



Honda Motor Co., Ltd
Attn: Mr. Takahiro Hachigo
President and CEO

Ramallah, 20 February 2018

Re: Honda's Activities in the Occupied Palestinian Territory

Dear Mr. Hachigo,

I write to you as the General Director of Al-Haq, an independent Palestinian human rights organisation that works towards the protection and promotion of human rights and the rule of law in the Occupied Palestinian Territory (OPT). Al-Haq acknowledges and commends the relocation of the MotoGP event, *Honda Invites you to Experience an International Route!*, hosted and promoted by the Israeli Motorsports Federation and Honda Israel, following civil society communications.¹ The MotoGP event was scheduled to take place in an unlawful Israeli settlement, Petza'el, located in the Jordan Valley of the occupied West Bank, to Arad, south of Israel, which was also cancelled.

Nonetheless, Al-Haq would like to bring to your attention, two issues pertaining to Honda's involvement with Mayer Cars and Truck Co. Ltd., the official franchisee and distributor of Honda in Israel since 1989.² Honda's direct involvement, as the franchiser, poses serious risks for complicity in violations of human rights and humanitarian law in the OPT. Firstly, Mayer Cars and Truck Co. Ltd., operates a licensed garage called Diesel Atarot, in the Atarot industrial zone, a settlement north of Jerusalem, which is also a licensed service centre for Honda trucks. Secondly, Mayer Cars and Truck Co. Ltd is the major shareholder of Merkavim Transportation Technologies in Israel, also owned by Volvo,³ one of the largest Israeli bus manufacturing companies. The latter manufactures armoured buses used to transport Israeli settlers to and from Israel, directly participating in the unlawful transfer of civilians into occupied territory, which violates Article 49 of the Fourth Geneva Convention and Article 85(4)(a) of Additional Protocol I.

At the same time, Israel's unlawful construction and expansion of settlements in the West Bank, including those hosting and partnering with local and multinational business enterprises, results in the forcible transfer of the protected population, prohibited by Article 49 of the Fourth Geneva Convention, customary international law and represents a grave breach of the Fourth Geneva Convention. The acts of both Israel and Merkavim Transportation Technologies may amount to

¹ Urgent Request: Do not Participate in Illegal Settlement Business in Palestine "Honda"!, 13 February 2018, available at: <http://palestine-forum.org/doc/2018/201802-honda.html>

² The Mayor Group, Official website: <http://www.mct.co.il/index.aspx?id=4280>

³ Who Profits, Mayer's Cars and Trucks, available at: <https://whoprofits.org/company/mayers-cars-and-trucks>



war crimes as per Article 8 (b) (viii) of the Rome Statute of the International Criminal Court, for which there is individual criminal responsibility.

Under international law, the OPT constitutes the West Bank, including East Jerusalem, and the Gaza Strip. In 2016, UN Security Council Resolution 2334 reaffirmed the illegality of Israeli settlements and their flagrant violation of international law. As such, corporate investments in and partnerships with settlements perpetuate the occupation by supporting, encouraging, and generating revenue for the settlement enterprise to prosper and expand, consequently denying the occupied Palestinian population their fundamental right to self-determination and sovereignty over their natural resources,⁴ among other rights, while obstructing and de-developing their economy.

In accordance with international law and the UN Guiding Principles on Business and Human Rights, Honda, as a multinational corporation operating in a conflict-affected area (the OPT), must comply with international humanitarian law⁵ and human rights law, by means of establishing policies that seek to prevent human rights violations during operations and trade. Moreover, Honda is expected to act with due diligence when conducting business at home and abroad.⁶

Considering Honda's reputation for its commitments to contribute to society through its "Corporate Responsibility Statement" and its commitment to human rights,⁷ Al-Haq asks that Honda Motor Co., Ltd., along with its subsidiaries and affiliates, act with due diligence to avoid engaging in business with corporations such as Mayer Cars and Truck Co. Ltd., in Israel and the OPT, who may be complicit in serious human rights violations committed in the OPT, including war crimes. Notably, the international community has increased its efforts to distinguish between Israel and unlawful settlements in the OPT, by pursuing and implementing labelling guidelines,⁸ and developing a database listing businesses operating with or in Israeli settlements.⁹ Al-Haq further asks that Honda complies with the UN Guiding Principles on Business and Human Rights, and refrain from conducting business activities with actors who are complicit in Israel's unlawful settlement enterprise. Should Honda continue to conduct business with Mayer Cars and Truck Co. Ltd., it risks serious reputational damage for profiting from a company that is complicit in grave violations of international humanitarian law and international criminal law.

⁴ International Covenant on Civil and Political Rights (ICCPR), Article 1; and International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 1.

⁵ UN Guiding Principles on Business and Human Rights, 2011, Principle 12, commentary.

⁶ United Nations. II.A. The State Duty to Protect Human Rights "Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework." 2011

⁷ Honda, Article 2, "Corporate Responsibility Statement". Last updated on 21 Feb 2018.

<http://csr.honda.com/responsibility-statement/>

⁸ European Commission, "Interpretative Notice on indication of origin of goods from the territories occupied by Israel since June 1967" Brussels, 11.11.2015 C (2015) 7834 final <http://bit.ly/2kU5IJR>

⁹ United Nations Human Rights Council. "Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan" resolution 31/36 adopted on 24 March 2016. A/HRC/RES/31/36

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We thank you for your consideration.

Please do not hesitate to contact us should you require any additional information.

Yours sincerely,

Shawan Jabarin

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