



SPECIAL RAPPORTEUR ON THE SITUATION OF HUMAN RIGHTS IN THE
PALESTINIAN TERRITORIES OCCUPIED SINCE 1967

Téléfax: (41-22) 928 90 13
Télégrammes: UNATIONS, GENEVE
Téléx: 41 29 62
Téléphone: (41-22) 928 96 03
Internet www.ohchr.org
E-mail: secretariat@ohchr.org



Address:
Palais des Nations
CH-1211 GENEVE 10

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Dear NLWA members,

I am writing to you in my capacity as the United Nations Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 to urge you not to select Veolia for public contracts due to its active involvement in Israel's grave violations of international law.

On October 25, I presented a report to the United Nations General Assembly on the legal responsibility of business enterprises, corporations and non-State actors involved in activities relating to Israel's settlements in the occupied Palestinian territory.¹ The report concluded that corporations and non-State actors play an instrumental role in Israel's belligerent occupation of Palestinian territory and the infringements on the human rights of Palestinians and that public authorities and civil society must take actions to hold complicit corporations to account.

Due to its deep and ongoing complicity with Israeli violations of international law and the strength of concern of Palestinian, European and Israeli civil society about the role played by Veolia, I decided to select Veolia as one of the case studies to include in my report. I have attached the report for your consideration.

Veolia has a 5 per cent share in the CityPass consortium, through its subsidiary Connex Israel, which was contracted by Israel to operate the light rail project in Jerusalem. The light rail is designed to connect the city of Jerusalem with Israel's illegal settlements. Veolia owns approximately 80 per cent of Connex Jerusalem, the company that operates the trains. Furthermore, through its subsidiary company, the Israeli Veolia group, Veolia owns and operates the Tovlan landfill in the Jordan Valley of the occupied Palestinian territory. The Tovlan landfill is used to dump Israeli waste from both within Israel and Israeli settlements. Veolia furthermore operates buses linking Modi'in and Jerusalem via road 443 and thereby servicing the Israeli settlements of Giv'at Ze'ev and Mevo Horon. All these activities directly contribute to flagrant violations of international law.

The UN and the overwhelming majority of its members have consistently condemned Israel's settlements in the occupied Palestinian territory as illegal under international law (Article 49(6) of the Fourth Geneva Convention of 1949 governing belligerent occupation) and as a formidable obstacle to peace, yet Israel continues with their

¹ <http://www.un.org/apps/news/story.asp?NewsID=43376#.UJ-8rYVY4Xw>

expansion. The United Nations Office for the Coordination of Humanitarian Affairs has documented how the existence and continued expansion of illegal settlements have a severe humanitarian impact on Palestinian civilians, including with respect to house demolitions, killings and injuries of Palestinian civilians and restrictions of movement that affect Palestinians, but not Israeli settlers.

Veolia is a signatory to the UN Global Compact, a set of principles regarding business conduct. Yet its wide ranging and active involvement in Israel's settlement regime and persistent failure to exercise due diligence show utter disregard for the human rights related principles of the Global Compact.

One of the key recommendations of my report is to urge states to implement the new UN Guiding Principles on Business and Human Rights. These Guiding Principles suggest as good practice that state authorities consider "denying or withdrawing existing public support or services" to companies that fail to address their involvement in serious human rights recommendations.²

I was therefore heartened to learn that a UK government minister has confirmed that UK legislation allows public authorities to exclude companies involved with Israel's illegal settlements from tender exercises.³

Indeed, I agree with the increasing number of experts in international law that argue that any decision by the NLWA to provide access to public funds to Veolia may contravene the UK's international legal obligation not to facilitate Israeli violations of international law.

It is my view that Veolia's violations of the UN Global Compact principles and its deep and protracted complicity with grave breaches of international law make it an inappropriate partner for any public institution, especially as a provider of public services.

As I conclude in my recent report, the failure to bring Israel's occupation of Palestinian territory to an end after more than 45 years creates an augmented international responsibility to uphold the human rights of the Palestinian people, who in practice live without the protection of the rule of law.

I urge you to follow the example set by public authorities and European banks that have chosen to disassociate themselves from Veolia and take the just and principled decision not to award Veolia any public service contracts. Such a measure would contribute to upholding the rule of law and advancing peace based on justice.

Yours sincerely,



Richard Falk

United Nations Special Rapporteur on the situation of human rights
in the Palestinian territories occupied since 1967

² <http://www.business-humanrights.org/media/documents/ruggie/ruggie-guiding-principles-21-mar-2011.pdf>

³ <http://www.publications.parliament.uk/pa/cm201213/cmhansrd/cm120523/text/120523w0004.htm#12052384000139>