



## The Resolutions

*Below are the resolutions that have been submitted by United Methodist Kairos Response and by agencies and annual conferences for consideration by General Conference 2016.*

**I. Petition 60855 - "Establish a Screen to Remove and Avoid Investments in Illegal Settlements"** submitted by Minnesota, Oregon-Idaho, West Michigan, Upper New York, and California-Pacific Annual Conferences and 1 Similar Petition (from UMKR)

An occupying power in a foreign territory is prohibited from moving its own population onto land that is occupied (Article 49, Geneva Convention IV). Communities created by such action and established by an occupying power on occupied land are commonly referred to as "illegal settlements."

A business operating in an illegal settlement pays taxes to the settlement and the occupying power strengthening its economic base, taking advantage of land unlawfully seized from others, and complicit in the occupying power's violations of human rights and international law.

Companies operating in illegal settlements often exploit resources in the occupied territories by mining, diverting water and polluting agricultural land. The Hague Conventions of 1907 and the Fourth Geneva Convention clearly forbid exploitation of the natural resources of an occupied people.

The United Methodist General Conference 2012 encouraged companies "to honor and promote human rights and the dignity of human life consistent with the 10 principles of the United Nations Global Compact" (<http://www.umc.org/what-we-believe/investment-ethics>). Further, the United Methodist Book of Discipline discourages investment in companies "that directly or indirectly support the violation of human rights" (§717, The Book of Discipline 2012). Our United Methodist Social Principles declare, "We denounce as immoral an ordering of life that perpetuates injustice and impedes the pursuit of peace." (UMC Social Principles, "The World Community.") The presence of illegal settlements on occupied land

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perpetuates injustice and impedes the pursuit of peace.

The United Methodist General Board of Pension and Health Benefits is a founding signatory of the Principles for Responsible Investment, through which signatories agree to consider environmental and social, as well as governance issues in investment decisions. ([www.unpri.org](http://www.unpri.org))

The General Conference directs General Boards and Agencies of The United Methodist Church to develop and apply a screen that excludes investment in companies with involvement in illegal settlements by:

1. Having a physical presence or a subsidiary in an illegal settlement,
2. Providing support services to an illegal settlement,
3. Contributing to the financing or building of illegal settlements; or
4. Manufacturing products in or extracting resources from occupied land.

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**II. Petition 60856 - "Divest from Caterpillar"** submitted by GBCS, Desert Southwest, and Pacific Northwest Annual Conference and 1 Similar Petition (from UMKR)

The United Methodist General Conference 2012 asked that “all United Methodist general boards and agencies prayerfully consider advocating that all companies formally recognize and adopt into their codes of conduct the United Nations Guiding Principles on Business and Human Rights (also known as the Ruggie Principles). Caterpillar Corporation has refused a direct request by the General Board of Pensions and Health Benefits to sign the UN Guiding Principles.

The United Methodist Book of Discipline’s statement on Socially Responsible Investments says “The boards and agencies are to give careful consideration to shareholder advocacy, including advocacy of corporate disinvestment” (§ 717, The Book of Discipline 2012.) Further, the United Methodist Church opposes Israel’s occupation of the West Bank and Gaza Strip (Resolution #6111, “Opposition to Israeli Settlements in Palestinian Land,” The Book of Resolutions 2012).

Caterpillar, Inc. machines are used by the Israeli government and by the Israeli military for the demolition of Palestinian houses and water supplies in the occupied Palestinian territories, the construction of the Separation Wall, construction of settlements and settlement infrastructure on Palestinian land, the

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uprooting of olive trees, creation of roadblocks, and as weapons (“Facts on the Ground: Heavy Engineering Machinery and the Israeli Occupation Report,” Who Profits Research Center, July 2014).

Caterpillar’s D9 bulldozers favored by Israel’s military are not the familiar equipment used for farming or for municipal projects, but rather are two-story machines weighing 54 kilos/60 tons with a front blade more than 1.8 meters/6 feet high and 4.5 meters/15 feet wide and a claw-like hydraulic “ripper” in the back, as well as gun turrets (The Caterpillar Campaign, US Campaign to End the Israeli Occupation, <http://www.endtheoccupation.org/downloads/CAT%201-2006.pdf>). In fact, an Israeli military commander referred to Caterpillar bulldozers as “the key weapon” in its military occupation of the West Bank and the Gaza Strip (Alon, Ben David ‘Israel-Double Jeopardy,’ Janes Defence Weekly, 11/17/04). Israeli Defense Minister Shaul Mofaz has declared, “The D-9 is a strategic weapon here.” ([www.btselem.org/Download/200101\\_Civilians\\_Under\\_Siege\\_Eng.doc](http://www.btselem.org/Download/200101_Civilians_Under_Siege_Eng.doc)). Caterpillar machines have been used in the killing of Palestinian civilians, including a pregnant woman, a paraplegic, an elderly paralyzed man, and families including children (<http://www.apnewsarchive.com/2002/Bodies-Recovered-in-Nablus-Rubble/id-d7216a4b0417bdcf9c2beac8a5a7e554>). An American peace activist, Rachel Corrie, was killed by a Caterpillar bulldozer as she tried to protect a Palestinian home from demolition. (<http://rachelcorriefoundation.org>)

Caterpillar sells its military equipment to Israel through the US Foreign Military Sales Program. Because this equipment is weaponized and used as a weapon in the occupied territories, the sale of Caterpillar bulldozers to the Israeli military violates the US Arms Export Control Act, which prohibits the use of US made machinery or weapons against a civilian population.

Israel’s sole Caterpillar distributor, Zoko Enterprises, provides employees who can function as reserve soldiers to service the D-9s during military operations on the battlefield, (“Facts on the Ground: Heavy Engineering Machinery and the Israeli Occupation Report,” Who Profits Research Center, July 2014).

A 2013 report to the UN Human Rights Committee states that “Caterpillar could protect against the militarized misuse of its equipment by contracting restrictions for use in its sales agreements, such as the insertion of provisions eliminating further sales if Caterpillar products were employed in human rights violations. Such an option would allow Caterpillar to send a clear message that it will not be complicit in human rights abuses.” (The Global Initiative for Economic,

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Social and Cultural Rights Joint Parallel Report to the United Nations Human Rights Committee, 109th Session, 14 October – 1 November 2013).

Caterpillar has shown it can guide its dealers and subsidiaries in matters concerning equipment use by a letter prohibiting them from accepting orders for equipment that could ultimately be used in Iran.

(<http://www.wsj.com/articles/SB10001424052748703429304575095430605944518>).

The Palestinian Christian community, through the Kairos Palestine document, has requested the support of the wider Church; (Kairos Palestine. “A Moment of Truth: A Word of Faith, Hope and Love from the Heart of Palestinian Suffering” December 2009) <http://www.kairospalestine.ps/content/kairos-document>. Palestinian Christian leaders have specifically requested the support of the United Methodist Church;(Letter to the United Methodist Church from Rifat Odeh Kassis, General Coordinator, Kairos Palestine, November 28, 2014 [http://www.kairosresponse.org/Rifat\\_Kassis.html](http://www.kairosresponse.org/Rifat_Kassis.html)). All UMC missionaries serving in the Holy Land over the last 25 years likewise support concrete actions by our denomination to show our support of Palestinian rights; (United Methodist Missionaries Support Divestment from the Israeli occupation. [www.kairosresponse.org/UMC\\_Missionaries\\_Divestment.html](http://www.kairosresponse.org/UMC_Missionaries_Divestment.html).)

The General Board of Pension and Health Benefits holds stock in Caterpillar Corporation, and increased its holdings in that company by 40 per cent during the fifteen months following General Conference 2012.

For ten years, various groups from the United Methodist Church, other denominations and numerous advocacy groups have brought human rights violations to the attention of Caterpillar, Inc. through letters, emails and private meetings with Caterpillar officials, yet the company has failed to respond with any corrective measures. Despite repeated discussions concerning this issue, Caterpillar, Inc. has refused a direct request from GBPHB to sign the UN Guiding Principles on Business and Human Rights.

The GBPHB, as part of its Socially Responsible Investing screens, lists “weapons” among other products that do not align with United Methodist values and thus “excludes investments in companies earning significant revenues from .... weapons...” In 2012, GBPHB released a statement expressing “our belief that the company’s policies expose Caterpillar – and by extension, its shareholders – to reputational and financial risk.”

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To encourage companies to be responsive to United Methodist concerns and to avoid profiting from weapons that support Israel's occupation, the United Methodist General Conference 2016 directs the General Board of Pension and Health Benefits to divest its shares of Caterpillar stock, and to exclude it from further investment until the company (1) signs the UN Guiding Principles on Business and Human Rights, (2) stops providing D-9 bulldozers for Israel to use as weapons in the occupied Palestinian territories, and (3) prohibits all Caterpillar dealers or subsidiaries from accepting any orders for equipment where the dealer or subsidiary knows that the products will be used in the construction of Israeli settlements, the construction of bypass roads, the construction of the security barrier, or the demolition of Palestinian homes or agricultural fields in the occupied Palestinian territories.

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**III. Petition 60857 - "Divest from Caterpillar, Motorola Solutions, and Hewlett Packard** - submitted by Pacific Northwest, Oregon-Idaho, Upper New York and 1 Similar Petition (from UMKR)

WHEREAS United Methodists have engaged Caterpillar for ten years, Motorola Solutions for nine years, and Hewlett Packard for seven years, and have asked them to end their involvement with Israel's occupation ([http://www.kairosresponse.org/corporate\\_engagement\\_04-11.html](http://www.kairosresponse.org/corporate_engagement_04-11.html)) and,

WHEREAS every United Methodist General Conference for more than 40 years has endorsed calls for just and lasting peace in Israel/Palestine, and an end to all military sales to the region; and,

WHEREAS the United Methodist Book of Discipline states that advocacy of corporate disinvestment is one of the steps to be considered in the process of corporate engagement: "The boards and agencies are to give careful consideration to shareholder advocacy, including advocacy of corporate disinvestment." (§717, The Book of Discipline 2012); and,

WHEREAS ongoing military occupation and expanding Israeli settlements on Palestinian lands have deepened a system that dehumanizes Palestinians and Israelis; and,

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WHEREAS more than 3,000 Palestinian Christians have implored Christians everywhere to put actions behind their words to end Israel's occupation of Palestinian land; and the United Methodist Church has been specifically asked by Palestinian Christian leaders to oppose human rights violations

(<http://www.kairospalestine.ps/content/kairos-document>, [https://www.kairosresponse.org/Rifat\\_Kassis.html](https://www.kairosresponse.org/Rifat_Kassis.html)); and,

WHEREAS Caterpillar provides Israel with military bulldozers and earth-moving equipment, which are used to uproot olive groves, demolish Palestinian homes, construct settlements and build segregated roads and the separation barrier on occupied land; Motorola Solutions provides surveillance systems for Israeli settlements, military bases and the separation wall, as well as communication devices for the Israeli military; and Hewlett Packard provides data storage for settlements, manages information technology for the Israeli Navy, and provides biometric monitoring of checkpoints inside the West Bank; and

WHEREAS there has been no meaningful progress with the companies and no indication of any willingness to change their involvement in Israel's occupation; and,

WHEREAS three United Methodist conferences – New York, Northern Illinois and West Ohio – have divested their stock in companies invested in the occupation of the West Bank, and have suffered no losses to their portfolios or accusations of fiduciary impropriety; and numerous other conferences have passed divestment resolutions, including: Baltimore-Washington, California-Pacific, California-Nevada, Detroit, Minnesota, New England, Pacific Northwest, Rocky Mountain, Upper New York, and Virginia; and,

WHEREAS other denominations such as the Presbyterian Church USA, Society of Friends (Quakers), Mennonite Central Committee and some United Church of Christ conferences have passed similar divestment resolutions and have divested without suffering financial harm; and,

WHEREAS in 2014 the Luxembourg national pension fund FDC announced it was barring Motorola Solutions from its investments because of its involvement with human rights violations in the occupied territories;” and,

WHEREAS Caterpillar has refused a request from the United Methodist General

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Board of Pension and Health Benefits to sign the UN Guiding Principles, and General Conference 2012 called on all United Methodist boards and agencies to “prayerfully consider” divestment from companies that refuse to sign these principles; and,

WHEREAS we categorically denounce all forms of anti-Semitism, whether directed toward Arabs or Jews, and any and all attempts to diminish the historical suffering of the Jewish people or the Palestinian people, and we seek justice for both Israelis and Palestinians; and, WHEREAS divestment is aimed not at Israel itself, but at ending the occupation of land beyond its internationally recognized borders; and,

WHEREAS we denounce violence and terror tactics by all sides in the Middle East conflict, and commend non-violent means of achieving peace; and,

WHEREAS all UMC mission personnel who have served in the occupied territories since the 1990s support divestment from these three companies ([https://www.kairosresponse.org/UMC\\_Missionaries\\_Divestment.html](https://www.kairosresponse.org/UMC_Missionaries_Divestment.html)); and

THEREFORE, BE IT RESOLVED that General Conference 2016 calls on all boards and agencies of the United Methodist Church to take action to divest promptly from Caterpillar, Motorola Solutions, and Hewlett Packard and continue to exclude these companies until they end their involvement with the Israeli occupation.

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**IV - Petition 60858 - "Divestment"** (The name of this is "**Remove from portfolios companies producing goods or services in illegal settlements on occupied land.** " submitted by Pacific Northwest and New England and 1 Similar Petition (from UMKR)

WHEREAS the occupying power in a foreign territory is prohibited from moving its own population onto land that is occupied (Article 49, Geneva Convention IV); and,

WHEREAS segregated communities established by the occupying power on occupied land in violation of the Geneva Conventions are commonly referred to as “illegal settlements”; and,

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WHEREAS the International Court of Justice has confirmed that settlements established in violation of the Fourth Geneva Convention are in “breach of international law,” (ICJ Advisory Opinion 2004); and,

WHEREAS the United Methodist Book of Discipline discourages investment in companies “that directly or indirectly support the violation of human rights” (§ 717, The Book of Discipline 2012); and,

WHEREAS the United Methodist General Board of Pension and Health Benefits is a founding signatory of the Principles for Responsible Investment, through which signatories agree to consider environmental and social, as well as governance issues in investment decisions. ([www.unpri.org](http://www.unpri.org)); and,

WHEREAS our Social Principles declare, “We denounce as immoral an ordering of life that perpetuates injustice and impedes the pursuit of peace.” (UMC Social Principles, “The World Community”); and,

WHEREAS General Conference 2012 passed a resolution calling on all nations “to prohibit any financial support by individuals or organizations for the construction and maintenance of settlements; and the import of products made by companies in Israeli settlements on Palestinian land.” (Resolution #6111, UM Book of Resolutions, 2012); and,

WHEREAS the Hague Conventions of 1907 clearly forbid exploitation of the natural resources of an occupied people; and

WHEREAS settlement companies often exploit resources in occupied territories by mining, diverting water and polluting agricultural land; and,

WHEREAS a business operating in an illegal settlement pays taxes to the settlement and strengthens its economic base, takes advantage of land unlawfully seized from others, and is complicit in the occupying power’s violations of human rights and international law,

THEREFORE, BE IT RESOLVED that General Conference 2016 calls on the General Boards and Agencies of The United Methodist Church to remove from their portfolios companies producing goods or services in illegal settlements on occupied land.

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