

# BDS CAMPAIGN DE-RAIL ALSTOM RESOLUTION PASSED UNANIMOUSLY



The Ramallah-Alstom Wall

## Jerusalem Light Rail

Construction on the racist Jerusalem Light Railway (JLR) began in 2006 with the pretext of, "bringing immediate relief to traffic congestion" and "revitalizing the center of Jerusalem". A public-private initiative that alleged to improve the public transportation system throughout the Jerusalem Municipality.

### Reality

The reality, however, is very different. Upon approving the project, former Israeli Prime Minister Ariel Sharon stated that, "anything that can be done to strengthen Jerusalem, construct it, expand it, and sustain it for eternity as the capital of the Jewish people and the united capital of the state of Israel, should be done."

This reality is exposed through the confiscation of land by Israeli authorities who deem such actions necessary for the construction of the JLR. Such policies began as early as 2001 when the Palestinian residents of the Shu'fat neighborhood began to receive notices to this effect. To date, a total of 75 dunams of land have been confiscated in the name of the light rail.

### Illegal

The confiscation of land that has allowed for the facilitation of the light rail project is strictly forbidden under Article 53 of the Fourth Geneva Convention that states, "any destruction by the Occupying Power of real or personal property belonging individually or collectively to private persons, or to the State, or to other public authorities, or to social or cooperative organizations, is prohibited, except where such

*destruction is rendered absolutely necessary by military operations."*

The operation of the future light railway system will serve as a further step towards the facilitation of Israel's claim to sovereignty over Jerusalem. By providing direct access to the Ne'eV Ya'akov, Pisgat Ze'ev, and French Hill settlements the main illegal settlements will finally be linked with the center and western part of the City. The adverse effects of this will serve to diminishing any chance of East Jerusalem becoming the future capital of a Palestinian state under a two-state solution.

### War Crime

Beyond the political ramifications of such action, Article 49(6) of the Fourth Geneva Convention states that "[t]he Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies." Israel's principal role in

the project constitutes a flagrant violation of Article 49(6), which under both the Rome Statute of the International Criminal Court and customary international law, amounts to a war crime.

### Corporate Complicity

Both French (Veolia, Alstom) and Israeli (Ashtrom, Polar Investments, Harel Insurance) companies operating under the CityPass umbrella are responsible for the financing, construction, and operation of the railway system. Although these companies seem to be profit-driven actors with no interest in the political ramifications of the JLR they still face responsibility under international law for knowingly aiding and abetting the potential commission of a war crime against a civilian population.

London Transport Regional Council RMT addressed by Rafeef Ziadah 24/11/11

## BDS CAMPAIGN - DE-RAIL ALSTOM

### Briefing Notes

1. In 2011, the RMT London Transport Regional Council voted to support the call by the Palestinian Trade Union Coalition for Boycott, Divestment and Sanctions (BDS) against Israeli oppression of the Palestinian people and the businesses that support that oppression.

2. Here in London, there are many multinationals that work inside Israel, many of them working in the occupied territories. One of these is French engineering conglomerate Alstom, which this Summer delivered a fleet of rolling stock for the Israel-owned Jerusalem Light Rail (JLR).

3. Alstom's involvement in JLR is ongoing: it holds 80% of the company which is the EPC (Engineering, Procurement and Construction) contractor for the project, and is the full owner of Citadis Israel which has the contract for providing maintenance for the project for 22 years. The company also provided the train cars for the project. Alstom was partner in the Citipass consortium (20%) which developed and builds the light rail project in Jerusalem. In January 2011 the company sold its shares in the Citipass consortium but continues to have shares in EPC and fully owns Citadis Israel.

4. JLR is a service which links Israeli West Jerusalem to Zionist settlements in East Jerusalem that are illegal in international law. It does not serve Palestinian East Jerusalem and ticket prices are far above a level affordable to working-class Palestinians. It's function is to develop the illegal settlements in order to further marginalise Palestinian people.

5. According to the internationally recognised Hague Convention on Respecting the Laws and Customs of War on Land (October 19, 1907), Israel has no sovereign rights to Palestinian land that it militarily occupies, including East Jerusalem, and can make changes to that territory only for the benefit of Palestinians or for military necessity. JLR does not benefit Palestinians does not have a direct military function: it is therefore an illegal change.

6. Another Engineering company involved in JLR, Veolia, has already been faced with legal challenges against its participation in JLR in several European countries, including Britain, and has failed to win 10bn in contracts following BDS campaigns.

7. This October Alstom itself lost the bid for the second phase of the Saudi Haramain Railway project, worth \$10bn US dollars, after pressure from the global Boycott, Divestment and Sanctions (BDS) campaign, including effective campaigning from the newly launched KARAMA, a European campaign to Keep Alstom Rail And Metro away.

Click on the link below for the full BDS National Committee Statement :

<http://www.bdsmovement.net/2011/alstom-loses-saudi-haramain-8253>

8. Alstom currently maintains trains on London Underground Northern Line, West Coast Mainline as well as trams in Nottingham. It is looking to bid for further contracts in Britain, particularly the London Underground Piccadilly Line and Northern Line extension, and rebuild its reputation after a number of corruption-related scandals.



## Noam Chomsky explains what is at stake.

### In Israel: A Tsunami Warning

In May, in a closed meeting of many of Israel's business leaders, Idan Ofer, a holding-company magnate, warned, "We are quickly turning into South Africa. The economic blow of sanctions will be felt by every family in Israel."

Dan Gillerman, Israel's former ambassador to the United Nations, warned participants that "the morning after the anticipated announcement of recognition of a Palestinian state, a painful and dramatic process of South Africanization will begin" - meaning that Israel would become a pariah state, subject to international sanctions.

In this and subsequent meetings, the oligarchs urged the government to initiate efforts modeled on the Saudi (Arab League) proposals and the unofficial Geneva Accord of 2003, in which high-level Palestinian and Israeli negotiators detailed a two-state settlement that was welcomed by most of the world, dismissed by Israel and ignored by Washington.

### Tsunami

In March, Israel's Defense Minister Ehud Barak warned of the prospective U.N. action as a "tsunami." The fear is that the world will condemn Israel not only for violating international law but also for carrying out its criminal acts in an occupied state recognized by the U.N.

The U.S. and Israel are waging intensive diplomatic campaigns to head off the tsunami. More than 100 states already recognize Palestine. The United Kingdom, France and other European nations have upgraded the Palestine General Delegation to "diplomatic missions and embassies - a status normally reserved only for states," Victor Kattan observes in the American Journal of International Law.

### Threats

Palestine has also been admitted to U.N. organizations apart from UNESCO and the World Health Organization, which have avoided the issue for fear of U.S. de-funding - no idle threat.

In June the U.S. Senate passed a resolution threatening to suspend aid for the Palestine Authority if it persists with its U.N. initiative. Susan Rice, U.S. ambassador to the U.N., warned that there was "no greater threat" to U.S. funding of the U.N. "than the prospect of Palestinian statehood being endorsed by member states." The (London) Daily Telegraph reports. Israel's new U.N. Ambassador, Ron Prosor, informed the Israeli press that U.N. recognition "would lead to violence and war."

The U.N. would presumably recognize Palestine in the internationally accepted borders, including the West Bank and Gaza, with the Golan Heights returned to Syria. The heights were annexed by Israel in December

1981, in violation of U.N. Security Council orders.

In the West Bank, the settlements and acts to support them are clearly in violation of international law, as affirmed by the World Court and the Security Council.

In February 2006, the U.S. and Israel imposed a siege in Gaza after the "wrong side" - Hamas - won elections in Palestine, recognized as free and fair. The siege became much harsher in June 2007 after the failure of a U.S.-backed military coup to overthrow the elected government.

In June 2010, the siege of Gaza was condemned by the International Committee of the Red Cross - which rarely issues such reports - as "collective punishment imposed in clear violation" of international humanitarian law. The BBC reported that the ICRC "paints a bleak picture of conditions in Gaza: hospitals short of equipment, power cuts lasting hours each day, drinking water unfit for consumption," and the population of course imprisoned.

The criminal siege extends the U.S.- Israeli policy since 1991 of separating Gaza from the West Bank, thus ensuring that any eventual Palestinian state would be effectively contained within hostile powers - Israel and the Jordanian dictatorship. The Oslo Accords, signed by Israel and the Palestine Liberation Organization in 1993, proscribe separating Gaza from the West Bank.

### Freedom Flotilla

A more immediate threat facing U.S.-Israeli rejectionism is the Freedom Flotilla that seeks to challenge the blockade of Gaza by bringing letters and humanitarian aid. In May 2010, the last such attempt led to an attack by Israeli commandoes in international waters - a major crime in itself - in which nine passengers were killed, actions bitterly condemned outside the U.S.

In Israel, most people convinced themselves that the commandoes were the innocent victims, attacked by passengers, another sign of the self-destructive irrationality sweeping the society.

Today the U.S. and Israel are vigorously seeking to block the flotilla. U.S. Secretary of State Hillary Clinton virtually authorized violence, stating that "Israelis have the right to defend themselves" if flotillas "try to provoke action by entering into Israeli waters" - that is, the territorial waters of Gaza, as if Gaza belonged to Israel.

Greece agreed to prevent the boats from leaving (that is, those boats not already sabotaged) - though, unlike Clinton, Greece referred rightly to "the maritime area of Gaza." In January 2009, Greece had distinguished itself by refusing to permit U.S. arms to be shipped to Israel from Greek ports during the vicious U.S.- Israeli assault in Gaza. No longer an independent country in its current financial

duress, Greece evidently cannot risk such unusual integrity.

Asked whether the flotilla is a "provocation," Chris Gunness, the spokesperson for the U.N. Relief and Works Agency, the major aid agency for Gaza, described the situation as desperate: "If there were no humanitarian crisis, if there weren't a crisis in almost every aspect of life in Gaza there would be no need for the flotilla ... 95 percent of all water in Gaza is undrinkable, 40 percent of all disease is water-borne ... 45.2 percent of the labor force is unemployed, 80 percent aid dependency, a tripling of the abject poor since the start of the blockade. Let's get rid of this blockade and there would be no need for a flotilla."

Diplomatic initiatives such as the Palestinian state strategy, and nonviolent actions generally, threaten those who hold a virtual monopoly on violence. The U.S. and Israel are trying to sustain indefensible positions: the occupation and its subversion of the overwhelming, long-standing consensus on a diplomatic settlement.

This article, originally published in July, is printed with the kind permission of the author.

This and many other articles and videos can be found at the excellent on-line resource Israeli Occupation Archive (IOA): [www.israeli-occupation.org](http://www.israeli-occupation.org)

Noam Chomsky's most recent book, with co-author Ilan Pappé, is "Gaza in Crisis."

November 2011 began with Unesco, the UN cultural body, voting to grant full membership to the Palestinians. Despite opposition from the US and Israel, the motion was passed by a substantial majority (173 countries voted: 107 in favour; 14 against; 52 abstentions).

This is the first UN agency the Palestinians have sought to join since submitting their bid for recognition to the Security Council in September. The Security Council will vote next month on whether to grant Palestinians full UN membership.

The initial reaction from the US has been to cancel funding for Unesco next month amounting to \$60m. Meanwhile, Israel announced it will speed up settlement construction in the West Bank and East Jerusalem.