

Ursula von der Leyen  
*President of the European Commission*

Kaja Kallas  
*EU High Representative for Foreign Affairs and Security Policy / Vice President of the European Commission*

Maroš Šefčovič  
*Commissioner for Trade and Economic Security*

Members of the College of Commissioners

European Commission  
Rue de la Loi 200, 1049 Brussels

Brussels, 22 June 2026

## **RE: LETTER TO THE COLLEGE OF COMMISSIONERS ON THE NEED TO PROHIBIT EU TRADE WITH SETTLEMENTS UNDER ARTICLE 207 TFEU**

Dear President von der Leyen,  
Dear High Representative / Vice-President Kallas,  
Dear Commissioner Šefčovič,  
Dear Commissioners,

We, the undersigned human rights and humanitarian organizations, are writing to urge you to propose a regulation to prohibit EU trade with Israel's illegal settlements.

Amid growing calls from EU member states' ministers of foreign affairs, the High Representative has repeatedly requested the Commission to prepare a proposal to restrict trade with Israel's illegal settlements. As many of us raised in a joint letter in [February 2025](#) we believe that **the EU must ban such trade and should do so under article 207 TFEU**, as a measure necessary to bring EU trade into compliance with international law, including as most authoritatively interpreted by the International Court of Justice (ICJ) in its landmark [advisory opinion](#) of 19 July 2024.

The Court found that **"Israel's settlement policy, its acts of annexation, and its related discriminatory legislation and measures are in breach of international law"** (para. 230). It further found that Israel's unlawful policies and practices are in breach of the Palestinian people's **right to self-determination**, a peremptory norm of international law which carries obligations *erga omnes* for all states, and that Israel is in breach of the prohibition of **racial segregation and apartheid** (par. 225-229). The Court concluded that **"the continued presence of Israel in the Occupied Palestinian Territory is illegal"** (para. 266).

Concerning third states, the Court found they have an obligation to **"take steps to prevent trade or investment relations that assist in the maintenance of the illegal situation created by Israel in the [OPT]"** (par. 278), adding that **"it is for all States, while respecting the Charter of the United Nations and international law, to ensure that any impediment resulting from the illegal presence of Israel in the [OPT] to the exercise of the Palestinian people of its right to self-determination is brought to an end"** (par. 279).

The current **EU policy with regard to settlement products is manifestly inadequate in light of these obligations**. EU measures aimed at excluding settlement products from preferential tariff treatment and correct labelling clearly **do not constitute steps to prevent trade** with the illegal settlements. On the contrary, they are designed to continue this trade, which contributes to the

sustainability of such illegal situation. While recent reports also suggest considerable flaws in the implementation of the current EU differentiation system, we note that the problem is the policy itself, which, **even if enforced to the letter, would still fall short of meeting the EU's obligations under international law** as laid out by the ICJ.

Moreover, **Israel compensates settlement businesses** exporting to the EU for the tariff difference, which cancels out the effect of the EU's existing policy even if perfectly enforced. These compensation payments would also likely **offset or reduce the impact of any possible increases to the EU tariffs**, short of a full ban. Furthermore, the collection of tariffs would result in the **EU profiting off Israel's unlawful occupation**, illegal settlements and related abuses.

By any available estimate, EU imports from illegal Israeli settlements in the Occupied Palestinian Territory vastly exceed imports from the Palestinians themselves, and this trade occurs without Palestinian consent.

**Settlements are manifestly illegal under international law**, and all EU member states have repeatedly condemned them as such. They are the result of the transfer of civilian population from an occupying power to an occupied territory, which is prohibited by the Fourth Geneva Convention and, according to the Rome Statute of the International Criminal Court, is a **war crime**.

For all the above reasons, it is clear that the current **EU trade** relationship with the territory occupied by Israel since 1967 is not consistent with international law, and in fact **contributes to "the maintenance of the illegal situation created by Israel"**, in breach of the obligations identified by the ICJ, fuelling human rights violations that the EU regularly condemns.

Under Articles 3(5) and 21 TEU and case-law of the EU Court of Justice, the EU must respect international law and ensure that its external action, including trade policy, is consistent with it.

Therefore, **the Commission has a duty to propose a regulation under Article 207 TFEU to stop trade with the illegal settlements**. This applies not only to goods from settlements, but also to services.

We note that the EU has previously used Article 207 TFEU inter alia to ban import of products made with forced labour and products used for torture and to restrict trade in conflict minerals, in order to align its trade policy with its principles, and that the Council legal service has recognized that measures to restrict trade with Israel's illegal settlements could be adopted on the same legal basis. The same logic must be applied to trade with Israeli illegal settlements.

Should the Commission refuse to propose such a measure under Article 207, **we encourage member states to consider litigation** before the Court of Justice of the European Union to ensure compliance with EU and international law.

In the face of the intensification of Israel's violations against Palestinians in the occupied West Bank, including East Jerusalem, also through rampant state-backed settler violence, the European Union must show moral leadership starting with **banning trade that contributes to Israel's illegal settlement enterprise**.

We stand ready to discuss these pressing issues with you.

Amnesty International

CIDSE - International Family of Catholic Social Justice Organisations

CNCD-11.11.11

Danish Church Aid (DCA)

EuroMed Rights

European Middle East Project (EuMEP)

FIDH

Human Rights Watch

Oxfam

Pax Christi International

The Good Lobby

11.11.11

CC:

Committee of the Permanent Representatives of EU member states to the European Union (COREPER II) Chair and vice-chairs of the European Parliament's International Trade Committee (INTA) Chair and vice-chairs of European Parliament's Committee on Foreign Affairs (AFET) Chair and vice-chairs of European Parliament's Subcommittee on Human Rights (DROI) Chair and vice-chairs of European Parliament's Delegation for relations with Palestine (DPAL) Chair and vice-chairs of European Parliament's Delegation for relations with Israel (D-IL)