



Mr. Richard Willcox
Head of Finance
World News Media
40 Compton Street, London, EC1V 0BD, United Kingdom

Ramallah, 18 April 2018

Re: Psagot Winery in the World Finance Fine Wine Report

Dear Mr. Willcox,

Thank you for your prompt reply to our enquiry.

With regards to the recent award granted to the Psagot Winery by World Finance Magazine, Al-Haq would like to bring to your attention the following:

- i. Since 1967, Israel has occupied the Palestinian territory, encompassing the West Bank, including East Jerusalem, and the Gaza Strip. Customary international law, as well as international human rights law, international humanitarian law, and international criminal law, are all applicable legal frameworks in the context of belligerent occupation, such as that in the Occupied Palestinian Territory (OPT).
- ii. Israeli settlements constructed in the OPT are illegal and constitute a flagrant violation of international law.¹ In this regard, the United Nations (UN) Secretary-General has called on Israel to "halt and reverse the creation and expansion of settlements in the Occupied Palestinian Territory and... immediately cease the exploitation of natural resources from these territories."² Further, the UN Security Council has called on States "to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967" because of the illegal nature of settlements.³
- iii. The Psagot Winery, promoted and awarded by World Finance Magazine in spring 2018, is located in the illegal Israeli settlement of Psagot in the central region of the occupied West Bank.⁴ The settlement of Psagot was first established in 1981 when Israel unlawfully transferred

¹ UN Security Council Resolution 2334 (2016), UN Doc S/RES/2334, 23 December 2016, para. 1.

² UN General Assembly, Israeli Settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan, Report of the Secretary-General, UN Doc A/HRC/31/43, 20 January 2016, para. 67.

³ UN Security Council, Resolution 2334 (2016), UN Doc S/RES/2334, 23 December 2016, para. 5.

⁴ Psagot Winery Official Website, available at: <https://psagotwines.com/en/the-winery/our-vineyards/>.



its own civilian population from Karem Dbouna and Beit Vegan in West Jerusalem to appropriated Palestinian land in Jabal Al-Tawil, located within the 1967 boundaries of the Palestinian city of Al-Bireh. In accordance with international humanitarian law, Israel, as Occupying Power, is prohibited from transferring its civilian population into occupied territory. Both the transfer of Israeli civilians into occupied territory and the appropriation of Palestinian property for settlement construction and expansion amount to war crimes under the Rome Statute of the International Criminal Court (ICC), and fall within the purview of the preliminary examination being conducted by the ICC in relation to crimes alleged to have been committed in Palestine since 13 June 2014.

- iv. The Psagot Winery vineyards exploit and pillage Palestinian agricultural resources for the benefit of the Israeli economy, denying Palestinians their inalienable right to self-determination, which includes permanent sovereignty over natural resources, as guaranteed under international law. Customary international humanitarian law prohibits the pillage of private and public property in the context of belligerent occupation. Pillage is also listed as a war crime in the Rome Statute and may be prosecuted at the ICC.

The support, whether through financial means or by providing a promotional platform, of businesses operating in or with Israeli settlements in the occupied West Bank normalizes and legitimizes illegal settlements and also reinforces and sustains their presence. In fact, the promotion of Psagot Winery further results in increased revenue generated, allowing the settlement industry to expand and continue its illegal exploitation and appropriation of Palestinian property and natural resources.

World Finance, through its Fine Wine Report and award, has failed to distinguish that Psagot wine is actually produced in an illegal settlement located in the OPT. Instead, it attributes its production to be made in Israel proper. As such, World Finance is providing its readers false information, in clear contradiction of international law, and promoting an illegal settler-colonial industry that aims to eliminate Palestinian presence from the OPT for the benefit of Israel's unlawful settlement enterprise. In doing so, World Finance in the occupied territory is also actively taking part in 'Grapewashing'⁵ the violations of Israel's prolonged fifty-year occupation and endorsing its policies that intentionally blur the internationally recognized Green Line between Israel and the OPT, in violation of international law.

In light of the above, Al-Haq calls upon World News Media and World Finance Magazine to:

- i. Conduct human rights due diligence, including by avoiding contribution to human rights violations through their activities, as well as by preventing human rights violations that may be linked to their operations, services and business relationships – in line with international law. By

⁵ Al-Haq, "Grapewashing the Occupation: The Case of the Chinese Hubei Pengdun Group" (16 January 2018), available at: <http://www.alhaq.org/advocacy/topics/business-and-human-rights-focus/1171-grapewashing-the-occupation-the-case-of-the-chinese-hubei-pengdun-group>.



doing so, World Finance avoids contributing to, and endorsing serious human rights violations, including alleged war crimes, committed in the OPT.

- ii. Review and comply with the UN Guiding Principles on Business and Human Rights, particularly Principles 7 and 12 relevant to businesses operating in conflict-affected areas.⁶
- iii. Comply with the international framework on business and human rights, especially in relation to distinguishing business activities in illegal settlements in the OPT.
- iv. Ensure the accurate labeling of wine produced in the OPT, in line with the increasing efforts made by States and organizations towards effective labeling guidelines for settlement products,⁷ and compiling a database on business activities in or with Israeli settlements.⁸

Lastly, it is imperative that World Finance carry out its human rights due diligence to ensure respect for standards of international law and ensure that it is not by any means promoting, marketing, and thus becoming complicit in the commission of international crimes in the OPT. In this vein, and to avoid unwarranted reputational damage, Al-Haq recommends that World Finance Magazine reconsider and publicly revoke the award made to Psagot Winery in the compilation of its Fine Wine Report, given consideration of broader international legal methodologies.

Sincerely,

Shawan Jabarin

General Director

Al-Haq – Law in the Service of Man

Ramallah

Tel: +972 2 2954646

Fax: +972 2 2954903

shawan@alhaq.org



⁶ UN Guiding Principles on Business and Human Rights (2011), available at: http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf.

⁷ See European Commission, "Interpretative Notice on Indication of Origin of Goods from the Territories occupied by Israel since June 1967" (11 November 2015), available at: https://eeas.europa.eu/sites/eeas/files/20151111_interpretative_notice_indication_of_origin_en.pdf.

⁸ UN Human Rights Council, Resolution 31/36 (2016), UN Doc A/HRC/RES/31/36, 20 April 2016.