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Rebuilding Collective Prosperity



SCOTTISH TRADES UNION CONGRESS

112TH ANNUAL CONGRESS

PALESTINE AND ISRAEL BOYCOTT, DISINVESTMENTS AND SANCTIONS DISCUSSION

President

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1 Introduction

- 1.1 At STUC Congress 2007 a resolution requested the General Council explore the calls for boycott, disinvestments and sanctions (BDS) against the state of Israel until it complied with universal law and international principles of human rights. Since this resolution was carried the General Council has given careful and urgent consideration to the BDS calls. The STUC has consulted with its affiliates, considered the implications of BDS, discussed BDS with its stakeholders and invited views and comments from interested groups and communities. In March 2009 a delegation from the General Council visited Palestine and Israel. This enabled the STUC to speak directly with trade unionists in Palestine and Israel, to discuss the BDS calls with them, and to see the situation in the region ourselves.
- 1.2 This report explains the process undertaken by the General Council in exploring the BDS calls. It then makes a recommendation on behalf of the General Council. This recommendation is for consideration by the STUC's Annual Congress on 22 April 2009.

2 The Boycott, Disinvestments and Sanctions Discussion

- 2.1 The General Council has given serious consideration over the past couple of years to the issue of boycott, disinvestments and sanctions against Israel until it complies with international principles of human rights and international laws, such as the Geneva Conventions and United Nations Security Council resolutions. In September 2007 the General Council agreed a process for exploring the BDS calls, which included developing a greater understanding of BDS and achieving its stated aims; establishing the position of the Palestine General Federation of Trade Unions; seeking the views of STUC affiliates, the wider trade union movement, as well as other stakeholders; and seeking the views of Histadrut on this matter. A report on the progress with this work was given to Congress in April 2008.

A motion to Congress 2008 on BDS (which was remitted), and questions to the General Council, underlined the urgency with which Congress wished this matter to be addressed.

- 2.2 The General Council undertook to participate in a delegation to Palestine and Israel as part of the deliberations on BDS. This delegation provided vital information and experiences which have contributed to the conclusions drawn by the General Council. A formal consultation with stakeholders provided invaluable comments and views, and has helped to shape the final decision and the campaign that the General Council wishes to pursue on this matter.

3 STUC Delegation to Palestine and Israel

- 3.1 A delegation from the General Council visited Palestine and Israel between 28 February – 7 March 2009. The delegation consisted of eleven senior trade unionists, including the General Secretary, General Council members, and Scottish trade union leaders. A full report from the delegation has been issued to all Congress delegates, and is available on the STUC's website, and from Congress Office.
- 3.2 The delegation saw for themselves the growing Israeli settlements in East Jerusalem and the West Bank, the separation wall, the checkpoints and the restrictions on movement. The delegation also saw the poverty in Palestine, and a refugee camp in East Jerusalem. On a visit to Sderot, on the border with Gaza, the delegation saw how the rocket attacks affect the lives of Israelis.
- 3.3 The delegation heard a similar message from the leadership of Histadrut, Israel's Welfare Minister Yitzchak Hertzog, the Foreign Affairs Officials, and from the Sderot Municipal representative. This message was of the importance of dialogue, the constructive relationship between Histadrut and the PGFTU, and the key problem that Israel does not have a partner in Palestine to work with for peace. Hamas was derided as a terrorist organisation which was operated from Iran, and which did not recognise Israel's right to exist.

There was a failure to recognise that Palestinians had supported Hamas in democratic elections. There was no attempt to try to comprehend why some Palestinians would vote for an extreme and violent organisation.

- 3.4 The delegation heard of attacks on human rights of Palestinians from many organisations including human rights organisations Al-Haq and B'Tselem, the campaign group Breaking the Silence, the trade unionists at Birzeit University, the BDS campaign in Ramallah, the International Labour Organisation, as well as from the PGFTU.
- 3.5 The PGFTU told the delegation that the decision on BDS is one for organisations like the STUC to take for themselves. Other groups including the Palestine Women's General Federation, and the BZT Union of Professors and Employees strongly encouraged the STUC to support BDS because of the attacks on human rights of Palestinians. The Palestinian Planning Minister within the Ministry of Labour told the delegation that he believed the only way Israel would change its policy towards the Palestinians was if it was isolated from the rest of the world. He also said that most Palestinian workers in Israel are employed in the construction and service sectors, and, therefore, are not working in the sectors which would be primarily targeted by BDS.
- 3.6 B'Tselem told the delegation how the Israeli settlements and the restrictions on movement are at the heart of most human rights violations. The human rights organisation Al-Haq explained that boycott is a personal decision for groups, where as international laws, such as the Geneva Convention, set out that where breaches occur the signatories to legislation have a duty to impose sanctions. Al-Haq itself is involved in pursuing the British Government in UK Courts because of its failure to censure Israel for breaching the Geneva Convention.

4 Views of Affiliates

- 4.1 The General Council sought views from affiliates on the issue of BDS in January 2008 and again in June 2008. The General Council received responses from six of its affiliates. It is worth noting that a number of those submitting views forwarded resolutions from their own conferences, and that since views have been submitted, subsequent conference resolutions have changed or added to these policy positions.
- 4.2 A number of these responses clearly supported BDS, one opposed BDS, and another explained that it had legal advice stating it was not within the union's power to call for or implement a boycott. The STUC's two largest affiliates support some kind of boycotting action. A report on the responses is attached at Appendix A.

5 Consultation with Interested Parties

- 5.1 The General Council sought views from a number of groups and organisations who have an interest in the issue of BDS in January 2009. Helpful submissions were received from organisations and faith groups which addressed a number of issues including:
- human rights,
 - the peace process,
 - the potential impact of BDS on the economies of Israel and Palestine,
 - the relationship between Histadrut and the PGFTU,
 - comparisons with apartheid South Africa,
 - the impact of BDS upon communities in Scotland,
 - Anti-Semitism,
 - the debate on the breadth or not of the call for BDS,
 - views on the targets of BDS,
 - the role of the STUC.
- 5.2 A report analysing the views of interested parties is attached at Appendix B.
- 5.3 Whilst not part of the formal consultation with interested groups and organisations, it is worth recording that the STUC engaged in

informal dialogue with representatives of the Equality and Human Rights Commission in Scotland. The purpose of this discussion was to consider any issues for the STUC in taking a decision to call for BDS, in terms of equality and human rights laws in Scotland and the UK. The advice received emphasised the importance of taking a rights based approach, and balancing the human rights of the different groups affected in this debate.

6 General Council Recommendation

- 6.1 The General Council is recommending that Congress should take a position of:
- supporting boycotts and disinvestments against Israel,
 - calling for sanctions against Israel,
 - encouraging positive investments in the occupied territories.
- 6.2 The General Council is recommending this action because of Israel's attacks on the human rights of Palestinian people, and its failure to comply with agreed international law. The STUC strongly supports a peaceful two state solution in Palestine and Israel. It is deeply disappointed at the failure of negotiation and diplomacy to achieve the two state solution to date. By taking the position of supporting boycott and disinvestments and by calling for sanctions, the STUC hopes to bring economic, political and social pressure on the government of Israel and the world's powers, to reach a peaceful solution through dialogue. The STUC also intends to draw greater attention to the fact that international human rights laws are being violated by Israel.
- 6.3 In reaching this decision, the STUC has considered the views and comments of significant groups of people, not least the people of Palestine whose human rights are infringed on a daily basis. We are very clear that our position is taken because of the actions of the Israeli state. However, the STUC wants to do all that it can to ensure that our decision does not impact detrimentally upon communities in Scotland.

We envisage a targeted consumer led boycott, where trade union members should not put their own jobs at risk by refusing to deal with Israeli products, or work with organisations that are involved in the Israeli occupation of Palestine. Rather, these trade union members have a campaigning role, in working with their employers to raise greater awareness of the issues and the case for boycott. The campaign will encourage trade unionists to boycott goods and especially agricultural products that have been produced in the illegal Israeli settlements in the Occupied Territories. The STUC recognises the place of Israeli goods, such as kosher products, in Jewish religious observance, and wishes to ensure that a consumer boycott is targeted so that it does not affect, as far as practicable, religious observance.

- 6.4 The campaign should develop and encourage a greater awareness of organisations' investments and interests in companies which are supporting the occupation. The STUC is particularly encouraging campaigns of disinvestment (or divesting) in companies associated with the occupation.
- 6.5 Publicly calling for sanctions against Israel for its breaches of international laws and human rights violations is an important element of the campaign. Sanctions are a valid action imposed upon a party or nation where it has breached agreed rules. The STUC will raise the matter with the British Government, impressing upon them their obligations as signatories of the Geneva Conventions, and as United Nations Security Council members. The sanctions campaign, in pressurising the British Government, European Union institutions, and other nations, is vital to protect the integrity of agreed international laws and to uphold the rights of victims of human rights abuses.
- 6.6 The STUC acknowledges its relationship with both PGFTU and Histadrut and supports the development of a constructive dialogue between them. The STUC will explain its position on BDS to Histadrut, and will, over the next 12 months, raise with them Histadrut positions in relation to Gaza and the Occupied Palestinian Territories. The STUC will review its relationship with Histadrut in this context.

6.7 Whilst recognising this paper and recommendation is a starting point for this campaign within the STUC, the General Council acknowledges the urgency of the situation facing Palestinian people. To ensure that the campaign is effective, and to make this decision meaningful for trade union members in Scotland, and appropriate for particular workplaces, the STUC and affiliates will need to take forward further work and activity. The General Council urges Congress to support a continual awareness raising process on these issues, to provide guidance and support to affiliates, and to ensure that a BDS campaign, along with positive investment in the Palestinian territories, is effective.

Scottish Trades Union Congress
April 2009