

A Resolution to Divest from Companies that Violate Palestinian Human Rights

WHEREAS, it is the University of California, Los Angeles' duty to uphold the True Bruin values of integrity, excellence, accountability and ethicality, respect for the rights and dignity of others, and promote public service that makes a positive impact in our global community¹, which includes the promotion of human rights, equality, and dignity for all people without distinction;

WHEREAS, UCLA students have historically fought against investments in companies that demonstrate a lack of accountability, ethicality, and respect for the rights and dignity of others;

WHEREAS, voluntary investment in a company shows implicit support for the decisions and actions of said company;

WHEREAS, voluntary investment in companies engaged in violence against others is harmful to students at UCLA who are affected by such violence;

WHEREAS, UCLA has a history of using divestment as a non-violent strategy, having used it to selectively and publicly divest from companies engaged in unethical acts, most notably in the context of South Africa² and most recently in the context of fossil fuels³ and the Prison Industrial Complex⁴;

WHEREAS, the following illustrative and non-exhaustive list of companies in which the University of California invests⁵ enable and profit from human rights abuses and violence;

WHEREAS, Caterpillar, Cement Roadstone Holdings, Cemex, General Electric, and Hewlett-Packard have violated the universal right “to life, liberty, and security of person;” “to education;” to “privacy, family [and] home;” “to own property, and ...[not to] be arbitrarily deprived of property”⁶;

¹ UCLA True Bruin Statement: <http://www.truebruin.ucla.edu/statement.htm>

² UCLA African Studies Center “Remembering Nelson Mandela,” a reflection on divestment: <http://www.international.ucla.edu/africa/mandela/> and the Student Anti-Apartheid Newsletter: Special Report on University of California Divestment Action: <http://kora.matrix.msu.edu/files/50/304/32-130-E67-84-AL.SFF.DOCUMENT.acoa000126.pdf>

³ A Resolution In Support of Divestment from Fossil Fuel Companies: <http://www.usac.ucla.edu/documents/resolutions/UCLAResolutiontoUSACfortheDivestmentofFossilFuels.pdf>

⁴ A Resolution to Divest Undergraduate Students Association Council and UC Los Angeles Finances from Corporations Profiting from the Prison Industrial Complex: <http://usac.ucla.edu/documents/resolutions/USACPrivatePrisonDivestmentResolution.pdf>

⁵ UC Retirement Portfolio holdings: http://www.ucop.edu/investment-office/_files/invpol/UCRP_Holdings.pdf

⁵ General Endowment Portfolio holdings: http://www.ucop.edu/investment-office/_files/invpol/GEP_Holdings.pdf

⁶ The Universal Declaration of Human Rights: <http://www.un.org/en/documents/udhr/>

WHEREAS, Caterpillar has violated these rights by continually providing engineering tools and bulldozers routinely used in the demolition of Palestinian homes, refugee camps, water cisterns, and agricultural fields in the West Bank and Gaza^{7- 8}, and by providing bulldozers used to expand settlements and construct the Separation Wall and checkpoints throughout the West Bank⁷, which have been ruled to be in violation of international law in the International Court of Justice's 2004 Advisory Opinion⁹;

WHEREAS, by providing cement and other building materials, Cement Roadstone Holdings (CRH) has contributed to the construction of military checkpoints, the Separation Wall, and settlements within the occupied Palestinian territory^{10- 11};

WHEREAS, Cemex also owns and operates manufacturing plants in West Bank settlements, exploiting Palestinian natural resources in violation of international law¹²;

WHEREAS, CRH and Cemex have supplied building materials used to build illegal settlements, the Separation Wall, and checkpoints within the occupied Palestinian territory¹³;

WHEREAS, General Electric (GE) manufactures and supplies engines for A64 Apache Helicopters, which are systematically used in attacks on Palestinian civilians, and whereas these attacks constitute severe human rights violations and war crimes as documented by Amnesty International¹⁴;

⁷ Human Rights Watch report "Razing Rafah: Mass Home Demolitions in the Gaza Strip," citing Caterpillar's activities in the Gaza Strip: <http://www.hrw.org/print/reports/2004/10/17/razing-rafaq>

⁸ Amnesty International report "Israel and the Occupied Territories: Under the Rubble: House Demolition and Destruction of Land and Property," citing Caterpillar bulldozers' role in demolitions of Palestinian homes and property in the West Bank: <http://www.amnesty.org/en/library/info/MDE15/033/2004/en>;

⁹ International Court of Justice: Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (9 July 2004) <http://www.icj-cij.org/docket/index.php?pr=71&code=mwp&p1=3&p2=4&p3=6>

¹⁰ Project Clean Hands' report on Cement Roadstone Holdings: <http://projectcleanhands.wordpress.com/2010/04/30/2009-project-clean-hands-report-crh>

¹¹ Who Profits report on Cement Roadstone Holdings: <http://www.whoprofits.org/company/cement-roadstone-holdings-crh>

¹² Who Profits report on Cemex: http://whoprofits.org/sites/default/files/cemex_corporate_watch_may_2011.pdf

¹³ See above. Also see New England United Methodist Church reports on said companies: http://www.neumc.org/console/files/oFiles_Library_XZXLCZ/Companies_Recommended_for_Divestment_HJKK_VNTP.pdf and documentation on said companies: http://www.neumc.org/console/files/oFiles_Library_XZXLCZ/NEUMC_Divestment_Report_-FINAL_060407-img_PM2YX4SR.pdf

¹⁴ Amnesty International report "Fueling Conflict: Foreign Arms Supplies to Israel/Gaza" citing General Electric military sales used in conflict: <http://www.amnesty.org/en/library/asset/MDE15/012/2009/en/278d5cfc-0b39-4409-bd68-4c6f44d99a64/mde150122009en.pdf>

WHEREAS, Hewlett-Packard Company (HP) provides biometric identification systems used at Israeli military checkpoints, which restricted the freedom of movement of Palestinians, facilitate discrimination against Palestinians, and reinforce a stratification of citizenship¹⁵;

WHEREAS, HP profits from global mass incarceration and provides prisoner data systems for the Department of Homeland Security's Immigration and Customs (ICE) Law Enforcement Support Center¹⁶;

WHEREAS, these five companies have been directly engaged by various public campaigns and concerned investors about their complicit involvement in the previously mentioned human rights violations to no avail¹⁷;

WHEREAS, Caterpillar, Cemex, CRH, GE, and HP directly profit from the ongoing violations of international law and human rights and have an economic stake in the continuation of these violations;

LET IT BE RESOLVED, that the Undergraduate Students Association Council of the University of California, Los Angeles calls upon the University of California to withdraw investments in securities, endowments, mutual funds, and other monetary instruments with holdings in the aforementioned companies, until these companies are no longer engaged in the violation of human rights and other behavior deemed unethical by the UCLA community, and at such time and in such manner as fund trustees may determine;

LET IT FURTHER BE RESOLVED, that if it is found that UCLA funds are being invested in any of the above mentioned companies, the Undergraduate Students Association Council of the University of California, Los Angeles calls upon UCLA to divest all stocks and securities of such companies, at such time and in such manner as fund trustees may determine, with the goal of maintaining the divestment, in the case of said companies, until they cease these specific practices;

LET IT FURTHER BE RESOLVED, that the Undergraduate Students Association Council of the University of California, Los Angeles calls upon UCLA and the UCLA Foundation to refrain from making further investments, and to advocate that the UC system not make further investments, in any companies engaged in the violation of human rights or other behavior deemed unethical by the UCLA community;

¹⁵ Who Profits' report on HP's involvement in settlements and occupation infrastructure: <http://www.whoprofits.org/company/hewlett-packard-hp>

¹⁶ Global Exchange's report on HP, which includes a section on its services to the prison and immigration systems in the United States: <http://www.globalexchange.org/economicactivism/hp/why>

¹⁷ The United Methodist Church's record of engagement with Caterpillar: <http://www.rabbisletter.org/caterpillar-tells-methodists-it-will-not-change-business-practices-relating-to-palestine/>; and record of engagement with Hewlett-Packard: <http://www.pcusa.org/media/uploads/mrti/pdfs/2012-mrti-report-9-9-11.pdf>

LET IT FURTHER BE RESOLVED, that this resolution should be understood and interpreted on its own merits, rationales, and ends, regardless of how external parties in a larger "Boycott, Divestment, and Sanctions movement" or in the Israeli government characterize it, and should not be seen as an endorsement of any external party or views other than those expressed within the text itself;

LET IT FINALLY BE RESOLVED, that we, the students, call upon our university to dissociate itself from companies that engage or aid in systematic prejudiced oppression, whether this system targets people based on their religion, nationality, gender, race or orientation, by divesting from companies that participate in or profit from human rights violations.