

## Resolution in Support of

### PEACE AND NEUTRALITY THROUGH UC DIVESTMENT FROM U.S. CORPORATIONS PROFITING FROM OCCUPATION

1. WHEREAS, the Associated Students of the University of California, San Diego (ASUCSD) is an institution dedicated to promoting peace in all aspects of student experiences; and
2. WHEREAS, the Principles of Community of the University of California, San Diego (UCSD) state that UCSD "is dedicated to learning, teaching, and serving society through education, research, and public service;" and
3. WHEREAS, the University of California (UC) has already made significant efforts towards ethical and peaceful investments by divesting from tobacco companies, companies contributing to the Darfur conflict in Sudan, and companies contributing to the apartheid system in South Africa; and
4. WHEREAS, on 13 January 2010 the ASUCSD passed a "Resolution in Support of the Victims of the 12 January 2010 Earthquake in Port-au-Prince, Haiti" stating that the ASUCSD "as global citizens are obliged to play a role in concurrent world events"; and
5. WHEREAS, on 6 May 2009 the ASUCSD passed a "Resolution in Support of UC-Wide Corporate Social Responsibility Practices" urging the UC to "significantly limit asset allocations to non-socially responsible corporations"; and
6. WHEREAS, UCSD student fees contribute financially to United States corporations (see clause 11, 12, 13) that support military occupation; and
7. WHEREAS, the ASUCSD notes the complexity of international relations in all cases, including the Middle East, and recognizes the inability of a body such as the ASUCSD Council to adjudicate matters of international law and human rights law, or to take sides on final status issues on wars and occupations throughout the world; the ASUCSD does, however, note its own ability to abstain from investing in corporations that are furthering international conflicts and violations of human rights; and
8. WHEREAS, the following findings from the United Nations and other leading human rights organizations regarding the conflict in the Palestinian Territories (West Bank, East Jerusalem, and the Gaza Strip) provide the context for an ASUCSD divestment effort; and
9. WHEREAS, prior and subsequent to the 2008-2009 Gaza bombing, the occupying force has engaged in collective punishment of the Palestinian population, in the view of the human rights community,<sup>1</sup> exemplified by the ongoing 32 month blockade on Gaza, of which the regional branch of Physicians for Human Rights has written, "the prolonged siege imposed... on Gaza, the closing of its borders, the tightening of policies regarding permission to exit Gaza for medical purposes, and the severe shortage of medications and other medical supplies, all severely damage the Palestinian health system and endanger the lives and health of thousands of Palestinian patients,"<sup>2</sup> and of which the Red Cross has said, "the whole strip is being strangled, economically speaking", making life in Gaza "a nightmare" for the civilian population, with essential supplies, including electricity, water, and fuel, being denied to the 1.5 million inhabitants, 90% of whom depend on aid to survive;<sup>3</sup> and
10. WHEREAS, within the occupied West Bank (including East Jerusalem), the occupying force continues a policy of settlement expansion that, according to the United Nations Security Council, Human Rights Watch, and the International Committee of the Red Cross, constitutes a direct violation of Article 49, paragraph six of the Fourth Geneva Convention which declares that "an occupying power shall not deport or transfer parts of its own civilian population into territories it occupies."<sup>4</sup> and according to United Nations Security Council Resolution 446 "determines that the

policy and practices of [the occupying power] in establishing settlements in the Palestinian and other Arab territories occupied since 1967 have no legal validity and constitute a serious obstruction to achieving a comprehensive, just and lasting peace in the Middle East"<sup>5</sup>; and

11. WHEREAS, according to the most recent UC investment report<sup>6</sup>, within the UC Retirement Program fund and the General Endowment Program fund, there exist direct investments in United States companies that materially support the occupation of the Palestinian territories, specifically the U.S. corporations General Electric and United Technologies; and
12. WHEREAS, General Electric holds engineering support and testing service contracts with the occupying military and supplies the propulsion system for the Apache Assault Helicopter fleets which, as documented by Amnesty International and Human Rights Watch, have been used in attacks on Palestinian civilians, including the four January 2009 killings of Palestinian medical aid workers<sup>7</sup>; and
13. WHEREAS, according to Amnesty International, United Technologies supplies the occupying force with Blackhawk helicopters, F-15, and F-16 aircraft engines, which have been used in the bombing of the American School in Gaza, the killing of Palestinian civilians, and the destruction of hundreds of Palestinian homes;<sup>8</sup>

1. THEREFORE BE IT RESOLVED, that the ASUCSD will ensure that its assets, and will advocate that the UC assets, do not include holdings in General Electric and United Technologies because of their non-neutral financial stance in the occupation of Palestinian territories, nor does this delegitimize any country and their right of any peoples to be living in the region; be it further
2. RESOLVED, that the ASUCSD will further examine its assets and UC assets for funds being invested in companies that a) provide military support for/or weaponry to support the occupation of the Palestinian territories or b) facilitate the building or maintenance of the illegal wall or the demolition of Palestinian homes[,], or c) facilitate the building, maintenance, or economic development of illegal settlements on occupied Palestinian territories; be it further
3. RESOLVED, that the ASUCSD will not invest, and will advocate that the UC divests, all stocks, securities, or other obligations from such sources with the goal of maintaining the divestment, in the case of said companies, until they cease such practices. Moreover, the ASUCSD will not make further investments, and will advocate that the UC not make further investments, in any United States companies materially supporting or profiting from occupation and human rights violations in the above mentioned ways; be it further
4. RESOLVED, that this ASUCSD resolution takes a neutral stance in the conflict, and also stands as a principled expression of ethical and peaceful investment practices supporting universal human rights and equality;
5. BE IT FINALLY RESOLVED, that the ASUCSD will recommend additional divestment policies to keep UC investments out of companies profiting from human rights violations throughout the world in other places as determined by the resolutions of the United Nations and other leading international human rights organizations.

[1] United Nations "Press Release on Presentation to the Human Rights Council" by the Fact Finding Mission to Gaza" - <http://www2.ohchr.org/english/bodies/hrcouncil/specialsession/9/FactFindingMission.htm>

[2] United Nations "Media Summary of Report" of Fact Finding Mission to Gaza - <http://www2.ohchr.org/english/bodies/hrcouncil/specialsession/9/FactFindingMission.htm>

[3] Amnesty International: Israeli Military Action is Collective Punishment – <http://www.amnesty.org/en/report/info/MDE15/045/2002>

\*United Nations press release -  
<http://www.unhcr.ch/hurricane/hurricane.nsf/0/183ED1610B2BCB80C125751A002B06B2?opendocument>

[4] Physicians for Human Rights; <http://www.phr.org.il/phr/article.asp?articleid=506&catid=55&pcat=45&lang=ENG>

[5] UN Security Council resolution 446 <http://daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/370/60/IMG/NR037060.pdf?OpenElement>

[6] UN resolution 194 - <http://www.un.org/documents/ga/res/3/ares3.htm>

[7] Human Rights Watch "Israel's Settlements Are on Shaky Ground" - <http://www.hrw.org/en/news/2009/06/28/israels-settlements-are-shaky-ground>

\*International Committee of the Red Cross -  
<http://www.icrc.org/ihl.nsf/c525816bde96b7fd41256739003e636a/77068f12b8857c4dc12563cd0051bdb0>

[8] International Court of Justice - <http://www.icj-cij.org/docket/index.php?pr=71&code=mwp&p1=3&p2=4&p3=6&case=131&k=5a>