

ASSOCIATED STUDENTS
University of California, Santa Barbara

Senate Resolution/Bill

Title: A Resolution to Divest from Corporations Violating Palestinian Human Rights			
Author	Jessy Gonzalez	Second	Hannah Lee
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	Alia Sky
<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	N/A
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A Resolution to Divest from Corporations Violating Palestinian Human Rights

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: 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, most notably in the context of South Africa, and most recently in the context of Turkey, fossil fuels, the prison industrial complex, and the US 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 military occupation and numerous human rights violations and abuses against the Palestinian people; 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, Caterpillar, General Dynamics, General Electric, Lockheed Martin, Northrop Grumman, and Raytheon 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 Rights;⁴ 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 Gaza⁵, and bulldozers used to expand illegal settlements and to construct the Apartheid Wall

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 2021-2022*.

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

⁴ United Nations, “Universal Declaration of Human Rights” December 10, 1948.

⁵ Amnesty International, “Under the rubble: House demolition and destruction of land and property.” May 2004.

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 Opinion;⁶ and,

WHEREAS: Lockheed Martin has served as one of the world's largest arms manufacturers and has 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 maintenance⁷ that were then used in the aforementioned military operations that resulted in major loss of life within the Occupied Palestinian Territories; 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 support⁸ - all of which have been used during the 2006 Lebanon War,⁹ 2008-9 Gaza War (Operation Cast Lead), Operation Pillar of Defence in 2012, and Operation Protective Edge in 2014;^{10,11} and,

WHEREAS: The total amount the UC Regents have invested in these companies alone totaled over \$35 million for the 2020 fiscal year;^{12,13} 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 and faculty whose families experience occupation, death, injury, and other forms of human rights violations; and,

⁶ Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, ICJ Report 131, 2004.

⁷ 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.

⁸ Northrop Grumman, "Northrop Grumman Awarded 'Falcon 2020' Multi-Year F-16 Radar Support Contract." April 17, 2002.

⁹ Human Rights Watch, "Why They Died: Civilian Casualties in Lebanon During the 2006 War," Vol. 19, No. 5 (E). September 2007.

¹⁰ 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.

¹¹ Esposito, Michele K. (Spring 2009). "Military Dimensions: The Israeli Arsenal Deployed against Gaza During Operation Cast Lead". Journal of Palestine Studies. University of California Press on behalf of the Institute for Palestine Studies. 38 (3): 175–191.

¹² University of California. UCRP Holdings, June 30, 2020.

¹³ University of California. GEP Holdings, June 30, 2020.

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

WHEREAS: Over 50 UCSB Student Organizations have endorsed past and/or present versions of this resolution illustrating the overwhelming call by students across this campus to divest from these holdings;¹⁴ and,

WHEREAS: The Associated Students of UC Davis, the Associated Students of the UC (Berkeley), the Associated Students of UC Merced, the Associated Students of UC Santa Cruz, the Undergraduate Student Association Council (at UC Los Angeles), the Associated Students of UC Irvine, the Associated Students of UC Riverside, the Associated Students of UC San Diego, the UC Student Association, and the United Auto Workers Local 2865 have directed the UC Regents to divest from Corporations violating Palestinian human rights; 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,

THEREFORE LET IT BE RESOLVED THAT THE ASSOCIATED STUDENTS IN THE 72ND SENATE ASSEMBLED: Direct 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.

CC:

UC President, Michael V. Drake

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Regents of the University of California

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Chief Investment Officer and Vice President of Investments, Jagdeep Singh Bachher

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Chancellor Henry T. Yang

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¹⁴ See Appendix A for a full list of Student Organizations.

APPENDIX A:

Student Organizations that have endorsed this resolution include:

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. Commission for Marginalized Genders, 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 (EASA), El Centro Committee, El Congreso, Graduate Student Association (GSA), Jewish Voice 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)

APPENDIX B:

For downloadable versions of all sources cited by this resolution, please refer to [this drive folder](#).