



Monday, 18 March 2019

The Honourable Michelle Bachelet
United Nations High Commissioner for Human Rights
Office of the United Nations High Commissioner for Human Rights (OHCHR)
Palais des Nations
CH-1211 Geneva 10, Switzerland

Dear High Commissioner Bachelet,

We wish to bring to your urgent attention our serious concerns with the present compiling of a UN “database” of business enterprises which purportedly profit from Israel’s legitimate administration of the disputed territories. We strongly urge you to work within the Council to abandon this unjust initiative and to halt the publication of the pending “Black List” of companies doing business in the Israeli settlements, all due to the following legally and morally compelling reasons.

To begin with, the UNHRC was created to focus on human rights violations committed by *governments* not private actors. There is simply no precedent for the Council to make blacklists of private companies that are engaged in possible human rights violations or operating in “occupied territories.” In its decision to take this course of action in March 2016 (Resolution 31/36), HRC member states knew it was meant to encourage and facilitate boycotts and economic sanctions against any listed companies, and the Council was thereby usurping the powers heretofore reserved to the UN Security Council, especially concerning its seizure of matters related to the Israeli-Palestinian conflict.

Secondly, this action by the UNHRC is blatantly discriminatory, and a gross violation of its mandate to preserve on a universal basis human rights “for all people.” Instead, the Council has unfairly targeted Israel and the Jewish settlements alone, while ignoring the “profiteering” which is taking place in other occupied or disputed territories. For instance, there are many businesses exploiting Turkey’s illegal and draconian occupation of northern Cyprus, Russia’s defiant occupation of the Crimea, and Morocco’s heavy-handed occupation of Western Sahara. Yet the Council has decided that only lands inhabited by Jews deserve this special treatment.

Thirdly, the UNHRC was originally prompted to develop this black list through the pressure and activism of non-governmental organizations involved in the Boycott, Divestment and Sanctions movement, with the intent to bolster their hateful campaign against Israel. Yet it must be understood that the principal advocates behind this BDS effort have been quite clear that they ultimately seek the elimination of Israel. The HRC is being specifically exploited to advance this goal, because it could not be achieved through the UN Security Council. The member states of the Human Rights Council must reject this devious agenda outright.

Further, the HRC has adopted a false narrative that Palestinians are suffering economically because of the Jewish settlements, when the exact opposite is true. Anyone genuinely concerned with reaching a just and lasting peace between Israel and the Palestinians must recognize the fact that Israeli and foreign companies operating in the settlements in the West Bank offer good-paying jobs to Palestinian workers. Here, Jews and Palestinians not only earn the same salaries but also often have the same educational opportunities. They are the best examples of co-existence and tolerance one could hope for under current circumstances. These are proven places of daily cooperation and peaceful coexistence, and thus they deserve international backing and investment, not strangulation.

Finally, the UNHRC has failed to respect the signed agreements directly negotiated between the parties concerning the status of the disputed territories. Under the Oslo Accords, the Israeli settlements in the West Bank are legal and valid until a final-status agreement between Israel and the Palestinians determines their ultimate fate.

In essence, the UN Human Rights Council has allowed itself to be exploited by anti-Israel governments and NGOs to circumvent the UN Security Council and to assist them in accomplishing the delegitimization and eventual eradication of the Jewish State via other channels. We call upon you to reverse course and abandon this spiteful and misguided initiative.

Respectfully yours,

A handwritten signature in black ink, reading "Jürgen Bühler". The signature is written in a cursive, flowing style.

Dr. Jürgen Bühler
President
International Christian Embassy Jerusalem.