

Cornell University Faculty Resolution

Proposed Resolution for Divestment from Morally Reprehensible Military Companies and Institutions

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<https://deanoffaculty.cornell.edu/faculty-governance/faculty-senate/pending-matters/proposed-resolution-for-divestment-from-morally-reprehensible-military-companies-and-institutions/> (As per Wayback Machine, August 11, 2024)

Proposed Resolution for Divestment from Morally Reprehensible Military Companies and Institutions

Whereas in 2016, the Board of Trustees committed Cornell to divest from companies whose “actions or inactions are ‘morally reprehensible’ (i.e., deserving of condemnation because of the injurious impact that the actions or inactions of a company are found to have on consumers, employees, or other persons, or which perpetuate social harms to individuals by the deprivation of health, safety, basic freedom, or human rights. Morally reprehensible activities include apartheid, genocide, human trafficking, slavery, and systemic cruelty to children, including violations of child labor laws).”

Whereas Cornell has investments in military companies that enable, sustain, and profit from genocide, apartheid, and the murder and maiming of children.

Whereas on January 26, 2024, the International Court of Justice described Israel’s war on Gaza as a “plausible genocide.”

Whereas the United Nations Special Rapporteur on the Occupied Palestinian Territories reported on March 25, 2024 that this genocide is no longer only plausible but the actual “threshold indicating Israel’s commission of genocide is met.”

Whereas more than 14,500 Palestinian children have been killed, including by weapons produced by companies named below,* since October 2023 alone.

Whereas more than 12,000 Palestinian children have been maimed and injured, with ten children losing one or both limbs per day, including by weapons produced by companies named below,* since October 2023 alone.

Whereas all children in Gaza are deprived of food, medicine, shelter, water, and education; have their fundamental children's rights violated; and are experiencing profound trauma. Whereas all children in Gaza are facing death from starvation and experiencing a state of crisis, emergency, or catastrophe/famine.

Whereas apartheid in the Occupied Palestinian Territory has been documented in legal scholarship since at least 1991 and found in violation of international law.¹

Whereas the UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 has concluded that the "political system of entrenched rule in the Occupied Palestinian Territory that endows one racial-national-ethnic group with substantial rights, benefits and privileges while intentionally subjecting another group to live behind walls and checkpoints and under a permanent military rule . . . satisfies the prevailing evidentiary standard for the existence of apartheid." Apartheid is a crime against humanity under international law.

Whereas the genocide and systemic cruelty against children would not be possible without the weapons produced by military companies that Cornell invests in and supports.

Whereas Cornell has a partnership with the Technion Institute which serves as the "R&D wing of the Israeli military."

Whereas the Technion Institute designs features of separation walls that violate international law. The International Court of Justice has held that states may not render aid or assistance in maintaining the construction of the walls, which enable and perpetuate apartheid.

Whereas Cornell funds military research at the Jacobs-Technion Institute.

Whereas Israeli companies test weapons designed at Technion on the captive Palestinian populations and explicitly use "field-testing" on Palestinians as a hallmark of its marketing strategy.

Whereas complicity with genocide by non-state actors such as Universities is increasingly seen as a violation of international law.²

Whereas companies and institutions that produce weapons of genocide and infrastructure of apartheid contribute to harm so grave that it is inconsistent with the educational goals and violates the core values and principles of Cornell University.

Whereas the Cornell community has spoken and voted very clearly on the need for this specific divestment.

Be it resolved:

That Cornell

Act on its own standards for divestment, in accordance with policies set by the Board of Trustees on January 29, 2016, and divest from companies whose “actions or inactions are ‘morally reprehensible.’”

Specifically, divest from defense companies, arms manufacturers, and other institutions that sustain the ongoing genocide in Gaza and the occupation and apartheid in Israel/Palestine.*

Disclose all financial support for the Jacobs Technion-Cornell Institute.

Terminate funding for research used to develop military technologies at the Jacobs Technion-Cornell Institute.

*Companies, arms manufacturers, and research institutions that develop military technologies that sustain and profit from the genocide in Gaza include BAE Systems, Boeing, Elbit Systems, General Dynamics, L3Harris Technologies, Leonardo, Lockheed Martin, Northrop Grumman, RTX, Technion Institute, and ThyssenKrupp.

In addition, each of these military manufacturers materially contributes to ongoing human rights violations in at least one of the following countries: Azerbaijan, Chile, China, the Congo, Ethiopia, Iraq, Lebanon, Mexico, Myanmar, the Philippines, Sudan, Ukraine, the US, Venezuela, and Yemen.

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1 Quigley, John. "Apartheid Outside Africa: The Case of Israel." *Ind. Int'l & Comp. L. Rev.* 2 (1991): 221.

2 Jackson, Miles, 'State Complicity and the Obligations of Non-State Actors', *Complicity in International Law*, Oxford Monographs in International Law (Oxford, 2015; online edn, Oxford Academic, 23 Apr. 2015), .