

March 23, 2014

Jostein Solheim and Jeff Furman
30 Community Drive
South Burlington, Vermont 05403

Dear Jostein and Jeff:

We are nearing the end of March, and VTJP is expecting to hear soon about Ben & Jerry's delegation to Israel-Palestine and its potential impact on your course of action regarding your Israeli franchise's commercial ties to Jewish-only settlements in Occupied Palestine. I am writing now, though, to call attention to two matters of deep concern to us and, we hope, to you as well. The first revisits the issue of your franchise's catering services to Israeli settlements in the West Bank and East Jerusalem. The second is an entirely new concern: specifically, an alleged business connection between your franchise and an Israeli corporation that manufactures in an illegal settlement in the occupied Golan Heights of Syria.

The Har Adar Settlement & Franchise Catering

When VTJP's campaign launched last year, in March, Jeff was quoted in the *Burlington Free Press* to the effect that he "believed" your franchise in Israel had stopped catering to illegal Israeli settlements in the occupied Palestinian territory. I asked the company to verify this definitively in writing. You did not do so. But, when we met in April last year, at the Doubletree Inn, in South Burlington, you stated that Avi Zinger, your franchise licensee, had stopped catering in the settlements. In fact, in our two face-to-face meetings, we came away with the clear sense that you were particularly disturbed by our finding that your franchise caters directly to Israeli settlers. We took your word that this practice had ended and shared the news with Palestine solidarity and BDS organizations around the world, with the caveat that we could not independently confirm it.

Sadly, it appears that your franchise is still catering to the settlements. This came to light recently when an Israeli-Jewish activist emailed the factory and asked for catering services to the settlement of **Har Adar (Giv'at HaRadar)**. A company employee got back to the activist with a price offer, and without any indication that this transaction would be a problem.

Har Adar is in the West Bank, with a population of approximately 3,700.¹ Like all settlements, its existence on occupied land constitutes a violation of international law. The Israeli Jews residing there, as befits a settler-colonial society, are the beneficiaries of a privileged, affluent life; for the Palestinians who live near it or are permitted to work there under humiliating restrictions, it is a "Jim Crow" community.²

¹ See http://www.fmep.org/settlement_info/settlement-info-and-tables/stats-data/settlements-in-the-west-bank-1.

² See <http://www.haaretz.com/misc/article-print-page/har-adar-is-over-the-green-line-but-its-residents-don-t-like-to-be-called-settlers.premium-1.509410?trailingPath=2.169%2C2.216%2C2.218%2C>.

Why is Avi Zinger still providing catering services in the settlements if you told him to stop? Unless, of course, you didn't order him to stop or dictate it contractually, but simply urged him to do so and trusted he would follow through. Or maybe there is an explanation that reflects more kindly on him and the company—an error in employee judgment or internal communications, let's say.

Whatever the reason, this practice, whether in the West Bank or East Jerusalem, is no more acceptable or ethical than the sale of your ice cream in settlement supermarkets. It must stop, and we must ask again that you take all necessary measures to terminate it in a permanent and verifiable way. This latest incident underscores why it is imperative that your company issue a strong, unequivocal statement affirming it will not do business in the settlements.

Respectfully, please let us know by the close of the work day, **Friday, April 11**, if you have investigated this claim, and if you will now bring an end finally to settlement catering by your franchise with an explicit directive or contractual amendment. If your inquiries of management at the Israeli factory do not confirm our account, we can supply copies of the Har Adar correspondence.

Ben & Jerry's Factory in Kiryat Malachi, Beth-El Machinery, Ltd. & the Occupied Golan Heights

Our Israeli compatriots also inform us they have recently learned that your franchise may have been purchasing factory equipment from a facility in the Golan Heights operated by **Beth-El Machinery, Ltd.** (<http://www.be-machinery.com/>). VTJP's research confirms that Beth-El Machinery has a plant in the Bnei Yehuda industrial park, in the Golan, which is connected to an Israeli settlement of the same name.³ The company is a subsidiary of Beth-El Industries, which produces nuclear, biological and chemical protection equipment, fuel pumps for military vehicles, and, together with other companies in its field, has "close ties to military industries and West Bank settlements."⁴

The Golan Heights, as you know, is occupied Syrian territory, and Israeli settlements and industrial zones there are a violation of international law. If your franchise is buying equipment from a plant in the Golan Heights, its complicity with Israel's occupation and settlement regime runs deeper than we have been led to believe, and, by extension, your complicity with that regime is more egregious. We hope this new revelation is unfounded. Just the same, we must press you to investigate it thoroughly and, once again, let us know what you have learned by the end of the work day, **Friday, April 11**.

If your franchise is purchasing from Beth-El Machinery in the occupied Golan, we urge you in the strongest terms, consistent with your social mission and international law, to end this business relationship.

Best,

Mark Hage
VTJP

³ See <http://corporateoccupation.org/bnei-yehuda-industrial-zone/>.

⁴ *The Battle for Justice in Palestine*, Ali Abunimah, Haymarket Books, 2014, pg. 146.