**General Assembly Resolution**



**Author(s): Case Western Students for Justice in Palestine**

**Sponsor(s): Sunrise CWRU, MECA, MSA, Advocates for Immigrants and Diversity, MeToo CWRU, Polyglot, MENA Dental Association, ASA, USG Diversity and Inclusion Committee, BSU, Students for Refugees, La Allianza CWRU, Student Sustainability Council**

***A resolution calling on Case Western Reserve University to fully divest its assets from Israeli apartheid, the international military-industrial complex, and the international prison-industrial complex.***

**Whereas,** the State of Israel has conducted a military occupation of all Palestinian land since the June 1967 war; iii

**Whereas,** the *Geneva Convention IV of 1949*, Article 49(6) states, “The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies”;

**Whereas,** in the occupied West Bank and East Jerusalem, Israel has established over 145 settlements and 100 outposts housing 560,000 Israelis, displacing Palestinians to do so and in direct violation of international law; iv

**Whereas,** the *Rome Statute of the International Criminal Court* Article 7.2.h defines the crime of apartheid as inhumane acts in the context of an institutionalized regime of systematic oppression and domination;

**Whereas,** the United Nations Human Rights Watch, B’tselem, the largest Israeli human rights groups, both published reports in Spring of 2021 which conceded that Israel practices apartheid over the Palestinian people as a whole, v as well as Amnesty International in January 2022;

**Whereas,** Israel holds a blockade of the Gaza Strip by land, sea, and air, severely limiting the movement of vital goods, leading international observers to liken it to “an open-air prison,” and an apartheid state; vi, vii

**Whereas**, Israeli military doctrine explicitly allows for the destruction of civilian infrastructure and calls for the use of “disproportionate power” to achieve that end; viii

**Whereas,** “[Israeli] military courts have jurisdiction to try [1] Palestinian residents of the territories for crimes committed anywhere…; [2] any crimes committed in the territories…; or [3] crimes committed anywhere that might have an impact on the security situation in the territories”; ix

**Whereas,** Israeli military courts have a 99% conviction rate for Palestinians; x

**Whereas,** of March 20th, 2018, Israeli security forces have detained 6,660 Palestinians, of which 361 are minors; xi, xii

**Whereas,** 49% of detained Palestinians report being beaten during interrogation, 33% of detained Palestinians report being held in painful bindings, 34% of detained Palestinians report being subjected to humiliation, and 23% of detained Palestinians report being denied basic needs; xiii

**Whereas,** Israel has admitted to engaging in a strategy of targeted killings of Palestinians, a type of assassination in which the State presumes the criminal guilt of the target without a trial; xiv

**Whereas,** “Between September 2000 and August 2014, approximately 440 Palestinians, of whom 278 were the targets, were killed during targeted killing operations”; xv

**Whereas,** Case Western Reserve University participated in a boycott of Sudan beginning in 2007 in response to the humanitarian crisis there; xvii

**Whereas,** the Case Western Reserve University Undergraduate Student Government has endorsed divestment resolutions in the past, particularly the 2014 Fossil Fuels Divestment Resolution (23-08) and its multiple renewals;

**Whereas,** President Barbara Snyder and Provost William A. Baeslack wrote in 2013 that, “In keeping with the principle of academic freedom, individual scholars at Case Western Reserve may well choose to embrace the boycott, condemn our opposition to it, or speak in favor of other solutions”; xviii

**Whereas,** a number of student governments at peer institutions have endorsed similar divestment resolutions, including the University of Chicago, the University of Michigan, Stanford University, Oberlin College, many schools in the University of California system, including Berkeley and Los Angeles, the University of Minnesota, as well as the American Studies Association;

**Whereas,** solidarity with the Palestinian people and Palestinian prisoners cannot be fully demonstrated without solidarity with all victims internationally of the global prison and military industrial complexes, which must be divested from;

**Whereas,** the campaign to boycott goods from South Africa played an instrumental role in the end of South African apartheid; xvi

**Whereas,** through the act of possessing holdings in companies that contribute to occupation and apartheid, Case Western Reserve University would be directly culpable for the oppression of the Palestinian people, as well as indirectly through the holdings in companies that contribute to the prison and military industrial complex, and

**Whereas,** over 170 Palestinian civil society organizations, inspired by the role of boycott, divestment, and sanction campaigns in ending South African Apartheid, called on the international community in 2005 to demonstrate transnational solidarity with the Palestinian people and prisoners through boycotts, divestments, and sanctions, and has since turned into  the largest nonviolent campaign to pressure Israel.xviii

**Be it resolved by the Undergraduate Student Government, acting in full session,**

1. That Case Western Reserve University examine its financial assets to identify if it includes investments in the following companies:
2. **Lockheed Martin, Northrop Grumman, Raytheon, General Dynamics, Blackrock, Elbit**

i. Whereas these companies directly provide weaponry, security systems, prisons, or military support for the illegal occupation of the Palestinian territories and other costly wars internationally.

1. **CAT, Sodastream, HP, Puma, Ahava, Sabra Hummus, Israeli Fruit and Vegetables, AXA Insurance, Combined systems inc.**
2. Whereas these companies facilitate the building, maintenance, or economic development of illegal Israeli settlements, outposts, and settler-only roads and transportation systems on occupied Palestinian territory.
3. **GEO, CXW, Corrections Corporation of America, G4S**
4. Whereas these companies operate private prisons within the United States and, within Occupied Palestine, and internationally, profiting from exploitative prison labor.
5. That Case Western Reserve University instruct its investment managers to divest fully from the companies found in Be It Resolved Clause I, until said companies cease the practices identified in this Resolution;

1. That the President and the Board of Trustees of Case Western Reserve University immediately cease any new investments in companies that fall under the specifications of Be It Resolved Clause I;

1. That Case Western Reserve University work to ensure that none of its directly held or commingled assets include holdings in the companies specified by Be It Resolved Clause I within two years of the passing of this resolution;

1. That the President and Board of Trustees release quarterly updates, available to the public, detailing progress made towards full divestment;

1. That the list of companies specified by Be It Resolved Clause I is subject to change in future years if student organizations demonstrate to the Undergraduate Student Government the need to amend the list.

1. That this Resolution be sent to the following persons or agents in its entirety:
	1. Every member of the Board of Trustees, including President Eric Kaler
	2. Provost Ben Vinson III
	3. Michael Lee, Treasurer
	4. Carol Moss, Senior Vice President for University Relations and

Development

1. Patricia Kost, Controller
2. Jonathan Carlson, Vice President for Financial Planning
3. John Sideras, Senior Vice President for Finance and Chief Financial Officer
4. Timothy Milanich, Chief Investment Officer
5. Louis Stark, Vice President for Student Affairs

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v“A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution.” UNHRW. April 2021.

vi Yiftachel, Oren. ““Creeping Apartheid” in Israel-Palestine.” *Middle East Report* 253 (2009): 7.  vii Feldman, Ilana. “Gaza as an Open-Air Prison.” *Middle East Report* 275 (2017): 1.  viii “The Dahiya Doctrine and Israel’s Use of Disproportionate Force.” Institute for Middle East

Understanding. https://imeu.org/article/the-dahiya- doctrine-and- israels-use- of-disproportionate- force (accessed March 17, 2018). ix Hajjar, Lisa. *Courting Conflict: The Israeli Military Court System in the West Bank and Gaza* (London, UK:

University of California Press, 2005) 255.

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https://news.un.org/en/story/2017/07/561132-reconsider- charges-against- palestinian-human- rights-defender- un-experts- urge (accessed March 17, 2018).

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xvii “Case adopts divestment policy; anti-genocide events to be held.” The Daily.

http://blog.case.edu/casedaily/2007/10/12/casedaily (accessed March 21, 2018).  xviii “Leadership’s statement on academic boycotts.” The Daily. http://thedaily.case.edu/leaderships-statement-onacademic-boycotts/ (accessed March 21, 2018).  xix Yiftachel, Oren. ““Creeping Apartheid” in Israel-Palestine.” *Middle East Report* 253 (2009): 9.

xviii“What is BDS.” BDSmovement. https://bdsmovement.net/what-is-bds