BILL # 2015 SPRING
SESSION

Legislative Action:
Introduced by: American Studies, Students for Justice in Palestine, Red Student Faction, UNM Dream Team, Out Queer Grads, Kiva Club, Students Organizing Actions for Peace, Movimiento Estudiantil Chican@ de Aztlan, Men of Color Alliance, Food Justice Initiative, and Red Nation (S).

1st Reading: ____________  Referred To: ____________________
2nd Reading: ____________  Committee Action: ________________
3rd Reading: ____________  Council Action: ________________

Executive Action:
☐ Approved  ☐ Vetoed

__________________________________________________________ __________________________
GPSA President Date
Unsigned by the President on this ____day of _______ 2015. Bill automatically becomes law.

Legislative Response:
Veto override vote taken: ________________  Council Action: ________________

Be it enacted by the Graduate and Professional Student Association at the University of New Mexico that the following be amended in (Article X) of the GPSA Constitution/Bylaw:

WHEREAS, the Associated Students of the University of New Mexico (ASUNM) Government is the representative body of the undergraduate students; and

WHEREAS Dr. Robert G. Frank, UNM’s 21st President states, “A university campus is the ideal place for the complex issues we face in today’s world to be discussed and debated, and the ways in which we express ourselves are just as important as the positions we defend”\(^1\); and

WHEREAS, in June 1985 the UNM Board of Regents unanimously voted to adopt a resolution to divest stocks in South African gold mining companies. Secretary-Treasurer Dr. Paez followed the vote by urging the University to consider future policies reflecting the UNM’s concern for human rights abuses in other countries\(^1\); and

WHEREAS, according to paragraph 7 of the same resolution, the committee recommends that UNM create a permanent committee to review, evaluate, and monitor other issues related to socially responsible investment\(^2\); and

WHEREAS, since 1967 Israel has been recognized by international law as an occupying power of the West Bank, East Jerusalem, and Gaza, hereafter referred to as the Occupied Palestinian Territories; and

WHEREAS, the illegal Israeli occupation of Palestine infringes upon Palestinian human rights in multiple overlapping ways including (but not limited to) the politically and ethnically motivated demolition of and resulting displacement of Palestinians from their homes and land; the restriction of movement via random roadblocks, military checkpoints, and the existence of “Israeli-only” roads; the consistent arrest of Palestinian men, women, and children who are held in prison without being charged with a crime or tried in a court; the theft of Palestinian land through Israeli settlements in the West Bank that are illegal according to international law; the blockade of Gaza which severely restricts the goods that can enter Gaza and prohibits residents from traveling outside of Gaza; and the “confiscation and control of Palestinian water resources”; and

WHEREAS, more Palestinians were killed in 2014 than in any other year since 1967 due in large part to the 50-day military offensive in Gaza called “Operation Protective Edge” which resulted in the death of 2,300 Palestinians; and

WHEREAS, there is a misconception that the strife resulting from the illegal occupation is due to religious conflict, when in fact it is primarily rooted in competing territorial claims; and

WHEREAS, there are many international bodies and non-governmental organizations, including the International Court of Justice, United Nations Human Rights Council, United Nations Office for the Coordination of Humanitarian Affairs, Human Rights Watch, Amnesty International, the Israeli Committee against House Demolitions, B’Tselem, Al-Haq, and Gaza NGO Safety Office that are actively trying to hold Israel accountable for its violations of the human rights of both Palestinians, African asylum seekers, and Bedouins; and

WHEREAS, according to the International Court of Justice the construction of the separation wall, a twenty-foot tall concrete barrier that runs around and throughout the West Bank separating Palestinian families and restricting freedom of movement, as well as the establishment and expansion of settlements in the occupied West Bank and East Jerusalem are illegal by international law; and

WHEREAS, the sixty-ninth session of the United Nations General Assembly expressed its concern “at the widespread destruction caused by Israel, the occupying Power, to vital infrastructure, including water pipelines and sewage networks, in the Occupied Palestinian Territories.”

WHEREAS, the sixty-second session of the United Nations General Assembly expressed its concern “about the continuing deterioration in the humanitarian and security situation in the Gaza Strip, including that resulting from the Israeli military actions against civilian areas, air raids and the prolonged closure of crossings into and out of the Gaza Strip”\textsuperscript{xxi}; and

WHEREAS, the United Nations Relief Work Agency states that due to Israel’s illegal siege of Gaza\textsuperscript{xxii}, the Gaza Strip will not be a “liveable place” by 2020\textsuperscript{xiii}; and

WHEREAS, Human Rights Watch has called on Israel to uphold the right of return for Palestinian refugees as part of a comprehensive solution to the Palestinian refugee problem; and

WHEREAS, Israeli Prime Minister Netanyahu has vowed to continue constructing illegal Israeli settlements in the Occupied Palestinian Territories and declared that there will be no Palestinian State under his watch indicating that, without external pressure, the Israeli government has no intention of changing its policies or working towards a fair resolution with Palestinians; and

WHEREAS, in 2005, inspired by the South African anti-apartheid movement, over 170 Palestinian grassroots organizations that represent Palestinian civil society called on the global community to stand in solidarity with Palestine by joining the Boycott, Divestment, and Sanctions movement (BDS) in order to motivate Israel to stop the systematic violation of human rights of Palestinians to comply with international law\textsuperscript{xxiv}; and

WHEREAS the call for BDS will stand until Israel: 1.) Ends the occupation and colonization of the Occupied Palestinian Territories; 2.) Recognizes the fundamental rights of Arab-Palestinian citizens of Israel to full equality and; 3.) Agrees to respect, protect, and promote the rights of Palestinian refugees to return to their homes and properties as stipulated in UN resolution 194\textsuperscript{xxv}— all of which would ensure Israel is in compliance with international law; and

WHEREAS, divestment is a nonviolent strategy employed by universities, religious organizations, and civil society organizations around the world to pressure corporations to withdraw from business actions that result in severe violations of international law and human rights; and

WHEREAS, Arizona State University, Hampshire College, Loyola University, Oberlin College, UC Berkeley, UC Irvine, UC Riverside, UCLA, UC Davis, Northwestern University, Stanford University, and UC San Diego have all successfully passed divestment resolutions, reflecting the growing support from student bodies across the country for justice in Palestine; and
WHEREAS, unlike many public universities, UNM’s investments are not public knowledge which means that the university could potentially be invested in corporations, such as Caterpillar\(^3\), Hewlett-Packard\(^4\), Group 4 Securicor (G4S)\(^5\), and Elbit Systems\(^6\) (an illustrative but non-exhaustive list) all of which are complicit in and profit from the violation of human rights and workers rights around the world; and

WHEREAS, these corporations help maintain an illegal occupation of the Occupied Palestinian Territories which includes the blockade of Gaza; and

WHEREAS, these corporations further violence against Palestinians and enable the separation of families in the U.S., both of which directly and profoundly impact students, staff, and faculty at UNM; thus

WHEREAS, Caterpillar has helped sustain the illegal occupation of Palestinian territories by selling engineering tools and bulldozers to the Israeli army, which have been routinely used in the demolition of Palestinian homes, water storage receptacles, agricultural fields as well as maintaining control of the illegal settlements in the West Bank\(^{\text{xxvi}}\); and

WHEREAS, Hewlett-Packard Company (HP) hinders peace efforts by supplying the Israeli army with technology used at check-points in the Occupied Palestinian Territories, including body scanners, identification systems including ID cards, hand and face recognition to aid with surveillance and to help restrict freedom of movement\(^{\text{xxvii}}\); and

WHEREAS, in addition to enabling Israel’s human rights violations, Hewlett-Packard Company (HP) profits off of mass incarceration by providing prisoner data systems for the Department of Homeland Security's Immigration and Customs (ICE) Law Enforcement Support Center; and

WHEREAS, G4S provides security equipment to Israel both for prisons reserved for Palestinian political prisoners and for Israeli military checkpoints\(^{\text{xxviii}}\); and

WHEREAS, G4S also profits from mass incarceration as it operates privatized juvenile detention facilities in the U.S., runs transportations services for ICE deportations across the U.S.-Mexico

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border, and provides control systems and surveillance equipment to three prisons designated for Palestinian political prisoners in Israel\textsuperscript{xxix}, and
WHEREAS, Elbit Systems, a company specializing in defense electronics, provides equipment for the electronic detection fence (a surveillance system) that makes up parts of the separation wall and has been “heavily relied upon by the Israeli Army in almost every military operation launched at the Gaza Strip”\textsuperscript{xxx}, and
WHEREAS, Elbit Systems provides security and surveillance equipment for the US-Mexico border, profiting off of the militarization of the borderlands; and
WHEREAS, it is imperative to stand against occupation, border militarization, settler colonialism, and imperialism, which tend to disproportionately target communities of color here in the United States and beyond; and
WHEREAS, it is important to respond proactively to calls for boycott; and
WHEREAS students should not be forced to have their tuition money support and invest in corporations that are complicit in the illegal and deadly occupation of Palestine, nor the violent maintenance of the US-Mexico border, especially those with family and friends who are directly impacted by this occupation and militarization; and
LET IT BE RESOLVED, that ASUNM calls upon UNM to withdraw investments in securities, endowments, mutual funds, and other monetary instruments with holdings in companies that profit from the illegal occupation of Palestine and the violent policing of immigrant families on the US-Mexico border, including but not limited to the companies mentioned in this resolution, until these companies are no longer engaged in the violation of human rights and other behavior deemed unethical by the UNM community, and at such time and in such manner as fund trustees may determine; and
LET IT FURTHER BE RESOLVED, that ASUNM calls upon UNM to institute a shift in its investment strategies to incorporate compassionate and socially conscious criteria for all investments so as to prevent the university from investing further in companies engaged in the violation of human rights or international law by forming a permanent committee, with representation from UNM students, faculty, and staff to review, evaluate, and monitor other issues related to socially responsible investment; and
LET IT FURTHER BE RESOLVED, that ASUNM calls upon UNM to take a stand against corporations that commit human rights violations, thereby setting an example for other universities to follow; and
NOW, THEREFORE LET IT BE FINALLY RESOLVED, that a copy of this resolution be forwarded to the Board of Regents, the President of the University of New Mexico, Provost, Vice President for Student Affairs, the Dean of Students, the University of New Mexico Policy Office, the Faculty Senate, the University of New Mexico Staff Council, Dean’s Council, Faculty Senate Operation’s Committee, Chartwell Dining Services, UNM Foundation, and the Faculty Senate Policy Committee.

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\(^1\) UNM Resolution List: https://facgov.unm.edu/ResolutionsList.html

\(^2\) Ibid.

\(^3\) “Get the Facts” Israel Committee Against House Demolitions, http://www.icahd.org/the-facts


\(^5\) http://www.ifamericansknew.org/stat/prisoners.html

\(^6\) The Fourth Geneva Convention forbids occupying powers from moving its own civilian population into the territory it occupies. Fourth Geneva Convention, Article 49, sixth paragraph (cited in Vol. II, Ch. 38, § 334); https://www.icrc.org/customary-ihl/eng/docs/v1_chapter38_rule130#Fn_2_1


\(^8\) “2014 Was Deadliest Year for Palestinians Since 1967” Democracy Now! http://www.democracynow.org/2015/3/30/headlines


\(^10\) http://www.ohchr.org/EN/HRBodies/HRCouncil/Pages/PRIndex.aspx


\(^12\) http://www.hrw.org/world-report/2015/country-chapters/israel-and-palestine


\(^15\) http://www.icahd.org/who-we-are

\(^16\) http://www.alhaq.org/about-al-haq/about-al-haq


\(^18\) http://www.hrw.org/reports/2014/09/09/make-their-lives-miserable-0


xxiii Cite UNRWA’s report;
xxv Ibid.
xxix Need Citation--check G4S’s website