



**Abolitionist Law Center's Submission to the United Nations Special Rapporteur on the
Situation of Human Rights in the Palestinian Territories Occupied Since 1967**

Submitted November 28, 2024

Abolitionist Law Center is a 501(c)(3) nonprofit legal organization and community organizing project fighting to dismantle state and corporate violence through legal action, organizing and advocacy on the local, state, national, and international levels, and research and public education. For more information, visit abolitionistlawcenter.org.

I. INTRODUCTION

1. Abolitionist Law Center offers this submission to the United Nations (UN) Special Rapporteur on the occupied Palestinian territory, in response to a call for input for the Special Rapporteur’s report to the Human Rights Council 58th session.¹
2. The facts set forth herein situate specific business enterprises’ role in advancing Israel’s commission of international crimes, namely, in being complicit in Israel’s genocide against the Palestinian people of Gaza, and in aiding and abetting Israel’s unlawful occupation, racial segregation, and apartheid of Palestinians.²
3. This submission does not represent a comprehensive overview and analysis of the full spectrum of private entities – in the tech sector or otherwise – which have had a substantial effect on Israel’s commission of crimes against Palestinians, nor does it provide a complete overview of Abolitionist Law Center’s research and findings to date. Dozens more corporations in the tech sector provide services to the Israeli government that may be provisioning substantial assistance to Israel’s commission of international law violations. The number and complexity of these corporations calls for far greater investigation into the industry’s role in aiding and abetting Israel’s crimes.
4. This submission addresses: **1)** private entities Amazon.com, Inc. and Google LLC’s³ role in aiding and abetting Israel’s genocide in Gaza and unlawful occupation, racial segregation, and apartheid in the occupied Palestinian territory since Project Nimbus’ rollout in 2021, *see infra* Section III(A)-(B) ¶¶17-48; **2)** third countries affiliated with Amazon and Google’s role in Project Nimbus, including the United States, Ireland, Germany, and the Netherlands, *see infra* Section III(C) ¶¶49-53; and **3)** Google and Amazon’s deliberate violations of human rights due diligence obligations, *see infra* Section III(D) ¶¶54-61.
5. As described below, Amazon and Google are providing cloud computing services that the Israeli government has relied upon in pursuing policies of “tech-enabled ‘terror

¹ OHCHR, *Call for input for the report of the Special Rapporteur on the occupied Palestinian territory to the Human Rights Council 58th session*, <https://www.ohchr.org/en/calls-for-input/2024/call-input-report-special-rapporteur-occupied-palestinian-territory-human>. While the contents of this document remain identical to what was submitted to the Special Rapporteur on November 28, 2024, we have adjusted the structure of this document for publication.

² As detailed by other submissions, as well as *infra* n. 85, companies such as Microsoft continue to play a major role in the provision of cloud and advanced computational technology throughout the Israeli government. We focus on AWS and Google Cloud’s Project Nimbus due to its stated goal of phasing out other companies and providing a “comprehensive and in-depth solution” to the Israeli government “and defense establishment.” Israel National Digital Agency, *About Nimbus Cloud Me In* (Apr. 30, 2023).

³ Amazon.com, Inc. is the parent company of the cloud computing company Amazon Web Services (“AWS”). Google, LLC, itself a subsidiary of Alphabet, Inc., is the parent company of the cloud computing company Google Cloud. Most, but not all, of the conduct described herein is undertaken by AWS or Google Cloud, and is noted as such where applicable.

capitalism”⁴ against Palestinians. Surveillance data stored on Amazon servers is utilized in the scorched-earth targeting of civilians and civilian property in the Gaza Strip; Google provides cloud computing consultation to the Ministry of Defense, whose recent leader has just been indicted by the International Criminal Court. Both companies also provide services that facilitate Israel’s illegal confiscation of Palestinian land and resources.⁵

6. We urge the Special Rapporteur to investigate Amazon and Google’s substantial assistance to Israel’s commission of the gravest of crimes, including waging genocide against the Palestinian people of Gaza and unlawful occupation, racial segregation, and apartheid in the occupied Palestinian territory – Gaza and the West Bank including East Jerusalem.

II. ISRAEL’S VIOLATIONS OF INTERNATIONAL LAW

7. Since as early as October 7, 2023, senior Israeli officials made unequivocally clear their intent to destroy the entire population of Gaza in its latest military assault and campaign against the Palestinian people of Gaza.⁶ Since then, Israel’s statements of intent to

⁴ Darren Byler & Carolina Sanchez Boe, [Tech-enabled ‘Terror Capitalism’ is Spreading Worldwide. The Surveillance Regimes Must Be Stopped](#), *The Guardian* (July 24, 2020). Civil society organizations have long cautioned against the Israeli military’s use of big data and artificial intelligence in advancing Israel’s apartheid of Palestinians, including to surveil and further restrict Palestinians’ freedom of movement through the use of “illegitimately acquired biometric data to monitor and control Palestinians’ movements” in the occupied Palestinian territory. See Amnesty International, [Automated Apartheid: How Facial Recognition Fragments, Segregates, and Controls Palestinians in the OPT](#) (May 2, 2023); see also Who Profits Research Center, [“Big Brother” in Jerusalem’s Old City: Israel’s Militarized Visual Surveillance System in Occupied East Jerusalem](#) (Nov. 2018) (describing the “Mabat 2000” system of “panoptic surveillance and control mechanisms” in East Jerusalem, operated with the technology of C. Mer Group, VideoTec, Dahua Technology, Sony Corp., and Evron Systems); Privacy International, [Biometrics and Counter-Terrorism: Case Study of Israel/Palestine](#) (May 28, 2021) (noting that Israel’s “movement restrictions and policing have become increasingly digitized” and describing automated checkpoints, biometric identifications, and facial recognition in the occupied Palestinian territory); Sahar Amer, [How Israel is Automating the Occupation of Palestine](#), *The New Arab* (July 7, 2021).

⁵ All the while, Amazon and Google continue to reap immense profit from knowingly aiding and abetting Israel in carrying out massive, compound crimes against humanity, including genocide and apartheid. Forbes ranks Amazon and Alphabet, Inc., Google’s parent company, as the sixth and tenth largest companies in the world respectively. Andrea Murphy & Matt Schiffrin, [The Global 2000: 2024](#), *Forbes* (June 6, 2024). The cloud divisions of each of these companies generate enormous profits; in 2023 alone, Amazon Web Services (AWS) netted over \$90 billion. [Amazon.com Announces Fourth Quarter Results](#), *Amazon* (Feb. 1, 2024). Google Cloud netted over \$33 billion. [The Google Cloud Platform Ecosystem in 2024](#), *HG Insights* (2024). In contrast, 31.1% of the Palestinian population lived in poverty in 2022. [Economic Crisis Worsens in Occupied Palestinian Territory Amid Ongoing Gaza Conflict](#), *UN Trade & Development* (Sep. 12, 2024). Since the outbreak of Israel’s genocide in Gaza, this figure is projected to rise to 74.3%. [New UN Report: Impacts of War Have Set Back Development in Gaza by as Much as 69 Years](#), *United Nations Development Programme* (Oct. 22, 2024). The richest corporations in the world are profiteering from Israel’s onslaught against one of the most vulnerable populations on the planet.

⁶ See, e.g., Toi Staff, [Promising Merciless War on Hamas, Netanyahu Says Israel Will ‘Avenge this Black Day’](#), *The Times of Israel* (Oct. 8, 2023) (Prime Minister Netanyahu ordering the 2.3 million Palestinians in Gaza to “get out now” – despite them being subjected to an Israel-imposed closure – and then-Defense Minister Yoav Gallant threatening to “set Gaza back 50 years”); [Post of Israel Katz](#), *Israel Energy Minister*, *Twitter* (Oct. 7, 2023) (automatically translated using Twitter translate) (Then-Energy Minister Israeli Katz announcing an order to cut off all electricity in the entire Gaza Strip); [“We are fighting human animals” said Israeli Defen\[s\]e Minister Yoav Gallant](#), *No Comment TV* (Oct. 10, 2023) (“We are imposing a complete siege on the city of

- commit the crime of genocide⁷ have been met with specific underlying acts against the Palestinian people of Gaza: killing over 44,200 Palestinians and causing the deaths of up to as many as 186,000 if not more,⁸ injuring over 104,700, and displacing virtually the entire population of Gaza.⁹
8. **The International Court of Justice** (“ICJ”), in its opinions of January 26, 2024¹⁰ and May 24, 2024,¹¹ ordered provisional measures to prevent the commission of genocide against the Palestinian people of Gaza. **Article II of the Convention on the Prevention and Punishment of the Crime of Genocide** defines genocide as the commission of enumerated acts with intent to destroy, in whole or in part, a racial group. Most relevant to this submission, the acts listed in the Genocide Convention include (a) killing members of the group and (b) causing serious bodily or mental harm to members of the group.
 9. UN experts have cautioned that companies, too, “risk being complicit in serious violations of international human rights and international humanitarian laws,”¹² which has been heightened by the ICJ’s May 2024 Order that Israel, under the Genocide Convention, must immediately halt its military offensive in the Rafah Governorate.¹³
 10. Furthermore, Israel has maintained an illegal military occupation of Palestinian territory in violation of international prohibitions on racial segregation and apartheid since 1967. **The Convention on the Suppression and Punishment of the Crime of Apartheid** defines apartheid as the commission of enumerated “inhuman acts committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them.” Apartheid is additionally prohibited by **Article 3 of the Convention on the Elimination of Racial Discrimination (CERD)** and the **Rome Statute of the International Criminal Court**.

Gaza. There will be no electricity, no food, no water, no fuel, everything is closed. We are fighting human animals and we are acting accordingly.”).

⁷ South Africa has exhaustively detailed evidence of Israeli officials’ specific intent to destroy the Palestinian people in whole or in part. *See generally* [Application Instituting Proceedings](#), *South Africa v. Israel* (Dec. 29, 2023).

⁸ Rasha Khatib, Martin McKee, & Salim Yusuf, [Counting the Dead in Gaza: Difficult but Essential](#), 404 *Lancet* 10449, p. 237-38 (July 20, 2024).

⁹ OCHA, [Reported Impact Snapshot | Gaza Strip](#) (Nov. 26, 2024).

¹⁰ [Order](#), *South Africa v. Israel*, ICJ Order (Jan. 26, 2024).

¹¹ [Order](#), *South Africa v. Israel*, ICJ Order (May 24, 2024).

¹² United Nations: The Question of Palestine, [States and Companies Must End Arms Transfers to Israel Immediately or Risk Responsibility for Human Rights Violations: UN Experts](#) (June 20, 2024).

¹³ ICJ Order (May 24, 2024), ¶¶ 50, 57(2)(a).

11. Human rights institutions including Amnesty International,¹⁴ Human Rights Watch,¹⁵ B'Tselem,¹⁶ and Al-Haq,¹⁷ as well as UN-commissioned experts¹⁸ and former Special Rapporteur on the occupied Palestinian territories Michael Lynk,¹⁹ have found that Israel's regime of military occupation and racial segregation constitutes apartheid.
12. In its July 19, 2024 Advisory Opinion, the ICJ recognized that Israel's prolonged military occupation of the Palestinian people is in violation of customary international law and Israeli policies and practices in the occupied West Bank, including East Jerusalem, violate the **CERD's prohibition on racial segregation and apartheid.**²⁰
13. The ICJ found multiple acts to constitute unlawful occupation, contributing to their finding a violation of **Article 3 of the CERD**;²¹ most pertinent to this submission are § B(3) confiscation or requisitioning of land, (4) exploitation of natural resources, and D(5) demolition of property.²² These findings align with acts prohibited by the **Apartheid Convention's** Article II, §§ (c) denial of "basic rights and freedoms" including "...the right to freedom of movement and residence" and (d) "...expropriation of landed property."
14. Aiding and abetting liability is defined in most international legal jurisprudence as "knowingly providing practical assistance or encouragement that has a substantial effect on the commission" of a violation of international law.²³ An aider and abettor need not share the principal's specific intent.²⁴ With respect to the genocide in Gaza, both the direct commission of genocide and complicity in genocide is strictly prohibited under customary international law. Complicity in genocide – including aiding and abetting or procuring the means for commission – in and of itself constitutes a crime and provides the basis for individual criminal responsibility.²⁵ Private individuals and

¹⁴ Amnesty International, [Israel's Apartheid Against Palestinians: Cruel System of Domination and Crime Against Humanity](#) (Amnesty Apartheid Report) (Feb. 1, 2022).

¹⁵ Human Rights Watch, [A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution](#) (HRW Apartheid Report) (Apr. 27, 2021).

¹⁶ B'Tselem, [Not a "Vibrant Democracy": This is Apartheid](#) (B'Tselem Apartheid Report) (Jan. 12, 2021).

¹⁷ Al-Haq, [Israeli Apartheid: Tool of Zionist Settler Colonialism](#) (Al-Haq Apartheid Report) (2022).

¹⁸ Richard Falk & Virginia Tilley, *Israeli Practices Towards the Palestinian People and the Question of Apartheid*, 27-47, UN Doc. [E/ESCWA/ECRI/2017/1](#) (March 15, 2017).

¹⁹ Michael Lynk, *Report of the Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied Since 1967*, U.N. Doc. [A/HRC/49/87](#), ¶¶ 52-56. (Aug. 12, 2022).

²⁰ [Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, Including East Jerusalem](#) (Advisory Opinion) (July 19, 2024) ICJ Rep. 2024 General List No. 186.

²¹ *Id.* ¶ 229. *See id.* ¶¶ 225-28.

²² *Id.* ¶¶ 120-133, 214-22.

²³ United Nations Human Rights Office of the High Commissioner, [Guiding Principles on Business and Human Rights: Implementing the United Nations 'Protect, Respect and Remedy' Framework](#) 19 (2011).

²⁴ *See, e.g., Prosecutor v. Musema*, Case No. ICTR-96-13-T, Trial Judgement and Sentence, ¶¶ 176-78, 181 (Jan. 27, 2000); *Prosecutor v. Furundžija*, Case No. IT-95-17/1/T, Judgment, ¶¶ 235-36, 249 (Dec. 10, 1998). *See also* Application of Convention on Prevention and Punishment of Crime of Genocide (*Bosn. & Herz. v. Serb. & Montenegro*), 2007 I.C.J. 43, 114, 200, ¶¶ 167, 381 (Feb. 26).

²⁵ *See, e.g., Musema*, Trial Judgement and Sentence, ¶¶ 176-78 (Jan. 27, 2000.); *Prosecutor v. Akayesu*, Case No. ICTR-96-4-T, Trial Judgement, ¶¶ 533-37 (Sept. 2, 1998). For aiding and abetting genocide, the aider and abettor "commit[s] acts specifically aimed at assisting . . . or lending moral support" for the perpetration of the crime,

the agents or principals of corporations may be convicted of aiding and abetting genocide.²⁶

15. **The UN Guiding Principles on Business and Human Rights** (“Guiding Principles”) are the most authoritative international standards defining corporations’ responsibility to observe and protect human rights. To this end, under the Guiding Principles, and as concluded in 2018 by the former Special Rapporteur on freedom of speech and expression David Kaye, corporations utilizing artificial intelligence technology are required to, *inter alia*: avoid, prevent, and mitigate adverse human rights impacts resulting from artificial intelligence technology linked to their operations (Principle 13); conduct due diligence on artificial intelligence systems by assessing and addressing actual and potential human rights impacts (Principles 17–19); and conducting ongoing review, including by public and stakeholder consultations, of artificial intelligence-related activities (Principles 20–21).²⁷
16. Amazon and Google are woefully failing to meet their obligations under the Guiding Principles, which both corporations purport to uphold.²⁸ By knowingly providing substantial assistance to the state of Israel as it commits genocide and perpetuates apartheid and unlawful occupation, Amazon and Google risk being liable as aiders and abettors.

III. RELEVANT FACTS & FINDINGS

17. Project Nimbus is the overarching structure and motivating force for Amazon and Google’s complicity in genocide, unlawful occupation, and apartheid, committing them to providing advanced technology across the Israeli government through at least 2028.²⁹
18. Project Nimbus is a \$1.2 billion contract signed by each company’s cloud division, Amazon Web Services (“AWS”) and Google Cloud, in May of 2021³⁰ to “provide

and “this support ha[s] a substantial effect on the perpetration of the crime.” *Prosecutor v. Seromba*, Case No. ICTR-2001-66-A, Appeal Judgement, ¶ 44 (Mar. 12, 2008).

²⁶ *Zyklon B Case*, U.N. War Crimes Comm’n, *The Zyklon B Case: Trial of Bruno Tesch and Two Others*, in [1 Law Reports of Trials of War Criminals 93](#), 93–95, 102 (1947) (chemical corporation’s owner and administrative assistant convicted of aiding and abetting war crimes upon providing German S.S. forces substantial quantities of poisonous gas used to carry out mass killings, and with the knowledge that the poisonous gas would be used for such).

²⁷ David Kaye, UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, U.N. Doc. [A/73/348](#), ¶ 21 (rev. Oct. 26, 2018); *id* (concluding businesses are also required to, under Principles 22, 29, and 31, to “provide accessible remedies to remediate adverse human rights impacts from artificial intelligence systems”).

²⁸ Google, [Human Rights](#) (last visited Nov. 26, 2024); Amazon, [Global Human Rights Principles](#) (last visited Nov. 26, 2024).

²⁹ See Israel National Digital Agency, [About Nimbus Cloud Me In](#) (Apr. 30, 2023); Central Tender Announcement: Provision of Public Cloud Services (Nimbus Tender) 16.2.2.1, version 9, effective Jan. 1, 2024, expiring May 12, 2028: available through The Intercept at <https://www.documentcloud.org/documents/24630181-0683x000010wodmq2>.

³⁰ Shoshanna Solomon, [Israel Signs Deal for Cloud Services with Google, Amazon](#), *The Times of Israel* (May 24, 2021).

cloud [computing] services for the Israeli military and government.”³¹ The Israeli National Digital Agency describes Project Nimbus as a “catalyst, transforming in-depth processes that affect the government’s work at *all* levels.”³²

19. Cloud computing contracts like Project Nimbus provide on-demand access to data storage capacity and processing power on servers owned by private corporations.³³ As described by an Israeli national security source in interviews with +972 Magazine and Local Call:

What happens in the public cloud is that you press a button, pay another thousand dollars that month, and you have 10 servers. A war started? You pay a million dollars, and you have a thousand more servers. That’s the power of the cloud. And that’s why people in the IDF really pushed for working with the cloud.³⁴

20. In addition to storage and processing power, Project Nimbus makes available to the Israeli government suites of artificial intelligence – or “AI” – machine learning, data analysis, and other tools produced by AWS and Google.³⁵
21. Since its inception, Project Nimbus has been protested by AWS and Google workers for its provision of “the capacity to store, process and analyze data, including facial recognition, emotion recognition, biometrics and demographic information,”³⁶ ultimately increasing Israel’s capacity to surveil Palestinians and facilitate Israel’s expansion of “its illegal settlements on Palestinian land.”³⁷
22. Israel’s abuse of technologies such as facial recognition, surveillance, and artificial intelligence - precisely the technologies enabled at scale by Project Nimbus - in violation of international law is well-documented.
23. For example, Amnesty International has extensively detailed how Israel’s abuse of facial recognition technology, large-scale data storage, and artificial intelligence in

³¹ Anonymous Google and Amazon Workers, [We are Google and Amazon Workers. We Condemn Project Nimbus](#), The Guardian (Oct. 12, 2021); *see also* Israel National Digital Agency, [About Nimbus Cloud Me In](#) (Apr. 30, 2023) (Project Nimbus is “intended to provide a comprehensive and in-depth solution to the provision of public cloud services to the Government, the defense establishment and other public organizations.”)

³² Israel National Digital Agency, [The Government of Israel Transitions to Cloud - the Nimbus Project](#) (Oct. 26, 2022) (emphasis added).

³³ *See* [What is Cloud Computing?](#), Amazon Web Service (last visited Nov. 26, 2024); [What is Cloud Computing?](#), Google Cloud (last visited Nov. 26, 2024).

³⁴ Yuval Abraham, [‘Order from Amazon’: How Tech Giants Are Storing Mass Data for Israel’s War](#), +972 Magazine (Aug. 4, 2024) (cleaned up).

³⁵ *See* Sam Biddle, [Documents Reveal Advanced AI Tools Google is Selling to Israel](#), The Intercept (July 24, 2022); *see also infra* n. 62 for the Population, Immigration, and Border Authority’s use of “Amazon QuickSight, with its advanced capabilities and Generative BI features” to “integrate[] data analytics into their decision-making procedures.”

³⁶ Michael Kwet, [How US Big Tech Supports Israel’s AI-Powered Genocide and Apartheid](#), Al Jazeera (May 12, 2024).

³⁷ [We are Google and Amazon Workers](#), *supra* n. 31.

Hebron and East Jerusalem, a set of programs referred to as the “Wolfpack,” amounts to “automated apartheid.”³⁸

24. Additionally, since at least 2023, the IDF has fed massive databases of surveillance on Palestinians into artificial intelligence-based softwares named “Lavender,” “Gospel,” and “Where’s Daddy?” to generate targets for military strikes.³⁹ The UN Special Committee has pointed to these AI-based targeting mechanisms as a violation of human rights “consistent with the characteristics of genocide” and called to “hold business entities fully accountability for complicity” through their “technology transfer and facilitation” of “artificial intelligence” and “algorithmic-based decision-making systems.”⁴⁰
25. Through Project Nimbus, AWS and Google make available to the Israeli government precisely the technologies on which the “Wolfpack” and “Lavender”/“Gospel” rely – facial recognition, artificial intelligence, and massive data storage and processing capacity. This, at minimum, constitutes failure by AWS and Google to prevent human rights violations and violations of international law.
26. As detailed below, AWS and Google technology have actively assisted the Israeli military during its ongoing genocide, and have accelerated Israel’s technological control over land rights and water distribution with AI. AWS and Google Cloud’s provision of cloud computing technology to the Israeli state through Project Nimbus is accelerating the pace and intensity of numerous international crimes.

A. Amazon Web Services and Google’s Role in Israel’s Genocide Against the Palestinian People of Gaza

27. Both AWS and Google have provided concrete, substantial assistance to the Israeli military since the onset of Israel’s latest genocidal campaign in October 2023.
28. In February of 2024, the Director General of the Israel National Cyber Directorate stated that “due to the public cloud Nimbus, phenomenal things happen in combat, which are a significant part of the victory”.⁴¹ In July of 2024, an IDF colonel described cloud technology as “a weapon in every sense of the word.”⁴²

³⁸ Amnesty International, *Automated Apartheid*, *supra* n. 4.

³⁹ Yuval Abraham, *‘A Mass Assassination Factory’: Inside Israel’s Calculated Bombing of Gaza*, +972 Magazine (Nov. 30, 2023); Yuval Abraham, *‘Lavender’: the AI Machine Directing Israel’s Bombing Spree in Gaza*, +972 Magazine (Apr. 3, 2024).

⁴⁰ *Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories*, United Nations General Assembly, U.N. Doc. [A/79/363](#) (Sep. 20, 2024), ¶¶ 11, 69, 71(h).

⁴¹ “*We Have No Choice - The Cloud is the Future*”, People and Computers Israel (Feb. 29, 2024) (automatic translation using Google Translate).

⁴² Google Cloud was initially listed as an official sponsor of the “IT for IDF 2024” conference where the IDF colonel spoke, but removed itself as a sponsor after outcry from employees. Google Cloud did sponsor the “IT for IDF 2023” conference, when a Google Cloud customer engineer gave a talk entitled “Generative AI: The Next Frontier of Innovation.” Jules Roscoe, *Google Cloud Listed, Then Removed as Sponsor of Israeli Military Tech Conference*, Tech404 (July 11, 2024); *see also* [Since the Beginning of the War: Mamram Has Experienced](#)

29. Technology provided to the IDF through Project Nimbus substantially assists the acts of (a) killing and (b) causing serious bodily or mental harm to Palestinians in Gaza, in the context of a genocide.

i. Amazon Web Services

30. The Israeli Military Intelligence Directorate stores “intelligence information collected via the mass surveillance of Gaza’s population on servers managed by Amazon’s AWS.”⁴³

31. IDF soldiers report making “orders from Amazon” to access “supplementary information” while generating targets for airstrikes.⁴⁴ Of particular concern, military sources interviewed by +972 Magazine and Local Call emphasized that AWS’s cloud services have “no storage limitations” and have information “on everyone” in Gaza:

The [Amazon] cloud is the endless storage [space] ... during intelligence gathering, sometimes, you find someone who interests you, and say: ‘What a bummer, he’s not included [as a surveillance target], I don’t have the information about him.’ But the cloud gives you information about him, because the cloud has [information on] everyone.⁴⁵

32. Further, AWS Israel has hosted events for “defense customers” that provide training in AI and Machine Learning techniques.⁴⁶ Several AWS Israel employees describe themselves as “defense” technicians working directly with defense customers.⁴⁷

33. Beyond the Israeli military itself, AWS provides cloud technology to other entities within the Israeli military industry. Rafael Advanced Defense Systems “makes missiles, drones, and other weapons systems for the Israeli military”⁴⁸ and has stored data on AWS servers since at least June of 2023.⁴⁹

[Over 3 Billion Cyber Attack Attempts](#), People and Computers Israel (July 10, 2024) (automatically translated using Google translate).

⁴³ Abraham, [‘Order from Amazon’](#), *supra* n. 34.

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ [LinkedIn Post of Omri Holzman](#), Defense Team Lead at AWS (July 20, 2022) (discussing AWS’s “NatSec strategy” and “two main areas which our defense customers are most interested in: Security and AI/ML”); [LinkedIn Post by Omri Holzman](#), Defense Team Lead at AWS (July 12, 2023) (describing AWS as “the most experienced cloud provider for the #natsec and #defense customers” and advertising AWS “Machine Learning” on a picture slide).

⁴⁷ [LinkedIn Profile of Alex Pulver](#), Principal Solutions Architect at AWS (AWS Israel employee describing “experience” at AWS as working “with defense customers to help design processes and solutions for their needs”) (last accessed Nov. 25, 2024); [LinkedIn Post of Avi Klepper](#), Account Manager, Defense at AWS (July 12, 2023) (AWS Israel employee describing “two projects for a large defense customer” that “delivered cutting-edge solutions that transformed their operations and maximized their cloud potential.”)

⁴⁸ [Companies Profiting from the Gaza Genocide](#), American Friends Services Committee (May 28, 2024)

⁴⁹ [Commit Was Chosen to Carry Out Project for Government Bodies Worth Tens of Millions of Shekels](#), People and Computers Israel (June 13, 2023) (describing the “project to migrate Rafael’s unclassified environments to

ii. Google

34. Google executives signed a \$1 million contract in March of 2024 for consulting services to assist the Israeli Ministry of Defense in accessing Google Cloud through Project Nimbus.⁵⁰ Google Cloud consultants “assist with architecture design, implementation guidance, and automation” for “multiple units and sub-units” of the Ministry of Defense.⁵¹
35. On October 23, 2023, Google disabled real-time crowding data, or “the ability to see live traffic conditions and business information,” via Google Maps in Israel and Gaza.⁵² This data freeze was reportedly pursuant to a direct request from the IDF,⁵³ and immediately preceded the IDF’s ground invasion of Gaza on October 27, 2023.⁵⁴
36. Additionally, Israeli intelligence officials have been integrating Google Photos into facial recognition technology to surveil and arrest Palestinians in Gaza since at least March of 2024.⁵⁵ Subsequent reporting confirmed that facial recognition technology is used extensively throughout north Gaza,⁵⁶ where the Israeli army detains individuals at checkpoints to conduct “camera scans” connecting facial recognition to an extensive database of personal information.⁵⁷ If detained, many Palestinians are subjected to torture,⁵⁸ rape,⁵⁹ and untimely death.⁶⁰

AWS infrastructure” as “in advanced stages of implementation”) (automatic translation using Google Translate).

⁵⁰ Billy Perrigo, [Exclusive: Google Contract Shows Deal With Israel Defense Ministry](#), TIME (Apr. 12, 2024).

⁵¹ *Id.*

⁵² Olafimihan Oshin, [Google and Apple Disable Map Functions in Israel, Gaza Strip as Invasion Looms](#), Fox59 (Oct. 24, 2023).

⁵³ Marissa Newman, [Google Maps Disables Live Traffic Data in Israel, Gaza at Military Request](#), Bloomberg (Oct. 23, 2024).

⁵⁴ Reuters, [Chronology of Israel’s war in Gaza](#) (May 1, 2024); Wafaa Shurafa, Bassem Mroue & Josef Federman, [Israel Steps Up Air and Ground Attacks in Gaza and Cuts Off the Territory’s Communication](#), AP News (Oct. 28, 2023).

⁵⁵ Sheera Frenkel, [Israel Deploys Expansive Facial Recognition Program in Gaza](#), New York Times (March 27, 2024).

⁵⁶ Tareq S. Hajjaj, [Witnesses Say the Israeli Army is Using Facial Recognition Technology in its Assault on North Gaza](#), Mondoweiss (Oct. 31, 2024).

⁵⁷ *Id.*; Frenkel, *Israel Deploys*, *supra* n. 55.

⁵⁸ B’Tselem, [Welcome to Hell: The Israeli Prison System as a Network of Torture Camps](#) (Aug. 2024); *Arbitrary Deprivation of Liberty in the Occupied Palestinian Territory: the Palestinian Experience Behind and Beyond Bars*, Francesca Albanese, *Arbitrary Deprivation of Liberty in the Occupied Palestinian Territory: The Palestinian Experience Behind and Beyond Bars*, United Nations General Assembly: Human Rights Council, U.N. Doc. [A/HRC/53/59](#) (June 9, 2023); Amnesty International, [Israel/OPT: Horrifying Cases of Torture and Degrading Treatment of Palestinian Detainees Amid Spike in Arbitrary Arrests](#) (Nov. 8, 2023).

⁵⁹ Simon Speakman Cordall, [‘Everything is Legitimate’: Israeli Leaders Defend Soldiers Accused of Rape](#), Al Jazeera (Aug. 9, 2024); [Israel’s Escalating Use of Torture Against Palestinians in Custody a Preventable Crime Against Humanity: UN Experts](#), United Nations Human Rights Office of the High Commissioner (Aug. 5, 2024).

⁶⁰ [UN Expert Shocked by Death of Another Palestinian Doctor in Israeli Detention](#), United Nations Human Rights: Office of the High Commissioner (Sep. 24, 2024); Shaimaa Kalil & Mohamed Madi, [Bruises and Broken Ribs - Palestinian Deaths in Israeli Prisons](#), BBC (Apr. 22, 2024).

B. Amazon Web Services, Google, and Project Nimbus' Role in Israel's Illegal Occupation and Apartheid against the Palestinian People

37. As Project Nimbus is intended to apply across all of Israel's government, multiple non-military ministries have migrated data to AWS or Google Cloud and taken advantage of the companies' additional services. Many of these require further investigation to make a determination of the extent to which they substantially assist the maintenance of occupation and apartheid.
38. Amazon is providing cloud computing and/or other tools to, among others:
- a. the Ministry of Aliyah;⁶¹
 - b. the Population, Immigration, and Border Authority,⁶² which has been “illegally storing ... million of low-resolution photos” of “citizens and foreign nationals who went through passport control”⁶³ and has integrated facial recognition technology into its “Biometric Program for Foreigners”;⁶⁴ and
 - c. a number of municipal governments, who have achieved “full migration of all information systems to AWS including AI projects to analyze the data from the security cameras.”⁶⁵
39. Google is providing cloud computing and/or other tools to, among others:
- a. the Central Bureau of Statistics,⁶⁶ which publishes census maps of Jerusalem that erase the boundaries of occupied East Jerusalem;⁶⁷ and

⁶¹ Ness Technologies, [Nimbus Cloud Me In](#); see description over logo of the [Ministry of Aliyah](#) (“בבניית Landing Zone והקמת תשתיות ענניות ב-AWS לכלל האפליקציות ויישומי המשרד”).

⁶² See [AWS Summit Tel Aviv 2024 - Transforming Business Outcomes Through Data Analytics and Gen BI \(DGT205\)](#), AWS Events (July 3, 2024) (describing Population, Immigration, AND Border Authority's use of “Amazon QuickSight, with its advanced capabilities and Generative BI features” to “integrate[] data analytics into their decision-making procedures”).

⁶³ Marissa Newman, [Israel Illegally Storing Millions of People's Photos, Audit Says](#), Bloomberg News (May 16, 2023).

⁶⁴ Israel National Cyber Directorate: Identity and Biometric Applications Unit, [Facial Recognition in Israel's Public Places: Policy Principles & A Call for Regulation](#), 6 (July 2021).

⁶⁵ Ness Technologies, [Nimbus Cloud Me In](#); see description over logo of [Eshkol Southern Surek](#) (מיגרציה מלאה של כלל מערכות המידע ל-AWS כולל פרויקטי AI לניתוח נתונים ממצלמות האבטחה ביישובי האשכול)

⁶⁶ [LinkedIn post](#) of Google Cloud worker Moshiko Avraham (July 17, 2024) (“THE ENTIRE CENSUS IS BUILT ON GOOGLE'S TECHNOLOGIES, FROM BQ TO LOOKER”) (automatically translated using LinkedIn native translation); [LinkedIn post](#) of Google Cloud Account Executive Zarina Nishanov (July 17, 2024) (“The Census team ... chose to make the data accessible using the best Google Cloud technology”) (automatically translated using LinkedIn native translation).

⁶⁷ See [results for search of 'ירושלים' on census.cbs.gov.il](#). Google Maps itself also misrepresents or erases many Palestinian villages and “prioritiz[es] illegal Israeli settlement routes on its map.” [Mapping Segregation: Google Maps and the Human Rights of Palestinians](#), Tamleh (Sep. 2018).

- b. the Israel Antiquities Authority,⁶⁸ which regularly conducts excavations in occupied Palestinian territory.⁶⁹

40. Detailed below are two concrete examples of AWS and Google Cloud’s services to ministries whose acts constitute documented elements of illegal occupation and apartheid.

i. AWS and Survey of Israel

41. Israel’s zoning, permitting, and home demolition practices have been identified by the ICJ and human rights groups as critical elements of the apartheid regime. The ICJ’s July 2024 Opinion on Israel’s illegal occupation detailed discriminatory “zoning and planning policies” and “demolition” practices contributing to a violation of Article 3 of the CERD.⁷⁰ This builds on years of reporting from UN experts and human rights organizations that Israeli zoning and demolition practices contribute to racial discrimination or apartheid.⁷¹

42. Survey of Israel is the “government ministry in charge of mapping the State of Israel in the fields of,” *inter alia*, “cadastre (registering rights in real estate),”⁷² “mapping Israel,” and “the division of land for the purpose of land registration.”⁷³

⁶⁸ [Following the Lost Treasure \(In the Depths of the Computer\)](#), Israel Antiquities Authority (June 6, 2024) (automatically translated using Google translate); [Israel Antiquities Authority: Preserving the Past for Future Generations with AI and Cloud-Based Data](#), Google Cloud Blog.

⁶⁹ [The IAA Lead Excavation in Area C in Possible Violation of International Law](#), Emek Shaveh (May 16, 2024); [Underground Jerusalem: The excavation of Tunnels, Channels, and Underground Spaces in the Historic Basin](#), Emek Shaveh (Oct. 28, 2015); [Archaeological Activities in Politically Sensitive Areas in Jerusalem’s Historic Basin](#), Emek Shaveh (Oct. 28, 2015). The Knesset is expected to grant the IAA full authority over the West Bank in a move widely criticized as “de facto annexation.” Sarvy Geranpayeh, [Israeli Archaeology Bill Raises Fears of West Bank Annexation](#), The Art Newspaper (Oct. 3, 2024); Nir Hasson, [Allowing the Israel Antiquities Authority to Operate in the West Bank is Equivalent to Annexation](#), Haaretz (July 11, 2024); [Position Paper: Proposed Amendments to the Antiquities Authority Law to Expand the Authority’s Jurisdiction into the West Bank](#), Emek Shaveh (July 9, 2024).

⁷⁰ See ICJ Advisory Op. (July 19, 2024), ¶¶ 143 (analyzing zoning as an element of “forced displacement”), 217 (analyzing “zoning and planning” as contributing to “demolition of property”).

⁷¹ See, e.g., OHCHR, [Israel’s Housing Policies in Occupied Palestinian Territory Amount to Racial Segregation](#) (Apr. 27, 2022); Lynk, U.N. Doc. [A/HRC/49/87](#), *supra* n. 19 ¶ 50(c). [B’Tselem Apartheid Report](#) at 3 (describing Israel’s control over “planning and building” in the West Bank); [Amnesty Apartheid Report](#) at 23-25 (describing “selective registration of ownership rights, a discriminatory allocation of expropriated Palestinian land for Jewish settlement and a discriminatory urban planning and zoning regime to forcibly transfer Palestinians from their land and properties”); Al-Haq, [Joint Urgent Appeal to the United Nations Special Procedures on Israel’s Permanent Illegal Annexation of Jerusalem](#), 3 (Nov. 8, 2021) (describing the participation of Survey of Israel in management of occupied East Jerusalem land). The Apartheid Convention prohibits measures calculated to deny members of a subordinated racial group the “right to freedom of movement and residence,” Article 2(c), and measures designed to “divide the population along racial lines by the creation of separate reserves and ghettos,” including the “expropriation of landed property.” Article 2(d).

⁷² [Survey of Israel: Overview](#), LinkedIn (automatically translated using Google translate); see also [Cadastre](#), Survey of Israel, [www.Gov.II](#).

⁷³ [About the Ministry](#), Survey of Israel, [www.Gov.II](#).

43. Survey of Israel has been migrating its data onto AWS servers since 2022.⁷⁴ Weeks after sending representatives to the Nimbus Summit in 2024,⁷⁵ Survey of Israel committed publicly to “significantly shorten the time required from planning to construction by standardizing planning and registration” by “adding tools, automated testing and AI-based testing for local committees to shorten timetables in the licensing and construction process.”⁷⁶
44. AWS also reportedly provides data storage to the Israel Land Authority (ILA),⁷⁷ which administers and allocates state lands in accordance with explicitly discriminatory legal mandates.⁷⁸ The ILA manages tenders for private sale of seized land in occupied East Jerusalem.⁷⁹
45. AWS’s provision of cloud computing and automated technological tools to Survey of Israel and the Land Authority accelerates discriminatory zoning and allocation of land. AWS is violating its duty to prevent the use of its technologies in furtherance of apartheid.

ii. Google and Mekorot

46. Israel transferred authority over water resources in the West Bank and East Jerusalem to Mekorot, the state-owned water company, in 1982.⁸⁰ In its July 2024 Opinion, the ICJ described this as an element of “exploitation of natural resources” contributing to its finding that Israel is maintaining an illegal occupation and violating Article 3 of the CERD.⁸¹ This followed previous UN and human rights group reports describing Mekorot’s discriminatory distribution of water as a violation of international humanitarian law and the Apartheid Convention.⁸²

⁷⁴ [The Maps on the Ground: The National Mapping Service Moves to the Cloud](#), People and Computers Israel (Oct. 26, 2022) (describing use of “Amazon S3 storage service,” “the content acceleration network Amazon CloudFront,” and “services such as AWS Lambda”) (automatic translation using Google Translate).

⁷⁵ [LinkedIn Post of Survey of Israel](#) (Mar. 3, 2024) (automatically translated using LinkedIn native translator).

⁷⁶ [LinkedIn post of Survey of Israel](#) (Mar. 20, 2024) (automatically translated using LinkedIn native translator); see also [LinkedIn post of Survey of Israel](#) (Apr. 16, 2024) (Announcing the development of “successful pilots” that had “will lead to a significant reduction in the time it takes to register rights in real estate and issue building permits”) (automatically translated using LinkedIn native translator).

⁷⁷ Charmaine Chua et al., [Amazon’s Investments in Israel Reveal Complicity in Settlements and Military Operations](#), The Nation (June 22, 2021); the ILA may be using a Google Cloud Landing Zone. [The Government of Israel Transitions to Cloud - the Nimbus Project](#), Israel National Digital Agency (Oct. 26, 2022);

⁷⁸ Falk & Tilley, UN Doc. [E/ESCWA/ECRI/2017/1](#), *supra* n. 18.

⁷⁹ [Israel Advances Plans in Sensitive East Jerusalem Settlement](#), Al Jazeera (Nov. 15, 2020); [Tender For a New Settlement in Beit Safafa in East Jerusalem](#), Peace Now (Nov. 17, 2024).

⁸⁰ ICJ Advisory Op. (July 19, 2024), ¶ 127.

⁸¹ *Id.* at ¶¶ 127-130.

⁸² Access to water is a “basic human right[] and freedom[]” the denial of which, in furtherance of a system of racial domination, violates Article 2(c) of the Apartheid Convention. Mekorot “control[s] and restrict[s] Palestinian access to water in the OPT to a level which neither meets their needs nor constitutes a fair distribution of shared water resources.” Amnesty International, [The Occupation of Water](#) (Nov. 29, 2017). See also United Nations High Commissioner for Human Rights, [Allocation of Water Resources in the Occupied Palestinian Territory, including East Jerusalem](#), U.N. Doc. [A/HRC/48/43](#) (Oct. 15, 2021); Human Rights Council, [Report of the Independent International Fact-Finding Mission to Investigate the Implications of the](#)

47. Mekorot announced plans to sell its infrastructure management software through Google’s Cloud marketplace in April of 2024, “facilitating remote operations.”⁸³ In July 2024, Mekorot’s Vice President for Technology stated: “the cooperative venture with Google is meant to lead Mekorot towards uploading all of its operational and managerial data onto the Google Cloud and, from there, operate all of Google’s tools.”⁸⁴
48. Google’s planned provision of cloud computing and automated technological tools to Mekorot cements Israeli control over, and exploitation of, occupied Palestinian water. Google has a duty to prevent the use of its technologies in furtherance of apartheid, and mitigate adverse human rights impacts it has already contributed to.⁸⁵

C. Affiliated Third Countries

49. Amazon and Google are both incorporated and principally headquartered in the United States,⁸⁶ with each respective corporation’s decision-making executives residing in the United States.
50. The global reach of these American corporations, and the global network of data centers undergirding their cloud technology, implicates third countries. Of particular importance, while the contract establishing Project Nimbus recommends use of recently constructed data centers located in Israel,⁸⁷ Israeli government bodies are permitted to access AWS servers in Ireland (eu-west-1), and Google Cloud servers in the Netherlands (europa-west4) and Frankfurt, Germany (europa-west3).⁸⁸

Israeli Settlements on the Civil, Political, Economic, Social and Cultural Rights of the Palestinian People Throughout the Occupied Palestinian Territory, including East Jerusalem, U.N. Doc. [A/HRC/22/63](#) (Feb. 7, 2013), ¶¶ 82-84.

⁸³ Adiel Eithan Mustaki & Meir Orbach, [Google to Offer Mekorot Technology in its Marketplace](#), Calcalist Tech (Apr. 7, 2024).

⁸⁴ Anat Yaffe, [Mekorot: Investing in Innovation to Secure the Water Sector in Emergencies](#), Haaretz (June 23, 2024).

⁸⁵ Mekorot currently appears to depend in large part on technology produced by Microsoft; while details are scarce, Mekorot describes a “key collaboration with Microsoft ... underway since 2019.” Mekorot, [2021 ESG Report](#), 28 (2022); Mekorot, [2022 ESG Report](#), 34 (2023). Mekorot reportedly collaborated with Microsoft “to develop a cloud for water sector statistical data.” Adiel Eithan Mustaki & Meir Orbach, [Google to Offer Mekorot Technology in its Marketplace](#), Calcalist Tech (Apr. 7, 2024); *see also* [LinkedIn Post](#) of Mekorot (Apr. 8, 2024) (“The collaboration with Google follows another Mekorot breakthrough with global technology giants after its agreement with Microsoft six months ago to create a cloud statistical data system for a range of parties in the water, science, environment, and academic fields.”) Mekorot is a “required” customer on Project Nimbus, so appears obligated to migrate its data to either AWS or Google Cloud. Nimbus Tender 16.2.2.1 Appendix B, available through the Intercept [here](#).

⁸⁶ Amazon is incorporated in Delaware; its principal corporate offices are located in Seattle, Washington. Google’s parent company, Alphabet, is incorporated in Delaware with principal headquarters in Mountain View, California. Amazon, [Form 10-K](#) (Feb. 1, 2024); Alphabet Inc., [Form 10-K](#) (Jan. 30, 2024).

⁸⁷ AWS’s Tel Aviv cloud region opened on or around August 1, 2023, [Another Step in the Transition of the Israeli Government to the Cloud Computing Domain – the ‘Project Nimbus’](#), Israeli Ministry of Finance (August 1, 2023); The Google Cloud region in Tel Aviv (me-west1) opened in October of 2022. [The New Google Cloud Region in Israel is Now Open](#), Google Cloud Blog (Oct. 19, 2022).

⁸⁸ Nimbus Tender 16.2.2 section 3.3.3.1, available through The Intercept at <https://www.documentcloud.org/documents/24630181-0683x000010wodmqa2> (automatic translation using Microsoft Translator).

51. Binding on all States, *at all times*, the universal prohibitions against genocide and apartheid constitute *jus cogens* norms in international law, creating obligations *erga omnes* on all States to prevent, and punish, such crimes against humanity.⁸⁹
52. Indeed, in its April 2024 order, the ICJ reaffirmed the obligation of “States parties that are aware, or that should normally have been aware, of the serious risk that acts of genocide would have been committed, to employ all means reasonably available to them to prevent genocide so far as possible.”⁹⁰ In its July 2024 order, the ICJ made clear the duty of UN member states to “take steps to prevent trade or investment relations that assist in the maintenance of the illegal situation created by Israel in the Occupied Palestinian Territory.”⁹¹
53. The United States, Ireland, Germany, and the Netherlands are thereby obligated to not only investigate whether Amazon or Google’s activity within their borders is contributing to grave violations of international law, but to prevent and punish such crimes.

D. Violations of Human Rights Due Diligence Obligations

54. Amazon and Google employees have been organizing to end Project Nimbus since its announcement in 2021, largely under the name No Tech for Apartheid. They have written public statements,⁹² sent letters to executives,⁹³ and staged sit-ins⁹⁴ drawing attention to the immense risks of providing these advanced technologies to a state well-known for human rights abuses. The companies have responded by firing at least fifty workers,⁹⁵ forcing resignation,⁹⁶ and heightening security measures to preempt further protest.⁹⁷
55. Shareholders submitted formal proposals to Amazon and Google in 2024 and 2022, respectively, calling for investigations into the human rights implications of the companies’ continued work in Israel in light of systematic violations of Palestinian human rights.⁹⁸ Boards of directors for both companies recommended that shareholders

⁸⁹ See ICJ Advisory Op. (July 19, 2024), ¶ 274; ICJ Order (Jan. 26, 2024), ¶ 33.

⁹⁰ [Order](#), Alleged Breaches of Certain International Obligations in Respect of the Occupied Palestinian Territory, *Nicaragua v. Germany*, International Court of Justice (Apr. 30, 2024) (Gen. List No. 193) ¶ 23.

⁹¹ ICJ Advisory Op. (July 19, 2024), ¶ 278.

⁹² [We are Google and Amazon workers](#), *supra* n. 31; No Tech for Apartheid Campaign, [Open Letter: Google Workers Condemn Internal Culture of Hate, Abuse, and Retaliation](#), Medium (Nov. 8, 2023).

⁹³ Zoë Schiffer, [Hundreds of Amazon Employees Call for Jeff Bezos and Andy Jassy to Support Palestine](#), The Verge (May 25, 2021); Zoë Schiffer, [Google Employees Call for Company to Support Palestinians and Protect Anti-Zionist Speech](#), The Verge (May 18, 2021).

⁹⁴ Caroline Haskins, [Google Workers Protest Cloud Contract with Israel’s Government](#), Wired (Apr. 16, 2024).

⁹⁵ No Tech for Apartheid Campaign, [STATEMENT from Google Workers With the No Tech for Apartheid Campaign on Google’s Mass, Retaliatory Firings of Workers](#), Medium (Apr. 17, 2024); Michael Sainato, [Workers Accuse Google of ‘Tantrum’ After 50 Fired Over Israel Contract Protest](#), The Guardian (Apr. 27, 2024).

⁹⁶ Nico Grant, [Google Employee Who Played Key Role in Protest of Contract with Israel Quits](#), New York Times (Aug. 30, 2022).

⁹⁷ Caroline Haskins, [Amazon Ramps Up Security to Head Off Project Nimbus Protests](#), Wired (July 10, 2024).

⁹⁸ [Notice of 2024 Annual Meeting of Shareholders & Proxy Statement](#), Amazon.com, Inc., p. 37-38 (May 22, 2024); [Alphabet Inc. Proxy Statement](#), Alphabet, Inc., p. 104 (Apr. 22, 2022).

- vote “no.”⁹⁹ Both proposals for human rights due diligence reports failed.¹⁰⁰ In preventing such investigations into how their use of data and AI systems contribute, impact, or otherwise advance adverse human rights impacts against Palestinians, Amazon and Google violated UN Guiding Principles 17-19.
56. The aforementioned efforts by Amazon and Google employees and shareholders have definitively placed both corporations on notice of human rights violations facilitated by Project Nimbus.
57. Rather than fulfilling their duty to avoid, prevent, mitigate, remediate, and conduct ongoing review of human rights violations under, *inter alia*, UN Guiding Principles 13 and 20-21,¹⁰¹ Amazon and Google have doubled down on their provision of substantial assistance to Israel in its commission of genocide, apartheid, and unlawful occupation of the Palestinian people.
58. The Project Nimbus contract itself commits both corporations to providing the backbone for the entire Israeli government's transition to cloud computing and exploitation of advanced algorithmic technology through at least 2028.¹⁰² As of November 11, 2024, Amazon and Google are reportedly competing for a new multimillion dollar contract to build a “supercomputer” in furtherance of Israel’s “national AI program.”¹⁰³ On November 14, 2024, AWS and Google Cloud sponsored a conference dedicated to a systematic rollout of AI across the Israeli government.¹⁰⁴
59. In response to criticism, Google spokespeople have consistently maintained that “the Nimbus contract is for workloads running on our commercial cloud by Israeli

⁹⁹ Recommendation of the Board of Directors on Item 6, *Amazon Notice of 2024 Annual Meeting* at 38-43; Proposal Number 21: Alphabet Opposing Statement, *Alphabet 2022 Proxy Statement* at 105.

¹⁰⁰ Greg Bensinger, [Amazon.com Investors Reject All 14 Outside Proposals at Meeting](#), Reuters (May 22, 2024). While we cannot locate a hard citation for the failure of the Alphabet proposal, there is no evidence that such a report was produced.

¹⁰¹ *Supra* Section II ¶ 15; *see also* ICJ Advisory Op. (July 19, 2024), ¶ 277 (referencing “In resolution 32/161 (1977), the General Assembly called upon ‘all States, international organizations, specialized agencies, investment corporations and all other institutions not to recognize, or cooperate with or assist in any manner in any measures undertaken by Israel to exploit the resources of the occupied territories or to effect any changes in the demographic composition or geographic character or institutional structure of those territories.’”)

¹⁰² Central Tender Announcement: Provision of Public Cloud Services (Nimbus Tender) 16.2.2.1, version 9, effective Jan. 1, 2024, expiring May 12, 2028: available through The Intercept at <https://www.documentcloud.org/documents/24630181-0683x000010wodmq2> (automatic translation using Microsoft translator).

¹⁰³ Assaf Gilead, [Amazon, Google to Compete for Israel’s Supercomputer Tender](#), Globes (Nov. 11, 2024).

¹⁰⁴ AI-e-GOV conference, <https://e-gov2024.events.co.il/home> (“The AIGOV conference will focus on the government's assessments for the era of the artificial intelligence revolution on its various aspects... The capabilities of deep learning and advanced analysis, local and national authorities, turn the accumulated data into accurate and efficient computerized recommendations in reducing efficiency and performance gaps.” Part of the conference was dedicated to “Data and BI [business intelligence] in Nimbus”) (automatic translation using Google Translate).

government ministries, who agree to comply with our Terms of Service and Acceptable Use Policy.”¹⁰⁵

60. This claim appears to be directly contradicted by the contract establishing the framework for Project Nimbus: The Nimbus contract provides that “the Tender Author” - i.e., Israeli officials – “made adjustments to the terms of use (service agreement) of the winning suppliers [Google and AWS] for each of the services provided,” and the “modified terms of use are the only ones that will apply to the cloud services consumed on the winners’ cloud infrastructures.”¹⁰⁶ The modified terms themselves are not public.¹⁰⁷

61. More broadly, Google’s position misidentifies the binding authority that governs claims of substantial assistance to genocide, occupation, and apartheid. The relevant framework is not assessing whether a violation of a private corporation’s *adjusted* Terms of Service occurred, but whether a violation of international law has occurred. It has, and continues to.

IV: CONCLUSION & RECOMMENDATIONS

62. Years of protest by workers, shareholders, and the general public, in addition to the developments of international legal authority regarding Israel since October of 2023, has placed these corporations on notice of their customers’ violations of international law. The provision of immense computational resources and technological tools has a substantial effect on the commission of Israel’s crimes. Google and Amazon knowingly and substantially assist Israel in carrying out genocide, unlawful occupation, and apartheid.

63. We therefore recommend the following to the Special Rapporteur:

¹⁰⁵ See, e.g., Billy Perrigo, *Exclusive: Workers at Google DeepMind Push Company to Drop Military Contracts*, TIME (Aug. 23, 2024); See also Caroline Haskins, *The Hidden Ties Between Google and Amazon’s Project Nimbus and Israel’s Military*, Wired (July 15, 2024).

¹⁰⁶ (“תנאי שימוש 6.”) של הספקים הזוכים עבור כל אחד מהשירותים המסופקים במסגרת (service agreement) עורך המכרז ערך התאמות בתנאי השימוש (התקשרות זו) להלן: “תנאי השימוש המותאמים” (תנאי השימוש המותאמים הם היהידים שיחולו ביחס לשירותי הענן הנצרכים על גבי תשתיות הענן של הזוכים”).

Nimbus Tender 16.2.2.1, § 6; available through The Intercept at <https://www.documentcloud.org/documents/24630181-0683x000010wodmq2> (automatic translation using Microsoft translator).

¹⁰⁷ However, modified terms of use appear to be explicitly spelled out for third-party services made available for purchase on AWS or Google’s “Government Digital Marketplace” pursuant to the Nimbus tender. Modified terms for third-party services provide that “there will be no restriction of any kind, including ‘permitted use’ rules for a service being offered in the governmental digital marketplace,” and “there will be no restrictions on the part of the Provider as to the type of system and information that the Clients may migrate to the service, including vital systems of high sensitivity level.” Third-party providers are permitted to suggest changes to these modified terms, but “The Tender Administrator [i.e., Israeli officials] ... will be entitled to approve, reject, or approve the request under conditions.” An English version of the third-party service terms is available at the [Israeli Accountant General’s website](#) as attachment “Tender 01-2022-Ch. 3-Service Agreement-Nimbus-Version 5.”

- a. Request AWS and Google provide information regarding their efforts to:
 - i. investigate their respective roles in causing or contributing to Israel's war crimes and crimes against humanity against the Palestinian people; and
 - ii. abide by their duties to prevent or mitigate adverse human rights impacts linked to their operations, programs, products, or services.
- b. Request AWS and Google provide information regarding use of their technology to support, procure, and/or facilitate artificial intelligence programs to “perform decision-making functions that were previously the domain of humans acting without computational tools”¹⁰⁸ and links to value chains, such as algorithmic decision-making systems, data storage, and computational capacity, especially as pertains to:
 - i. artificial intelligence systems-assisted targeting of Palestinians, which at a minimum, incorporate surveillance data stored by AWS;
 - ii. artificial intelligence systems used by Survey of Israel, which, at a minimum, relies upon AWS cloud infrastructure; and
 - iii. artificial intelligence systems used by water company Mekorot, which has announced plans to migrate to Google Cloud infrastructure.
- c. Request AWS and Google release the modified terms of use applicable to Israeli ministries pursuant to Nimbus Tender 16.2.2.1 Section 6.
- d. Request the United States, Ireland, Germany, and the Netherlands communicate to the Special Rapporteur their efforts, to date, to fulfill their obligations *erga omnes*, including abiding by the duty to investigate, prevent, and punish AWS and Google’s assistance of Israeli crimes in their respective sovereign territories.

¹⁰⁸ [A/73/348](#), ¶ 5.