DON'T BUY INTO OCCUPATION

Exposing the financial flows into illegal Israeli settlements

5/12/2022 - Photo's: AlHaq

The 'Don't Buy into Occupation' (DBIO) coalition is a joint initiative between 24 Palestinian, regional and European organisations based in Belgium, France, Ireland, the Netherlands, Norway, Spain and the United Kingdom (UK).

DBIO member organisations are:

11.11.11- Koepel van Internationale Solidariteit; Al-Haq; Association France Palestine Solidarité (AFPS); Banktrack; Cairo Institute for Human Rights Studies (CIHRS); Centrale Nationale des Employés (CNE); Centre National de Coopération au Développement (CNCD-11.11.11); European Coordination of Committees and Associations for Palestine (ECCP); European Legal Support Center (ELSC); European Trade Union Network for Justice in Palestine (ETUN); Fagforbundet- Norwegian Union of Municipal and General Employees; Fairfin; Handel og Kontor i Norge (HK Norway); Intersindical Alternativa de Catalunya (IAC); Intal; International Federation for Human Rights (FIDH); Landsorganisasjonen i Norge (LO); Norwegian People's Aid (NPA); Palestinian Institute for Public Diplomacy (PIPD); Palestine Solidarity Campaign; PAX; The Rights Forum and Trócaire.

Foreword

by Fernanda Hopenhaym, Member UN Working Group on Business and Human Rights

After 11 years since the adoption of the UN Guiding Principles on Business and Human Rights (UNGPs), we have seen a shift in the narrative and a broad consensus about the importance of adopting frameworks that advance the respect for human rights in the context of business activities.

The UNGPs have contributed to clarify existing obligations by States to protect, and to underline the responsibility of businesses to respect human rights. A key tool to fulfill those responsibilities is human rights due diligence, and this not only applies to companies but also to institutional investors.

The UN Working Group on Business and Human Rights (UNWG) has worked extensively to unpack the different components of such due diligence and to encourage both States to regulate and businesses to conduct these processes in an adequate manner. As part of those efforts, the UNWG has developed thematic reports and guides that relate to the purpose of this report and the analysis contained in it.

The UNWG report presented to the General Assembly in October 2020, **Business, human rights and conflict-affected regions: towards heightened action**, highlighted the importance of heightened human rights due diligence in a two-fold way: actions needed by States, including home states of corporations, and actions expected by companies operating in conflict-affected areas. One key recommendation that I'd like to highlight is that: *both home and host States should use their key policy tools and levers to ensure that business engages in conflict-sensitive heightened due diligence when operating in conflict-affected areas. This may include linking access to export credit, investment approvals and access to investment finance, to demonstrable heightened human rights due diligence.*[1]

This recommendation is very clear in establishing expectations for home States of businesses with regards to tying the access to credits and investments to the behavior of companies operating in conflict-affected zones. That would apply of course to European states where investors, creditors or business are registered, as identified in this report.

Other key recommendations that I'd like to underline are directed to businesses, establishing that they should: *Engage in heightened human rights due diligence that incorporates tools from atrocity prevention and conflict prevention to augment their existing due diligence frameworks and commit to active engagement with local communities and groups in conflict and post-conflict settings.*[2] So not only is heightened human rights due diligence expected, but also meaningful engagement with local communities and groups. And this is one of the big gaps we have observed in the case of the Occupied Palestinian Territories: the lack of enough engagement from companies and investors with local groups advocating for corporate accountability and of communities affected by those business operations.

Additionally, the UNWG has issued recommendations for institutional investors with regards to their own due diligence in order to fulfill their responsibility to respect human rights, taking all necessary steps to avoid infringing human rights throughout their investment activities. The

1 https://documents-dds-ny.un.org/doc/UNDOC/GEN/N20/190/21/PDF/N2019021.pdf?OpenElement (page 21)

2 Ibid, page 22.

general conclusion of the report presented to the Human Rights Council in July 2021: **Taking stock of investor implementation of the Guiding Principles on Business and Human Rights** is that investors have not yet incorporated with enough depth the UNGPs, including human rights due diligence processes.[3]

As recommendations from that report, I'd like to highlight two: Investors should *screen investment portfolios for real and potential adverse human rights impacts and Where risks or adverse impacts are identified, take appropriate action.*[4] This means that investors should be taking appropriate measures to prevent harm associated to their activities.

In conclusion, the UNWG has been very clear about the responsibilities of institutional investors and home States of those institutions, particularly when it comes to conflict-affected regions. The present report reveals key information on the impact of investments that are not fully aligned to the UNGPs, including not conducting heightened human rights due diligence as recommended by the UNWG.

The contributions made in this report clearly exemplify how the business of conflict remains an important part of investor portfolios. The light shed by the work done by this vast coalition of expert organizations on the role of financial institutions and institutional investors is highly relevant to tackle one of the "hot topics" in the present context: the responsibility of business in conflict-affected areas. I hope the recommendations included in this report are taken up by relevant actors operating in the Occupied Palestinian Territories and serve as example for others worldwide.

3 https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/151/67/PDF/G2115167.pdf?OpenElement

4 Ibid, page 33.

Executive summary and recommendations

The "Don't Buy into Occupation" (DBIO) coalition is a joint project between 24 Palestinian, regional and European organisations based in Belgium, France, Ireland, the Netherlands, Norway, Spain and the United Kingdom (UK). The coalition aims to investigate and highlight the financial relationships between business enterprises involved in the illegal Israeli settlement enterprise in the Occupied Palestinian Territory (OPT) and European financial institutions (FIs).

Israeli settlements, their maintenance and expansion are illegal under international law and constitute acts which incur individual criminal liability as war crimes and crimes against humanity under the Rome Statute of the International Criminal Court (Rome Statute). International humanitarian law (IHL), as per the Fourth Geneva Convention, prohibits the Occupying Power from the individual or mass forcible transfer and deportations of protected persons, as well as from transferring parts of its own civilian population into the territory it occupies. In addition, the confiscation of land to build or expand settlements in occupied territory is prohibited, whereas the extensive destruction and appropriation of property for the benefit of settlements violates a number of International Humanitarian Law (IHL) provisions, as found in the Hague Regulations of 1907, the Fourth Geneva Convention, and customary IHL.

In addition, Israeli settlements have resulted in a **myriad of human rights violations** against the protected Palestinian population, while fragmenting the West Bank and isolating it from Jerusalem, and rendering sustainable and independent social and economic development for Palestinians in the OPT impossible to achieve. As evidenced by a rapidly growing body of legal experts, human rights organisations and UN experts, **settlements are also a key component of Israel's apartheid regime over the Palestinian people**, in which Israel administers the territory under two entirely separate legal systems and sets of institutions. This comprises a civil administration for Israeli-Jewish settlers residing and working in illegal settlements, on the one hand, and a military administration for Palestinians across the OPT, on the other.

Israeli, European, and international business enterprises, operating with or providing services to Israeli settlements, play a critical role in the functioning, sustainability and expansion of illegal settlements. Considering the illegality of settlements, the associated wide range of international humanitarian and human rights law violations, and the deliberate obstruction of the development of the Palestinian economy, **private actors have a responsibility to ensure that they are not involved in violations of international law and are not contributing to, or complicit in, international crimes**. Private actors, such as European financial institutions and business enterprises, should address adverse human rights impacts arising from their activities and business relationships with the Israeli settlement enterprise. However, despite its illegal nature, European financial institutions continue to invest billions into businesses linked to the Israeli settlement enterprise.

Main Findings

- New research by a cross-regional coalition of Palestinian and European organisations shows that, between January 2019 and August 2022, **725 European financial institutions**, including banks, asset managers, insurance companies, and pension funds, had financial relationships with **50 businesses** that are actively involved with Israeli settlements.

- **During the analysed period, USD 171.4 billion was provided in the form of loans and underwritings. As of August 2022, European investors also held USD 115.5 billion in shares and bonds of these companies.**

- All financial data mentioned in the report refer to the total investments (shares, bonds, loans and/or underwritings) in companies that have activities in the illegal settlements in the OPT. These companies may also conduct other activities outside of the settlements. Therefore, the coalition does not claim that the entirety of this capital exclusively flows to the settlement enterprise. However, investments in a company generally support that company in its entirety, thereby connecting the investor to the company's overall activities, consequently linking it to all associated adverse impacts of these activities. Regardless of the size of the investment or the proportion of the capital flowing directly to the settlement industry, financial institutions have a responsibility to use their leverage, including with business enterprises causing or contributing to violations and abuses, to prevent, mitigate, and address such harm.

- The **50 companies** for which this research found financial relationships with European financial institutions are: Airbnb; Alstom; Altice International; Ashtrom Group; Bank Hapoalim; Bank Leumi; Bezeq Group; Booking Holdings; Construcciones y Auxiliar de Ferrocarriles (CAF); Carrefour; Caterpillar; Cellcom Israel; Cemex; CETCO Mineral Technology Group; Cisco Systems; CNH Industrial; Delek Group; Delta Galil Industries; eDreams ODIGEO; Elbit Systems; Electra Group; Energix Renewable Energies; Expedia Group; First International Bank of Israel (FIBI); Hamat Group; Heidelberg Materials; Hyundai Heavy Industries; IBM; Israel Discount Bank; MAN Group; Matrix IT; Mivne Group; Mizrahi Tefahot Bank; Motorola Solutions; Partner Communications; Paz Oil Company; PUMA; Rami Levy Chain Stores Hashikma Marketing 2006; RE/MAX Holdings; Shapir Engineering and Industry; Shikun & Binui; Shufersal; Siemens; Solvay; Tripadvisor; TUI Group; Villar International; Vinci / Semi; Volvo Group; WSP Global.

- All 50 companies are **involved in one or more of the "listed activities that raise particular human rights concerns"**, which constitute the basis for inclusion in the UN database of business enterprises that are involved in Israeli settlements, which was published in February 2020.

The Top 10 creditors (loans and underwritings) alone provided USD 124.32 billion to one or more of these 50 companies:

1. BNP Paribas (France): USD 25.09 billion
2. HSBC (United Kingdom): USD 15.04 billion
3. Société Générale (France): USD 14.27 billion
4. Deutsche Bank (Germany): USD 14.07 billion
5. Barclays (United Kingdom): USD 12.29 billion
6. KfW (Germany): USD 11.15 billion
7. Santander (Spain): USD 9.46 billion
8. Crédit Agricole (France): USD 9.09 billion
9. UniCredit (Italy): USD 6.95 billion
10. ING Group (Netherlands): USD 6.91 billion

The Top 10 investors (shareholdings and bond holdings) alone invested USD 60.42 billion in one or more of these 50 companies:

1. Government Pension Fund Global (Norway): USD 13.90 billion
2. Crédit Agricole (France): USD 12.25 billion
3. Groupe BPCE (France): USD 6.68 billion
4. Deutsche Bank (Germany): USD 6.38 billion
5. Legal & General (United Kingdom): USD 5.52 billion
6. Allianz (Germany): USD 4.00 billion
7. DZ Bank (Germany): USD 3.02 billion
8. BNP Paribas (France): USD 3.01 billion
9. AB Industrivärden (Sweden): USD 2.89 billion
10. Nordea (Finland): USD 2.74 billion

Responsibilities of Business Enterprises and Financial Institutions

Business enterprises that are directly or indirectly involved in the Israeli settlement enterprise run a high risk of involvement in grave violations of international humanitarian law, complicity in war crimes and crimes against humanity, and contributing to human rights violations. This includes financing, insuring, and trading with partners, suppliers, and subsidiaries that have ties with and proven links to the construction, expansion and maintenance of Israel's illegal settlements. Such a risk is not limited to production and trade relationships, but extends to financial institutions as well.

In the words of the UN Office of the High Commissioner for Human Rights (OHCHR), in a report published in January 2018:

> ***"Considering the weight of the international legal consensus concerning the illegal nature of settlements themselves, and the systemic and pervasive nature of the negative human rights impact caused by them, it is difficult to imagine a scenario in which a company could engage in activities in the settlements in a way that is consistent with the UN Guiding Principles and with international law".***[1]

In accordance with the UN Guiding Principles on Business and Human Rights (UNGPs) and the OECD Guidelines, business enterprises that through their activities and relationships may facilitate and contribute to human rights violations, have a responsibility to conduct enhanced due diligence to prevent or mitigate adverse human rights impacts and thus avoid involvement or complicity in breaches of international law. These responsibilities apply also in relation to the supply chain and indirect relationships.

Companies whose activities, products, or services are directly linked to severe human rights impacts are expected to have a rapid response and to consider responsible disengagement. Responsible disengagement is a global standard of expected conduct for all companies wherever they operate, and exists independently of States' ability and willingness to fulfil their own human rights obligations. **International financial institutions**, including banks and pension funds, also have a responsibility under the UNGPs and OECD Guidelines to use their leverage through meaningful, time bound engagement to ensure their investee companies act responsibly and in line with international law standards, and to divest from those who do not. As stated by the UN Working Group on Business and Human Rights, investors have an "unparalleled ability" to influence business enterprises and scale up progress on the implementation of the UNGPs: *"[I]nstitutional investors would be expected to seek to prevent or mitigate human rights risks identified in relation to shareholdings" (...) "if efforts in this regard are not successful, the Guiding Principles stipulate that the institutional investor should consider ending the relationship."*[2]

---

1 Office of the High Commissioner for Human Rights (OHCHR), "UN rights office issues report on business and human rights in settlements in the Occupied Palestinian Territory", 31 January 2018, https://www.ohchr.org/en/press-releases/2018/01/un-rights-office-issues-report-business-and-human-rights-settlements (accessed 20 November 2022); UN Human Rights Council, Database of all business enterprises involved in the activities detailed in paragraph 96 of the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, Report of the United Nations High Commissioner for Human Rights, 1 February 2018, A/HRC/37/39 (hereinafter, OHCHR, Database Report February, 2018).

2 OECD Guidelines for Multinational Enterprises (OECD), "The application of the Guiding Principles on Business and Human Rights to minority shareholdings of institutional investors", 2013, http://mneguidelines.oecd.org/global-forum/2013_WS1_2.pdf (accessed 20 November 2022); See also OHCHR, "The Issue of the Applicability of the Guiding Principles on Business and Human Rights to Minority Shareholdings", 26 April 2013, pp. 3, 4, 6, https://www.ohchr.org/sites/default/files/Documents/Issues/Business/LetterSOMO.pdf (accessed 22 November 2022).

Indeed, in recent years **several financial institutions have taken up their responsibility**, by divesting from business enterprises linked to Israeli settlements due to risks of being involved in violations. Three relatively recent and important examples are those of Kommunal Landspensjonskasse (KLP), Storebrand and the Norwegian Government Pension Fund Global (GPFG). KLP is Norway's largest pension company, which in July 2021 divested from 16 companies linked to Israel's settlement enterprise, following KLP's due diligence processes. In a similar vein, GPFG announced in September 2021 that it will exclude three companies that are actively involved with Israeli settlements, whereas Norwegian asset manager Storebrand has divested from over 20 such companies in the past decade.

In addition, ABP, the biggest pension fund in the Netherlands divested from two Israeli banks in June 2020 (Bank Leumi and Bank Hapoalim), whereas General Mills - one of the companies whose financing was researched and highlighted in the 2021 edition of this report - recently decided to stop making their Pillsbury products in the illegal industrial settlement of Atarot. Since 2010, numerous other institutions, banks, and companies such as Dexia Crédit Local (France), Deutsche Bank (Germany), Barclays (UK), HSBC (UK), AXA IM (France), Danske Bank (Denmark), Sampension (Denmark), United Methodist Church (United States), Quakers in Britain Church (the UK), and Europcar Groupe (France) have taken decisions to divest from some business enterprises involved with Israeli settlements.

DON'T BUY INTO OCCUPATION

Recommendations

Based on the research, analysis and findings presented, the relevant applicable international law framework, and the jurisprudence of various international instruments, this report provides a set of recommendations for financial institutions, business enterprises, European governments and institutions, and local authorities across Europe:

Financial institutions should:

1. **Conduct enhanced human rights due diligence** (HRDD) – including through human rights impact assessments – at all stages of the decision making process, on all business relationships with enterprises that are in the financial institution's lending, underwriting, and investment portfolios and which are known to be involved in activities linked to illegal Israeli settlements in the OPT.

2. Establish mechanisms to **take time-bound and effective action on the findings of impact assessments** and create appropriate tools to publicly communicate how negative human rights impacts are being addressed.

3. **Exercise leverage on business enterprises known to be involved in activities linked to the settlements in the OPT in order to have the company cease these activities and relationships**. In cases where exercising leverage is not an available course of action, or in cases where engagement and exercising leverage has not led to any change in a business's activities, financial institutions should **responsibly terminate the financial relationship** with the enterprise in question.

4. **Develop clear guidelines and policy statements** stating that involvement in illegal settlements in occupied territories, incurring serious violations of international law, is an exclusion criterion in the financial institution's investment portfolio.

5. Engage in **dialogue with local stakeholders**, i.e., the protected Palestinian population, in order to provide **effective remedy** for any harm caused or contributed to as a result of the financial institution's investments and relationships.

6. Use their leverage with industry associations, regulators, policy makers, and standard setting bodies to promote and ensure adherence to international human rights and humanitarian law and enhanced human rights due diligence, namely in conflict-affected situations, as the **industry standard.**

Business enterprises should:

7. **Responsibly cease all activities and relationships with, as well as responsibly disengage from, illegal Israeli settlements,** in line with the UN Guiding Principles on Business and Human Rights (UNGPs), OECD Guidelines, and all relevant responsibilities under international human rights and humanitarian law.

8. Introduce appropriate **reparations and remedial processes, in consultation with those directly affected,** to ensure redress and accountability for all those affected and subject to violations and adverse impacts caused or contributed to by the business enterprise's activities in the context of Israel's settlement enterprise, and as part of the business' grievance mechanism.

9. Introduce **strong and enhanced human rights due diligence procedures** within the entire supply chain to ensure that operations and activities abroad and subsidiaries fully respect international law, including international humanitarian law in situations of armed conflict and military occupation.

European governments and institutions should:

10. Provide political and financial support to the UN Office of the High Commissioner for Human Rights (OHCHR) to fulfil its mandate to **annually update and publish the UN database of business enterprises** involved in certain activities relating to Israeli settlements in the OPT.

11. **Address conflict-affected areas and occupied territories in the business and human rights frameworks that are being developed at national, European and UN levels** (such as the European Commission's Corporate Sustainability Due Diligence Directive, National Action Plans, and the UN Binding Treaty on Business and Human Rights) and ensure that business enterprises operating within their jurisdiction undertake enhanced human rights due diligence procedures to immediately end and/or prevent involvement in violations of human rights in conflict-affected areas, including situations of occupation, in line with the UNGPs, OECD Guidelines, and other relevant responsibilities and obligations under international human rights and humanitarian law.

12. **Ensure full and effective alignment of national and EU-level due diligence legislation with the UNGPs and OECD Guidelines,** including by:

    a. Integrating specific provisions regarding responsible business conduct in conflict-affected and high-risk areas in the upcoming Corporate Sustainability Due Diligence Directive as well as in national level due diligence legislations.

    b. Referencing international humanitarian law in the normative scope of the Directive as an integral part of the legal framework that should be adhered to in situations of conflict and occupation.

    c. Stipulating an enhanced, conflict-sensitive due diligence obligation for all businesses, regardless of sector or size, who operate or have business relationships in conflict-affected and high-risk areas, including situations of occupation.

13. **Prohibit the import of illegal settlement products and services to European markets,** and ban trade with and economic support for illegal Israeli settlements, as part of implementing relevant positive and customary obligations of third States under international humanitarian law.

14. In cases where an individual European government is a shareholder in a financial institution that is involved in one or more of the "listed activities", **take appropriate measures to ensure that the financial institution, through processes of engagement and exclusion, terminates its involvement** and develops a formal policy that prevents any such future investments linked to violations.

15. **Fully cooperate with the Office of the Prosecutor of the International Criminal Court (ICC),** in line with relevant obligations set forth in the Rome Statute and the Geneva Conventions; and express public support for the independence of the Court in its investigation into the Situation in Palestine, which could encompass private and corporate actors.

16. **Provide full political and financial support to the work and mandate of the UN Independent International Commission of Inquiry** on the Occupied Palestinian Territory, including East Jerusalem, and in Israel, which was established on 27 May 2021.

17. **Publish updated business advisories** on direct and indirect financial investments, activities and relationships with the Israeli settlement enterprise, warning about the associated legal risks and consequences; and put in place a proactive dissemination strategy towards business enterprises and corporate actors. Actively encourage the European Union (EU) to publish a joint EU business advisory on financial investments and activities linked to Israel's settlement enterprise, and to develop and adopt a proactive dissemination strategy.

18. Apply public procurement law in line with relevant obligations and responsibilities for States under international law, the UNGPs and OECD Guidelines, which entails **denying public contracts to companies involved in grave violations of international law.**

19. **Make explicit in procurement guidelines that the State and local authorities are expected to apply public procurement law** consistently in line with the State's obligations under international law and ensure companies' respect of the standards of conduct provided by the UNGPs and OECD Guidelines.

20. Incorporate legislation to give effect to the principle of **universal jurisdiction at a domestic level**, for the prosecution of corporate-related grave breaches of the Geneva Conventions and international crimes committed in the OPT, as part of the EU's fight against impunity and to ensure accountability.

21. Include corporate-related human rights violations, grave breaches and international crimes committed in the OPT, namely those linked to the illegal settlement enterprise, in the implementation of the **EU Global Human Rights Sanctions Regime**.

Local authorities across Europe should:

22. In cases where a local municipality has its own pension funds, undertake a **review of investments in companies that are involved in any of the "listed activities" in the Israeli settlement enterprise**, as outlined by the UN. In these cases, local authorities should begin the process of divestment from companies listed by the OHCHR in the UN database.

23. **Ensure local pension funds implement adequate investment screening and due diligence procedures,** to comply with the relevant obligations and responsibilities so as to avoid involvement and complicity in violations of international law.

24. Apply public procurement law in line with obligations and responsibilities under international law, the UNGPs and OECD Guidelines, which entails **denying public contracts to companies involved in grave violations of international law**.

1. Introduction

The "Don't Buy into Occupation" (DBIO) coalition is a joint project between 24 Palestinian, regional and European organisations based in Belgium, France, Ireland, the Netherlands, Norway, Spain, and the United Kingdom (UK). Established in January 2021, the DBIO coalition aims to investigate and highlight the financial relationships between business enterprises involved in the illegal Israeli settlement enterprise in the occupied Palestinian territory (OPT) and European Financial Institutions (FIs), through the publication of an annually updated report.

This report (DBIO II) is the second DBIO report, which complements and provides an update since the publication of the first report in September 2021 (DBIO I). Before and after the publication of the DBIO I report, the coalition reached out to both private businesses and financial institutions in the countries where DBIO coalition members are present. The DBIO coalition has also engaged in numerous private advocacy meetings with European governments. In February 2022, the Coalition organised a "Week of Action" to mobilise public opinion, with a particular focus on the French banking group BNP Paribas, the largest European creditor to companies operating in the Israeli settlement enterprise, as identified in 2021 DBIO I report. In May 2022, the DBIO coalition also continued its campaign on BNP Paribas, on the occasion of the bank's General Shareholders Meeting held in Paris.

The **rationale** behind the DBIO coalition's focus on BNP Paribas, alongside other European financial institutions, is premised on the fact that these institutions have been directly and indirectly involved in numerous violations linked to illegal Israeli settlements in the OPT through the provision of loans, underwriting services, and investments in shares and bonds to companies involved in the settlement enterprise. As such, the DBIO coalition seeks to remind European FIs of the risks and consequences of their involvement with the settlement enterprise, and of their responsibilities under international law, the UN Guiding Principles on Business and Human Rights (UNGPs) and the OECD Guidelines for Multinational Enterprises (OECD Guidelines).

As such, this report has identified a total of **50 business enterprises** that are involved in activities linked to Israel's illegal settlement enterprise in the OPT and that have financial relationships with one or more European Financial Institutions (FIs). This list of business enterprises, which builds upon the existing UN database of business enterprises involved in activities linked to Israeli settlements in the OPT (UN Database),[3] together with the UNGPs, serves as the basis for further research into the financial relationships between business enterprises and European FIs.

All financial data mentioned in the report refers to the total investments (shares, bonds, loans and/or underwritings) in companies that have activities in the illegal settlements in the OPT. These companies may also conduct activities outside of the settlements. Therefore, the DBIO coalition does not claim that the entirety of this capital flows to settlement activities only. However, as FIs' investments in a company generally support the company in its entirety, investing in a company connects the investor to all the company's activities and business relationships, and consequently to all associated adverse impacts. Regardless of the size of the investment or the proportion of the capital flowing directly to the settlement industry, financial institutions have a clear responsibility to use their leverage to influence actors involved in, causing and/or contributing to violations, to prevent, mitigate, and address such harm.

After presenting the main recommendations to business enterprises, FIs, and national and local authorities in the Executive Summary, **Section 2** of this report presents the 50 business enterpris-

3 UNHRC, Database of businesses involved in Israeli settlements, 2020.

es identified and outlines the financial relationships, including loans, underwriting services, and shareholdings, between these business enterprises and European FIs. **Section 3** provides case studies concerned with three specific sectors, namely settlement construction, heavy machinery and surveillance. In **Section 4,** the relevant legal frameworks, obligations and responsibilities under normative international standards are explained. This section further includes a brief expert analysis, by external legal expert Gabriela Quijano, on the validity of some of the approaches and arguments presented by financial institutions in explaining their continued investment in companies involved in the illegal settlement enterprise in the OPT. Finally, **Section 5** provides a brief overview of a number of positive developments and policy statements over the past years, where financial institutions and/or private businesses have taken steps towards ending their involvement in illegal Israeli settlements. This section also discusses positive developments in the field of business and human rights more broadly, such as the ongoing negotiations on the UN Binding Treaty on Business and Human Rights, the proposed EU Corporate Sustainability Due Diligence Directive, and other binding regulatory frameworks at national levels. The methodology of this research, as well as an overview of responses received from companies and Financial Institutions during the due hearing process, is explained in **Annex 1** and **Annex 2** of the report.

2. How European financial institutions are involved in the illegal Israeli settlement enterprise

2.1. Scope of involvement in activities linked to settlements in the occupied Palestinian territory

In March 2013, the Independent International Fact-Finding Mission, created by the UN Human Rights Council in 2012, presented its final report on the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the OPT, comprising the West Bank, including the eastern part of Jerusalem, and the Gaza Strip.[4] In its report, the Fact-Finding Mission set out a **list of activities which raise particular concerns over human rights violations**.

In the follow up to the Fact-Finding Mission's report, the UN Human Rights Council, in March 2016, adopted resolution 31/36, which requested the OHCHR 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".*[5] After extensive delay due to heavy political pressure, the OHCHR eventually published the UN Database in February 2020, in the form of a written report. In this report, the OHCHR identified 112 Israeli and multinational business enterprises that are involved in one or more of the "listed activities":[6]

1. The supply of equipment and materials facilitating the **construction and the expansion of settlements and the wall,** and associated infrastructures;

2. The **supply of surveillance and identification equipment** for settlements, the wall and checkpoints directly linked with settlements;

4 UN Human Rights Council, "Report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem", 7 February 2013, A/HRC/22/63 (hereinafter, UNHRC, Fact-Finding Mission Report, 2013).

5 "Requests the United Nations High Commissioner for Human Rights, in close consultation with the Working Group on the issue of human rights and transnational corporations and other business enterprises, in follow-up to the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem, and as a necessary step for the implementation of the recommendation contained in paragraph 117 thereof, 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". UN Human Rights Council, Resolution adopted by the Human Rights Council on 24 March 2016, 20 April 2016, A/HRC/RES/31/36, para. 17 (hereinafter, UNHRC, Resolution 31/36, 2016).

6 OHCHR identified as "involved", substantial and material business activity that had a clear and direct link to one or more of the listed activities, encompassing the following business forms: A business enterprise itself engaged in a listed activity in the Occupied Palestinian Territory; A parent company owning a majority share of a subsidiary engaged in a listed activity in the Occupied Palestinian Territory. Where a business enterprise owns a minority share in a subsidiary that business enterprise is not considered to be "involved" for the purposes of this report; and a business enterprise granting a relevant franchise or license to a franchisee or licensee engaged in a listed activity in the Occupied Palestinian Territory. See UNHRC, Database of businesses involved in Israeli settlements, 2020, pp. 3.

3. The **supply of equipment for the demolition of housing and property,** the destruction of agricultural farms, greenhouses, olive groves and crops;

4. The **supply of security services, equipment and materials** to enterprises operating in settlements;

5. The **provision of services and utilities supporting the maintenance and existence of settlements**, **including transport**;

6. **Banking and financial operations** helping to develop, expand or maintain settlements and their activities, including loans for housing and the development of businesses;

7. The **use of natural resources,** in particular water and land, for business purposes;

8. **Pollution,** and the dumping of waste in or its transfer to Palestinian villages;

9. **Captivity of the Palestinian financial and economic markets,** as well as practices that disadvantage Palestinian enterprises, including through restrictions on movement, administrative and legal constraints;

10. **Use of benefits and reinvestments of enterprises owned totally or partially by settlers** for developing, expanding and maintaining the settlements.

The publication of the UN Database was enthusiastically welcomed by Palestinian, European and international human rights groups and civil society, who highlighted its significance in ensuring transparency and promoting accountability for business activities in the OPT and other situations of occupation and conflict.[7] At the same time, several groups criticised the narrow interpretation by the OHCHR of the mandate, as well as the restrictive temporal frame applied. Who Profits, an independent research centre dedicated to exposing the commercial involvement of Israeli and international corporations in Israel's occupation of Palestinian and Syrian lands, and which maintains its own database of business enterprises involved in the Israeli settlements, stated that *"[T]he UN list of 112 companies involved in the Israeli occupation is an important step toward corporate accountability. However, its narrow focus and restrictive temporal frame leave out hundreds of complicit corporations and wider structures of dispossession".*[8]

This was also noted by the then UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Michael Lynk, who in a July 2021 report to the UN Human Rights Council deplored the *"temporal limitations (limited to the period between January 2018 and August 2019), and the fact that it (the database) only included a fraction of the business enterprises with activities in the settlements."*[9]

7 Al-Haq, "Palestine: Al-Haq and CIHRS Welcome Publication of UN Database on Settlement Business Activities", 13 February 2020, https://www.alhaq.org/advocacy/16449.html (accessed 20 November 2022); Human Rights Watch, "Israel: New Database Will Aid Corporate Accountability", 13 February 2020, https://www.hrw.org/news/2020/02/13/israel-new-database-will-aid-corporate-accountability (accessed 20 November 2022); Amnesty International, "Israel/OPT: UN list of settlement businesses offers new hope for accountability", 13 February 2020, https://www.amnesty.org/en/latest/news/2020/02/israelopt-un-list-of-settlement-businesses-offers-new-hope-for-accountability (accessed 20 November 2022); 11.11.11, "11.11.11 verwelkomt publicatie VN-database Israëlische nederzettingenindustrie", 12 February 2020, https://11.be/verhalen/111111-verwelkomt-publicatie-vn-database-israelische-nederzettingenindustrie (accessed 20 November 2022).

8 Who Profits, "UN Releases List of Companies Involved in the Israeli Occupation", February 2020, https://www.whoprofits.org/updates/un-releases-list-of-companies-involved-in-the-israeli-occupation/#:~:text=On%20February%2012%2C%202020%2C%20the,considered%20illegal%20under%20international%20law. (accessed 20 November 2022).

9 UN Human Rights Council, Situation of human rights in the Occupied Palestinian Territory, including East Jerusalem, with a focus on the legal status of settlements, Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, 29 July 2021, A/HRC/47/57, (hereinafter, UNHRC, Report of the Special Rapporteur on the situation of human rights in the OPT, July 2021), p. 7.

At the time of writing, the annual update of the UN Database, as explicitly requested in UN Human Rights Council resolution 31/36 of 2016, and technically due for publication in 2021 and 2022, has not taken place. It remains unclear whether and how the UN Database will be updated due to ongoing political pressure and financial constraints imposed on the OHCHR in this regard.[10]

Therefore, for the purpose of this report, the DBIO coalition has identified a number of additional business enterprises that were not included in the 2020 UN Database, but nonetheless meet the criteria for inclusion according to our research.

In total, this report has identified 50 business enterprises (listed in section 2.4.) as being involved in one or more of the "listed activities", and as having financial relationships with one or more European financial institutions.

2.2. Overview of the main European creditors in the listed business enterprises

The table below details **all 40 European creditors that provide loans and underwriting services** between January 2019 and August 2022 to the 50 businesses that were identified for the purpose of this report.

All financial data included in the table below refers to the total financial relationship between a creditor and the companies (at group level) that have activities in the illegal settlements in the OPT. These companies may also conduct activities outside of the settlements. We therefore do not claim that the entirety of this capital flows to the settlements only. However, as investments in a company generally support the company in its entirety, investing in a company connects the investor to all the company's activities, and consequently to all the adverse impacts of these activities.

TABLE 1: Overview of main European creditors in listed business enterprises

Sum of Per Investor Value (in mln US$)	**Type of financing**		
Investor Parent	**Loans**	**Underwriting**	**Total**
BNP Paribas	14.441	10.650	25.092
HSBC	8.220	6.825	15.045
Société Générale	8.049	6.222	14.272
Deutsche Bank	6.781	7.285	14.065
Barclays	6.222	6.071	12.294
KfW	11.148	/	11.148
Santander	5.474	3.984	9.458
Crédit Agricole	5.508	3.581	9.089
UniCredit	3.559	3.392	6.951

10 See for example CIHRS, "CIHRS and Partners Advocate for Palestinian Rights at 47th Regular Session of the Human Rights Council", 29 June 2021, https://cihrs.org/cihrs-and-partners-advocate-for-palestinian-rights-at-47th-regular-session-of-the-human-rights-council/?lang=en (accessed 20 November 2022); Al-Jazeera, "Powerful states' blocking data on firms in Israeli settlements", 20 September 2019, https://www.aljazeera.com/news/2019/9/20/powerful-states-blocking-data-on-firms-in-israeli-settlements (accessed on 20 November 2022).

ING Group	4.325	2.585	6.909
Commerzbank	4.639	2.109	6.749
Banco Bilbao Vizcaya Argentaria (BBVA)	4.073	939	5.012
Standard Chartered	2.416	606	3.022
Intesa Sanpaolo	2.250	723	2.973
Skandinaviska Enskilda Banken	1.343	1.545	2.888
NatWest	2.006	669	2.674
Groupe BPCE	1.896	694	2.591
Crédit Mutuel CIC Group	2.225	294	2.519
Danske Bank	786	1.401	2.187
Swedbank	994	769	1.763
Nordea	495	1.147	1.642
Lloyds Banking Group	1.303	289	1.592
BayernLB	1.428	/	1.428
Landesbank Baden-Württemberg (LBBW)	760	610	1.369
BPCE Group	1.072	260	1.331
Rabobank	610	668	1.278
Landesbank Hessen-Thüringen	879	206	1.086
KBC Group	967	18	985
Svenska Handelsbanken	94	675	768
La Caixa Group	660	/	660
DZ Bank	527	84	611
DNB	307	163	470
Raiffeisen Banking Group	282	39	321
ABN Amro	110	188	298
Raiffeisen Bank International	105	140	246
Erste Group	205	/	205
Hamburg Commercial Bank	103	/	103
Norddeutsche Landesbank	103	/	103
La Banque Postale	95	/	95
Mediobanca Banca di Credito Finanziario	94	/	94
Total	**106.557**	**64.830**	**171.387**

2.3. Overview of the main European investors in the listed business enterprises

The table below provides an overview of the top-30 European investors which manage or hold bonds and shares in the 50 businesses that were identified for the purpose of this report. In total, 719 FIs have been identified as having a financial relationship with one or more of the 50 businesses.

All financial data included in the table below refers to the total financial relationship between an investor and the businesses concerned at group level.

TABLE 2: Overview of top-30 European investors in listed business enterprises

Sum of Per Investor Value (in mln US$)	**Type of financing**		
Investor Parent	**Bondholding**	**Sharehold-ing**	**Total**
Government Pension Fund Global	28	13.902	13.930
Crédit Agricole	3.205	9.043	12.248
Groupe BPCE	512	6.165	6.677
Deutsche Bank	537	5.842	6.380
Legal & General	74	5.444	5.519
Allianz	1.370	2.631	4.000
DZ Bank	105	2.917	3.023
BNP Paribas	243	2.767	3.010
AB Industrivärden	/	2.887	2.887
Nordea	225	2.518	2.744
Janus Henderson	46	2.503	2.550
Schroders	117	2.353	2.470
Swedbank	25	2.263	2.287
Deka Group	69	1.965	2.034
Algemeen Burgerlijk Pensioenfonds (ABP)	266	1.479	1.745
Intesa Sanpaolo	223	1.362	1.586
HSBC	102	1.400	1.502
Baillie Gifford	/	1.485	1.485
Barclays	/	1.400	1.400
AMF Pensionsförsäkring	/	1.335	1.335
Svenska Handelsbanken	278	926	1.205
Skandinaviska Enskilda Banken	128	1.035	1.163
Alecta	/	1.055	1.055
AXA	88	878	967
La Banque Postale	37	811	849
Abrdn	118	686	804
Storebrand	89	651	740
Pensioenfonds Zorg en Welzijn (PFZW)	/	728	728
Anima	64	620	683
M&G	81	574	655
TOTAL (all 719 investors)	**10.425**	**105.055**	**115.479**

2.4. Overview of the listed business enterprises

2.4.1. Airbnb

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 1.53 billion from 3 European FIs

Biggest creditors: Barclays, BNP Paribas, Deutsche Bank

Total bond and shareholdings (Aug 2022):

USD 1.98 billion from 126 European FIs

Biggest investors: Groupe BPCE, Legal & General, Allianz, Squarepoint Capital, Polar Capital Holdings

For more details see https://dontbuyintooccupation.org/dbio-data//dbio-data/

Airbnb is a global digital tourism company, headquartered in the U.S. It acts as a broker for private individuals who want to rent out their accommodation for a short period of time. Airbnb offers short-term rentals in various Israeli settlements on its website. In most cases, the descriptions of the properties name the settlement location, but the properties are listed as being located in "Israel" and do not inform potential visitors that the accommodation is located in occupied Palestinian territory.[11]

In November 2018, Airbnb announced that it would remove around 200 listings in settlements that *"are at the core of the dispute between Israelis and Palestinians".*[12] However, it reversed the decision six months later, after several lawsuits had been filed in the United States and Israel. Airbnb stated that it would donate all proceeds to unrelated non-profit organisations.[13] The prospectus for its initial public offering (IPO) in 2020 did not mention risks associated with its business links with the Israeli settlements.[14]

In its 2018 report "Bed and Breakfast on Stolen Land", Human Rights Watch argues that the hosting of these accommodations by Airbnb helps to make West Bank settlements more profitable and therefore sustainable, thus facilitating Israel's unlawful transfer of its citizens to the

11 Airbnb (n.d.), "Stays in selected map area - Ma'ale Adumim/Kfar Adumim", https://www.airbnb.com/s/Beit-Horon/homes?tab_id=home_tab&refinement_paths%5B%5D=%2Fhomes&flexible_trip_dates%5B%5D=june&flexible_trip_dates%5B%5D=may&flexible_trip_lengths%5B%5D=weekend_trip&date_picker_type=flexible_dates&checkin=2021-06-22&checkout=2021-06-23&source=structured_search_input_header&search_type=unknown&ne_lat=31.862584486623323&ne_lng=35.39823658613628&sw_lat=31.757114576215447&sw_lng=35.26382572798198&zoom=13&search_by_map=true&place_id=ChIJawlzIIHTAhURdBKcLCKFDhM (accessed 20 November 2022).

12 Airbnb, "Listings in disputed regions", 19 November 2018, https://news.airbnb.com/listings-in-disputed-regions/ (accessed 20 November 2022).

13 Julia Jacobs, "Airbnb reverses policy banning listings in Israeli settlements in West Bank", New York Times, 9 April 2019, https://www.nytimes.com/2019/04/09/world/middleeast/airbnb-israel-west-bank.html (accessed 20 November 2022).

14 United States Securities and Exchange Commission, "Form S-1 Registration Statement under the Securities Act of 1933", 16 November 2020, https://www.sec.gov/Archives/edgar/data/1559720/000119312520294801/d81668ds1.htm#toc81668_2 (accessed 20 November 2022).

settlements.[15] Amnesty International concludes that by boosting the settlement tourism industry and, as a result, the settlement economy, Airbnb is contributing to, and profiting from, the maintenance, development and expansion of illegal settlements.[16]

Airbnb is among the business enterprises included in the UN Database due to being involved in the provision of services and utilities supporting the maintenance and existence of settlements.

15 Human Rights Watch, "Bed and Breakfast on Stolen Land – Tourist Rental Listings in West Bank Settlements", 20 November 2018, https://www.hrw.org/report/2018/11/20/bed-and-breakfast-stolen-land/tourist-rental-listings-west-bank-settlements (accessed 20 November 2022) (hereinafter, HRW, Bed and Breakfast on Stolen Land, 2018).

16 Amnesty International, "Destination: Occupation", 2019, https://www.amnesty.org/en/latest/campaigns/2019/01/destination-occupation-digital-tourism-israel-illegal-settlements/ (accessed 20 November 2022) (hereinafter, Amnesty International, Destination: Occupation, 2019).

2.4.2. Alstom

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 25.69 billion from 24 European FIs

Biggest creditors: BNP Paribas, Société Générale, Crédit Agricole, HSBC, UniCredit

Total bond and shareholdings (Aug 2022):

USD 3.41 billion USD from 161 European FIs

Biggest investors: BNP Paribas, Crédit Agricole, Groupe BPCE, Deutsche Bank, Abrdn

For more details see https://dontbuyintooccupation.org/dbio-data/

Alstom is a French international energy and transportation company. The company is involved in the Jerusalem Light Rail (JLR), which connects the illegal settlements in the occupied eastern part of Jerusalem with the western part of the city.[17] In 2019, Alstom withdrew from a tender after significant pressure from civil society.[18] However, in July 2021, Alstom was part of one of the consortia shortlisted to bid on the Blue and Purple line tender for the Jerusalem Light Rail, which will connect settlement neighbourhoods in the south and north of the city.[19] The lines are still in the tender process, as of July 2022.

In January 2021, Alstom purchased Bombardier Transportation.[20] Bombardier Transportation is collaborating with Israel Railways on the train connection between Tel Aviv and Jerusalem.[21] The train crosses the Green Line into the occupied West Bank in two areas, unlawfully using public and private Palestinian land in the OPT for an Israeli transportation project for the exclusive benefit of Israeli citizens.

Alstom is among the business enterprises included in the UN Database due to being involved in the provision of services and utilities supporting the maintenance and existence of settlements, including transport, and the unlawful use and exploitation of natural resources, in particular water and land, for business purposes. The company has been excluded from financing by Norwegian pension company KLP, due to *"an unacceptable risk that it is contributing to the abuse of human rights in situations of war and conflict through their links with the Israeli settlements in the occupied West Bank."*

17 International Federation for Human Rights (FIDH), "Israeli Settlements in East Jerusalem: 3 French Companies involved in Light-Rail Construction", 13 June 2018, https://www.fidh.org/en/issues/globalisation-human-rights/business-and-human-rights/israeli-settlements-in-east-jerusalem-3-french-companies-involved-in (accessed 20 November 2022), pp. 19.

18 Majalat, "In response to civil society pressure, the French ALSTOM withdrew from Jerusalem Light-Rail Project", 16 May 2019, https://www.majalat.org/news/response-civil-society-pressure-french-alstom-withdrew-jerusalem-light-rail-project (accessed 20 November 2022).

19 Israeli Ministry of Finance, "The tenders for the construction, financing, operation and maintenance of the blue and purple rail lines in Jerusalem have been published", 3 August 2021, https://www.gov.il/en/departments/news/press_03082021 (accessed 20 November 2022) (hereinafter, Israeli Ministry of Finance, Tenders for Construction, Financing, Operation and Maintenance, 2021).

20 Alstom, "A transformational step for Alstom: completion of the acquisition of Bombardier Transportation", 29 January 2021, https://www.alstom.com/press-releases-news/2021/1/transformational-step-alstom-completion-acquisition-bombardier (accessed November 2022).

21 GlobeNewswire, "Bombardier to overhaul 143 TWINDEXX double-deck coaches for Israel Railways", 15 January 2021, https://www.globenewswire.com/news-release/2021/01/15/2159325/0/en/Bombardier-to-overhaul-143-TWINDEXX-double-deck-coaches-for-Israel-Railways.html (accessed 20 November 2022).

2.4.3. Altice International

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 1.39 billion from 6 European FIs

Biggest creditors: Barclays, BNP Paribas, Crédit Agricole, Deutsche Bank, ING Group, Société Générale

For more details see https://dontbuyintooccupation.org/dbio-data/

Altice International is a multinational telecommunications company based in Luxembourg.[22] Through its Israeli subsidiary, Hot Telecommunication Systems, Altice holds a special permit (valid until November 2023) from the Israeli Civil Administration (ICA) for the provision of cable television and telecommunication services to a number of Israeli settlements in the OPT.[23] In November 2019, Israel's Minister of Communications announced that Hot Telecommunications will expand its services to provide the 220 settlements with access to telecom solutions, either through physical infrastructure or wireless connections.[24] Additionally, Who Profits reports that, in January 2021, and again in January 2022, the company was contracted by the Israeli Ministry of Construction and Housing, Jerusalem District, to relocate communication infrastructure in public spaces in various West Bank settlements.[25]

As reported by Who Profits in February 2022, Hot Mobile, another fully owned Israeli subsidiary, operates hundreds of cellular antennas and telecommunication infrastructure facilities in the occupied West Bank, including the eastern part of Jerusalem, some of which are located on confiscated private Palestinian land, and pays royalties to Israeli settlements. Hot Mobile holds an ICA permit to provide services to Israeli settlements in the OPT. It provided a bank guarantee of NIS 4 million (EUR 1.1 million) to the ICA for its operating licence in Area C of the West Bank, which is valid until December 2022.[26]

Hot Mobile also operates sales and customer service centres in Israeli settlements, for example in Pisgat Ze'ev in East Jerusalem.[27] Furthermore, Who Profits reports that Hot Mobile operates the communication network installed in the Jerusalem Light Rail's motor coaches and that they have antennas located at Hizma military checkpoint in the West Bank and at Erez checkpoint in the Gaza Strip.[28]

Altice is among the business enterprises included in the UN Database due to being involved in the provision of services and utilities supporting the maintenance and existence of settlements.

22 Altice International S.a r.l., "Condensed Interim Consolidated Financial Statements – As of and for the three-month period ended March 31, 2022", https://altice.net/sites/default/files/pdf/Altice%20International%20%E2%80%93%20Q1%202022%20Condensed%20Interim%20Consolidated%20Financial%20Statements.pdf (accessed 20 November 2022), pp. 6.

23 Hot – Telecommunication Systems, "Consolidated Financial Statements as of 31 December 2011", March 2012, pp. 21. Document available on file with DBIO.

24 Cody Levine, "HOT Telecommunications to Expand Services to West Bank", The Jerusalem Post, 4 November 2019, https://www.jpost.com/israel-news/hot-telecommunications-to-expand-services-to-west-bank-606805 (accessed 20 November 2022).

25 Who Profits, "Altice", https://www.whoprofits.org/company/altice/ (accessed 20 November 2022).

26 *Ibid*.

27 HOT Mobile, "Sales and service centres", https://www.hotmobile.co.il/HOTmobile_en/Pages/Sales-and-Service-Centers.aspx (accessed 20 November 2022).

28 Who Profits, "Altice", https://www.whoprofits.org/company/altice/ (accessed 20 November 2022).

2.4.4. Ashtrom Group

Total bond and shareholdings (Aug 2022):

USD 3 million from 4 European FIs

Biggest investors: Deutsche Bank, Legal & General, Crédit Agricole, Pensioenfonds Zorg en Welzijn (PFZW)

For more details see https://dontbuyintooccupation.org/dbio-data/

Ashtrom is one of the largest Israeli construction and infrastructure companies. Who Profits has documented that the company has been involved in the construction of various Israeli settlements in the OPT. They also report that Ashtrom carried out several projects in three Israeli prisons, including Ofer prison situated in the OPT, where it is known that Palestinian political prisoners are being detained.[29]

Ashtrom operates the Adumit Quarry in the Mishor Adumim settlement industrial zone in the West Bank. Moreover, via its subsidiary Isra-Beton, it operates a concrete plant in the Atarot settlement industrial zone.[30] Until February 2020, Ashtrom, as part of a consortium, was also involved in the construction of the Jerusalem Light Rail, which connects settlement neighbourhoods with the city.[31]

Ashtrom is among the business enterprises included in the UN Database due to being involved in the use of natural resources, in particular water and land, for business purposes.

29 Who Profits, "Ashtrom Group", https://www.whoprofits.org/company/ashtrom-group/ (accessed 20 November 2022).

30 Ashtrom, "Range of activities – Industries - Quarries and Raw Materials for the Construction Industries", https://www.ashtrom.co.il/quarries-and-raw-materials-for-building (accessed 20 November 2022); Israbeton, "Factory deployment" [Hebrew], http://www.israbeton.co.il/%D7%A4%D7%A8%D7%99%D7%A1%D7%AA-%D7%9E%D7%A4%D7%A2%D7%9C%D7%99%D7%9D (accessed 20 November 2022).

31 Amiram Barkat, "Gov't pays for mistakes in Jerusalem light rail buyback", Globes, 17 February 2020, https://en.globes.co.il/en/article-govt-pays-for-mistakes-in-jerusalem-light-rail-buyback-1001318755 (accessed 20 November 2022).

2.4.5. Bank Hapoalim

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 188 million from one European FI

Biggest creditor: Barclays

Total bond and shareholdings (Aug 2022):

USD 383 million from 33 European FIs

Biggest investors: Government Pension Fund Global, Deutsche Bank, Pensioenfonds Zorg en Welzijn (PFZW), BNP Paribas, Legal & General

For more details see https://dontbuyintooccupation.org/dbio-data/

According to Human Rights Watch and Who Profits, Bank Hapoalim has provided financing for multiple construction projects in Israeli settlements in the OPT as well as loans to regional settlement authorities.[32] Who Profits reports that, in 2020, Bank Hapoalim was part of a consortium of six banks and investment firms providing Efrat settlement with an investment of NIS 15 million (EUR 4.1 million).[33]

Moreover, Who Profits reports that the bank provides financing for the Jerusalem Light Rail project, a multi-year contract won in November 2020 by a consortium led by Shapir Engineering and Industry to extend the Red Line and construct the new Green Line.[34] Operations will start in 2022 and 2025, respectively.[35] Both lines are serving settlements in the occupied East Jerusalem.[36]

Bank Hapoalim also operates various branches in settlements in the West Bank and East Jerusalem.[37] The bank is among the business enterprises included in the UN Database due to being involved in the provision of services and utilities supporting the maintenance and existence of settlements, and banking and financial operations helping to develop, expand or maintain settlements and their activities, including loans for housing and the development of businesses.

32 Human Rights Watch, "Bankrolling Abuse – Israeli Banks in West Bank Settlements", 29 May 2018, https://www.hrw.org/report/2018/05/29/bankrolling-abuse/israeli-banks-west-bank-settlements (accessed 20 November 2022); Who Profits, "Financing Land Grab - The Direct Involvement of Israeli Banks in the Israeli Settlement Enterprise", February 2017, https://www.whoprofits.org/report/financing-land-grab-the-direct-involvement-of-israeli-banks-in-the-israeli-settlement-enterprise/ (accessed 20 November 2022) (hereinafter, Who Profits, Financing Land Grab, 2017).

33 Who Profits, "Bank Hapoalim", https://www.whoprofits.org/company/hapoalim-bank/ (accessed 20 November 2022).

34 *Ibid.*

35 Kobi Yeshayahou, "Shapir closes NIS 3.7b Jerusalem light rail financing", Globes, 8 November 2022, https://en.globes.co.il/en/article-shapir-closes-nis-37b-jerusalem-light-rail-financing-1001348678 (accessed 20 November 2022).

36 Who Profits, "Bank Hapoalim", https://www.whoprofits.org/company/hapoalim-bank/ (accessed 20 November 2022).

37 Banks in Israel, "Bank Hapoalim branches", https://banks-in-israel.co.il/Bank-Hapoalim/branches.asp?bankURL=%D7%A1%D7%A0%D7%99%D7%A4%D7%99+Bank+Hapoalim&bank_code=12 (accessed 20 November 2022).

2.4.6. Bank Leumi

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 542 million from 3 European FIs

Biggest creditors: Barclays, BNP Paribas, HSBC

Total bond and shareholdings (Aug 2022):

USD 419 million from 43 European FIs

Biggest investors: Government Pension Fund Global, Crédit Agricole, Pensioenfonds Zorg en Welzijn (PFZW), Deutsche Bank, Bankinvest

For more details see https://dontbuyintooccupation.org/dbio-data/

According to Who Profits, Bank Leumi lends money for construction projects in Israeli settlements in the OPT, provides loans to multiple settlement regional and local councils, and has provided financing for the Jerusalem Light Rail project.[38] They report that, among others, loans have been granted to construction projects in Alfei Menashe settlement in 2022, and in Beitar Illit and Atarot settlement industrial zone in 2021.[39]

Who Profits also states that Bank Leumi provided a loan of NIS 250 million (EUR 72 million) for the establishment of the Design City shopping complex, which opened in July 2021 in the Mishor Adumim industrial zone.[40] As outlined in a 2021 Who Profits report, Design City is part of the political aim to further integrate and normalise Israeli-constructed areas on occupied Palestinian land and to stimulate economic development of illegal settlements, at the expense of surrounding Palestinian communities.[41] Moreover, Bank Leumi operates various branches in West Bank and East Jerusalem settlements.[42]

Bank Leumi is among the business enterprises included in the UN Database due to being involved in the provision of services and utilities supporting the maintenance and existence of settlements, and banking and financial operations helping to develop, expand or maintain settlements and their activities, including loans for housing and the development of businesses.

38 Who Profits, "Leumi Bank", https://www.whoprofits.org/company/leumi-bank/#:~:text=Leumi%20Partners%20Ltd.,%25)%3B%20Bank%20Leumi%20Britain%20P.L.C. (accessed 20 November 2022).

39 *Ibid.*; Who Profits, Financing Land Grab, 2017.

40 Who Profits, "Leumi Bank", https://www.whoprofits.org/company/leumi-bank/#:~:text=Leumi%20Partners%20Ltd.,%25)%3B%20Bank%20Leumi%20Britain%20P.L.C. (accessed 20 November 2022).

41 Who Profits, "The Design City Shopping Complex Built on Occupied Palestinian Land", December 2021, https://whoprofits.org/updates/the-design-city-shopping-complex-built-on-occupied-palestinian-land/#:~:text=The%20Design%20City%20Shopping%20Complex%20Built%20on%20Occupied%20Palestinian%20Land,-Update%20%7C%20Dec%202021&text=This%20update%20exposes%20corporate%20complicity,in%20the%20occupied%20West%20Bank. (accessed 20 November 2022).

42 Banks in Israel, "Bank Leumi Le-Israel Branches", https://banks-in-israel.co.il/Bank-Leumi/branches.asp?bankURL=Bank+Leumi+Le%2DIsrael++branches&bank_code=10 (accessed 20 November 2022).

2.4.7. Bezeq Group

Total bond and shareholdings (Aug 2022):

USD 205 million from 17 European FIs

Biggest investors: Government Pension Fund Global, Algemeen Burgerlijk Pensioenfonds (ABP), Deutsche Bank, Pensioenfonds Zorg en Welzijn (PFZW), Allianz

For more details see https://dontbuyintooccupation.org/dbio-data/

Who Profits reports that the publicly listed Israeli telecommunication company Bezeq provides services to all Israeli settlements, army bases and military checkpoints in the occupied West Bank, and builds and maintains infrastructure in the OPT.[43] For instance, Bezeq was named as an infrastructure provider in the expansion of the Efrat and Beitar Illit settlements in the occupied West Bank, with a total of 8,333 housing units in a project running until 2021 and contracted by the Ministry of Housing to the Israeli Gadish Group.[44] According to Who Profits, the company also enjoys access to the Palestinian market as a captive market, as it collects revenues from Palestinian operators for all international calls, all calls to the West Bank, and many intra-Gaza calls, as well as internet traffic.[45]

Bezeq is among the business enterprises included in the UN Database due to being involved in the provision of services and utilities supporting the maintenance and existence of settlements, and the use of natural resources, in particular water and land, for business purposes.

43 Who Profits, "Flash Report – Signal Strength: Occupied – The Telecommunications Sector and the Israeli Occupation", July 2018, https://whoprofits.org/wp-content/uploads/2018/09/SIGNAL-STRENGTH-OCCUPIED-THE-TELECOMMUNICATIONS-SECTOR-AND-THE-ISRAELI-OCCUPATION-1-1.pdf (accessed 20 November 2022) (hereinafter, Who Profits, Signal Strength, 2018), pp. 13.

44 Gadish Group, "Infrastructure – Beitar Illit – Efrat", https://www.gadish.co.il/en/project/תרפא-תיליע-רתיבב-תונוכש-תמקה/ (accessed 20 November 2022).

45 Who Profits, "Bezeq", https://www.whoprofits.org/company/bezeq-the-israeli-telecommunication-corporation/ (accessed 20 November 2022).

2.4.8. Booking Holdings

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 2.17 billion from 4 European FIs

Biggest creditors: Deutsche Bank, BNP Paribas, HSBC, Standard Chartered

Total bond and shareholdings (Aug 2022):

USD 14.56 billion from 251 European FIs

Biggest investors: Groupe BPCE, Janus Henderson, Crédit Agricole, Government Pension Fund Global, Schroders

For more details see https://dontbuyintooccupation.org/dbio-data/

Booking Holdings (United States) claims to be the world's leading provider of online travel and related services.[46] Its subsidiary Booking.com (Netherlands) is an online rental company that promotes accommodations and facilitates travel service reservations, covering over 220 countries and territories.[47] Booking.com also provides booking services for a range of hotels, guesthouses, and holiday apartments in Israeli settlements in the OPT, including the eastern part of Jerusalem.[48] For example, Booking.com lists accommodations in the Kfar Adumim, Almog, Ovnat, and Kalia settlements. Booking.com categorises these locations as *"*West Bank, Israel*"* in the property descriptions. A homestay in the settlement neighbourhood Pisgat Ze'ev, in the occupied part of Jerusalem, is simply labelled as *"Jerusalem",*[49] while Booking Holdings had stated that the label "Israeli settlement" would be added to listings in the eastern part of Jerusalem already in 2018.[50]

Booking Holdings conducted a human rights risk assessment in response to a shareholder resolution regarding the hosting of listings in conflict zones, including the OPT.[51] This resulted in a Human Rights Statement, published in May 2022, that refers to international standards and principles. In relation to listings in conflict-affected, disputed or occupied areas, it states that in case of potential human rights impacts or risks for local communities, it will conduct *"heightened due diligence [...] and seek to avoid being connected to human rights abuses or exacerbating the*

46 Booking Holdings, "Form 10-K – Annual Report Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 – For the fiscal year ended: December 31, 2020", 2021, https://d18rn0p25nwr6d.cloudfront.net/CIK-0001075531/72f6e89f-eaeb-462e-bfb0-d1677c3a7912.pdf (accessed 20 November 2022), pp. 2-3.

47 *Ibid*, pp. 4, 231.

48 Booking.com, "Kalia Kibbutz Hotel", https://www.booking.com/hotel/il/kalia-kibbutz.html (accessed 20 November 2022); Booking.com, "Panoramic Dead Sea View", https://www.booking.com/hotel/il/panoramic-dead-sea-view.nl.html (accessed 20 November 2022); Booking.com, "Almog", https://www.booking.com/hotel/il/almog-kibbutz.html (accessed 20 November 2022).

49 Booking.com, "Amazing Modern Room 4 min From The Tram", https://www.booking.com/hotel/il/amazing-modern-room.en-gb.html (accessed 20 November 2022).

50 Barbara Kuepper and Ward Warmerdam, "Doing Business with the Occupation - Economic and Financial Relationships of Foreign Companies with the Settlement Enterprise", Profundo, 11.11.11 and CNCD 11.11.11, https://www.profundo.nl/download/11-11-11-1806 (accessed 20 November 2022), pp. 57.

51 Proxy Review, "Conflict zones", https://www.proxypreview.org/2019/report/social-issues/human-rights/conflict-zones (accessed 20 November 2022); Wespath Institutional Investor, "Wespath Withdraws 2019 Resolutions at Entegris and Booking Holdings", 8 May 2019, https://www.wespath.org/News/Wespath-Withdraws-2019-Resolutions-at-Entegris-and#!/page:1 (accessed 20 November 2022).

situation". It furthermore states that customers will be provided with transparent information on listings in conflict-affected areas.[52] However, Booking is failing to its commitment. Since September 2022, Booking adds a warning to all properties listed in the west bank, not only illegal Israeli settlements but also Palestinian properties in Palestinian cities, with a very vague disclaimer inviting urging customers to review their government's travel advisories before booking, as the area *"may be considered conflict-affected".*[53] By failing to inform the customer about the illegality of Israeli settlements and continuing the listing, Booking.com also fails in its commitment to "strive to mitigate the potentially negative effects of travel and tourism on local cultures, communities"[54]

By hosting accommodations in settlements in the occupied West Bank, including East Jerusalem, Booking.com makes these settlements more profitable and therefore sustainable, thus facilitating Israel's unlawful transfer of its citizens to the settlements as argued by Human Rights Watch.[55] Similarly, Amnesty International concludes that by boosting the settlement tourism industry and, as a result, the settlement economy, Booking.com is contributing to, and profiting from, the maintenance, development and expansion of illegal settlements.[56]

Booking is among the business enterprises included in the UN Database due to being involved in the provision of services and utilities supporting the maintenance and existence of settlements.

52 Booking Holdings, "Human Rights Statement – Our Commitment – Promoting Human Rights Through Travel", 14 April 2022, https://www.bookingholdings.com/wp-content/uploads/2022/05/BHI-Human-Rights-Statement-2022.04.14.pdf (accessed 20 November 2022), pp. 6.

53 Booking.com, "Search properties", https://www.booking.com/, viewed in October 2022; AP News, "Booking.com adds travel warnings for West Bank settlements", 30 September 2022, https://apnews.com/article/travel-business-middle-east-jerusalem-0726936a40101482802aaf918004cc81 (accessed 20 November 2022).

54 Booking Holdings, "Human Rights Statement – Our Commitment – Promoting Human Rights Through Travel", 14 April 2022, https://www.bookingholdings.com/wp-content/uploads/2022/05/BHI-Human-Rights-Statement-2022.04.14.pdf (accessed 20 November 2022), pp. 6.

55 HRW, Bed and Breakfast on Stolen Land, 2018,

56 Amnesty International, Destination: Occupation, 2019.

2.4.9. Construcciones y Auxiliar de Ferrocarriles (CAF)

Total bond and shareholdings (Aug 2022):

USD 334 million from 62 European FIs

Biggest investors: Kutxabank, Santander, EDM Group, Pensioenfonds Zorg en Welzijn (PFZW), Crédit Agricole

For more details see https://dontbuyintooccupation.org/dbio-data/

CAF is a Spanish company that Who Profits reports to be involved in the ongoing extension of the Jerusalem Light Rail (JLR), a public tramway system that serves illegal Israeli settlements in occupied East Jerusalem.[57] In 2019, the Jerusalem Transportation Masterplan Team (the Israeli public entity entitled to manage public transport in Jerusalem), awarded a NIS 11 billion (EUR 3 billion) contract for the expansion of the JLR to the TransJerusalem J-Net consortium established by CAF and the Israeli construction company Shapir Engineering and Industry (listed in the UN database). The project includes the extension of the existing 'Red Line' and the construction of a new 'Green Line', which extends to Israeli settlements in occupied East Jerusalem. The contract also includes the supply of vehicles and technical services for the maintenance of the transportation network. The new network is expected to be fully operational by 2025. In early 2022, the construction of a new depot in the settlement neighbourhood Neve Yaakov started, with a size of 150,000 square metres.[58] The concession started in April 2021 and will run for a 15-year period.[59]

Notwithstanding calls from civil society organisations, members of the Spanish parliament, and questions raised by shareholders to end its involvement in the JLR system during the company's annual meeting in June 2021, CAF continues to work on the tram project.[60] Moreover, in July 2021, CAF was part of one of the consortia approved to bid on the Blue and Purple line tender for the Jerusalem Light Rail, which will connect settlement neighbourhoods in the South and North of the city.[61] The lines are still in tender process as of July 2022.

CAF's activities are of concern as they are linked to the use of natural resources in the OPT, in particular water and land, for business purposes, and the provision of services and utilities supporting the maintenance and existence of settlements.

57 Who Profits, "CAF- Construcciones y Auxiliar de Ferrocarriles", https://www.whoprofits.org/company/caf-construcciones-y-auxiliar-de-ferrocarriles/ (accessed 20 November 2022).

58 David Burroughs, "CAF and Shapir awarded Jerusalem light rail project contract", International Railway Journal, 8 August 2019, https://www.railjournal.com/passenger/light-rail/caf-and-shapir-awarded-jerusalem-light-rail-project-contract/ (accessed 20 November 2022).

59 Keith Fender, "New consortium takes up Jerusalem light rail concession", Rail Journal, 25 April 2021, https://www.railjournal.com/passenger/light-rail/new-consortium-takes-up-jerusalem-light-rail-concession/ (accessed 20 November 2022).

60 BDS Movement, "CAF is feeling the heat: Pressured from all sides to drop its business with Israel's illegal Jerusalem Light Rail", 11 June 2021, https://bdsmovement.net/news/caf-feeling-heat-pressured-from-all-sides-to-drop-its-business-with-israels-illegal-jerusalem-light-rail (accessed on 20 November 2022); CAF, "Concessions and Comprehensive Systems – Cases – Jerusalem Tram", https://www.caf.net/en/soluciones/soluciones-integrales/casos-estudio/tranvia-jerusalen.php (accessed on 20 November 2022).

61 Israeli Ministry of Finance, Tenders for Construction, Financing, Operation and Maintenance, 2021.

2.4.10. Carrefour

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 7.49 billion from 15 European FIs

Biggest creditors: Société Générale, BNP Paribas, Groupe BPCE, Crédit Agricole, HSBC

Total bond and shareholdings (Aug 2022):

USD 2.81 billion from 204 European FIs

Biggest investors: Schroders, Crédit Agricole, Government Pension Fund Global, Baillie Gifford[62], BNP Paribas

For more details see https://dontbuyintooccupation.org/dbio-data/

Carrefour is a French retailer with more than 3,400 stores worldwide.[63] In March 2022, Carrefour announced a partnership with Electra Consumer Products (ECP) and ECP's retail subsidiary Yenot Bitan. ECP is a publicly listed Israeli company that is majority-owned by the also listed Elco Ltd. holding company. ECP had acquired a majority stake in retailer Yenot Bitan in 2021. Yenot Bitan has dozens of stores in Israel, and two stores in the illegal West Bank settlements Ariel and Ma'ale Adumim.[64] Under the partnership, branches under the Carrefour banner are expected to open in Israel before the end of 2022.[65] "Meanwhile, Yenot Bitan stores have access to Carrefour-branded products already in the course of 2022". Reportedly, Yeinot Bitan will be permitted to manufacture some Carrefour products in Israel and market them under the Carrefour brand.[66]

Carrefour's activities are of concern as they are linked to the provision of services supporting the maintenance and existence of settlements, and use of natural resources for business purposes.

62 Baillie Gifford informed the DBIO coalition that they only hold positions in Booking Holdings, Cemex and Cisco Systems, out of the companies included in the analysis. However, database Refinitiv reports positions in various other companies via aggregate mutual funds, while these three companies were reported as direct investments. Baillie Gifford has not reacted to a request for further verification regarding aggregate mutual fund holdings in time for publication.

63 Carrefour, "Stores", https://www.carrefour.com/en/group/stores (accessed on 20 November 2022).

64 Bitan Online, "Stores info", https://www.ybitan.co.il/retailer/information (accessed on 20 November 2022).

65 Carrefour, "Carrefour, in partnership with Electra Consumer Products and its subsidiary Yenot Bitan opens its franchised stores in Israel", 8 March 2022, https://www.carrefour.com/en/actuality/carrefourpartenariatisrael (accessed 20 November 2022).

66 Shira Sapir, "Yeinot Bitan signs Carrefour franchise agreement", Globes, 4 April 2022, https://en.globes.co.il/en/article-yeinot-bitan-signs-carrefour-franchisee-agreement-1001408075 (accessed on 20 November 2022).

2.4.11. Caterpillar

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 8.29 billion from 11 European FIs

Biggest creditors: Société Générale, Barclays, Commerzbank, BNP Paribas, HSBC

Total bond and shareholdings (Aug 2022):

USD 6.56 billion from 194 European FIs

Biggest investors: Government Pension Fund Global, Legal & General, Crédit Agricole, Groupe BPCE, B. Metzler seel. Sohn & Co

For more details see https://dontbuyintooccupation.org/dbio-data/

According to Who Profits, heavy machinery manufactured by U.S. company Caterpillar is extensively used by the Israeli military, including wheel loaders, armoured excavators, mini-loaders, and several models from the D9 armoured bulldozer series (D9R, D9N, and D9L).[67]

According to Al-Haq, D9 armoured bulldozers have been used for unlawful operations such as large-scale house demolitions and land-clearing missions in Palestinian towns. Al-Haq documented several instances during which Caterpillar machinery was used in the demolition of Palestinian-owned structures and homes during 2020.[68] More recently, in June 2021, Al-Haq documented the demolition of a Palestinian water structure involving Caterpillar bulldozers.[69] In June 2022, Caterpillar machinery was reportedly used in the raiding and demolishing of residential tents and animal shacks in Al-Fakheet and Al-Markez villages, after the Israeli Supreme Court had ruled in favour of the expulsion of eight villages in the region of Masafer Yatta in May 2022.[70] Furthermore, Who Profits documented that D9s have been used for arresting or killing of Palestinian persons (using the "pressure cooker procedure").[71] In addition, Who Profits states

67 Who Profits, "Caterpillar", https://www.whoprofits.org/company/caterpillar/ (accessed on 20 November 2022).

68 Al-Haq, "Special Focus: Sharp High Rate of Property Demolitions since the Second Half of 2020", 22 October 2020, https://www.alhaq.org/advocacy/17468.html (accessed 20 November 2022).

69 Al-Haq et al., "Joint Submission to the Human Rights Committee on Israel's Sixth Periodic Review – Parallel Report on Israel's Violation and Failed Implementation of the International Covenant on Civil and Political Rights", 31 January 2022, https://www.alhaq.org/cached_uploads/download/2022/02/17/joint-submission-to-hrc-on-iccpr-1-1645107641.pdf (accessed on 20 November 2022) (hereinafter, Al-Haq et al., Joint Submission to the Human Rights Committee on Israel's Sixth Periodic Review, 2022).

70 Stop the Wall, "Who is aiding Israel? Corporate complicity in Masafer Yatta ethnic cleansing", 2 June 2022, https://www.stopthewall.org/2022/06/02/who-is-aiding-israel-corporate-complicity-in-masafer-yatta-ethnic-cleansing/ (accessed 20 November 2022) (hereinafter, Stop the Wall, Who is Aiding Israel?, 2022); UN OCHA, "Fact Sheet: Masafer Yatta Communities at Risk of Forcible Transfer", June 2022, https://www.un.org/unispal/wp-content/uploads/2022/07/OCHAFACTSHEET_060722.pdf (accessed 20 November 2022) (UN OCHA, Masafer Yatta Communities at Risk of Forcible Transfer, 2022).

71 According to Who Profits, "military engineering machinery is an essential component in a notorious technique for the arrest and sometimes extrajudicial killing of Palestinian suspects, known as the 'pressure cooker procedure'. This procedure was initially developed in order to handle hostage takers barricaded inside a building, but during the Second Intifada it was modified and used against Palestinian suspects entrenched inside a house with no hostages. The procedure's objective is the surrender or killing of the suspect, preferably without injuring other civilians while minimizing risk to the Israeli soldiers." See Who Profits, "Facts on the Ground - Heavy Engineering Machinery and the Israeli Occupation", July 2014, https://www.whoprofits.org/report/facts-on-the-ground-heavy-engineering-machinery-and-the-israeli-occupation/ (accessed 20 November 2022), pp. 19-20, 54.


الحرم الإبراهيمي
Al-Ibrahimi Mosque
مدخل سوق الخضار
"خزق الفار"
Khozq Al-Far
حي القصبة
JICA

that Caterpillar machines have also been used for the construction of settlements and related infrastructure, the Separation Wall and roadblocks.[72]

Caterpillar's exclusive representative in Israel is Zoko Enterprises.[73] According to Who Profits, Ramta, part of government-owned Israel Aerospace Industries (IAI), is responsible for retrofitting the Caterpillar machines for use by the Israeli army, at times in cooperation with Zoko.[74] This includes the installation of gunner positions and a bulletproof driver cabin.[75]

Caterpillar's activities are of concern as they are linked to the supply of equipment and materials facilitating the construction and the expansion of settlements and the wall, and associated infrastructures, as well as for the demolition of housing and property of Palestinians.

2.4.12. Cellcom Israel

Total bond and shareholdings (Aug 2022):

USD 5 million from 3 European FIs

Biggest investors: Government Pension Fund Global, Deutsche Bank, Legal & General

For more details see https://dontbuyintooccupation.org/dbio-data/

Israeli telecommunications company Cellcom provides cellular, landline and 'network endpoint' services to Israeli settlements in Area C under a non-exclusive licence from the Israeli Ministry of Communications.[76] Who Profits reports that the licence for cellular services expired in January 2022, but may have been extended, while the fixed-line licence runs until 2026.[77] Who Profits argues that the company enjoys the structural advantages of Israeli telecommunication operators over Palestinian competitors in the Palestinian market.[78]

Among other companies, Cellcom was named as an infrastructure provider in the expansion of the Efrat and Beitar Illit settlements in the occupied West Bank, with a total of 8,333 housing units in a project running until 2021 and contracted by the Ministry of Housing to the Israeli Gadish Group.[79]

Cellcom Israel is among the business enterprises that are included in the UN Database due to the provision of services and utilities supporting the maintenance and existence of settlements, and the use of natural resources, in particular water and land, for business purposes.

72 Who Profits, "Caterpillar", https://www.whoprofits.org/company/caterpillar/ (accessed 20 November 2022); Areeb Ullah, "Bulldozing Palestinian villages: The global firms aiding Israeli demolitions", Middle East Eye, 12 September 2018, https://www.middleeasteye.net/news/bulldozing-palestinian-villages-global-firms-aiding-israeli-demolitions (accessed 20 November 2022).

73 Zoko Enterprises, "Caterpillar" [Hebrew], online: https://www.zoko.co.il/CAT (accessed 20 November 2022).

74 Who Profits, "Caterpillar", https://www.whoprofits.org/company/caterpillar/ (accessed on 20 November 2022).

75 *Ibid*.

76 Cellcom Israel (2021), Annual Report 2020, p.23, 50, 52, 57.

77 Who Profits, Signal Strength, 2018, pp. 12; Cellcom, "Contact us – Service Centers", https://cellcom.co.il/production/Private/contact_us/centers/ (accessed on 20 November 2022).

78 Who Profits, Signal Strength, 2018, pp. 12.

79 Gadish Group, "Infrastructure: Beitar Illit – Efrat", https://www.gadish.co.il/en/project/תרפא-תיליע-רתיבב-תונוכש-תמקה (accessed 20 November 2022).

2.4.13. Cemex

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 8.90 billion from 11 European FIs

Biggest creditors: BNP Paribas, HSBC, Santander, Crédit Agricole, ING Group

Total bond and shareholdings (Aug 2022):

USD 795 million from 44 European FIs

Biggest investors: Baillie Gifford, Groupe BPCE, Allianz, Universities Superannuation Scheme, Schroders

For more details see https://dontbuyintooccupation.org/dbio-data/

Cemex is a Mexican building materials company. Its wholly owned subsidiary, Readymix Industries, operated several concrete plants in the OPT until at least 2021.[80] However, the website no longer lists facilities in the OPT as of July 2022.[81] On February 23, 2022, Calcalist reported that Readymix had sold its plants in Mishor Adumim and Atarot.[82] The CEO and Chairman of Readymix confirmed the sale of the land and facilities, but commented that the company will still manage the two plants, including the relationship with customers and technological and quality control services. The CEO also stated that these two factories were the only ones sold in the past year. Readymix still operates a cement plant in the settlement of Katzrin, in the occupied Syrian Golan.[83]

Evidence from previous years, collected by Who Profits, showed that Readymix provided concrete elements for the construction of illegal settlements, a security wall along the Gilo bridge in the occupied West Bank, and military checkpoints, as well as communication, electricity, drainage and sewage systems for the Jerusalem light rail project.[84] Cemex has repeatedly claimed that its activities are legal and authorised under Israeli law to justify its involvement with illegal settlements.[85]

Cemex's activities are of concern as they are linked to the use of natural resources, in particular water and land, for business purposes, and the supply of materials facilitating the construction and the expansion of settlements and associated infrastructures.

80 SII-QCD, "Certificate – Readymix Industries (Israel) Ltd. ISO 9001:2015", 13 July 2021, [LINK]. Document available on file with DBIO.

81 Readymix, "The group's locations" [Hebrew], https://readymix.co.il/en/about/the-groups-locations/ (accessed 20 November 2022).

82 Dotan Levy, "Because of BDS? Readymix sold its operations in the territories" [Hebrew], 23 February 2022, Calcalist, https://www.calcalist.co.il/real-estate/article/skg5gdfl5 (accessed 20 November 2022).

83 Readymix Industries, "The Group's locations – Katzrin", https://readymix.co.il/en/about/the-groups-locations/ (accessed 20 November 2022).

84 Cemex, "Projects – Jerusalem Light Rail", https://readymix.co.il/en/products-services/concrete-for-infrastructure/projects/ (accessed 20 November 2022); Who Profits, "Cemex", https://whoprofits.org/company/cemex/ (accessed 20 November 2022).

85 Mind the Gap, "Case study: Cemex's Exploitation of Unlawful Israeli Occupation", 7 July 2020, https://www.mindthegap.ngo/harmful-strategies/utilising-state-power/aligning-with-suppressive-state-institutions/example-cemexs-exploitation-of-unlawful-israeli-occupation/#_ftnref8 (accessed 20 November 2022); Business & Human Rights Resource Centre, "Mexican firm distorts law to justify plunder of Palestinian resources", 14 April 2015, https://www.business-humanrights.org/en/latest-news/mexican-firm-distorts-law-to-justify-plunder-of-palestinian-resources/ (accessed 20 November 2022).

2.4.14. CETCO Mineral Technology Group

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 100 million from one European FI

Biggest creditor: Barclays

Total bond and shareholdings (Aug 2022):

USD 177 million from 30 European FIs

Biggest investors: Crédit Agricole, AXA, Government Pension Fund Global, Groupe BPCE, Argenta

For more details see https://dontbuyintooccupation.org/dbio-data/

CETCO Mineral Technology Group is a U.S.-based public company that develops, produces and markets a range of mineral-based, specialty and synthetic mineral products and associated systems and services.[86] Who Profits reports that CETCO products were used at the construction site of a bypass water pipeline in the Palestinian village Bardala.[87] According to Who Profits, the Bardala bypass project by Israel's national water company Mekorot started in 2019, with an estimated NIS 2.5 million (EUR 0.6 million) budget running until after 2020 for the transport of freshwater extracted from Palestinian water sources in the OPT to nearby Israeli settlements, bypassing Palestinian communities.[88]

CETCO's activities are of concern as they are linked to the use of natural resources, in particular water and land, for business purposes.

86 Minerals Technologies, "Our Company – About Us", https://www.mineralstech.com/our-company/about-us (accessed 20 November 2022).

87 Who Profits, "CETCO Mineral Technology Group", https://www.whoprofits.org/company/cetco-mineral-technology-group/ (accessed 20 November 2022).

88 Who Profits, "In the Pipeline: Israeli Bypass Water Project in the Jordan Valley", February 2020, https://www.whoprofits.org/wp-content/uploads/2020/02/Bardala-for-Website.pdf, pp. 2, 7.

2.4.15. Cisco Systems

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 1.69 billion from 4 European FIs

Biggest creditors: Deutsche Bank, Barclays, BNP Paribas, HSBC

Total bond and shareholdings (Aug 2022):

USD 17.58 billion from 299 European FIs

Biggest investors: Government Pension Fund Global, Legal & General, Crédit Agricole, Allianz, Nordea

For more details see https://dontbuyintooccupation.org/dbio-data/

Cisco Systems is a network solution provider headquartered in the U.S. According to Who Profits, its subsidiary, Cisco Israel, collaborates with the Israeli government to establish some 100 technological hubs, as part of the Digital Initiative that was launched in 2018.[89] The hub locations include the Sha'ar Binyamin Industrial Zone in the regional council of the Mateh Binyamin settlement and the Shomron region council in the occupied West Bank, with plans for additional hubs in the Modi'in Illit, Kiryat Arba and Beitar Illit settlements.[90]

The company reacted to a request for information in 2021 by stating that it is aiming to contribute to innovation, promote entrepreneurship and digital skills in partnership with the Government of Israel, but that the Israeli government installs the Webex boards, and that Cisco Israel is not involved in the decision-making on hub locations.[91]

Cisco's activities are of concern, as the hubs aim to strengthen entrepreneurship and employment and, with this, benefit the existence and sustainability of Israel's settlement enterprise.

89 Ministry for the Development of the Negev and Galilee Periphery, "Klika - the joint work complexes of the Ministry for the Development of the Periphery, the Negev and the Galilee" [Hebrew], 15 July 2021, https://negev-galil.gov.il/economicdevelopment/klika/ (accessed 20 November 2022); Who Profits, "Cisco Systems", https://www.whoprofits.org/company/cisco-systems/ (accessed 20 November 2022).

90 Klika, "Now find the Klika compound closest to your home" [Hebrew], https://klika.org.il/ (accessed on 20 November 2022).

91 Communication with Cisco Investor Relations (September 2021), available on file with DBIO.

2.4.16. CNH Industrial

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 11.22 billion from 18 European FIs

Biggest creditors: Rabobank, Santander, BNP Paribas, Société Générale, Barclays

Total bond and shareholdings (Aug 2022):

USD 4.40 billion from 142 European FIs

Biggest investors: Groupe BPCE, Crédit Agricole, Government Pension Fund Global, Banca d'Italia, Allianz

For more details see https://dontbuyintooccupation.org/dbio-data/

CNH Industrial is a multinational manufacturer of agricultural and construction equipment, trucks, commercial vehicles, and buses. It is incorporated in the Netherlands with executive offices in the UK and public listings in Italy and the U.S.[92] Who Profits makes repeated note of the use of CNH industrial heavy equipment during the last ten years in the construction of Israeli settlements, industrial zones and related infrastructure in the OPT, and the construction of the Separation Wall on Palestinian lands.[93] Who Profits also reports that CNH equipment has been used during demolitions of Palestinian houses in the South Hebron Hills, and, in 2017, during the construction of a settler bypass road near the Palestinian village of Nabi Elias for which land and olive trees belonging to Palestinian communities were seized.[94]

In a response to a letter sent by Who Profits in February 2022, the company confirms that some of its subsidiaries allow the sale of CNH equipment to customers in the OPT via independent dealers, while stressing that CNH is not making direct sales of heavy equipment to customers in the OPT.[95]

CNH Industrial's activities are of concern as they are linked to the supply of equipment and materials facilitating the construction and the expansion of settlements and the Separation Wall, and associated infrastructures. Its activities are also linked to the supply of equipment for the demolition of Palestinian homes and property, the destruction of agricultural farms, greenhouses, olive groves and crops.

92 CNH Industrial, "Company – Who We Are", https://www1.cnhindustrial.com/en-us/know_us/who_we_are/Pages/default.aspx (accessed 20 November 2022).

93 Who Profits, "CNH Industrial N.V.", https://www.whoprofits.org/company/cnh-industrial-formerly-cnh-global/ (accessed 20 November 2022).

94 *Ibid*.

95 Russo, R. (2022, March 15), CNH Industrial – Company response, viewed in June 2022. Document available on file with DBIO.

2.4.17. Delek Group

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 3.70 billion from 12 European FIs

Biggest creditors: BNP Paribas, HSBC, Lloyds Banking Group, ABN Amro, Deutsche Bank

Total bond and shareholdings (Aug 2022):

USD 241 million from 23 European FIs

Biggest investors: Groupe BPCE, Allianz, Government Pension Fund Global, Aviva, Ashmore Group

For more details see https://dontbuyintooccupation.org/dbio-data/

Delek Group is an Israeli company which, according to Who Profits, is involved in the extraction of natural gas from disputed maritime areas.[96] In October 2020, it reduced its stake in Delek Israel Fuel to 33.34%,[97] in order to decrease its debt.[98] As of 2021, it still held 25% of the company's shares.[99] Delek Israel Fuel operates various gas and service stations in and around Israeli settlements in the West Bank and the eastern part of Jerusalem, including Talpiot East, the French Hill, Neve Yaakov and Kokhav Ya'akov.[100]

The company is among the business enterprises included in the UN Database due to the provision of services and utilities supporting the maintenance and existence of settlements, and the use of natural resources, in particular water and land, for business purposes.

2.4.18. Delta Galil Industries

Total bond and shareholdings (Aug 2022):

USD 3 million from 6 European FIs

Biggest investors: Baillie Gifford, Government Pension Fund Global, Kommunal Landspensjonskasse, AXA, Mediobanca Banca di Credito Finanziario

For more details see https://dontbuyintooccupation.org/dbio-data/

Delta Galil Industries is an Israeli apparel company. It has branches in several Israeli settlements in the West Bank, including in the settlement of Ma'ale Adumim, and in Pisgat Ze'ev Mall and Ramot Mall in occupied East Jerusalem.[101]

Delta Galil Industries is one of the 112 business enterprises that are included in the UN Database, due to being involved in the use of natural resources, in particular water and land, for business purposes.

96 Who Profits, "Delek Israel Fuel", https://whoprofits.org/company/delek-israel-fuel/ (accessed 20 November 2022).

97 Delek Group, "Annual Report 2020", 2021, https://ir.delek-group.com/wp-content/uploads/2021/04/Delek-Group-2020-Annual-Report.pdf (hereinafter, Delek Group, Annual Report 2020, 2021), pp. A-11.

98 Petrol Plaza, "Delek Group sells 70% stake in Delek Israel", 19 October 2020, https://www.petrolplaza.com/news/25795 (accessed on 20 November 2022).

99 Delek Group, Annual Report 2020, 2021, pp. A-10.

100 Delek Israel Fuel, "Stations around the country" [Hebrew], https://www.delek.co.il/stations?combine_1=&dropdown_first=All&dropdown_second=All (accessed 20 November 2022).

101 Delta, "Stores", https://www.delta.co.il/stores (accessed 20 November 2022).

2.4.19. eDreams ODIGEO

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 34 million from 3 European FIs

Biggest creditors: Banco Bilbao Vizcaya Argentaria (BBVA), La Caixa Group, Santander

Total bond and shareholdings (Aug 2022):

USD 48 million from 20 European FIs

Biggest investors: Janus Henderson, Astaris Capital Management, Banca March, DZ Bank, Best-inver, Deutsche Bank

For more details see https://dontbuyintooccupation.org/dbio-data/

eDreams ODIGEO is a Spanish online travel company, with brands including eDreams, GO Voyages, Opodo, and Travellink.[102] Its websites advertise various properties located in Israeli settlements in the occupied West Bank. eDreams ODIGEO describes the location of settlements like Shilo, Ma'ale Levona, Geva Binyamin and Kfar Adumim as "Palestinian Territory, Israeli settlement". Consumers are not informed about the settlements' illegal status under international law.[103] The company sees these individual accommodation listings via external providers as being "*in line with applicable law*", while "*illicit*" listings are regularly removed through manual checks.[104]

Amnesty International, among others, states that by boosting the settlement tourism industry and, as a result, the settlement economy, digital tourism companies like eDreams ODIGEO are "*contributing to, and profiting from, the maintenance, development and expansion of illegal settlements*."[105]

The company is among the business enterprises in the UN database, due to being involved in the provision of services supporting the maintenance and existence of settlements.

102 eDreams Odigeo, "Investors Overview", https://www.edreamsodigeo.com/investors/ (accessed 20 November 2022).

103 Opodo, "Kfar Adumim", "Ma'ale Levona", https://hotels.opodo.co.uk/ (viewed in June 2022); eDreams, "Kfar Adumim", "Ma'ale Levona", https://www.edreams.com/ (viewed in June 2022).

104 Email correspondence between Profundo/DBIO and Permira (2021, July 12).

105 Amnesty International, Destination: Occupation, 2019.

2.4.20. Elbit Systems

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 174 million from one European FI

Biggest creditor: BNP Paribas.

Total bond and shareholdings (Aug 2022):

USD 16 million from 15 European FI

Biggest investors: HSBC, Janus Henderson, Barclays, Deutsche Bank, Baillie Gifford

For more details see https://dontbuyintooccupation.org/dbio-data/

Israeli company Elbit Systems operates in a large number of sectors, including aerospace, land and naval systems, unmanned aerial systems (UAS), communication, computers, intelligence, and surveillance.[106]

Who Profits reports that Elbit Systems extensively supplies products and services to the Israeli military, Ministry of Interior, and the police.[107] It maintains tight and extensive relationships with Israel's military apparatus. Elbit Systems' relationship with the Israeli military was further strengthened with the acquisition of Israeli Military Industries Ltd. (IMI) in 2018, which is involved in the manufacturing of ammunition, weapons, and military technology for the Israeli army.[108]

Al-Haq reports that Elbit Systems is the top supplier of drones to the Israeli military, as well as other surveillance tools used in the occupied territories of the West Bank, East Jerusalem and Gaza, as well as in military attacks in the Gaza strip.[109] Reportedly, Elbit drones were in operation and the company's personnel were part of the operation room of a special drones unit deployed during Israel's 11-day attack against Gaza in May 2021.[110] Elbit Systems is one of the main providers of the electronic detection fence system in the illegal Separation Wall.[111] Moreover, Elbit Systems produced weaponry, including hand grenades, which have been used in Israeli military raids in the OPT.[112]

Elbit Systems' activities are of concern due to the supply of military material and of surveillance drones and equipment used in the OPT, and of electronic equipment and materials facilitating the construction and the expansion of the illegal Separation Wall.

106 Elbit Systems, "Lines of business", https://elbitsystems.com/ (accessed 20 November 2022).

107 Who Profits, "Elbit", https://www.whoprofits.org/company/elbit-systems/ (accessed 20 November 2022).

108 Elbit Systems, "About us – Major Subsidiaries", https://elbitsystems.com/majior-subsidiaries/ (accessed 20 November 2022).

109 Al-Haq, "The Surveillance Industry and Human Rights: Israel's Marketing of the Occupation of Palestine – Submission to the UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression", 20 February 2019, https://www.alhaq.org/advocacy/6101.html (accessed 20 November 2022) (hereinafter, Al-Haq, The Surveillance Industry and Human Rights, 2019).

110 Who Profits, "Elbit", https://www.whoprofits.org/company/elbit-systems/ (accessed 20 November 2022).

111 *Ibid*.

112 *Ibid*.

2.4.21. Electra Group

Total bond and shareholdings (Aug 2022):

USD 0.2 million from 3 European FIs

Biggest investors: Legal & General, Deutsche Bank, Aviva

For more details see https://dontbuyintooccupation.org/dbio-data/

Electra Group is an Israeli company that is active in the fields of real estate, infrastructure development, facility management, and electro-mechanical infrastructure.[113] The publicly listed business is controlled by holding company Elco Ltd. Who Profits reports that in August 2020, Electra Infrastructure, a subsidiary of Electra, won a NIS 470 million (EUR 128 million) tender to build the major road infrastructure works and tunnels in French Hill, in occupied East Jerusalem. The project involves the construction of four tunnels with a length of 3.5 kilometres. These will enable the free flow of traffic between the settlement neighbourhoods Ramot and Pisgat Ze'ev and the Ma'ale Adumim settlement.[114] As of April 2022, Electra Infrastructure and its partners had excavated 65% of the tunnels.[115]

Furthermore, Who Profits has documented that Electra Infrastructure and Electra M&E constructed the track and electronic systems, as well as tunnel 3A in section D of the Tel Aviv-Jerusalem Fast Train (A1). The NIS 750 million (EUR 205 million) project, related to the construction of the track and electronic systems, which was completed in 2018, includes maintenance services after delivery for a period of 10 years.[116] The A1 train route crosses the Green Line into the occupied West Bank in two areas, according to Who Profits, unlawfully using public and private Palestinian land in the OPT for an Israeli transportation project for the exclusive benefit of Israeli citizens.

As reported by Who Profits in January 2021, the company is also involved in a major waste management project, which will carry wastewater from the West Bank including the occupied eastern part of Jerusalem to the Og purification plant in the Jordan Valley. Who Profits also states that the treated wastewater will be used for irrigation in agricultural settlements in the Jordan Valley.[117]

In January 2021, Electra Afikim was created through the acquisition of a 51% controlling stake in Amnon Mesilot, which included Afikim Public Transportation.[118] Afikim serves various settlements

113 Elektra, "Activities", https://www.electra.co.il/en/activities (accessed 20 November 2022).

114 Guy Nardi, "Electra wins tender for Jerusalem's French Hill tunnels", 10 August 2020, Globes, https://en.globes.co.il/en/article-electra-wins-tender-for-jerusalems-french-hill-tunnels-1001338833 (accessed 20 November 2022).

115 Ground Engineering, "Jerusalem's French Hill highway project makes tunnelling progress", 11 April 2022, https://www.geplus.co.uk/news/jerusalems-french-hill-highway-project-makes-tunnelling-progress-11-04-2022/ (accessed 20 November 2022).

116 Elektra infrastructures, "High-Speed Railway to Jerusalem – Section D", https://www.electra-infrastructures.co.il/en/projects/high-speed_railway_to_jerusalem_%E2%80%93_section_d (accessed 20 November 2022); Electra infrastructures, "Upper Structure – High-Speed Railway to Jerusalem (A1) & Slab Track", https://www.electra-infrastructures.co.il/en/projects/upper_structure_%E2%80%93_high-speed_railway_to_jerusalem_a1__slab_track (accessed 20 November 2022).

117 Who Profits, "Infrastructures of Dispossession and Control Transport Development in East Jerusalem", January 2021, https://whoprofits.org/flash-report/infrastructures-of-dispossession-and-control/ (accessed 20 November 2022) (hereinafter, Who Profits, Infrastructures of Dispossession and Control, 2021), pp. 14.

118 Globes, "Electra Afikim has bought the Egged-Ta'avura bus company for NIS 200 million", 5 May 2021, https://en.globes.co.il/en/article-egged-taavura-acquisition-makes-afikim-third-largest-bus-co-1001370042 (accessed on 20 November 2022).

in the West Bank and East Jerusalem, including Beitar Illit, Ariel, Givat Ze'ev, Beit Horon, Efart, and Kiryat Arba.[119] In May 2021, Electra Afikim acquired Egged Ta'avura from Israeli transport company Egged. Egged Ta'avura operates bus lines in several clusters, including Ma'aleh Adumim and dozens of other settlements in the occupied West Bank.[120] In July 2021, Electra was part of one of the consortia approved to bid on the Blue and Purple line tender for the Jerusalem Light Rail, which will connect settlement neighbourhoods in the south and north of the city.[121] The lines are still in tender process as of July 2022.

Electra Group and Afikim are among the business enterprises that are included in the UN Database, due to being involved in the provision of services and utilities supporting the maintenance and existence of settlements, including transport.

2.4.22. Energix Renewable Energies

Total bond and shareholdings (Aug 2022):

USD 4 million from 7 European FIs

Biggest investors: Deutsche Bank, Svenska Handelsbanken, Pensioenfonds Zorg en Welzijn (PFZW), ACATIS Investment, Abrdn

For more details see https://dontbuyintooccupation.org/dbio-data/

Energix is one of the largest renewable energy companies in Israel.[122] The company operates a solar field in the Meitarim industrial zone, situated in the South Hebron Hills, with a 51% -ownership stake.[123] According to research by Who Profits, the Meitarim solar field takes up more than 98,000 square meters of Palestinian land. Who Profits also writes that the surrounding Palestinian villages have been subjected to forced displacement, demolitions, lack of basic services and economic restrictions due to the Meitarim industrial zone, in which the solar field is located.[124]

Energix is among the business enterprises included in the UN Database, due to being involved in the use of natural resources, in particular water and land, for business purposes.[125]

119 Moovitapp, "455 line", https://moovitapp.com/index/en/public_transit-lines-Israel-1-17 (accessed 20 November 2022).

120 Electra Group, "Subsidiaries – Electra Afikim", https://www.electra.co.il/en/subsidiaries/about_electra_afikim (accessed 20 November 2022).

121 Israeli Ministry of Finance, Tenders for Construction, Financing, Operation and Maintenance, 2021.

122 Energix Group, "Business Overview", https://www.energix-group.com/Business-Overview/ (accessed 20 November 2022).

123 Energix Group, "Meitarim", https://www.energix-group.com/Meitarim/ (accessed 20 November 2022).

124 Who Profits, "Greenwashing the Occupation – The Solar Energy Industry and the Israeli Occupation", February 2017, https://www.whoprofits.org/report/greenwashing-the-occupation-the-solar-energy-industry-and-the-israeli-occupation/ (accessed 20 November 2022), pp. 25-26.

125 Who Profits, "Energix Group", https://www.whoprofits.org/company/energix-group-0/ (accessed 20 November 2022).

2.4.23. Expedia Group

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 2.46 billion from 4 European FIs

Biggest creditors: BNP Paribas, HSBC, Standard Chartered, Crédit Agricole

Total bond and shareholdings (Aug 2022):

USD 2.23 billion from 123 European FI

Biggest investors: Allianz, Legal & General, Groupe BPCE, Crédit Agricole, Pelham Capital

For more details see https://dontbuyintooccupation.org/dbio-data/

U.S.-based tourism company Expedia Group operates a range of online portals for travel bookings. Leading brands are Expedia, Hotels.com and Trivago.[126] Expedia's and Hotel.com's websites list various accommodations in settlements in the occupied West Bank, which are described as "Israeli settlements".[127] Expedia and Hotels.com, however, fail to inform consumers of the settlements' illegal status under international law and their location in the occupied Palestinian territory.

Amnesty International, among others, states that by boosting the settlement tourism industry and, as a result, the settlement economy, Expedia is contributing to, and profiting from, the maintenance, development and expansion of illegal settlements.[128]

The company is among the business enterprises included in the UN Database, due to being involved in the provision of services and utilities supporting the maintenance and existence of settlements.

126 Expedia Group, "2020 Annual Report", 2021, https://s27.q4cdn.com/708721433/files/doc_financials/2020/ar/Expedia-Group-Annual-Report.pdf (accessed 20 November 2022), pp. 1-3, 119.

127 Expedia, https://www.expedia.nl/ (accessed 20 November 2022); Hotels.com, hotels.com/search/searchmap.html (accessed 20 November 2022).

128 Amnesty International, Destination: Occupation, 2019.

2.4.24. First International Bank of Israel (FIBI)

Total bond and shareholdings (Aug 2022):

USD 84 million from 11 European FIs

Biggest investors: Government Pension Fund Global, Pensioenfonds Zorg en Welzijn (PFZW), Baillie Gifford, Mediobanca Banca di Credito Finanziario, Janus Henderson

For more details see https://dontbuyintooccupation.org/dbio-data/

Who Profits reports that FIBI provides financing for construction and infrastructure projects in Israeli settlements in the OPT, as well as mortgages and loans to homebuyers in the settlements.[129]Among others, the bank was part of a consortium, led by Bank Hapoalim in 2020, to finance the expansion of the Red Line and the establishment of the Green Line, as part of the Jerusalem Light Rail, which connects settlement neighbourhoods to Jerusalem. Who Profits also reports that, in 2020 and 2021, FIBI supported several building projects in settlements, including a bus parking lot in Atarot settlement and a 7,657 square metre project in Givat HaMatos settlement in occupied East Jerusalem. As part of the deals, FIBI holds the companies' rights in the projects as collateral, as well as the profits from the assets and the right to receive connected funds from Israeli tax authorities.[130]

Furthermore, the bank operates various branches in settlements in the West Bank and the eastern part of Jerusalem.[131] Its subsidiary, Bank Massad, has a subsidiary in the French Hill settlement neighbourhood in East Jerusalem.[132]

FIBI is among the business enterprises included in the UN Database, due to being involved in the provision of services and utilities supporting the maintenance and existence of settlements, and banking and financial operations helping to develop, expand or maintain settlements and their activities, including loans for housing and the development of businesses.

129 Who Profits, "First International Bank of Israel", https://www.whoprofits.org/company/first-international-bank-of-israel/ (accessed 20 November 2022); Who Profits, Financing Land Grab, 2017.

130 Who Profits, "First International Bank of Israel", https://whoprofits.org/company/first-international-bank-of-israel/ (accessed 20 November 2022); Who Profits, Financing Land Grab, 2017, pp. 36, 59.

131 Banks in Israel, "The First International Bank of Israel Branches – Betar Illit, Ramot, Modiin Illit", https://banks-in-israel.co.il/The-First-International-Bank-of-Israel/branches.asp?bankURL=%D7%A1%D7%A0%D7%99%D7%A4%D7%99+The+First+International+Bank+of+Israel&bank_code=31 (accessed in June 2022).

132 Bank Massad, "Branch locator" [Hebrew], https://www.bankmassad.co.il/wps/portal/FibiMenu/Marketing/Private/General/BranchLocator/ (accessed in June 2022).

2.4.25. Hamat Group

Total bond and shareholdings (Aug 2022):

USD 0.1 million from one European FI

Biggest investor: Baillie Gifford

For more details see https://dontbuyintooccupation.org/dbio-data/

Hamat Group, controlled by Nior Holdings, is an Israeli manufacturer of bathroom and kitchen products, such as bathroom and kitchen faucets, showers stalls, and ceramic products.[133] Its subsidiary, Lipski, manufactures plastic products for bathrooms, kitchens and toilets.[134] The Lipski facilities are located in the industrial zone of the Barkan settlement.

Hamat Group and Lipski are among the business enterprises included in the UN Database, due to the use of natural resources, in particular water and land, for business purposes.

2.4.26. Heidelberg Materials

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 2.88 billion from 12 European FIs

Biggest creditors: ING Group, Deutsche Bank, Standard Chartered, BNP Paribas, Intesa Sanpaolo

Total bond and shareholdings (Aug 2022):

USD 1.50 billion from 180 European FIs

Biggest investors: Deutsche Bank, Crédit Agricole, Bestinver, Government Pension Fund Global, Intesa Sanpaolo

For more details see https://dontbuyintooccupation.org/dbio-data/

Heidelberg Materials (Germany), formerly HeidelbergCement AG, is one of the world's largest building materials companies. In 2007, it acquired the Hanson Group (UK) (99.98% group ownership), with Hanson Israel part of the acquisition. Hanson Israel provides more than 20% of the country's demand for aggregate and concrete products.[135] It operates 24 ready-mixed concrete, two aggregate plants, one asphalt plant and one cement terminal.[136] Two ready-mixed concrete plants in the OPT, Modi'in Illit and Atarot, were part of the deal, but were closed in 2017 and 2018,

133 Nior Holdings, "Contact", https://nior-holdings.com/en/contact/ (accessed July 2022).

134 Hamat Group, "About us" [Hebrew], https://en.hamat.co.il/%D7%90%D7%95%D7%93%D7%95%D7%AA-%D7%97%D7%9E%D7%AA-1 (accessed 20 November 2022); Hamat Group, "Subsidiaries" [Hebrew], https://en.hamat.co.il/תבה-תורבה (accessed in July 2022).

135 Hanson Israel, "About Hanson", http://www.hanson-israel.com/about (accessed 20 November 2022).

136 HeidelbergCement, "Israel", https://www.heidelbergcement.com/en/israel (accessed 20 November 2022).

respectively.[137] The Atarot concrete plant reopened from February to December 2020, supposedly under 'minimal capacity use' to secure the rights of use necessary for a sale. However, researchers on the ground documented regular deliveries to settlements during that time. The plant was sold in 2021.[138]

Al-Haq and SOMO report that, with its acquisition, Heidelberg Materials also acquired the Nahal Raba quarry with integrated concrete and asphalt plants, located on land belonging to the villages of Al-Zawiya and Rafat in Area C of the Salfit District of the occupied West Bank. The Israeli Civil Administration had unlawfully confiscated the land on which the Nahal Raba quarry was established in the 1980s by declaring it 'State land'. According to Al-Haq and SOMO, the operation of the quarry entails systemic restrictions of the local Palestinian population in accessing their land and natural resources, including through land confiscation and the construction of the Separation Wall.[139] In 2018, Heidelberg Materials started a disposal process to sell the Nahal Raba Quarry and the adjacent asphalt and concrete plant. Nonetheless, in February 2019, the Israeli military allocated around 10 hectares (98 dunums) of land to Hanson Israel for the purpose of planning the quarry expansion.[140] In January 2020, Hanson Israel submitted its plan for the said expansion (Plan No. 52/14/2) to the Sub-Committee for Mining and Quarrying of the Central West Bank Planning Unit of the Civil Administration.[141] Since then, more than 30 objections were files to the submitted plan and as of writing they are still under consideration.

The company is seeking to expand the quarry because it exhausted the supply of dolomite rock in 2018. The exhaustion of raw material renders the quarry of limited value absent an expansion that would enable a buyer to access further natural resources. Questioned by SOMO and Al-Haq for a February 2020 report, Heidelberg Materials stated it does *"not intend to extend [its] own quarrying business" but rather that the permit extension is a "mere measure to ensure the sale of the quarry."*[142] This means that Heidelberg Materials first aims to appropriate further land and resources from local Palestinian communities in violation of international law, before allowing a third party to continue to appropriate resources from Palestinian landowners without their consent. Moreover, disengaging from an activity cannot replace comprehensive actions to prevent, mitigate, and remediate human rights violations.[143]

137 Email correspondence between Profundo/DBIO and Heidelberg Materials (25 July 2022); Email correspondence with HeidelbergCement in reply to due hearing on report 10 June 2018, 11.11.11 and CNCD-11.11.11.

138 Answers to questions on Hanson Israel at the AGM 2022; Dachverband Kritische Aktionäre, "Warum beraubt HeidelbergCement die Bevölkerung am Kendeng Gebirge ihrer Lebensgrundlage?" [German], 10 May 2022, https://www.kritischeaktionaere.de/heidelbergcement/warum-beraubt-heidelbergcement-die-bevoelkerung-am-kendeng-gebirge-ihrer-lebensgrundlage/ (accessed on 20 November 2022) (hereinafter, DKA, Warum beraubt HeidelbergCement die Bevölkerung am Kendeng Gebirge ihrer Lebensgrundlage?, May 2022).

139 Maha Abdallah and Lydia de Leeuw, "Violations Set in Stone: HeidelbergCement in the Occupied Palestinian Territory", February 2020, Al-Haq and SOMO, https://www.alhaq.org/publications/16408.html (accessed 20 November 2022) (hereinafter, Abdallah and de Leeuw, Violations Set in Stone, 2020); Human Rights Watch, "Letter to HeidelbergCement Regarding Nahal Raba Quarry Expansion" 29 May 2020, https://www.hrw.org/news/2020/05/29/letter-heidelbergcement-regarding-nahal-raba-quarry-expansion (accessed 20 November 2022); Human Rights Watch, "Letter to Zeid Ra'ad Al Hussein, High
Commissioner Office of the United Nations High Commissioner for Human Rights (OHCHR) on the subject: Human Rights Watch recommendations on the implementation of Human Rights Council Resolution 31/36 Business activities in Israeli settlements", 12 March 2019, https://www.un.org/unispal/
document/auto-insert-196447/ (accessed 20 November 2022).

140 Letter by the Civil Administration available at: https://electronicintifada.net/blogs/adri-nieuwhof/german-firm-escalates-its-war-crimes-against-palestinians (accessed 20 November 2022).

141 Civil Administration in Judea and Samaria, "Notice of the deposit of a detailed outline plan No. 52/14/2 for the expansion of the Nahal Rabba quarry" [Hebrew], 4 June 2020, online: https://www.gov.il/he/departments/publications/reports/t52142 (accessed 20 November 2022).

142 Abdallah and de Leeuw, Violations Set in Stone, 2020, pp. 25.

143 *Ibid*, pp. 48-49.

The justifications of alleged job opportunities and equal working conditions have been challenged by several organisations, including workers' statements collected by Al-Haq in 2021.[144] As outlined in a letter by Human Rights Watch to the company from May 2020, *"employing Palestinian workers does not remedy businesses' inevitable contribution to serious humanitarian law violations."*[145] Even if the business enterprise in this context is 'benefiting' Palestinians in some way, this does not exempt it from its responsibilities under international law.[146]

Hanson Israel has supplied building materials to Israeli settlements in the West Bank and East Jerusalem as a matter of regular business practice since at least 2019, but deliveries to settlements have also been documented in earlier years.[147] An independent on-site investigation revealed more than 150 deliveries of concrete to construction sites in Israeli settlements in the West Bank, including East Jerusalem, between 2019 and 2021, mostly for the construction of residential buildings in the Efrat, Nokdim, Ramat Shlomo and Migron settlements.[148] The homes constructed with building materials supplied by Hanson Israel enable thousands of Israeli settlers to live in the occupied Palestinian territory.

Heidelberg Materials' activities are of concern as they are linked to the use of natural resources in the OPT, in particular stone and other minerals, for business purposes, and the supply of materials facilitating the construction and the expansion of settlements and associated infrastructures.

2.4.27. Hyundai Heavy Industries

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 498 million from 5 European FIs

Biggest creditors: Société Générale, BNP Paribas, HSBC, Standard Chartered, Crédit Agricole

Total bond and shareholdings (Aug 2022):

USD 7.8 million from 15 European FIs

Biggest investors: Allianz, Deutsche Bank, HSBC, Aviva, Prudential Plc

For more details see https://dontbuyintooccupation.org/dbio-data/

South Korean Hyundai Heavy Industries (HHI) is a world leading heavy industry company, active in ship building, offshore industry equipment, and heavy machinery.[149] Its exclusive agent in Israel is EFCO Equipment.[150]

144 Al-Haq, "Captive Markets, Captive Lives – Palestinian Workers in Israeli Settlements", https://www.alhaq.org/publications/18265.html, pp. 19-20.

145 Human Rights Watch, "Letter to HeidelbergCement Regarding Nahal Raba Quarry expansion", 29 May 2020, https://www.hrw.org/news/2020/05/29/letter-heidelbergcement-regarding-nahal-raba-quarry-expansion (accessed 20 November 2022).

146 Abdallah and de Leeuw, Violations Set in Stone, 2020.

147 Who Profits, "The Israeli exploitation of Palestinian natural resources: Part II HeidelbergCement", November 2016, https://www.whoprofits.org/updates/the-israeli-exploitation-of-palestinian-natural-resources-part-ii-heidelberg-cement/ (accessed 20 November 2022); DKA, Warum beraubt HeidelbergCement die Bevölkerung am Kendeng Gebirge ihrer Lebensgrundlage?, May 2022.

148 *Ibid*.

149 Hyundai Heavy Industries, "About HHI", https://english.hhi.co.kr/biz/engine_over (accessed in July 2022).

150 EFCO Equipment, "Hyundai", https://www.efco.co.il/en/hyundai/ (accessed July 2022).

Over the years, Who Profits has repeatedly documented the use of HHI equipment during demolitions of Palestinian homes and property in East Jerusalem and the rest of the OPT.[151] Moreover, Al-Haq documented that Hyundai excavators were used in construction works in settlements and associated industrial zones.[152] Al-Haq also reported the use of HHI excavators in the demolition of a water collection well in the Hebron area in March 2021.[153] In February 2022, a HHI bulldozer was reportedly used in the demolishing of the home and water well of a Palestinian family in Khallet Al-Mai.[154]

HHI's activities are of concern as they are linked to the supply of equipment and materials facilitating the construction and the expansion of settlements and the wall, and associated infrastructures, as well as for the demolition of housing and property of Palestinians.

2.4.28. IBM

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 32.35 billion from 15 European FIs

Biggest creditors: BNP Paribas, Barclays, HSBC, Société Générale, Santander

Total bond and shareholdings (Aug 2022):

USD 8.58 billion from 253 European FIs

Biggest investors: Crédit Agricole, Government Pension Fund Global, Legal & General, Deutsche Bank, DZ Bank

For more details see https://dontbuyintooccupation.org/dbio-data/

IBM is a publicly traded multinational technology corporation from the United States, and one of the world's largest computer and IT companies. Who Profits reports that, among various activities for the Israeli government and military, a key project is IBM's assignment since 2019 to design and operate the Eitan System of the Israeli Population, Immigration and Border Authority, which replaces the previous Aviv system managed by HPE and DXC Technologies.[155] The Registry includes data on all Palestinians with Israeli citizenship, occupied East Jerusalem non-citizen residents, and Palestinians in the West Bank and Gaza. According to Investigate, it is used for the implementation of discriminatory policies against Palestinians who are subject to different policies and practices and are discriminated against in their freedom of movement, voting rights,

151 Who Profits, "Hyundai Heavy Industries", https://www.whoprofits.org/company/hyundai-heavy-industries/ (accessed July 2022).

152 Al-Haq et al., Joint Submission to the Human Rights Committee on Israel's Sixth Periodic Review, 2022, pp. 17. Who Profits, "Hyundai Heavy Industries", https://www.whoprofits.org/company/hyundai-heavy-industries/ (accessed July 2022).

153 Al-Haq et al., Joint Submission to the Human Rights Committee on Israel's Sixth Periodic Review, 2022.

154 Stop the Wall, Who is Aiding Israel?, 2022.

155 Who Profits, "IBM: A Major Facilitator of Israel's Surveillance and Security Apparatus", December 2021, https://www.whoprofits.org/updates/ibm-a-major-facilitator-of-israels-surveillance-and-security-apparatus/ (accessed 20 November 2022).

family reunification and access to services.[156] According to Who Profits, between 2018 and 2021 IBM won contracts for computing services and hardware with a total value of NIS 800 million (EUR 229 million), valid until 2035.[157]

The Eitan system also documents the crossings under Israeli control. This includes the Allenby Bridge Crossing, the only entry and exit point for Palestinians residing in the West Bank via Jordan ; and the Erez checkpoint, which is the only crossing allowing the movement of people between Gaza, the rest of the OPT and Israel.[158]

IBM's activities are of concern as they are linked to the provision of surveillance and identification equipment that discriminates against Palestinians.

2.4.29. Israel Discount Bank

Total bond and shareholdings (Aug 2022):

USD 184 million from 23 European FIs

Biggest investors: Deutsche Bank, Crédit Agricole, Pensioenfonds Zorg en Welzijn (PFZW), Groupe BPCE, Government Pension Fund Global

For more details see https://dontbuyintooccupation.org/dbio-data/

According to Who Profits, Israel Discount Bank and its subsidiary Mercantile Discount Bank provide financing for construction projects in Israeli settlements in the OPT and provide loans to regional settlement councils.[159] Examples include a 2021 loan to the company Shitrit Ayalon for a 4,500 square metre construction project in the Beitar Illit settlement, a ten-year NIS 1.85 million (EUR 0.51 million) loan by Mercantile Discount Bank granted to the Kiryat Arba settlement local council in October 2021, and a 15-year NIS 3.0 million (EUR 0.83 million) loan to the municipality of Ariel settlement granted by Mercantile Discount Bank in 2020.[160] It also operates various branches in settlements in the occupied West Bank including occupied East Jerusalem.[161] In its Ma'ale Adumim branch, the bank provides the services of a mortgage consultant.[162]

Israel Discount Bank is among the business enterprises included in the UN Database, due to the provision of services and utilities supporting the maintenance and existence of settlements, and banking and financial operations helping to develop, expand or maintain settlements and their activities, including loans for housing and the development of businesses.

156 Investigate, "International Business Machine Corp – IBM", https://investigate.afsc.org/company/ibm (accessed 20 November 2022).

157 Who Profits, "IBM: A Major Facilitator of Israel's Surveillance and Security Apparatus", December 2021, https://www.whoprofits.org/updates/ibm-a-major-facilitator-of-israels-surveillance-and-security-apparatus/ (accessed 20 November 2022).

158 *Ibid*.

159 Who Profits, "Discount Bank", https://whoprofits.org/company/discount-bank/ (accessed 20 November 2022).

160 *Ibid*.

161 Banks in Israel, "Israel Discount Bank branches", https://banks-in-israel.co.il/Bank-Discount/branches.asp?bankURL=Israel+Discount+Bank+branches&bank_code=11 (accessed 20 November 2022).

162 Discount Bank, "Branche Adumim extension, Ramat Eshkol", https://www.discountbank.co.il/DB/en/branches?city=Maale%20Adumim&street=&name=&branch= (accessed 20 November 2022).

2.4.30. MAN Group

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 12.18 billion from 16 European FIs

Biggest creditors: Deutsche Bank, Société Générale, UniCredit, Santander, Commerzbank

Total bond and shareholdings (Aug 2022):

USD 399 million from 20 European FIs

Biggest investors: Crédit Agricole, Deutsche Bank, Erste Group, HSBC, Banque Degroof Petercam

For more details see https://dontbuyintooccupation.org/dbio-data/

MAN Group is a German multinational company and a leading supplier of commercial vehicles and transport solutions in Europe.[163] As reported by Who Profits in 2019, the company supplies the chassis for the car that carries the "Skunk" – a crowd control weapon made by Odortec and used by Israeli occupation forces throughout the OPT.[164]

MAN Group has been supplying chassis for buses to Egged, an Israeli bus company.[165] In June 2021, the company delivered chassis for a pilot with double-deckers, carried out by Egged and the Ministry of Transport. More orders are expected to follow in 2022.[166] Until May 2021, Egged held a 50%-stake in Egged Ta'avura, which operates bus lines to various settlements in the occupied West Bank. Ta'avura is now part of Electra Group.[167]

Under the banner Egged Tours, the company offers tours and packages to the settlement site of Qumran National Park in the occupied West Bank, and in occupied East Jerusalem to the Old City and the settler-managed complex 'City of David', an archaeological site located in the Palestinian neighbourhood of Silwan.[168] According to Global Legal Action Network (GLAN) and SOMO, these tourism activities support the settlement economy while providing little benefit to Palestinian communities and restricting their access to their land and natural resources in violation of international humanitarian law.[169]

MAN's activities are of concern as they are linked to the provision of services and utilities supporting the maintenance and existence of settlements.

---

163 MAN Truck, "About" [Hebrew], https://www.mantruck.co.il/about/ (accessed 20 November 2022).

164 Who Profits, "Man Group", https://www.whoprofits.org/company/man-group (accessed 20 November 2022).

165 MAN Israel, "MAN וMAN - ושדחתת דגא! ידיימ וורתפ תויעבל הרובחתה לארשיב הרובטוא – סובוטוא.." [Hebrew], 13 June 2021, https://m.facebook.com/678828002302181/posts/1663534730498165/ (accessed 20 November 2022).

166 Unvi bus, "Double-deckers back on the Roads in Israel", 29 June 2021, https://www.unvibus.com/en/double-deckers-back-on-the-roads-in-israel/ (access 20 November 2022).

167 Globes, "Electra Afikim has bought the Egged-Ta'avura bus company for NIS 200 million", 5 May 2021, https://en.globes.co.il/en/article-egged-taavura-acquisition-makes-afikim-third-largest-bus-co-1001370042 (accessed 20 November 2022).

168 Egged Tours, "Bethlehem, Jericho, Qumran, Dead Sea", https://www.eggedtours.com/tour/bethlehem-jericho-qumran-and-the-dead-sea-spa-health-and-relaxation/ (accessed 20 November 2022); Egged Tours, "Jerusalem & City of David Tour", https://www.eggedtours.com/tour/jerusalem-walking-tour/ (accessed 20 November 2022).

169 Global Legal Action Network (GLAN) and SOMO, "Tainted Tourism: Package tourism's contribution to the illegal settlement economy in Israeli occupied territories", March 2021, https://www.somo.nl/wp-content/uploads/2021/03/Tainted-Tourism.pdf (accessed 20 November 2022) (hereinafter, GLAN and SOMO, Tainted Tourism, 2021).

2.4.31. Matrix IT

Total bond and shareholdings (Aug 2022):

USD 19 million from 7 European FIs

Biggest investors: Government Pension Fund Global, Mediobanca Banca di Credito Finanziario, Baillie Gifford, Kommunal Landspensjonskasse, Legal & General

For more details see https://dontbuyintooccupation.org/dbio-data/

Matrix IT is an Israeli IT group that provides services for the Israeli Ministry of Defence and Israeli army, especially in air and missile defence, command and control, intelligence and cyber systems development.[170] Among others, it has provided various services for Israel's Coordination of Government Activities in the Territories (COGAT) under multiple consultancy contracts since 2016, according to Who Profits.[171] These included a three-month contract in 2020 to provide consultancy services for the 'Rolling Stone' System, which Who Profits states is used to monitor and collect data on Palestinians and issue work permits for Palestinian workers working in Israel and in Israeli settlements.[172] In March 2020, the company was contracted by the Israel Civil Administration (ICA) in the settlement of Beit El, to provide computer services until the end of January 2021 for NIS 243,243 (EUR 68,000).[173]

Additionally, Matrix, through its subsidiary Talpiot, operates a development centre in the Israeli settlement of Modi'in Illit, in the occupied West Bank, employing more than 1,000 settlers.[174] In 2020, Who Profits recorded that Matrix's subsidiary, Matrix I.T. Integration and Infrastructures, provided computing services for Ariel University in the Ariel settlement.[175]

Matrix IT is among the business enterprises included in the UN Database, due to the provision of services and utilities supporting the maintenance and existence of settlements, and the use of natural resources, in particular water and land, for business purposes.

170 Matrix, "Defence", https://www.matrix-globalservices.com/defense/ (accessed 20 November 2022).

171 Who Profits, "Matrix IT", https://www.whoprofits.org/company/matrix-it/ (accessed 20 November 2022).

172 *Ibid*.

173 *Ibid*.

174 Matrix Talpiot, "About us", https://www.linkedin.com/showcase/talpiot-nearshore/ (accessed 20 November 2022); IT News, "The Minister of Economy and Industry meets the ultra-Orthodox women who work in high-tech" [Hebrew], 20 September 2022, https://itnews.co.il/news/events-expos/?p=40781 (accessed 20 November 2022).

175 Who Profits, "Matrix IT", https://www.whoprofits.org/company/matrix-it/ (accessed 20 November 2022).

2.4.32. Mivne Group

Total bond and shareholdings (Aug 2022):

USD 17 million from 6 European FIs

Biggest investors: Deutsche Bank, Svenska Handelsbanken, Legal & General, HSBC, Crédit Agricole

For more details see https://dontbuyintooccupation.org/dbio-data/

Mivne Group is an Israeli real estate company that specialises in properties for industrial or commercial use.[176] Mivne companies offer various industrial spaces for rent, including in the West Bank settlement industrial zone of Ma'ale Efraim and the Katzrin settlement industrial zone in the occupied Syrian Golan.[177]

Mivne's (former) subsidiaries, Jerusalem Economy (merged with and into Mivne Real Estate Ltd. on November 4, 2019), Industrial Buildings Corporation (IBC) (now Mivne Real Estate Ltd.), and Darban Investments (fully owned by Mivne Real Estate Ltd. as of November 4, 2019),[178] are among the business enterprises included in the UN Database. This is due to the use of natural resources, in particular water and land, for business purposes.

2.4.33. Mizrahi Tefahot Bank

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 150 million from one European FI

Biggest creditor: BNP Paribas

Total bond and shareholdings (Aug 2022):

USD 300 million from 29 European FIs

Biggest investors: Government Pension Fund Global, Deutsche Bank, Crédit Agricole, Pensioenfonds Zorg en Welzijn (PFZW), Carmignac Gestion

For more details see https://dontbuyintooccupation.org/dbio-data/

According to Who Profits, Mizrahi Tefahot Bank provides financing for construction projects in Israeli settlements in the OPT, and provides financing for homeowners in settlements as well as to regional and local settlement councils.[179] Among various examples from recent years, the bank provided the company Avnei Derech loans in 2020 and 2021 for its 160-unit housing project in

176 Mivne Group, "About the group" [Hebrew], https://www.mivnegroup.co.il/ (accessed 20 November 2022).

177 Mivne Group, "Industry and Logistics" [Hebrew], https://www.mivnegroup.co.il/logistics (accessed 20 November 2022).

178 Mivne Real Estate (K.D) Ltd., "Report of the Board of Directors on the State of Corporate Affairs as of December 31", 2021, pp. 14. Document available on file with DBIO.

179 Who Profits, "Mizrahi Tefahot Bank", https://www.whoprofits.org/company/mizrahi-tefahot-bank (accessed 20 November 2022).

Alfei Menashe settlement. In 2020, Who Profits recorded a loan to the company Kotler Adika for a construction project in Ramot, a settlement neighbourhood in occupied East Jerusalem, and a mortgage on three plots in Ramot in 2021.[180] In both examples, the bank holds the companies' contractual and actual rights in the land and project as collateral.

Moreover, Who Profits states that Mizrahi Tefahot Bank provides services to various local and regional settlement councils, including accounts held by Gush Etzion, Efrat and Alfei Menashe.[181] In 2020, Efrat settlement received an investment of NIS 15 million (EUR 4.1 million) involving six banks and investment firms, including Mizrahi Tefahot Bank. The bank and its subsidiary, Bank Yakav, also operate various branches in settlements located in the West Bank and occupied East Jerusalem.[182]

Mizrahi Tefahot Bank is among the business enterprises included in the UN Database, due to the provision of services and utilities supporting the maintenance and existence of settlements, and banking and financial operations helping to develop, expand or maintain settlements and their activities, including loans for housing and the development of businesses.

2.4.34. Motorola Solutions

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 1.25 billion from 6 European FIs

Biggest creditors: Deutsche Bank, BNP Paribas, HSBC, Santander, Lloyds Banking Group

Total bond and shareholdings (Aug 2022):

USD 4.45 billion from 110 European FIs

Biggest investors: Crédit Agricole, Government Pension Fund Global, Deutsche Bank, Groupe BPCE, Janus Henderson

For more details see https://dontbuyintooccupation.org/dbio-data/

Who Profits asserts that U.S.-based communications equipment provider Motorola Solutions, through its subsidiary Motorola Solutions Israel,[183] has been involved in Israel's illegal settlements for more than 10 years.[184] The research centre documented how the company cooperates with the Israeli army, the Ministry of Defence and with settlement councils throughout the OPT. For example, Motorola has designed and manufactured the surveillance system "MotoEagle", which is used in dozens of illegal settlements in the West Bank, in the wall around Gaza and in Israeli military bases.[185] In some cases, as stated by Who Profits, the radar stations were erected

180 *Ibid*.

181 *Ibid*.

182 Banks in Israel, "Mizrahi Tefahot Bank Branches", https://banks-in-israel.co.il/Bank-Mizrahi-Tefahot/branches.asp?bankURL=Mizrahi+Tefahot+Bank++branches&bank_code=20 (accessed 20 November 2022).

183 Motorola Solutions (2022), Form 10-K: Annual report 2021, Exhibit 21. Document available on file with DBIO.

184 Who Profits, "Motorola Solutions", https://www.whoprofits.org/company/motorola-solutions/ (accessed 20 November 2022).

185 Who Profits, "Motorola Solutions", https://www.whoprofits.org/company/motorola-solutions/ (accessed 20 November 2022).

on unlawfully appropriated private Palestinian land, also preventing Palestinian movement.[186] According to Who Profits, the company provides support services to these systems.

Motorola is among the business enterprises included in the UN Database, due to the supply of surveillance and identification equipment for settlements, the wall and checkpoints directly linked with settlements.

2.4.35. Partner Communications

Total bond and shareholdings (Aug 2022):

USD 17 million from 4 European FIs

Biggest investors: Apax Partners, Government Pension Fund Global, Baillie Gifford, Legal & General

For more details see https://dontbuyintooccupation.org/dbio-data/

Partner Communications is an Israeli company that provides telecommunication services to settlements in Area C, operating under cellular and fixed-line licences granted by the Israeli Ministry of Communications.[187] According to Who Profits, as of August 2021 the company had 250 active cellular antennas and other infrastructure facilities throughout the OPT, some of which were constructed on privately-owned Palestinian lands.[188] The research centre reports that Partner Communications pays rental and land use fees to settlements, sometimes for the use of private Palestinian land.[189]

Partner Communications operates a sales and customer service centre in the Atarot settlement industrial zone. Moreover, three sales and customer service centres are located in Palestinian neighbourhoods in the occupied East Jerusalem.[190] As this area is not accessible to Palestinian mobile communication companies, Who Profits asserts that the company benefits from the captive Palestinian market.[191]

The company is among the business enterprises included in the UN Database, due to the provision of services and utilities supporting the maintenance and existence of settlements, and the use of natural resources, in particular water and land, for business purposes.

186 *Ibid*.

187 Partner Communications, "Annual report 2021", 28 February 2022, https://www.sec.gov/Archives/edgar/data/1096691/000117891322000840/zk2227367.htm, pp. 109, 390, 391.

188 Who Profits, "Partner Communications (former Orange)", https://www.whoprofits.org/company/partner-communications-orange/ (accessed 20 November 2022).

189 *Ibid*.

190 Partner Communications, "Service and sales centers – Atarot, Jerusalem", https://www.partner.co.il/n/servicecenter/ (accessed 20 November 2022).

191 Who Profits, "Partner Communications (former Orange)", https://www.whoprofits.org/company/partner-communications-orange/ (accessed 20 November 2022).

2.4.36. Paz Oil Company

Total bond and shareholdings (Aug 2022):

USD 5 million from 8 European FIs

Biggest investors: Pensioenfonds Zorg en Welzijn (PFZW), Baillie Gifford, Allianz, Legal & General, HSBC

For more details see https://dontbuyintooccupation.org/dbio-data/

Paz Oil Company is Israel's leading energy company.[192] It operates filling stations in various settlements in the occupied West Bank including Beit El, Ma'ale Adumim, Mishor Adumim, and Ofra, and in the settlement neighbourhood Pisgat Zeev in the occupied East Jerusalem.[193] Who Profits asserts that Paz Oil Company also enjoys access to the captive Palestinian market.[194] As an important supplier to the Palestinian Authority, it holds the right to collect its payment from Palestinian tax revenues held by the Israeli government.[195]

Paz Oil Company is among the business enterprises included in the UN Database, due to the provision of services and utilities supporting the maintenance and existence of settlements, and the use of natural resources, in particular water and land, for business purposes.

2.4.37. Puma

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 2.54 billion from 9 European FIs

Biggest creditors: BNP Paribas, HSBC, ING Group, Standard Chartered, Commerzbank

Total bond and shareholdings (Aug 2022):

USD 2.13 billion from 167 European FIs

Biggest investors: Crédit Agricole, Government Pension Fund Global, Carmignac Gestion, Deutsche Bank, Liontrust Asset Management

For more details see https://dontbuyintooccupation.org/dbio-data/

Puma, headquartered in Germany, is the third largest sportswear manufacturer globally.[196] Until 2020, Delta Galil was the exclusive partner for imports and brand activity of Puma in Israel. Delta

192 Paz Group, "About us", https://www.paz.co.il/en-US/content/About%20us/about-the-group (accessed June 2022).

193 Paz Group, "Stations accessibility status", https://www.paz.co.il/en-US/content/Our%20stations/accessibility-of-paz-compounds (accessed in June 2022).

194 Who Profits, "Paz Oil Company", https://www.whoprofits.org/company/paz-oil-company/ (accesses 20 November 2022).

195 Paz Group, "Annual report 2020", http://www.paz.co.il/en-US/investor-tools?category=Investor%20relations (accessed 20 November 2022), pp. A-55.

196 TotalSportal Staff, "Biggest sportswear brands – ranked according to 2021 yearly revenue", 15 March 2022, https://www.totalsportal.com/list/biggest-sportswear-brands/ (accessed 20 November 2022).

Galil has several stores in settlements in the West Bank as well as East Jerusalem.[197] In 2021, Al Srad Ltd., part of the Irani Corporation, became PUMA's exclusive licensee in Israel.[198] Irani Corporation operates the Factory 54 clothing chain, including an outlet in the Mamilla shopping center, which is located in the "no man's land" surrounding occupied East Jerusalem.[199]

PUMA is also a sponsor of the Israel Football Association (IFA).[200] It entered an initial four-year deal with the IFA in 2018, to become the official kit partner of the Israeli national teams, supplying, playing and training kits, footwear, and all necessary equipment to play during competitions.[201] The IFA governs over teams from Israeli settlements, such as Ma'ale Adumim, Oranit and Giv'at Ze'ev.[202] The IFA has also advocated for maintaining teams in illegal Israeli settlements within FIFA, the governing body of world football.[203] Human rights organisations have pointed out for years that, as a sponsor, PUMA is lending its brand to whitewash human rights abuses, as the home games of settlement clubs are played on land that has been unlawfully seized from Palestinians. Moreover, they state that the teams provide part-time employment and recreational services to settlers.[204] Palestinians are denied similar services, as they are not allowed to enter settlements for recreational purposes and to play or train football on the pitches or watch the games. In 2022, the IFA renewed the sponsorship contract with PUMA for an additional two years.[205]

Puma's activities are of concern, as the company is involved in the provision of services as well as employment, and therefore supporting the maintenance and existence of settlements.

2.4.38. Rami Levy Chain Stores Hashikma Marketing 2006

Total bond and shareholdings (Aug 2022):

USD 5 million from 5 European FIs

Biggest investors: Baillie Gifford, Mediobanca Banca di Credito Finanziario, Kommunal Landspensjonskasse, Legal & General, Government Pension Fund Global

For more details see https://dontbuyintooccupation.org/dbio-data/

Rami Levy Chain Stores Hashikma Marketing 2006 is an Israeli supermarket chain that operates stores in the settlements of Ariel, Beitar Illit, Gush Etzion, Mishor Adumim, and Sha'ar Binyamin,

197 Delta, "Stores", https://www.delta.co.il/stores (accessed 20 November 2022).

198 IFA, 2020 Annual Report, Hebrew, pg 31, point 8 https://www.football.org.il/files/SiteCollectionDocuments/FTP/eitan/IFA/asifa/2021/caspi.pdf

199 https://www.alrovmamilla.com/en/business/?char=F

200 IFA, "Homepage", https://www.football.org.il/en/ (accessed 20 November 2022).

201 Sport Business, "Puma returns to Israel Football Association", 27 July 2018, https://sponsorship.sportbusiness.com/news/puma-returns-to-israel-football-association/ (accessed 20 November 2022).

202 Israel Football Association, "National teams", https://www.football.org.il/en/clubs/ (accessed in November 2022).

203 FIFA Monitoring Committee: Israel-Palestine https://daoudkuttab.medium.com/full-text-of-tokyo-sexwale-chairmans-report-to-fifa-on-palestine-israel-53c27c909a5b

204 Sari Bashi, "FIFA must take strong stance against Israeli settlement clubs", Human Rights Watch, https://www.hrw.org/news/2017/01/10/fifa-must-take-strong-stance-against-israeli-settlement-clubs (accessed 20 November 2022).

205 IFA, 2021 Annual Report, Hebrew, pg 26, point 7 https://www.football.org.il/files/SiteCollectionDocuments/FTP/eitan/IFA/asifa/2022/%D7%94%D7%AA%D7%90%D7%97%D7%93%D7%95%D7%AA%20%D7%9C%D7%9B%D7%93%D7%95%D7%A8%D7%92%D7%9C%20%D7%93%D7%95%D7%97%20%D7%9B%D7%A1%D7%A4%D7%99%202021.pdf

in the occupied West Bank, and the Atarot Industrial Zone in occupied East Jerusalem.[206] It also operates two shopping malls that house a variety of shops: in the Ariel settlement in the occupied West Bank and the Atarot Mall in the industrial zone in occupied East Jerusalem.[207]

The company is among the business enterprises included in the UN Database, due to the provision of services and utilities supporting the maintenance and existence of settlements, and the use of natural resources, in particular water and land, for business purposes.

2.4.39. RE/MAX Holdings

Total bond and shareholdings (Aug 2022):

USD 20 million from 20 European FIs

Biggest investors: Assenagon, Evli Bank, KBC Group, Punter Southall, BNP Paribas

For more details see https://dontbuyintooccupation.org/dbio-data/

RE/MAX Israel, the local franchise of U.S.-based RE/MAX Holdings, operates a sales office in the West Bank settlement of Ma'ale Adumim.[208] RE/MAX Israel offers real estate for sale and for rent in major settlements in the West Bank, including occupied East Jerusalem. As of June 2022, the offer included two properties in Ma'ale Adumim, one property in the Barkan settlement in the occupied West Bank. Moreover, properties in settlement neighbourhoods in East Jerusalem included four objects in French Hill and one in Neve Yaakov.[209]

RE/MAX Israel is among the business enterprises included in the UN Database, due to the provision of services and utilities supporting the maintenance and existence of settlements.

206 BdiCode, "Rami Levy Chain Stores Hashikma Marketing 2006 Ltd.", https://www.bdicode.co.il/en/company/rami-levi-chain-stores-hashikma-marketing-2006-ltd-en/ (accessed 20 November 2022).

207 Shany Moses, "Rami Levy to open mall near Ramallah next month", 14 November 2018, Globes, https://en.globes.co.il/en/article-rami-levy-to-open-mall-near-ramallah-next-month-1001260652 (accessed 20 November 2022).

208 RE/MAX Israel, "Offices – Ma'aleh Adumim", https://www.remax-israel.com/en/offices/jerusalem-and-the-south/maaleh-adumim/%D7%A8%D7%99%D7%9E%D7%A7%D7%A1-%D7%A2%D7%AA%D7%99%D7%93-remax-atid/83181 (accessed in June 2022); Who Profits, "RE/MAX Holdings", https://www.whoprofits.org/company/re-max-holdings (accessed in June 2022).

209 REMAX Israel, "Apartments for sale or rent" [Hebrew], https://www.remax-israel.com/_/Israel/Jerusalem_and_the_South/Jerusalem/ (accessed in June 2022).

2.4.40. Shapir Engineering and Industry

Total bond and shareholdings (Aug 2022):

USD 5 million from 7 European FIs

Biggest investors: Deutsche Bank, Mediobanca Banca di Credito Finanziario, ACATIS Investment, Pensioenfonds Zorg en Welzijn (PFZW), HSBC

For more details see https://dontbuyintooccupation.org/dbio-data/

Shapir Engineering and Industry operates the Natuf quarry, a concrete plant in the settlement of Migdal Oz in the occupied West Bank, and a concrete plant in the Atarot industrial settlement zone in occupied East Jerusalem.[210] It has also been involved in various housing and transport infrastructure projects in Israeli settlements, including infrastructure work for the Tel Aviv-Jerusalem Fast train (A1).[211] The train crosses the Green Line into the occupied West Bank in two areas, which Who Profits states unlawfully uses public and private Palestinian land in the OPT for an Israeli transportation project for the exclusive benefit of Israeli citizens.

In 2019, Shapir and CAF won the tender for the implementation of the second stage of the Jerusalem Light Rail, including the construction, operation, and maintenance of two additional lines.[212] In November 2020, despite its listing in the UN Database, Shapir, together with CAF, closed a project financing deal for the execution of the Jerusalem Light Rail concession.[213] The new network is expected to be fully operational by 2025. On 16 April 2021, the consortium started the concession, which will run for a 15-year period.[214] In July 2021, Shapir Engineering was part of one of the consortia approved to bid on the Blue and Purple line tender for the Jerusalem Light Rail, which will connect settlement neighbourhoods in the south and north of the city.[215] The lines are still in tender process as of July 2022.

In November 2021, Who Profits documented a Shapir truck working on the expansion of Nabi Elyas bypass road (Highway 55), which it claims expropriates Palestinian land for a project aimed at benefitting an illegal settler population.[216]

Shapir Engineering and Industry is among the business enterprises included in the UN Database, due to the provision of services and utilities supporting the maintenance and existence of settlements, and the use of natural resources, in particular water and land, for business purposes.

---

210 Shapir, "Quarries", https://www.shapir.co.il/en/industry/quarries/ (accessed in June 2022); Shapir, "Concrete plants - Jerusalem", https://www.shapir.co.il/en/industry/concrete-plants/ (accessed in June 2022).

211 Who Profits, "Shapir", https://www.whoprofits.org/company/shapir-civil-and-marine-engineering/ (accessed in June 2022); Shapir, "Infrastructure Projects Under Construction – High-Speed Rail Line To Jerusalem", https://www.shapir.co.il/en/projects-under-construction/high-speed-rail-line-to-jerusalem/ (accessed in June 2022).

212 David Burroughs, "CAF and Shapir awarded Jerusalem light rail project contract", 8 August 2019, International Railway Journal, https://www.railjournal.com/passenger/light-rail/caf-and-shapir-awarded-jerusalem-light-rail-project-contract/ (accessed 20 November 2022).

213 Kobi Yeshayahou, "Shapir closes NIS 3.7b Jerusalem light rail financing", 8 November 2020, Globes, https://en.globes.co.il/en/article-shapir-closes-nis-37b-jerusalem-light-rail-financing-1001348678 (accessed 20 November 2022).

214 Keith Fender, "New consortium takes up Jerusalem light rail concession", Rail Journal, 25 April 2021, https://www.railjournal.com/passenger/light-rail/new-consortium-takes-up-jerusalem-light-rail-concession/ (accessed 20 November 2022).

215 Israeli Ministry of Finance, Tenders for Construction, Financing, Operation and Maintenance, 2021.

216 Who Profits, "Shapir", https://www.whoprofits.org/company/shapir-civil-and-marine-engineering/ (accessed in June 2022).

2.4.41. Shikun & Binui

Total bond and shareholdings (Aug 2022):

USD 1 million from 6 European FIs

Biggest investors: Svenska Handelsbanken, Legal & General, Deutsche Bank, Crédit Agricole, HSBC

For more details see https://dontbuyintooccupation.org/dbio-data/

Shikun & Binui is an Israeli infrastructure and real estate company that, according to Who Profits, is involved in the construction and expansion of illegal Israeli settlements and infrastructure in the occupied West Bank, including East Jerusalem.[217] Among others, in 2019, the company was awarded the contract to construct the expansion of the Tunnel Road, a section of Route 60 on which Palestinian vehicles are prohibited from travelling. The construction is ongoing and expected to be completed in 2025.[218] In the same year, its fully owned subsidiary Shikun & Binui Solel Boneh Infrastructures was awarded a contract for construction work in the depot complex of the Green Line of the Jerusalem Light Rail, which connects large Israeli settlement blocks in occupied East Jerusalem with the western parts of the city, and is built on unlawfully expropriated Palestinian private property in the OPT, as reported by Who Profits.[219]

In July 2021, Shikun & Binui was part of one of the consortia approved to bid on the Blue and Purple line tender for the Jerusalem Light Rail, which will connect settlement neighbourhoods in the South and North of the city.[220] The lines are still in tender process as of July 2022.

Shikun & Binui's activities are of concern, as they are linked to the provision of services and utilities supporting the maintenance and existence of settlements, including transport, as well as the use of natural resources, in particular water and land, for business purposes.

2.4.42. Shufersal

Total bond and shareholdings (Aug 2022):

USD 13 million from 13 European FIs

Biggest investors: Algemeen Burgerlijk Pensioenfonds (ABP), Pensioenfonds Zorg en Welzijn (PFZW), Baillie Gifford, Government Pension Fund Global, Svenska Handelsbanken

For more details see https://dontbuyintooccupation.org/dbio-data/

Shufersal is an Israeli company that operates branches of its supermarkets and drugstores in various Israeli settlements in the OPT. This includes stores in Ariel, Modi'in Illit, Beitar Illit, Maaleh

217 Who Profits, "Housing and Construction Holding Co. (Shikun & Binui Group)", https://www.whoprofits.org/company/housing-and-construction-holding-co/ (accessed in June 2022).

218 Who Profits, Infrastructures of Dispossession and Control, 2021, pp. 6; Time.News, "Further progress in the tunnel widening project", 27 February 2022, https://time.news/further-progress-in-the-tunnel-widening-project/ (accessed 20 November 2022).

219 Who Profits, Infrastructures of Dispossession and Control, 2021, pp. 18.

220 Israeli Ministry of Finance, Tenders for Construction, Financing, Operation and Maintenance, 2021.

Adumim in the West Bank, and in the Gilo, Pisgat Zeev, Ramat Eshkol, and Ramat Shlomo neighbourhoods in occupied East Jerusalem.[221]

The company is among the business enterprises included in the UN Database, due to the provision of services and utilities supporting the maintenance and existence of settlements, and the use of natural resources, in particular water and land, for business purposes.

2.4.43. Siemens

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 8.00 billion from 20 European FIs

Biggest creditors: BNP Paribas, Santander, ING Group, Standard Chartered, HSBC

Total bond and shareholdings (Aug 2022):

USD 14.28 billion from 313 European FIs

Biggest investors: Government Pension Fund Global, Deutsche Bank, DZ Bank, Crédit Agricole, Deka Group

For more details see https://dontbuyintooccupation.org/dbio-data/

Siemens is a German publicly listed technology company, focusing on industry, infrastructure and transport worldwide.[222] Research by Who Profits has shown how Siemens traffic control systems have been installed on Roads 5 and 443 in the occupied West Bank, as part of an Israeli road system, on which Palestinians are forbidden from travelling.[223] Siemens traffic control systems were also installed on Road 1 at the entrance to the Mishor Adumim settlement industrial zone.

In 2018, Siemens signed a NIS 3.8 billion (EUR 1.1 billion) contract with Israel Railways for the delivery of 60 Desiro HC regional train sets over a period of 10 years and maintenance over a period of 15 years, the construction of a maintenance workshop in Ashkelon, and further options for maintenance.[224] The trains operate most services on the A1 Fast Train line.[225] Who Profits states that the train crosses the Green Line into the occupied West Bank in two areas, using appropriated Palestinian land – some of it privately owned – for an Israeli transportation project for the exclusive benefit of Israelis.[226]

Siemens' activities are of concern, as they are linked to the provision of services and utilities supporting the maintenance and existence of settlements, including transport.

221 Shufersal, "Corporate branches" [Hebrew], https://www.shufersal.co.il/online/he/iframe-container/corporateBranches (accessed in June 2022).

222 Siemens, "Company – About us", https://new.siemens.com/global/en/company/about.html (accessed in June 2022).

223 Who Profits, "Siemens", https://www.whoprofits.org/company/siemens/ (accessed in June 2022).

224 Siemens, "Siemens and Israel Railways sign contract for 60 double-decker regional trains", 7 March 2018, https://press.siemens.com/global/en/feature/siemens-and-israel-railways-sign-contract-60-double-decker-regional-trains (accessed 20 November 2022).

225 The Railway Magazine, "New lines, new trains for Israel network", 4 July 2022, https://www.pressreader.com/uk/the-railway-magazine/20220704/283575224154888 (accessed 20 November 2022).

226 Who Profits, "Siemens", https://www.whoprofits.org/company/siemens/ (accessed in June 2022).

2.4.44. Solvay

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 4.40 billion from 8 European FIs

Biggest creditors: BNP Paribas, Crédit Agricole, HSBC, Commerzbank, KBC Group

Total bond and shareholdings (Aug 2022):

USD 2.47 billion from 153 European FIs

Biggest investors: Crédit Agricole, Government Pension Fund Global, Janus Henderson, Intesa Sanpaolo, Banque Degroof Petercam

For more details see https://dontbuyintooccupation.org/dbio-data/

Solvay is a Belgium-based multinational science company active in the chemicals and plastics sectors.[227] Airframer reports that Solvay supplies pre-impregnated reinforced fibres (MTM 46 epoxy prepreg system) for the Elbit Hermes 450 unmanned aerial vehicle (UAV).[228] The drone is produced by UAV Tactical Systems, a joint venture between Elbit Systems and Thales UK. Elbit is the top supplier of drones and other surveillance tools used by the Israeli military in the occupied territories of the West Bank, East Jerusalem and Gaza, as well as in military operations in the Gaza strip.[229]

Solvay products were also recorded by Who Profits at the construction site of a bypass water pipeline in the Palestinian village Bardala.[230] The Bardala bypass project by Israel's national water company Mekorot started in 2019 with an estimated NIS 2.5 million (EUR 0.6 million) budget running until after 2020 for the transport of freshwater extracted from Palestinian water sources in the OPT to nearby Israeli settlements, bypassing Palestinian communities.[231]

Solvay's activities are of concern, as they are linked to supply of surveillance and identification equipment used in the OPT, and to the provision of services and utilities supporting the maintenance and existence of settlements.

227 Solvay, "Our Company", https://www.solvay.com/en/our-company (accessed in June 2022).

228 Airframer, "Elbit Hermes 450/Watchkeeper", https://www.airframer.com/aircraft_detail.html?model=Elbit_Hermes_450 (accessed in June 2022).

229 Al-Haq, The Surveillance Industry and Human Rights, 2019.

230 Who Profits, "Solvay", https://www.whoprofits.org/company/solvay/ (accessed 20 November 2022).

231 Who Profits, "In the Pipeline: Israeli Bypass Water Project in the Jordan Valley", February 2020, https://www.whoprofits.org/wp-content/uploads/2020/02/Bardala-for-Website.pdf (accessed 20 November 2022), pp. 2, 7.

2.4.45. Tripadvisor

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 271 million from 2 European FIs

Biggest creditors: BNP Paribas, Barclays

Total bond and shareholdings (Aug 2022):

USD 400 million from 45 European FIs

Biggest investors: Polar Capital Holdings, Van Lanschot Kempen, Allianz, Azimut, Government Pension Fund Global

For more details see https://dontbuyintooccupation.org/dbio-data/

Tripadvisor is a U.S. based digital tourism company that operates online travel brands and websites, including tripadvisor.com.[232]

On its website, Tripadvisor promotes accommodations and attractions in settlements in the OPT. Israeli settlements in the occupied West Bank are described as "Israeli settlement, Palestinian Territories", but Tripadvisor fails to inform consumers of the settlements' illegal status under international law and their location in occupied territory.[233] Furthermore, Viator, a subsidiary of Tripadvisor, provides tours and travel activities in Israeli settlements. Its description of the 'Western Samaria Private Tour' does not mention the occupied status of the West Bank and includes a visit to the controversial Tel Shiloh site, which was built on private Palestinian land and is managed by the local settler council and a private non-profit organisation, Mishkan Shilohby.[234]

Amnesty International states that by boosting the settlement tourism industry and, as a result, the settlement economy, TripAdvisor is contributing to, and profiting from, the maintenance, development and expansion of illegal settlements.[235]

Tripadvisor is among the business enterprises included in the UN Database, due to the provision of services and utilities supporting the maintenance and existence of settlements.

232 Tripadvisor, "About Us", https://tripadvisor.mediaroom.com/us-about-us (accessed in June 2022).

233 Tripadvisor, "Nof Canaan", https://www.tripadvisor.com/Hotel_Review-g3238517-d7648446-Reviews-Nof_Canaan-Kfar_Adumim_Binyamin_Region_West_Bank.html (accessed in June 2022).

234 Viator, "Western Samaria Private Tour", https://www.viator.com/tours/Tel-Aviv/Old-Jaffa-Virtual-Online-Tour-Join-us-on-Zoom/d920-30489P89 (accessed in June 2022); Ilan Ben Zion, "Ancient West Bank site draws Christian, and controversy", 27 March 2019, https://apnews.com/article/ap-top-news-international-news-jerusalem-west-bank-archaeology-a8bfb603733f4cb3890bbb4fcecd06c1 (accessed 20 November 2022).

235 Amnesty International, Destination: Occupation, 2019.

2.4.46. TUI Group

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 15.44 billion from 19 European FIs

Biggest creditors: KfW, Commerzbank, Barclays, UniCredit, Deutsche Bank

Total bond and shareholdings (Aug 2022):

USD 159 million from 58 European FIs

Biggest investors: Government Pension Fund Global, Legal & General, HSBC, Marathon-London, Abrdn

For more details see https://dontbuyintooccupation.org/dbio-data/

The German TUI Group is one of the world's largest tourism companies, operating 1,600 travel agencies and its own airlines, hotels, and cruise liners.[236] As documented by GLAN and SOMO, several of its subsidiaries offer guided tours that are solely branded as visiting Israel, but include sites in illegal settlements in the occupied West Bank and the occupied Syrian Golan.[237] Its Dutch subsidiary TUI Nederland N.V. offers two group tours which both visit the settlement Qumran National Park. GLAN and SOMO state that the national park and adjacent parking lot for tour buses was formerly used by indigenous Palestinian Bedouin communities, These communities have increasingly been displaced from their ancestral land and are subject to restrictions on access to land, water, electricity and other infrastructure and basic services.[238]

The tours are labelled as visiting "Israel and Jordan" and "Highlights of Israel".[239] Another example is a tour offered by TUI Belgium, "Back to the beginning - Israel", which includes visits to Bethlehem in the OPT, as well as the occupied Golan Heights and sights in occupied East Jerusalem.[240]

TUI Group's activities are of concern as they are supporting the existence of illegal settlements and contribute to their normalisation.

236 TUI Group, "About TUI Group", https://www.tuigroup.com/en-en/about-us/about-tui-group (accessed in June 2022).

237 GLAN and SOMO, Tainted Tourism, 2021, pp. 19, 21-23.

238 GLAN and SOMO, Tainted Tourism, 2021, pp. 25.

239 TUI Nederland, "Christelijke reis – 8-daagse vliegreis Israël" [Dutch], https://www.tui.nl/christelijke-reis-8-daagse-vliegreis-israel-519723736/ (accessed in June 2022); TUI Nederland, "Christelijke reis 15-dg vliegreis Israël, Jordanië" [Dutch], https://www.tui.nl/christelijke-reis-15-dg-vliegreis-israel-jordanie-519724023/ (accessed in June 2022).

240 TUI Belgium, "Terug naar het begin – Israël" [Dutch], https://tours.tui.be/fr/terug-naar-het-begin_ISRTUN00/ (accessed in June 2022).

2.4.47. Villar International

Total bond and shareholdings (Aug 2022):

USD 0.1 million from one European FIs

Biggest investor: Deutsche Bank

For more details see https://dontbuyintooccupation.org/dbio-data/

Villar International is an Israeli company active in construction and real estate projects, including the renting out of industrial properties.[241] Its subsidiary Archivist is providing archiving, storage and filing services.

Villar International's assets include properties in the Barkan settlement.[242] Since 1999, Archivist has also had its main storage centre in the Barkan settlement. It covers an area of around 47,000 square metres. Among its clients are Israel Post, Bank Leumi, and IBM.[243]

Villar International and Archivist are among the business enterprises included in the UN Database, due to the use of natural resources, in particular water and land, for business purposes.

2.4.48. Vinci / SEMI

Total loans and underwriting (Jan 2019 - Aug 2022)[244]:

USD 2.38 billion from 9 European FIs

Biggest creditors: Groupe BPCE, HSBC, BNP Paribas, Société Générale, Crédit Agricole

Total bond and shareholdings (Aug 2022):

USD 8.56 billion from 279 European FIs

Biggest investors: Government Pension Fund Global, Crédit Agricole,Deutsche Bank, DZ Bank, Nordeas

For more details see https://dontbuyintooccupation.org/dbio-data/

Vinci is a French infrastructure, energy and construction company. Previously part of the Spanish ACS Group, SEMI, a company specialised in the maintenance and installation of electric power lines, railway electrification, communications infrastructures, and industrial facilities, became part of Vinci in December 2021.[245]

241 Villar International, "About Villar" [Hebrew], https://villar.co.il/en/ (accessed in August 2022).

242 Villar International, "Property development", https://villar.co.il/en/services/property-development-2/ (accessed in August 2022).

243 Archivist, "About us" [Hebrew], https://www.archiv.co.il/about/#about (accessed in August 2022).

244 Data for Vinci was added shortly before the publication of this report and could therefore not be included in the due hearing with financial institutions. As for all companies, the data is sourced from financial databases and pension fund portfolios. Financial transactions involving Vinci were only considered after the date of the SEMI acquisition.

245 Vinci, "VINCI completes the acquisition of ACS's energy business (Cobra IS)", 31 December 2021, https://www.vinci.com/vinci.nsf/en/press-releases/pages/20211231-0830.htm (accessed 20 November 2022).

SEMI won a tender of NIS 2 billion in 2015 to electrify Israel's railway network, including the A1 Tel Aviv Jerusalem Fast Train, in a project running from 2016 to 2032.[246] After reconsidering the contract and months of negotiations, Israel Railways announced in February 2020 that SEMI will continue to be the lead contractor on the electrification of the Israeli railway network.[247] As the first line to be completed under the project, the A1 was reported to be fully electrified in September 2020.[248] SEMI is still responsible for a maintenance period of 10 years as part of the initial contract.[249]

According to Who Profits, the route of this A1 Fast Train crosses the Green Line into the occupied West Bank in two areas, unlawfully using public and private Palestinian land in the OPT for an Israeli transportation project for the exclusive benefit of Israeli citizens and settler population, in direct violation of international law[250]

Vinci's activities are linked to the unlawful use and exploitation of natural resources in the OPT, in particular water and land, for business purposes, as well as the provision of services and utilities supporting the maintenance and existence of settlements, including transport.

246 ACS Group, Informe Annual 2015 [Spanish], p. 100. Document available on file with DBIO; SEMI, "Electrificación de Ferrocarriles de Israel", https://www.gruposemi.com/proyecto/electrificacion-de-ferrocarriles-de-israel/ (accessed in June 2022).

247 Kevin Smith, "Israel electrification programme accelerated as ETCS Level 2 tested", 7 April 2020, International Railway Journal, https://www.railjournal.com/regions/middle-east/israel-electrification-programme-accelerated/ (accessed 20 November 2022); Amiram Barkat, " Israel Railways chairman departs in electrification dispute", 20 February 2020, Globes, https://en.globes.co.il/en/article-dispute-over-electrification-leads-to-israel-railways-chairma-1001319266 (accessed 20 November 2022).

248 David Burroughs, "Electrification of Israel's A1 Link complete", 7 September 2020, International Railway Journal, https://www.railjournal.com/infrastructure/electrification-of-israels-a1-link-complete/ (accessed 20 November 2022).

249 ACS Group, "Activity Report 2015", 2016, https://www.grupoacs.com/informe-anual-2015/actividades/activity.html, pp. 104.

250 Who Profits, "Semi", https://www.whoprofits.org/company/semi (accessed 20 November 2022); Who Profits, "Crossing the Line: The Tel Aviv Jerusalem Fast Train", October 2010, https://whoprofits.org/wp-content/uploads/2018/06/old/Train%20A1.pdf (accessed 20 November 2022).

2.4.49. Volvo Group

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 12.47 billion from 16 European FIs

Biggest creditors: Deutsche Bank, Skandinaviska Enskilda Banken, Nordea, Danske Bank, BNP Paribas

Total bond and shareholdings (Aug 2022):

USD 15.18 billion from 190 European FIs

Biggest investors: AB Industrivärden, Swedbank, Government Pension Fund Global, AMF Pensionsförsäkring, Alecta

For more details see https://dontbuyintooccupation.org/dbio-data/

Volvo Group is a Swedish multinational company which manufactures trucks, buses, construction equipment, and marine and industrial engines.[251] During 2020 and the beginning of 2021, Al-Haq reported several instances of Volvo machinery being used during unlawful demolitions of Palestinian structures.[252] More recently, Al-Haq has reported the demolition of a water collection well (March 2021) and a Palestinian water structure involving Volvo bulldozers (June 2021).[253] In June 2022, Volvo machinery was reportedly used in the raiding and demolishing of residential tents and animal shacks in Al-Fakheet and Al-Markez villages, after the Israeli Supreme Court had ruled in favour of the expulsion of eight villages in the region of Masafer Yatta in May 2022.[254]

Volvo's importer and distributor in Israel is Mayer Cars and Trucks Ltd, including for bus chassis. Volvo Bus Corporation (26.5%) and Mayer jointly own Merkavim. Merkavim uses Volvo chassis for its armoured Mars buses[255] that are used in services to Israeli settlements. Mayer and Merkavim are included in the UN Database.

In a response to questions from stakeholders regarding the *"use of the Group's products in Israel"*, Volvo does not take responsibility for the company's involvement: *"In Israel, the sale of our trucks, buses, construction equipment and other products is made via a private importer. These sales are not targeted towards any specific areas within Israel and the products could be used in many different applications by different users. Further, our products have a long-life span and may be rented out and change ownership many times during their life cycle and we are limited in our possibilities to influence how and where our products will be used throughout their entire life cycle".*[256]

251 Volvo Group, "What we do", https://www.volvogroup.com/en/about-us/what-we-do.html (accessed in June 2022).

252 Al-Haq, "Special Focus: Sharp High Rate of Property Demolitions since the Second Half of 2020", 22 October 2020, https://www.alhaq.org/advocacy/17468.html (accessed 20 November 2022); Al-Haq, "Human Rights Organisations Urge the Human Rights Council to Establish a Fact-Finding Mission into Israel's Apartheid Regime", 20 March 2021, https://www.alhaq.org/advocacy/18050.html (accessed 20 November 2022).

253 Al-Haq et al., Joint Submission to the Human Rights Committee on Israel's Sixth Periodic Review, 2022.

254 Stop the Wall, Who is aiding Israel?, 2022; UN OCHA, Masafer Yatta Communities at Risk of Forcible Transfer, 2022.

255 Merkavim, "Mars", http://www.merkavim.co.il/en/Project/31/Mars,m (accessed in June 2022).

256 Volvo Group, "Annual and Sustainability Report 2021", 2022, https://www.volvogroup.com/en/news-and-media/events/2022/feb/annual-and-sustainability-report-2021.html (accessed 20 November 2022), pp. 174.

Volvo's activities are of concern as its equipment is used in the demolition of housing, property and infrastructure in the OPT, as well as in the provision of services and utilities supporting the maintenance and existence of settlements, including transport.

2.4.50. WSP Global

Total loans and underwriting (Jan 2019 - Aug 2022):

USD 1.01 billion from 4 European FIs

Biggest creditors: HSBC, Swedbank, BNP Paribas, Crédit Agricole

Total bond and shareholdings (Aug 2022):

USD 543 million from 64 European FIs

Biggest investors: Government Pension Fund Global, Swedbank, Deka Group, Didner & Gerge Fonder, Storebrand

For more details see https://dontbuyintooccupation.org/dbio-data/

WSP Global (formerly WSP|Parsons Brinckerhoff) is a Canadian strategic advice and engineering company.[257] WSP managed the electrification project for the Modi'in to Jerusalem-Yitzhak Navon part of the A1 train line.[258] The line was fully electrified in September 2020.[259] The train crosses the Green Line into the occupied West Bank in two areas, running through unlawfully appropriated public and private Palestinian land in the OPT for an Israeli transportation project for the exclusive benefit of Israeli citizens. WSP is also contracted for planning and monitoring activities around the Jerusalem Light Rail.[260] The tram system provides transport services for settlement neighbourhoods.

WSP Global's activities are of concern as they are linked to the use of natural resources in the OPT, in particular water and land, for business purposes, and due to the provision of services and utilities supporting the maintenance and existence of settlements, including transport.

257 WSP Global, Annual Report 2021, 2022, https://www.wsp.com/en-gl/investors/reports-and-filings/annual-report (accessed 20 November 2022), pp. M-2.

258 Guy Lieberman, "Can Israel pivot from cars to public transport?", 13 October 2021, Globes, https://en.globes.co.il/en/article-can-israel-pivot-from-cars-to-public-transport-1001387134 (accessed 20 November 2022).

259 David Burroughs, "Electrification of Israel's A1 Link complete", 7 September 2020, International Railway Journal, https://www.railjournal.com/infrastructure/electrification-of-israels-a1-link-complete/ (accessed 20 November 2022); Al-Haq, "105 Organizations Submit on WSP's Illegal Settlement Enterprise to UN Database, Calling New UN High Commissioner for Human Rights to Investigate", 15 September 2022, https://www.alhaq.org/advocacy/20568.html (accessed 20 November 2022).

260 Who Profits "WSP | Parsons Brinckerhoff (Formerly Parsons Brinckerhoff International Inc.)", https://www.whoprofits.org/company/wsp-parsons-brinckerhoff-formerly-parsons-brinckerhoff-international-inc/ (accessed 20 November 2022).

3. Case studies: The human rights impact of doing business with settlements

3.1. CASE 1: Construction of settlements

Daoud Abdul Rahman Abdullah Hassan is the father of eight children living in Khallet Hassan, north of the city of Bidya. He and his family own about fifty dunums of land, upon which there are olive trees and an agricultural room. The land is in Area C, according to the Oslo Accords, and is surrounded by the Israeli settlement of Ma'ale Shomron to the northeast and Etzfraim to the southwest.

In the 1980's, a settlement company named "Ayaker" claimed 1300 dunams of land in Khallet Hassan. Daoud and his family went to the Israeli judiciary to reclaim this land and their case against the settlement company continued until 2019, when they succeeded in reclaiming about 1100 dunams of land. The case regarding the remaining 200 dunams remains filed in the Israeli courts, during which time Daoud and his family continued to harvest and cultivate their land. On July 5, 2020 a group of armed settlers attacked citizens of Khallet Hassan, and Daoud was hit with live bullets, injuring his chest and shoulder, which has since led medical problems with his right hand.

Four months later, on November 15, 2020, a force from the city administration came, accompanied by forces from the Israeli army and two large bulldozers, one of which was a Volvo bulldozer. At that time, Daoud was at the hospital being treated for his bullet wound. According to eyewitnesses, the occupying forces, using the heavy machinery from Volvo, demolished the agricultural room of Daoud's property, without prior notice. Israeli forces destroyed agricultural tools, bulldozed about 30 olive and almond trees, and wrecked a stone wall about 100 meters long, about 80 cm high, that surrounded a section of Daoud's land. It was clear that the cooperation between occupation forces and Israeli settlers worked to uproot Daoud's family from their land to seize it for development of illegal Israeli settlements.[261]

- What is the human rights impact of settlement construction?

Established throughout the occupied Palestinian territory since 1967, Israeli settlements have had a vast **negative impact on the human rights of the Palestinian people.** The UN International Fact Finding Mission report in 2013 noted that:

> ***"[T]he existence of the settlements has had a heavy toll on the rights of the Palestinians. Their rights to freedom of self-determination, non-discrimination, freedom of movement, equality, due process, fair trial, not to be arbitrarily detained, liberty and security of person, freedom of expression, freedom of access to places of worship, education, water, housing, adequate standard of living, property, access to natural resources and effective remedy are being violated consistently and on a daily basis".***[262]

The establishment of the settlements had also brought with it continuously escalating and widespread Israeli settler violence towards Palestinians across the West Bank and Jerusalem,

261 Affidavit No. 328/2020, on file with Al-Haq.

262 UNHRC, Fact-Finding Mission Report, 2013, pp. 21-22.

supported and protected by the Israeli authorities and military.[263] Israeli **settler violence** ranges from blocking roads, to throwing stones at cars and homes of Palestinians, to raiding villages and agricultural land, setting fire to olive groves, as well as using live fire.[264] On numerous occasions, Israeli settlers have attacked Palestinian farmers who were working on their lands, using batons and metal bars or throwing stones. As a result, many Palestinians have been injured or killed, and Palestinian property and land has been damaged and destroyed. Meanwhile, Palestinians subject to such attacks, bypassers, or those who document or resist the attacks face repression by the Israeli military, including through tear gas, rubber bullets, live rounds, and arbitrary arrest and detention.[265] In the period between 1 January and 24 October 2022 alone, the United Nations Office for the Coordination of Humanitarian Affairs (UN OCHA) has reported on at least 577 attacks by Israeli settlers against Palestinians in the West Bank, resulting in casualties and property damage.[266]

Moreover, Israeli settlements have **impeded the possibility of any sustainable social and economic development** in the OPT. For example, a 2021 UN study states that without Israeli settlements and other restrictions resulting from the occupation, the per capita GDP in the West Bank would be 44 percent higher. The Israeli occupation, to which settlement construction and expansion is key, has cost the Palestinian economy $58 billion over the past two decades.[267] As noted by the UN Fact Finding Mission on the human rights impact of Israeli settlements in this regard: *"The agricultural sector, considered the cornerstone of Palestinian economic development, has not been able to play its strategic role because of dispossession of land and the denial of access for farmers to agricultural areas, water resources and domestic and external markets. This has led to a continuous decline in the share of agricultural production in GDP and employment since 1967"t.*[268]

- Which companies and financial institutions are involved?

The machines, equipment and services of several Israeli and multinational companies, as well as the loans and financial support provided by Israeli banks, have played a central role in the construction, maintenance and expansion of Israeli settlements.

263 B'Tselem, "Settler Violence Updates Overview", https://www.btselem.org/settler_violence_updates_over view (accessed 20 November 2022).

264 B'Tselem, "State Business – Israel's misappropriation of land in the West Bank through settler violence", November 2021, https://www.btselem.org/publications/202111_state_business (accessed 20 November 2022).

265 Amnesty International, "Think Twice – Can companies do business with Israeli settlements in the Occupied Palestinian Territories while respecting human rights?", 2019, https://www.amnesty.org.uk/files/2019-03/Think%20Twice%20report.pdf?BrN9N0VX3RkzTJROuKYC46LE43hCPtTu= (accessed 20 November 2022), pp. 12.

266 UN OCHA, "Protection of Civilians Rerpot – 11-24 October 2022", 1 November 2022, https://www.ochaopt.org/poc/11-24-october-2022 (accessed 20 November 2022).

267 UNCTAD, "The economic costs of the Israeli occupation for the Palestinian people: Arrested development and poverty in the West Bank", 20 December 2021, https://unctad.org/webflyer/economic-costs-israeli-occupation-palestinian-people-arrested-development-and-poverty-west (accessed 20 November 2022).

268 UNHRC, Fact-Finding Mission Report, 2013, pp. 19.

In addition to the company profiles in section 2.4, the following table provides an overview of the major European FIs identified that provide financial support to companies involved with the construction, maintenance and expansion of illegal Israeli settlements.

Which companies are involved?	Who are the major FIs supporting these companies?	How much money do European FIs invest in such companies?
CNH	Groupe BCE, Rabobank, Santander, BNP Paribas, Société Générale	**USD 11.22 billion** in loans and underwriting services, **USD 4.40 billion** in bond and shareholdings
Cemex	BNP Paribas, HSBC, Santander, Crédit Agricole	**USD 8.90 billion** in loans and underwriting services, **USD 797 million** in bond and shareholdings
Bank Leumi	Barclays, BNP Paribas, HSBC, Government Pension Fund Global	**USD 542** million in underwriting services, **USD 419 million** in bond and shareholdings
Bank Hapoalim	Barclays, Deutsche Bank, Government Pension Fund Global	**USD 188 million** in underwriting services, **USD 383 million** in shareholdings
Hyundai Heavy Industries	Société Générale, BNP Paribas, HSBC, Standard Chartered, Crédit Agricole	**USD 498 million** in loans and underwriting services, **USD 7.8 million** in shareholdings
Mizrahi Tefahot Bank	BNP Paribas, Government Pension Fund Global, Deutsche Bank	**USD 150 million** in underwriting services, **USD 300 million** in bond and shareholdings
Israel Discount Bank	Deutsche Bank, Crédit Agricole	**USD 184 million** in shareholdings
First International Bank of Israel	Government Pension Fund Global, Pensioenfonds Zorg en Welzijn (PFZW)	**USD 84 million** in shareholdings
Ashtrom Group	Deutsche Bank	**USD 3 million** in shareholdings

3.2. CASE 2: Heavy machinery and demolitions

Muhammad Fathi Hussein Abu Al-Saud lives in the town of Sebastia, northwest of Nablus, with his nine family members, including his one year-old baby. Muhammad had built a 120-square-meter house for his family in 2021, which cost approximately 120,000 shekels to build. During the construction Muhammad received a written notification from the Israeli Civil Administration, ordering him to halt his assembly, under the pretext of building without a permit and that the house was located in Area C. Muhammad contested the order and, through the Jerusalem Legal Aid Centre, brought a case against the Israeli authorities.

On August 2, 2022, about nine days after receiving the notification, Muhammad and his family were awoken by abnormal movements in the vicinity of their house. From his window, Muhammad saw a large bulldozer with a long arm labelled "Hyundai," running on its iron chains. Israeli military vehicles approached the windows and began to break the windows with automatic rifles while shouting for Muhammad to open the door of the house. After Muhammed opened the door, seeing about thirty armed Israeli with military banners, a truck, and two bulldozers, he was told to evacuate the house as it was being demolished.

The family was given 15 minutes to gather their possessions and vacate their home. They were asked to stop about 10 meters away from their house and were guarded by two Israeli soldiers. Two workers accompanying the Israeli forces entered the house and began removing the furniture, cutting off the electricity to the house, and disconnecting the water line.

At about 5:00 am, the Israeli officer ordered its drivers to carry out the demolition, and the Hyundai bulldozers began to demolish the house in front of Muhammad and his family. In twenty minutes, the bulldozers levelled the house, displacing Muhammad and his family. The officer told Muhammad that he could rebuild the house on the same site, but that he had to first obtain a permit from the Israeli Civil Administration.[269]

- What is the human rights impact of Israeli demolition operations?

Since 2009, Israel has **demolished 8,665 structures, resulting in the displacement of 12,771 Palestinians.** The destruction of such structures, including, for example, homes, shops, water infrastructure, solar panels, animal shelters, walls or warehouses, creates a coercive environment and results in the direct and indirect forcible displacement and transfer of people from their homes and areas of residence.[270] Palestinian communities in the **Masafer Yatta** area, south of Hebron in the occupied West Bank, are a microcosm of Israel's unlawful policies and practices that put Palestinians at imminent risk of forced evictions, displacement and forcible transfer. Since the Israeli Supreme Court decision of 4 May 2022, which sanctioned the planned expulsion of Palestinian from Masafer Yatta for the benefit of military training, the Israeli army has proceeded to issue more demolition and seizure military orders and to demolish Palestinian homes, infrastructure and facilities.[271] It is worth noting that some of the structures demolished were funded by the EU and its member states.

The Israeli authorities typically carry out demolitions of Palestinian homes and property under the pretext that they lack **Israeli-issued permits, which are nearly impossible to obtain for Palestinians.** According to Peace Now, between 2009 and 2018 only two per cent of all requests submitted by Palestinians for building permits in Area C were granted (98 out of 4,422).[272] In the last five years, Palestinians in Area C were granted 33 building permits, while during the same period, settlers were granted over 16,500 building permits.[273] In some cases, Israel also carries out "punitive demolitions", where Palestinian houses or structures belonging to suspected, detained or convicted Palestinians, or their families, are demolished as a form of collective punishment. In other cases, the demolitions, appropriation, and removal of Palestinian communities from certain areas is to allow for military activities and training to take place.

As reported by UN OCHA, in several cases Palestinian residents have been displaced more than once, for example, when homes rebuilt after demolition are destroyed again. Moreover, Save the Children has reported how Israeli military demolitions have had a profound detrimental impact on Palestinian's social, economic and cultural rights as well as their livelihoods, with a quarter of the affected population losing their main source of income. The mental health impacts, especially for children experiencing a demolition operation of their homes, involves *"high rates of emotional distress, with a majority reporting feelings of sadness, fear, depression, and anxiety."*[274]

269 Affidavit No. 234/2022, on file with Al-Haq.

270 UN OCHA, "Data on demolition and displacement in the West Bank", https://www.ochaopt.org/data/demolition (accessed 20 November 2022).

271 UN OCHA, Masafer Yatta Communities at Risk of Forcible Transfer, 2022.

272 Peace Now, "(Dis)Approvals for Palestinians in Area C – 2009-2020", 31 January 2021, https://peacenow.org.il/en/approvals-for-palestinians-in-area-c-2009-2020 (accessed 20 November 2022).

273 Foundation for Middle East Peace (FMEP), "Settlement & Annexation Report: February 18, 2022", 18 February 2022, https://fmep.org/resource/settlement-annexation-report-february-18-2022/#2 (accessed 20 November 2022).

274 Save the Children, "Hope Under the Rubble – The impact of Israel's home demolition policy on Palestinian children and their families", 2021, https://resourcecentre.savethechildren.net/document/hope-under-rubble-impact-israels-home-demolition-policy-palestinian-children-and-their (accessed 20 November 2022).

- Which companies and financial institutions are involved?

The machines, equipment and services of several Israeli and international companies have played a central role in the demolition of Palestinian homes and structures over the years. The following table provides an overview of the major European FIs that provide financial support to the companies identified to be involved with these demolitions. See also the company profiles in section 2.4.

Which companies are involved?	Who are the major FIs supporting these companies?	How much money do European FIs invest in such companies?
Volvo Group	AB Industrivärden, Deutsche Bank, Skandinaviska Enskilda Banken, Swedbank, Nordea	**USD 12.47 billion** in loans and underwriting services, **USD 15.18 billion** in bond and shareholdings
CNH	Groupe BPCE, Rabobank, Santander, BNP Paribas, Société Générale	**USD 11.22 billion** in loans and underwriting services, **USD 4.40 billion** in bond and shareholdings
Caterpillar	Société Général, Barclays, Government Pension Fund Global, Legal & General, Crédit Agricole	**USD 8.28 billion** in loans and underwriting services, **USD 6.56 billion** in bond and shareholdings
Hyundai Heavy Industries	Société Générale, BNP Paribas, HSBC, Standard Chartered, Crédit Agricole	**USD 498 million** in loans and underwriting services, **USD 7.8 million** in shareholdings

3.3. CASE 3: Surveillance sector

On June 18, 2020, Mahmud* received a call from an Arabic-speaking Israeli intelligence officer, who identified himself as "Gabi" and summoned Mahmud for interrogation, which he refused to attend. On October 15, 2021, Mahmud's friend contacted him through the WhatsApp application, explaining that he had tried to call Mahmud back after he received a call from him. But Mahmud had not tried to contact him in the first place. Mahmud's friend sent him a picture of his call log, showing that he had received a call from Mahmud and had called back three times. Mahmud checked his phone and confirmed that no calls had been made to or received from his friend. Because of these events, on October 19, 2021, Mahmud scanned his phone through the Imazing application, which showed that the phone was infected with malicious software. After reviewing the issue further, it was confirmed that the existence of the Pegasus spying software had been on his phone since July 14, 2020, through a text message he received but did not open, less than a month after the intelligence officer contacted him.

*This name has been changed to protect the identity of the original source.

- What is the human rights impact of surveillance activities?

Over the course of its 55-year administration of the occupied Palestinian territory (OPT), Israel has developed and implemented countless policies and practices in order to **harass, surveil, and control the Palestinian population in the OPT.** This has ranged from installing checkpoints, the Separation Wall, and other barriers to movement, often with surveillance technologies, to holding Palestinians in detention, sometimes without charge under administrative detention, illegal under international law, or on charges related to freedom of expression and opinion.[275]

275 Al-Haq, The Surveillance Industry and Human Rights, 2019, pp. 1.

The OPT is one of the world's most surveilled places. Palestinian citizens are constantly being monitored through advanced facial recognition cameras, licence plate readers, and spyware on computers and mobile devices.[276] As noted by a recent Al Jazeera op-ed, this inflicts a heavy toll on Palestinian's physical and psychological wellbeing: *"Knowing that we are constantly under surveillance adds to our suffering. We not only have to deal with constant harassment by Israeli soldiers, stop and search abuses, arbitrary arrests and extrajudicial killings, but we also do not feel safe in our own homes, when we are surfing the web, talking on the phone, conversing with our friends."277*

Moreover, throughout its prolonged occupation, Israel has used the OPT as a **lab and a showroom,** showcasing its "expertise" at controlling Palestinian land and people as a selling point for its weapons and surveillance technologies, as can be observed after the scandal involving Israeli spyware company NSO Group's Pegasus surveillance system.[278] In recent years, Israel has established itself as a leader in the cybersecurity and surveillance industry. Similar to the close ties between Israeli military officers and weapons manufacturers, cyber-security companies are often founded by former members of an elite division of the Israel Defence Forces known as "Unit 8200."[279] Unit 8200 is also known for its surveillance of Palestinians in the OPT and use of personal information, ranging from health concerns to sexuality, to "extort" individuals.[280]

- Which companies and financial institutions are involved?

The following table provides an overview of major European FIs providing financial support to companies involved with surveillance in the OPT (see also the company profiles in section 2.4)

Which companies are involved?	**Who are the major financial institutions (FIs) supporting these companies?**	**How much money do European FIs invest in such companies?**
IBM	BNP Paribas, Barclays, HSBC, Société Générale, Santander	**32.347 billion USD** in loans and underwriting services, **8.502 billion USD** in bond and shareholdings
Solvay	Crédit Agricole, BNP Paribas, HSBC, Commerzbank	**USD 4.40 billion** in loans and underwriting services, **USD 2.47 billion** in bond and shareholdings
Elbit Systems	BNP Paribas	**USD 174 million** in loans, **USD 16 million** in bond and shareholdings
Motorola	Deutsche Bank, Crédit Agricole, Global Pension Fund Global, Groupe BPCE, Janus Henderson	**USD 1.248 billion** in loans and underwriting services, **USD 4.445 billion** in bond and shareholdings

276 Institute for Middle East Understanding (IMEU), "Fact Sheet: Israeli Surveillance & Restrictions on Palestinian Movement", 29 November 2021, https://imeu.org/article/fact-sheet-israeli-surveillance-restrictions-on-palestinian-movement (accessed 20 November 2022); 7amleh, "The Expansion of Digital Surveillance in Jerusalem and Impact on Palestinian Rights", Summer and Fall 2021, https://7amleh.org/storage/Digital%20Surveillance%20Jerusalem_7.11.pdf (accessed 20 November 2022).

277 Jalal Abukhater, "Under Israeli surveillance: Living in dystopia, in Palestine", 13 April 2022, Al Jazeera, https://www.aljazeera.com/opinions/2022/4/13/under-israeli-surveillance-living-in-dystopia-in-palestine (accessed 20 November 2022).

278 War Resisters' International, "A Lab and a Showroom - Israeli Military Industries and the Oppression of the Great March of Return in Gaza", 4 July 2018, https://wri-irg.org/en/story/2018/lab-and-showroom-how-israeli-military-tested-new-equipment-great-march-return (accessed 20 November 2022).

279 Al-Haq, The Surveillance Industry and Human Rights, 2019, pp. 1-2.

280 *Ibid*. See also Mona Shtaya, "Nowhere to hide: The impact of Israel's digital surveillance regime on the Palestinians", 27 April 2022, MEI, https://www.mei.edu/publications/nowhere-hide-impact-israels-digital-surveillance-regime-palestinians (accessed 20 November 2022).

4. The international legal framework

4.1. Illegality of Israeli settlements under international law

Under international law, Israeli settlements, their maintenance and expansion are **illegal and comprise a number of acts that amount to war crimes and crimes against humanity**. Israel's settlement enterprise has been repeatedly recognised as a situation resulting from an internationally wrongful act, as reiterated by the International Court of Justice (ICJ), the UN Security Council, the UN General Assembly, and the High Contracting Parties to the Fourth Geneva Convention.[281] In 2016, UN Security Council resolution 2334 reiterated that Israeli settlements have *"no legal validity and constitute a flagrant violation under international law".*[282] The resolution called on Israel to freeze all settlement activities and to dismantle all settlement outposts established since March 2001. It further called on all States to "distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967".[283]

In this regard, it should be noted that on **3 March 2021, the then International Criminal Court (ICC) Prosecutor announced the opening of an investigation into war crimes and crimes against humanity in the Situation in the State of Palestine.**[284] Crimes within the jurisdiction of the Court include population transfer, deportation, forcible transfer, extensive appropriation of property, pillage, destruction of property, murder and wilful killing, in addition to inhumane acts of apartheid and persecution, orchestrated to maintain the status quo of Israel's colonisation and military occupation. Moreover, on 27 May 2021 the UN Human Rights Council established an **ongoing UN Commission of Inquiry,** with a mandate to *"investigate in the Occupied Palestinian Territory, including East Jerusalem, and in Israel all alleged violations of international humanitarian law and all alleged violations and abuses of international human rights law leading up to and since 13 April 2021, and all underlying root causes of recurrent tensions, instability and protraction of conflict, including systematic discrimination and repression based on national, ethnic, racial or religious identity."*[285] In its first report, published in June 2022, the Commission announced that it will *"carefully assess the responsibilities of third States* ***along with those of private actors in the continued policies of occupation.****"*[286] (Emphasis added)

281 International Court of Justice (ICJ), Legal Consequences of the Construction of the Wall in the Occupied Palestinian Territory (Advisory Opinion), 9 July 2004, 2004 ICJ Reports, para. 120; UN Security Council resolutions 2334 (2016) and 465 (1980); UN General Assembly resolution 70/89 (2015); UN, "Conference of High Contracting Parties to the Fourth Geneva Convention", 5 December 2001, https://www.un.org/unispal/document/auto-insert-199888/ (accessed 20 November 2022); UN, "Declaration adopted by the Conference of High Contracting Parties to the Fourth Geneva Convention – Letter from Switzerland", 17 December 2014, https://www.un.org/unispal/document/auto-insert-187192/ (accessed 20 November 2022). See also Report by the UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Michael Lynk: A/HRC/47/57, pp. 17-18.

282 UN, "Israel's Settlements Have No Legal Validity, Constitute Flagrant Violation of International Law, Security Council Reaffirms", 23 December 2016, https://press.un.org/en/2016/sc12657.doc.htm (accessed 20 November 2022), para. 1.

283 UN Security Council, Resolution 2334 (2016), SC/RES/2334 (2016), para. 5.

284 International Criminal Court, "Statement of ICC Prosecutor, Fatou Bensouda, respecting an investigation of the Situation in Palestine", 3 March 2021, https://www.icc-cpi.int/Pages/item.aspx?name=210303-prosecutor-statement-investigation-palestine (accessed 20 November 2022).

285 UN Human Rights Council, "The United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and in Israel", https://www.ohchr.org/en/hr-bodies/hrc/co-israel/index (accessed 20 November 2022).

286 UN General Assembly, Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, 14 September 2022, A/77/328, pp. 18.

International humanitarian law

Israel's acts of forced expulsion, the creation of coercive environments that force displacement, discriminatory planning and zoning and house demolitions that facilitate the building of outposts or settlements, are illegal acts amounting to, inter alia, forcible transfer which may be prosecuted as *"grave breaches"* of the Fourth Geneva Convention.[287] The practice of forcible transfer is specifically prohibited during a military occupation. Article **49(6) of the Fourth Geneva Conventions** states that *"the Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies".* Article 49 also prohibits the "individual or mass forcible transfer" of protected persons – in this case, the occupied Palestinian population are "persons protected by the Convention" finding themselves in the hands of an "Occupying Power of which they are not nationals".[288]

Similarly, forced transfers within the occupied territory, deportation from the occupied territory along with the practice of transfer of settlers into the OPT are grave breaches and war crimes as listed in **articles 8(2)(a)(vii) and 8(2)(b)(viii) of the Rome Statute**. In addition, deportation or forcible transfer, when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack, amounts to a crime against humanity, incurring individual criminal liability under Article 7(1)(d) of the Rome Statute.

In order to construct and expand settlements, Israel also relies on the extensive appropriation of Palestinian land, as well as the pillage and destruction of Palestinian property and natural resources, all strictly prohibited under international law. Under international humanitarian law (IHL), the Occupying Power is prohibited from confiscating private property under Article 46 of the Hague Regulations, and the requisition of private property is allowed only in exceptional cases for the needs of the occupying army.[289] Further, Article 53 of the Fourth Geneva Convention prohibits the destruction of public and private property. In addition, the Occupying Power's administration of public immovable property such as natural resources is strictly regulated by the rules of usufruct, which limits how the Occupying Power can use public property,[290] prohibiting, for example, the damage or depletion of finite non-renewable natural resources in the occupied territory, as well as the exploitation of resources for the benefit of the domestic economy of the Occupying Power.[291] The Occupying Power may only narrowly use the resources of the occupied territory under the strict condition that it benefits the occupied population,[292] or if it is used strictly to satisfy the needs of their army in the administration of the occupied territory.[293] The exploitation of public and private resources of the occupied territory beyond permissible requisitions,[294] and *usufruct*, amounts to pillage, a war crime prosecutable under the

287 Article 49 and Article 147 of the Fourth Geneva Convention (1949); See also Rule 129 of Customary International Law, International Committee of the Red Cross; Article 85(4)(a) of the First Additional Protocol to the Geneva Conventions (1977).

288 Article 4, Fourth Geneva Convention (1949).

289 Article 52, Hague Regulations (1907).

290 Articles 43, 55 Hague Regulations (1907); Articles 53 and 64 Fourth Geneva Convention (1949).

291 Article 55 Hague Regulations (1907).

292 See ICJ, Judgment, Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda), 19 December 2005, I.C.J. Reports 2005, pp. 168, para. 249.

293 See United States Military Tribunal at Nuremberg, United States v. Friedrich Flick et al., in 'Law Reports of Trials of War Criminals', 1949, Volume IX, at p. 24 ("State-owned property of this character may be seized and operated for the benefit of the belligerent occupant for the duration of the occupancy. […] Title was not acquired nor could it be conveyed by the German Government. The occupant, however, had a usufructuary privilege".); United States Military Tribunal at Nuremberg, United States v. Alfried Felix Alwyn Krupp von Bohlen und Halbach et al., 'Law Reports of Trials of War Criminals', 1949, Volume X at p. 134 ("The economy of the belligerently occupied territory is to be kept intact, except for the carefully defined permissions given to the occupying authority – permissions which all refer to the army of occupation").

294 See Article 52-53, Hague Regulations (1907).

Rome Statute of the ICC.[295] **Corporate actors complicit in aiding and abetting the commission of war crimes, including appropriation and pillage of land and natural resources, may also be held individually criminally liable.[296]**

International Human Rights Law

In addition to grave breaches of international humanitarian law, Israeli settlements and associated policies and practices also **violate numerous provisions of international human rights law (IHRL),** among others the right to self-determination and permanent sovereignty over natural resources. In 2004, the ICJ confirmed that international human rights treaties such as the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Rights of the Child (CRC) apply to the OPT.[297] Israel's administration of the OPT must therefore be guided by its obligation to eradicate, prevent and prohibit racial segregation and apartheid in territories under its jurisdiction, as provided for under Article 3 of the Convention on the Elimination of Racial Discrimination (CERD).

International Criminal Law

As evidenced by a growing body of legal experts, human rights organisations and UN experts[298], **settlements are also a key component of Israel's apartheid regime over the Palestinian people,** in which Israel administers the OPT under two entirely separate legal systems and sets of institutions: a civil administration for Israeli-Jewish communities living in illegal settlements, on the one hand, and a military administration for the occupied Palestinian population living in Palestinian towns and villages, on the other. **International law criminalises as the crime against humanity of apartheid *"inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them".*[299]**

In 2020, the Committee on Eradication of Racial Discrimination (CERD), in its Concluding Obser-

295 Article 47 Hague Regulations (1907); Article 33 Fourth Geneva Convention (1949); Article 8(2)(b)(xvi) Rome Statute of the International Criminal Court.

296 Article 147, Fourth Geneva Convention (1949).

297 International Court of Justice (ICJ), Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, 9 July 2004, 2004 ICJ Reports, pp. 47-49.

298 Human Rights Watch, "A Threshold Crossed. Israeli Authorities and the Crimes of Apartheid and Persecution", 27 April 2021, https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution (accessed 20 November 2022); B'Tselem, "A regime of Jewish supremacy from the Jordan River to the Mediterranean Sea: This is apartheid", 12 January 2021, https://www.btselem.org/publications/fulltext/202101_this_is_apartheid (accessed 20 November 2022); Yesh Din, "The Occupation of the West Bank and Crime of Apartheid: Legal Opinion", 9 July 2020, https://www.yesh-din.org/en/the-occupation-of-the-west-bank-and-the-crime-of-apartheid-legal-opinion/ (accessed 20 November 2022); Amnesty International, "Israel's Apartheid Against Palestinians: Cruel System of domination and crime against humanity", 1 February 2022, https://www.amnesty.org/en/latest/campaigns/2022/02/israels-system-of-apartheid/ (accessed 20 November 2022); UN OHCHR, "Special Rapporteur on the situation of human rights in the Occupied Palestinian Territories: Israel has imposed upon Palestine an apartheid reality in a post-apartheid world", 25 March 2022, https://www.ohchr.org/en/press-releases/2022/03/special-rapporteur-situation-human-rights-occupied-palestinian-territories (accessed 20 November 2022).

299 International Convention on the Suppression and Punishment of the Crime of Apartheid, Article 2.

vations on the State of Israel, reiterated its concerns on *"the consequences of policies and practices that amount to segregation, such as the existence in the OPT of two entirely separate legal systems and sets of institutions for Jewish communities in illegal settlements on the one hand and Palestinian populations living in Palestinian towns and villages on the other hand,"* and called on Israel to eradicate all policies and practices of racial segregation and apartheid.[300] The legal architecture to create settlements is inherently racist necessitating the appropriation of Palestinian private and public land, the forcible transfer of Palestinians, discriminatory zoning policies, separated roads, military checkpoints, closed military zones, and violence against Palestinians by Israeli settlers who enjoy the impunity guaranteed by the Israeli forces and government.[301]

4.2. International Standards on Business & Human Rights

4.2.1. Responsibility of business actors under International Humanitarian Law

Businesses have a responsibility to respect human rights and principles of international law throughout their operations and relationships.[302] In the context of armed conflict and occupation, non-state actors – including business enterprises carrying out activities that are closely linked to an armed conflict – must respect the applicable rules of international humanitarian law (IHL).[303] This means that there are certain *"obligations on managers and staff"* and that they are exposed *"to the risk of criminal or civil liability".*[304]

When operating in situations of conflict and occupation, businesses retain legal risks *"for the commission or complicity in war crimes or on civil liability for damages"* for which they may be held liable.[305] The ICRC notes that:

> ***"A significant risk of criminal liability thus exists for those who commit grave breaches of international humanitarian law, including where business enterprises or their representatives commit or knowingly assist violations carried out by others, such as contractors, subsidiaries or clients. Moreover, participation in war crimes might also give rise to civil liability before national courts."***[306]

300 Committee on the Elimination of Racial Discrimination, Concluding observations on the combined seventeenth to nineteenth reports of Israel, 27 January 2020, CERD/C/ISR/CO/17-19, para. 22-23.

301 Human Rights Watch, "Occupation Inc.: How Settlement Businesses Contribute to Israel's Violations of Palestinian Rights", 19 January 2016, https://www.hrw.org/report/2016/01/19/occupation-inc/how-settlement-businesses-contribute-israels-violations#:~:text=By%20locating%20in%2C%20establishing%2C%20expanding,functioning%20and%20growth%20of%20settlements (accessed 20 November 2022) (hereinafter, Human Rights Watch, Occupation Inc., 2016); Amnesty International, Destination Occupation, 2019.

302 GLAN and Al-Haq, "Business and Human Rights in Occupied Territory. Guidance for upholding human rights", 2020, https://www.alhaq.org/cached_uploads/download/2020/04/27/business-and-human-rights-in-the-opt-interactive-1587981596.pdf (accessed 20 November 2022).

303 ICRC, "Business and international humanitarian law", 30 November 2006, https://www.icrc.org/en/doc/resources/documents/misc/business-ihl-150806.htm#a6 (accessed 20 November 2022) (hereinafter, ICRC, Business and International Humanitarian Law).

304 *Ibid*.

305 OHCHR, "Mandate of the Working Group on the issues of human rights and transnational corporations and other business enterprises. Statement on the implications of the Guiding Principles on Business and Human Rights in the context of Israeli settlements in the Occupied Palestinian Territory", 6 June 2014, https://www.ohchr.org/sites/default/files/Documents/Issues/Business/OPTStatement6June2014.pdf (accessed 20 November 2022) (hereinafter, Working Group on Business and Human Rights, Statement on the implications of the UNGPs in the context of settlements in the OPT, 2014).

306 ICRC, Business and International Humanitarian Law.

As such, business enterprises that are directly or indirectly involved in the Israeli settlement enterprise – including through finance, insurance, and trade with partners, suppliers and subsidiaries that have ties and proven links to the construction, expansion and maintenance of Israel's illegal settlements – run a **high risk of involvement in violations of IHL and, potentially, complicity in war crimes and crimes against humanity.**[307]

IHL also regulates the occupier's use of natural resources in territory it occupies.[308] This means that business enterprises should be aware of the risk of taking part in associated serious grave breaches such as the unlawful appropriation of private and public property and the crime of pillage,[309] prohibited by IHL.

4.2.2. The UN Guiding Principles and the OECD Guidelines

The United Nations Guiding Principles on Business and Human Rights (UNGPs), together with the OECD Guidelines for Multinational Enterprises constitute the global authoritative standards on the responsibilities of business enterprises to prevent, address, and remedy human rights abuses in the context of their business activities and relationships.[310]

The UNGPs and the OECD Guidelines require business enterprises to prevent, mitigate and remediate adverse impacts arising from their own or their business relationships' activities, namely by **undertaking ongoing human rights due diligence.** This includes the identification and assessment of adverse human rights impacts, as well as the establishment of processes to take effective action on the findings, and the obligation to track the effectiveness of responses. Finally, it comprises publicly communicating on such efforts in this regard.

Within the frameworks of the UNGPs and OECD Guidelines, "business relationships" include relationships with business partners, value chain stakeholders, and any other non-state or state entity directly linked to its business operations, products or services.[311] As such, human rights due diligence, including the necessary measures for prevention and mitigation, goes beyond the business enterprise's own activities and includes relationships and activities within the value chain.

In its **Statement on the implications of the UNGPs in the context of Israeli settlements in the Occupied Palestinian Territory** in 2014, the UN Working Group on Business and Human Rights confirmed the following:

- Business enterprises doing business, or seeking to do business, in or connected to the Israeli settlements in the OPT need to be able to show that they neither support the continuation of an internationally recognised illegal situation nor are complicit in human rights abuses.

- Even if businesses linked to settlements are operating in compliance with Israeli law, **corporate responsibility to respect human rights supersedes compliance with Israel's regulations.**[312]

307 ICRC, Business and International Humanitarian Law.

308 Al-Haq, "Pillage of the Dead Sea. Israel's unlawful exploitation of natural resources in the Occupied Palestinian Territory", 2012, https://www.alhaq.org/cached_uploads/download/alhaq_files/publications/Dead-sea-web.pdf

309 Articles 33 and 53, Fourth Geneva Convention; Article 46, Hague Regulations.

310 UN Guiding Principles on Business and Human Rights (UNGPs), 2011 (hereinafter, UNGPs, 2011); OECD Guidelines for Multinational Enterprises (hereinafter, OECD Guidelines).

311 UNGPs, pp. 14-15. OECD Guidelines, pp. 23.

312 Working Group on Business and Human Rights, Statement on the implications of the UNGPs in the context of settlements in the OPT, 2014, pp. 11; UNGPs, Principle 11.

- Where transnational corporations are involved, their "home" states (for example European states) have crucial roles to play in assisting these corporations and "host" states (Israel in this case) to ensure that businesses do not become involved in human rights abuses. **States should help ensure that business enterprises operating in those contexts are not involved in human rights abuses.** They can do so by engaging with business enterprises to help them identify, prevent, and mitigate risks; providing assistance to assess and address risks; denying access to public support and services for an enterprise involved in gross human rights abuses and that refuses to cooperate in addressing the situation; and by ensuring that their current policies, legislation, regulations, and enforcement measures are effective in addressing the risk of business involvement in gross human rights abuses.[313]

- **States should also take additional steps to protect against human rights abuses by business enterprises that are owned or controlled by the state,** or receive substantial support and services from State agencies, such as official investment insurance or guarantee agencies. When a business enterprise is controlled by a state or when its acts can be attributed to a state in some other way, a human rights abuse by the business enterprise may entail a violation of the state's own obligations under international human rights law. [314]

- In the context of the OPT, businesses should conduct **enhanced human rights due diligence** (see below).[315]

4.2.3. Enhanced human rights due diligence

Because of the **heightened risks to human rights in conflict-affected and high-risk areas,** including occupied territories, as well as the potential legal risk of complicity in gross human rights abuses, the UNGPs require businesses to carry out heightened or **"enhanced" human rights due diligence** throughout their activities and business relationships in such contexts.[316] This is particularly important in situations where the "host State" (in this case Israel) is unwilling or unable to effectively protect human rights and is itself implicated in human rights abuses and violations of international law.[317]

Enhanced due diligence in conflict-affected and high risk areas includes increasing the frequency and thoroughness of human rights due diligence procedures, as well as integrating conflict analysis into human rights impact assessments and decision-making.[318] Other enhanced due diligence measures include:

313 Working Group on Business and Human Rights, Statement on the implications of the UNGPs in the context of settlements in the OPT, 2014, pp. 3; UNGPs, Principle 5.

314 Working Group on Business and Human Rights, Statement on the implications of the UNGPs in the context of settlements in the OPT, 2014, pp. 4; UNGPs, Principle 4.

315 Working Group on Business and Human Rights, Statement on the implications of the UNGPs in the context of settlements in the OPT, 2014, pp. 9.

316 UN General Assembly, Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises. Business, human rights and conflict-affected regions: towards heightened action, 21 July 2020, A/75/212 (hereinafter, Report of the UN Working Group on Business and Human Rights, Business, human rights and conflict-affected regions, 2020).

317 Working Group on Business and Human Rights, Statement on the implications of the UNGPs in the context of settlements in the OPT, 2014, pp. 11.

318 Report of the UN Working Group on Business and Human Rights, Business, human rights and conflict-affected regions, 2020; UNDP, "Heightened Human Rights Due Diligence for business in conflict-affected contexts: A Guide", 16 June 2022, https://www.undp.org/publications/heightened-human-rights-due-diligence-business-conflict-affected-contexts-guide (accessed 20 November 2022).

- Formally integrating human rights principles in all relevant business contracts.
- Exercising "extreme caution" in all business activities and relationships involving acquisition of assets in conflict-affected areas;
- Seeking formal advice from the enterprise's home state, as well as from international organisations and mechanisms.[319]
- Refraining from starting or pursuing operations in situations in which proper due diligence cannot be conducted.
- Developing, maintaining and updating a contingency plan which allows for urgent and immediate preventive measures and a responsible exit strategy, to avoid corporate involvement in and/or contribution to human rights violations in their activities and relationships;[320]
- Conducting meaningful and conflict-sensitive consultations with the relevant stakeholders, including affected communities and marginalised groups, guaranteeing free, prior and informed consent of indigenous peoples and local communities before the start of any project or activity.
- Taking an active role in ensuring effective remedy for those affected by adverse impacts, especially in host States and occupied territories where judicial and non-judicial mechanisms may not function effectively, or may exclude certain groups from equal protection.

Businesses need to be able to demonstrate that they can effectively prevent or mitigate the risk of human rights violations and that they are able to account for their efforts in this regard – including, when necessary, terminating their business interests or activities.[321] Failure to undertake effective human rights due diligence can lead to adverse human rights impacts or to complicity in abuses committed by other actors.[322] In this regard, it is important to note the OHCHR's statement from January 2018:

> *"Considering the weight of the international legal consensus concerning the illegal nature of settlements themselves, and the systemic and pervasive nature of the negative human rights impact caused by them,* ***it is difficult to imagine a scenario in which a company could engage in activities in the settlements in a way that is consistent with the UN Guiding Principles and with international law."*** **(Emphasis added)[323]**

319 Working Group on Business and Human Rights, Statement on the implications of the UNGPs in the context of settlements in the OPT, 2014, pp. 9-10.

320 Principle 1 of the UNGPs provides that States must protect against human rights abuses within their territory and/or jurisdiction and "should consider the full range of permissible preventative and remedial measures, including policies, legislation, regulations and adjudication. States also have the duty to protect and promote the rule of law, including by taking measures to ensure equality before the law, fairness in its application, and by providing for adequate accountability, legal certainty, and procedural and legal transparency".

321 UNGPs, Principle 19.

322 Working Group on Business and Human Rights, Statement on the implications of the UNGPs in the context of settlements in the OPT, 2014, pp. 11.

323 Office of the High Commissioner for Human Rights (OHCHR), "UN rights office issues report on business and human rights in settlements in the Occupied Palestinian Territory", 31 January 2018, https://www.ohchr.org/en/press-releases/2018/01/un-rights-office-issues-report-business-and-human-rights-settlements (accessed 20 November 2022); Human Rights Watch, Occupation Inc., 2016, pp. 2; Human Rights Watch, "Israel: Businesses Should End Settlement Activity", 19 January 2016, https://www.hrw.org/news/2016/01/19/israel-businesses-should-end-settlement-activity (accessed 20 November 2022). See also UNHRC, Fact-Finding Mission Report, 2013, para 117, which calls on business to consider terminating their business interests in the settlements to ensure that they do not have an adverse impact on the human rights of the Palestinian people.

The UNGPs require that, if a business finds that it has caused or contributed to an adverse human rights impact, it has a responsibility to actively engage in remediation, and to take the necessary steps to cease such activity and end the business relationship.[324] Indeed, there are numerous examples of business enterprises and financial institutions that have terminated their relationships or activities associated with Israeli settlements due to the risks involved (for more details, see section 5.1. of this report).[325]

4.2.4. Specific responsibilities of Financial Institutions

Like any other company, financial institutions are also expected to respect human rights in their activities and operations, including in their provision of finance, and should therefore avoid causing or contributing to adverse human rights impacts as well as seeking to prevent and mitigate those impacts.[326] **According to the UN Working Group on Business and Human Rights, investors have an "unparalleled ability" to influence business enterprises and scale up progress on the implementation of the UNGPs:**

> ***"[I]nstitutional investors would be expected to seek to prevent or mitigate human rights risks identified in relation to shareholdings" (...) "if efforts in this regard are not successful, the Guiding Principles stipulate that the institutional investor should consider ending the relationship."[327]***

In a similar vein, in 2017, the OHCHR highlighted the responsibility of banks to conduct human rights due diligence to identify whether and how they are involved in activities with adverse human rights impacts, which may be contributions *"through its own activities and impacts that may be directly linked to its operations, products or services through its clients or customers (i.e. its 'business relationships')".*[328] **A bank's *"own activities"* in this context include actions and decisions (including omissions) involving third parties, such as providing financial products and services to clients.[329]**

The UNGPs and OECD Guidelines expect institutional investors to have in place a policy commitment to respect all internationally recognised human rights. This policy should be approved at the most senior level of the institution, describe the institution's human rights expectations of all of its business relationships, and be publicly communicated. Investors are also expected to carry out human rights due diligence during the pre-investment phase, as well as during the life of their investment, in order to know how their investment activities are connected with human rights risks and to show how they are taking steps to address these risks.

---

324 UNGPs, Principle 22. Working Group on Business and Human Rights, Statement on the implications of the UNGPs in the context of settlements in the OPT, 2014, pp. 8.

325 Working Group on Business and Human Rights, Statement on the implications of the UNGPs in the context of settlements in the OPT, 2014, pp. 12.

326 Essex Business and Human Rights Project, "Investor Obligations in Occupied Territories: A Report on the Norwegian Government Pension Fund Global", April 2019, https://www.fagforbundet.no/file/3e969128a0862f2236e25d01e-ac44640/Investor+Obligations+in+Occupied+Territories+A+Report+on+the+Government+Pension+Fund+Global.pdf (accessed 20 November 2022), pp. 8, 9, 10.

327 OECD Guidelines for Multinational Enterprises (OECD), "The application of the Guiding Principles on Business and Human Rights to minority shareholdings of institutional investors", 2013, http://mneguidelines.oecd.org/global-forum/2013_WS1_2.pdf (accessed 20 November 2022); See also OHCHR, "The Issue of the Applicability of the Guiding Principles on Business and Human Rights to Minority Shareholdings", 26 April 2013, pp. 3, 4, 6, https://www.ohchr.org/sites/default/files/Documents/Issues/Business/LetterSOMO.pdf (accessed 22 November 2022).

328 OHCHR, "OHCHR Response to Request from BankTrack for Advice Regarding the Application of the UN Guiding Principles on Business and Human Rights in the Context of the Banking Sector", 12 June 2017, https://www.ohchr.org/sites/default/files/Documents/Issues/Business/InterpretationGuidingPrinciples.pdf (accessed 20 November 2022) (hereinafter, OHCHR, Response to Request from BankTrack, 2017); Ryan Brightwell, Johan Frijns and Andreas Missbach, "How Banks Contribute to Human Rights Violations", 2017, BankTrack, https://www.banktrack.org/download/how_banks_contribute_to_human_rights_abuses/180416_how_banks_contribute_human_rights_1.pdf (accessed 20 November 2022).

329 OHCHR, Response to Request from BankTrack, 2017.

In order to prevent and mitigate adverse human rights impacts connected to investment activities, investors are expected to take appropriate action based on assessment findings. This depends on the form and level of connection between the investor and the human rights risk or impact, which can be categorised as follows:

> *"[...] there are impacts that an investor: "(1) **has caused – through its own business activities** (e.g., [impacts on] its own employees) [or] where its own activities remove or reduce someone's ability to enjoy a human right [such as] where the investor holds a controlling stake in an investee company (e.g., through the majority ownership model in private equity)... (2) **has contributed to** – a) through its own business activities where it is one of several contributors or b) through a business relationship or investment activity that induces or facilitates an outcome from an investee company or project [such as] when the investor holds high ownership stakes and could or should have known about harm, but preventive actions were insufficient; or (3) **is directly linked** to – through the activities, products or services of an investee company or project."*[330]

On the basis of such assessment, investors should take the necessary and appropriate **measures:**

> *"Where an investor has caused harm, they are expected to cease or prevent the action causing the harm and play a direct role in remediating the harm. Where an investor has contributed to harm, they are expected to cease or prevent the action contributing to the harm, play a direct role in remediating the harm to the extent that they have contributed to it and build and use their leverage to influence other actors contributing to the harm to prevent, mitigate and address the harm. **Where investors are directly linked to negative human rights impacts through their investment activities, they are expected to build and use their leverage to influence other actors causing or contributing to the harm to prevent, mitigate and address the harm. [...] Where an investor lacks sufficient leverage to affect change in the behaviour of an investee company and is unable to increase its leverage, it may consider responsible divestment (or exclusion)".**[331] (Emphasis added)*

Such a process should take place in a **transparent, public and time-bound** manner in order to mitigate human rights abuses by positively influencing and shifting the corporate conduct throughout the entire lifecycle of the investment.[332]

As outlined by the OHCHR, an investor's relationship to adverse impact is not static. It may change depending on the investor's own actions and omissions. If an investor identifies (through its due diligence process) or is made aware of, an ongoing adverse impact that it is directly linked to through its business relationship, yet over time fails to take reasonable steps to see to prevent or mitigate the impact, it could eventually be seen as facilitating the continuance of the situation and thus be contributing to the impact.[333]

---

330 OHCHR, Taking stock of investor implementation of the UN Guiding Principles on Business and Human Rights. Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises, June 2021, A/HRC/47/39/Add.1 (hereinafter, OHCHR, Taking Stock of Investor Implementation of UNGPs, 2021), pp. 5-6. In the Dutch Responsible Business Conduct Agreement on responsible investment by Pension Funds, a thematic framework was published on how investors can incorporate a conflict-sensitive approach in their own ESG due diligence. See Investing in conflict and post-conflict areas (imvoconvenanten.nl)

331 OHCHR, Taking Stock of Investor Implementation of UNGPs, 2021, pp. 6-7.

332 "As the Guiding Principles make clear, the more severe the abuse, the more quickly the enterprise will need to see change (....) Investor efforts to mitigate human rights abuses by helping to shift corporate conduct should not be an indefinite process (...) Investors should also publicly disclose their human rights efforts, not only in relation to transactional due diligence at the pre- investment stage, but throughout each stage of the investment lifecycle and across their full investment portfolios." OHCHR, Taking Stock of Investor Implementation of UNGPs, 2021, pp. 6-8, 23.

333 OHCHR, Response to Request from BankTrack, 2017.

4.3. Expert analysis of feedback received from Financial Institutions

Based on the feedback previously received from financial institutions, the DBIO coalition asked an external legal expert on business & human rights, Gabriela Quijano, to provide an expert opinion on some of the arguments commonly used by FIs.

1. *Financial institutions often rely on the environmental, social and governance (ESG) ratings given to companies by leading ESG data providers. To what extent do ESG ratings consider respect for human rights and international humanitarian law in conflict areas, and is a reliance on ESG data sufficient to meet the need for heightened human rights due diligence in conflict-affected areas?*

The ESG frameworks or methodologies on which ESG ratings are based do not capture all risks to human rights and are still predominantly guided by questions of value creation and materiality. This means that a company could have a high ESG rating and still be causing or contributing to human rights abuses.[334] In fact, ESG-labelled funds are often found to be holding investments in companies associated with serious human rights abuses.[335] It is for this reason that in 2021, the UN Working Group on Business and Human rights recommended that institutional investors engage with data providers to improve their research and methodologies and support the development of new ESG reporting frameworks and benchmarks to better evaluate human rights performance".[336] **In sum, reliance on ESG data is an insufficient means of meeting a financial institution's responsibility to respect human rights.** This is more so in situations of conflict where much more sophisticated and detailed information on human rights risks and impacts are needed as part of an enhanced human rights due diligence process.

2. *Decisions on exclusions of companies by financial institutions are usually made on the basis of an analysis of the respective company's contribution to violations of international norms. Typically, companies providing essential goods and services to the illegal settlements are subject to exclusion, while companies, such as Airbnb, Booking.com and Expedia (which market accommodation in the illegal settlements), are deemed insufficiently problematic, despite both companies being on the UN Human Rights Council Database respecting business enterprises involved in the Israeli settlement economy. Do financial institutions have room for discretion in determining which types of contributions to violations of international humanitarian law should be addressed?*

Financial institutions do not have room for discretion in this respect. To the extent that companies they loan to or invest in are contributing to these violations, the UNGPs make very clear that they must take action.[337] Where businesses do have discretion is in relation to the nature of

334 OHCHR, The Guiding Principles on Business and Human Rights: guidance on ensuring respect for human rights defenders. Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises, 22 June 2021, A/HRC/47/39/Add.2, pp. 13, 14-15, 16, 26 (hereinafter, OHCHR, The Guiding Principles on Business and Human Rights: guidance on ensuring respect for human rights defenders). See also Dunstan Allison-Hope and Paloma Muñoz Quick, "Human Rights Are Not Just an 'ESG Factor'", 23 September 2021, https://www.bsr.org/en/our-insights/blog-view/human-rights-are-not-just-an-esg-factor (accessed 20 November 2022).

335 See for example, Dustin Roasa, "How a Laos dam collapse exposes flaws in ESG investments", 16 December 2021, Thomson Reuters Foundation, https://news.trust.org/item/20211216162549-rz27f/ (accessed 20 November 2022); D. Pred and N. Bugalski, "Why ESG investing is bad for human rights - & what we can do about it", 21 March 2022, https://www.business-humanrights.org/en/blog/why-esg-investing-is-bad-for-human-rights-what-we-can-do-about-it/ (accessed 20 November 2022).

336 OHCHR, The Guiding Principles on Business and Human Rights: guidance on ensuring respect for human rights defenders, pp. 31.

337 Principles 17(a) and 19(b) and their Commentary, and Commentary to Principle 12 referring to the responsibility of businesses to respect the standards of international humanitarian law in situations of armed conflict.

their response and prioritisation (if prioritisation is necessary) based on notions of severity or "salience".[338] While the OECD Guidelines require that contribution be "substantial" (i.e. not "trivial or minor"), the UNGPs do not include this requirement. Regardless, the contribution of online tourism companies to violations of international humanitarian and human rights law by virtue of their listings in Israeli settlements can hardly be characterised as "minor" or "trivial".[339] The UN listing of Airbnb, Booking.com, Expedia and other online tourism companies in the UN Database corroborates this point. In addition, if any need for prioritisation were argued, the severity of the abuses associated with Israeli settlements could hardly justify de-prioritisation or deferral.

3. ***Financial institutions often invoke the concept of "dual use" as a reason for not divesting from a company involved in the illegal settlement enterprise. Dual use products in the context of the Occupied Palestinian Territory include heavy earth-moving equipment that has a civilian use, but is nonetheless utilized, with the knowledge of the company concerned, in punitive house demolitions and forced displacement of Palestinians. Does "dual use" absolve financial institutions of their responsibilities?***

The **"dual use" argument does not absolve financial institutions from responsibility.** Under the UNGPs, financial institutions must seek to identify risks to human rights posed by all of their business relationships' activities, projects and products. Certain products might be intrinsically risky, such as pesticides or weapons, or they might pose risks to human rights because of the way in which they are used. While companies may legitimately claim that they did not know that their products would be used to commit human rights violations, the potential for the Israeli government to use certain products such as home demolition and surveillance equipment to commit human rights abuses against Palestinians is high and well-known.[340]

Companies supplying such equipment without adequate safeguards to guarantee it will not be used to commit human rights violations against Palestinians are contributing to these violations.[341] These are risks financial institutions must seek to identify and address. The fact that a product a client supplies has and is normally put to a legitimate use does not exempt them from the responsibility to ensure it will not be deviated from its legitimate purpose and used to commit human rights violations in situations in which the potential for this deviation is high. Watching out for this risk is an ongoing responsibility. As the OHCHR recommends, companies must remain vigilant for possible shifts in risk patterns, including when *"long-standing products or services"... "start to be used for unintended purposes."*[342]

338 Principles 17(b), 19(b), 24 and their respective Commentary. See also The Corporate Responsibility to Respect Human Rights – An Interpretive Guide, 2012, pp. 8, 82-83.

339 Human Rights Watch, "Israel: Airbnb to End Settlement Rentals", 20 November 2018, https://www.hrw.org/news/2018/11/20/israel-airbnb-end-settlement-rentals (accessed 20 November 2022). Amnesty International, Destination Occupation, 2019, pp. 76-79.

340 Israel has a long and well-documented track record of demolishing homes and displacing Palestinians to make way for Israeli settlements.

341 In this context, this contribution and involvement may amount to complicity and criminal liability. For example, in June and July 2021, the company Amesys and three of its executives were indicted by a French judge for providing surveillance technologies (typically characterized as dual-use products) to Libya and Egypt that resulted in the torture of political dissidents. Trial International, "Amesys Nexa Technologies", 4 April 2022, https://trialinternational.org/latest-post/amesys/ (accessed 20 November 2022).

342 The Corporate Responsibility to Respect Human Rights – An Interpretive Guide, 2012, pp. 34.

4. *Some financial institutions argue that staying invested in a company, when problems are identified, is a more productive and responsible course of action, allowing financial institutions to exert a positive influence on the company over time. What consideration should be given to the results of other engagement with the same company by financial institutions, human rights organisations and international institutions, and after what period of time should investors move to divestment, if engagement is not having the desired effect? In which situations should financial institutions move swiftly or immediately to divestment?*

Staying invested in a company when problems are identified will often, but not always be the most appropriate and responsible course of action. In the Palestinian context, any form of business involvement in or with Israeli settlements inevitably contributes to serious human rights violations.[343] In the words of the UN Human Rights Council, these violations are *"immitigable".*[344] **For these reasons, financial institutions' engagement with clients can only have the purpose of persuading them to cease any settlement-related business activity.** In addition, engagement must have a temporal limitation. The UNGPs indicate that the more severe the abuse, the more quickly the company will need to see change before it decides to divest.[345]

However, in certain cases even time-bound engagement might be unjustified and futile. Companies like Booking.com, Caterpillar, Heidelberg and arguably all the companies now included in the UN Database have had sufficient warning and plenty of time to dissociate themselves from Israel's illegal settlement enterprise. Many have been the target of sustained civil society campaigns. Despite these warnings and engagement they have maintained their activities in or with Israeli settlements. **Giving them more time would only reward their lack of action.** In addition, the severity of the human rights impacts associated with their activities in or with Israeli settlements also justifies immediate divestment. This is in line with international standards which establish that immediate disengagement with a business relationship might be warranted either after failed attempts at mitigation, where mitigation is not feasible or because of the severity of the adverse impact.[346]

5. *A number of financial institutions maintain that the proportion of lending or holdings in a company that can be judged to contribute directly to activities with a negative impact is minimal and difficult to determine. They can also claim that the said company's negative activities may be a minor share of a much larger portfolio of activities with a positive impact, and that the figures presented in this report are therefore misrepresentative. To what extent is this a valid argument?*

343 OHCHR, Database Report February, 2018, para. 41. UN General Assembly, Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Michael Lynk, 22 October 2020, A/75/532.

344 UN Human Rights Council Resolution 40/24 (22 March 2019), A/HRC/RES/40/24, 17 April 2019, para 12(b).

345 Principle 19 Commentary, UNGPs.

346 OECD, "Due Diligence for Responsible Corporate Lending and Securities Underwriting: Key considerations for banks implementing the OECD Guidelines for Multinational Enterprises", 2019, https://mneguidelines.oecd.org/final-master-due-diligence-for-responsible-corporate-lending-and-securities-underwriting.pdf (accessed 20 November 2022), pp. 47-48; OECD, "Responsible business conduct for institutional investors: Key considerations for due diligence under the OECD Guidelines for Multinational Enterprises", 2017, https://mneguidelines.oecd.org/RBC-for-Institutional-Investors.pdf (accessed 20 November 2022), pp. 33; OECD Guidelines for Multinational Enterprises, 2011, Commentary on General Policies, https://www.oecd.org/daf/inv/mne/48004323.pdf (accessed 20 November 2022), para. 22.

A small or minority proportion of lending or holdings is **not a valid argument or excuse for lack of action.** Under the UNGPs and OECD Guidelines, financial institutions have a responsibility to respect human rights and seek to prevent or mitigate adverse impacts in relation to all companies they loan to or are invested in, regardless of the proportion of their lending or holding.[347] Both the OHCHR[348] and OECD[349] have made this abundantly clear.[350] Where the size of the holding or lending becomes relevant is in relation to leverage and the extent to which a minority investor can influence the behaviour of recipient companies.[351] However, lack of leverage does not erase responsibility. Minority shareholders or lenders with limited leverage must try to increase it (for example, by collaborating with other investors or lenders) and in certain circumstances may need to withdraw credit or divest altogether (see above).[352]

The fact that the majority or a significant proportion of the activities of an investee or client company is legal, legitimate or positive does not cancel out the negative impacts that some of its activities may be having elsewhere. The UNGPs make it totally clear that business enterprises' activities with a positive impact do not *"offset a failure to respect human rights throughout their operations."*[353] This is equally applicable to financial institutions. **The fact that the majority or a large proportion of the activities of clients or investee companies is legal, legitimate or positive does not justify a financial institution not taking action in relation to activities that cause or contribute to adverse impacts,** even if these constitute a small fraction or minority within the company's overall activities.

347 Principle 14, UNGPs. OECD Guidelines for Multinational Enterprises, 2011, Commentary on General Policies, https://www.oecd.org/daf/inv/mne/48004323.pdf (accessed 20 November 2022), para. 37.

348 OHCHR, "Request from the Chair of the OECD Working Party on Responsible Business Conduct", 23 November 2013, pp. 6, https://www.ohchr.org/sites/default/files/Documents/Issues/Business/LetterOECD.pdf (accessed 21 November 2022) (hereinafter, OHCHR, Request from the Chair of the OECD Working Party on Responsible Business Conduct, 2013); OHCHR, "The issue of the applicability of the Guiding Principles on Business and Human Rights to minority shareholdings", 26 April 2013, https://www.ohchr.org/sites/default/files/Documents/Issues/Business/LetterSOMO.pdf (accessed 21 November 2022), pp. 2-4.

349 OECD, "Global Forum on Responsible Business Conduct – Scope and application of 'business relationships' in the financial sector under the OECD Guidelines for Multinational Enterprises", 26-27 June 2014, https://mneguidelines.oecd.org/global-forum/GFRBC-2014-financial-sector-document-2.pdf (accessed 21 November 2022), pp. 5.

350 OHCHR has in fact recently clarified that financial institutions bear this responsibility even when acting as nominee shareholders (i.e. when holding shares in an investee company on behalf of a client). See OHCHR response to request from BankTrack and OECD Watch for advice regarding the application of the UNGPs where private sector banks act as nominee shareholders, 30 August 2021, available at: https://www.ohchr.org/sites/default/files/Documents/Issues/Business/finance-2021-response-nominee-shareholders.pdf (accessed 21 November 2022).

351 OHCHR, Request from the Chair of the OECD Working Party on Responsible Business Conduct, 2013, pp. 6.

352 Principle 19, Commentary.

353 Principle 11, Commentary. See also The Corporate Responsibility to Respect Human Rights – An Interpretive Guide, 2012, pp. 15.

5. The way forward

For years, civil society actors in Palestine, Europe, and across the world – as well as the UN mandate holders such as the Special Rapporteur on the situation of human rights in the occupied Palestinian territory – have called for concrete action to be taken by States and corporate actors in response to Israeli settlements, occupation, oppression, and apartheid.

In this respect, civil society groups and UN experts have been urging financial institutions to exercise leverage on - and to divest from - businesses, activities, and relationships that are linked to Israeli violations of international law, including those attributed to Israel's illegal settlements. Frequent calls are also made to implement investment policies that include "involvement with illegal settlements in occupied territories" as an exclusion criterion. In recent years, a number of financial institutions and companies have responded to these calls and taken action that pressures or excludes enterprises active in illegal settlements.

5.1. Business and FI's decisions to divest (2020-2022)

Several Norwegian institutions have divested from business enterprises linked to Israeli settlements. The **Kommunal Landspensjonskasse (KLP)** is Norway's largest pensions company. In 2021 it divested from 16 companies[354] after a detailed due diligence process, in which it concluded that there is *"an unacceptable risk that the excluded companies are contributing to the abuse of human rights in situations of war and conflict through their links with the Israeli settlements in the occupied West Bank."*[355]

Similarly, the **Norwegian Government Pension Fund Global (GPFG)** - which controls over 1,2 trillion USD - decided in September 2021 to exclude three companies[356] from its investments due to *"unacceptable risk that the companies contribute to systematic violations of individuals' rights in situations of war or conflict (...) based on the companies' activities associated with Israeli settlements on the West Bank."*[357] This followed two other exclusions in May 2021 for the same reason.[358]

Involvement in severe human rights violations were also cited by Norwegian asset manager **Storebrand** as a reason to divest in 2020 from an additional four companies[359] active in the settlements. This decision followed divestments during the preceding decade from 19 other companies with activities in the settlements. In response to a report by the UN Commission of Inquiry on the OPT, Storebrand's head of sustainable investments Kamil Zabielski added in June 2022 that *"the inquiry confirms these violations by stating that Israel aims to have complete control over the OPT. Investors cannot fuel the conflict by investing in companies that contribute to the occupation regime and the expansion of illegal settlements."*[360]

354 Alstom, Altice Europe, Ashtrom Group, Bank Hapoalim, Bank Leumi, Bezeq, Cellcom Israel, Delek Group, Electra Ltd, Energix, First International Bank Israel, Israel Discount Bank, Mizrahi Tefahot Bank, Motorola Solutions, Partner Communications, and Paz Oil.

355 KLP, "Decision to exclude companies with links to Israeli settlements in the West Bank, June 2021, https://www.klp.no/en/corporate-responsibility-and-responsible-investments/exclusion-and-dialogue/Decision%20to%20exclude%20companies%20with%20links%20to%20Israeli%20settlements%20in%20the%20West%20Bank.pdf (accessed 21 November 2022).

356 Elco Ltd, Ashtrom Group Ltd and Electra Ltd.

357 Norges Bank, "Decision on exclusion – Norges Bank has decided to exclude four companies from the Government Pension Fund Global", 2 September 2021, https://www.nbim.no/en/the-fund/news-list/2021/decisions-on-exclusion/ (accessed 21 November 2022).

358 Shapir Engineering & Industry and Mivne Real Estate. *Ibid*.

359 DXC Technology, First Solar, General Electric, and Israel Discount Bank.

360 Responsible Investor, "Renewable energy projects deepening conflict in Occupied Palestinian Territories, says Storebrand", 17 June 2022, https://www.responsible-investor.com/renewable-energy-projects-deepening-conflict-in-occupied-palestinian-territories-says-storebrand/ (accessed 21 November 2022).

ABP, the biggest pension fund in the Netherlands divested from two Israeli banks in June 2020: Bank Leumi and Bank Hapoalim. A spokesperson for the fund wrote that they *"expect companies that operate in areas with increased risk of human rights violations to have a human rights policy"*, adding that these Israeli banks do not have such a policy.[361]

Divestments by financial institutions are supplemented by companies that halt their own activities in the illegal settlements or sever their connections with subsidiaries there. **General Mills** - which was one of the companies whose financing was researched in the 2021 edition of this report - recently decided to stop making their Pillsbury products in an illegal settlement on land that was annexed during the 1967 war. This came after a two-year campaign by the American Friends Service Committee (AFSC), which called on consumers to boycott Pillsbury products until they stopped manufacturing on stolen land.[362]

The ice cream brand **Ben & Jerry's** announced in 2021 that it intended to stop sales of its products in the OPT – stating that they *"believe it is inconsistent with our values for our product to be present within an internationally recognised illegal occupation."*[363] However, in June 2022, parent company Unilever sold Ben & Jerry's division in Israel to the local distributor in order to make sales of the ice cream brand in the OPT possible once again. The Ben & Jerry's company then filed an injunction request with a US court to prevent this transfer, which was denied at first but quickly followed up by Ben & Jerry's with an amended complaint.

361 BDS, "Biggest Dutch Pension Fund ABP Divests from Israeli Banks", 22 July 2020, https://bdsmovement.net/news/biggest-dutch-pension-fund-abp-divests-from-israeli-banks (accessed 21 November 2022).

362 Michael Arria, "How activists got General Mills to dump its Israeli settlement factory", 15 June 2022, Mondoweiss, https://mondoweiss.net/2022/06/how-activists-got-general-mills-to-dump-its-israeli-settlement-factory/ (accessed 21 November 2022).

363 Ben & Jerry, "Ben & Jerry's Will End Sales of Our Ice Cream in the Occupied Palestinian Territory", 19 July 2021, https://www.benjerry.com/about-us/media-center/opt-statement (accessed 21 November 2022).

BOX: WORKERS' PROTEST AGAINST PROJECT NIMBUS

In April 2021, Google and Amazon signed a 7-year contract to develop Project Nimbus. In an announcement, the project was described as a multi-year flagship plan to provide the Israeli government, including the Ministry of Defence and the National Cyber Directorate, with "an all-encompassing cloud solution". A recent report by The Intercept confirmed that the project includes Google offering ***"advanced artificial intelligence and machine-learning capabilities"*** to the Israeli government and its security services.[364] Israel is expected to invest over a billion US$ in the project.

On 12 October 2021, around 390 workers at Google and Amazon publicly condemned their employers for signing the contract to develop Project Nimbus. Workers stated that ***"This technology allows for further surveillance of and unlawful data collection on Palestinians, and facilitates expansion of Israel's illegal settlements on Palestinian land"***, adding that Project Nimbus ***"will make the systematic discrimination and displacement carried out by the Israeli military and government even crueler and deadlier for Palestinians."*** They therefore called on their employers to ***"reject this contract and future contracts that will harm our users."***[365]

5.2. Good practices in policy statements

Among other recommendations, this report recommends that financial institutions implement investment policies that use "involvement in settlements in occupied territories" as an exclusion criterion. This means that an actor involved in such settlements - Israeli or otherwise - will not receive any money from the financial institution, now or in the future.

The following list provides some illustrative and non-exhaustive examples showing that throughout Europe, financial institutions apply explicit exclusion criteria or have formulated policies that align with international humanitarian law on settlements in occupied territories.[366]

- The fund manager **Eika Kapitalforvaltning,** which provides services for an alliance of Norwegian savings banks, expects that the companies it invests in will not *"provide support for settlements or economic activities in occupied territories or conflict-prone areas".*[367]

- In the Netherlands, **De Volksbank** states in its Human Rights Policy that they *"do not invest in companies that do not respect International Humanitarian Law. This law governs the treatment of persons during armed conflict, the methods of warfare and the governance of occupied territories".*[368]

364 Sam Biddle, "Documents Reveal Advanced AI Tools Google is Selling to Israel", 24 July 2022, The Intercept, https://theintercept.com/2022/07/24/google-israel-artificial-intelligence-project-nimbus (accessed 21 November 2022).

365 Anonymous Google and Amazon Workers, "We are Google and Amazon workers. We condemn Project Nimbus", 12 October 2021, https://www.theguardian.com/commentisfree/2021/oct/12/google-amazon-workers-condemn-project-nimbus-israeli-military-contract (accessed 21 November 2022).

366 Quoted policies have been translated when not in English. The source documents and original wordings are referenced whenever policies are quoted.

367 Eika, "Eika Kapitalforvaltning AS ESG dokument for aksje- og renteforvaltning", September 2019, https://eika.no/-/media/fellesfiler/fond/Etiske-retningslinjer.pdf?la=nb-NO (accessed 21 November 2022).

368 Devolks Bank, "Human Rights Policy", 2019, https://www.devolksbank.nl/assets/files/jaarcijfers/2019/De-Volksbank-Human-Rights-Policy_EN.pdf#page=10 (accessed 21 November 2022).

- Dutch bank **NIBC** reported that in 2020 (its most recent reported year) "[no] *new financings were provided for projects or companies active in conflict zones, occupied territories, or locations where we determined that the impacts on people or the environment might be unmanageable".*[369]

However, DBIO research shows that some financial institutions that had put in place strong exclusion policies have, in practice, continued to finance of business enterprises involved in the Israeli settlements in the OPT:

- German bank **LBBW** has stated that it *"attaches importance to the fact that, in accordance with international humanitarian law, companies in which it invests or which it finances do not carry out or support settlements in occupied territories".*[370] However, despite this policy, LBBW has financed 16 companies[371] active in the Israeli settlements over the past two years, for a total value of US$ 1.47 billion.

- The Swedish insurer **Skandia** has stated previously that it requires that *"any activities in occupied as well as non-self-governing territories are carried out in the interests of the inhabitants, do not violate international law, do not consolidate the power of the occupier or fuel conflict."* In evaluating this, the financial institution says it has a *"particular focus on companies that risk contributing to the displacement of the occupying state's population or contributing to restrictions on freedom of movement, as well as on companies that extract or purchase natural resources from occupied territories".*[372] Despite this policy, Skandia financed 18 companies[373] active in the Israeli settlements over the past two years, for a total value of US$ 438 million.

- **Nordea**, a financial institution active in multiple Nordic countries, says that it expects *"companies to obey internationally recognized human rights principles and to prevent and manage its impact on human rights. Human rights related issues include complicity in human right abuses, (...) the rights of indigenous people and displacement of local communities, freedom of association and collective bargaining and international humanitarian law."*[374] Despite this policy, Nordea invested in 22 companies[375] active in the Israeli settlements over the past two years, for a total value of over US$ 4 billion.

369 NIBC, "NIBC Sustainability Report", August 2022, https://www.nibc.com/media/2748/nibc-2020-sustainability-report.pdf#page=27 (accessed 21 November 2022).

370 LBBW, "Nachhaltigkeitsregelungen der Landesbank Baden-Württemberg", July 2022, https://www.lbbw.de/konzern/nachhaltigkeit/2022/lbbw_nachhaltigkeitsregelungen_899tk8tr8_m.pdf#page=13 (accessed 21 November 2022).

371 Alstom, Booking, Carrefour, Caterpillar, Cisco Systems, Expedia Group, Heidelberg Materials, IBM, MAN Group, Puma, Siemens, Solvay, TUI Group, Vinci / SEMI, Volvo Group.

372 Skandia, "Ställningstagande – mänskliga rättigheter", https://skandia.shop.strd.se/ftp/pdf_folder/91977.pdf (accessed 21 November 2022).

373 Airbnb, Alstom, Booking Holdings, Carrefour, Caterpilar, Cisco Systems, CNH Industrial, Expedia Group, Heidelberg Materials, HPE, IBM, Motorola Solutions, Puma, Siemens, Solvay, Vinci / SEMI, Volvo Group, WSP Global.

374 Nordea, "Responsible Investment Policy", July 2022, https://www.nordea.com/en/doc/nordea-responsible-investment-policy-july-2022.pdf#page=16 (accessed 21 November 2022).

375 Airbnb, Alstom, Booking Holdings, Carrefour, Caterpillar, Cisco Systems, CNH Industrial, Elbit Systems, Expedia Group, Heidelberg Materials, HPE, IBM, MAN Group, Motorola Solutions, Puma, Siemens, Solvay, Terex Corporation, Tripadvisor, Vinci / SEMI, Volvo Group, WSP Global.

- Dutch Bank **ABN Amro** has stated, in its Sustainability Risk Guide 2016: *"Recognising that other factors may increase the risks of severe negative impacts, we expect clients to respect international humanitarian law such as the Geneva Conventions, for example by not enabling settlements in occupied territories."*[376] Since 2016, this language has however been removed from ABN Amro's Sustainability Risk Guides and over the past two years, the bank has financed 17 companies active in the Israeli settlements for a total value of almost US$ 400 million.[377]

5.3. Normative and practical developments in the field of Business and Human Rights

While corporate-related human rights abuses and violations of international law have continued and heightened in the OPT, and around the world, especially in conflict-affected and high-risk areas, some positive developments have taken place at the international and European levels that could potentially help to regulate corporate conduct, ensure effective accountability for business enterprises, and guarantee redress and remedy for all those affected.

5.3.1. The UN Binding Treaty on Business & Human Rights

In 2014, the UN Human Rights Council passed Resolution 26/9, which established an open-ended intergovernmental working group (IGWG), with a mandate to develop an international legally binding human rights treaty to regulate the activities of transnational corporations and other business enterprises (internationally binding instrument or "UN Binding Treaty").[378]

The current third revised draft of the UN Binding Treaty requires that State Parties should ensure enhanced human rights due diligence measures to be undertaken by business enterprises *"to prevent human rights abuses in occupied or conflict-affected areas, including situations of occupation".*[379] It also lists financial institutions and investment funds as part of business activities throughout the text of the draft Treaty.

5.3.2. Mandatory Due Diligence in Europe

In February 2022, the European Commission published its long awaited legislative proposal on mandatory corporate human rights and environmental due diligence, the **Corporate Sustainability Due Diligence Directive** (CSDDD). The Directive is a welcome step towards promoting responsible business conduct and corporate accountability as it establishes a corporate duty to respect human rights and the environment by carrying out human rights due diligence. However, despite positive aspects, the **current draft falls short on many fundamental issues and deviates from international standards**, particularly with regard to its scope; the entities covered in the value chain; the consultation of affected stakeholders; and access to justice and remedy for victims.

Moreover, the current draft does not make any reference to the heightened risks in conflict-affected areas. As described in section 4 of this report, the UNGPs require companies that have activities or business relationships in conflict-affected or high risk areas to conduct enhanced due

376 ABN-AMRO, "Sustainability Risk Guide", August 2016, https://assets.ctfassets.net/1u811bvgvthc/51wTranRIiiFiTL-H3YjthO/99935c54f644fd96a19c5d7270d1b310/ABN_AMRO_Sustainability_Risk_Guide.pdf#page=18 (accessed 21 November 2022).

377 Airbnb, Alstom, Booking Holdings, Carrefour, Cisco Systems, CNH Industrial, Delek Group, Expedia Group, Heidelberg Materials, IBM, Motorola Solutions, Puma, Siemens, Solvay, Terex Corporation, Vinci / SEMI, and Volvo Group.

378 UN Human Rights Council, Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights, available at: https://www.ohchr.org/en/hr-bodies/hrc/wg-trans-corp/igwg-on-tnc (accessed 21 November 2022).

379 Legally Binding Instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises (Third Revised Draft), 17 August 2021, available at: https://www.ohchr.org/Documents/HRBodies/HRCouncil/WGTransCorp/Session6/LBI3rdDRAFT.pdf (accessed 21 November 2022), Article 6.4 (g).

diligence. In its 2021 report with recommendations on corporate due diligence and corporate accountability, the European Parliament had reaffirmed this need for *"appropriate human rights, environmental and governance due diligence, respect [for] international humanitarian law obligations [and] existing international standards and guidance including the Geneva Conventions and its additional protocols" in conflict-affected areas, where business risks on human rights and the environment "can be specific and more salient".*[380] The European Parliament further encouraged Member States to *"monitor the undertakings under their jurisdictions with operations or business relationships in conflict-affected areas, and accordingly take the necessary actions to protect human rights, the environment and good governance in line with their legal obligations".*[381]

Another worrying aspect of the Directive, especially in the context of this report, is the fact that financial institutions would only be required to perform due diligence in the pre-contractual phase of relationships (instead of on an ongoing basis, as required by the international standards) and to the activities of their large corporate clients, excluding risks arising in those clients' own value chains. This would not be in line with the international standards for financial institutions and risk assessments.

At the time of writing, the Council of the European Union and the European Parliament are discussing the text of the draft directive, with trilateral negotiations set to start by the end of 2022. In order for the legislation to have a positive impact on responsible business conduct, corporate accountability and the access to effective justice and remedy for those affected, the above mentioned issues should be addressed effectively.

Apart from legislative developments on the EU level, several European countries have already passed national laws and initiated reforms to make human rights due diligence mandatory. In 2017, in **France** the Law on the Corporate Duty of Vigilance was adopted, which establishes a legally binding obligation for large companies and parent companies to identify and prevent risks to human rights and the environment resulting from their business activities, operations and relationships.[382] In 2021, the **German** Parliament adopted a new law on human rights in supply chains, requiring large companies to *"regularly and systematically identify and address human rights and environmental risks in their direct supply chains".*[383] In **Norway**, in 2021, the Parliament passed the Transparency Act, on the basis of various international frameworks including the UNGPs and OECD Guidelines, which aims to promote companies' respect for human rights.[384]

In March 2021 four political parties in the **Netherlands** submitted the Dutch Bill on Responsible and Sustainable International Business Conduct. In December 2021, following an ongoing civil society campaign for mandatory due diligence, the Dutch government itself also announced that it would start developing national level due diligence legislation. Moreover, in its response to the draft EU Directive, it has stated that EU legislation should better align with the UNGPs

380 European Parliament (2019-2024), "Corporate due diligence and corporate accountability", 2021, https://www.europarl.europa.eu/doceo/document/TA-9-2021-0073_EN.pdf (accessed 21 November 2022).

381 *Ibid*, para. 27.

382 ECCJ, "French Corporate Duty Of Vigilance Law", 23 February 2017, http://corporatejustice.org/wp-content/uploads/2021/04/french-corporate-duty-of-vigilance-law-faq-1.pdf (accessed 21 November 2022); FIDH, "France must ensure implementation of Duty of Vigilance Law to protect human rights defenders", 29 January 2021, https://www.fidh.org/en/region/europe-central-asia/france/france-must-ensure-implementation-of-duty-of-vigilance-law-to-protect (accessed 21 November 2022).

383 Human Rights Watch, "Germany: New Supply Chain Law a Step in the Right Direction", 11 June 2021, https://www.hrw.org/news/2021/06/11/germany-new-supply-chain-law-step-right-direction (accessed 21 November 2022).

384 DLA Piper, "New Act regarding transparency of companies compliance to fundamental human rights and working conditions", 29 June 2021, https://norway.dlapiper.com/en/news/new-act-regarding-transparency-companies-compliance-fundamental-human-rights-and-working (accessed 21 November 2022).

and the OECD Guidelines.[385] In **Belgium**, the Federal Parliament is currently discussing a legal proposal that, referencing the UNGPs, would create a duty of vigilance and duty of remediation concerned with human rights, labour rights, and environmental standards.[386] Similar efforts have been undertaken at the **Austrian** Parliament since 2018 towards mandatory human rights due diligence,[387] while in **Ireland** civil society has come together to launch the Irish Coalition for Business and Human Rights (ICBHR). The ICBHR is campaigning for new corporate accountability legislation to prevent abuses by making Irish-based companies accountable for a range of corporate human rights violations including forced labour, land grabs, attacks on human rights defenders, violence against women and denial of people's fundamental rights at work. To this end the ICBHR has engaged representatives across the political spectrum to achieve mandatory, gender responsive human rights and environmental due diligence legislation in Ireland.

385 See Fiche 1: Richtlijn gepaste zorgvuldigheidsverplichting voor ondernemingen, available at: https://open.overheid.nl/repository/ronl-66e9b3a4a70b5f99c537de06f1fc8227225efca5/1/pdf/fiche-1-richtlijn-gepaste-zorgvuldigheidsverplichting-voor-ondernemingen.pdf (accessed 21 November 2022).

386 Triponel Consulting, "What is the latest environmental and human rights due diligence legal development in Belgium?", 26 April 2021, https://triponelconsulting.com/2021/04/26/what-is-the-latest-environmental-and-human-rights-due-diligence-legal-development-in-belgium/ (accessed 21 November 2022).

387 Business & Human Rights Resource Centre, "Austrian movement for mandatory human rights due diligence", 4 March 2021, https://www.business-humanrights.org/en/latest-news/austrian-movement-for-mandatory-human-rights-due-diligence/ (accessed 21 November 2022).

Annex 1: Methodology

Scope

Geographically, the research conducted for the purpose of this report was limited to business enterprises involved in Israel's settlement enterprise in the occupied West Bank, including the eastern part of Jerusalem, of the OPT. This geographic focus does not intend to reinforce the imposed fragmentation of the Palestinian people, as the purpose of this work is specifically centred on Israel's illegal settlement enterprise. In the analysis of financial relationships, the research was limited to financial institutions based in the 27 EU Member States as well as in Norway and the United Kingdom (UK).

Selection of Business Enterprises

The publication of the UN Database in February 2020 represented an important milestone for business and human rights-related efforts in the context of Israel's prolonged occupation of the OPT, as well as an important step towards corporate accountability in such contexts. Similar to the DBIO I report, published in 2021, the UN Database, and the criteria for inclusion are premised on international law and the UNGPs, thereby forming the starting point for this research and work.

However, the narrow interpretation of the mandate and temporal limits applied by the OHCHR to the UN Database have led to the omission of many business enterprises involved in grave violations and international crimes linked to Israeli settlements. Moreover, contrary to initial plans for annual updates, no revised database has been published to date. Therefore, as in the DBIO I report, the findings of the research presented in this report have identified a limited number of additional publicly listed companies for inclusion in the analysis of financial relationships with European financial institutions. The online database provided by Who Profits was used as a key point of reference for recent evidence of involvement until 2020. Relevant additional information and evidence were gathered, until 2020, from company registers, company publications, media articles, and other related resources.

To determine what constitutes *"involvement"* in the Israeli settlement enterprise, the analysis followed Article 17 of the UNGPs, with corporate human rights due diligence requiring a business enterprise to:

> ***"[...] cover adverse human rights impacts that the business enterprise may cause or contribute to through its own activities, or which may be directly linked to its operations, products or services by its business relationships."***

Furthermore, the following ten "listed activities", which raise particular human rights concerns and that provide the criteria for the UN Database mandate[388], were used as a key reference throughout this report:

1. The supply of equipment and materials facilitating the construction and the expansion of settlements and the wall, and associated infrastructures;

388 UNHRC, Database of businesses involved in Israeli settlements, 2020.

2. The supply of surveillance and identification equipment for settlements, the wall and checkpoints directly linked with settlements;

3. The supply of equipment for the demolition of housing and property, the destruction of agricultural farms, greenhouses, olive groves and crops;

4. The supply of security services, equipment and materials to enterprises operating in settlements;

5. The provision of services and utilities supporting the maintenance and existence of settlements, including transport;

6. Banking and financial operations helping to develop, expand or maintain settlements and their activities, including loans for housing and the development of businesses;

7. The use of natural resources, in particular water and land, for business purposes;

8. Pollution, and the dumping of waste in or its transfer to Palestinian villages;

9. Captivity of the Palestinian financial and economic markets, as well as practices that disadvantage Palestinian enterprises, including through restrictions on movement, administrative and legal constraints;

10. Use of benefits and reinvestments of enterprises owned totally or partially by settlers for developing, expanding and maintaining the settlements.

The application of these criteria alone would have generated a much longer list of companies involved in the settlement enterprise, as can be seen from the Who Profits database comprising 499 entries.[389] Given that a key interest of this research was to identify links with European financial institutions, a public listing at a stock exchange (particularly in Europe or the United States) was an additional selection criterion, as this presents a much higher likelihood for such relationships.

The business enterprises included in the UN Database were checked for any changes to their status since February 2020 in relation to activities linked to the settlement enterprise. Since then, Avgol Industries (with its parent Indorama Ventures) announced in February 2020 the relocation of its plant from the Barkan Industrial Zone in the West Bank to India.[390] While Alstom Citadis is no longer involved in the Jerusalem Light Rail project, Alstom acquired Bombardier Transportation in January 2021, and is therefore still included in the report. In May 2022, General Mills divested from its joint venture, Shalgal Food, which operated in the Atarot industrial zone in occupied East Jerusalem and is therefore no longer included in the company selection. General Mills denied that the decision was motivated by outside pressure or political reasons.[391] Meanwhile, for two companies from the UN Database, Hamat Group and Villar International, financial

389 The Who Profits database is available online at https://whoprofits.org/.

390 The lease agreement of the plant expired in December 2020. See Indorama Ventures, "Relocation of one manufacturing facility of Avgol Industries 1953 Ltd.", 14 February 2020, https://hub.optiwise.io/en/documents/1609/6443705E1AD9C-43C2A43725E1ADAC538670F765A1CDCB149104B072C69D9C14C1544012F18D8B03F6F4B775669DEB13C-13466C1E4E8DCF396243705C1AD9C5386E47715C19DBC33F65366C1E4E8D_140220200843230673E.pdf (accessed 21 November 2022); Aviv Levy,
"Avgol is shifting production from Israel to India", 20 October 2020, Globes, https://en.globes.co.il/en/article-avgol-shifting-production-from-israel-to-india-1001346418 (accessed 21 November 2022).

391 General Mills, "Update on our Israel business", 17 August 2022, https://www.generalmills.com/news/stories/update-on-our-israel-business (accessed in August 2022).

relationships with European financial institutions were identified this year and therefore profiles are newly included in the report.

Of the additional companies that had been added in the DBIO I report, five are no longer included in this research or have changed ownership. DXC Technology's Israel-based subsidiary was acquired by Ness Technologies (Hilan Group) in December 2021.[392] HPE's contract to provide servers and maintenance services for the Aviv System of Israel's Population and Immigration Authority has reportedly expired and will be replaced by IBM's Eitan System.[393] For Atlas Copco, Manitou and Terex, no recent evidence falling within the analysed period since 2020 regarding the companies' equipment in settlement construction sites, or in the destruction of Palestinian property, was identified through desk research. However, this does not necessarily mean that involvement has ceased.

New companies in the analysis also include retailer Carrefour, apparel manufacturer Puma, and travel company TUI.

The final selection of business enterprises should not be seen as an exhaustive list of business enterprises that are involved with Israeli settlements. Many smaller businesses involved with Israel's settlement enterprise were not included in the scope of this research, although they might have bilateral relationships with banks and FIs.

Due hearing

Both the companies and financial institutions mentioned in this report were given the opportunity to review the results and provide input on the findings on financial relationships, as well as on their approach to human rights due diligence. In total, 127 financial institutions and 50 companies were contacted. At the time this report went to press, the coalition received responses from 19 financial institutions and 5 companies. These responses have been considered and noted throughout the report. Annex 2 includes the responses of companies and FI's who have agreed to have their response mentioned in the report.

392 CTech, "Ness set to acquire DXC Technology's Israeli IT services for $65 million", 21 December 2021, https://www.calcalistech.com/ctech/articles/0,7340,L-3925476,00.html (accessed 20 November 2022).

393 Who Profits, "What is HPE's Current Involvement in the Israeli Occupation Industry?", December 2021, https://whoprofits.org/updates/what-is-hpes-current-involvement-in-the-israeli-occupation-industry/ (accessed 20 November 2022).

Annex 2: Responses received from companies and financial institutions

Ackermans & van Haren / Delen Private Bank

From Ackermans & van Haren:

The data in the excel sheet provided are no investments of Ackermans & van Haaren (AvH). A possible explanation may lie in the fact that AvH is shareholder of Delen Private Bank. Your investigation should then focus on the policy of Delen Private Bank and not AvH.

For the responsible investment policy of Delen Private Bank, containing exclusion, engagement and integration of ESG factors, you can find more detailed information in the sustainability report 2021 of Delen Private Bank on pages 15-17 or directly on the website of Delen Private Bank (Sustainability at Delen Private Bank | Delen Private Bank). A summary can also be found in the AvH annual report 2021 under the section ESG highlights 2021 at participations – Delen Private Bank – p 66-67.

Finally, I would like to draw attention to the following elements in AvH's ESG policy:

- Each participation of AvH determines its own ESG policy in collaboration with the board of directors in which AvH representatives sit (more information on our approach as Responsible Owner see p 57 of the AvH annual report 2021).
- For more information regarding the AvH ESG approach & policy, see p 49 of the AvH annual report 2021

DBIO response: Since Ackermans & van Haaren owns the overwhelming majority of shares in Delen Private Bank (78,5%), we are convinced it is AvH's responsibility that Delen's investment policies are in accordance with the international legal framework and that Delen addresses adverse human rights impacts arising from their activities. The representatives AvH has in Delen's board of directors are a tool AvH can use to make sure that happens.

-From Delen Private Bank:

The companies mentioned in the list provided are indeed in portfolio.

We have an exclusion policy in place, but it doesn't include exposure to activities in the West Bank: ExclusionPolicy_ENG.pdf (delen.bank)

When there is an exposure, we engage companies on that topic through our engagement partner EOS (Federated Hermes). We are part of a group of EUR 1.500 billion in AuA to influence companies towards more sustainability, with Human Rights being one of the main topics. The general approach can be found here : EOS Engagement Plan 2022-2024 (delen.bank)

To give some examples on topic: for booking.com, we had a meeting with the corporate secretary and head of investor relations during which we reviewed the company's business strategy, customer service and core principles, climate and approach to the West Bank.

For IBM we raised our broader concerns with the company, asking for clarity around its plans to conduct due diligence on clients and partner companies regarding adverse social impact and human rights risk exposure. These plans should show how these risks are considered in business decision making.

We of course looked at the entire list and after analysis we also found conclusions can be farfetched, like the alleged Solvay exposure.

> *"According to Who Profits, in 2019* ***Solvay products were recorded*** *at the construction site of a bypass pipeline in Bardala, which is designed to serve Israeli settlements in the northern Jordan Valley. In a 2020 report, Who Profits states that the Bardala bypass project will transport freshwater extracted from Palestinian water sources (in occupied territory) to nearby Israeli settlements, bypassing Palestinian communities."*
>
> *"Airframer reports that Solvay supplies pre-impregnated reinforced fibres (MTM 46 epoxy prepreg system) for the Elbit Hermes 450 unmanned aerial vehicle (UAV). The drone is produced by UAV Tactical Systems, a joint venture between Elbit Systems and Thales UK. Elbit is the top supplier of drones and other surveillance tools used by the Israeli military in the occupied territories of the West Bank, East Jerusalem and Gaza, as well as in military operations in the Gaza strip."*

Products ending in occupied territories and/or war zones are something completely different than directly profiting (economically) of a conflict. We should remain critical and wary of extreme conclusions. We don't support operations in the West Bank and we don't see Solvay as a facilitator of that. In this concrete example, we see no reason to engage Solvay or companies in the same position on the matter. We do exclude companies that are directly involved like Elbit Systems and Thales."

Banca d'Italia

We confirm that we hold shares in CNH Industrial N.V.

For its investment strategy, the Bank of Italy applies exclusion criteria as set out in its own Responsible Investment Charter (available at https://www.bancaditalia.it/compiti/riserveporta-foglio-rischi/cis/CIS-eng.pdf?language_id=1). These criteria do not preclude the investment in CNH Industrial N.V.

BNP Paribas

The situation you are referring to is a situation that we are looking at with the necessary seriousness and vigilance. We are unable to provide you with comments on this case. However, we can assure you that in this circumstance as in any other, our Code of Conduct and all of our engagement policies are rigorously applied.

CAF

First of all, we fully understand your interest regarding this specific Project and, more generally, related to the management of Business Ethics and Compliance by the CAF Group, as we are aware of the importance of these matters.

With this aim in mind, we would like to briefly explain CAF Group's management and commitment to Compliance and Business Ethics referring to its robust Corporate Compliance System that includes, among others:

I. A Code of Conduct,

II. A corporate Crime Prevention Manual,

III. A Due Diligence Manual for contracting with Third Parties,

IV. Compliance sub-programmes adapted at international level in various countries in which the CAF Group operates, and

V. A corporate Human Rights Due Diligence Procedure.

The Board of Directors of the parent company approves our highest ranked internal rules and appoints the members of our Compliance function, who implements more specific internal rules and protocols and supervises them according to the best international practice (e.g. COSO Compliance Risk management, ISO 37001, Guides concerning antibribery laws and general Compliance, etc.).

In the same way, Human Rights and Compliance risks management is embedded on our strategy and business policies and is part of our responsible and sustainable supply chain.

In relation to the **Project:**

I. A prior analysis of legality was carried out and confirmed, by means of reports from independent experts of recognised prestige, that CAF is not in breach of any Law or any international regulations on Human Rights due to its participation in the Project.

II. CAF has applied and continuously applies its internal Due Diligence and Compliance procedures, which are in line with the OECD Guidelines for Multinational Enterprises and the United Nations Guiding Principles on Business and Human Rights.

III. In order to do so, CAF is monitoring, on a regular basis, those human rights impacts that the business enterprise may cause or contribute to through its own activities.

IV. Several contacts and meetings with affected parties, public authorities and stakeholders have been maintained.

V. The participation of CAF in the Project is in accordance with international law. This is supported by court rulings in several countries and has been confirmed by experts in international law.

VI. Our Ethics and Compliance requirements are made extensive to any third party related to the CAF Group.

VII. Additionally, please take into account that the Project has a positive impact on the entire population, in a non-discriminatory way, bringing, among others, access to all communities to basic social services and providing a sustainable and eco-friendly infrastructure.

All the above considered, and concerning the specific questions raised in your e-mail and its attachment dated 11 July 2022, we can confirm that our internal Human Rights Due Diligence Procedure is entirely based on and compliant with OECD Guidelines for Multinational Enterprises and the United Nations Guiding Principles on Business and Human Rights. As a result, every requirement on the best practice is included and is applicable to all companies within the CAF Group and the internal procedures are already compliant with the existing proposal of European Directive regarding enhanced Human Rights Due Diligence for corporate entities.

On those grounds, we have developed an internal methodology concerning risk assessment in order to evaluate the inherent risk prior to any decision concerning any prequalification of public bid offer, or before entering any kind of contract that could take place in conflict-affected areas, as a global Due Diligence measure to be applied no matter the business unit concerned.

So, the companies of the CAF Group must assess potential projects beforehand from the perspective of Human Rights, so that it can be assessed a priori that the intervention of the CAF Group will not lead to the violation of such Rights through its own activities, or directly through its operations, or through the sale of its products or services. At the same time, the possible existence of international sanctions must be checked.

The standard set of risks to be considered through the lens of Human Rights fall under the category of labour and health and safety issues, modern slavery, discrimination against women or minorities, limitation of free movement of persons, forced evictions or environmental impacts, among others.

Nevertheless regarding the Project and due to its singularity, we have elaborated a risk matrix specifically adapted to the activities pointed out by the United Nations as potentially linked to Human Rights breaches in the area. Then, we have analysed if any of CAF Group's expected operations related to the Project could match hypothetically in the worst-case scenario (in the event the bid was successful).

Thus, we have distinguished between risks to be assessed before the public bid (e.g. project plan itself and its potential to be discriminatory with some part of the population) and those that only can arise at a later stage (e.g. environmental or waste management issues), in order to set up adequate controls to prevent any breach of Human Rights for each one.

One particularity of our internal procedure (compared to others) is the fact that the risks analysed must necessarily take into account the interests of the affected parties, i.e. those of the Human Rights-holders (not only those of the company itself). In the same way, if necessary and materially feasible in the circumstances, consultations with potentially affected groups and other interested parties may also be carried out to complement the analysis. Additionally, we rely on independent expert reports to complement the abovementioned mechanisms established within the CAF Group. According to such processes, we have not found any legal breaches or Human Rights violations whatsoever. In any case, there is a constant monitoring being carried out.

In the same vein, our internal procedure regarding Human Rights Due Diligence states the following:

- If at any time during the Project when an impact in relation to Human Rights materializes, the appropriate action to remedy the negative consequences for Human Rights caused or contributed to by the direct action of the CAF Group is analysed and implemented.

- Provided this doesn't involve the violation of any regulation on trade secrets, market abuse, or another equivalent regulation, the CAF Group will report on the conclusions of the impact assessments of projects in which the affected parties or their representatives, or public authorities or bodies, raise concerns in the area of Human Rights in its Sustainability Responsibility Report and/or in the Non-Financial Information Statement (or in any document that replaces or complements these).

It is relevant to highlight that the Board of Directors does the overview of the non-financial information report (which is also part of an external audit by an independent third party), being the ESG related issues on the top priorities of the company.

Cisco Systems

There has been no updates to our response that we submitted last year. The government decides where to establish these hubs and since it bought our Webex boards through our partner, Bezeq Intl, we do not have a say in where these hubs are built. The sale was agreed on about four years ago.

Response from last year:

We are partnering with the Government of Israel to accelerate innovation, promote entrepreneurship and digital skills to help them build inclusive communities. Our goal is to help unconnected communities integrate into the digital economy by supporting Israel's Digital Agenda and by helping to drive more innovation in the region.

Through our ecosystem of partners, these Digital Hubs were created to deliver digital services to improve citizen wellbeing, create jobs and boost entrepreneurship. Our partners did develop an application called COB (COnnected Business) on top of our Webex offering to help people collaborate in the region and provide training so they can develop the skills needed to participate in Israel's innovation ecosystem.

Cisco Israel is selling our Webex boards to the Israeli Government. The government chooses to install these Webex boards in various locations across the country. Cisco Israel has no knowledge as to where the hubs are established nor do we have any say in regards to the location of the hubs.

Heidelberg Materials (formerly HeidelbergCement)

Question: During this year's AGM, it was said that HeidelbergCement is operating the Nahal Raba Quarry at minimal capacity. Could you please clarify whether this level of operation is achieved by Hanson at the instruction of HeidelbergCement, and disclose the amount of material extracted from the quarry each month over the past year?

Answer: Though Hanson Israel is majority-owned by HeidelbergCement, the local management is responsible for operations and all operational decisions. Thus, they align their operational

objectives with Group targets. We do not share detailed production data with third parties because these are of sensitive competitive nature.

Question: HeidelbergCement was made aware at the 2022 AGM that an independent investigation by researchers on the ground uncovered that Hanson Israel supplied over 150 deliveries of concrete from its facilities to (residential) construction sites in Israeli settlements located in the West Bank, including East Jerusalem, in the years 2019 to 2021. Would HeidelbergCement be able to make a log of the destinations of all of Hanson's concrete deliveries between 2019 and 2021 available to Profundo so that the accuracy of this investigation's findings can be determined?

Answer: Though Hanson Israel is majority-owned by HeidelbergCement, the local management is responsible for operations and all operational decisions. Thus, they align their operational objectives with Group targets. We do not share detailed production data with third parties because these are of sensitive competitive nature.

Question: HeidelbergCement stated at the 2022 AGM that the number of deliveries of concrete to Israeli settlements constitute a small percentage of the overall concrete supply of Hanson Israel. Can you confirm what percentage they constitute of your concrete supply from each concrete factory, in particular those located in Nahal Raba and formerly in Atarot and Modi'in Illit?

Answer: Similar to your above data requests, we cannot disclose production volumes for single plants because this is sensitive operational information.

Question: We understood that the Atarot facility has been sold in 2021. Could you confirm what the status of the Modi'in Illit plant is?

Answer: As previously stated, the concrete plant Modi'in has been closed end of 2017 and dismantled end of 2017/beginning of 2018.

Tripadvisor

Over the years, there have been some misleading claims about Tripadvisor and how the company displays information about travel and hospitality businesses that operate within Israeli Settlements in the Palestinian Territories.

Tripadvisor would like to be clear about our position:

Tripadvisor believes that travellers, including those coming to our site or app, should have access to all relevant information available about a destination, including information about businesses operating in those locations.

Tripadvisor's aim is to provide travellers with an unbiased, accurate and useful overview of all travel and hospitality businesses that are open for business, anywhere in the world.

We understand that the issues raised by your organization are a sensitive matter with deep emotional, cultural and political implications. The listing of a property or business on Tripadvisor does not represent our endorsement of that establishment or a region's public policies. We provide the listing as a platform for guests to share their genuine experiences with other travellers, and to ensure all travellers have access to the most up-to-date and useful information about the places to which they intend to visit. As such, we do not remove listings of properties or businesses that remain active and open for business.

With respect to where a location is listed on a map, including disputed regions, Tripadvisor – in its role as an information platform – intends to be as consistent as possible with the travel industry and Internet search display standards.

Tripadvisor will continue to monitor how other travel and Internet search companies list information about properties in countries and regions like Israel and the Palestinian Territories as we aim to deliver a consistent experience to all of our users across the globe.

Thank you for your time and for including our comments in your report.

DNB

With regards to our policy in relation to business activities in Israel/Palestine, I refer you to the DNB Standard for Responsible Investment, Group Standard for credit activities and Group Policy Sustainability. You can find our policies in our Sustainable library.

In the Standard for Responsible Investment, the section on principles for exclusion states that:

"Companies may be excluded from the investment universe if there is an unacceptable risk that a company contributes to or is responsible for:

- serious or systematic violations of human rights, such as murder, torture, deprivation of liberty, forced labour, the worst types of child labour and other forms of exploitation of children
- grave violations of individual rights in wars or conflict situations
- the sale of weapons to states engaged in armed conflict that use the weapons in ways that constitute serious and systematic violations of international rules on the conduct of hostilities
- the sale of weapons or military materiel to states that are subject to investment restrictions on government bonds from countries subject to sanctions imposed by the UN Security Council
- serious violations of basic labour rights
- grave harm to the environment
- acts or omissions that on an aggregate company level lead to unacceptable greenhouse gas emissions
- serious corruption
- other particularly critical violations of basic ethical norms

DNB will not invest in government/sovereign bonds from countries subject to sanctions imposed by the UN Security Council.

DNB will not invest in companies subject to sanctions (from UN, EU, US (OFAC) and other local sanctions regulations if they are relevant) applicable to financial investments in DNB."

In the Group Standard for credit activities it is stated that DNB's customers must fully support and respect, within their sphere of influence, internationally recognised human rights, and ensure that they are not involved in human rights violations. Further, the customers must respect the eight fundamental or core international labour organisation conventions established by, the International Labour Organisation.

In our Group Policy for Sustainability it is also stated that DNB must not contribute to the infringement of human rights or labour rights, or to corruption, serious environmental harm or other actions that could be perceived as grossly unethical.

DNB does not have a formulated policy on the Israel/Palestine conflict. DNB adheres to best practice for financial institutions and international norms and rules.

DNB, in its work with responsible investments and credit activities, is aligned with UN Global Compact, The UN Guiding Principles on Business and Human Rights, and OECD Guidelines for Multinational Enterprises.

Also see our Support to global initiatives document.

Industrivärden

Industrivärden is a long-term shareholder in AB Volvo. As per June 30, 2022, Industrivärden held: 166,600,000 Class A shares and 13,100,000 Class B shares.

Current information can be found at: https://www.industrivarden.se/en-gb/investors/reports/Interim-reports/

We continuously receive information/requests on issues concerning the listed companies in which we have invested, and usually it is an important and valuable source in our long-term analysis. However, operational issues should be discussed with the respective company. As a long-term minority shareholder we do not participate in specific discussions connected to our internal analysis. In short, our analysis and influence process work as follows.

Active ownership aims to contribute to the portfolio companies' strategic development and long-term value creation. Industrivärden's influence is grounded in sizable ownership stakes, strong positions of trust, representation on nominating committees and boards, and depth of knowledge about the companies and their business environments. Industrivärden strives to help the portfolio companies establish and strengthen leading positions in their respective industries over time. Major emphasis is put on clear leadership, focus and flexibility. Active ownership is exercised mainly through involvement in nominating committee work, board representation and active dialogue with the portfolio companies. In addition, continuous evaluation is conducted of the companies and their boards, CEOs and company managements. The various measures that are considered to create the most value over time are defined in Industrivärden's action plan, which serves as the foundation of the Company's influence work.

Industrivärden's investment and analysis organization continuously evaluates the portfolio companies' governance, operations and development. Work is conducted from an overarching ownership perspective with focus on the portfolio companies' boards and management teams, financial development and matters such as strategy, market position, efficiency and capital structure. Analyses are conducted from a broad, business environment perspective and cover everything from customers, competitors and markets to prevailing megatrends such as digitalization, new technology and long-term sustainable development. A keen understanding of these

trends is essential for being able to assess the portfolio companies' long-term value potential as well as the opportunities and challenges they face.

In this way the investment and analysis organization builds a foundation of deep, fact-based knowledge about the respective portfolio companies and their business environments.

With a foundation in this analysis, an action plan for value creation is continuously updated, which summarizes the strategic value drivers that Industrivärden considers to be most important for value creation during the coming three to five years. The aim is to identify and describe various opportunities for value growth and well as strategic measures for realizing this value.

Industrivärden communicates its views of the company and its management primarily with the chairman of the company's board. An active dialogue is also conducted with the respective companies' CEOs and other senior executives.

For further information, please visit: https://www.industrivarden.se/en-gb/operations/sustainability/our-view-and-influence/

KBC

Although we can't provide you client specific details as elaborated above, let us guarantee you that KBC is taking its societal role very seriously. While we obviously comply with all national and international regulations, in many regards our policies go beyond what is legally required, especially regarding the respect of human rights. Please allow us to elaborate on this part of our policies.

As a signatory to the United Nations Sustainable Development Goals, KBC attaches the utmost importance to sustainability and has developed specific policies to this end, summarised in the KBC Group Sustainability Framework. This framework includes policies relating to human rights and various controversial activities such as weapons, tobacco and gambling.

There is also a separate policy framework on human rights which is applicable to all our core business activities as a financial institution (lending, insurance, and asset management) as well as to our proprietary investments. As part of our human rights policy, we draw up the KBC Blacklist (updated at least twice a year) and the list of the most controversial regimes (updated at least once a year).

- The KBC Blacklist includes companies that are linked to controversial weapon systems (e.g. nuclear weapons, cluster bombs and biological or chemical weapons) or that commit serious violations of the UN Global Compact principles. No entity of the KBC group may enter business transactions with these companies.

- The list of the most controversial regimes includes those which commit fundamental violations of human rights and which lack any form of good governance, legality or economic freedom. KBC does not wish to be involved in financial activities with governments, central and state banks, and state-owned companies that are linked to these regimes.

Please note that we have set up an external advisory board to advise KBC on the methodology and criteria for the internal screening of companies. We believe this approach of a permanent external challenge is quite unique in our industry. We further use the data of external data providers to publicly disclose the blacklisted companies. Last but not least, we train our relationship managers on sustainability themes so that they can engage in dialogue with business clients.

KBC Asset Management applies the exclusion policies as described above and goes further for its Responsible Investing (RI) funds and applies stricter exclusion policies related to – amongst others – weapons and fossil fuels. KBC Asset Management works closely with an additional external advisory board, the RI Advisory Board. This is a panel of independent experts to ensure that the highest possible standards for sustainable investments are met. External parties provide data on ESG assessments and performance of our investees, and we actively engage with them on different ESG topics.

In response to the publication of the 2021 Don't Buy into Occupation report, KBC invited 11.11.11 to discuss on our policies and listen to their recommendations. Furthermore, we believe that one of the most important roles KBC can play is to engage with our clients on ESG issues. Our relationship managers planned dialogues on a variety of sustainability topics in 2021 with our large clients and over time they will gradually also include smaller clients into the scope.

Please refer to our annual Report to Society and Sustainability Report, in which we explain in detail how we continue to work on our objectives in the field of sustainable and socially responsible business. Both reports are available on our corporate website.

Rabobank

With the previous version of the report we have encouraged relationship managers to engage the relevant clients for verification and follow-up action where relevant, including sending direct responses on the findings to yourselves. Rabobank takes the UN OHCHR's concerns seriously and are making sure to apply our KYC processes including compliance with anti-money-laundering and sanctions procedures. We note that your own criteria go beyond the OHCHR list. Rabobank's specified criteria can be found in of our Sustainability Policy Framework (notably the principles and controls on Human Rights, Land Governance and the Armaments Sector). The current text is found here: https://www.rabobank.com/en/images/sustainability-policy-framework.pdf

www.dontbuyintooccupation.org