



**Resolution No. 16-01- Calling for City-Wide Divestment from Companies that Profit from Human Rights Abuses and War Crimes**

WHEREAS, the City of Seattle (hereafter the “City”) was declared to be a Human Rights City on December 10, 2012, committing itself to protect, respect, and fulfill the full range of inherent human rights for all, as set forth in the Universal Declaration of Human Rights and numerous other international human rights instruments; and

WHEREAS, the Seattle Human Rights Commission (hereafter the “Commission”) is committed to protecting and advocating for justice, human rights, and the equal treatment of all people who live and work in Seattle; and

WHEREAS many states, including the United States, and international bodies, including the United Nations, have recognized certain crimes to constitute crimes against international humanitarian law and crimes against humanity as defined in Articles 7 and 8 of the Rome Statute<sup>1</sup> and international customary law; and

WHEREAS international customary law and the Rome Statute, a statute that has been ratified by 124 countries worldwide, condemn war crimes and crimes against humanity; and

WHEREAS such conduct threatens millions of people globally in the continued enjoyment of their lives, livelihoods, and human rights; and

WHEREAS the Seattle City Employees' Retirement System Board of Administration (hereafter “the Retirement System Board”) maintains a diverse investment portfolio, and the Retirement System Board may maintain investments in companies potentially culpable for or complicit in crimes such as those outlined above; and

WHEREAS the City of Seattle Purchasing and Contracting Office (hereafter “Purchasing Office”) contracts with various companies to assist in its performance of municipal functions; and

WHEREAS the Retirement System Board and Purchasing Office currently strive to meet their respective commitments to rewarding workplace diversity, promoting local industry, protecting

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<sup>1</sup>The Rome Statute of the International Criminal Court at [https://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome\\_statute\\_english.pdf](https://www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf)

the environment<sup>2</sup> and promoting equity through compliance with civil rights laws<sup>3</sup>, but may invest in or contract with companies that may be culpable or complicit in crimes such as those outlined above; and

WHEREAS the federal government enforces sanctions and trade restrictions on companies due to human rights abuses in countries including, but not limited to North Korea, Syria, and Iran<sup>4,5</sup>; and

WHEREAS the Federal Atrocities Prevention Board guides federal policy, including in matters of trade<sup>6</sup>, to identify and prevent atrocities such as genocide and other crimes against humanity<sup>7</sup>; and

WHEREAS the Seattle Human Rights Commission previously, on July 1, 2014, passed a resolution calling upon the City to divest from companies involved in the private prison industry due to human rights violations, finding such investments counter to the City's commitment to human rights; and

WHEREAS the Portland City Council passed a resolution creating a Socially Responsible Investments Committee in December 2014<sup>8</sup> and other municipal bodies have passed or are contemplating the passage of similar resolutions calling for divestment from companies involved in human rights abuses;

NOW, THEREFORE, BE IT RESOLVED, that the Commission calls on the Retirement System Board to divest from companies that profit from or supply a product directly or indirectly used in war crimes or crimes against humanity, or create a product to allow a state body to commit a war crime or a crime against humanity, or directly commit a crime against humanity.

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<sup>2</sup>Seattle City Employee's Retirement System Board of Administration, "Consideration of Environmental, Social, and Governance Policy and Procedure." Adopted June 9, 2016 at <http://www.seattle.gov/Documents/Departments/Retirement/Board/Governance%20docs/ESGPolicyJune2016.pdf>

<sup>3</sup> City Purchasing and Contracting, "Social Equity In Purchasing and Contracting" at <http://www.seattle.gov/city-purchasing-and-contracting/social-equity>

<sup>4</sup>Finfield, Anna. "Punishing North Korea: a Rundown on Current Sanctions." *The Washington Post*, Feb. 22, 2016 at <https://www.washingtonpost.com/news/worldviews/wp/2016/02/22/punishing-north-korea-a-run-down-on-current-sanctions/>

<sup>5</sup>White House Office of the Press Secretary, "Fact Sheet: Sanctions Against Those Complicit in Grave Human Rights Abuses Via Information Technology in Syria and Iran." Apr. 23, 2012 at <https://www.whitehouse.gov/the-press-office/2012/04/23/fact-sheet-sanctions-against-those-complicit-grave-human-rights-abuses-i>

<sup>6</sup> US Department of State, "Atrocities Prevention" at <http://www.state.gov/j/atrocitiesprevention/>

<sup>7</sup>Finkel, James. "Atrocity Prevention At The Crossroads: Assessing the President's Atrocities Prevention Board After Two Year." *Center for the Prevention of Genocide Series of Occasional Papers*. No.2, Sept. 2014 at <https://www.ushmm.org/m/pdfs/20140904-finkel-atrocity-prevention-report.pdf>

<sup>8</sup>City of Portland Office of Management and Finance, "Socially Responsible Investments Committee" at <https://www.portlandoregon.gov/omf/67101>

BE IT FURTHER RESOLVED, that the Commission calls on the Purchasing Office to not contract with such companies.

BE IT FURTHER RESOLVED, that the Commission calls on the City Council to appoint an advisory board of community members to examine the companies in which the Retirement System Board maintains investment or with which the Purchasing Office otherwise contracts to determine whether such companies are potentially involved in the crimes listed above or other human rights violations as identified by past and future Commission resolutions.

BE IT FURTHER RESOLVED, that the Commission calls on the Retirement System Board and Purchasing Office to divest from or end contracts with such companies in an expedient manner until such companies demonstrate they are no longer involved in such crimes.

BE IT FURTHER RESOLVED, that the Commission calls on the Purchasing Office to supplement its social equity guidelines with additional guidelines to prevent the awarding of municipal contracts to companies involved in such crimes.

BE IT FURTHER RESOLVED, that the Commission calls on the Retirement System Board and Purchasing Office to work with the newly established advisory board and Commission to establish guidelines and criteria to prevent future investment in these companies and others similarly involved in such crimes.

BE IT FURTHER RESOLVED, that the Commission will continue to support community efforts to divest from companies engaged in harmful conduct worldwide that threatens human rights.

Adopted by the Seattle Human Rights Commission on August 4, 2016



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Margaret Babayan, Co-Chair



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Danielle Wallace, Co-Chair