



Ms. Federica Mogherini

High Representative of the European Union for Foreign Affairs and Security Policy

Vice-President of the European Commission

European Commission

Rue de la Loi / Wetstraat 200

1049 Brussels

Dear Ms. Mogherini,

As Chair and Vice-Chairs of the Delegation for relations with Palestine of the European Parliament, we would like to raise our concern regarding the current state of enforcement of EU legislation applicable to the indication of origin of goods from the territories occupied by Israel, including a specific case of possible, erroneous indication of origin, which has been brought recently to our attention in the Parliament.

On 2 February 2017, at a session of the Delegation for relations with Israel, the guest speaker, Mr Knafou, CEO of Casimex, a French company importing, among others, wine from Israeli settlements<sup>1</sup>, stated that the French authorities authorise his company to sell settlement wine to European consumers without indicating the origin of these goods as Israeli settlements (contrary to EU legislation on indication of origin of goods from settlements). He explicitly mentioned that such practice has also taken place in the recent period, i.e. after the adoption of the Interpretative Notice, published by the Commission on 11 November 2015 and of the notice on this matter by the French government on 24 November 2016<sup>2</sup>. He assured the Parliament that the French authorities had not provided his company with the appropriate information to correctly label these products, and that these authorities are unaware of the applicable labelling rules for them<sup>3</sup>. Prior to the Delegation hearing, MEPs had received credible (photographic) evidence of Casimex wines being sold in France with incorrect labelling.

During the same meeting, Mr Raul Fuentes Milani, EEAS Head of Division for Israel, occupied Palestinian territories and Middle East peace process, explained that the implementation of the

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<sup>1</sup> <http://www.casimex.fr/vins.php>

<sup>2</sup> Avis aux opérateurs économiques relatif à l'indication de l'origine des marchandises issues des territoires occupés par Israël depuis juin 1967, 24 November 2016

<sup>3</sup> [http://www.europarl.europa.eu/news/en/news-room/20170130IPR60245/delegation-relations-with-israel-\(d-il\)-02022017-\(pm\)](http://www.europarl.europa.eu/news/en/news-room/20170130IPR60245/delegation-relations-with-israel-(d-il)-02022017-(pm)) . Casimex CEO Mr Knafou: "We just brought goods from Golan Heights, after December 26, the goods have been checked, we gave the documents to the customs and they have been released normally. Before that, I asked many official authorities: what am I supposed to do? Do we have to label? Do we need to put something, to add something? Everyone said: so far we have no text, we don't know what to write." (...) "We have heard about the new labelling since December 26. We asked people from the fraud squad, the government, the customs; no one can tell us what is the text, what do we have to do."



Interpretative Notice was a responsibility of the Member States, and that the EU institutions are responsible to monitor its implementation. He assured that the Commission is already putting in place "the relevant mechanisms in the committees it runs with the Member States in order to verify to what extent the legislation is being implemented by the Member States". However, he also stated that "these are not things that happen overnight, [...] we try to be reasonable, we take our time". Mr Fuentes did not reply to the question of a Member on the action envisaged by the Commission on the particular case of Casimex. We recall that according to the Interpretative Notice, "[t]he Commission ensures, as guardian of the Treaties, compliance with these obligations of Member States if need be by way of infringement proceedings."

As Members of the European Parliament who are staunch supporters of the EU policy of non-recognition of Israel's sovereignty over the territories occupied by Israel since June 1967, we are very concerned about the facts mentioned above. If confirmed, such facts would illustrate a failure of a Member State, both to adequately inform economic operators as well as to enforce mandatory Union legislation on indication of origin of products from Israeli settlements. Moreover, such a situation would be misleading for the French and European consumer as to the true origin of the products concerned. Also, it would put law-abiding economic operators at an unfair disadvantage. Finally, it would undermine the Union positions and commitments in conformity with international law on the non-recognition by the Union of Israel's sovereignty over the occupied Palestinian territories.

We call on you, as High Representative and Vice President of the Commission, to look into this particular case and to report back to us on your findings with regards the applied labelling and tariff treatment and the behaviour of the French authorities. Beyond this individual case, we also respectfully inquire into the measures taken by your services in order to verify that the Interpretative Notice is effectively applied and implemented by all Member States, since the adoption of this critically important policy document.

Yours sincerely,

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Neoklis Sylikiotis, Chair of the Delegation for Relations with Palestine

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Marita Ulvskog, Vice-Chair of the Delegation for Relations with Palestine

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Margrete Auken, Vice-Chair of the Delegation for Relations with Palestine



In copy:

First Vice-President Frans Timmermans

Commissioner Věra Jourová

Commissioner Cecilia Malmström

Commissioner Pierre Moscovici

Chair of the Delegation for relations with Israel

Chair of the INTA Committee Bernd Lange

Standing Rapporteur for Trade with Israel/Palestine, Marie Arena