) *L'État d'Israël*, Paris, Fayard, 2008. Pinkus, B., "Atomic Power to Israel's Rescue: French-Israeli Nuclear Cooperation, 1949-1957", *Israeli studies*, 2002, vol. 7, n° 1. See also in regards to the French-Israel relations during the period after the war: Hersheo, T., *Entre Paris et Jérusalem : La France, le sionisme et la création de l'État d'Israël, 1945-1949*, Paris, Honoré Champion, 2003.
10. Shalom, Z., "Israel's Foreign Minister Eban meets President de Gaulle and Prime Minister Wilson on the Eve of the Six Day War", *Israel Affairs*, 2008, vol. 14, n° 2 p. 285.
11. Heimann, G., "From Friendship to Patronage: France-Israel Relations, 1958-1967", *Diplomacy & Statecraft*, 2010, vol. 21, n° 2.
12. Harpaz, G., Shamis, A., "Normative Power Europe and the State of Israel: An Illegitimate EUtopia", *Journal of Common Market Studies*, 2007b, vol. 48, n° 3 p. 585.
13. Harpaz, G., "The Role of Dialogue in Reflecting and Constituting International Relations: The Causes and Consequences of a Deficient European-Israeli Dialogue", *Review of International Studies*, 2011, vol. 37, n° 4.
14. Traditionally, there is a significant lack of confidence on the part of Israel toward the international institutions and in particular, toward the UN. David Ben Gurion, the father of the



Israeli independence, used the Hebrew expression "*Um Shmum*" in order to designate the international institution, thus signifying in other words that the "UN is nothing".

15. Del Sarto, R. A., *Contested State Identities and Regional Security in the Euro-Mediterranean Area*, New York, Palgrave Macmillan, 2006.

16. The different approaches between Israel and Europe regarding the use of force are thus identified by Guy Harpaz as one of the main obstacles that hinders a fruitful dialog between the EU and Israel. Harpaz, G., *op. cit.*

17. Del Sarto, R. A., *op. cit.*, p. 90.

18. Alpher, J., "The Political Role of the European Union in the Arab-Israel Peace Process: An Israeli Perspective," *The international Spectator*, 1998, vol. 13, n° 4.

19. Sheperd R., *op. cit.*

20. Musu, C., *European Union Policy towards the Arab-Israeli Peace Process: The Quicksands of Politics*, New York, Palgrave Macmillan, 2010.

21. Harpaz, G., Shamis, A., *op. cit.*, p. 585.

22. Gerstenfeld, M., "European-Israeli Relations: An Expanding Abyss?", Jerusalem Center for Public Affairs, 2005. <http://www.jcpa.org/JCPA/Templates/ShowPage.asp?DBID=1&LNGID=1&TMID=111&FID=382&PID=471&IID=873> [accessed on July 1, 2011].

23. Judt, T., *Post-War: A History of Europe since 1945*, Londres, Vintage Books, 2010. p. 32.

24. Avineri, S., "Europe in the Eyes of Israelis: the Memory of Europe as Heritage and Trauma", in Greilsammer, I. et Weiler, J. H. H. (dir.) *Europe and Israel: Troubled Neighbours*, Berlin, New York, Walter de Gruyter, 1988. Horowitz, A., "Competing Israeli Structures of Identity", in Avineri, S. et Weidenfeld, W. (dir.) *Integration and Identity: Challenges to Europe and Israel*, Bonn, Europa Union Verlag, 1999, p. 46.

25. Ahiram, E., Tovias, A., *Whither EU-Israeli Relations? Common and Divergent Interests*, Francfort, Peter Lang, 1995, p. 203.

26. Avineri, S., *op. cit.*, p. 33.

27. Visit <http://www.kas.de/israel/en/publications/16236/> [accessed on July 1, 2011], and Tovias, A., "Spontaneous vs. Legal Approximation: The Europeanization of Israel", *European Journal of Law Reform*, 2007, vol. 9, n° 3.

28. Figures provided by Dan Catarivas who is responsible of the external relations and international trade at the Manufacturers Association of Israel.

29. Harpaz, G., *op. cit.*, p. 11-12.

30. Ahiram, E., Tovias, A., *op. cit.*, p. 205.

31. Ohana, D., "Israel toward a Mediterranean Identity", in Avineri, S. et Weidenfeld, W., *op. cit.*, p. 82-86.

32. Del Sarto, R. A., *op. cit.*, p. 101.

33. Dror, Y., Pardo, S., *op. cit.*, p. 18.

34. The European Economic Area reunites the 27 Member States as well as Norway, Liechtenstein and Island.

35. The European Free Trade Agreement is a free trade organization among 4 European countries: Switzerland, Norway, Island and Liechtenstein.

36. For a discussion on the different Israeli options toward the EU, see Tovias, A., "Mapping Israel's policy options regarding its future institutionalized relations with the European Union", Centre for European Policy Studies, January 2003. Brussels: <http://www.ceps.eu/book/mapping-israels-policy-options-regarding-its-future-institutionalised-relations-european-union> [accessed on September 1, 2010].

37. This agreement, signed in 1975, became effective on that same year. Commercial agreements with less importance between the EU and Israel were signed in 1964 and 1970. For an excellent history of the agreements between the EU and Israel see Tovias, A., *Les relations entre Israël et l'Union européenne*, in Dieckhoff, A. (dir.) *L'État d'Israël*, Paris, Fayard, 2008. For the entire

agreement of 1975 read the official EU site: <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/95/127&format=HTML&aged=1&language=EN&guiLanguage=en> [accessed on May 1, 2011].

38. The talks took place in Tel Aviv on May 11, 2011 with Marcel Shaton, Director of ISERD.

39. European Council. Essen Council Declaration. December 1994.

40. In order to receive additional information on the program's frame FP7, visit: [http://ec.europa.eu/research/fp7/index\\_en.cfm](http://ec.europa.eu/research/fp7/index_en.cfm) [consulted on June 22, 2011].

41. The EU neighbourhood policy is launched shortly after the EU enlargement in 2004 to 10 new members including Bulgaria and Romania in 2007.

42. Herman, L., "An Action Plan or a Plan for Action? Israel and the European Neighbourhood Policy", *Mediterranean Politics*, 2006, vol. 11, n° 3.

43. Union européenne. Plan d'action EU/Israël. Brussels, 2005, p. 6.

44. *Ibid.*, p. 1.

45. EU-Israel 8<sup>th</sup> Association Council. Statement of the European Union. Luxembourg, 16 June 2008.

46. The European Communities and the Member States, and Israel. Protocole on a Framework Agreement between the European Community and the State of Israel on the general principles governing the State of Israel's participation in Community programmes. Brussels, May 2008.

47. EU-Israel 10<sup>th</sup> Association Council. Statement of the European Union. 22 February 2011.

48. On the subject of the September 11<sup>th</sup> consequences on the European foreign policy, see Charillon, F., "La politique étrangère de l'Union européenne à l'épreuve des normes américaines", *Culture et conflit*, 2001, vol. 44, n° 1.

49. In the action plan, signed at the end of 2004, the two actors stated their will to expand their cooperation in this sector as well as to fight against the smuggling of arms of mass destruction.

50. EU-Israel, 8<sup>th</sup> Association Council. Statement of the European Union. Luxembourg, 16 June 2008.

51. The CPC was created in 2001 in order to coordinate the different activities of the European Common Foreign Security and Defense Policy (CFSP and PESD).

52. Agreement on security procedures for exchanging classified information between the EU and Israel, signed on June 11, 2009 in Tel Aviv.

53. Actually, Israel is supposed to cooperate with EUROJUST – whose main task is to develop the coordination and cooperation among the investigators and procurators who deal with international organized crime – as well as with ENISA (*European Network and Information Security Agency*) – responsible for handling cyber-security problems in Europe.

54. This thesis was demonstrated by the neorealist Stephen Walt, in particular. See Walt, S., "Alliance Formation and the Balance of World Power", *International Security*, 1985, vol. 9, n° 4.

55. The Quartet, made up of the EU, the United States, the UN and Russia, was established in May 2002, under the EU's initiative, in order to foster the reengagement of the United States towards the peace process while the Bush administration was engaged in the Afghanistan war.

56. Regarding the role played by the EU and the United States vis-à-vis the Palestinian security forces after the legislative elections of January 2006, see

57. Halevy E., Israel's Hamas Portfolio. *Israel Journal of Foreign Affairs*, 2008, vol. 2, n° 3.

58. Eran, O., "A Reversal in Israel-EU Relations?", *INSS Strategic Assessment* 2010, vol. 12, n° 1.

59. Frohlich, M., "National Identity in a Unified Europe – Outline of a Normative Concept, in Avineri, S. and Weidenfeld, W. (dir.), *Integration and Identity: Challenges to Europe and Israel*, Bonn, Europa Union Verlag, 1999, p. 45.

60. See: [http://ec.europa.eu/budget/figures/2011/2011\\_en.cfm](http://ec.europa.eu/budget/figures/2011/2011_en.cfm) [accessed on June 11, 2011].

61. See: the Israeli budget proposal for the year 2011: Jerusalem, October 2010, [http://www.mof.gov.il/BudgetSite/StateBudget/Budget2011\\_2012/Lists/20112012/Attachments/1/Budget2011\\_2012.pdf](http://www.mof.gov.il/BudgetSite/StateBudget/Budget2011_2012/Lists/20112012/Attachments/1/Budget2011_2012.pdf) [in Hebrew, accessed on August 1, 2011].

62. Visit the official British budget site: [http://cdn.hm-treasury.gov.uk/2011budget\\_complete.pdf](http://cdn.hm-treasury.gov.uk/2011budget_complete.pdf) [accessed on July 1, 2011].
63. Kimmerling, B., Patterns of militarism in Israel. *European Journal of Sociology*, 1993, vol. 34, p. 210.
64. See: <http://www.haaretz.com/print-edition/news/israel-set-to-become-oecd-s-poorest-member-1.265726> [accessed on November 25<sup>th</sup>].
65. Kimmerling B., *op. cit.*, p. 210.
66. Regarding the Israeli doctrine of deterrence, read the study that was carried out by the members of the Israeli National Security Council and in particular, the article by Ephraim Halevy, 2008 "The Israeli doctrine of deterrence put to the test of time", p. 35. In Guzansky, Y. (ed.) Studies on deterrence, National Security Council publication, 2008. [http://www.nsc.gov.il/NSCWeb/Docs/deterring-october2008\\_he.pdf](http://www.nsc.gov.il/NSCWeb/Docs/deterring-october2008_he.pdf) [in Hebrew, accessed on August 8, 2011].
67. The article 42.7 of the consolidated version of the treaty on the EU regarding the mutual defense of the Member States is not incompatible with the superiority of NATO's article 5. Actually, this same article 42 specifies that NATO remains the collective defense's foundation of its Member States.
68. Frohlich, M., *op. cit.*, p. 45.
69. European Council of Cologne, June 3 and 4, 1999, cited in Petiteville, F., *La politique internationale de l'Union européenne*, Paris, Presses de Sciences Po, 2006, p. 86.
70. Even though the objective of a EU defense policy appears already in the Maastricht Treaty, it sees the light of day only after the Franco-British meeting of Saint Malo in December 1998. Read Terpan, F., *La politique étrangère, de sécurité et de défense de l'Union européenne*, Paris, Documentation française, 2010.
71. Gnesotto, N., *L'Europe a-t-elle un avenir stratégique?*, Paris, Armand Colin, 2011.
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73. Laïdi, Z., *La norme sans la force : l'enigme de la puissance européenne*, Paris, Presses de Sciences Po, 2008.
74. Tovias, A., "Spontaneous vs. Legal Approximation: The Europeanization of Israel", *European Journal of Law Reform*, 2007, vol. 9, n° 3.
75. Interviews were carried out by the author with different Israeli diplomats and government officials from September 2010 to August 2011 in Tel Aviv and Jerusalem.
76. For example: Pardo, S., "Going West: Guidelines for Israel's Integration into the European Union", *Israel Journal of Foreign Affairs*, 2009, vol. 3, n° 2, p. 51.
77. Interviews were carried out between September 2010 and August 2011 with Israeli diplomats and government officials. See also Tovias, A., "Les relations entre Israël et l'Union européenne", in Dieckhoff, A. (dir.) *L'État d'Israël*, Paris, Fayard, 2008, p. 403.
78. Several Israeli politicians have expressed their support for a future integration of Israel in the EU, in particular Shimon Peres, Avidgor Lieberman ("Israel should press to join NATO, EU", *Haaretz*, 1/01/2007), Benjamin Netanyahu ("Italy backs Israel for EU membership", *Jerusalem Post*, 2/02/2010) and Silvan Shalom.

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