

*Canadians for Justice and Peace
in the Middle East*
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Montreal, QC H3L 2R3
438-380-5410

May 30th, 2011

Annette Verschuren
The Home Depot Canada
1 Concorde Gate, Suite 900
Toronto, ON M3C 4H9

Dear Annette Verschuren,

I am writing to ask you to cease selling Israeli brands (such as Keter-Black and Decker, Zag and Smart Storage), and to end your business partnership with Keter Plastic. I am urging this action on your part, because it is the appropriate legal and ethical position for your company.

I am urging this change of Home Depot company policy for the following reasons:

- Palestinian civil society has called for the international community to boycott Israeli products until Israel complies with international law and universal principles of human rights vis-a-vis the Palestinians and their territory. The Palestinian call also asks for a boycott of any business or institution participating directly or indirectly in the Israeli military occupation of Palestinian territories.
- The UN Human Rights Norms for Business, unanimously adopted in 2003, prohibits transnational corporations and other business entities from profiting from violations of international humanitarian law (Art. 3), and requires business to be conducted according to international law in the countries in which they operate (Art. 10). Corporations are also prohibited from engaging in actions that obstruct or impede economic, social, cultural, civil and political rights (Art. 12). Keter Plastic violates these Norms by operating stores in illegal Israeli colonies. Aware that Keter Plastic is heavily invested in and profiting from the colonies, Home Depot becomes legally responsible for its own financial interests in the colonies according to the UN Norms for Business.
- By selling Israeli products, Home Depot is sending a signal to the Israeli government that apartheid and other war crimes it perpetrates are acceptable. The Norms stipulate that corporations must refrain from any activity which supports, solicits, or encourages states or any other entities to abuse human rights (Art. 11). Accordingly, Home Depot should not invest in, nor profit from, a state that systematically violates the rights of Arab citizens of Israel, and Palestinian residents of the occupied territories.
- Home Depot is also in violation of its own corporate commitments which state that they are committed to “doing the right thing” and selecting “business partners whose values and business practices are compatible with its own high standards”.

The organization I represent, Canadians for Justice and Peace in the Middle East (CJPME), is an organization whose mission is to empower Canadians to promote justice, development and peace

in the Middle East. In the coming months and years, we will be promoting a large and growing campaign to get Canadian citizens and organs of civil society to boycott and divest from Israel. As a grassroots, secular, non-partisan volunteer organization, our policies are founded in 1) respect for international law, 2) a belief in a single standard for all, and 3) the position that violence is not a solution. We have 27,000 adherents across Canada, and active groups in numerous major Canadian cities. Our Website is www.cjpme.org.

The fundamentals of the situation in Israel-Palestine are simple. The UN Partition Plan of 1947 dictated that two states be created in Palestine: an Israeli one, and a Palestinian one. In 1948, the Israeli state was created, but the Palestinian one was not. In 1967, Israel took control of all the land that was to become a Palestinian state (including East Jerusalem, the West Bank, and the Gaza Strip), and continues to effectively control these territories, denying Palestinians their right to self-determination, as well as dozens of civil, human and humanitarian rights. This occupation is recognized as a hostile military occupation – as reflected by the unanimous vote of the Signatories to the Fourth Geneva Convention of Dec. 5, 2001.

The call for a boycott of Israel on the part of the Palestinians because of rights abuses is not a frivolous one. The UN General Assembly votes yearly and decisively on the rights violations of the Palestinians by the Israelis. For illustration, I provide three examples below:

- Resolution 63/98 (adopted Dec. 18, 2008), Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, **passed by a vote of 165-to-8**. A parallel resolution in 2007 passed by a vote of 156-to-7. A parallel resolution in 2006 passed by a vote of 157-to-9.
- Resolution 63/97 (adopted Dec. 18, 2008), Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan, **passed by a vote of 171-to-6**. A parallel resolution in 2007 passed by a vote of 165-to-7. A parallel resolution in 2006 passed by a vote of 162-to-8.
- Resolution 63/97 (adopted Dec. 18, 2008), Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Territory, including Jerusalem, and other occupied Arab territories, **passed by a vote of 173-to-6**. A parallel resolution in 2007 passed by a vote of 169-to-6. A parallel resolution in 2006 passed by a vote of 165-to-7.

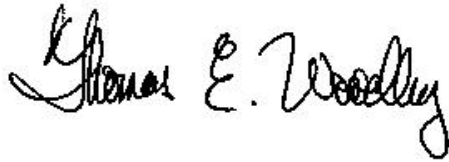
While the UN General Assembly votes decisively on these issues each year, action from the UN is stymied each year because the UN Security Council – the enforcement arm of the UN – refuses to intervene. This inaction is due to the political relationship between the United States and Israel: the United States typically vetoes Security Council resolutions which would put pressure on Israel to respect the norms of international law.

For the reasons provided above, my organization is preparing to launch a boycott campaign focusing on Home Depot. I urge you to cease operations in Israel and with Israeli business partners, so that my organization and its adherents are not forced to follow this course of action. The action against Apartheid South Africa in the 1970s and 1980s did not begin with states, but with an outcry and action from civil society, and with the most ethical businesses being the first to participate in the boycott. May Home Depot affirm its commitment to “doing the right thing” by being one of the leaders in the current boycott campaign.

Should you have questions about the justification for my organization’s campaign, or about specifics of the Israel-Palestine conflict, I would be happy to provide you any information you may desire.

I look forward to your favourable response and to encouraging our adherents to do business with Home Depot as an ethical place of business once it has ceased sourcing Israeli products.

Sincerely,



Thomas E. Woodley
President, Canadians for Justice and Peace in the Middle East