

National Legal and Policy Center

"promoting ethics in public life"



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Since 1991

September 16, 2021

Mr. Thomas P. DiNapoli
Comptroller of the State of New York
Office of the State Comptroller
110 State Street
Albany, NY 12236

Dear Comptroller DiNapoli:

We write to respectfully request that you effect the immediate divestiture of Unilever holdings in the New York State Common Retirement Fund. These holdings reportedly totaled \$73 million at year end.

We were encouraged that your office in July warned Unilever that it's Ben & Jerry's subsidiary, by its decision to stop selling ice cream in Israel's "occupied territories," jeopardized the Common Fund's ability and willingness to invest in Unilever.

Since that time, the states of Arizona and New Jersey have announced their intention to divest themselves of Unilever stocks and bonds. Other states like Florida and Illinois are considering the same.

More urgently, Unilever's position that it is opposed to anti-Semitism is belied by the actions and associations of Anuradha Mittal, the Chair of the Ben & Jerry's Board of Directors. The Ben & Jerry's Board of Directors is not an actual governing board but is an advisory board that is "empowered to protect and defend Ben & Jerry's brand equity and integrity."

Mittal is the architect of the ice cream company's policy of ending sales in Israeli "occupied territories." Reportedly, Mittal also proposed a boycott of all of Israel. Her Twitter account has many anti-Israel tweets, and contain specific endorsements of the Boycott, Divestment, Sanctions movement.

Mittal is also a trustee of the Ben & Jerry's Foundation, which reportedly has made \$170,000 in grants to a nonprofit called the Oakland Institute, of which Mittal is the sole employee. Last month, the National Legal and Policy Center filed a Complaint with the Internal Revenue Service, alleging that this arrangement may violate the Internal Revenue Code's prohibition on self dealing.

In 2017, the Oakland Institute reportedly made a sub-grant to the so-called Badil Resource Center for Palestinian Residency and Refugee Rights. Last year, the European Union ended its funding of this Center after it refused to agree to an "anti-terror" clause in its funding contract.

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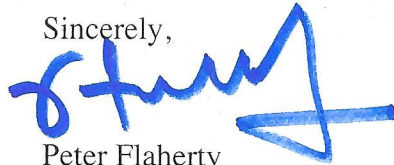
If Unilever were truly opposed to anti-Semitism, it would have already severed its relationship with Mittal.

Moreover, Unilever's anti-Israel bias is underscored by the fact that it has announced no intention to end ice cream sales in China, where it is a leading foreign brand.

National Legal and Policy Center promotes ethics in public life, and sponsors the Corporate Integrity Project. We are heartened to see state officials of both political parties in different states defending Israel and taking a strong stand against anti-Semitism.

Unilever was given the opportunity to do the right thing, but instead the company doubled down on defending the indefensible. It is time for investors to do the right thing and divest from Unilever.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter Flaherty". The signature is stylized and written in a cursive-like font.

Peter Flaherty
Chairman