

ASSOCIATED STUDENTS
University of California, Santa Barbara

Senate Resolution/Bill

Title: A Resolution to Divest From Companies that Profit From Human Rights Violations in Israel/Palestine			
Author	Ricardo Uribe	Second	Xochitl Briseno
Number		FPP	
Bill Type	Directional	Vote	50%+1

CONSTITUTION AND BY-LAWS RECOMMENDATION

Grammatical Recommendations	
Structural Recommendations	
Legal Code Violations	
Pass with Amendments	
Table	

COMMITTEE RECOMMENDATION

Pass as Written		Pass with Amendments		Do Not Pass	
Refer to Committee					
Recommended by a Vote of		Chairperson's Initials			

STUDENT-SPONSORED LEGISLATION

Student Sponsor	Dylan Kupsh, Fatima Abdel-Gwad
<i>The Student Sponsored Liaison has ensured that this Student-Sponsored Resolution is correct in its form and adherence to the AS UCSB Legal Code.</i>	

FISCAL IMPACT

Amount	0	Account	
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A Resolution to Divest From Companies that Profit From Human Rights Violations in Israel/Palestine

WHEREAS: In September 2014, the University of California (UC) became a signatory on the United Nations-supported Principles for Responsible Investment¹ (PRI), which includes guidelines to incorporate principles of environmental and social responsibility in investment analysis and decision making processes; and,

WHEREAS: The Mission Statement of the University of California, Santa Barbara (UCSB) states, “Our commitment to public service is manifested through the creation and distribution of knowledge that advances the well-being of our state, nation, and world,”² and,

WHEREAS: The University of California remains invested in companies that do not meet the standards of either the United Nations-supported Principles for Responsible Investment or UC Santa Barbara’s Mission Statement; and,

WHEREAS: The Associated Students of the University of California Santa Barbara (ASUCSB) Senate passed a “Responsibility in UC Investments” resolution in May 2014 which outlined a process for responsible and ethical investments in line with the UC-wide Principles for Responsible Investment; and,

WHEREAS: UC students have used, and continue to use, divestment³ campaigns to reclaim political agency and to change UC policies that maintain investments in companies that demonstrate a lack of accountability, ethicality, and respect for the rights and dignity of others,

¹ UC Office of the President, “UC Joins UN-supported Principles for Responsible Investment” (2014).

² University of California, Santa Barbara, “Introduction to Our Campus: Mission Statement” *General Catalog 2018-2019*.

³ Divesting is the process of selling an asset, done for either financial or social goals.

most notably in the context of South Africa⁴, and most recently in the context of Turkey,⁵ fossil fuels⁶, the prison industrial complex⁷, and the Deportation Regime; and,

WHEREAS: That same commitment to challenge unethical investments and UC policies is reflected in the case of Israel/Palestine, a site of a military occupation and numerous human rights violations and abuses against the Palestinian people; and,

WHEREAS: Many companies are complicit in the human rights violations committed by the Israeli government, as documented by human rights organizations including: Amnesty International⁸, Human Rights Watch^{9,10,11,12}, B'tselem^{13,14,15,16}, Al-Haq¹⁷, Defense for Children

⁴ Living History Project: A Collective History of Student Engagement at UC Santa Barbara, "UC Divestment from South Africa."

⁵ Gwendolyn, Wu. "Senators Scramble to Pass Legislation as Quarter Ends" March 24, 2016.

⁶ Josh Ortiz, "Chancellor Yang Agrees to Endorse \$3 Billion UC Divestment from Fossil Fuels After 72-Hour Sit In" *Daily Nexus*, May 11, 2017.

⁷ Revati Thatte, "UC to Divest from Wells Fargo after African Black Coalition Advocacy." *The Daily Californian*, January 31, 2017.

⁸ Amnesty International, "Israel and Occupied Palestinian Territories 2017/2018"

⁹ Human Rights Watch, "Meeting the Challenge: Protecting Civilians through the Convention on Cluster Munitions." November 22, 2010.

¹⁰ Human Rights Watch, "Precisely Wrong: Gaza Civilians Killed by Israeli Drone-Launched Missiles." June 30, 2009.

¹¹ Human Rights Watch, "Rain of Fire: Israel's Unlawful Use of White Phosphorus in Gaza." March 25, 2009.

¹² Human Rights Watch, "World Report 2019: Israel and Palestine."

¹³ B'Tselem, "If the heart be not callous: On the unlawful shooting of unarmed demonstrators in Gaza." April 2018.

¹⁴ Yael Stein, "Human Rights Violations during Operation Pillar of Defense." *B'Tselem*, November 2012.

¹⁵ Yael Stein, "Minors in Jeopardy Violation of the Rights of Palestinian Minors by Israel's Military Courts" *B'Tselem*, March 2018.

¹⁶ Noga Kadman, "Backed by the System: Abuse and Torture at the Shikma Interrogation Facility." *B'Tselem and Hamoked*, December 2015.

¹⁷ Naser Rayyes, "The Israeli Settlements from the Perspective of International Law." *Al-Haq Organization*, 2000.

International^{18,19}, Addameer^{20,21}, Adalah^{22,23}, Badil^{24,25}, the International Committee of the Red Cross²⁶, and the Israeli Coalition Against House Demolitions²⁷; and,

WHEREAS: These organizations have shown their credibility in a variety of contexts, and data provided by a number of these organizations has been used to make decisions at the highest political levels, including the United Nations, and;

WHEREAS: These organizations investigate human rights violations around the world, and do not specifically target a specific country, community, or government in their work, and;

WHEREAS: The human rights violations within Israel/Palestine has been recognized within several supranational bodies including by United Nations General Assembly^{28,29,30,31,32,33}, the United Nations Security Council^{34,35,36,37,38,39,40,41}, the United Nations Economic and Social

¹⁸ Defence for Children International, “Under Attack: Settler violence against Palestinian children.” July 2010.

¹⁹ Defence for Children International, “Palestinian Child Prisoners The systematic and institutionalised ill-treatment and torture of Palestinian children by Israeli authorities.” June 2009.

²⁰ Addameer Prisoner Support and Human Rights Association, “Administrative Detention in the Occupied Palestinian Territory.” 2016.

²¹ Addameer Prisoner Support and Human Rights Association, “The Economic Exploitation of Palestinian Political Prisoners.” 2016.

²² Adalah, “Legal Violations of Arab Minority Rights in Israel.” March 1998.

²³ Adalah, “Prohibited Protest.” September 2009.

²⁴ Amaya al-Orzza and Lisa Auer, “Excessive Use of Force by the Israeli Army.” *BADIL Resource Center for Palestinian Residency & Refugee Rights*, April 2017.

²⁵ Wassim Ghantous and Jessica Binzoni, “Corporate Complicity in Violations of International Law in Palestine.” *BADIL Resource Center for Palestinian Residency & Refugee Rights*, December 2014.

²⁶ International Committee of the Red Cross, “Israel must abide by International Humanitarian Law.” September 13, 2018.

²⁷ Jeff Halper, “Obstacles to Peace: A Reframing of the Israeli-Palestinian Conflict.” *The Israeli Committee Against House Demolitions*, May 2018.

²⁸ United Nations General Assembly Resolution 2546, December 11, 1969.

²⁹ United Nations General Assembly Resolution 2851, December 20, 1971.

³⁰ United Nations General Assembly Resolution 31/20, November 24, 1976.

³¹ United Nations General Assembly Resolution 37/123, November 24, 1976.

³² United Nations General Assembly Resolution 38/180, December 19, 1983.

³³ United Nations General Assembly Resolution 66/225, December 22, 2011.

³⁴ United Nations Security Council Resolution 242, November 22, 1967.

³⁵ United Nations Security Council Resolution 446, March 22, 1979.

³⁶ United Nations Security Council Resolution 465, March 1, 1980.

³⁷ United Nations Security Council Resolution 484, December 19, 1980.

³⁸ United Nations Security Council Resolution 605, December 22, 1987.

³⁹ United Nations Security Council Resolution 672, October 12, 1990.

⁴⁰ United Nations Security Council Resolution 1397, March 12, 2002.

⁴¹ United Nations Security Council Resolution 2334, December 23, 2016.

Commission for Western Asia⁴², the International Court of Justice⁴³, and the United Nations Human Rights Council^{44,45,46}, among others; and,

WHEREAS: The ASUCSB has made various decisions based on United Nations findings and United Nations resolutions, specifically in the cases of Divestment from Turkey, the Deportation Regime, Fossil Fuels, and South African apartheid throughout the years; and,

WHEREAS: On February 20, 2019, the ASUCSB Senate unanimously passed a resolution upholding the facts, figures, and statements as well as strongly supporting the objective, mission statement, and establishment of the United Nations Human Rights Council; and,

WHEREAS: Universities have passed similar resolutions to divest including, but not limited to: UC San Diego⁴⁷, UC Riverside⁴⁸, UC Irvine⁴⁹, UC Santa Cruz⁵⁰, UC Berkeley⁵¹, UC Los Angeles⁵², UC Davis⁵³, UC Merced⁵⁴, Wayne State University⁵⁵, University of Michigan at Dearborn⁵⁶, Hampshire College, Evergreen State College⁵⁷, DePaul University⁵⁸, UMass Boston⁵⁹, Arizona

⁴² United Nations Economic and Social Commission for Western Asia, *Israeli Practices towards the Palestinian People and the Question of Apartheid*, March 15, 2017.

⁴³ Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, ICJ Report 131, 2004.

⁴⁴ United Nations Human Rights Council, *Report of the independent international commission of inquiry on the protests in the Occupied Palestinian Territory*, February 25, 2019.

⁴⁵ United Nations Human Rights Council, *Human Rights in Palestine and other Occupied Arab Territories: Report of the United Nations Fact-Finding Mission on the Gaza Conflict*, September 25, 2009.

⁴⁶ United Nations Human Rights Council Resolution 31/34, March 24, 2016.

⁴⁷ Larry Gordon, "UC San Diego council seeks divestment from firms with West Bank ties." *LA Times*, March 14, 2013.

⁴⁸ James Grant, "UC Riverside Responds to Student Government Resolution on Divestment." *UCR Today*, April 28, 2014.

⁴⁹ Sabreen Shalabi and Shadi Jafari, "Divestment from Companies that Profit from Apartheid." Associated Students of UC Irvine, 2012.

⁵⁰ Nora Barrows-Friedman, "We are the turning point': UC Santa Cruz passes divestment." *Electronic Intifada*, May 29, 2014.

⁵¹ Jeremy Gordon and Daphne Chen, "ASUC Senate passes Israeli divestment bill SB 160, 11-9." *Daily Californian*, April 18, 2013.

⁵² Kendal Mitchell and Joseph Vescera, "USAC passes divestment resolution with 8-2-2 vote." *Daily Bruin*, November 18, 2014.

⁵³ Shihadih, "An ASUCD Senate Resolution urging the UC Regents to divest from corporations that aid in the Israeli occupation of Palestine and illegal settlements in Palestinian territories." Associated Students of UC Davis, 2015.

⁵⁴ Nora Barrows-Friedman, "Students urge end to US-Israel police exchanges." *Electronic Intifada*, May 24, 2017.

⁵⁵ "WSU Student Council votes for divestiture." *The Arab American News*, May 2, 2003.

⁵⁶ Khuja, "Student Government Resolution #2005-009." *University of Michigan - Dearborn Student Government*, February 22, 2005.

⁵⁷ TESC Divest, "The Student Body Resolutions Passed." Spring 2010.

⁵⁸ DePaul University Student Government Association, "SGA Election Results." Spring 2014

⁵⁹ Students for Justice in Palestine, University of Massachusetts Boston, "UMASS Boston Student Senate Passes Resolution Calling for Divestment from Boeing." April 18, 2012

State University⁶⁰, Oberlin College⁶¹, University of New Mexico in Albuquerque⁶², Wesleyan University⁶³, Stanford University⁶⁴, Northwestern University⁶⁵, University of Toledo⁶⁶, Loyola University Chicago⁶⁷, Earlham College⁶⁸, Oglethorpe University⁶⁹, San Jose State University⁷⁰, University of South Florida⁷¹, University of Illinois at Chicago⁷², Vassar College⁷³, University of Indianapolis⁷⁴, Rutgers University-Newark⁷⁵, University of Minnesota⁷⁶, University of Chicago⁷⁷, Portland State University⁷⁸, Manchester University⁷⁹, De Anza Community College⁸⁰, Sacramento City College⁸¹, Tufts University⁸², University of Wisconsin⁸³, California State

⁶⁰ Arizona State University Students for Justice in Palestine, "Arizona State University Student Government Votes to Divest from Israel," June 5, 2012.

⁶¹ Oberlin Students for a Free Palestine, "Oberlin Students for a Free Palestine Pass Divestment Resolution." May 6, 2013.

⁶² Nora Barrows-Friedman, "Graduate students vote to divest at University of New Mexico." *Electronic Intifada*, April 28, 2014.

⁶³ Ali Abunimah, "Wesleyan student fund bars investment in Israeli-occupation profiteers." *Electronic Intifada*, May 5, 2014

⁶⁴ Alexis Garduno, "Senate reverses divestment vote, passes resolution." *The Stanford Daily*, February 17, 2015.

⁶⁵ Shane McKeon, "After more than five hours of debate, ASG Senate narrowly passes NUDivest resolution." *The Daily Northwestern*, February 19, 2015.

⁶⁶ Sami Mubarak, "A Resolution to Support the Withdrawal of OSU's Investments in Corporations Complicit in Human Rights Violations." Ohio State University Undergraduate Student Government, May 4, 2015.

⁶⁷ Nader Ihmoud, "Student Government at Loyola Chicago's President signs, endorses divestment resolution." *Palestine in America*, March 25, 2015.

⁶⁸ Jocelyn Sawyer, "Earlham Student Government APPROVES Resolution for Divestment!" *Earlham College REInvestment Campaign*, April 25, 2015.

⁶⁹ John Yager, "Oglethorpe stands with Palestine': BDS comes to the American south." *Mondoweiss*, May 28, 2015.

⁷⁰ Students for Justice in Palestine at San Jose State University, "San Jose State University Students Pass Resolution to Divest from Corporations that profit from the Israeli Occupation." November 18, 2015.

⁷¹ Miki Shine, "SG Senate votes for divestment." *The Oracle*, January 20, 2016.

⁷² Yasmeen Elagha, "UIC Undergraduate Student Government passes divestment resolution unanimously." *Palestine in America*, February 15, 2016.

⁷³ Members of the Vassar BDS Coalition, "A resolution concerning the Boycott, Divestment, and Sanctions Movement." Vassar College. February 2016.

⁷⁴ Eman Samara, "University of Indianapolis Student Senate passes divestment resolution." *Palestine in America*, May 13, 2016.

⁷⁵ Students for Justice in Palestine: Rutgers University Newark, "Rutgers University-Newark Student Governing Association passed a resolution to support the divestment." April 4, 2016.

⁷⁶ UMN Divest, "The University of Minnesota has voted YES to Divest!" March 11, 2018.

⁷⁷ Adam Thorp, "College Council Passes Resolution Recommending Divestment." *The Chicago Maroon*, April 15, 2016.

⁷⁸ Associated Students of Portland State University, "Associated Students of Portland State University Pass Divestment Resolution In Support of Palestinian Human Rights." October 26, 2016.

⁷⁹ Manchester University Students for Justice in Palestine, "Manchester University Student Senate voted unanimously for the statement in support of the Boycott, Divestment, and Sanctions." November 13, 2016

⁸⁰ Kunal Mehta, "DASB Senate passes resolution to divest from Israeli occupations." *La Voz News*, March 21, 2017.

⁸¹ Sacramento City College. *Student Senate Board Meeting*. March 15, 2017.

⁸² Zachary Hertz, "TCU Senate passes resolution urging divestment from companies involved in occupied Palestinian Territories." *The Tufts Daily*, April 10, 2017.

University Long Beach⁸⁴, University of Michigan⁸⁵, Barnard College⁸⁶, George Washington University⁸⁷, University of Oregon⁸⁸, California State University East Bay⁸⁹, New York University⁹⁰, Brown University⁹¹; and,

WHEREAS: The 48 UCSB student organizations (Asian Pacific Islander Political Alliance (APIPA), Arab Student Group (ASG), Armenian Student Association (ASA), A.S. Queer Commission, A.S Student Commission on Racial Equality (SCORE), A.S. Student Initiated Retention and Recruitment Committee (SIRCC), A.S. Human Rights Board (HRB), A.S. Womxn’s Commission, Black Pioneers Renaissance Organization (BPRO), Black Student Union (BSU), Campus Marxist Humanists (CMH), Chicanx/Latinx Graduation (CLG), Cultura Arts de El Congreso, Clementine Creatives, East African Student Association, El Centro Committee, El Congreso, Graduate Student Association (GSA), Jewish Voices for Peace UCSB, Kapatirang Pilipino (KP), Improving Dreams Equality Access & Success (IDEAS), International Student Association (ISA), La Escuelita, La Familia de Colores, Mesa Directiva, Mujeres Unidas por Justicia Educacion y Revolucion (MUJER), Muslim Student Association (MSA), Out in Science Technology Engineering and Mathematics (oSTEM), Pan-African Student Union (PASU), Pilipino Culture Night (PCN), Pride @ UCSB, Queer Art Collective (QAC), Queers Against Fascism (QAF), Queer People of Color Collective (QPOCC), Queer Student Union (QSU), Radio Xicana, Raíces de Mi Tierra, Society for Accessible and Safe Spaces (SASS), South West Asian and North African Alliance - Santa Barbara (SWANAA-SB), Student Activist Network (SAN), Students for Justice in Palestine at UCSB (SJP), Student Health Outreach, Transgender Social Group (TSG), UCSB Student-Worker Coalition, United Students Against Sweatshops (USAS), United Student Labor Action Coalition (USLAC), Union Salvadorena de Estudiantes Universitarios (USEU), Vogue Club, Voices of the Community En Resistencia Organizing Solidarity (VOCEROS)) that have endorsed this resolution in the past or currently endorse this resolution illustrates the overwhelming call by students across this campus to divest from these holdings; and,

⁸³ Peyton David, “ASM unanimously approves contentious divestment proposal to mixed reactions from campus.” *The Badger Herald*, April 27, 2017

⁸⁴ James Chow, “ASI senate passes resolution for CSULB to divest in Israel.” *Daily 49er*.

⁸⁵ Martin Slagter, “University of Michigan student government calls to divest from companies in Israel.” *MLive*, November 15, 2017.

⁸⁶ Barnard College Student Government Association, “Barnard College Votes in Support of Palestinian Rights.” April 19, 2018.

⁸⁷ Joshua Gomez, Eden Vitoff, Jessica Martinez, and Shaheera Jalil Albasit, “The Protection of Palestinian Human Rights Act.” *George Washington University Student Senate*, April 24, 2018.

⁸⁸ Students United for Palestinian Equal Rights, “Announcing that the BDS resolution introduced to the ASUO Senate.” May 24, 2018.

⁸⁹ California State University, East Bay Divestment, “The Student Government of CSU East Bay Endorses a Resolution Calling for Divestment from Corporations Complicit in the Illegal Military Occupation of Palestine.” May 24, 2018.

⁹⁰ Victor Porcelli, “Student Government Passes BDS Resolution After Shouts, Screams and Snaps.” *Washington Square News*, December 6, 2018.

⁹¹ Kayla Guo, “William Zhou ’20 elected UCS President, Julian De Georgia ’20 elected UFB Chair.” *Brown Daily Herald*, March 21, 2019.

WHEREAS: The University of California Student Association (UCSA), a body that strives to serve as a collective voice of all UC students through advocacy and direct action, passed a resolution calling for “the UC Regents to incorporate student demands in its investment decisions, including demands specifically related to issues of corporate complicity in human rights violations in the Occupied Palestinian Territories and elsewhere;”⁹² and,

WHEREAS: The UC Student Worker Union, UAW 2865, representing over 13,000 teaching assistants, readers, tutors, and other student workers at the University of California, voted by a 65% margin to support the call for the UC Regents to divest from corporations implicated in the violation of Palestinian human rights⁹³; and,

WHEREAS: The following illustrative and non-exhaustive list of the corporations, in which the University of California invests, who profit from, and enable human rights abuses and violence, which the University implicitly condones through its investments; and,

WHEREAS: Boeing, CNH Industrial, Caterpillar, Cemex, General Dynamics, General Electric, L-3 Technologies, Lockheed Martin, Northrop Grumman, Raytheon, Siemens, United Technologies, and Valero Energy, 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” as stated in the United Nations Declaration of Human Rights⁹⁴; and,

WHEREAS: Through the University of California Retirement Plan (UCRP), the UC Regents invested \$5,204,048.08 in Boeing, \$2,797,711.12 in CNH Industrial, \$48,612,939.05 in Caterpillar Financial, \$3,163,199.99 in Cemex, \$2,328,749.99 in Cemex Finance, \$3,062,349.62 in General Dynamics, \$18,066,294.48 in General Electric, \$5,375,159.39 in L-3 Technologies, \$1,274,542.13 in Lockheed Martin, \$14,058,980.21 in Northrop Grumman, \$11,788,102.59 in Siemens, \$5,083,026.73 in United Technologies, \$3,837,213.13 in Valero Energy and \$1,076,195,908.74 in Blackrock Strategic Income Opportunities, which invests 5.5 million dollars in Lockheed Martin and has a 11.5 million borrowed bond agreement with Cemex⁹⁵, for the 2018 fiscal year⁹⁶; and,

WHEREAS: Through the General Endowment Pool (GEP), the UC Regents invested \$1,387,060.05 in Caterpillar Financial, \$497,250.00 in Cemex, \$2,213,250.97 in General Dynamics, and \$199,661,669.98 in Blackrock Strategic Income Opportunities which invests 5.5

⁹² Caitlin Quinn, “Resolution Calling for the UC Regents to Divest from Corporations Violating Palestinian Human Rights” University of California Student Association, 2015.

⁹³ UAW 2865, “UC Student-Worker Union, Becomes First Major U.S. Labor Union to Support Divestment from Israel by Membership Vote.” December 10, 2014

⁹⁴ United Nations, “Universal Declaration of Human Rights” December 10, 1948.

⁹⁵ Blackrock Strategic Income Opportunities, “Annual Report.” *Blackrock*, December 31, 2017.

⁹⁶ Chief Investment Officer of the Regents, “UCRP Holdings as of June 30, 2018: Equity Investments.” Office of the President.

million dollars in Lockheed Martin and has a 11.5 million borrowed bond agreement with Cemex⁹⁷ for the 2018 fiscal year⁹⁸; and,

WHEREAS: The total amount the University of California Regents have invested in these companies alone totaled over \$127 million for the 2018 fiscal year; and,

WHEREAS: Through the Investment Advisory Committee, ASUCSB invested \$55,771.96 in DFA Emerging Markets Social Core Portfolio which invests 1.7 million dollars in Cemex⁹⁹, \$19,627.06 in PIMCO Emerging Local Bond Fund which invests .8 million dollars and .4 million dollars in corporate bonds to General Electric and 2.3 million dollars in credit default swaps to General Electric¹⁰⁰, \$1,589.28 in iShares Core S&P 500 ETF which invests 1.39 billion dollars in Boeing, 551 million dollars in Caterpillar, 367 million dollars in Raytheon, 525 million dollars in Lockheed Martin, 638 million dollars in General Electric, 329.6 million dollars in General Dynamics, 734.8 million dollars in United Technologies, 331 million dollars in Northrop Grumman, and 257.6 million dollars in Valero Energy¹⁰¹, \$1,353.00 in iShares MSCI EAFE ETF which invests 533 million dollars in Siemens and 59.57 million dollars in CNH Industrial¹⁰², and \$2,351.25 in iShares MSCI Emerging Markets ETF which invests 61.4 million dollars in Cemex¹⁰³ as of January 24, 2019; and,

WHEREAS: ASUCSB Senate has previously voted to divest from Lockheed Martin, Northrop Grumman, and General Electric, however, the UC still remains invested within these corporations; and,

WHEREAS: Caterpillar has provided engineering tools routinely used in the demolition of Palestinian homes, refugee camps, water cisterns, and agricultural fields in the West Bank and Gaza^{104,105}, and bulldozers used to expand illegal settlements and to construct the Separation Wall and military checkpoints throughout the West Bank, which have been ruled to be in violation of international law in the International Court of Justice's 2004 Advisory Opinion¹⁰⁶; and,

⁹⁷ Blackrock Strategic Income Opportunities, "Annual Report." *Blackrock*, December 31, 2017.

⁹⁸ Chief Investment Officer of the Regents, "GEP Holdings as of June 30, 2018: Equity Investments" Office of the President.

⁹⁹ Dimensional Investments, "Emerging Markets Social Core Equity Portfolio." January 31, 2019.

¹⁰⁰ Pimco Emerging Local Bond Fund, "Annual Report." *Pimco*, March 31, 2018.

¹⁰¹ iShares Trust, "2018 Annual Report." *Blackrock*, March 31, 2018.

¹⁰² iShares Trust, "2018 Annual Report." *Blackrock*, July 31, 2018.

¹⁰³ iShares Trust, "2018 Annual Report." *Blackrock*, August 31, 2018.

¹⁰⁴ Human Rights Watch, "Razing Rafah: Mass Home Demolitions in the Gaza Strip." October 2004

¹⁰⁵ Amnesty International, "Under the rubble: House demolition and destruction of land and property." May 2004.

¹⁰⁶ Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, ICJ Report 131, 2004.

WHEREAS: CNH Industrial provides engineering machinery used for the construction of West Bank settlements and their infrastructure, settlement industrial zones, and the Separation Wall as well as tools that have been used during house demolitions in the West Bank¹⁰⁷; and,

WHEREAS: Cemex owns Readymix Industries, which owns and operates three different ready-mix concrete plants within the Occupied Palestinian Territories which participate in the excavation of Palestinian natural resources¹⁰⁸ and provides concrete for the construction of illegal settlements, the Separation Wall, and military checkpoints throughout the West Bank¹⁰⁹; and,

WHEREAS: Siemens supplied traffic control systems for installation on roads prohibited from Palestinian usage leading to illegal settlements within the West Bank¹¹⁰ and sold 118 passenger coaches for use in a rail-line that runs through the Occupied Palestinian Territories¹¹¹; and,

WHEREAS: L3 Technologies supplied Israeli military with the SafeView¹¹² magnometric scanners used at the Erez checkpoint in Gaza and the Qalandia, Bethlehem, and Sha'ar Efraim checkpoints in the West Bank¹¹³, personal luggage scanners used at checkpoints in the West Bank, produced ProVision screening machines used in the Erez checkpoint¹¹⁴, supplied diesel engines for ground combat vehicles specifically producing the engine of the Merkava IV battle tank¹¹⁵ and owns KDI Precision Products which participated in a \$647 million contract to sell at least 11,500 precision bomb fuses and Joint Direct Attack Munitions (JDAM) guided-bomb tail kits to the Israeli military¹¹⁶; and,

WHEREAS: In 2002, Northrop Grumman signed a 23-year, \$487 million deal to provide the U.S., Israel, and 15 other countries with F-16 fire-control radar engineering services, replacement parts, and technical support¹¹⁷ - all of which have been used during the 2006

¹⁰⁷ Who Profits from the Occupation, "CNH Industrial."

¹⁰⁸ Cemex, "Cemex response to the alleged violations of international law and contravention of codes of conduct and conventions regulating the activities of multinational corporations." Business & Human Rights Resource Centre, June 28, 2011.

¹⁰⁹ United Nations, General Assembly, *Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967*, September 19, 2012.

¹¹⁰ Siemens, "Less congestion, less CO2 – Reserved lane to Tel Aviv opened: Siemens delivers innovative traffic management system." February 1, 2011.

¹¹¹ Railway Gazette, "Israel Railways orders second batch of Siemens coaches." March 9, 2010.

¹¹² L3 Security & Detection Systems, "Advanced Personal Screening."

¹¹³ The Coalition of Women for Peace and Who Profits from the Occupation, "The Gendered Aspect of Israeli Checkpoints in the Occupied Palestinian Territories." December 2015.

¹¹⁴ Who Profits from the Occupation, "L-3 Communications."

¹¹⁵ Dave Alexander, "A new L3: Muskegon manufacturer suffers as defense spending declines." *Defence & Aerospace News*, January 19, 2012.

¹¹⁶ US Defense Security Cooperation Agency, "US Approves JDAM Sale to Israel." *Defencetalk*, December 12, 2012.

¹¹⁷ Northrop Grumman, "Northrop Grumman Awarded 'Falcon 2020' Multi-Year F-16 Radar Support Contract." April 17, 2002.

Lebanon War,¹¹⁸ 2008-9 Gaza War (Operation Cast Lead)¹¹⁹, Operation Pillar of Defence¹²⁰ in 2012, and Operation Protective Edge¹²¹ in 2014; and,

WHEREAS: Lockheed Martin serves as one of the world's largest arms manufacturers and provided the Israeli military with F-16 fighter jets, Longbow Hellfire missiles, and AH-64 Apache Longbow helicopter parts, in collaboration with Northrop Grumman and other weapons companies, along with associated training and maintenance¹²² that were then used in the aforementioned military operations that resulted in major loss of life within the Occupied Palestinian Territories; and,

WHEREAS: Boeing provided the Israeli military with AH-64 Apache helicopters, F-15 fighter jets¹²³, Hellfire missiles¹²⁴, MK-84 2000-lb bombs¹²⁵, MK-82 500-lb bombs¹²⁶, and Joint Direct Attack Munitions (JDAM) kits that turn bombs into "smart" GPS-equipped guided bombs¹²⁷ that were then used in the aforementioned military operations that resulted in major loss of life within the Occupied Palestinian Territories; and,

WHEREAS: Raytheon provided the Israeli military with missiles including the AGM Maverick air-to-surface missile, the TOW missile, the AIM-9X Sidewinder¹²⁸, AIM-120 AMRAAM missile, and Paveway-guided bombs that were then used in the aforementioned military operations that resulted in major loss of life within the Occupied Palestinian Territories; and,

WHEREAS: General Dynamics provided the Israeli military with weapon systems and munitions including the BLU-113 5,000-lb "bunker buster bombs"¹²⁹, MK-82 500-lb¹³⁰ and MK-84 2000-lb

¹¹⁸ Human Rights Watch, "Why They Died: Civilian Casualties in Lebanon During the 2006 War," Vol. 19, No. 5 (E). September 2007.

¹¹⁹ United Nations General Assembly, "Human Rights In Palestine and Other Occupied Arab Territories: Report of the United Nations Fact Finding on the Gaza Conflict." 12th Session, Agenda Item 7. September 25, 2009.

¹²⁰ Esposito, Michele K. (Spring 2009). "Military Dimensions: The Israeli Arsenal Deployed against Gaza". *Journal of Palestine Studies*. University of California Press on behalf of the Institute for Palestine Studies. 38 (3): 175–191.

¹²¹ United Nations Office for the Coordination of Humanitarian Affairs, "Data Featured in the Report of the Independent Commission of Inquiry on the 2014 Gaza Conflict." June 23, 2015.

¹²² United Nations Human Rights Office of the High Commissioner, "The United Nations Independent Commission of Inquiry on the 2014 Gaza Conflict." United Nations Human Rights Council.

¹²³ US Department of Defence, "Contracts for Sept. 27, 2017." September 27, 2017.

¹²⁴ Defence Industry Daily Staff, "Israel Stocking up on Missiles, Munitions: \$1.33B." *Defence Industry Daily*, November 1, 2007.

¹²⁵ Lieven Dewitte, "First International JDAM Sale: Boeing to Integrate Weapon on Israeli Aircraft." *F-16 News*. May 31, 2000.

¹²⁶ US Defence Security Cooperation Agency, "Israel – Munitions." December 20, 2012.

¹²⁷ Strategy Page, "Air Weapons: Israel Stocks Up On JDAM." January 8, 2013.

¹²⁸ US Defence Security Cooperation Agency, "Israel – AIM-9X Sidewinder Missiles." July 14, 2014.

¹²⁹ US Defence Security Cooperation Agency, "Israel – Joint Direct Attack Muniton Tail Kits and Munitions." May 19, 2015.

¹³⁰ Defence Industry Daily Staff, "Israel Looks to Replenish Bomb Stocks." *Defence Industry Daily*, August 7, 2007.

bombs¹³¹, BLU-109 bomb, the Namer (Leopard) armored personnel carriers (APCs)¹³², and gun systems which arm the F-16¹³³ and F-35 fighter jets¹³⁴ which all have been used in the aforementioned military operations that resulted in major loss of life within the Occupied Palestinian Territories; and,

WHEREAS: General Electric supplies T700 turboshaft engines for the AH-64 Apache Longbow¹³⁵ helicopter which was used in aerial assaults on the Palestinian people¹³⁶; and,

WHEREAS: United Technologies Corporation renders services to the Israeli military through its aviation subsidiary, Pratt and Whitney, which manufacture engines used in F-15s and F-16s¹³⁷,^{138,139} that are used in aerial assaults on the Palestinian people; and,

WHEREAS: Valero Energy supplies the Israeli military with a kerosene-based jet propulsion fuel called JP-8 which powers Israel's AH-64 attack helicopters¹⁴⁰, F-15 and F-16 fighter/bombers, and Merkava that were then all used in the aforementioned military operations that resulted in major loss of life within the Occupied Palestinian Territories; and,

WHEREAS: Of the thirteen aforementioned companies, ten have their headquarters within the United States, one has their headquarters within Mexico, one has their headquarters within Germany, and one has their headquarters within the United Kingdom; and,

WHEREAS: Having documented serious violations of human rights and potential war crimes, both Amnesty International^{141,142,143} and Human Rights Watch^{144,145} called upon the United States government and other parties to cease the transfer or sale of arms that would likely be used in

¹³¹ Defence Industry Daily Staff, "Israel Requests 3,500 Mk 84 Bombs." *Defence Industry Daily*, April 24, 2001.

¹³² Ran Dagoni, "Israel halves Namer order with General Dynamics." *Globes*, January 14, 2014.

¹³³ General Dynamics, "F-16 20mm Gatling Gun System."

¹³⁴ Kris Osborne, "The F-35 Stealth Fighter Has a Super Gun That Can Fire an Insane 3,300 Round Per Minute." *National Interest*, January 9, 2017.

¹³⁵ Air Recognition, "AH-64 Apache Attack Helicopter." in *Technical Data*.

¹³⁶ Human Rights Watch, "Israel: Gaza Airstrikes Violated Laws of War." February 12, 2013.

¹³⁷ Pratt & Whitney, "F100 Engine."

¹³⁸ Arjan El Fassed, "US may sell up to \$600 million to Israeli Air Force, after Israel-US agreement on China." *Electronic Intifada*, July 23, 2005.

¹³⁹ Pratt & Whitney, "Israeli Ministry of Defense Sign Historic 15 Year F100 Engine Sustainment Contract." December 1, 2015.

¹⁴⁰ Memphis Business Journal, "DoD awards Valero contract to ship jet fuel to Israel." July 17, 2006.

¹⁴¹ Amnesty International, "Letter to US Congress to Stop Weapons Transfer." June 26, 2014.

¹⁴² Edith Garwood, "The United States is Not Just a Bystander in Israel-Gaza Violence." *Amnesty International*, July 14, 2014.

¹⁴³ Amnesty International, "Stop US shipment of fuel to Israel's armed forces as evidence of Gaza war crimes mounts." August 4, 2014.

¹⁴⁴ Human Rights Watch, "Israel/Palestine: Unlawful Israeli Airstrikes Kill Civilians." July 15, 2014.

¹⁴⁵ Human Rights Watch, "Gaza: Israeli Soldiers Shoot and Kill Fleeing Civilians." August 4, 2014.

the further commission of human rights violations, specifically referencing corporations in which the University of California currently invests¹⁴⁶; and,

WHEREAS: Investment in these companies shows implicit support for the decisions and actions of these companies and the Israeli government, as well as their consequences, which include the killings of civilians; and,

WHEREAS: The consequences of these companies' actions also affect the UCSB community directly, including students whose families experience occupation, death, injury, and other forms of human rights violations; and,

WHEREAS: Students did not consent to investing in companies that actively engage in violence to others, and;

WHEREAS: The only way to achieve financial neutrality in such situations is to end our investment in, and implicit support for, such companies through divestment; and,

WHEREAS: This resolution aims neither to condemn a country, a people, or a community nor to determine a political solution or cast moral judgement, but is solely aimed at ending our University's support of companies that enable human rights violations; and,

WHEREAS: The ASUCSB Senate on multiple occasions has called on the university to financially disassociate itself from companies that help commit human rights violations; and,

WHEREAS: On February 20, 2019, the ASUCSB Senate unanimously reaffirmed its commitment toward fighting human rights abuse and intolerance; and,

WHEREAS: Support for human rights and opposition to investments in companies engaged in violence are principles that have the power to unite members of the UCSB community; and,

WHEREAS: In the Fall of 2018, the ASUCSB Senate unanimously voted to support a set of demands which included divestment from companies complicit in the violation of Palestinian Human Rights.¹⁴⁷

THEREFORE LET IT BE RESOLVED THAT THE ASSOCIATED STUDENTS IN THE 69TH SENATE ASSEMBLED: direct ASUCSB to examine its assets and UC assets for investments in companies that a) provide military assistance for or weaponry to the occupation of the Palestinian Territories, b) facilitate the building or maintenance of the Separation Wall or the demolition of Palestinian homes, and/or c) facilitate in the building, maintenance, or economic development of Israeli settlements on annexed Palestinian territories; and,

¹⁴⁶ Amnesty International, "Fuelling conflict: Foreign arms supplies to Israel/Gaza." February 23, 2009.

¹⁴⁷ UC-Wide Student Coalition for Campus Labor Justice, "Justice for the Workers of University of California!" December 2018.

LET IT FURTHER BE RESOLVED: That we, the Associated Students of UCSB, direct the ASUCSB Investment Advisory Committee, UCSB, the University of California Treasury, and the UC Regents to withdraw investments in securities, endowments, mutual funds, and other monetary instruments with holdings in any of the aforementioned companies or subsidiaries thereof, at such time and in such manner as fund trustees may determine; and that the University of California maintain the withdrawal of investments, in accordance with trustees' fiduciary duty, until these companies are no longer engaged in the violation of human rights and other behavior that fails to adhere to the University of California-endorsed Principles of Responsible Investment; and,

LET IT FURTHER BE RESOLVED: That we, the Associated Students of UCSB, direct the University of California to reaffirm its commitment to transparency and accountability in its investment practices; and,

LET IT FINALLY BE RESOLVED: That we, the Associated Students of UCSB, direct our university to financially disassociate itself from companies that help commit human rights violations, by divesting from companies that participate in, or profit, from human rights violations in Israel/Palestine.

CC:

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