



Rt Hon Harriet Harman QC MP
Chair
Joint Committee on Human Rights
House of Commons
London
SW1A 0AA

20 September 2016

Dear Chair,

Re: Request to scrutinise the disturbing conduct of G4S following the UK National Contact Point's finding of breach of business and human rights obligations

We write in the context of the Human Rights and Business inquiry being carried out by the Joint Committee on Human Rights to bring to your attention the UK National Contact Point's important and critical statement concerning G4S in July 2016. The UK NCP found that the British multinational company:

- Continues to be in breach of fundamental human rights obligations through its operations in Israel and the occupied Palestinian territory;
- Has failed to implement two of the UK NCP's three recommendations to remedy the company's breach of human rights obligations;
- Issued a 'selective' and 'misleading' public response last year to the UK NCP's findings; and
- Failed to 'signal a serious intention' to address the UK NCP's findings and recommendations, a fact which the UK NCP refers to as 'disappointing'.

This was the UK NCP's first statement following its publication last year of its 'Final Statement' on LPHR's comprehensive business and human rights complaint against G4S. In June 2015, the UK NCP found the Company in breach of three human rights obligations under the OECD Guidelines for Multinational Enterprises (OECD Guidelines), due to their involvement in Israeli state agencies' human rights violations against Palestinians in Israel and the occupied Palestinian territory.

The main purpose of this letter is to request that your Committee scrutinises, within the context of its Human Rights and Business inquiry, the deeply concerning conduct of G4S following the UK NCP's business and human rights findings.

Background to LPHR's business and human rights complaint against G4S

In November 2013, we submitted a comprehensive human rights complaint to the UK NCP which alleged that some of G4S' operations in Israel and the occupied Palestinian territory (the OPT) are in violation of certain human rights provisions of the OECD Guidelines. The complaint arises from G4S' supply, installation and maintenance of equipment at facilities and



operations in Israel and the OPT that are associated with violations of international humanitarian law and international human rights law. These include contracts to service and maintain metal detectors and baggage scanning equipment used at military checkpoints, including some located along the illegal Separation Barrier/Wall, as well as contracts to install and maintain security systems within Israeli Prison Service facilities.

In June 2015, following a detailed investigation process, the UK NCP reached its conclusions on our complaint and published its findings in a 'Final Statement'. The adverse findings made against G4S consist of a core human rights breach of failing to address human rights violations by Israeli state agencies with which G4S is involved through a business relationship, and a linked 'technical' breach of two overarching obligations to respect human rights.

Pursuant to their findings, the UK NCP published three recommendations addressed to G4S:

- Consider how to work with business partners in Israel to address the human rights violations referred to in LPHR's complaint.
- Communicate to stakeholders and business partners the actions it is taking.
- Implement a contract approvals process that includes assessment of human rights risks and application of mitigations (as G4S indicated an intention to do during the UK NCP process).

As aforementioned, the UK NCP critically found in its July 2016 Follow-Up Statement that G4S has not implemented the two recommendations made to the Company which “were specific to the issues examined in the [LPHR's] complaint”, that is, the first two of the three recommendations referred to above.

The UK NCP concluded that G4S remains in breach of its human rights obligations, stating: “Until G4S publicly communicates the actions it is taking to address the impacts it is linked to by the contracts...the UK NCP considers that its actions are not consistent with its obligation...to address [human rights] impacts it is linked to by a business relationship.”

The UK NCP also stated in its Follow-Up Statement that it “noted the G4S response at that time, and considered that it referred to the [UK NCP's] Final Statement in a selective way that was misleading.”

The UK NCP further expressed that it is “disappointing” that G4S did not take the opportunity in its public response to “signal the seriousness of its intention” to address the UK NCP’s findings and recommendations.

The disturbing issue of persistent misrepresentation was one of the issues of concern detailed in an [LPHR letter privately sent to G4S in October 2015 – subsequently published in May 2016](#) - which contained 16 key questions for the Company. G4S has failed to provide a reply



despite it being re-sent in January and March this year, which is a point noted by the UK NCP in its Follow-Up Statement.

Following the UK NCP Follow-Up statement, LPHR publicly urged G4S to demonstrate responsible adherence to its fundamental business and human rights obligations and:

- To definitively commit to withdrawing from all of its relevant contracts with Israeli state agencies immediately, or as soon as practicable, so that it ends its unacceptable ongoing violation of human rights obligations towards Palestinians;
- To provide a specific date by which this full withdrawal will have occurred, and to publicly report to all stakeholders on that date whether full withdrawal has occurred; and
- To finally acknowledge the full extent of the UK NCP's adverse findings of breach of human rights obligations made against the Company.

LPHR does not consider these issues to be adequately addressed by G4S statements this year that it plans to sell G4S Israel. Since March 2011, G4S publicly stated its intention to 'exit as soon as possible a number of contracts which involve the servicing of security equipment at the barrier checkpoints, prisons and police stations in the West Bank'. However, despite repetition of similar public statements since then, such an exit does not appear to have substantively materialised.

Requested scrutiny by the Joint Committee on Human Rights

Given the situation outlined above of G4S' serious and repeated misrepresentation of the UK NCP's findings, and its failure to implement the UK NCP's recommendations to remedy its ongoing breach of its business and human rights obligations under the OECD Guidelines, we hope your Committee may be in a position to urgently carry out scrutiny of these issues in the context of its Human Rights and Business Inquiry. We have found G4S' response to the UK NCP's adverse findings to be deplorable and completely contrary to that expected of a company that holds itself out to respect human rights.

We believe this issue has become even more relevant and concerning following the news in late July that the UK Government has awarded G4S a contract to run a Government-funded helpline for victims of discrimination. In this context, we note that Baroness Williams of Trafford, in justifying the government's award of the contract during a House of Lords debate on 6 September, stated: "More generally, it [G4S] is committed to fulfilling its responsibilities in all its companies around the world by applying the UN's 2011 Guiding Principles on Business and Human Rights."

Unfortunately, although Baroness Williams of Trafford is correct that G4S has clearly stated this commitment, it nonetheless is in ongoing breach of the OECD Guidelines, and consequently the UN Guiding Principles on Business and Human Rights, through its activities in Israel and the occupied Palestinian territory. G4S' response to the UK NCP's findings has



objectively fallen short of that expected of a company that expresses it is committed to applying the UN Guiding Principles on Business and Human Rights. We believe G4S' inability to responsibly admit, let alone sufficiently address, its involvement in human rights violations against Palestinians as found by the UK NCP, raises substantial concern over its ability, suitability and credibility to importantly assist others facing discrimination.

We would be very grateful for your Committee to scrutinise the above concerns.

Yours sincerely,

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Lawyers for Palestinian Human Rights