

8 July 2019

Re: Release of United Nations Database of Businesses Engaged in Activities Related to Israeli Settlements

Dear Madam/Sir,

This letter is addressed to you on the behalf of 10 Palestinian, European and international organizations working on human rights and development.

We write to you to express our **grave concern regarding the repeated delay in the release of the UN database** of business enterprises engaged with Israeli settlements (hereinafter UN database), established pursuant to UN Human Rights Council resolution 31/36 in March 2016. This resolution requested the UN High Commissioner for Human Rights to “*produce a database of all business enterprises involved in the activities detailed in paragraph 96 of the afore-mentioned report, to be updated annually, and to transmit the data therein in the form of a report to the Council at its thirty-fourth session.*”

It is worth recalling the importance of releasing the UN database, *inter alia*, as a **key tool to ensure respect and protect human rights, transparency and differentiation** with regards to business operations and activities with Israel’s illegal settlement enterprise in the Occupied Palestinian Territory (OPT). The UN database is currently the only tangible step – beyond verbal condemnations – to operationalize **UN Security Council Resolution 2334** (December 2016), which called on UN Member States to “*distinguish in their relevant dealings between the territory of the State of Israel and the occupied Palestinian territory.*” This is at a time of rapid settlement expansion and attempts to normalize and legitimize the Israeli settlement enterprise.

In this regard, it must also be emphasized that the UN database is a **key tool to provide transparency about companies involved in settlements, without any intention to sanction states or corporations**. The UN database will also not substitute for the role of Member States. Instead, it will be an instrument that, as the OHCHR stated: “*can assist both member states and business enterprises in complying with their respective legal obligations and responsibilities under international law, including through constructive engagement and dialogue and by serving as a source of information to promote transparency*”.

In addition, there remains an urgent need for Member States to **protect the UN and the OHCHR as an institution** against further pressure and threats in relation to the UN database. We note that HRC resolution 31/36 mandating creation of the database was adopted by a vote of 32-0, with 15 abstentions – in other words, not a single state opposed the resolution. Whether or not Member States support the UN database in substance, it is a legitimate UNHRC-mandated exercise that should be completed, just as any other UNHRC mandate. Not publishing the database due to state-led pressure **could jeopardise the independence of the OHCHR and set a worrying precedent** that puts implementation of other mandates at risk.

We therefore call upon you to urgently take action and convey your support to the High Commissioner for the **swift implementation of all her mandates, without further delay**. To do so, we urge you to:

- Support the joint statement proposed by the State of Palestine (which will be delivered on 10 July 2019), **and/or**
- Individually or collectively express a principled position at this HRC session on the independence of the High Commissioner and her office, and the need for full implementation of all UNHRC mandates.

We thank you for your consideration and look forward to your response.

Yours sincerely,

1. Al-HAQ, Law in the Service of Man
2. Al Mezan Center For Human Rights
3. Amnesty International
4. BADIL Resource Center for Palestinian Residency and Refugee Rights
5. Cairo Institute for Human Rights Studies
6. 11.11.11
7. CNCD-11.11.11
8. Conectas
9. Human Rights Watch
10. International Service for Human Rights