

**A Bill In Support of Positive Steps Toward a Negotiated Israeli-Palestinian Peace**

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**Authored by** Senator Rafi Lurie, Senator Jason Bellet, Former EAVP Joey Freeman, Former Senator Aviv Gilboa, and Former Senator Noah Ickowitz

**Sponsored by** Senator Lurie and Senator Bellet

**WHEREAS**, this bill’s purpose lies far beyond solely reacting to divestment, and takes tangible and strong political action of its own as outlined in the clauses herein while maintaining recognition of both the Palestinian and Israeli narratives; and,

**WHEREAS**, the UC Berkeley “Principles of Community” are intended to ensure “freedom of expression and dialogue that elicits the full spectrum of views held by our varied communities [1];” and,

**WHEREAS**, the UC Berkeley “Principles of Community” call on students to “respect the differences as well as the commonalities that bring us together” and calls for “civility and respect [1];” and,

**WHEREAS**, at UC Berkeley, students examine issues confronting the global community thoughtfully and critically, recognizing that each needs to be viewed urgently and with compassion yet also through a lens of historical context; and,

**WHEREAS**, UC Berkeley students pride themselves on being leaders in addressing the greatest political and ethical issues facing both our campus and the global community; and,

**WHEREAS**, both the Jewish people and the Palestinian people have historical and cultural ties to the land historically known as both Israel and Palestine; and,

**WHEREAS**, both the Jewish and Palestinian narratives regarding this land are substantial parts of each group’s self-identity; and,

**WHEREAS**, both Israelis and Palestinians have suffered as a result of the ongoing Palestinian-Israeli conflict; and,

**WHEREAS**, President Obama, on his recent trip to the region, addressed this suffering in his speech in Jerusalem, renouncing Hamas and Hezbollah as terrorist organizations and saying, regarding Israel's security, "I think about children like Osher Twito, who I met in Sderot. Children, the same age as my own daughters, who went to bed at night fearful that a rocket would land in their bedroom simply because of who they are and where they live" and later, "I think about five Israelis who boarded a bus in Bulgaria, who were blown up because of where they came from, robbed of the ability to live and love and raise families;" and,

**WHEREAS**, in the same speech, President Obama said the following about Palestinian suffering, "It is not fair that a Palestinian child cannot grow up in a state of their own. Living their entire lives with the presence of a foreign army that controls the movements not just of those young people but their parents, their grandparents, every single day. It's not just when settler violence against Palestinians goes unpunished. It's not right to prevent Palestinians from farming their lands; or restricting a student's ability to move around the West Bank; or displace Palestinian families from their homes. Neither occupation nor expulsion is the answer. Just as Israelis built a state in their homeland, Palestinians have a right to be a free people in their own land;" and,

**WHEREAS**, death and suffering of all innocent Israelis and Palestinians is unacceptable, and both Israelis and Palestinians must bear responsibility for ending that suffering; and,

**WHEREAS**, all peoples have the right to self-determination in their respective homelands; and,

**WHEREAS**, at the Annapolis Conference in November 2007, three major parties — the PLO, Israel and the USA — agreed on a two-state solution as the outline for negotiations [2]; and,

**WHEREAS**, President Obama has declared "a lasting peace will involve two states for two peoples: Israel as a Jewish state and the homeland for the Jewish people, and the state of Palestine as the homeland for the Palestinian people, each state enjoying self-determination, mutual recognition, and peace [3];" and,

**WHEREAS** a viable two state solution is contingent upon an end to Palestinian terrorism and an end to Israel’s administration of the Palestinian Territories under military occupation; and,

**WHEREAS**, we recognize and appreciate the Israeli government’s recent ten-month settlement freeze and agree with President Obama when he said, “Israelis must recognize that continued settlement activity is counterproductive to the cause of peace and that an independent Palestine must be viable, with real borders that have to be drawn;” and,

~~**WHEREAS**, a two state solution is also contingent upon mutually agreed land swaps based on the 1967 borders, as recognized by the international community; and~~

~~**WHEREAS**, the BDS movement denies the inextricable link between Jewish and Palestinian self-determination by only advancing a one-sided narrative that disregards legitimate Jewish national aspirations; and,~~

**WHEREAS**, a two state solution is the only possible resolution to the Israeli-Palestinian conflict that is politically feasible, practically sustainable, and fairly recognizes the right to national self-determination of all parties; ~~and the BDS movement does not publicly support this resolution;~~ and,

**WHEREAS**, ending the Israeli-Palestinian conflict is a moral imperative and an urgent political concern, and in order to truly achieve a just and equitable resolution to this conflict, a broad coalition of Israelis, Palestinians, and members of the international community must engage in the process of peace building through economic and diplomatic cooperation; and,

~~**WHEREAS**, the leader of the Boycott, Divestment, and Sanctions (BDS) movement Omar Barghouti has publicly rejected intellectual cooperation and negotiations between Israelis and Palestinians, thus rejecting the necessity of a two state resolution to the conflict [4][5]; and,~~

**WHEREAS**, Richard Goldstone, chair of the U.N. fact-finding mission on the Gaza conflict, said, “those who conflate the situations in Israel and the West Bank and liken both to the old South Africa do a disservice to all who hope for justice and peace [6];” and,

~~WHEREAS, not all supporters of divestment support the agenda and ideologies of the international BDS movement, but divestment at UC Berkeley is nonetheless being used to progress the BDS agenda; and,~~

WHEREAS, The Center for Jewish-Arab Economic Development (CJAED) is founded on the guiding principle that “economic cooperation in Israel is essential for peace, prosperity and economic stability in Israel and the region at large [7];” and,

WHEREAS, New Generation Technology (NGT) is a “project in Israel that is a pure, true partnership between Jewish and Arab businessmen in Israel [8];” and,

WHEREAS, The Palestine International Business Forum (PIBF) holds that Palestinian private sector development is one of the core pillars to creating economic stability, increasing employment and improving standards of living as well as fighting poverty, thus contributing to a sustainable solution of the conflict [9]; and,

WHEREAS, Paltel is a Palestinian for-profit company invested in telecommunications that makes up 29 percent of the PA’s Gross Domestic Product. Paltel also consists of 50 percent of the Palestine Securities Exchange, and investment in such a company will enhance Palestinian infrastructure and promote a positive American-Palestinian relationship [10]; and,

WHEREAS, The Palestine Exchange (PEX) houses Padico Holding, a company established by Palestinian and Arab investors that contributes to Palestinian economic sectors in need of building and expansion. This company seeks to not only enhance the Palestinian infrastructure and economy, but also looks for high returns on investment in the Palestinian market [11]; and,

WHEREAS, Mellanox Technologies, an Israeli high-tech firm that is publically traded on NASDAQ: [MLNX](#), TASE: [MLNX](#), has hired programmers from Ramallah through a Palestinian outsourcing firm and plans to open a research and development center in the West Bank in order to boost political stability in the region and strengthen ties between the two economies [12]; and,

WHEREAS, The aforementioned companies strengthen the infrastructure and economy of the Palestinian people, which is a prerequisite for a robust Palestinian state that can live side by side with the State of Israel; and,

**WHEREAS**, the United States of America has a unique ability to engage with the Israeli government, and influence positive movement towards a two state solution; and,

**WHEREAS**, as members of a public university, the most effective method we have for demonstrating our commitment to a multilateral peace settlement, and ensuring its swift implementation, is by demonstrating to the US government that there is a constituency that demands it use its diplomatic sway to responsibly bring the two parties to the negotiating table; and,

**WHEREAS**, divestment alienates one of the parties pushing them further from the negotiating table, economic investment coupled with strong and strategic diplomatic pressure provides a more constructive solution to achieving peace and actually incentivizes both parties to come to the table; and,

**WHEREAS**, passing divestment against Syrian war crimes, South Africa, and fossil fuels constitutes a major difference between divestment from companies such as those listed in SB 160, because divestment should be pursued when the object of divestment is so odious that it is beyond reproach, which is not the case herein; and,

**WHEREAS**, the call for economic investment and diplomatic pressure within this bill mitigates the negative effects associated with divestment and instead presents a proactive approach to ending the Palestinian-Israeli conflict and achieving two states; and,

**THEREFORE BE IT RESOLVED** that the ASUC supports a two state resolution as an end to the Palestinian-Israeli conflict and calls on the American government to take more active steps in encouraging Palestinian and Israeli leadership to enter multilateral negotiations; and,

**BE IT FURTHER RESOLVED** that ~~rather than divesting funds,~~ rather than divesting funds for the reasons specified within this bill, the ASUC will instruct the managers of the Boston Trust to seek investment opportunities that strengthen Israeli-Palestinian cooperation in pursuit of a two state resolution to the conflict such as Padico Holding, Paltel, and Mellanox Technologies, which build Palestinian infrastructure and hire Palestinian employees, thereby increasing the possibility of a robust Palestinian state alongside the State of Israel; and, ~~such as those outlined in this bill;~~ and

**BE IT FINALLY RESOLVED** that the ASUC calls upon the EAVP to write a letter to Senators Feinstein and Boxer and Congresswoman Lee expressing this bill's sentiments

and encouraging them to publicly support the views espoused within, and to write a letter to the student governments of the other University of California campuses suggesting they adopt a similar resolution.

1. <http://www.berkeley.edu/about/principles.shtml>
2. <http://www.haaretz.com/news/israel-pa-agree-to-strive-for-deal-by-end-of-2008-1.234086>
3. <http://www.whitehouse.gov/the-press-office/2011/05/19/remarks-president-middle-east-and-north-africa>
4. <http://mondoweiss.net/2011/04/omar-barghouti-on-why-bds.html>
5. [http://www.opendemocracy.net/conflict-debate\\_97/against\\_2934.jsp](http://www.opendemocracy.net/conflict-debate_97/against_2934.jsp)
6. [http://www.nytimes.com/2011/11/01/opinion/israel-and-the-apartheid-slander.html?\\_r=0](http://www.nytimes.com/2011/11/01/opinion/israel-and-the-apartheid-slander.html?_r=0)
7. <http://www.cjaed.org.il/Index.asp?CategoryID=98>
8. <http://israel21c.org/social-action-2/ten-top-israeli-business-ventures-that-inspire-peace-in-the-middle-east/>
9. <http://www.pibf.net/about-2/declaration-of-principles/>
10. <http://www.bloomberg.com/quote/PALTEL:PS>
11. <http://www.bloomberg.com/quote/PADICO:PS>
12. <http://www.csmonitor.com/World/Middle-East/2011/0422/Tech-diplomacy-Israeli-CEO-hires-Palestinian-programmers>