

DR. CAROLINE LUCAS

Green Party
for the South East of England

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Dear Martin,

Many thanks for your letter of October 26th responding to my correspondence with NHS PASA about its water coolers and dispensers contract with Eden Springs. The points you make offer some useful insight into Buying Solutions position and you assert that the ethical issues raised in my original letter do not warrant or justify termination of the contract with this company. Whilst I disagree with this view, I would like at this point to explore the separate but related question of whether the company might be excluded from future procurement processes.

I appreciate that Eden Springs itself cannot be held in violation of UN Security resolution 497. However, its parent company is complicit in illegal activity by continuing to source water from the Golan Heights, land that is illegally occupied by Israel. As you know, under the Public Contract Regulations 2006 a company may be excluded from bidding if it has 'committed an act of grave misconduct in the course of its business' so I would welcome your view on whether Eden Springs, by virtue of the activities of Mayanot in Syria, might be prevented from bidding for future NHS contracts. Although it has not been found guilty of any criminal offence, I am sure you will agree that the company that owns Eden Springs is engaged in activity which is very grave. Moreover, the OECD Guidelines for Multinational Enterprises (2000) state that companies should 'respect the human rights of those affected by their activities consistent with the host government's international obligations and commitments'. Again, this is clearly not being upheld by Mayanot and the Eden Springs are implicated in such grave misconduct.

You also state that Eden Springs meet all of the requirements set out as part of the public procurement process, which implies that ethical criteria are not included. Given that the NHS is a public body, do you not think it has a responsibility to ensure that tax payers' money is used ethically as well as in pursuit of best value?

The boycott campaign against Eden Springs is gathering pace and I would once more urge Buying Solutions to remain open to the possibility of reviewing its relationship with the company.

I look forward to your response.

Yours sincerely,



Caroline Lucas - Green Party MEP for South East England.