



Dear Retailer,

We received a copy of a letter that Ahava Dead Sea Laboratories CEO Yaakov Ellis has been sending to his retail partners. In this letter, Ellis supplies dubious information about his company's business practices, makes contradictory claims about the Israeli occupation of the West Bank, and uses unfounded innuendo to belittle boycott campaign supporters. The Stolen Beauty Ahava boycott campaign has prepared the following response to Ellis's false claims.

### **1. Settlements in the West Bank, including Mitzpe Shalem and Kalia, are illegal under international law.**

The claims about the West Bank's status in Ellis's letter are factually inaccurate and contradictory. The West Bank has been occupied by Israel since the 1967 War. Numerous United Nations resolutions and the ruling of the International Court of Justice in 2004 affirmed the Israeli Occupation of the West Bank and Gaza Strip. Also Israel's own Supreme Court stated in 2004 that Israel was holding the area "in belligerent occupation." (<http://bit.ly/israelsupremecourt>). As an occupied territory, the West Bank and its Palestinian residents are protected by the Geneva Conventions.

All Israeli settlements in the West Bank, including Mitzpe Shalem and Kalia, are illegal under international law. Article 49 of the Fourth Geneva Convention states that, "The Occupying Power shall not deport or transfer parts of its own civilian population in the territory it occupies." Ahava's manufacturing plant and visitors center are located at Mitzpe Shalem. Ahava labels its goods as "products of Israel" when in fact they are made in the Occupied West Bank. This labeling is under investigation in the U.K., and activists in France have filed suit against Sephora for carrying these products because of Ahava's illegal practices.

The settlements of Mitzpe Shalem and Kalia are cooperatives owned by the settlers living in them, and together they own 44% of Ahava. Both of these settlements are deep inside occupied Palestinian territory. Ahava profits are therefore subsidizing these illegal settlements and their residents. According to mapping done by Adalah, The Legal Center for Arab Minority Rights in Israel ([www.adalah.org](http://www.adalah.org)), formerly there were a few Palestinian communities on the lands on which these two settlements are located: Nabi Musa where Kalia is now situated and 'Arab al-Ta'amira near Mitzpe Shalem.

### **2. Our boycott campaign in the United States is completely legal.**

Ahava is telling its retail customers that our boycott campaign is illegal under U.S. law. This is not true. The National Lawyers Guild has advised us that activists are completely within the law to

engage in a political campaign using the time-honored tactic of economic boycott to press Israel to comply with international human rights laws and end its abusive occupation of the West Bank and its blockade of Gaza. Our boycott campaign targets Ahava Dead Sea Laboratories because of the company's violations of international law. This campaign is protected by the First Amendment, as free speech and association. Boycotts were integral to the success of the anti-apartheid movement against South Africa, the civil rights movement in the southern United States in the 1960s and 1970s, the movement to force California grape growers to recognize their workers' union, and many other similarly honorable nonviolent struggles for human rights that Ahava would not dare to condemn now, in hindsight.

### **3. Ahava's sourcing of ingredients appears to violate international law.**

We have received reports from sources in Israel that Ahava excavated mud for use in its products from the shores of the Dead Sea near Kalia, a settlement that is part owner of the company. In our "Case Against Ahava," which was sent by the UK-based Business and Human Rights Centre (BHRC) to Ahava Dead Sea Laboratories for response in early December 2009, we stated:

"The mud that is used in the Ahava products is taken from a site that is next to the settlement of Kalia. This 'pillage'" or 'plunder' is illegal under international humanitarian law, specifically under Articles 23, 53 and 55 of the Hague Regulations; Articles 51 and 53 of the 4th Geneva Conventions; and Article 8(2)(b) of the Rome Statute of the International Criminal Court.

Ahava did not respond to our complaint, and so the BHRC published and disseminated the "Case Against Ahava" (<http://www.business-humanrights.org/Links/Repository/687583>) with no rebuttal from the company. We would welcome documentary proof from Ahava that it does not now nor has it ever sourced mud from the shores of the Occupied West Bank near the illegal settlement of Kalia.

### **Despite Yaacov Ellis's claims to the contrary, Ahava Dead Sea Laboratories is an Israeli profiteer in Occupied Palestinian Territory.**

We hope that you will show your support for international law and human rights by choosing to no longer stock Ahava Dead Sea Laboratories products in your store. Thank you for your attention and consideration.

If you are not in charge of purchasing for your store, please forward this information to the appropriate personnel at your corporate headquarters. If you have questions or would like to discuss this further, please contact Nancy Kricorian, the campaign manager for The Stolen Beauty AHAVA Boycott, at [nancy@stolenbeauty.org](mailto:nancy@stolenbeauty.org).

Sincerely,

Nancy Kricorian, Rae Abileah, Kristen Ess Schur and the Stolen Beauty Ahava boycott team

*For more information on the boycott campaign, please visit "Stolen Beauty" [www.stolenbeauty.org](http://www.stolenbeauty.org)*

*For more information on the manufacturer and its involvement in the occupation, go to "Who Profits from the Occupation?" (A project of The Israeli Coalition of Women for Peace) [www.whoprofits.org/Company%20Info.php?id=575](http://www.whoprofits.org/Company%20Info.php?id=575)*