

G4S continues to misrepresent UK watchdog's decision that the company breached human rights obligations, despite being reprimanded for 'disappointing' behaviour

Lawyers for Palestinian Human Rights (LPHR) has repeatedly identified instances of G4S' failure to acknowledge the significance of the [UK National Contact Point's \(UK NCP\) important decision](#) that the Company is in breach of human rights obligations as a consequence of its [operations in Israel and the occupied Palestinian territory](#).

In June 2015, LPHR entered into an unsuccessful dialogue with G4S, through the [Business and Human Rights Resource Centre website](#), about the misleading nature of G4S' statement on the UK NCP's Final Statement. LPHR also asked G4S, in a [private letter dated 28 October 2015](#) (subsequently made public in May 2016), to acknowledge that the UK NCP found the Company in breach of its obligation under the OECD Guidelines for Multinational Enterprises to address the human right violations with which it is linked by its business relationships with relevant Israeli state agencies. This request, and 15 others that were included in the letter, were not substantively responded to. LPHR also raised G4S' misrepresentation with the UK NCP in its confidential submission to the UK business watchdog prior to the preparation of its Follow-Up Statement.

On [7 July 2016](#), G4S made a public statement in response to the UK National Contact Point (UK NCP)'s [Follow-Up Statement](#), that had been confidentially issued to LPHR and G4S a few weeks prior to its publication.

In G4S' statement, it again categorically failed to recognise the extent of the UK NCP's findings and, yet again, led those reading it to conclude that the Company had been cleared of any wrongdoing. This is acutely concerning, particularly given that the statement which G4S was responding to expressly chastised G4S' behaviour as 'disappointing' and its public statements as 'selective' and 'misleading'.

In the interests of transparency, LPHR has set out below the text of the UK NCP's Conclusions, extracted directly from the UK NCP's Follow-Up Statement. We have then mapped onto this text all of G4S' Statement on those conclusions. This succinctly, and indisputably, reveals the extent of G4S' consistent approach to selectively and misleadingly representing the NCP's findings, by reference to the Company's own words. Text in bold highlights particularly critical aspects of the UK NCP's Conclusions which G4S has failed to address or deliberately re-interpreted. We also note an especially concerning comment made by G4S in its statement which fundamentally contradicts a statement the Company made to the UK NCP during the confidential UK NCP investigation process.

LPHR will continue to seek to address G4S' failure to face the criticism levelled at it, and will be raising this issue with the UK government and MPs over the coming months. This work and issue has become even more relevant and concerning following the news that the UK Government has awarded G4S [a contract to run a Government-funded helpline for victims of discrimination](#). The Company's disturbing inability to responsibly admit, let alone sufficiently address, its involvement in human rights violations against Palestinians as found by the UK NCP, raises critical concerns over its ability, suitability and credibility to importantly assist others facing discrimination.

UK NCP Statement July 2016: UK NCP Conclusions	G4S Statement 7 July 2016
	The UK National Contact Point for the OECD (NCP) today marks the final stage of its review into G4S's business in Israel with the publication of its Follow Up Statement.
19. The UK NCP made three recommendations to G4S. One was a general recommendation in regard to human rights risk assessment. The other two recommendations were specific to the issues examined in the complaint, and one of these said that the company should communicate any actions taken publicly.	The Follow Up Statement also reiterates two requirements regarding how the company works with business partners in Israel, for example by 'lobbying immediate business partners and/or government and legal representatives' to mitigate potential human rights impact and that the company should communicate to stakeholders and business partners any actions it is taking. G4S will continue to do this to the extent permitted by contractual arrangements, laws and regulations under which this operated. [LPHR is particularly concerned with this aspect of the company's media statement as it fundamentally contradicts a statement made by the company to the UK NCP during the confidential investigation process. With respect for the confidentiality of the NCP process, we must simply refer to the incompatibility between the above statement and the sentence we have bolded at paragraph 21 of the NCP statement.]
20. In Paragraph 71. of the Final Statement, the UK NCP gave some examples of actions the company could take to address the issues examined. It said: <i>there is evidence that G4S has leverage and could take action such as: lobbying immediate business partners and/or government and legal representatives, sharing best practice (with business partners, stakeholders and the wider sector), and committing to new practices in regard to future contracts.</i>	
21. G4S's report to the NCP does not identify any actions taken specific to the issues in the complaint. The UK NCP considers that it can therefore reasonably conclude that G4S has not implemented the two specific recommendations... The NCP notes also the complainant's [LPHR's] statement that its separate enquiries have not received a reply.	[No reference made to this part of the NCP statement]
22. G4S's report to the NCP, including its wider CSR report, indicates that it has implemented the general recommendation.	The NCP today acknowledges that G4S satisfies its requirement to include the assessment of human rights risks and the application of mitigations in the company's processes.
23. The UK NCP notes the complainant's observations that G4S comments made immediately after the UK NCP's Final Statement misrepresented its findings. The UK NCP separately noted the G4S response at that time, and considered that it referred to the Final Statement in a selective way that was misleading.	[No reference made to this part of the NCP statement]
24. The UK NCP does not advise parties on their own statements, and recognises that parties will inevitably refer publicly to its statements in a	[No reference made to this part of the NCP statement]

<p>way that plays to their own interests and stakeholders. However, the UK NCP notes that G4S's public response to the UK NCP's findings and recommendations was an early opportunity to signal the seriousness of its intention to address them. It is disappointing that G4S did not take this opportunity.</p>	
<p>25. For the avoidance of doubt, the UK NCP re-iterates that its Final Statement found actions of G4S to be inconsistent with its obligation under Chapter IV, Paragraph 3 of the OECD Guidelines to address impacts it is linked to by a business relationship. This finding was unqualified.</p>	<p>[No reference made to this part of the NCP statement]</p>
<p>26. Because G4S's actions were inconsistent with Chapter IV, Paragraph 3, the UK NCP found them also to be inconsistent with wider general provisions of the Guidelines in regard to respecting human rights (Chapter IV, Paragraph 1 and Chapter II, Paragraph 2). Only this finding on the wider provisions was described by the UK NCP as arising technically – because it arises out of the way in which the Guidelines define the general obligation – and as not representing a broad failure to respect human rights.</p>	<p>[No reference made to this part of the NCP statement]</p>
<p>27. The UK NCP additionally notes its observation in Paragraph 76 of the Final Statement that: <i>Until G4S publicly communicates the actions it is taking to address the impacts it is linked to by the contracts referred to in the complaint, the UK NCP considers that its actions are not consistent with its obligation under Chapter IV, Paragraph 3 of the OECD Guidelines to address impacts it is linked to by a business relationship.</i></p>	<p>[No reference made to this part of the NCP statement]</p>
<p>[In its 2016 Follow Up Statement, the UK NCP did not repeat the statement quoted by G4S in the opposite column. It instead qualified and clarified it in paragraph 26, as quoted above.]</p>	<p>After a 17 month investigation beginning in 2014, the UK NCP stated clearly in its Final Statement in June 2015, that:</p> <p>'The UK NCP has not found any general failure by the company to respect the human rights on whose behalf the complaint is made, or any failure to respect human rights in regard to its own operations.'</p> <p>In the same Final Statement the NCP also stated that:</p> <p>'None of the information reviewed by the UK NCP suggested that G4S staff</p>

or equipment play a direct part in these [human rights] impacts.'

In response to the NCP's Follow-Up Statement, Debbie Walker, G4S Corporate Affairs Director said:

'G4S Israel operates a responsible business that complies with local and international laws and respects human rights. G4S is pleased that, following an extensive review, the NCP confirmed that it has not found any failure to respect human rights in regard to G4S Israel's operations.'

'G4S takes its human rights obligations seriously and is committed to respecting and supporting the rights of those who live and work in the communities where we operate. The group supports the UN Global Compact and has worked to embed the UN Guiding Principles on Business and Human Rights into its organisation since 2013.'