'UNHRC focuses on Israel, ignores companies operating in other occupied areas'

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Despite pushing efforts to boycott businesses active in Israeli settlements, the UN Human Rights Council is turning a blind eye to more than 40 European companies that operate in four other areas deemed occupied by the UN.

A report issued last month by two pro-Israel advocacy organizations – Kohelet Policy Forum and NGO Monitor – says that “some of the world’s largest industrial, financial services, and other major publicly traded companies,” are operating in Moroccan-occupied Western Sahara, Turkish-occupied Northern Cyprus, Armenian-occupied Nagorno-Karabakh and Russian-occupied portions of Ukraine.

The UNHRC has been pushing efforts to boycott businesses that are active in Jewish settlements since it adopted Resolution 31/36 on March 24, 2016. A new boycott list is due out by December.

The report, authored by Kohelet legal expert and Northwestern University Prof. Eugene Kontorovich, accuses the UNHRC of formulating a boycott list that “is far too narrow in its scope, and fails to capture the full context and magnitude of business activities that support settlement enterprises in occupied territories.”

Its singular focus “undermines both the legal and practical value of the resulting database, and is likely to produce consequences both unexpected and undesired,” wrote Kontorovich.

Further, the report says that “as a matter of human rights, the council’s focus on Israel is difficult to understand.

There are numerous territories around the world currently under belligerent occupation, where the occupying power has... facilitated the movement of settlers.

“In all these cases, this is done over the vigorous objection of the occupied party and is at odds with its sovereignty or self-determination,” the report continues.

French corporate giants Orange S.A., Veolia Environmental and Renault, three multinational European businesses of the 44 companies named in the report as operating in occupied territories, either told The Jerusalem Post last week that they view their activities as legal or had no comment.

The report does not criticize these companies for doing business in occupied territories and suggests that companies should not be boycotted for such activities whether in the Israeli settlements or elsewhere.

Orange (formerly France Télécom S.A.) responded to the allegations about its business activities in occupied Western Sahara as follows, “On Morocco and the disputed territory Western Sahara, I can confirm that Orange is majority shareholder of the Moroccan operator Orange Maroc.

“This operator holds a license that was acquired from the Moroccan government and that applies to the entire population without discrimination. As a result, all populations – whether Saharawi or Moroccan – stand to profit from the economic and social benefits that come from access to a telecommunications network and the Internet,” an Orange representative wrote.

Further, “As is the case in all countries across the world, in Morocco, Orange fully respects the laws and regulations that apply to it both through the terms of its license and the relevant local laws and regulations.

“As is the case across the Group’s footprint, Orange respects the principles that have been set alongside other industry players in the Global Network Initiative,” said Orange.

Water, waste and energy management leader Veolia responded to the allegations about its business activities in Western Sahara as follows, “OTV [the technology subsidiary of Veolia Water Technologies] is part of Veolia group, the global leader in optimized resource management.

Veolia designs and provides water, waste and energy management solutions that contribute to a sustainable development of communities and industries. Its mission is to help develop access to resources, preserve available resources, and replenish them.

“OTV strictly abides by local and international laws when operating and providing services, in every country where it is present. We are proud to serve the people on this planet with such essential services as access to potable water and sanitation,” a Veolia representative wrote.

Regarding Renault, Kontorovich wrote that it is connected to Özok group, a conglomerate operating in different sectors in Turkish-occupied Northern Cyprus.

A spokesman for Renault told the Post that it would not be commenting on the allegations.

Kontorovich concluded that many of the 44 companies he listed “have significant links to governments of their home countries, often being partially owned or controlled by the state.” He challenged the UNHRC to either target companies doing business in all occupied territories or not to unfairly solely target Israel.

While the companies said their activities were legal, none of the companies explicitly addressed its interpretation of how it believed its activities could comply with international law despite operating in occupied territories.

Kontorovich officially and publicly presented the report to the UNHRC at its June 19 session in Geneva, and it has not responded to date.