

Referendum Question No. 1

Princeton University Undergraduate Student Government Election—Spring 2015

Condensation (Ballot Question)

Shall the undergraduates call on the Trustees of Princeton University and the Princeton University Investment Company (“PRINCO”) to divest from multinational corporations that maintain the infrastructure of the Israeli occupation of the West Bank, facilitate Israel’s and Egypt’s collective punishment of Palestinian civilians in the West Bank and Gaza Strip, or facilitate state repression against Palestinians by Israeli, Egyptian, and Palestinian Authority security forces, until these corporations cease such activities?

Explanation (Submitted by the Sponsor)

The purpose of this referendum is to call on the Trustees of Princeton University and PRINCO to divest from multinational corporations that are complicit in the Israeli occupation of the West Bank and blockade of the Gaza Strip until these corporations cease such activities.

The Israeli military occupation of the West Bank, expansion of settlements in the West Bank, and blockade of the Gaza Strip violate international law, including articles 33¹ and 49² of the Fourth Geneva Convention and U.N. Security Council Resolution 242.³ U.S. Secretary of State John Kerry has stated that “The United States of America views all of the settlements [in the West Bank] as illegitimate.”⁴ Furthermore, the occupation of the West Bank for nearly half a century is the longest standing military occupation today.⁵

Many companies are complicit⁶ in the Israeli military occupation and blockade because they (1) maintain the infrastructure of the occupation, such as Israeli settlements, military checkpoints, and the separation wall; (2) facilitate Israel’s and Egypt’s collective punishment of Palestinian civilians in the West Bank and Gaza Strip, such as home demolitions, land thefts, and resource deprivation; or (3) facilitate state repression against Palestinians in the West Bank and Gaza Strip by Israeli, Egyptian, and Palestinian Authority security forces, including repression of Palestinian civilian demonstrations, mass incarceration without due process, and extrajudicial executions. Such corporations include Caterpillar, which provides bulldozers used to demolish Palestinian homes; Hewlett-Packard, which produces bioscanners used to profile Palestinians and track their movements; and Combined Systems Inc., which manufactures tear gas used against nonviolent protesters.

Diplomatic measures and peace talks have resulted in little to no progress. The Oslo Accords⁷ have failed to provide a Palestinian state or any semblance of a just resolution to the conflict, and with the latest campaign promise by Israeli Prime Minister Benjamin Netanyahu to ensure the lack of a Palestinian state,⁸ it is clear that peace talks alone cannot successfully secure the human rights of Palestinians. Divestment from these multinational corporations provides an incentive to engage in meaningful avenues to peace and places international pressure on the Israeli government to facilitate the end of the oppression of the Palestinian people.

¹ Geneva Convention Relative to the Protection of Civilian Persons in Time of War art. 33, Aug. 12, 1949, 6 U.S.T. 3517, 3538, 75 U.N.T.S. 287, 308 (prohibiting collective punishment of civilians).

² *Id.* art. 49, para. 6, 6 U.S.T. at 3548, 75 U.N.T.S. at 318 (prohibiting an “Occupying Power” from transferring its own civilians into a territory it occupies).

³ S.C. Res. 242, U.N. Doc. S/RES/242 (Nov. 22, 1967) (calling for Israeli armed forces to withdraw from territories Israel occupied during the Six-Day War).

⁴ Warren Strobel, *Kerry Says Israeli Settlements Should Not Disrupt Mideast Talks*, Reuters, Aug. 12, 2013, available at <http://www.reuters.com/article/2013/08/12/us-palestinians-israel-kerry-idUSBRE97B0TJ20130812>.

⁵ Sharon Weill, *The Role of National Courts in Applying International Humanitarian Law* 22 (2014).

⁶ Press Release, General Assembly, Special Committee to Investigate Israeli Practices Tells Fourth Committee It Can Confirm Several ‘Disturbing Trends’, Despite Lack of Cooperation, U.N. Meetings Coverage GA/SPD/548 (Nov. 8, 2013), available at <http://www.un.org/press/en/2013/gaspd548.doc.htm>.

⁷ Declaration of Principles on Interim Self-Government Arrangements, Sept. 13, 1993, Isr.-PLO, 32 I.L.M. 1525 (1993); Interim Agreement on the West Bank and the Gaza Strip, Sept. 28, 1995, Isr.-PLO, 36 I.L.M. 551 (1997).

⁸ Jodi Rudoren, *Netanyahu Says No to State for Palestinians*, N.Y. Times, Mar. 16, 2015, available at http://www.nytimes.com/2015/03/17/world/middleeast/benjamin-netanyahu-campaign-settlement.html?_r=0.

Digest

- **Section 1** expresses that the undergraduates call on the Trustees of Princeton University and PRINCO to divest from certain multinational corporations that are complicit in the Israeli occupation of the West Bank and blockade of the Gaza Strip until these corporations cease such activities.
- **Section 2** directs the Executive Secretary of the USG Senate to transmit an official copy of this resolution to certain individuals.

The following is the full text of the referendum measure.

THE UNDERGRADUATES OF PRINCETON UNIVERSITY
PRINCETON, NEW JERSEY

Referendum Resolution ___-2015
Referendum Question No. 1 (Spring 2015)
Sponsored by MOHAMED EL-DIRANY '18

Referendum Resolution

Calling on the Trustees of Princeton University and the Princeton University Investment Company ("PRINCO") to divest from certain multinational corporations that are complicit in the Israeli occupation of the West Bank and blockade of the Gaza Strip until these corporations cease such activities.

Whereas certain multinational corporations—

- (1) maintain the infrastructure of the Israeli occupation of the West Bank;
- (2) facilitate Israel's and Egypt's collective punishment of Palestinian civilians in the West Bank and Gaza Strip; or
- (3) facilitate state repression against Palestinians in the West Bank and Gaza Strip by Israeli, Egyptian, and Palestinian Authority security forces: Now, therefore, be it

Resolved by the undergraduates of Princeton University,

SECTION 1. DIVESTING FROM CERTAIN MULTINATIONAL CORPORATIONS.

The undergraduates call on the Trustees of Princeton University and the Princeton University Investment Company ("PRINCO") to divest from multinational corporations that engage in activities as described in the preamble until these corporations cease such activities.

SEC. 2. TRANSMITTAL OF RESOLUTION.

The undergraduates direct the Executive Secretary of the Senate of the Undergraduate Student Government to transmit an official copy of this resolution to each of the following individuals:

- (1) President Christopher L. Eisgruber '83, President of the University.
- (2) Chair Kathryn A. Hall '80, Chair of the Board of Trustees of Princeton University.
- (3) Professor Marc Fleurbaey, Chair, Resources Committee of the Council of the Princeton University Community.
- (4) Mr. Andrew K. Golden, President of PRINCO.

Approved _____, 2015.

*Executive Secretary of the Senate,
Undergraduate Student Government.*