

**PIIAC PROPOSAL TO DIVEST FROM
ACTIVITIES ARMING, FINANCING, AND SUPPORTING
THE HUMANITARIAN CRISIS OF PALESTINIANS
AND OCCUPIED PALESTINIAN TERRITORY**

Abstract

Johns Hopkins University, along with the world, is observing one of the worst humanitarian crises taking place against Palestinians, termed “apartheid” and “genocide” across the international community. In addition to the mass destruction and targeting of civilian infrastructure, hospitals, universities, schools, refugee camps, and humanitarian aid structures, new studies have estimated that the death toll of Palestinians in this renewed moment of crisis could be as high as 186,000. In other terms, the 2023 siege on the Gaza Strip has effectively killed 8% of the population. This proposal argues that JHU must divest its endowment from activities that arm, finance, and otherwise support the State of Israel and its military activities that are directly responsible for these unprecedented horrors. Divestment is a critical means to not only sever material support for the continuation of apartheid and genocidal violence, but also to signal to the JHU, national, and international communities that this University refuses to participate or aid in death, dehumanization, and destruction.

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Content Warning

The following report contains descriptions and images of torture, abuse, sexual violence, starvation, death, injuries, drone strikes, bombings, mass suffering, and other potentially upsetting content in graphic detail.

Including this content is essential to establishing the degree of Palestinian suffering that constitutes a critical component in considering the urgency and necessity of divestment.

The selected graphic images included in this section are not intended to be gratuitously consumed, but instead serve to highlight the historic gravity of the current Palestinian condition. This request's report on the situation of Palestinians is not and cannot be wholly comprehensive of this unprecedented humanitarian crisis. The most shocking instances of violence committed against Palestinians since the beginning of the 2023 siege on the Gaza Strip — for example, the shelling of 6-year-old Hind Rajab,¹ the crushing of Palestinians, dead and alive, by Israeli tanks,² and the discovery of mass graves underneath a Gazan hospital³ — indicate that the reality of Palestinian suffering is far worse than can be described or ethically depicted.

¹ Euro-Med Human Rights Monitor, “Gaza: Initial Findings Show Israeli Army Purposefully Kills a Child, Uses an American-made Missile to Target Her Rescue Crew,” February 12, 2024, <https://euromedmonitor.org/en/article/6152/Gaza:-Initial-findings-show-Israeli-army-purposefully-kills-a-child,-uses-an-American-made-missile-to-target-her-rescue-crew>.

² Al Jazeera, “Witness Says Israeli Tank Crushed Palestinian Civilians Alive,” n.d., <https://www.aljazeera.com/program/newsfeed/2024/7/9/witness-says-israeli-tank-crushed-palestinian-civilians-alive>.

³ Amnesty International, “Gaza: Discovery of Mass Graves Highlights Urgent Need to Grant Access to Independent Human Rights Investigators,” April 26, 2024, <https://www.amnesty.org/en/latest/news/2024/04/gaza-discovery-of-mass-graves-highlights-urgent-need-to-grant-access-to-independent-human-rights-investigators/>.

I. Introduction

This proposal requests that the Johns Hopkins University (JHU) commit to financially *divesting* from companies with ties to the State of Israel, prioritizing those directly involved in the State's weapons engineering, manufacturing, and related financial sectors. This proposal also requests that JHU fully *disclose* all current and future financial investments of JHU's endowment. These two specific demands are proposed because the Public Interest Investment Advisory Committee (PIIAC) at JHU has the direct financial power to recommend and guide divestment practices, as well as advocate for the transparent disclosure of investments and funding sources that sustain the State of Israel's inhumane, apartheid governance over Palestinians and the Occupied Palestinian Territories (OPT).

The companies listed in this request are directly complicit in funding the genocide of Palestinians by the State of Israel. JHU has financial ties with these entities and financially benefits from these investments, implicating JHU as a party complicit in genocide. **This proposal puts forward a request for JHU to divest select investments to mitigate further harm to the Palestinian people, raise humanitarian and ethical concerns about all other investments, support the end to the undue suffering of Palestinians by the State of Israel, and prevent future atrocities through a more transparent investment procedure.** In addition to the substantive requests for divestment of the JHU endowment made later in this document, this application must be heard immediately given the singular importance of mitigating further irreparable loss of life and ending financial support for states presently engaging in genocidal acts of violence. **Such urgency for this request follows JHU's previous practices on the question of divestment from apartheid in South Africa on the grounds of humanitarian crises, human rights violations, extreme suffering, and discriminatory segregation observed by the international community.**

This request will demonstrate not only the current situation of extraordinary suffering inflicted by the State of Israel on Palestinians and the OPT in the current armed conflict since October 7, 2023 but also the State of Israel's pattern of inhumane, apartheid governance over Palestinians beginning decades before contemporary circumstances. The social impact of the suffering of Palestinians should thus be considered with great importance even given the potential attainment of a ceasefire agreement in the duration of the PIIAC process and the consideration of this proposal to divest. PIIAC must urgently consider divestment from companies that provide the military and financial means to sustain the enduring humanitarian crisis faced by Palestinians.

II. The Humanitarian Crisis

The following section on the condition of Palestinians contains graphic descriptions of sexual violence and torture.

This divestment request intends to partially rectify the most recent humanitarian crisis in the Gaza Strip. The contemporary situation is the result of culminating egregious crimes against humanity, war crimes, violations of international law, and rights abuses conducted by the State of Israel that began long before violent exchanges with Hamas on Oct. 7, 2023, and extends beyond the confines of the Gaza Strip. The State of Israel's transgressions include but are not limited to the imposition and enforcement of apartheid, the targeting and killing of civilians, the intentional destruction of medical and humanitarian infrastructure, the targeting of journalists, the use of chemical weapons, torture, unlawful arrest and detention, the forced displacement or removal of populations, sexual violence, rape, mass starvation, war crimes, and illegal settlements. This non-exhaustive list of crimes reflects the international consensus on accusations against the State of Israel, demonstrating the urgency with which JHU and the PIIAC committee must evaluate the social impact of the State of Israel's current and past operations. The longstanding, persistent violations of human rights and war crimes are not only immense and unrivaled, but also historically proven. The PIIAC committee must review the situation in the occupied Palestinian territories with the past precedence of the 1978 Hopkins trustees' decision to divest from South Africa on the grounds of its apartheid regime's inhumane treatment of South African citizens.

a. History of Occupation, Settler Colonialism, and Apartheid

The current humanitarian crisis we are observing in the Gaza Strip is not unique to the escalated violence onwards from October 7. Rather, it is the result of several decades of violations of human rights and international law, most notably defined by the declaration of the independent State of Israel in 1948. This section on the situation of violence against Palestinians will give a brief history beginning in the early 20th century to demonstrate that the social impact of the State of Israel's operations and its political Zionism extend beyond the contemporary focus on the current war. **The State of Israel and Palestine's history demonstrates that Israel's current composition is a direct result of the occupation of historic Palestine and the oppression, displacement, and abuse of Palestinians.**

The State of Israel and political Zionism emerged at the turn of the 20th century, sustained by the ambitions of colonial and imperial power of the Ottoman Empire and Britain. Following the end of World War I, control over the Palestinian territory was transferred from the Ottoman Empire to the British Empire through the Mandate for Palestine in April of 1920.⁴ The Mandate, issued by the Council of the League of Nations, instructed Britain to carry the creation of a "national home for the Jewish people," as originally stated in the November 2, 1917 declaration written by British Foreign Secretary Lord Arthur Balfour.⁵ In 1917, before the official Mandate, Jewish people made up less than 10 percent of the Palestinian population, while Palestinian Arabs

⁴ Great Britain Contributor, and League Of Nations. Council Author. "Mandate for Palestine and Memorandum by the British Government Relating to its Application to Transjordan," Geneva: League of Nations, -08-16, 1922. Pdf.

⁵ Balfour, A. J. (1917, November 2). The Balfour Declaration.

comprised more than 90 percent of the population.^{6 7} The 1920 Mandate instructed Britain to “secure the development of self-governing institutions,” “encourage local autonomy,” “facilitate Jewish immigration” and “close settlement by Jews on the land,”⁸ without consultation of existing Palestinian populations. While the declaration and the Mandate both include assertions

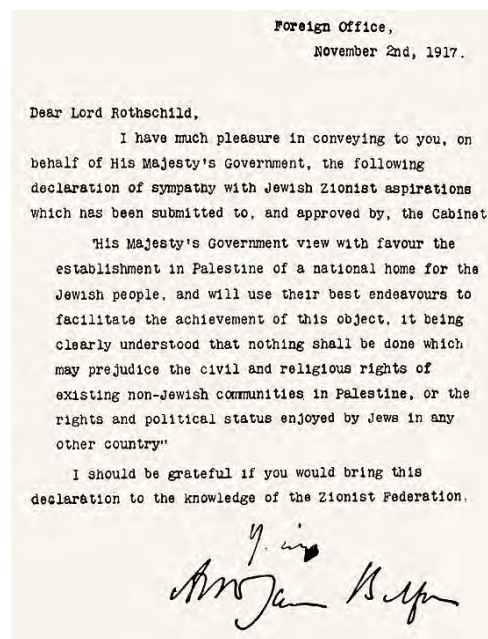


Figure 1. Balfour Declaration. Image by British Library.

that “nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine,” the realities of the declaration made abiding by such a direction impossible, foremost because it was made in direct contradiction to the correspondence between Sharif Hussein, Emir of Mecca, and from Sir Henry McMahon, British High Commissioner in Egypt in 1915. The Hussein-McMahon correspondence committed to the “‘independence of the Arab countries,’ including Palestine.”⁹ McMahon assured that “Great Britain is prepared to recognize and support the independence of the Arabs in all the regions within the limits demanded by the Sherif of Mecca.”¹⁰ An appendix to a memorandum prepared by the Political Intelligence Department of the British Foreign Office states, “The whole of Palestine ... lies within the limits which His Majesty’s Government have pledged themselves to Sharif Hussein that they will recognize and uphold the independence of the Arabs,” confirming the promise made by Great Britain to grant the independence of Palestine.¹¹

The Balfour Declaration and Mandate constituted a mutually beneficial pact between the British Empire and Zionism’s emerging territorial aspirations, together composing the Zionist framework for the permanent settlement of European Jews into the Palestinian Mandate and the declaration of the State of Israel. Plans for settlement and religious statehood necessitated the mass displacement of the existing, predominantly Palestinian population, leading to political Zionism’s devastating military campaign of 1948. A 1923 essay titled “Iron Wall” by Ze’ev Jabotinsky (born Vladimir Yevgenyevich Zhabotinsky), chair of the Alliance of Revisionist-Zionists Party states the intentions of the establishment of a State of Israel:

“There can be no voluntary agreement between ourselves [Zionist Jews] and the Palestine Arabs [...] it is utterly impossible to obtain the voluntary consent of the Palestine Arabs for converting "Palestine" from an Arab country into a country

⁶ Zena Al Tahhan, “More Than a Century on: The Balfour Declaration Explained,” Al Jazeera, November 2, 2018, <https://www.aljazeera.com/features/2018/11/2/more-than-a-century-on-the-balfour-declaration-explained>.

⁷ Esther Farmer, Rosalind Petchesky, and Sarah Sills, “A Land With a People: Palestinians and Jews Confront Zionism on JSTOR,” JSTOR, 2021, <https://www.jstor.org/stable/j.ctv2tr52v8>, pg. 21.

⁸ Great Britain Contributor, and League Of Nations, “Mandate for Palestine,” pg. 2-3.

⁹ United Nations. (n.d.). *The Question of Palestine*. United Nations. <https://www.un.org/unispal/history2/origins-and-evolution-of-the-palestine-problem/part-i-1917-1947/>

¹⁰ *Ibid.*

¹¹ *Ibid.*

with a Jewish majority. [...] whether there is one solitary instance of any colonisation being carried on with the consent of the native population [...] there is no such precedent. The native populations, civilised or uncivilised, have always stubbornly resisted the colonists, irrespective of whether they were civilised or savage. And it made no difference whatever whether the colonists behaved decently or not. [...] Zionist colonisation must either stop, or else proceed regardless of the native population. **Which means that it can proceed and develop only under the protection of a power that is independent of the native population – behind an iron wall, which the native population cannot breach.**”¹²

The State of Israel was thus established in 1948 through Israeli military campaigns of mass forced displacement, resulting in the exodus of over 750,000 Palestinians from their ancestral homes.¹³ At the time, these 750,000 Palestinians comprised “almost 90 per cent of those living in what was designated as the Jewish state.”¹⁴ This mass displacement, also referred to as “the catastrophe” or al-Nakba, culminated in over 70 massacres conducted by the State of Israel and resulted in the denial of fleeing Palestinians the right to return to their homes after expulsion.¹⁵ One particularly notable incidence of egregious violence during al-Nakba was the massacre of over 250 Palestinians,¹⁶ including children, in the 750-person village of Deir Yassin.¹⁷ The Zionist extremist paramilitary groups that executed this massacre would later comprise the current armed forces of the State of Israel, the Israeli Defense Forces (IDF). This not only violated a village non-aggression pact but exterminated over a quarter of Deir Yassin’s population in inhumane ways.^{18 19}



Figure 2. Palestinian woman and child during al-Nakba. 1948.

The historical documentation of the Deir Yassin massacre

¹² Ze’ev Jabotinsky. “Iron Wall,” Jabotinsky Institute in Israel, 1923, pg. 2, 6. Emphasis added.

¹³ Ahmad H. Sa’di, “Afterword: REFLECTIONS ON REPRESENTATION, HISTORY, AND MORAL ACCOUNTABILITY,” pg. 290.

¹⁴ Ilan Pappé, *The Ethnic Cleansing of Palestine*, Simon and Schuster, 2007, pg. 128.

¹⁵ Marouf Hasian, “Debates on Colonial Genocide in the 21st Century,” Springer eBooks, 2020, <https://doi.org/10.1007/978-3-030-21278-0>.

¹⁶ UN Palestine Commission, “Attack on Deir Yassin (9 April 1948) - Letter From United Kingdom - Question of Palestine,” Question of Palestine, March 12, 2019, <https://www.un.org/unispal/document/auto-insert-211346/>.

¹⁷ Adam Zeidan, “Deir Yassin | History, Israel, Palestinians, & Massacre,” Encyclopedia Britannica, May 15, 2024, <https://www.britannica.com/place/Deir-Yassin>.

¹⁸ Jewish Telegraphic Agency, “Irgunists in Jerusalem surrender their arms to Govt; dissidents to join army today,” *Jewish Telegraphic Agency*, September 22, 1948, <https://www.jta.org/archive/irgunists-in-jerusalem-surrender-their-arms-to-govt-dissidents-to-join-army-today>.

¹⁹ Pappé, *The Ethnic Cleansing of Palestine*, pg. 90.

includes evidence that proto-IDF paramilitary groups not only killed surrendering villagers, but also shot pregnant women, raped female villagers, and discharged explosives in civilian dwelling structures.²⁰ The massacre at Deir Yassin demonstrated the extent of violence exercised by Zionist and Israeli forces to dehumanize, expel, violate, and kill Palestinians, provoking its surrounding Palestinian villages to accelerate evacuation out of fear. Israeli historian Benny Morris writes that “the most important immediate effect of the massacre and of the media atrocity campaign that followed was to trigger and promote fear and further panic flight from Palestine’s villages and towns.”²¹ The massacre at Deir Yassin represents the extent of violence exercised by Zionist and Israeli military forces to induce the mass flight of Palestinians that culminated in al-Nakba. Al-Nakba is a benchmark historical event commonly viewed as the beginning of the military occupation and settling of historic Palestine, its violence setting the tone for the continued military campaigns launched to sustain the State of Israel’s political, military, social, and territorial domination over Palestinians.

The State of Israel has engaged in an apartheid form of governance against Palestinians both within the State and between boundaries with the OPT. Multiple credible international organizations have leveraged this charge against the State of Israel long before the current escalation of violence. The following subsections will list and describe the conditions of the humanitarian crisis since the mid-20th century reported by highly credited groups dedicated to humanitarian relief, human rights defense, and international law. Such groups include but are not limited to Human Rights Watch (HRW), Amnesty International, the United Nations High Commissioner for Refugees (UNHCR), the International Court of Justice (ICJ), the International Criminal Court (ICC), the Office of the United Nations High Commissioner for Human Rights (OHCHR), United Nations Relief and Works Agency (UNRWA), the World Health Organization (WHO), United Nations Office for the Coordination of Human Affairs (UNOCHA), United Nations Economic and Social Commission for Western Asia (UNESCWA), Defense for Children International (DCI), World Food Programme (WFP), United Nations International Children’s Emergency Fund (UNICEF), the World Peace Foundation (WPF), the Committee to Protect Journalists (CPJ), Reporters Without Borders (RSF), International Consortium of Investigative Journalists (ICIJ).

b. Crimes of Apartheid: International Law and Independent Investigations

In 2021, HRW released a 224-page partial report of their investigation concluding that the contemporary state of **Israeli governance over Palestinians and in the OPT amounts to definitions of apartheid under both the 1973 Apartheid Convention and the Rome Statute of the ICC**, as “inhuman acts committed to establish and maintain domination by one racial group of persons over any other racial group of persons and systematically oppressing them.”²² According to the HRW report, the State of Israel is responsible for these inhumane acts, engaging in systematic discrimination of Palestinians based on their national origin and

²⁰ Larry Collins and Dominique Lapierre, *O Jerusalem!* (Simon and Schuster, 2007).

²¹ Benny Morris, *The Birth of the Palestinian Refugee Problem Revisited* (Cambridge: Cambridge University Press, 2012), 239.

²² Human Rights Watch, “A Threshold Crossed: Israeli Authorities and the Crimes of Apartheid and Persecution,” Human Rights Watch, April 2021, https://www.hrw.org/sites/default/files/media_2021/04/israel_palestine0421_web_0.pdf.

identification.²³ Several examples of this include the **restriction of the political rights** of Palestinians, **the restriction of movement** between and within the OPT and the State of Israel, the policy of **Judaization of Palestinian areas, segregation**, the arbitrary **conditioning of Palestinian residency rights**, the bifurcation and **second-class citizenship of Palestinians** under the law of the State of Israel, **denial of building permits in the West Bank, land confiscations** including land privately owned by Palestinians, and **the refusal of the right to return**. Additionally, in 2022, Amnesty International released their findings of a similar investigation that also concluded that the State of Israel had been engaging in crimes of apartheid on a massive scale, **demonstrating its intent to dominate and oppress Palestinians, segregate and control the population, deprive Palestinians of their equal social and political rights, and forcibly dispossess property and land.**²⁴



Figure 3. Highway near Jerusalem segregating Israeli and Palestinian traffic. Photo by Mahmoud Ilean. 2020.

Both reports establish that the State of Israel’s apartheid regime is not only systematic, but institutionalized — these crimes are not only committed by the state, but their justifications are codified, normalized, and regularized by the State of Israel’s political infrastructure. At the very foundation, the OPT’s officially determined system of governance is separate from its occupying power, the State of Israel, resulting in at least four different Palestinian experiences of the State of Israel; second-class citizenship and segregation as Palestinian citizens in the State of Israel, military-imposed segregation in the West Bank including occupied East Jerusalem, total blockade and

separation in the Gaza Strip, and permanent refugee status for displaced Palestinians. While the status of Palestinians across all legal categories is systematically abused, the State of Israel contrastingly offers significant subsidies to entice Jewish Israeli citizens to live in, maintain, and enlarge illegal settlements, indicative of a dramatic discrepancy in living conditions enabled by the State of Israel.

The unequal treatment of demographic groups by the State of Israel has been a condition of its political and physical existence as well: “In 1950, Israel granted every Jew the right to immigrate to [the newly established State of] Israel under the Law of Return, while two years later, every Jewish immigrant acquired the right to automatic Israeli citizenship under the Nationality Law of 1952.”²⁵ Since its inception, the State of Israel has institutionalized its preference for Jewish immigrants of non-local origins to form and declare a population of “Israeli” citizens, while at the same time denying citizenship and residency to Palestinians who were only recently displaced by al-Nakba, also perpetrated by the State of Israel. This includes the racialization of individuals as ‘Jewish’ qualified by matrilineal Jewish heritage as opposed to purely religious

²³ Human Rights Watch, “A Threshold Crossed”, 6.

²⁴ Amnesty International, “Israel’s Apartheid against Palestinians (2022),” Amnesty International, accessed June 21, 2024, <https://www.amnesty.org.uk/resources/EndIsraelsApartheid>.

²⁵ Amnesty International, “Israel’s Apartheid,” 63.

identification, effectively determining Jews in Israel as a race. Even after the mass expulsions of al-Nakba, internally displaced Palestinians, Palestinian refugees, and descendants of survivors displaced during al-Nakba were refused the right to return to their previous homes as a result of



Figure 4. Israeli wall separating Israeli settlement Pisgat Zeev (left) from the Palestinian Shuafat refugee camp (right). Photo by Ahmad Gharabli. 2020.

the aforementioned Nationality Law, which established that Palestinians could not be granted Israeli citizenship unless they had continuously inhabited Israel from the day of its establishment on 14 May 1948.

Amnesty writes that “[t]he Nationality Law effectively became the basis for denying Palestinian refugees, and later their descendants, their right to gain Israeli citizenship or residency status in Israel and thus their right to return to their former places of residence.”²⁶

Restrictions on Palestinians’ mobility in both the OPT and the State of Israel are one of the most visible forms of state-engaged ethnic segregation indicative of crimes of apartheid. Notably, following a popular uprising among Palestinians called the second *intifada*, the State of Israel erected a closure system including walls intended to physically contain Palestinians from free movement. Amnesty reports: “This closure system includes a web of hundreds of Israeli military checkpoints, earth mounds and road gates, in addition to blocked roads, and the winding fence/wall. The 700km fence/wall, which Israel continues building mostly illegally on Palestinian land inside the occupied West Bank, has isolated 38 Palestinian localities in the West Bank comprising 9.4% of the area of the West Bank, and has trapped them in enclaves known as “seam zones,” forcing residents to obtain special permits for entry to and exit from their homes and acquire separate

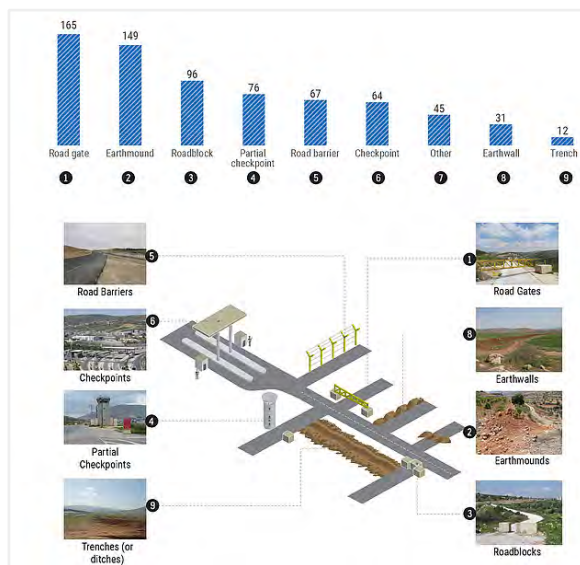


Figure 5. West Bank Obstacle Types. Diagram by UNOCHA.

permits to access their agricultural land.”²⁷ As a result, military checkpoints and blockages to movement have become a daily feature of Palestinian life. Palestinian second-class citizenship status is legally established in the very documents that they are required to carry: “different colored identity cards and passports than Jewish Israeli settlers, which carry with them different baskets of rights and privileges [...] Palestinians require difficult-to-obtain permits to enter large

²⁶ *Ibid*, 64.

²⁷ *Ibid*, 20.

parts of the West Bank, East Jerusalem, and Israel. The more than 645 checkpoints and other permanent obstacles Palestinians face can turn a short commute to school or work into an hours-long journey.”²⁸



Figure 6. Qalandiya Checkpoint, between the Northern West Bank and Jerusalem.
Image by Getty. 2019.

In addition to separation walls that serve as monuments to state-imposed segregation, the State of Israel has repeatedly codified its commitment to encourage, institutionalize, and accelerate the land dispossession for the development of illegal settlements. These appear as “selective registration of ownership rights, a discriminatory allocation of expropriated Palestinian land for Jewish settlement and a discriminatory urban planning and zoning regime to forcibly transfer Palestinians from their land and properties.”²⁹ The strategy of this discrimination follows that of the aforementioned Nationality Law, intending to manufacture a non-Palestinian Jewish majority across the State of Israel by intentionally “diluting existing Arab population concentrations.”³⁰

According to HRW’s report, these political strategies reflect the State of Israel’s intent to maintain domination, in the words of the Apartheid Convention, by instituting tandem demographic and land control. This also *violates Article 7.1 of the ICC’s Rome Statute, “Crimes Against Humanity,”* point (h) Persecution against any identifiable group or collectivity on racial, national, or ethnic universally recognized as impermissible under international law and (j) the crime of apartheid. From al-Nakba to the present, the State of Israel continues to aggressively appropriate land outside of its state border into the OPT. For the State of Israel, 2024 constituted a year of the greatest land grabs since the 1993 Oslo Accords, with new appropriations approved as recently as July 2024. These continuously expanding settlements demonstrate the State of Israel’s willingness and ability to violate Palestinian land sovereignty, defy international law, and deliberately “prevent [...] the establishment of a Palestinian state.”³¹

²⁸ Lama Fakih and Omar Shakir, “Does Israel’s Treatment of Palestinians Rise to the Level of Apartheid?,” Human Rights Watch, December 5, 2023, <https://www.hrw.org/news/2023/12/05/does-israels-treatment-palestinians-rise-level-apartheid>.

²⁹ Amnesty International, “Israel’s Apartheid,” 23.

³⁰ Human Rights Watch, “A Threshold Crossed,” 61.

³¹ Julia Frankel, “Israel Turbocharges West Bank Settlement Expansion With Largest Land Grab in Decades | AP

Civil and political recourse is not possible to remedy the segregated conditions of Palestinians in both the OPT and the State of Israel. Amnesty notes that in response to the racialized, politicized discriminatory regime of Israel, “Palestinians [have] mobilized and organized nonviolent popular resistance against Israel’s military occupation and expansion of settlements, **which has been systematically met with excessive and unlawful force, arbitrary arrests and prosecution in military courts, as well as undue restrictions on freedom of movement.**”³² For instance, the Great March of Return in 2018 staged peaceful protests along the Gaza/Israel border fence on the eve of the anniversary of al-Nakba, protesting for the right to return to villages and homes from which Palestinians were displaced. Amnesty International reported that “the Israeli army reinforced its forces – deploying tanks, military vehicles and soldiers, including snipers, along the Gaza/Israel fence – and gave orders to shoot anyone within several hundred metres of the fence,” injuring “at least 115 paramedics and medical workers,” killing at least 31 children, and injuring about 424 women.³³ Additionally, 2 journalists were shot dead “while at least 115 others have been injured during the six months of demonstrations.”³⁴



Figure 7. Military checkpoint in Hebron, West Bank, equipped with AI-controlled weaponry capable of firing stun grenades, sponge-tipped bullets, and teargas, manufactured by the Israeli company, Smart Shooter. Photo by Anne Paq. 2022.

Not only are Palestinians categorized as racially, ethnically, and nationally inferior in the Israeli political system, but they are physically obstructed from their rights to free movement, and equality under international law, and forcibly displaced without the possibility of returning to their homes. The succeeding sections of this request will explore in detail the brutal treatment of Palestinians by the State of Israel within the structure of institutionalized apartheid policies.

The PIIAC committee is strongly urged to read both the HRW and Amnesty’s reports on the State of Israel’s crimes of apartheid in full; this proposal has only included a fraction of the information collected in these investigations. HRW and Amnesty International’s findings are further corroborated by the words of former Israeli officials themselves, demonstrating that the consensus of the State of Israel’s apartheid against Palestinians is wide-spanning and admitted. In September of 2023, Tamir Pardo, the former head of the State of Israel’s intelligence agency Mossad, stated in an interview that “there is an apartheid state here.”³⁵ Additionally, Amiram

News,” AP News, July 3, 2024, <https://apnews.com/article/israel-palestinians-hamas-war-news-07-03-2024-033deab379a16efdf9989de8d6eaf0f8>.

³² Amnesty International, “Israel’s Apartheid,” 21. Emphasis added.

³³ Amnesty International, “Six Months on: Gaza’S Great March of Return,” June 15, 2021, <https://www.amnesty.org/en/latest/campaigns/2018/10/gaza-great-march-of-return/>.

³⁴ *Ibid.*

³⁵ Chris McGreal, “Israel Imposing Apartheid on Palestinians, Says Former Mossad Chief,” The Guardian, September 6, 2023, <https://www.theguardian.com/world/2023/sep/06/israel-imposing-apartheid-on-palestinians->

Levin, former head of the Israeli army's Northern Command, stated in August 2023, that "there is total apartheid," "[invoking] Nazi Germany" in comparing the "[streets] where Arabs are no longer allowed to go on, only Jews."³⁶

This report emphasizes the conditions of Palestinians before October 7 to demonstrate that they are not contingent on the outcomes of the renewed violence. Rather, the increased violence after October 7th should be attributed to the culmination of inhumane conditions in the decades prior. On July 19, 2024, the ICJ issued its advisory opinion on the State of Israel's actions in the OPT, **confirming the illegality of its transgressions on Palestinian land and against the Palestinian population**, including settlement policies, responsibilities for apartheid, annexation, land and resource theft, and violations of sovereignty.³⁷ These recent assessments are limited to actions from 1967 until December 2022. Thus, all of the State of Israel's violations of international law declared in this session are not inclusive of the recent and ongoing crisis.

The ICJ ruled that the State of Israel has remained the occupying power in the Gaza Strip even after it pulled its soldiers and settlers in 2005. This confirmation comes from the State of Israel's previous claims that it was no longer occupying the Gaza Strip, despite maintaining control over Gaza's water, airspace, borders, movement, electric infrastructure, population registry, and more. The ICJ stated that occupation of a territory cannot transfer sovereignty over the territory to the occupying power, meaning that the *State of Israel does not have a right to the Gaza Strip or the West Bank, including East Jerusalem*. The ICJ determined that the State of Israel engages in illegal actions by actively incentivizing and supporting the transfer of settlers and companies to the West Bank and E. Jerusalem, confirmed that its actions amount to the forcible transfer of the protected population, violating the 6th paragraph of Article 49 of the Fourth Geneva Convention.

Other illegal actions regarding settlements by the State of Israel declared by the ICJ include the confiscation of Palestinian land and expulsion of Palestinians from the land, the State of Israel's theft and exploitation of Palestinian natural resources, the denial of water to Palestinians, the replacement of local Palestinian law by Israeli military and civilian law, and the State's systemic failure to stop Israeli settler violence. Additionally, the ICJ confirmed that the State of Israel has fully annexed East Jerusalem from the West Bank, which is illegal by standards of international law.

On the issue of apartheid and racial segregation, the ICJ found that **the State of Israel violated Article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination, which prohibits racial segregation and apartheid**. The State of Israel's presence is thus unlawful as the Palestinian people's right to self-determination cannot be subject to conditions by their occupier.

The ICJ declared that the State of Israel must:

says-former-mossad-chief.

³⁶ Haaretz, "Ex-Israeli General Says Army Partner in West Bank War Crimes, Invokes Nazi Germany," Haaretz.com, August 13, 2023, <https://www.haaretz.com/israel-news/2023-08-13/ty-article/ex-israeli-general-says-army-partaking-in-west-bank-war-crimes-invokes-nazi-germany/00000189-ee00-d9cf-a7eb-ff2b12bf0000>.

³⁷ International Court of Justice, "Legal Consequences Arising From the Policies and Practices of Israel in the Occupied Palestinian Territory, Including East Jerusalem," International Court of Justice (International Court of Justice, July 19, 2024), <https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-adv-01-00-en.pdf>.

- (1) *end its presence in the West Bank and the Gaza Strip as rapidly as possible, including all new settlement activity;*
- (2) *repeal all laws and measures that maintain the situation, including all discriminatory measures, return all land and assets to Palestinians seized since 1967, including cultural items;*
- (3) *evacuate all settlers from the West Bank and E Jerusalem;*
- (4) *pay compensation to Palestinians as necessary.*

The ICJ ruled that the State of Israel is obliged to “bring an end to its presence in the Occupied Palestinian Territory as rapidly as possible [with an] obligation to immediately cease all new settlement activity, [...] repeal all legislation and measures creating or maintaining the unlawful situation, including those which discriminate against the Palestinian people in the Occupied Palestinian Territory, as well as all measures aimed at modifying the demographic composition of any parts of the territory, [...] provide full reparation for the damage caused by Israel’s internationally wrongful acts to all natural or legal persons concerned Israel remains bound to comply with its obligation to respect the right of the Palestinian people to self-determination and with its obligations under international humanitarian law and international human rights law.”³⁸

All other countries are obligated to the following: to refuse to recognize unlawful Israeli changes to the occupied territories, including the annexation of E. Jerusalem as part of the State of Israel's "capital," to neither render aid nor assistance to maintain the State of Israel's presence in the West Bank, including E. Jerusalem, and Gaza, and to ensure the State of Israel's compliance with international humanitarian law.

c. Crimes of Genocide: Charges and Rulings Against the State of Israel

After October 7, 2023, Gazans and Palestinians seeking refuge in the Gaza Strip experienced a dramatic escalation of brutal, violent retaliation from the IDF in addition to their prior deteriorating conditions of starvation, displacement, and apartheid. While the aggression from Hamas on that day allowed the State of Israel to frame the contemporary crisis as a war, international consensus has determined that the degree of the State of Israel’s retaliation is *disproportionately devastating in scale and brutality*. The UN concluded in an independently conducted investigation that “[h]ostilities between 2005 and 2023 resulted in less than a tenth of the fatalities since 7 October.”³⁹ To conclude that the animosities between Hamas and the State of Israel are merely some foreign war would be to dismiss the prior 10 months of unrelenting siege waged by the State of Israel on the Gaza Strip. While both Hamas and the State of Israel are engaged in military exchanges against one another, the scale of suffering and objective violence experienced by Palestinians from the State of Israel has and continues to wreak unprecedented suffering and atrocities. This portion of the ‘Humanitarian Crisis’ section

³⁸ International Court of Justice, “Legal Consequences Arising From the Policies and Practices of Israel in the Occupied Palestinian Territory, Including East Jerusalem.”

³⁹ Human Rights Council, “Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, Including East Jerusalem, and Israel - Advance Unedited Version (a/HRC/56/26) - Question of Palestine,” Question of Palestine, June 12, 2024, <https://www.un.org/unispal/document/coi-report-a-hrc-56-26-27may24/>. Emphasis added.

will detail the charges made by international legal bodies against the State of Israel's actions in the preceding nine months of the renewed firefight.

On December 29, 2023, South Africa instituted proceedings against the State of Israel in the ICJ for breaches of “breaches of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide” (heretofore referred to as the Genocide Convention).⁴⁰ In January of 2023, South Africa's case argued that “[the] acts and omissions by Israel complained of by South Africa are genocidal in character because they are intended to bring about the destruction of a substantial part of the Palestinian national, racial and ethnic group, that being the part of the Palestinian group in the Gaza Strip (‘Palestinians in Gaza’).”⁴¹ The actions by the State of Israel identified by South Africa's case for the prevention of genocide included the following charges, quoted directly as follows:

- (1) *Apartheid,*
- (2) *Expulsion,*
- (3) *Ethnic cleansing,*
- (4) *Annexation,*
- (5) *Occupation,*
- (6) *Discrimination,*
- (7) *Denial of the right of the Palestinian people to self-determination,*
- (8) *Killing [of Palestinians],*
- (9) *Causing [Palestinians] serious mental and bodily harm and deliberately inflicting conditions of life calculated to bring about [Palestinians'] physical destruction as a group,*
- (10) *Failure to provide or ensure essential food, water, medicine, fuel, shelter, and other humanitarian assistance for the besieged and blockaded Palestinian people.*

These charges against the State of Israel are only partial and reflect a small portion of what South Africa describes in the current situation of violence faced by Palestinians during the war up to January of 2024.

⁴⁰ Republic of South Africa, “Application Instituting Proceedings,” *International Court of Justice* (International Court of Justice, December 27, 2023), accessed July 10, 2024, <https://www.icj-cij.org/sites/default/files/case-related/192/192-20231228-app-01-00-en.pdf>.

⁴¹ *Ibid*, 4.



Figure 8. Al-Shifa Hospital Complex, before (left, 2022) and after (right, 2024). Satellite image from Maxar Technologies.

On January 26, 2024, the ICJ officially responded to South Africa’s request to apply the Genocide Convention against the State of Israel, determining that “Palestinians appear to constitute a distinct “national, ethnical, racial or religious group,” and hence a protected group within the meaning of Article II of the Genocide Convention. The Court observes that, according to United Nations sources, the Palestinian population of the Gaza Strip comprises over 2 million people. Palestinians in the Gaza Strip form a substantial part of the protected group.”⁴² Further, the ICJ’s order commented that “the military operation being conducted by Israel following the attack of 7 October 2023 has resulted in a large number of deaths and injuries, as well as the massive destruction of homes, the forcible displacement of the vast majority of the population, and extensive damage to civilian infrastructure.”⁴³

The ICJ concluded that given the facts and charges under the Geneva Convention presented by South Africa, there was a plausible case in which the Genocide Convention could be applied against the State of Israel. On the application of the Genocide Convention, “[ICJ] **considers that the plausible rights in question in these proceedings, namely the right of Palestinians in the Gaza Strip to be protected from acts of genocide** and related prohibited acts identified in Article III of the Genocide Convention and the right of South Africa to seek Israel’s compliance with the latter’s obligations under the Convention, are of such a nature that prejudice to them is capable of causing irreparable harm.”⁴⁴ It is clear that the highest court of justice, with the support of factual findings of multiple international organizations, has determined that the situation in the OPT by the State of Israel is so grave that *the risk of genocide and irreparable harm is imminent*: “In the Court’s view, the facts and circumstances mentioned above are sufficient to conclude that at least some of the rights claimed by South Africa and for which it is seeking protection are plausible. This is the case concerning the right of the Palestinians in Gaza to be protected from acts of genocide and related prohibited acts identified in Article III, and the

⁴² *Ibid*, 15.

⁴³ *Ibid*, 15.

⁴⁴ *Ibid*, 21. Emphasis added.

right of South Africa to seek Israel’s compliance with the latter’s obligations under the Convention.”⁴⁵

In addition to the ICJ’s ruling that the ongoing conflict amounted to a plausible case of genocide, the International Criminal Court (ICC) charged key military and government officials of the State of Israel. On May 20, 2024, ICC Prosecutor Karim A. A. Khan KC released a statement describing the findings of the ICC’s investigation, accusing the State of Israel’s Prime Minister Benjamin Netanyahu and Defense Minister Yoav Gallant of the following crimes against humanity in both international and non-international conflict contexts:⁴⁶

- (1) *Starvation of civilians as a method of warfare as a war crime contrary to article 8(2)(b)(xxv) of the Statute;*
- (2) *Wilfully causing great suffering, or serious injury to body or health contrary to article 8(2)(a)(iii), or cruel treatment as a war crime contrary to article 8(2)(c)(i);*
- (3) *Wilful killing contrary to article 8(2)(a)(i), or Murder as a war crime contrary to article 8(2)(c)(i);*
- (4) *Intentionally directing attacks against a civilian population as a war crime contrary to articles 8(2)(b)(i), or 8(2)(e)(i);*
- (5) *Extermination and/or murder contrary to articles 7(1)(b) and 7(1)(a), including in the context of deaths caused by starvation, as a crime against humanity; Persecution as a crime against humanity contrary to article 7(1)(h);*
- (6) *Other inhumane acts as crimes against humanity contrary to article 7(1)(k).*

The Prosecutor’s findings establish that the aforementioned list of crimes against humanity and crimes are not only “widespread and systematic,” but continuous and intends to collectively punish Palestinians, recognizing that the State of Israel, even given the right to defend its population, has engaged in such actions that cannot be justified under the disguise as defense and “does not absolve Israel or any State of its obligation to comply with international humanitarian law.”

d. War Crimes and Crimes Against Humanity

However, neither the ICJ nor the ICC’s reports are comprehensive. Accusations of genocide are significant for the PIIAC Committee to consider as an ethical concern in the framing of social and corporate impact, but insufficiently descriptive to capture the full breadth of the superlative nature of Palestinian suffering under the State of Israel’s military occupation. The following paragraphs detail the State of Israel’s human rights violations of Palestinians after October 7, as reported by various international organizations, humanitarian groups, and international legal frameworks. This section will elaborate on violations committed by the State of Israel primarily under Articles 7.1, “Crimes Against Humanity” for transgressions committed outside of official wartime, and 8.2 “War Crimes” for transgressions committed from October 7th onwards.

⁴⁵ *Ibid*, 16.

⁴⁶ Karim A.A. Khan KC, “Statement of ICC Prosecutor Karim A.A. Khan KC: Applications for Arrest Warrants in the Situation in the State of Palestine,” *International Criminal Court* (International Criminal Court, May 24, 2024), accessed July 10, 2024, <https://www.icc-cpi.int/news/statement-icc-prosecutor-karim-aa-khan-kc-applications-arrest-warrants-situation-state>.



Figure 9. Destroyed buildings in Gaza viewed from Southern Israel. Photo by Jack Guez. 2024.



Figure 10. Palestinians search for casualties at the site of an Israeli strike on Jabalya refugee camp in the northern Gaza Strip. Photo by Anas al-Shareef. Oct. 31, 2024.

On the question of the attacks and destruction of medical, humanitarian, civilian, and otherwise non-military objective targets, Article 8.2 of the Rome Statute supplements the following as constituting war crimes: (a)(iv) Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly; (e)(i) Intentionally directing attacks against buildings, material, medical units and transport, and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law; (e)(ii) Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities; (e)(iii) Intentionally directing attacks against

personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict; (e)(iv) Intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not military objectives.

In June 2024, the UN released its findings following an Independent International Commission of Inquiry revealing the military strategy of the IDF and the Israeli Security Forces (ISF) to “[target] high-rise buildings and other civilian objects in the al-Rimal neighborhood, Khan Younis, in Gaza City, Jabalia and al-Shati refugee camps, and other locations, causing thousands of casualties, wreaking devastation and razing entire residential blocks and neighborhoods to rubble in near-constant heavy bombardments.”⁴⁷ These illegal and atrocious actions were not found to be incidental, but instead encouraged, especially by Israeli Defense Minister Yoav Gallant. The inquiry’s findings report that “the Israeli Government has given ISF blanket authorisation to target civilian locations widely and indiscriminately in the Gaza Strip,” applied through the Dahiya Doctrine, a military strategy developed to target civilian infrastructure.⁴⁸



Figure 11. A screenshot from the aerial footage published by Al Jazeera reveals the size and depth of the crater from the airstrikes that targeted the site of al-Maghazi al-Jadeed Bakery. Photo by Al Jazeera.

The State of Israel has also engaged in military action that has destroyed not only homes, neighborhoods, high-capacity apartment buildings, and refugee camps, but also centers of economy and basic needs. One particularly jarring act of attack by the Israeli military is the attack on bakeries in the Gaza Strip. While the instrumentalization of starvation and food blockades in the Gaza Strip will be detailed later, the particular importance of bakeries during the contemporary period of heightened violence is demonstrated by the multiple instances where Israeli military forces targeted bakeries. For example, al-Maghazi al-Jadeed bakery, a crucial food source for the al-Maghazi refugee camp, was “completely destroyed on the evening of October 24, 2023” by Israeli shelling, following recent UNRWA provisions of “flour and gas,” appearing to be isolated as a target (see Figure 11).⁴⁹ Not only were bakeries and essential food centers destroyed by the Israeli military offensive, but other means of providing basic needs were similarly demolished. Agricultural farms, local

⁴⁷ HRC, “Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, Including East Jerusalem, and Israel - Advance Unedited Version (a/HRC/56/26) - Question of Palestine.”

⁴⁸ Ibid.

⁴⁹ “An Investigation Into the Bombing of the al-Maghazi al-Jadeed Bakery,” The Public Source, March 19, 2024, accessed July 10, 2024, <https://thepublicsource.org/al-maghazi-bakery-bombing-gaza>.

fisheries, and water wells, all essential to meet the basic living needs of food and water, were decimated. The Washington Post reported in May of 2024: “Agriculture accounted for nearly half of Gaza’s total land area before the war, according to UNOSAT, the United Nations’ satellite center; 45 percent of that agricultural land has now been damaged.”⁵⁰

This destruction is not unique to the Gaza Strip, where such brutal action may be justified as some form of pursuit of Hamas - similar sweeping destruction is conducted by the State of Israel in the West Bank as well. For instance, in May of 2023, the Israeli military “ignited a devastating fire at Ramallah and al-Bireh's main vegetable market in the occupied West Bank on Thursday that has destroyed dozens of shops owned by Palestinians,” destroying over one hundred Palestinian shops and causing hundreds of thousands in financial loss.⁵¹ Additionally, these forces raided Palestinian money exchange shops in the West Bank the same month, seizing the equivalent of over \$1 million without legal proceedings, justifying these illegal seizures by accusing shop owners of armed group affiliation. The same assumptions were made to justify a \$2.5 million seizure of the headquarters of the Palestinian Authority (PA) in December of 2023.⁵² This pattern of accusations by the Israeli military is a blank check for unbridled financial, social, and human violence across the OPT, despite the lack of evidence and legality. The UN investigation’s findings reported on the question of civilian death and destruction of infrastructure that “[the report] could not identify military targets as the focus of the attacks. Even when military targets were allegedly present, attacks lacked distinction, proportionality and precautions, resulting in thousands killed and injured and widespread destruction of entire neighborhoods including in Jabalia, Al-Rimal, Al-Yarmouk and Al-Maghazi.”⁵³



Figure 12. Screen capture of a video of an UNRWA worker, who said the attack killed at least one of their workers and injured several others. Video by Mohamed Salem.

Critical medical and humanitarian infrastructure were also attacked by Israeli military operations. UNOCHA reported in December of 2023 that “[h]umanitarian agencies and first responders have warned that blackouts jeopardize the already constrained provision of life-saving assistance in Gaza.” Additionally, the State of Israel repeatedly engaged in military strikes on civilian

⁵⁰ Nilo Tabrizy Imogen Piper Berger Miriam, “As Famine Looms, Israel’s Offensive Is Destroying Gaza’s Agriculture,” *Washington Post*, May 3, 2024, <https://www.washingtonpost.com/investigations/interactive/2024/gaza-israel-agriculture-food-fisheries/>.

⁵¹ Fayha Shalash, “Israeli Forces Spark Devastating Fire at Ramallah Vegetable Market,” *Middle East Eye*, May 30, 2024, <https://www.middleeasteye.net/news/israeli-raids-spark-fire-devastates-ramallah-vegetable-market>.

⁵² Al Jazeera, “‘Unparalleled’: Israeli Army Raids Ramallah, More Occupied West Bank Cities,” *Al Jazeera*, December 29, 2023, <https://www.aljazeera.com/news/2023/12/28/unparalleled-israeli-army-raids-ramallah-more-occupied-west-bank-cities>.

⁵³ HRC, “Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, Including East Jerusalem, and Israel - Advance Unedited Version (a/HRC/56/26) - Question of Palestine.”

infrastructure, including multiple refugee camps and neighborhoods: “Israeli forces reportedly carried out more than 50 strikes on 24-25 December, on three refugee camps – Al Bureij, An Nuseirat, and Al Maghazi [...] Israeli forces reportedly struck a residential block comprising several houses of the Qandil, Abu Ahed Abu Hamida, Abu Rahma, Si-Salem, and Al-Nawasra families in various locations in Al-Maghazi Camp, middle Gaza, killing more than 70 Palestinians and injuring tens of others including children and women.”



Figure 13. Al-Maghazi refugee camp after Israeli strikes. Photo by Mahmud Hams. November 2023.

The UNRWA reported in November of 2023 that in one day, “two additional UNRWA colleagues were killed. UNRWA also received confirmation that one colleague was killed on 3 November. 92 UNRWA colleagues have been killed and at least 26 injured since the start of hostilities. This is the highest number of United Nations and workers killed in a conflict in the history of the United Nations.”⁵⁴ Additionally, “UNRWA has recorded an unprecedented number of violations against its staff and facilities that surpass any other conflict around the world.”⁵⁵ The UNRWA report further notes that between October 2023 and March 2024, over 165 UNRWA staff members were killed and over 150 UNRWA facilities including schools were destroyed. In a report from The New Humanitarian, using data from the Aid Worker Security Database, “[t]he number of humanitarians killed in the Occupied Palestinian Territories in only three months last year, 161, is more than the deadliest year ever recorded for aid workers globally.”⁵⁶

⁵⁴ UNRWA, “UNRWA Situation Report #25 on the Situation in the Gaza Strip and the West Bank, Including East Jerusalem,” *UNRWA* (UNRWA, November 7, 2023), accessed July 15, 2024, <https://www.unrwa.org/resources/reports/unrwa-situation-report-25-situation-gaza-strip-and-west-bank-including-east-jerusalem>.

⁵⁵ UNRWA, “At Least One UNRWA Staff Killed When Israeli Forces Hit UNRWA Centre Used for Food and Lifesaving Supplies,” UNRWA, March 13, 2024, accessed July 15, 2024, <https://www.unrwa.org/newsroom/official-statements/least-one-unrwa-staff-killed-when-israeli-forces-hit-unrwa-centre-used>.

⁵⁶ Léopold Salzenstein, “Behind the Numbers: Gaza’s Unprecedented Aid Worker Death Toll,” *The New*

One of the most heinous instances of the State of Israel targeting humanitarian relief efforts was the airstrike on the World Central Kitchen (WCK) vehicle, which killed 7 workers (see Figure 13). WCK, in its efforts to provide food for blockaded and sieged Gazans, coordinated its vehicle's movements with the IDF "in a deconflicted zone in two armored cars branded with the WCK logo and a soft skin vehicle [...] [which was] hit as it was leaving the Deir al-Balah warehouse, where the team had unloaded more than 100 tons of humanitarian food aid brought to Gaza on the maritime route."⁵⁷ As a result of this attack, **WCK halted its operations in the affected areas**, demonstrating that this targeted attack, even if justified as a mistake by the Israeli military, **effectively spread a mass chilling effect to humanitarian-oriented groups that they may be targeted and killed as well**. Furthermore, there are multiple instances where the State of Israel has targeted hospitals and ambulance vehicles - an ambulance of the Palestine Red Crescent Society, which provided emergency medical aid amidst the decimation of Gazan medical infrastructure, was air-struck, killing 6 people total. The effect of violence against humanitarian relief efforts has only intensified with the destruction of reliable human infrastructure.



Figure 14. World Central Kitchen vehicle damaged after targeted attack by Israeli missiles. Photo by Majdi Fathi, NurPhoto, and Getty Images. April 2024.

Humanitarian, March 21, 2024, <https://www.thenewhumanitarian.org/maps-and-graphics/2024/03/21/behind-numbers-gaza-unprecedented-aid-worker-death-toll>.

⁵⁷ World Central Kitchen, "7 WCK Team Members Killed in Gaza," April 2, 2024, accessed July 15, 2024, <https://wck.org/news/gaza-team-update>.

Israel's military operation in Gaza, in the aftermath of the heinous 7 October attack by Hamas, has become the deadliest, most dangerous conflict for journalists in recent history.⁵⁸ The Israeli military has been accused of targeting and killing journalists before the contemporary escalation of violence, such as the more notable death of Shireen Abu Akleh in 2022, a Palestinian-American correspondent for Al-Jazeera who, while wearing a visible press vest, was shot in the head by an Israeli weapon (see Figure 15).⁵⁹ As of July 15, 2024, at least 108 journalists and media staff in Gaza have been confirmed to be killed by the Israeli military, not including the families of journalists - the Committee to Protect Journalists is still investigating "almost 350 additional cases of potential killings, arrests and injuries."⁶⁰

However, the high concentration of journalist and media deaths is not purely incidental to the violence of the ongoing crisis, as CPJ's independent investigations concluded that at least three journalists were *deliberately targeted* in attacks. "CPJ is particularly concerned about an apparent pattern of targeting of journalists and their families by the Israeli military. In at least one case, a journalist was killed while clearly wearing press insignia in a location where no fighting was taking place. In at least two other cases, journalists reported receiving threats from Israeli officials and IDF officers before their family members were killed."⁶¹ Given that Article 79 of the 1977 additional Protocol to the Geneva Conventions declares that journalists are considered civilians, they are protected under international law and their bombardment and attacks by the Israeli military are violations of such.⁶² In



Figure 15. A colleague reacts next to the dead body of Al-Jazeera Arabic journalist Shireen Abu Akleh, who was killed by an Israeli soldier on May 11, 2022. Photo from Al Jazeera/handout via Reuters.



Figure 16. A relative bids farewell during the funeral of Palestine TV journalist Mohamed Abu Hatab and 11 family members, the day after they were killed in an Israeli bombardment of Khan Yunis in November 2023. Photo by Mahmud Hams and Getty.



Figure 17. Relatives of Palestinian journalist Samer Abu Daqqa, cameraman for Al Jazeera, who was killed during Israeli air strikes in the southern Gaza Strip, with press crews next to his wrapped body, outside Nasser Hospital in Khan Yunis, southern Gaza Strip, 16 December 2023. Photo by Haitham Imad.

⁵⁸ UN and Special Procedures, "Gaza: UN Experts Condemn Killing and Silencing of Journalists," *United Nations* (United Nations, February 1, 2024), accessed July 15, 2024, <https://www.ohchr.org/en/press-releases/2024/02/gaza-un-experts-condemn-killing-and-silencing-journalists>.

⁵⁹ Al Jazeera, "Photos: Israeli Forces Kill Al Jazeera Reporter Shireen Abu Akleh," *Al Jazeera*, May 11, 2022, <https://www.aljazeera.com/gallery/2022/5/11/photos-israeli-forces-kill-al-jazeera-journalist-shireen-abu-akleh>.

⁶⁰ CPJ, "Journalist Casualties in the Israel-Gaza War," July 15, 2024, <https://cpj.org/2024/07/journalist-casualties-in-the-israel-gaza-conflict/>.

⁶¹ CPJ, "Israel-Gaza War Takes Record Toll on Journalists," January 3, 2024, <https://cpj.org/2023/12/israel-gaza-war-takes-record-toll-on-journalists/>.

⁶² United Nations, "Protocol Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts," *United Nations* (United Nations, June 8, 1977), accessed

addition to this, **the mass casualties of journalists means that ongoing coverage of the humanitarian crisis is severely limited, and accurate documentation of atrocities is nearly impossible.**

On the question of Article 7.1, Section A of the Rome Statute, forcible transfer of population “means forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law”. The UN investigation collected evidence and determined that “Israeli officials and public figures [demonstrated] an intent to forcibly transfer Palestinians.”⁶³ Although the State of Israel issued evacuation orders to “humanitarian aid zones” for the “safety” of fleeing Palestinians, the report found that evacuees were not only attacked and harassed through and at these zones, but that the zones, in their entirety, were subject to attack — most notably, Rafah, the crossing zone into Egypt, and Khan Younis, which has become the most recent epicenter of destruction in the Gaza Strip. On May 26, 2024, when over 1.3 million Palestinians had been taking refuge in Rafah, the State of Israel bombarded tent camps in the area with no order for civilians to evacuate, not only indiscriminately killing over 60 Palestinians, but also causing mass injuries through tent fires caused by the strikes.⁶⁴



Figure 18. Palestinian children amidst the aftermath of an Israeli strike on a refugee camp in Rafah. Photo by Getty.

As previously described in the subsection on crimes of apartheid, the West Bank has also been historically subject to indiscriminate displacement from their homes. On July 12, 2023, Special Rapporteurs in the Special Procedures of the Human Rights Council directly condemned and called for the reversal of “the forced eviction and displacement of [...] Palestinian families in east Jerusalem may amount to a war crime of forcible transfer and must be immediately reversed, UN

July 15, 2024, https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.34_AP-I-EN.pdf.

⁶³ HRC, “Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, Including East Jerusalem, and Israel - Advance Unedited Version (a/HRC/56/26) - Question of Palestine.”

⁶⁴ TOI Staff, “‘No Longer Justifiable’: Israel Faces International Condemnation for Strike in Rafah,” *The Times of Israel*, May 27, 2024, <https://www.timesofisrael.com/no-longer-justifiable-israel-faces-international-condemnation-for-strike-in-rafah/>.

experts.”⁶⁵



Figure 19. Images from footage of an Israeli drone targeting and killing four unarmed Palestinians. Footage obtained by Al Jazeera.

Regarding the question of the attacks on the civilian population, Common Article 3 from all four Geneva Conventions extends general coverage to “persons taking no active part in the hostilities, including members of the armed forces who have laid down their arms and those placed *hors de combat* (out of the fight) by sickness, wounds, detention, or any other cause,”⁶⁶ specifically in the context of a non-international conflict. The Rome Statute reiterates the explicit prohibition of the following acts as per Common Article 3: (c)(i) violence to life and person, in particular, murder of all kinds, mutilation, cruel treatment and torture; (c)(ii) committing outrages upon personal dignity, in particular, humiliating and degrading treatment; (c)(iii) taking of hostages; (c)(iv) the passing of sentences and the carrying out of executions without previous judgement pronounced by a regularly constituted court, affording all judicial guarantees which are generally recognized as indispensable.

In the UN’s report of post-Oct. 7 atrocities, the commission uncovered and reported multiple incidents of lethal military action that killed non-threatening civilians. Such indiscriminate practices of killing included “ISF ground forces [killing] civilians who posed no threat, including

⁶⁵ OHCHR Special Procedures, “Israel: UN experts condemn forced eviction of east Jerusalem families,” UNOHCHR (United Nation, July 12, 2024), accessed July 16, 2024, <https://www.ohchr.org/en/press-releases/2023/07/israel-un-experts-condemn-forced-eviction-east-jerusalem-families>.

⁶⁶ American Red Cross, “Summary of the Geneva Conventions of 1949 and Their Additional Protocols,” Red Cross (Red Cross, April 2011), accessed July 16, 2024, https://www.redcross.org/content/dam/redcross/atg/PDF_s/International_Services/International_Humanitarian_Law/IHL_SummaryGenevaConv.pdf.

holding white flags [including one incident where] two civilian women were shot while seeking refuge at a church and the premises shelled [...] ISF soldiers filmed the aftermath of the killing of a man in al-Shati refugee camp who they admit was unarmed when killed [...] a Palestinian woman was shot by a sniper while evacuating and holding the hand of her grandson who was waving a white flag [...] ISF shot and killed three Israeli hostages, one of whom was holding a white flag. ISF admitted in an investigation into this incident that it resulted from a lack of adherence to the rules of engagement.”⁶⁷ The State of Israel has proceeded with killing non-threatening civilians who not only deliberately signal intent to surrender to submit to military forces, but also in settings such as churches or refugee camps where there is no direct confrontation with ISF soldiers.



Figure 20. Israeli border police arresting Ahmad Abu Sbitan, 11, in front of his school in East Jerusalem. The police accused him of throwing a stone at them. 2015. Photo by Majd Gaith.



Figure 21. A photo released by the Israeli police showing injuries to Arwa Sheikh Ali, a Palestinian who was arrested in August 2023. Photo by Israeli Police.

In addition to the indiscriminate killing of civilians, the State of Israel frequently engages in torture, even outside of officially acknowledged “wartime.” HRW has routinely reported on the Israeli torture of Palestinians, such as its report in 1994.⁶⁸ According to a 2022 Situation Report by the Public Committee Against Torture in Israel (PCATI), **more than 1,400 complaints of torture have been submitted to the Israeli Ministry of “Justice” since 2001 and all the cases were closed without a single indictment.**⁶⁹ Addameer, a prisoner support and human rights association, reported the case of Samer Arbeed in 2021 who was subject to extreme and atrocious treatment in Israeli detention resulting in “hospitalization and use of extreme torture techniques during interrogation that almost killed him [...] Samer suffered from 11 broken ribs, renal failure, and several bruises on his whole body.”⁷⁰ ISA (Shabak) investigators, who are the

⁶⁷ HRC, “Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, Including East Jerusalem, and Israel - Advance Unedited Version (a/HRC/56/26) - Question of Palestine.”

⁶⁸ Human Rights Watch, “TORTURE AND ILL-TREATMENT Israel’s Interrogation of Palestinians from the Occupied Territories,” Human Rights Watch (Human Rights Watch, 1994), accessed July 16, 2024, <https://www.hrw.org/reports/pdfs/i/israel/israel946.pdf>.

⁶⁹ Public Committee Against Torture in Israel, “Torture in Israel Situation Report,” Public Committee Against Torture (Public Committee Against Torture in Israel, 2022), accessed July 16, 2024, <https://stoptorture.org.il/wp-content/uploads/2022/12/ENG.pdf>.

⁷⁰ Addameer, “Addameer Condemns the Israeli Attorney General’s Decision to Close the Investigation Against the Shabak for Committing Torture Against Samer Arbeed,” n.d., <https://www.addameer.org/news/addameer-condemns-israeli-attorney-generals-decision-close-investigation-against-shabak>.

primary actors in accusations of torture, use a variety of inhumane torture and interrogation techniques that are acknowledged but not subject to sanction or cessations. Examples include **extreme sleep deprivation of over 48 hours, assault, sexual degradation, electric chair torture devices, rape, and sexual violence via sodomy, deprivation of basic needs, and denials of basic legal provisions, such as lawyer visits and the truncation of detention sentences due to severe injury.** These practices fall under absolutely prohibited torture following Article 5 of the Universal Declaration of Human Rights and Article 2(2) of the Convention against Torture, which Israel ratified on 3 October 1991. Additionally, they violate Article 7.1, sections E and K, prohibiting the imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law and other inhumane acts of a similar character intentionally causing great suffering, or serious injury to the body or mental or physical health.



Figure 22. A leaked photo of the detention facility, Sde Teiman, where Mr. Hamlawi was tortured and sexually abused. Photo obtained by CNN. June 2024.

In a particularly horrific instance, it was revealed in May 2024 that the Israeli military was engaging in more brutal forms of torture including prison camps at Israeli military bases; in an UNRWA report collecting testimonies, the following information on severe torture at the Sde Teiman military base was collected:

“They made me sit on something like a hot metal stick and it felt like fire – I have burns [in the anus]. The soldiers hit me with their shoes on my chest and used something like a metal stick that had a small nail on the side...They asked us to drink from the toilet and made the dogs attack us...There were people who were detained and killed – maybe nine of them. One of them died after they put the electric stick up his [anus]. He got so sick; we saw worms coming out of his body and then he died.”⁷¹

⁷¹ UNRWA, “Detention and alleged ill-treatment of detainees from Gaza during Israel-Hamas War,” *UNRWA*

This account was further corroborated in a separate New York Times article where multiple detainees experienced similar **rape and sexual violence, even resulting in death**. The Times reported:

“Mr. al-Hamlawi, the senior nurse, said a female officer had ordered two soldiers to lift him up and press his rectum against a metal stick that was fixed to the ground. Mr. al-Hamlawi said the stick penetrated his rectum for roughly five seconds, causing it to bleed and leaving him with “unbearable pain.” “A leaked draft of the UNRWA report detailed an interview that gave a similar account. It cited a 41-year-old detainee who said that interrogators “made me sit on something like a hot metal stick and it felt like fire,” and also said that another detainee “died after they put the electric stick up” his anus.”⁷²

Al-Hamlawi also described being tormented by a “chair wired with electricity.” The NYT report quotes:

“[Al-Hamlawi] said he was shocked so often that, after initially urinating uncontrollably, he then stopped urinating for several days. Mr. al-Hamlawi said he, too, had been forced to wear nothing but a diaper, to stop him from soiling the floor.”

However, the torment endured by al-Hamlawi was also experienced by other detainees. The same NYT investigation discusses the case of Ibrahim Shaheen, who was also detained in Sde Teiman p as al-Hamlawi for 3 months. Shaheen said “he was shocked roughly half a dozen times while sitting in a chair,” while another detainee reported a similar experience where he was “forced to sit in a chair wired with electricity, sending a current pulsing through his body that made him pass out.”⁷³

Despite these revelations of horrifying abuse, the Palestinians imprisoned and subject to this torture have not received justice or relief, nor have their abusers been held accountable. On July 29, 2024, protests broke out at Sde Teiman after Israeli military investigators attempted to arrest 10 Israeli soldiers suspected of serious sexual abuse of Palestinian prisoners after a “brought from the base to a hospital with signs of serious abuse, including to his anus.”⁷⁴ Despite the evidence of illegal sexual abuse of Palestinian detainees as per the previously cited NYT whistleblower investigation of Sde Teiman, multiple high-ranking Israeli officials condemned the arrest of the suspected soldiers, including Finance Minister Bezalel Smotrich, and National

(UNRWA, April 16, 2024), accessed July 16, 2024, https://www.unrwa.org/sites/default/files/content/resources/summary_on_detention_and_alleged_ill-treatmentupdated.pdf.

⁷² Patrick Kingsley and Bilal Shbair, “Inside the Base Where Israel Has Detained Thousands of Gazans,” *The New York Times*, June 6, 2024, <https://www.nytimes.com/2024/06/06/world/middleeast/israel-gaza-detention-base.html>.

⁷³ *Ibid.*

⁷⁴ Emanuel Fabian, “Military Police Raid IDF Detention Facility, 9 Held, Over ‘Serious Abuse of a Detainee,’” *The Times of Israel*, July 29, 2024, <https://www.timesofisrael.com/military-police-raid-idf-detention-facility-9-held-over-serious-abuse-of-a-detainee/>.

Security Minister Itamar Ben Gvir venerating them as “heroic warriors.”⁷⁵

Another report of sexual violence concerns the use of Israeli dogs to physically and sexually violate detainees at Israeli prison camps. Lawyer Fadi Saif al-Din Bakr, who was released on February 22, 2024, after 45 days of being detained, described watching Israeli police dogs brutally rape detainees as a torture mechanism.

“The soldiers later pulled the young man sitting to my right, forced him to sleep on the ground, and tied his hands and feet. Suddenly, the occupation soldiers let loose trained police dogs on the young man, who was subjected to [rape]. Throughout the entire ordeal I endured, this was among the most awful things that I witnessed.”⁷⁶

This corroborates other reports of urination, severe dog bites, suffocation, and fractured bones at the hands of the dogs trained by the ISF. Another instance reported in February of 2024 detailed an instance where “Israeli forces released a military dog into [a family apartment] [...] and began attacking four-year-old Ibrahim Hashash after knocking him out of his mother’s arms. The dog tore off Ibrahim’s clothes and repeatedly bit him on the lower half of his body as he bled profusely. The attack continued for about three minutes before Israeli occupation forces entered the apartment and removed the dog from Ibrahim. An ambulance brought Ibrahim to Rafidia Hospital in Nablus, where he is being treated for internal and external injuries.”⁷⁷



Figure 23. The Israeli military admitted that a Palestinian man with Down's syndrome, Muhammed Bhar, was attacked by an Israeli army dog in Gaza was left on his own by soldiers, after his family had been ordered to leave. Bloodstains on Muhammed Bhar's chair were pictured by family members who found his body a week later. Photo via Muhammed's family members.

However, most instances of sexual violence are not subject to investigation. In 2015, a young Palestinian woman accused the Shin Bet security service agents and IDF officers of allowing an invasive body search, which involved one personnel “[inserting] her fingers into the suspect’s vagina” and another doing the same in her anus.⁷⁸ After four and a half years, the Justice Ministry closed the case due to a lack of evidence,

⁷⁵ Ibid.

⁷⁶ Euro-Med Human Rights Monitor, “Gaza: Israeli Army Systematically Uses Police Dogs to Brutally Attack Palestinian Civilians, With at Least One Reported Rape,” June 27, 2024, <https://euromedmonitor.org/en/article/6383/Gaza:-Israeli-army-systematically-uses-police-dogs-to-brutally-attack-Palestinian-civilians,-with-at-least-one-reported-rape>.

⁷⁷ Defense for Children Palestine, “Israeli forces unleash attack dog on 4-year-old Palestinian boy,” Defense for Children International - Palestine, February 7, 2024, https://www.dci-palestine.org/israeli_forces_unleash_attack_dog_on_4_year_old_palestinian_boy.

⁷⁸ Josh Breiner, “It Started With a Palestinian Woman’s Arrest. It Ended With Israeli Officers Investigated for Rape - Israel N,” Haaretz.Com, April 22, 2021, <https://www.haaretz.com/israel-news/2021-04-22/ty-article-magazine/.highlight/it-started-with-palestinians-arrest-it-ended-with-israeli-officers-probed-for-rape/0000017f-e572-d97e-a37f-f777f0b40000>.

showing that such investigations rarely result in formal charges. These are all clear violations of the aforementioned article on torture as well as its subpoint (ii), “committing outrages upon personal dignity, in particular humiliating and degrading treatment.”

In addition to the torture of Palestinians in Israeli prison camps, the State of Israel is also responsible for the detention of Palestinian youth, who are “often held for the purposes of interrogation without being accompanied by their attorney or an adult family member, which is a clear violation of Israel’s duties under the Fourth Geneva Convention, the CRC, and the ICCPR.



Figure 24. Israeli forces detain a Palestinian youth for throwing a stone. 2017. Photo by Abbas Momani.

Furthermore, torture and ill-treatment are routinely used against children to illicit forced confessions. Most worrisome is the prevalence of sexual harassment and sexual abuse directed toward Palestinian children in Israeli detention. In 2010, DCI-Palestine characterized the use of these methods to obtain confessions as “widespread and systematic”. It estimates that close to every affidavit signed by child prisoners contains an aspect of sexual harassment or sexual abuse during the interrogation phase of detention.”⁷⁹

Israeli military forces have also violated Article 8.2, section A subsection (viii) and Section C subsection (iii) on the taking of hostages as well as Section E subsection (vii) on conscripting or enlisting children under the age of fifteen years into armed forces or groups or using them to participate actively in hostilities. Individuals were detained and captured by Israeli soldiers in places of shelter and humanitarian protection, such as hospitals, UN schools, and depopulated neighborhoods, usually held as unlawful combatants for up to 75 days without adjudicated permission and 90 days with access to a lawyer or trial.⁸⁰ In addition to the deprivation of the rights of detained Palestinians, the **soldiers have also used Palestinian children as human shields**, violating Article 8.2, section B subsection (xxvi) and Section E subsection (vii) of the Rome Statute of the ICC. In May of 2024, there were three distinct instances during an Israeli military incursion into the Tulkarem refugee camp where armed soldiers marched behind children in order to conduct military searches. A report by DCI describes:

“Karam, 13, Mohammad, 12, and Ibrahim, 14, were used as human shields by Israeli forces in separate incidents during an Israeli military incursion into Tulkarem refugee camp on May 6, according to documentation collected by Defense for Children International - Palestine. In all three incidents, armed Israeli soldiers forced the boys to walk in front of them as soldiers searched Palestinian homes and neighborhoods in Tulkarem refugee camp, and in two cases, **Israeli**

⁷⁹ Addameer, “General Briefing: Palestinian Political Prisoners in Israeli Prisons,” n.d., https://www.addameer.org/advocacy/briefings_papers/general-briefing-palestinian-political-prisoners-israeli-prisons-0.

⁸⁰ Kingsley and Shbair, “Inside the Base Where Israel Has Detained Thousands of Gazans.”

forces fired weapons positioned on the boys' shoulders.”⁸¹

Even before October 7th, the Israeli military used children as human shields to conduct raids and searches of homes, including those as young as two. Another report from DCI in May of 2023 describes similar instances of even younger children used by Israeli forces as human barriers:

“Israeli forces then threatened his sons Nidal, 9, and Karam, 11, in addition to his twin nephews, Ahmad and Mohammad, **both two years old**, and forced them to stand in front of Israeli military vehicles while Israeli forces fired tear gas canisters, stun grenades, and live ammunition at Palestinians confronting the group of soldiers [...] 16-year-old Anas Abdurrahim Kamal Al-Khalili, was used as a human shield [...] by Israeli special forces in civilian clothes the morning of February 22 during a massive Israeli military incursion into Nablus in the northern occupied West Bank [...] Israeli special forces forced Anas to stand and walk in front of them for several minutes while handcuffed as they confronted two Palestinian men and fired live ammunition. Before killing the two Palestinian men, Israeli forces forced Anas to sit on the floor of a house next door, blindfolded.”⁸²

On the question of the protection of prisoners of war under the Geneva Conventions of August 12, 1949, Article 8.2 “Crimes Against Humanity” of the ICC’s Rome Statute lists the following as war crimes: (a)(ii) torture or inhuman treatment, including biological experiments; (a)(v) compelling a prisoner of war or other protected person to serve in the forces of a hostile Power; (a)(vi) wilfully depriving a prisoner of war or other protected person of the rights of fair and regular trial; (a)(vii) unlawful deportation or transfer or unlawful confinement; (a)(viii) taking hostages.

⁸¹ Defense for Children Palestine, “Israeli Forces Use Palestinian Children as Human Shields in Tulkarem,” *Defense for Children International - Palestine*, May 13, 2024, https://www.dci-palestine.org/israeli_forces_use_palestinian_children_as_human_shields_in_tulkarem. Emphasis added.

⁸² Defense for Children Palestine, “Israeli forces use five Palestinian children as human shields,” *Defense for Children International - Palestine*, May 18, 2023, https://www.dci-palestine.org/israeli_forces_use_five_palestinian_children_as_human_shields. Emphasis added.

The State of Israel weaponizes a method of administrative detention, “a procedure that allows Israeli occupation forces to hold prisoners indefinitely on secret information without charging them or allowing them to stand trial. The secret information or evidence cannot be accessed by the detainee nor his lawyer, and according to Israeli military orders, an administrative detention order can be renewed for an unlimited time. The court issues an administrative detention order for a maximum period of six months, subject to renewal.”⁸³



Figure 25. Palestinian men and at least one woman stripped and detained in the Gaza Strip on Dec. 8, 2023. Photo by Yossi Zeliger.

The International Covenant on Civil and Political Rights (ICCPR) permits administrative detention if there is a public emergency threatening the life of a nation that can only be issued on a case-by-case basis without discrimination. However, the State of Israel uses administrative detention *in place of* criminal prosecution based on relation to October 7., suspending due process in favor of arbitrary detention without charges. This practice violates Article 9 of the Universal Declaration of Human Rights (UDHR) which states that “[no] one shall be subjected to arbitrary arrest, detention or exile.”⁸⁴ The State of Israel additionally has repeatedly violated its “Incarceration of Unlawful Combatants Law” of 2002,⁸⁵ which defines the internment of people who take part in hostilities but who are not entitled to POW status; if they are not found to engage in combat, they are released “at first opportunity” but can be detained up to 45 days.

⁸³ Addameer, “Administrative Detainees,” December 2018, accessed July 16, 2024, https://mail.addameer.org/the_prisoners/administrative_detainees.

⁸⁴ United Nations, “Universal Declaration of Human Rights,” *United Nations* (United Nations, December 10, 1948), <https://www.un.org/en/about-us/universal-declaration-of-human-rights#:~:text=Article%209,arbitrary%20arrest%2C%20detention%20or%20exile>.

⁸⁵ State of Israel Legislature, “Incarceration of Unlawful Combatants Law, No. 5762, 2002,” International Humanitarian Law Databases, 2001, <https://ihl-databases.icrc.org/en/national-practice/incarceration-unlawful-combatants-law-2002#:~:text=Incarceration%20of%20Unlawful%20Combatants%20Law%2C%20No,5762%2C%202002&text=An%20unofficial%20translation%20of%20the,not%20entitled%20to%20POW%20status>.



Figure 26. Hamza Abu Halima (left) stripped, handcuffed, and severely injured. Photo from social media, posted by Israeli soldier Yosee Letova (right). February 2024.

In June of 2024, it was revealed that Israeli commanders not only detained civilians in violation of these standards, but they also claimed that “[the arrangements of the prison camp Sde Teiman] are permitted by the Geneva Conventions that govern international conflict, which allow the internment of civilians for security reasons” despite the fact that these practices were “a form of incommunicado detention, which itself is a violation of international law.”⁸⁶ These justifications were extended to deny detainees “access to lawyers,”⁸⁷ further depriving a prisoner of war or other protected person of the rights of fair and regular trial, as per the aforementioned Article 8.2(a)(vi) of the 1949 Geneva Conventions. Additionally, detainees often have their sentences extended despite evidence of torture. Addameer summarizes:

“[...] thousands of Palestinian detainees were and are being imprisoned and sentenced to high convictions in political trials that lack any form of impartiality and independence. International judicial precedents concur that guarantees of a fair and public trial include the courts’ independence and impartiality, which require the judicial system to not depend on the discretion of any branch of the government, especially the executive branch. Israeli military courts display a significant dependency on the discretion of the Israeli government and intelligence agencies, which has effectively transformed the judicial system into

⁸⁶ Kingsley and Shbair, “Inside the Base Where Israel Has Detained Thousands of Gazans.”

⁸⁷ Ibid.

a tool of the occupation to legalize Israeli violations of Palestinian human rights. **This impartiality includes approving the extension of detention for interrogation purposes despite the evident marks of torture on prisoners, supporting administrative detention orders without a real cause for arrest, issuing unusually long sentences against Palestinians, and, most importantly, convicting Palestinian detainees based on confessions extracted under duress or torture, instead of finding these confessions inadmissible.**⁸⁸

In December of 2023, UNICEF announced that “the Integrated Food Security Phase Classification (IPC) warned the world of the very high risk of famine in the Gaza Strip, increasing every day if the situation persists. Specifically, the IPC report said at least 1 in 4 households in the Gaza Strip, or more than half a million people, are facing catastrophic levels of acute food insecurity, the highest level of warning.”⁸⁹ As the genocidal scale of this humanitarian crisis has increased, the risk of famine has as well. This risk is not unique to the post-October 7 escalations, but rather a dramatic exacerbation of the famine looming over the Gaza Strip since the early 2000s. The World Health Organization (WHO) reported that “[an] **unprecedented 93% of the population in Gaza is facing crisis levels of hunger, with insufficient food and high levels of malnutrition. At least 1 in 4 households are facing ‘catastrophic conditions’: experiencing an extreme lack of food and starvation and having resorted to selling off their possessions and other extreme measures to afford a simple meal. Starvation, destitution and death are evident.**”⁹⁰



Figure 27. F, aged 9, showing signs of severe malnutrition after being evacuated to Rafah. Photo by Ali Jadallah/Anadolu. March 2024.

As per the ICJ’s July 19th, 2024 advisory opinion on the State of Israel’s apartheid crimes, it was concluded that the State of Israel had maintained control “over, inter alia, the airspace and territorial waters of Gaza, as well as its land crossings at the borders, supply of civilian infrastructure, including water and electricity, and key governmental functions such as the management of the Palestinian population registry,” not only making them responsible for the catastrophic risk of famine in the Gaza Strip since its blockade of 2005 but also the accelerated decay of livability since its renewed

⁸⁸ Addameer Prisoner Support and Human Rights Organization, “In the Case of the Palestinian People vs. Military Courts,” *Addameer*, 2020, https://www.addameer.org/sites/default/files/campaigns/campaign%20Paper_0.pdf. Emphasis added.

⁸⁹ UNICEF, “Statement by UNICEF on the risk of famine in the Gaza Strip,” December 2023, <https://www.unicef.org/mena/press-releases/statement-unicef-risk-famine-gaza-strip>.

⁹⁰ Republic of South Africa, “Application Instituting Proceedings,” pg. 16. Emphasis added.

bombardment of the OPT.⁹¹

The World Peace Foundation commented that “[the] absolute numbers of people who die in Gaza will not match those of the calamitous 20th-century famines, because the afflicted population is smaller, yet the proportionate death toll may be comparable. *The rigor, scale and speed of the destruction of [objects indispensable to survival] and enforcement of the siege surpasses any other case of man-made famine in the last 75 years.*”⁹² Multiple other international agencies focused on food security have made similarly distressing assessments about the epidemic of malnutrition and food-related structural violence compounding on Palestinians. The World Food Programme (WFP) evaluated that in this contemporary crisis, “**96 percent of [...] Gaza is facing acute food insecurity**, with 2.15 million people at Crisis levels of hunger or worse. Almost half a million of these are in Catastrophic conditions.”⁹³ Palestinian children are already dying of malnutrition; infants who were born after October 7, 2023, have known nothing but severe insecurity and starvation, in multiple cases leading to infant death, such as Fayiz Abu Ataya (see Figure 28).



Figure 28. The body of Fayiz Abu Ataya, who died due to malnutrition, is brought to Al-Aqsa Martyrs Hospital in Deir al Balah, Gaza. Faces obscured by authors. Photo by Anadolu and Getty. May 30, 2024.

It is not only a question of lack of food that is contributing to the crisis of Palestinians, but also the lack of potable water, sanitation, and safe access to basic needs that is compounding these casualties. Another unprecedented result of the failed attention to the starvation and malnutrition of Palestinians is the high risk of polio only recently identified by the World Health Organization

⁹¹ International Court of Justice, “Legal Consequences Arising From the Policies and Practices of Israel in the Occupied Palestinian Territory, Including East Jerusalem.”

⁹² World Peace Foundation, “Gaza’s Famine Warning in Perspective - World Peace Foundation,” April 19, 2024, <https://worldpeacefoundation.org/blog/gazas-famine-warning-in-perspective/>. Emphasis added.

⁹³ World Food Programme, “State of Palestine,” n.d., <https://www.wfp.org/emergencies/palestine-emergency>. Emphasis added.

(WHO).⁹⁴ A WHO team lead reported that “there is a high risk of spreading of the circulating vaccine-derived polio virus in Gaza, not only because of the detection but because of the very dire situation with the water sanitation.”⁹⁵ Polio, which is highly infectious and damages the nervous system, thus risking paralysis, primarily affects children under the age of 5. This is incredibly concerning given the fact that the Gaza Strip’s medical infrastructure — hospitals and medical humanitarian resources alike — has been continuously decimated by the State of Israel’s bombing campaigns. This heightens the risk of widespread Palestinian fatality from multiple infectious diseases as there is no medical infrastructure to reliably treat those who contract illnesses. The New York Times reported that:

“There are also nearly one million cases of acute respiratory infections, half a million cases of diarrhea and 100,000 cases of lice and scabies, the W.H.O. said. On Friday, the agency’s chief, Dr. Tedros Adhanom Ghebreyesus, said that even polio, a disease that has been eradicated in much of the world, was present in Gaza. [...] Dr. Hanan Balkhy, the W.H.O. director for the eastern Mediterranean region, told members of the news media: ‘In the Gaza Strip, where garbage and sewage fill the streets, cases of acute respiratory infections, diarrheal illnesses, acute jaundice syndrome and skin infections are surging. The situation is indeed dire.’”⁹⁶



Figure 29. The Infant Intensive Care Unit of Kamal Adwan Hospital, destroyed. Photo by Abdulqader Sabbah and Anadolu. December 2023.

⁹⁴ Reuters, “WHO sees ‘high risk’ of polio virus spreading across Gaza, assessment underway,” Reuters, July 23, 2024, <https://www.reuters.com/world/middle-east/who-sees-high-risk-polio-virus-spreading-across-gaza-assessment-underway-2024-07-23/>.

⁹⁵ Ibid.

⁹⁶ Adam Sella and Matthew Mpoke Bigg, “Hepatitis A and Other Diseases Surge Among Gaza’s Displaced, U.N. Says,” *The New York Times*, July 24, 2024, <https://www.nytimes.com/2024/07/24/world/middleeast/gaza-war-hepatitis-polio.html#:~:text=Dr.%20Hanan%20Balkhy%2C%20the%20W.H.O.,and%20skin%20infections%20are%20surging.>

As previously mentioned, these dire conditions are not novel manufacture, but simply an exacerbation of the decades-long Israeli blockade of the Gaza Strip, characterized by UN officials as an “**open-air prison**” in a report predating the October 7 escalations.⁹⁷ In addition to the aforementioned physical carcerality of apartheid-style segregation and highly militarized security checkpoints at crossing points between the State of Israel and the OPT, the population is subject to collective punishment of a blockade of food, water, fuel, and other essential supplies. The UN report characterized this experience of carcerality as one that was physical, digital, and bureaucratic. As a result, Gazans have resorted to a dangerous smuggling economy to receive the resources needed to survive.⁹⁸

In addition to responsibility for the famine and prison-like conditions existing in the Gaza Strip, The State of Israel has repeatedly weaponized the chemical white phosphorus as an incendiary agent against civilian populations, both before and after October 7th. Munitions with white phosphorus were fired towards Aita al-Chaab, Dharya, and al-Mari, cities in southern Lebanon, and in al-Mina, a city in Gaza.⁹⁹¹⁰⁰ This weapon, although not definitively considered a chemical weapon under the Chemical Weapons Convention, is considered violently incendiary. HRW reports the following effects of white phosphorus:

“Upon contact, white phosphorus can burn people, thermally and chemically, down to the bone as it is highly soluble in fat and therefore in human flesh. White phosphorus fragments can exacerbate wounds even after treatment and can enter the bloodstream and cause multiple organ failure. Already dressed wounds can reignite when dressings are removed and the wounds are re-exposed to oxygen. Even relatively minor burns are often fatal. For survivors, extensive scarring tightens muscle tissue and creates physical disabilities. The trauma of the attack, the painful treatment that follows, and appearance-changing scars lead to psychological harm and social exclusion.”¹⁰¹

⁹⁷ Francesca Albanese and Human Rights Council, “Report of the Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied Since 1967,” *Human Rights Council* (Human Rights Council, June 9, 2023), accessed July 25, 2024, https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session53/advance-versions/A_HRC_53_59_AdvanceUneditedVersion.pdf. Emphasis added.

⁹⁸ James Verini and Paolo Pellegrin, “The Tunnels of Gaza,” *Magazine*, n.d., <https://www.nationalgeographic.com/magazine/article/gaza-tunnels>.

⁹⁹ Amnesty International, “Lebanon: Evidence of Israel’s Unlawful Use of White Phosphorus in Southern Lebanon as Cross-border Hostilities Escalate,” November 1, 2023, <https://www.amnesty.org/en/latest/news/2023/10/lebanon-evidence-of-israels-unlawful-use-of-white-phosphorus-in-southern-lebanon-as-cross-border-hostilities-escalate/>.

¹⁰⁰ Human Rights Watch, “Israel: White Phosphorus Used in Gaza, Lebanon,” *Human Rights Watch*, October 13, 2023, <https://www.hrw.org/news/2023/10/12/israel-white-phosphorus-used-gaza-lebanon>.

¹⁰¹ Human Rights Watch, “Israel: White Phosphorus Used in Gaza, Lebanon.”



Fig 30. A shell that appears to be white phosphorus explodes over South Lebanon. Photo by Hussein Malla. October 15, 2023.



Figure 31. A Palestinian is treated for injuries thought to be caused by munitions containing white phosphorus. Faces obscured by authors. Photo by AP. 2009.

Given the nature of Gaza’s highly dense population as a result of cumulative refugee flows and displacement from military attacks, firing white phosphorus munitions into Gaza is highly susceptible to mass injury and death:

“White phosphorus is a highly flammable substance mostly used to create a dense smoke-screen or mark targets. When exposed to air, it burns at extremely high temperatures and often starts fires when deployed. People exposed to white phosphorus can suffer respiratory damage, organ failure and other horrific and life-changing injuries, including burns that are extremely difficult to treat and cannot be extinguished with water.”¹⁰²

e. Concluding Comments on Humanitarian Impact

We urge the PIIAC committee to recommend immediate divestment from all the companies in the following section to cease JHU's financial support of the violence, occupation, war, and genocide of the Palestinian people. There is a growing international consensus that Israel's war on Palestine constitutes war crimes and human rights violations. As of the end of February 2024, the death toll in Gaza has exceeded 30,000 Palestinians killed by Israel,¹⁰³ but this number is a conservative estimate given the bombing of infrastructure,¹⁰⁴ violence against reporters in the area, and overall lack of accounting for Palestinians who are missing, were buried in bombings, and disappeared amidst other war crimes. A report evaluating the additional indirect deaths resulting from sustained injuries, diseases, infections, starvation, suffocation, and burial under

¹⁰² Amnesty International, “Lebanon: Evidence of Israel’s Unlawful Use of White Phosphorus in Southern Lebanon as Cross-Border Hostilities Escalate,” November 1, 2023.

¹⁰³ Aya Batrawy, “Gaza’s Death Toll Now Exceeds 30,000. Here’s Why It’s an Incomplete Count,” *NPR*, February 29, 2024, <https://www.npr.org/2024/02/29/1234159514/gaza-death-toll-30000-palestinians-israel-hamas-war>.

¹⁰⁴ UNOCHA, “United Nations Office for the Coordination of Humanitarian Affairs - Occupied Palestinian Territory | Hostilities in the Gaza Strip and Israel | Flash Update #157,” United Nations Office for the Coordination of Humanitarian Affairs - Occupied Palestinian Territory, April 24, 2024, <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-flash-update-157>.

rubble reports the number of casualties to be “between 58 260 deaths (without an epidemic or escalation) and 85 750 deaths (if both occurred) by Aug 6, 2024.”¹⁰⁵ However, with new data, it appears that “**up to 186 000 or even more deaths could be attributable to the current conflict in Gaza.**”¹⁰⁶ Given the Gaza Strip’s pre-October 7 population estimates of 2.1 million,¹⁰⁷ these total casualties amount to *the genocide of more than eight percent of the population*. OXFAM reports that the daily death rate in Gaza is higher than any other major 21st-century conflict.¹⁰⁸

¹⁰⁵ Rasha Khatib, Martin McKee, and Salim Yusuf, “Counting the Dead in Gaza: Difficult but Essential,” *Lancet*, July 1, 2024, [https://doi.org/10.1016/s0140-6736\(24\)01169-3](https://doi.org/10.1016/s0140-6736(24)01169-3).

¹⁰⁶ *Ibid.* Emphasis added.

¹⁰⁷ CIA, “Gaza Strip: People and Society,” CIA - the World Factbook, n.d., <https://www.cia.gov/the-world-factbook/countries/gaza-strip/#people-and-society>.

¹⁰⁸ Oxfam International, “Daily Death Rate in Gaza Higher Than Any Other Major 21st Century Conflict - Oxfam | Oxfam International,” February 21, 2024, <https://www.oxfam.org/en/press-releases/daily-death-rate-gaza-higher-any-other-major-21st-century-conflict-oxfam>.

III. Divest and Disclose

This proposal demonstrates that the investments of JHU support the violence, war, and the systematic murder of Palestinians in occupied Palestine. To improve the social impact of Johns Hopkins University's endowments, the PIIAC must advise divestment from all companies involved in mass violence, apartheid, and genocide to prevent future harm to the Palestinian people. In the following section, we recount evidence that the current investments of Johns Hopkins University promote negative social impacts.

a. The History of Divestment from Apartheid at Johns Hopkins

The PIIAC has existed as a faculty-student committee since 1972, “charged with the responsibility of making recommendations on voting proxy issues of social responsibility pertaining to the University’s endowment portfolio.”¹⁰⁹ In an official statement from JHU on February 20, 1985, the PIIAC made recommendations to the Committee about:

“Policies of investment and employment in South Africa; the Arab boycott of Israel; business contract with foreign governments; mine safety; ecological and environmental impacts of air pollution, strip mining and disposal of hazardous wastes; production of nuclear weapons; nuclear power generating facilities; equal employment practices; use of a secret ballot; political contributions and activities; and drug and infant formula marketing practices.”¹¹⁰

For the purposes of this section, we will focus specifically on the history of partial divestment between 1985 and 1988 from corporations with business activities in South Africa. We believe that the case of South African apartheid sets a strong and indisputable historical precedent for divestment at JHU on the grounds of dehumanization and human rights violations, especially because the PIIAC recommended **full divestment**, as is evidenced in this section. To be as thorough as possible, we have perused archival records housed in the Special Collections at JHU, which hold valuable insights into the administrative response – including but not limited to Vice President B.J. Norris, President Steven Muller, the Board of Trustees members, Committee on Investment members, and lastly the PIIAC members – to student activism in the 1980s regarding apartheid conditions in South Africa, as well as the lead up to and ramifications of the partial divestment stance that the Board of Trustees took in October of 1986.

Beginning with the arrest of Johns Hopkins students protesting the apartheid in front of the South African Embassy in Washington D.C. in February 1985, students of the Johns Hopkins Coalition for a Free South Africa and the Progressive Students’ Union demanded that the university divest from corporations that operate or conduct activities in South Africa.

¹⁰⁹ “Gazette Article,” 20 February 1985, Container: 10, Folder: 10. Vice President for Communications and Public Affairs records, RG-10-005. Special Collections.
https://aspace.library.jhu.edu/repositories/3/archival_objects/112849 (hereafter cited as “Gazette Article,” VP for Comms and Public Affairs.)

¹¹⁰ “Gazette Article,” VP for Comms and Public Affairs.

Reverend H. Sullivan, who was a civil rights activist and a key figure in the anti-apartheid South Africa divestment campaign, first introduced what he called the “Sullivan Principles” in March of 1977. Despite criticism from Hopkins student activists that the principles are too palatable to end apartheid and have questionable enforcement methods,¹¹¹ the Sullivan Principles became the central framework through which the PIIAC and the Board of Trustees deliberated divesting from companies doing business in South Africa. These principles, outlined below, were codes of conduct for corporations involved in South Africa to follow as signatories. The PIIAC and the Board of Trustees interpreted the Sullivan Principles as:

- “1. Nonsegregation of the races in all eating, comfort, locker rooms and work facilities.
2. Equal and fair employment practices for all employees.
3. Equal pay for all employees doing equal or comparable work for the same period of time.
4. Initiation and development of training programs that will prepare blacks, coloureds, and Asians in substantial numbers for supervisory, administrative, clerical and technical jobs.
5. Increasing the number of blacks, coloured, and Asians in management and supervisory positions.
6. Improving the quality of employees’ lives outside the work environment in such areas as housing, transportation, schooling, recreation, and health facilities.”¹¹²

On April 12, 1985, the PIIAC moved and seconded a comprehensive resolution recommending to the Board of Trustees full divestiture and non-purchase of stock, within 30 months and concerning “15 ½% of the Hopkins investment portfolio, or approximately \$59 million,”¹¹³ from:

A. Companies that are listed by the Sullivan Principles reports or the reports of the Investor Responsibility Research Center (IRRC) as operating in South Africa but which **are not signatories or endorsers of the Sullivan Principles**, or are **signatories classed as Category IIIB (not meeting basic requirements) or Category IIIC (not reporting).**

B. Companies that **continue to make new loans to the South African government.**¹¹⁴

¹¹¹ Coalition for a Free South Africa Statement on \$60 Million in South Africa-Related Investments, 1985, Container: 10, Folder: 10. Vice President for Communications and Public Affairs records, RG-10-005. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/112849

¹¹² “Gazette Article,” VP for Comms and Public Affairs.

¹¹³ “Trustees Vote to Restrict S. African Holdings,” 12 April 1985, Container: 10, Folder: 10. Vice President for Communications and Public Affairs records, RG-10-005. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/112849 (hereafter cited as “Trustees Vote to Restrict,” VP for Comms and Public Affairs.)

¹¹⁴ “PIIAC Resolution #2,” 12 April 1985, Container: 10, Folder: 10. Vice President for Communications and Public Affairs records, RG-10-005. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/112849 (hereafter cited as “PIIAC Resolution #2, VP for Comms and Public Affairs.) Emphasis added.

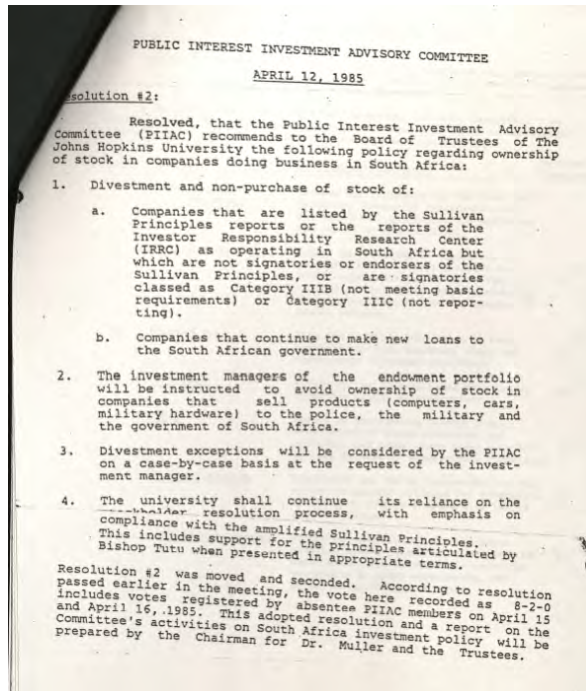


Figure 32. Resolution from PIIAC recommending full divestiture . April 12, 1985. Photo by authors.

Additionally, **the PIIAC advised that investment managers should avoid companies that make new loans or sell products to the police, the military, and the South African government.**¹¹⁵ A few days later, on April 15th, the Committee on Investments approved four less comprehensive shareholder resolutions calling for Ford and General Motors to “stop sales of vehicles and parts for use by the South African police or military **until apartheid is ended**”; a transparency report on loans to South Africa from a banking firm; and for Texaco to adopt the Tutu principles of “housing workers and their families near the place of employment, recognizing black trade unions, and investing in black education and training.”¹¹⁶

President Steven Muller was less enthusiastic about divesting from companies operating in South Africa. According to a memorandum sent by Associate Treasurer and Director of Investment R. Riggs Griffith to the Committee on Investments on April 30, 1985, Muller had recommended support for a less specific, administrative-resolution version of the PIIAC’s divestment proposal. Most notably, however, the introduction of this version reiterated that **“the policy of apartheid in the Republic of South Africa is in flagrant contradiction to the principles of human freedom and justice.”**¹¹⁷ Later that year on September 10, 1985, Muller modified his prior stance with a more explicit one in a memorandum to the Board of Trustees. He stated his intentions to propose terminating over time stocks of companies that publicly announce they “are

¹¹⁵ “PIIAC Resolution #2,” VP for Comms and Public Affairs. Emphasis added.

¹¹⁶ “Trustees Vote to Restrict,” VP for Comms and Public Affairs. Emphasis added.

¹¹⁷ R. Riggs Griffith Memorandum to Committee on Investments, 30 April 1985, Container: 10, Folder: 10. Vice President for Communications and Public Affairs records, RG-10-005. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/112849. Emphasis added. (hereafter cited as R. Griffith Memo, VP President for Comms and Public Affairs.)

not planning to reduce or phase out their operations in South Africa.”¹¹⁸

President Steven Mueller reported, for the first time, on the status of investments in South Africa on December 6, 1985, to the PIIAC. He stated that the University has begun to divest from stocks of six companies that were non-Sullivan Principle signatories; initially, he intended for this action to end in partial divestment.¹¹⁹ Further reiterating his stance, on January 9, 1986, the Trustee Committee on Investments released a statement that read: “The University’s investment managers have been directed not to hold or purchase any securities in companies which are not signatories to the Sullivan Principles.”¹²⁰ The back and forth between the Board of Trustees and the PIIAC became a common pattern in the coming months.

In March of 1986, the PIIAC members moved, seconded, and passed recommendations for shareholder resolutions concerning the following companies: North Carolina National Bank (NCNB), CITICORP, and Hughes Tool.¹²¹ The resolutions acknowledged **South Africa’s violation of internationally accepted criteria of human rights** and requested further information and transparency of “social, economic, political and human rights factors” considered when making loans.¹²² For Hughes Tool, the PIIAC noted that “signing, implementing and annually reporting on the Sullivan Principles is not enough against the system of apartheid” but still upheld the validity of the Principles.¹²³ Additionally, because Hughes Tool was not a signatory of the Sullivan Principles, the resolution went into further detail on the legalization of racial discrimination against the Black population and brutal repression by a white minority of less than 1/5 of the population.¹²⁴ The basis of these recommendations demonstrates that JHU has historically elected to divest according to principles of human rights assessments and popular consensus on the state of humanitarian affairs.

In August 1986, the Senior Vice President for Administration Robert C. Bowie reported to the IRRC University Survey that between December 1985 and March 1986, JHU selectively divested from four common stock issues approximating \$3.8 million.¹²⁵ This partial divestment drew criticism from the JHU Coalition for a Free South Africa, particularly regarding the Sullivan Principles, which they believed had inadequate enforcement mechanisms and generic

¹¹⁸ Memorandum from Steven Muller to Board of Trustees, 10 September 1985, Box: 15-50, Folder: 12. Office of the President records, RG-02-001. Special Collections.

https://aspace.library.jhu.edu/repositories/3/archival_objects/101321

¹¹⁹ Statement from JHU Coalition for a Free South Africa, 10 January 1986, Container: 10, Folder: 10. Vice President for Communications and Public Affairs records, RG-10-005. Special Collections.

https://aspace.library.jhu.edu/repositories/3/archival_objects/112849 (hereafter cited as Statement Coalition for Free South Africa, VP for Comms and Public Affairs.)

¹²⁰ “Statement on South African Investments,” 9 January 1986, Container: 10, Folder: 10. Vice President for Communications and Public Affairs records, RG-10-005. Special Collections.

https://aspace.library.jhu.edu/repositories/3/archival_objects/112849

¹²¹ “To: Trustee Sub-Committee on PIIAC,” 10 March 1986, Box: 15-50, Folder: 12. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/101321 (hereafter cited as “To: Trustee,” Office of President).

¹²² “To: Trustee,” Office of President.

¹²³ Ibid.

¹²⁴ Ibid.

¹²⁵ “IRRC University Survey,” 8 August 1986, Box: 15-50, Folder: 14. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/226178

employment codes and criteria that continued to generate profit from the apartheid system.¹²⁶ Based on their estimates of the University endowments' shares and stock, as of August 31, 1986, it had securities holdings in fifty-six companies operating in or related to South Africa that approximated to around \$78.6 million out of a total of \$500 million holdings.¹²⁷¹²⁸

Shortly thereafter, the Board of Trustees, in a memo from the Chairman of the Executive Committee Robert H. Levi, levied their responsibility to maintain a logical stance amidst “emotionally stimulated groups on the campus,” whilst simultaneously stating that “the system of apartheid is unacceptable and not supported by the Institution.”¹²⁹ Their reasoning boiled down to a belief that divestment and similar actions would do more harm to the Black population; it appears that the consensus was for criticism of apartheid to remain separate from economic divestment.

On October 14, 1986, in an unprecedented move, Muller pointed out the potential consequences of not divesting to the Board of Trustees, including withdrawal of support from the State of Maryland, the Baltimore City Council, and the public perception of Johns Hopkins possibly as a “racist institution.”¹³⁰ Following these deliberations, on October 27, 1986, the Board of Trustees released an official statement about the University’s investments in corporations with a presence in South Africa:

“It has been and is the unanimous view of Trustees that the racial policies of **the Republic of South Africa violate standards of human decency and justice and represent social evil** [...] As an institution, the University is a corporate citizen within society and as such **cannot be indifferent to manifest social evil or injustice**, and it follows therefore that the University **cannot remain wholly indifferent to the activities of corporations in whose stock University funds are invested.**”¹³¹

Ultimately, their position for divestment remained unchanged from April 30¹³² and December 6, 1985,¹³³ in which the Board of Trustees had moved for selective divestment of corporations in South Africa that are non-signatories of the Sullivan Principles. However, in this October 27th

¹²⁶ Coalition for a Free South Africa Statement on \$60 Million in South Africa-Related Investments, 1985, Container: 10, Folder: 10. Vice President for Communications and Public Affairs records, RG-10-005. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/112849

¹²⁷ “Market Value August 31, 1986,” 20 April 1985, Container: 10, Folder: 10. Vice President for Communications and Public Affairs records, RG-10-005. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/112849

¹²⁸ “Endowment Investment Pool,” 31 August 1986, Box: 15-50, Folder: 14. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/226178

¹²⁹ Robert H. Levi Memo, 29 August 1986, Box: 15-50, Folder: 14. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/226178

¹³⁰ Steven Muller Memo to Radcliffe & Offit, 14 October 1986, Box: 15-50, Folder: 15. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/226179

¹³¹ South Africa: Trustee Statement, 1986, Box: 15-50, Folder: 20. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/101322. Emphasis added. (hereafter cited as Trustee Statement Oct 1986, Office of President.)

¹³² R. Griffith Memo, VP for Comms and Public Affairs.

¹³³ Statement Coalition for Free South Africa, VP for Comms and Public Affairs.

statement, the Board of Trustees claimed that it will go beyond that decision and also review corporations that:

“Make **direct loans** to the government of South Africa; or **sells military and other equipment** that supports the maintenance of apartheid; and will monitor closely each corporation in whose stock University funds are invested which conducts operations in South Africa; and selectively divest the stocks of any such corporation that does not conform to these principles.”¹³⁴

The Board of Trustees provided the subsequent reasons why total and immediate divestment of the stocks of all American corporations operating in South Africa would be irresponsible:

“The many American corporations whose operations partly extend to South Africa differ immensely in almost every respect. Furthermore, a number of corporations are in the process of terminating their South Africa presence, and other corporations may elect this course in the near future... Wholesale divestment of stocks of a large number of corporations, including some of the most consistently successful American business enterprises, and amounting in aggregate to a significant fraction of the University’s total investments, would severely compromise the successful directives to professional managers to most effectively invest University funds, and put at risk charitable support from the corporations whose stocks would be divested. **Furthermore, there is no consensus that divestment will in fact have any positive impact on the eradication of apartheid.**”¹³⁵

Further informing the October 27th statement was a report identifying potential issues and concerns related to divestment from corporations active in South Africa, which was sent to the Board of Trustees Committee on Investments on October 24, 1986. Despite the title of the report being “South Africa Divestment: Investment Implications,” this report was only able to identify potential costs related to portfolio operation, portfolio diversification, and active management of said portfolio. Overall, the report claimed that “it can be stated with certainty that divestment will be costly, [but] we cannot establish precisely how costly.”¹³⁶ The best estimate of cost provided regarding the Johns Hopkins portfolio concerned only the ongoing incremental cost of *managing* a South Africa-free portfolio, but *not the one-time cost of immediate divestment* from a company operating in South Africa:

“Professionals in the field have estimated that portfolios with characteristics comparable to the Johns Hopkins portfolio might experience incremental costs of 50 basis points annually. This translates into a potential annual incremental cost to Johns Hopkins of \$2 million. It should be noted that the methodology used to

¹³⁴ Trustee Statement Oct 1986, Office of President. Emphasis added.

¹³⁵ Ibid. Emphasis added.

¹³⁶ “South Africa Divestment: Investment Implications,” 24 October 1986, Box: 15-50, Folder: 16. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/226180 (hereafter cited as South Africa Divestment Report, Office of President.)

establish such estimates have been called to question by some in the investments field.”¹³⁷

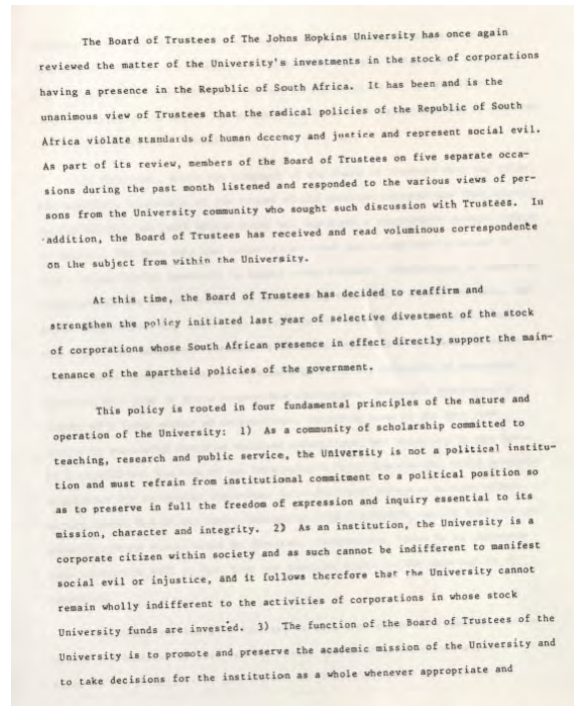


Figure 33. October 27, 1986 Statement from the Board of Trustees on partial divestment. Photo by authors.

For these reasons, we can draw that the Board of Trustees deferred to the safer option of partial divestment on both fronts: the one-time cost of immediate divestment and the incremental transactional costs of maintaining that level of divestment. In alignment with the memorandums from a couple of months prior, the Board of Trustees deliberated under the premise that the effects of divestment did not spill over to the eradication of apartheid.

When asked by the Coalition for a Free South Africa about the divestiture activities of the Investment Committee, Vice President for Institutional Relations Joseph S. Hall reported that as of February 17, 1987, the Treasurer of the Committee is monitoring the investment portfolio for companies that do not report whether their activities *directly support* the apartheid in South Africa.¹³⁸ “Direct support” of the apartheid referred to non-signatories of the Sullivan Principles, direct loans to the government of South Africa, as well as the sale of military and other equipment to major apartheid-enforcing agencies and/or the South African government.

¹³⁷ South Africa Divestment Report, Office of President.

¹³⁸ Letter from Joseph S. Hall, 17 February 1987, Box: 15-50, Folder: 17. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/226181

THE JOHNS HOPKINS UNIVERSITY
Investment Holdings as of April 8, 1987

ATTACHMENT B

EIP South Africa-related investments

COMPANY	Sullivan Principles Rating	SHS/PAR	MARKET VALUE
Abbott Laboratories	I	31,800	\$ 1,967,500
American Home Products	IIA	7,700	688,188
American International Group	I	13,500	983,813
Bristol-Myers	I	16,000	1,680,000
Caterpillar	IIA	21,300	1,080,975
Chevron	IIA	15,000	852,500
Cigna	IIA	13,100	823,300
Citicorp	I	22,600	1,146,950
Control Data	I	20,500	635,500
Dresser Industries	IIA	40,000	1,125,000
DuPont	I	7,000	834,750
Eastman Kodak	IIA	17,500	1,371,363
Ford Motor	IIA	12,500	1,110,938
Intergraph	IIB	37,000	767,750
I T T	IIA	12,700	806,450
Johnson & Johnson	I, I, IIA	35,000	3,167,500
Lilly, Eli	IIA	10,500	1,002,750
Marsh & McLennan	Too small	34,500	2,277,000
Merck	I	14,500	2,320,000
Minnesota Mining & Mfg.	I	36,500	4,881,875
Mobil	IIA	60,000	2,925,000
NCNB	IIB	31,100	1,298,318
PepsiCo	Endorser *	47,500	1,615,000
Pfizer (convertible)	I	\$750,000	1,998,750
Phelps Dodge	IIB	6,000	186,750
Shell Transport & Trading	**	35,000	2,743,125
Union Camp	new	8,500	595,000
Union Carbide	I, IIA	42,500	1,259,363
United Technologies	IIA	41,000	2,096,125
USX	new	10,000	283,750
Wanamaker-Lambert	IIA	14,000	1,080,500
TOTAL (31 companies)			\$45,607,703
TOTAL EIP MARKET VALUE			\$491,828,277 (est.)
Percent of EIP invested in South Africa-related companies			9.27%

APL South Africa-related investments

American Home Products (Prime)	I	2,000	\$ 137,650
Cigna	IIA	2,000	126,000
Tenneco	I, new, new	5,000	245,625
Teneco Capital-Euro. (convertible) IIA		\$500,000	511,250
TOTAL (& companies)			\$ 1,020,525
TOTAL APL MARKET VALUE			\$35,122,422
Percent of APL invested in South Africa-related companies			2.89%

* Once again became a direct investor after rating reporting period ended.
** British corporation, subscriber to European Community Code of Conduct, a code similar to the Sullivan Principles regarding equal employment benefits.

SULLIVAN RATINGS
I -- Making good progress.
IIA -- Making progress based on full reporting.
IIB -- Making progress based on a short-form questionnaire.

Figure 34. April 8, 1987 Investment Holdings in the endowment and APL. Photo by authors.

Through 1987 and 1988, the Office of the Treasurer provided reports and updates regarding the partial divestment of corporations in South Africa as per the Board of Trustees' statement the year prior. Treasurer Eugene S. Sunshine conducted 33 unique corporation-by-corporation reviews of the University's Endowment Investment Pool (EIP) and the Applied Physics Laboratory (APL) investment holdings on April 8, 1987, to determine whether they directly support the apartheid.¹³⁹ The 31 companies in the EIP with activities in South Africa amounted to \$45,607,703, which was around 9.27% of the EIP investments.¹⁴⁰ The four companies in the APL with activities in South Africa amounted to \$1,020,525, which was 2.89% of the APL investments.¹⁴¹ Regarding the first two criteria for "direct support of apartheid," Sunshine outlined that all of these companies were signatories of the

Sullivan Principles; only Citicorp and the NCNB Corporation had direct loans to the South African government but complied with the Comprehensive Anti-Apartheid Act of 1986, which disallowed new loans to the South African government.¹⁴²

For the third criterion of corporations that sell military or other equipment, Sunshine categorized companies into those that intend to leave South Africa; located in South Africa but report no sales to the South African public sector (government or parastatal agencies); sell to the public sector but *not* to the major agencies perpetuating apartheid and/or do not sell products/equipment that directly contribute to apartheid; and sell military equipment/products that perpetuate apartheid in South Africa.¹⁴³ Each category had, respectively, three, twelve, eight, and four corporations. The last four corporations (Chevron, Mobil, Shell Transport & Trading, and Texaco) that did not meet the last criterion amounted to a market value of \$7,071,875.¹⁴⁴

¹³⁹ Memorandum from Eugene Sunshine, 16 April 1987, Box: 15-50, Folder: 18. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/226182 (hereafter cited as Memorandum Sunshine, Office of President.)

¹⁴⁰ Attachment B Investment Holdings, 8 April 1987, Box: 15-50, Folder: 18. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/226182 (hereafter cited as Attachment B, Office of President.)

¹⁴¹ Attachment B, Office of President.

¹⁴² Memorandum Sunshine, Office of President.

¹⁴³ Ibid.

¹⁴⁴ Attachment D Categorizing Corporations, 8 April 1987, Box: 15-50, Folder: 18. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/226182 (hereafter

Regarding these four corporations, Sunshine concluded:

“All of [these firms] refine and distribute oil in the country and, in all likelihood, sell their products to government agencies, like the police and military, that enforce the apartheid system [...] Considering the significance of oil to the country and that the four oil companies in the University’s portfolio, along with two other companies, are responsible for refining about 80% of South Africa’s crude oil, reasonable conclusion can be drawn about the subject companies and their sales to apartheid-enforcing agencies.”¹⁴⁵

The remaining \$9,258,000 investment holdings in six corporations needed further information and research before deliberation on divestment.¹⁴⁶

The report also provided interesting insights into the relationship between Johns Hopkins University and the four corporations: Chevron, from 1985-1987, committed over \$25,000 to the Arts and Sciences, general support of SAIS, and Industrial Council membership to the School of Hygiene and Public Health; Shell Oil from 1985-1987 supported \$40,000 to SAIS, \$24,000 to SHPH, and \$20,000 to Engineering, along with a Shell Fellowship Program at SAIS; Texaco made grants of over \$100,000 for the Department of Earth and Planetary Sciences since 1985; Mobil was a “major source of support for the Johns Hopkins Institutions,” giving over \$100,000 since 1985 to SAIS and the School of Hygiene and Public Health.¹⁴⁷ These are examples of “charitable support from corporations” that the Board of Trustees, in their October 1986 statement, was wary of risking.

Categorizing Corporations		ATTACHMENT D	
COMPANY	Shs/Par	Market Value 4/8/87	
I. Leaving South Africa			
American Home Products	9,700	\$	825,838
Eastman Kodak	17,500		1,371,563
Pepsico	47,500		1,615,000
	(sub total)		\$ 3,812,401
II. No Sales to the Public Sector			
American International Group	13,500	\$	983,813
Caterpillar	21,300		1,080,975
Cigna	15,100		951,300
Citicorp	22,600		1,146,950
Intergraph	37,000		767,750
ITT	12,700		806,450
Johnson & Johnson	35,000		3,167,500
Marsh & McLennan	34,500		2,277,000
NCNB	51,100		1,258,338
Phelps Dodge	6,000		186,750
Union Camp	8,500		595,000
USX	10,000		283,750
	(sub total)		\$13,505,576
III. Some Public Sector Involvement			
Abbott Laboratories	31,800	\$	1,987,500
Bristol-Myers	16,000		1,680,000
DuPont	7,000		834,750
Lilly, Eli	10,500		1,002,750
Merck	14,500		2,320,000
Pfizer	\$750,000		1,998,750
United Technologies	41,000		2,096,125
Warner-Lambert	14,000		1,060,500
	(sub total)		\$12,980,375
IV. Problem Public Sector Involvement			
Chevron	15,000	\$	892,500
Mobil	60,000		2,925,000
Shell Transport & Trading	35,000		2,743,125
Texaco	\$500,000		511,250
	(sub total)		\$ 7,071,875
V. Requiring Further Information/Analysis			
Control Data	20,500	\$	635,500
Dresser Industries	40,000		1,125,000
Ford Motor	12,500		1,110,938
Minnesota Mining & Manufacturing	36,500		4,881,875
Tenneco	5,000		245,625
Union Carbide	42,500		1,249,063
	(sub total)		\$ 9,258,000
	TOTAL		\$66,628,228

Figure 35. Breaking down the four categories within JHU’s endowment investment holdings of corporations with activities in South Africa. Photo by authors.

As for immediate divestment from the aforementioned four oil companies, in a handwritten letter to Steven Muller on April 26, 1987, Sunshine delineated that 125,000 of those companies’ shares in the EIP were sold, amounting to around \$6,754,000; a Texaco convertible

cited as Attachment B, Office of President).

¹⁴⁵ Memorandum Sunshine, Office of President. Emphasis added.

¹⁴⁶ Attachment E Investment Holdings, 8 April 1987, Box: 15-50, Folder: 18. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/226182

¹⁴⁷ Corporate Relationships, 8 April 1987, Box: 15-50, Folder: 18. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/226182

bond in the APL was sold at \$442,500; and 700 shares of Texaco and Chevron in the Annuity Investment Pool were sold amounting to \$31,800.¹⁴⁸ This was in addition to the 88,000 shares of non-signatories of the Sullivan Principles – Baker International, Bandag, Hughes Tool, and Parker-Hannifin – sold between December 1985 to January 1986 and amounting to \$2,565,000.¹⁴⁹¹⁵⁰

Sunshine followed up with Muller on July 17, 1987, about the six corporations that needed further information, which held a total of \$10,178,094 EIP investment holdings and \$253,750 APL holdings.¹⁵¹ Of these, he identified Control Data, Dresser Industries, Unisys, and Tenneco as selling military and equipment perpetuating the apartheid – \$2,814,093 market value shares in the EIP for the first three companies and \$253,750 market value shares in the APL for Tenneco – and recommended selling the investment holdings.¹⁵² The Committee on Investments decided to sell all of the Tenneco shares in September 1987, as the company openly sold tractors and earth-moving equipment to the South African Defense Force, Department of Development Aid, Air Force, Army, and the Department of Public Works and Land Affairs.¹⁵³ On August 16, 1988, one of the last corporations that Sunshine recommended divestment from was Goodyear Tire & Rubber, which the University held 16,200 shares with a market value of \$925,425.¹⁵⁴ The reasons were because, on the surface, Goodyear does not sell its products to the **military and the police, but those are “not the only apartheid-enforcing agencies.** According to the IRRC, the Department of Public Works and Land Affairs, the Department of Home Affairs, and the Department of Development Aid are all major apartheid-enforcing agencies yet have no direct connection to the military or police.”¹⁵⁵ Additionally, because Goodyear is one of the four major suppliers of tires and heavy-duty equipment for automobiles and trucks in South Africa, the case was similar to the four oil companies that provided 80% of all oil to South Africa, which the Committee on Investments had divested from last year. Other than Tenneco, it is unclear whether the Board of Trustees divested from the other mentioned companies.

To summarize, from October 1986 to March 1988, JHU sold the stocks of 10 out of the initial 33 corporations, valued at around \$10.5 million, by the Board of Trustees’ divestment policy.¹⁵⁶ As of March 1988, 4.5% (\$20.8 million) of the EIP contained investments in corporations with

¹⁴⁸ Handwritten Letter From Eugene Sunshine, 8 April 1987, Box: 15-50, Folder: 18. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/226182 (hereafter cited as Handwritten Sunshine, Office of President.)

¹⁴⁹ Handwritten Sunshine, Office of President.

¹⁵⁰ Statement Coalition for Free South Africa, VP for Comms and Public Affairs.

¹⁵¹ Letter from Sunshine to Muller, 17 July 1987, Box: 15-50, Folder: 18. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/226182 (hereafter cited as Letter from Sunshine, Office of President.)

¹⁵² Letter from Sunshine, Office of President.

¹⁵³ Memorandum from Bill Snow: South Africa-investments, 1 August 1988, Box: 15-50, Folder: 19. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/226183 (hereafter cited as Bill Snow: South Africa-investments, Office of President.)

¹⁵⁴ Bill Snow: South Africa- investments, Office of President.

¹⁵⁵ Ibid. Emphasis added.

¹⁵⁶ Letter to Congressman Charles C. Diggs, 1 June 1988, Box: 15-50, Folder: 19. Office of the President records, RG-02-001. Special Collections. https://aspace.library.jhu.edu/repositories/3/archival_objects/226183 (hereafter cited as Letter to Diggs, Office of President.)

activities in South Africa, which was down from 9.7% of the EIP (\$45.5 million) in April 1987.¹⁵⁷ Based on our calculations, \$10.5 million is an accurate estimate and the last record – as of March 13, 1988 – of partial divestment from corporations with activities in South Africa that did not meet the criteria established by the Board of Trustees. For comparison, this was around 17.8% of the \$59 million investment holdings reported by PIIAC on April 12th, 1985 from which it recommended complete divestment.

It is important to note that this section was a rather clinical overview of the history of divestment from corporations in South Africa, wholly from the perspective of the administration at JHU. The purpose was to set the foundation for a historical precedent wherein JHU divested from corporations violating standards of human decency and representing social evil in South Africa. The numerical values and the specific criterion for identifying such corporations are not meant in any way to be guidelines for the PIIAC to form their recommendations upon. We harken back to the fact that the PIIAC recommended full divestment from 1985 to 1988, and the Board of Trustees partially divested from \$10.5 million of the University’s endowment.

b. The Impact of Divestment

As with its former investments in the apartheid regime of South Africa, JHU’s investments in the State of Israel’s deadly occupation of the OPT contradicts the values of the University. Nonetheless, the fight against apartheid, the enforcement of International Humanitarian Law, and the protection of human rights far exceed the scope of any adjustment to JHU’s endowment. However, by positioning JHU within a larger campaign to divest from the State of Israel’s illegal occupation and a broader movement against apartheid, JHU can effectively challenge unethical state and corporate behavior while limiting its exposure to rapidly increasing volatility in the region.

On July 19, 2024, the ICJ found the State of Israel guilty of the crime of apartheid and its settlements in the OPT illegal, echoing the horror of South African apartheid from decades ago which still haunts the international community.¹⁵⁸ While JHU has seldom followed divestment recommendations, it has set an institutional precedent in the case of South African apartheid, where the University was forced to acknowledge that its endowment was invested in a system of police and military violence, racial subjugation, discrimination, dispossession, and displacement by a minority population. Nonetheless, to protect its financial interests, JHU opted for a small, limited divestment of \$10.5 million from companies “directly contributing” to the apartheid, leaving a stain on the University’s legacy. This partial and limited divestment, while preferable to no change in investment practices whatsoever, failed to holistically rectify JHU’s entanglement in South Africa’s reprehensible legacy of anti-Black apartheid.

Forty years later, JHU finds itself again considering divestment from an apartheid state, now with the apartheid of the Palestinian people. The University is invested in companies that equip the State of Israel with the financial and institutional tools to commit atrocities of historic proportions in the OPT, companies that surveil, police, and restrict the movement of Palestinian

¹⁵⁷ Ibid.

¹⁵⁸ International Court of Justice, “Legal Consequences Arising From the Policies and Practices of Israel in the Occupied Palestinian Territory, Including East Jerusalem.”

people, companies that construct and maintain illegal settlements while displacing Palestinians in the West Bank and East Jerusalem, and companies that operate on illegally occupied land. For a university that is “deeply committed to the dignity and equality of all persons,”¹⁵⁹ it cannot, in good conscience, continue to profit from the illegal and immoral repression, subjugation, starvation, and collective punishment against Palestinians.

JHU, beyond its role as a large and well-endowed research university, is a global steward of public health, embracing values of social justice and health equity and affirming its commitment to the International Declaration of Health Rights.¹⁶⁰ Recognizing access to healthcare as a human right, this declaration lays out a framework for inalienable standards for healthcare access:

“Health depends on the access to basic life essentials including food, clean water and air, safe and adequate housing, quality education, and productive employment.

Health depends on protection from exploitation and discrimination based on race, ethnicity, gender, sexual orientation, age, ability, religion, political belief, or economic or social condition including citizenship and caste.

Health requires peace, with communities able to thrive free of oppression, conflict, and war.”¹⁶¹

While this declaration is virtuous, and the Bloomberg School of Public Health (BSPH) upholds these values in its research and practice, JHU’s endowment shamefully invests in and profits from the very opposite — the State of Israel weaponizes access to food, water, and healthcare against the Palestinian people to maintain its illegal occupation. Long before its 2023 siege of the Gaza Strip, the State of Israel waged a brutal blockade on the region, strangling its health infrastructure and limiting the number of services provided to citizens of Gaza. Thus, for patients who need care beyond what’s available in Gaza, they needed to apply for permits to temporarily leave Gaza from the Israeli government:

“Every year, thousands of patients apply to the Israeli authorities for these permits. Israel is in no rush to approve the requests and grants permits only for treatments it defines as ‘life-saving’, and then only if they are unavailable in Gaza. Many patients whose illnesses do not meet this definition, yet cannot be treated in Gaza, have no recourse but to keep suffering — although the treatment they need is available mere miles away”¹⁶²

¹⁵⁹ Johns Hopkins University, “Home,” Diversity at Johns Hopkins University, accessed July 25, 2024, <https://diversity.jhu.edu/>.

¹⁶⁰ Johns Hopkins Bloomberg School of Public Health, “Mission, Vision, and Values,” accessed July 25, 2024, <https://publichealth.jhu.edu/about/at-a-glance/mission-vision-and-values>.

¹⁶¹ Johns Hopkins Bloomberg School of Public Health, “International Declaration of Health Rights,” accessed July 25, 2024, <https://publichealth.jhu.edu/about/at-a-glance/mission-vision-and-values/international-declaration-of-health-rights>.

¹⁶² B'Tselem, “Israel Continues to Impede Medical Care for Gazan Patients Needing Treatment in the West Bank or in Israel,” February 10, 2022, https://www.btselem.org/video/20220210_israel_continues_to_impede_medical_care_for_gazan_patients_needing_t



Figure 36. 75-year-old Jaber Abu Hasanein, diagnosed with diabetes and lung cancer, in a-Shifaa hospital. His doctor requested an urgent referral to a hospital in East Jerusalem, but his permit was inexplicably denied by Israeli officials. Photo by Muhammad Sabah, B'Tselem. November 6, 2022.

In 2022 alone, the Israeli government denied 6,848 requests to leave the Gaza Strip for healthcare, or 34 percent of all applications.¹⁶³ The State of Israel’s brutal occupation, which not only prevents lifesaving medical supplies and equipment from entering the region but also denies access to hospitals just miles away from Gaza, solely on the basis that they are Palestinians living in Gaza, vehemently contradicts the values of the BSPH.

Now, as the State of Israel continues its siege on Gaza while denying aid to the country, famine and dehydration have plagued every corner of the region. Worse still, by indiscriminately destroying Gaza’s civilian infrastructure, including water treatment and healthcare facilities, a Polio outbreak now endangers the people of Gaza. For JHU to maintain investments in a country that enforces this inhumane regime not only constitutes moral hypocrisy but corrupts and jeopardizes the entire mission of JHU’s global role as the premier institution for public health. In 1991, JHU divested entirely from tobacco companies because the industry so directly contradicted its commitment to public health. Dr. Al Sommer, who was the Dean of the BSPH at the time, said, “It was incompatible . . . for the school to be making profits on the sale of tobacco given the fact that smoking . . . is the greatest single preventable cause of death, disability, and disease today.”¹⁶⁴ The concern was neither preserving endowment growth nor maintaining diversification of investments, but rather upholding JHU’s values by refusing to profit from industries that were incompatible with the University’s mission.

From the perspective of financial security, the immeasurably small benefit of marginally improved diversification by maintaining these investments is severely outweighed by the escalating risks that these holdings expose the University to. The State of Israel is already experiencing economic flight and stagnation, with a 73 percent drop in investments raised by

reatment_in_the_west_bank_or_in_israel#full.

¹⁶³ B'Tselem, “In 2022, Too, Israel Prevented Thousands of Palestinians in Need of Medical Care from Leaving Gaza for Treatment,” April 4, 2023, https://www.btselem.org/gaza_strip/20230404_in_2022_too_israel_prevented_thousands_of_palestinians_in_need_of_medical_care_from_leaving_gaza_for_treatment.

¹⁶⁴ L.A. Times Archives, “Johns Hopkins Plans to Sell Holdings in Tobacco Firms,” Los Angeles Times, February 23, 1991, <https://www.latimes.com/archives/la-xpm-1991-02-23-fi-1572-story.html>.

venture capital firms¹⁶⁵ and 60,000 business closures predicted for 2024.¹⁶⁶ As the State of Israel continues its genocidal military campaign in Gaza, international credit rating agencies, including S&P, have lowered the country's rating and forecast.¹⁶⁷ In June 2024, Intel halted plans to build a \$25 billion plant in Israel.¹⁶⁸ Alongside consequences for the State of Israel's illegal occupation of the West Bank and East Jerusalem, the ICJ outlined legal consequences for other states:

“Moreover, the Court considers that, in view of the character and importance of the rights and obligations involved, all States are under an obligation not to recognize as legal the situation arising from the unlawful presence of Israel in the Occupied Palestinian Territory. *They are also under an obligation not to render aid or assistance in maintaining the situation created by Israel's illegal presence in the Occupied Palestinian Territory.*”¹⁶⁹

In February 2024, five months before the ICJ's decision, the Dutch government halted the export of American F-35 components to the State of Israel, citing a “‘clear risk’ the F-35 parts are used to commit grave violations of international humanitarian law in Gaza.”¹⁷⁰ The Netherlands joined a growing list of countries, including Canada, Japan, Spain, and Belgium,¹⁷¹ which halted military exports to the State of Israel earlier this year. Following the ICJ ruling, this list will only grow. By remaining invested in companies involved in the State of Israel's illegal presence in the OPT, JHU is unnecessarily exposing itself to a compounding risk that an overwhelming number of global actors will begin distancing themselves from the State of Israel and its industries, including divestment from companies involved in the State of Israel's illegal occupation of the OPT, boycott of Israeli companies, the cessation of arms exports and other forms of assistance, or even sanctions on the State of Israel.

Investments in the State of Israel's illegal occupation and genocide of Palestinians are also vulnerable to economic activism. In 2020, the OHCHR released a “blacklist” of business enterprises it found to be directly involved in the establishment or maintenance of illegal settlements, including food giant General Mills.¹⁷² Following an international boycott campaign,

¹⁶⁵ Sharon Wrobel, “Israeli Venture Capital Fundraising Hit 8-Year Low in 2023,” *The Times of Israel*, March 20, 2024.

¹⁶⁶ Sharon Wrobel, “Up to 60,000 Israeli Businesses May Close in 2024 as War Takes Toll on Economy,” *The Times of Israel*, July 18, 2024.

¹⁶⁷ “Israel's Long-Term Credit Rating Is Downgraded by S&P, 2nd Major US Agency to Do So, Citing Conflict,” AP News, April 19, 2024, <https://apnews.com/article/israel-credit-rating-iran-1995147ef6734a3059fd552756470b04>.

¹⁶⁸ “Chipmaker Intel to Halt \$25-Billion Israel Plant, News Website Says,” Reuters, June 10, 2024.

¹⁶⁹ United Nations International Court of Justice, “Summary of the ICJ Order - Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, Including East Jerusalem,” *Question of Palestine* § (2024), <https://www.un.org/unispal/document/summary-of-the-icj-order-icj-19jul24/>, par 257. Emphasis added.

¹⁷⁰ Yussef Al Tamimi, “Dutch Appeals Court, Finding Clear Risk of IHL Violations, Orders Government to Halt Military Deliveries to Israel,” *Just Security*, February 13, 2024, <https://www.justsecurity.org/92196/dutch-appeals-court-finding-clear-risk-of-ihl-violations-orders-government-to-halt-military-deliveries-to-israel/>.

¹⁷¹ “Which Countries Have Stopped Supplying Arms to Israel?,” *Al Jazeera*, February 15, 2024, <https://www.aljazeera.com/news/2024/2/15/which-countries-have-stopped-supplying-arms-to-israel>.

¹⁷² “UN Rights Office Issues Report on Business Activities Related to Settlements in the Occupied Palestinian Territory,” United Nations Human Rights Office of the High Commissioner, February 12, 2020,

General Mills divested its majority stake in its Israeli subsidiary, Bodan Holdings, and was subsequently removed from the OHCHR’s blacklist.¹⁷³ As international outrage builds, more extreme action will follow. For example, in July 2024, seven American unions representing millions of workers — including the United Electrical Workers (UE), who represent graduate workers at JHU — sent a letter to President Biden demanding an embargo on all military aid to the State of Israel.¹⁷⁴



Figure 37. A defaced sign at the Northrop Grumman office complex after a protest against the sale of its weapons to Israel, in San Diego, CA, US. Photo by Mike Blake. November 2024.

Divestment campaigns in particular have been successful in changing corporate behavior and protecting human rights. Starting in 2018, following calls from activists, large investment firms and pension funds began to divest from Elbit Systems because its subsidiary, Israel Military Industries (IMI), produced cluster munitions.¹⁷⁵ The UN’s Convention on Cluster Munitions “prohibits under any circumstances the use, development, production, acquisition, stockpiling and transfer of cluster munitions” because, they “are unreliable and fail to explode, thus creating a potential humanitarian impact on civilians both during as well as long after the conflict ends.”¹⁷⁶ In December 2018, the Hongkong and Shanghai Banking Corporation (HSBC), the largest bank in Europe, sold its holdings in Elbit, sending shockwaves around the banking world,

<https://www.ohchr.org/en/press-releases/2020/02/un-rights-office-issues-report-business-activities-related-settlements>.

¹⁷³ “General Mills Divests from Israel Following Campaign Led by Quaker Organization,” American Friends Service Committee, June 1, 2022, <https://afsc.org/newsroom/general-mills-divests-israel-following-campaign-led-quaker-organization>.

¹⁷⁴ Simon J. Levien, “Unions Tell the Biden Administration to Stop Sending Military Aid to Israel.,” The New York Times, July 23, 2024, sec. U.S., <https://www.nytimes.com/2024/07/23/us/politics/union-biden-letter-israel-gaza.html>.

¹⁷⁵ Christina O’Connell, “Risks of Financing Controversial Weapons,” Interfaith Center on Corporate Responsibility, November 4, 2022, <https://www.iccr.org/resolutions/risks-of-financing-controversial-weapons/>.

¹⁷⁶ “Convention on Cluster Munitions,” United Nations Office for Disarmament Affairs, accessed July 25, 2024, <https://disarmament.unoda.org/convention-on-cluster-munitions/#:~:text=The%20Convention%20on%20Cluster%20Munitions>.

encouraging others to follow on.¹⁷⁷ Since then, AXA,¹⁷⁸ KLP,¹⁷⁹ Australia’s Future Fund,¹⁸⁰ Storebrand,¹⁸¹ Norges Bank Investment Management,¹⁸² and countless other firms have divested from Elbit Systems. Due to mounting pressure, Elbit announced in 2019 that it ceased its production of cluster munitions and removed all advertising for cluster munitions from IMI’s website.¹⁸³ While the vast majority of Elbit’s operations continue to violate International Humanitarian Law, this particular divestment campaign sent a powerful message to Elbit that its production of cluster munitions was unacceptable, thus protecting Palestinian, Lebanese, and other innocent civilians around the world from these unpredictable and indiscriminate bombs. By continuing a campaign of divestment and upholding standards of corporate responsibility to protect human rights, JHU would join a long list of actors pressuring the companies perpetuating apartheid to change their behavior.

By divesting from the industries that manufacture apartheid and genocide, not only is JHU shielding itself from the economic and political fallout of an international response to the State of Israel’s unacceptable behavior, but it is reaffirming its opposition to racism and discrimination, its defense of human rights, and its global leadership in public health. In its recommendation for JHU to divest from fossil fuels, the PIIAC acknowledged that JHU must participate in collective action, recognizing that “universities do and must play a role in moral leadership regarding difficult and controversial issues, including in areas related to their investments.”¹⁸⁴ By refusing to invest in and profit from the State of Israel’s illegal occupation of the OPT and its apartheid of the Palestinian people, JHU is sending a broad and long-lasting signal to the international community that it does not tolerate injustice.

c. Transparency and Disclosure

¹⁷⁷ “HSBC ‘Divests’ from Israeli Arms Company Elbit Systems,” Al Jazeera, December 27, 2018, <https://www.aljazeera.com/news/2018/12/27/hsbc-divests-from-israeli-arms-company-elbit-systems>.

¹⁷⁸ “French Investment Firm AXA Partially Divests from Israeli Arms Manufacturer Elbit Systems,” Business & Human Rights Resource Centre, April 19, 2019, <https://www.google.com/url?q=https://www.business-humanrights.org/en/latest-news/french-investment-firm-axa-partially-divests-from-israeli-arms-manufacturer-elbit-systems/&sa=D&source=docs&ust=1721948170339760&usg=AOvVaw3Vx4xxI3cV-xySli6ZTA00>.

¹⁷⁹ “Decision to Exclude Companies That Produce Controversial Weapons,” November 2021, <https://www.klp.no/en/corporate-responsibility-and-responsible-investments/exclusion-and-dialogue/Decision%20to%20exclude%20companies%20that%20produce%20controversial%20weapons.pdf>.

¹⁸⁰ Ben Butler and Ben Doherty, “Australia’s Future Fund Bans Investment in Israeli Defence Contractor over Cluster Munitions Allegations,” The Guardian, March 9, 2022, sec. World news, <https://www.theguardian.com/world/2022/mar/10/elbit-systems-denies-making-cluster-bombs-after-australia-future-fund-bans-investment-in-it>.

¹⁸¹ “Storebrand Exclusion List Q1 2023” (Storebrand, 2023), https://www.storebrand.com/sam/no/asset-management/sustainability/our-method/exclusions/_/attachment/inline/c6a2509f-136c-4dbd-b74b-a2b891229f18:2fb2fd14ccfde014f3e452fad9b2867efd893806/Q1-Exclusion-list-2023.pdf.

¹⁸² “Observation and Exclusion of Companies,” Norges Bank Investment Management, March 18, 2019, <https://www.nbim.no/en/responsible-investment/ethical-exclusions/exclusion-of-companies/>.

¹⁸³ Stop Explosive Investments Team, “Elbit Systems Confirms Cluster Munitions Exit,” stopexplosiveinvestments.org, January 23, 2019, <https://stopexplosiveinvestments.org/elbit-systems-confirms-cluster-munitions-exit/>.

¹⁸⁴ JHU Public Interest Investment Advisement Committee, “Report of JHU Public Interest Investment Advisory Committee in Response to Proposal of Refuel Our Future,” September 2017, 24-25.

As a private institution, JHU obscures the vast majority of its investments. Of its over \$15.5 billion in net assets and \$11.47 billion in investments reported for FY 2023,¹⁸⁵ it only discloses \$2.57 billion of investments, largely ETFs and corporate bonds.¹⁸⁶ Though only a fraction of its investments are publicly available, this limited disclosure provides a framework for understanding the moral and financial complicity of the Johns Hopkins endowment in sustaining the humanitarian crisis in the OPT and highlights the necessity for a transparent review of the University’s entire endowment. Various institutions focused on responsible investing, corporate behavior, and human rights — namely the United Nations Office of the High Commissioner of Human Rights (OHCHR),¹⁸⁷ the American Friends Service Committee (AFSC),¹⁸⁸ and the Who Profits Research Center (WPRC)¹⁸⁹ — have extensively documented corporate behavior, producing databases of companies directly responsible for the occupation, displacement, and mass murder of Palestinians. These include companies that unjustly discriminate against Palestinians, companies that support and maintain illegal settlements in Palestinian territory, weapons companies that arm war criminals against civilians in the region, and companies that exploit the resources of occupied land.

Cross-referencing the composition of Johns Hopkins’ publicly disclosed positions against these lists illustrates the extent of the University’s investment in Palestinian suffering. As of March 2024, JHU’s largest position was 5.14 million shares of **BlackRock’s iShares MSCI ACWI ETF** — an ETF that prioritizes shares in developed and emerging international corporations¹⁹⁰ — amounting to approximately \$566 million. By tallying the companies flagged for divestment in this fund, and then adjusting for the weight of each position, we find that 7.37 percent of the holdings in this fund are held in companies found responsible for perpetuating human rights violations against Palestinians. In other words, in this fund alone, Hopkins has \$41.7 million invested in Israeli occupation, apartheid, and genocide. This includes \$2.06 million in the **Chevron Corporation**, \$1.45 million in **Cisco Systems Ltd.**, \$1.33 million in **Caterpillar Inc.**, \$1.00 million in **RTX Corp**, and \$778,000 in **Lockheed Martin**, among others.

¹⁸⁵ KPMG, LLP, “The Johns Hopkins University Consolidated Financial Statements,” June 30, 2023.

¹⁸⁶ U.S. Securities and Exchange Commission, “EDGAR Filing Documents for 0001764756-24-000006,” www.sec.gov, May 15, 2024, https://www.sec.gov/Archives/edgar/data/1764756/000176475624000006/xslForm13F_X02/2024033113FJHU.xml.

¹⁸⁷ United Nations Human Rights Office of the High Commissioner, “OHCHR Update of Database of All Business Enterprises Involved in the Activities Detailed in Paragraph 96 of the Report of the Independent International Fact-Finding Mission to Investigate the Implications of the Israeli Settlements on the Civil, Political, Economic, Social and Cultural Rights of the Palestinian People throughout the Occupied Palestinian Territory, Including East Jerusalem” (United Nations, June 30, 2023).

¹⁸⁸ “Occupations,” investigate.afsc.org, accessed July 25, 2024, <https://investigate.afsc.org/occupations>.

¹⁸⁹ “The Israeli Occupation Industry - Company Database,” Who Profits, accessed July 25, 2024, <https://www.whoprofits.org/companies/all>.

¹⁹⁰ BlackRock, “iShares MSCI ACWI ETF,” [ishares.com](https://www.ishares.com), accessed July 25, 2024, <https://www.ishares.com/us/products/239600/ishares-msci-acwi-etf>.

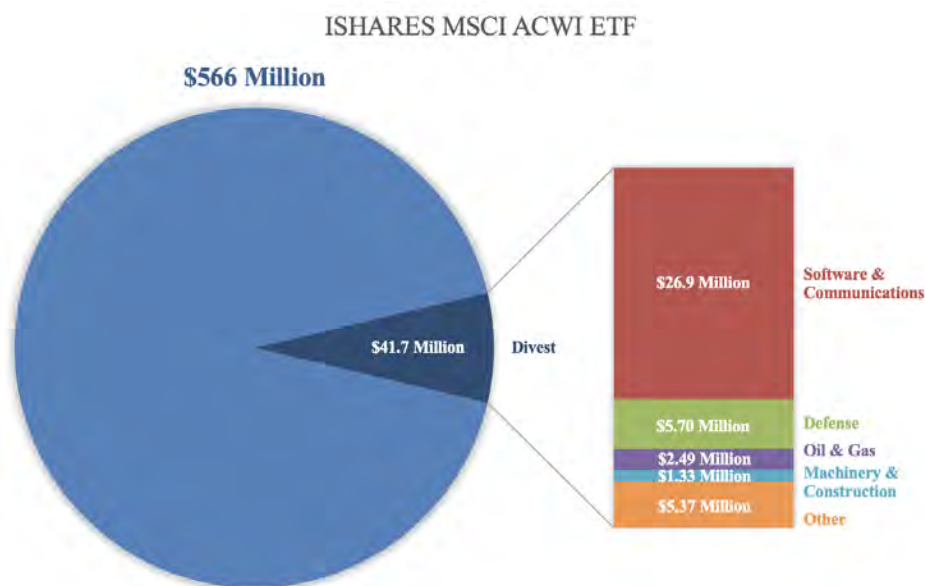


Figure 38. Composition of investment sectors recommended for divestment in one ETF, BlackRock's iShares MSCI ACWI ETF. Figure by authors.

The majority of JHU's publicly disclosed investments, however, are in corporate bond ETFs. The University holds 9.52 million shares of **BlackRock's iShares 1-5 Year Investment Grade Corporate Bond ETF**, valued at approximately \$489 million. In this fund, using the same methodology as above, we find that 3.47 percent of the holdings have been flagged for divestment, meaning Johns Hopkins functionally holds \$17.0 million in corporate bonds of companies profiting from human rights violations against Palestinians, including \$1.81 million in the **Boeing Corporation**.¹⁹¹ They also hold 5.89 million shares in **Vanguard's Intermediate-Term Corporate Bond ETF**, valued at \$474 million, with 3.96 percent of the holdings recommended for divestment, including \$2.75 million in **Boeing**, \$1.71 million in **RTX**, and \$1.23 million in **Cisco**.¹⁹² They hold another 5.24 million shares in **Vanguard's Long Term Corporate Bond ETF**, valued at \$410 million, with 6.03 percent flagged for divestment, including \$3.90 million in **Boeing**, \$3.03 million in **RTX**, and \$2.21 million in **Lockheed Martin**.¹⁹³ Among these three funds, Johns Hopkins holds the equivalent of \$23.5 million in corporate bonds for defense companies.

¹⁹¹ BlackRock, "iShares 1-5 Year Investment Grade Corporate Bond ETF," [ishares.com](https://www.ishares.com/us/products/239451/ishares-13-year-credit-bond-etf), accessed July 25, 2024, <https://www.ishares.com/us/products/239451/ishares-13-year-credit-bond-etf>.

¹⁹² Vanguard, "Intermediate-Term Corporate Bond ETF," [advisors.vanguard.com](https://advisors.vanguard.com/investments/products/vcit/vanguard-intermediate-term-corporate-bond-etf#portfolio), accessed July 25, 2024, <https://advisors.vanguard.com/investments/products/vcit/vanguard-intermediate-term-corporate-bond-etf#portfolio>.

¹⁹³ Vanguard, "Long-Term Corporate Bond ETF," [advisors.vanguard.com](https://advisors.vanguard.com/investments/products/vcit/vanguard-intermediate-term-corporate-bond-etf#portfolio), accessed July 25, 2024, <https://advisors.vanguard.com/investments/products/vcit/vanguard-intermediate-term-corporate-bond-etf#portfolio>.

COMPOSITION OF HOLDINGS TO BE DIVESTED



Figure 39. Industry composition of Johns Hopkins' positions in corporate bonds that qualify for divestment. Figure by authors.

HOLDINGS THAT QUALIFY FOR DIVESTMENT

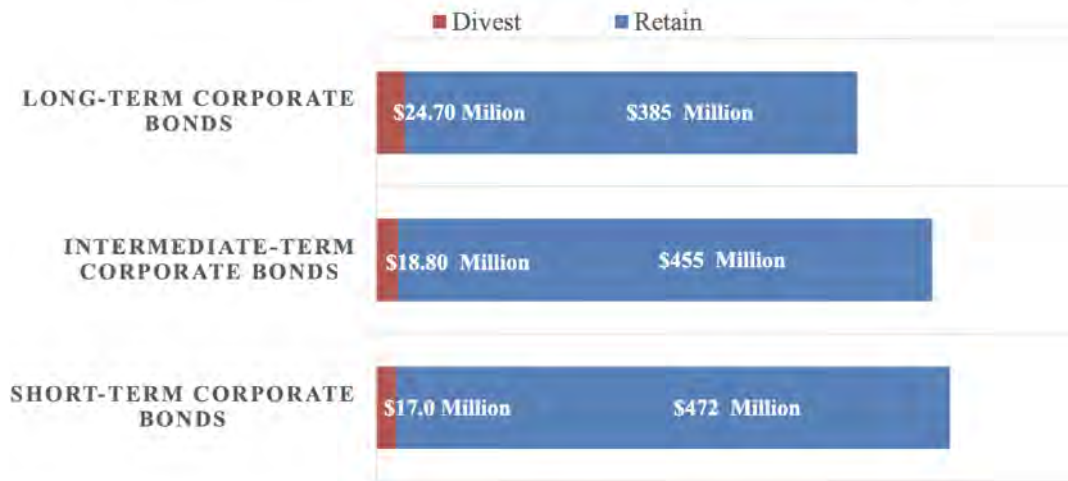


Figure 40. The value of Johns Hopkins' holdings in corporate bonds that qualify for divestment as adjusted by weight of responsible companies in each ETF portfolio. Figure by authors.

By themselves, these holdings are a source of grave concern, sufficiently demonstrating JHU's deep financial involvement in the occupation, apartheid, genocide, and war crimes against the Palestinians and the OPT. The University must begin to divest from ETFs, hedge funds, and mutual funds that have holdings in companies that perpetuate the State of Israel's brutal regime of occupation. However, the companies and holdings previously indicated do not exhaustively represent the whole of JHU's investments in the State of Israel's occupation of the OPT. The University has almost \$9 billion in investments and another \$15.5 billion in other assets that are not publicly disclosed. To ensure effective and transparent divestment, the University must

disclose the assets and investments related to Israeli occupation, including, but not limited to, direct investments in public and private companies that perpetuate occupation and apartheid (as described above), ETFs and other funds that have holdings in these companies, government bonds issued by the Debt Corporation of Israel (DCI), real estate in occupied Palestinian land, and other investments and assets tied to Israel's illegal occupation of the Palestinian people.

d. Hopkins Investments and Humanitarian Crimes

The following section contains disturbing descriptions and images of military and police violence.

To make its recommendations for divestment, the PIIAC should use the databases on corporate compliance with international law, namely the AFSC, OHCHR, and WPRC. This section outlines a list of companies of interest that JHU invests in to illustrate the direct relationship between the University's endowment and human rights violations committed by the State of Israel. Because these companies are so deeply involved in upholding apartheid and fueling the mass murder of Palestinians, they require explicit consideration for divestment.

Weapons manufactured by **Elbit Systems** for Israel have, for years, consistently resulted in mass death and violence amounting to the level of war crimes recognized at the international level by Amnesty International¹⁹⁴ and Human Rights Watch.¹⁹⁵ Elbit "provides up to 85 percent of the land-based equipment procured by the Israeli military and about 85 percent of its drones, according to Database of Israeli Military and Security Export (DIMSE)."¹⁹⁶ The deadliest weapons developed by Elbit include Elbit MPR 500, 1000, and 2000 bombs equipped with Guided Mortar Munitions (GMMs) and Laser- and GPS-Guided Mortar Kits (LG2MKs),¹⁹⁷ drones, and UAVs used during almost every major mission carried out by the Israeli Military, and numerous lethal militarized vehicles used to target civilians.¹⁹⁸ For example, in 2014, Israeli forces struck, without warning, the Shuhaibar home in Al Sabra, a densely populated neighborhood of Gaza, using an Elbit MPR 500.¹⁹⁹ The strike killed three children, ages nine to eleven, and injured two more. More recently, in 2022, an Israeli drone strike killed five Palestinian children, ages four to sixteen, when it struck a cemetery in Northern Gaza without any cause or warning.²⁰⁰

¹⁹⁴ Amnesty International, "Israel/Gaza: Operation 'Cast Lead': 22 Days of Death and Destruction," amnesty.org, July 2, 2009, <https://www.amnesty.org/en/documents/mde15/015/2009/en/>.

¹⁹⁵ Human Rights Watch, "Israel/Palestine: Unlawful Israeli Airstrikes Kill Civilians," hrw.org, July 15, 2014, <https://www.hrw.org/news/2014/07/15/israel/palestine-unlawful-israeli-airstrikes-kill-civilians>.

¹⁹⁶ Paddy Dowling, "Dirty Secret of Israel's Weapons Exports: They're Tested on Palestinians," Al Jazeera, November 17, 2023, <https://www.aljazeera.com/features/2023/11/17/israels-weapons-industry-is-the-gaza-war-its-latest-test-lab>.

¹⁹⁷ Elbit Systems, "MPR 500," elbitsystems.com, accessed July 25, 2024, <https://elbitsystems.com/media/MPR-500.pdf>.

¹⁹⁸ United Nations Human Rights Office of the High Commissioner, "Human Rights in Palestine and other Occupied Arab Territories: Report of the United Nations Fact-Finding Mission on the Gaza Conflict," September 25, 2009, <https://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-48.pdf>.

¹⁹⁹ United Nations Human Rights Office of the High Commissioner, "Report of the Detailed Findings of the Independent Commission of Inquiry Established pursuant to Human Rights Council Resolution S-21/1," June 22, 2015, https://www.inew.org/wp-content/uploads/2015/06/A_HRC_CRP_4.pdf.

²⁰⁰ Amnesty International, "Israel and Occupied Palestinian Territories: 'They Were Just Kids': Evidence of War

Elbit subsidiary IMI also manufactures Merkava IV tanks.²⁰¹ During Israeli assaults on Gaza, these tanks target both civilians and aid workers, like in May 2024 when an Israeli tank struck a van that “was flying a U.N. flag, and noted that its movement — en route to the European hospital in Khan Younis — had been cleared in advance with the Israeli military,” killing 46-year-old Waibhav Anil Kale.²⁰² Beyond their intended use, the IDF routinely uses these tanks to gratuitously trample over Palestinians fleeing violence, ramming the tanks through refugee camps or carrying out extrajudicial executions of civilians, like on February 29, 2024, when IDF soldiers murdered 62-year-old Jamal Hamdi Hassan Ashour:

“The father of five was subjected to harsh interrogation by members of the Israeli army, who bound his hands with plastic zip-tie handcuffs before running him over with a military vehicle from the bottom to the top of his body [...] confirming that he was alive during the incident. To guarantee thorough and complete crushing, the victim was placed on asphalt rather than in an adjacent sandy area [...] It appears that the victim was purposefully stripped of his clothes, as he was seen wearing only his underpants at the time of his death.”²⁰³

Furthermore, the Israeli government uses other munitions produced by Elbit to target civilian populations. For example, in 2022, Israeli forces killed 15-year-old Duniana Al-Amour and injured several family members when they deliberately struck their home without warning using a 120mm M339 tank round²⁰⁴ — a round also produced by Elbit’s IMI Systems.

Elbit also produces white phosphorus,²⁰⁵ an incendiary weapon that produces heat, smoke, and fire through a chemical reaction, which can result in excruciating, bone-deep burns, respiratory damage, organ failure, and death.²⁰⁶ While its intended use is in open battlefields, creating cover and marking targets, the IDF frequently deploys white phosphorus directly on civilian populations,²⁰⁷ like in 2009 when the IDF used white phosphorus on a U.N. school in Gaza, killing two children, critically injuring several others, and inflicting severe trauma on students,

Crimes during Israel’s August 2022 Gaza Offensive,” amnesty.org, October 25, 2022, <https://www.amnesty.org/en/documents/mde15/6079/2022/en/>.

²⁰¹ Army Technology, “Merkava 4 Israel Defence Forces Main Battle Tank,” army-technology.com, accessed July 25, 2024, <https://www.army-technology.com/projects/merkava4/>.

²⁰² Karen DeYoung, “United Nations Believes Israeli Tank Fire Killed U.N. Worker in Rafah,” The Washington Post, May 14, 2024, <https://www.washingtonpost.com/world/2024/05/14/israel-hamas-war-news-gaza-palestine-rafah/>.

²⁰³ Euro-Med Human Rights Monitor, “Israeli Tanks Have Deliberately Run over Dozens of Palestinian Civilians Alive,” euromedmonitor.org, March 4, 2024, <https://euromedmonitor.org/en/article/6202/Israeli-tanks-have-deliberately-run-over-dozens-of-Palestinian-civilians-alive>.

²⁰⁴ Amnesty International, “‘They Were Just Kids.’”

²⁰⁵ U.S. Securities and Exchange Commission, “ANNUAL REPORT pursuant to SECTION 13 or 15(D) of the SECURITIES EXCHANGE ACT of 1934,” www.sec.gov, December 31, 2012, <https://www.sec.gov/Archives/edgar/data/1027664/000117891313000674/zk1312745.htm>.

²⁰⁶ World Health Organization, “White Phosphorus,” www.who.int, October 20, 2023, <https://www.who.int/news-room/fact-sheets/detail/white-phosphorus>.

²⁰⁷ Human Rights Watch, “Lebanon: Israel’s White Phosphorous Use Risks Civilian Harm | Human Rights Watch,” hrw.org, June 5, 2024, <https://www.hrw.org/news/2024/06/05/lebanon-israels-white-phosphorous-use-risks-civilian-harm>.

faculty, and their families.²⁰⁸ In 2013, Israeli human rights organizations petitioned the ban of white phosphorus to the Israeli Supreme Court in highly-populated areas due to its inability to discriminate between civilians and combatants.²⁰⁹ Nonetheless, the Israeli government continues to use the weapon on civilian populations, brazenly violating International Humanitarian Law.²¹⁰

Lockheed Martin, which has a history of partnership with Elbit,²¹¹ provides the State of Israel with F-16 and F-35 jets,²¹² both of which are routinely used to target civilians in occupied Palestine. In 2009, the IDF carried out a series of unlawful precision strikes on civilian water infrastructure, including a sewage treatment plant and multiple wells, using Lockheed's F16 jets.²¹³ In Israel's latest assault on Gaza, these jets carry payloads of unguided missiles for use in densely populated civilian areas²¹⁴ and have been instrumental in unleashing indiscriminate violence against Palestinian civilians — violence which the UN concluded constitutes war crimes.²¹⁵

Lockheed Martin also develops the AGM-114 Hellfire missile. These precision, armor-piercing missiles are frequently used by the IDF to target and destroy, without warning or explanation, the homes of civilians, killing many of its occupants. During the State of Israel's 2014 assault on Gaza, a UN report confirmed the use of these armaments, in flagrant violation of International Humanitarian Law. For example, the IDF destroyed the Al Qassas family building, killing 9 civilians, including 6 children and a pregnant woman; the Al Hallaq and Ammar family homes, killing 7 civilians, including 3 children, one of whom was a one-month-old infant; and the Balatah home, killing 11 civilians, including 5 children.²¹⁶ In each instance, these civilians had followed all prior warnings and evacuation orders from the IDF, but were nonetheless targeted without warning or cause once they relocated to parts of Gaza designated as "safe zones." More recently, these missiles were used during the Nuseirat refugee camp massacre, killing hundreds of civilians.²¹⁷

²⁰⁸ Human Rights Watch, "They Burn through Everything," [hrw.org](https://www.hrw.org/report/2020/11/09/they-burn-through-everything/human-cost-incendiary-weapons-and-limits), November 9, 2020, <https://www.hrw.org/report/2020/11/09/they-burn-through-everything/human-cost-incendiary-weapons-and-limits>.

²⁰⁹ Human Rights Watch, "Israel: Strengthen White Phosphorus Phase-out | Human Rights Watch," [hrw.org](https://www.hrw.org/news/2013/05/18/israel-strengthen-white-phosphorus-phase-out), May 18, 2013, <https://www.hrw.org/news/2013/05/18/israel-strengthen-white-phosphorus-phase-out>.

²¹⁰ Human Rights Watch, "Israel: White Phosphorus Used in Gaza, Lebanon | Human Rights Watch," [hrw.org](https://www.hrw.org/news/2023/10/12/israel-white-phosphorus-used-gaza-lebanon), October 12, 2023, <https://www.hrw.org/news/2023/10/12/israel-white-phosphorus-used-gaza-lebanon>.

²¹¹ Lockheed Martin, "Lockheed Martin and Elbit Systems to Partner on the Maritime Electronic Warfare Programme for the Royal Navy," news.lockheedmartin.com, September 13, 2017, <https://news.lockheedmartin.com/2017-09-13-Lockheed-Martin-and-Elbit-Systems-to-Partner-on-the-Maritime-Electronic-Warfare-Programme-for-the-Royal-Navy>.

²¹² Lockheed Martin, "About Lockheed Martin Israel," [lockheedmartin.com](https://www.lockheedmartin.com/en-il/who-we-are.html), accessed July 26, 2024, <https://www.lockheedmartin.com/en-il/who-we-are.html>.

²¹³ United Nations Human Rights Office of the High Commissioner, "Human Rights in Palestine."

²¹⁴ Chris Panella, "As Israeli Jets Devastate Gaza, Air Force Photos Show Fighter Aircraft Armed with What Look like Unguided 'Dumb' Bombs," [Business Insider](https://www.businessinsider.com/israeli-air-force-photos-fighter-aircraft-armed-unguided-weapons-2023-10), October 16, 2023, <https://www.businessinsider.com/israeli-air-force-photos-fighter-aircraft-armed-unguided-weapons-2023-10>.

²¹⁵ United Nations Human Rights Office of the High Commissioner, "Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, Including East Jerusalem, and Israel" (United Nations, May 27, 2024), <https://www.ohchr.org/en/press-releases/2024/06/israeli-authorities-palestinian-armed-groups-are-responsible-war-crimes>.

²¹⁶ United Nations Human Rights Office of the High Commissioner, "Report of the Detailed Findings."

²¹⁷ Chantal Da Silva et al., "IDF Faces Increased Scrutiny as More Details Come out in Wake of Deadly Hostage Rescue," [NBC News](https://www.nbcnews.com/news/world/israel-hostage-rescue-what-we-know-), June 15, 2024, <https://www.nbcnews.com/news/world/israel-hostage-rescue-what-we-know->

Boeing provides the Israeli government with bombs²¹⁸ used to commit war crimes against Palestinian civilians, supplying both the 250-pound GBU-39²¹⁹ and the 2000-pound GBU-31.²²⁰ During Israel's 2021 assault on Gaza, where over 70 percent of strikes that killed noncombatants had no corresponding military target,²²¹ these bombs were used to deliberately destroy civilian infrastructure, with the Israeli military deploying the 2000-pound GBU-31 in dense urban areas and maximizing collateral civilian casualties.²²² In the May 2023 offensive, the Israeli government used the GBU-31 to destroy vast amounts of civilian infrastructure, destroying 2,943 housing units in just five days. For example, on May 12, the Israeli military targeted a dense part of Gaza using the GBU-31, destroying and damaging 23 residential buildings and a medical facility, despite no evidence indicating the use of these buildings for military purposes.²²³ Boeing also produces Joint Direct Attack Munition (JDAM) kits.²²⁴ While these are used to increase the precision of unguided missiles, the Israeli government uses these precision capabilities to target civilians in violation of International Humanitarian Law. In October 2023, the State of Israel used JDAM-equipped bombs, ranging from 1000 to 2000 pounds, on at least two different occasions to indiscriminately or intentionally target civilians and civilian objects, killing 43 civilians including 19 children, with no apparent or provided military targets in the area.²²⁵

Like Lockheed Martin, Boeing also provides aircraft and air-to-ground missile capabilities to the Israeli military, including the AH-64 Apache Helicopter²²⁶ and the F-15 EX jet.²²⁷ Like the F-16 and F-34, the F-15 EX is used to target uninvolved civilians and civilian infrastructure. The AH-64 Apache Helicopter is Israel's primary attack helicopter,²²⁸ using Lockheed's AGM-114

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²¹⁸ Federal Register, "36(B)(1) Arms Sales Notification," Federal Register, June 3, 2015, <https://www.federalregister.gov/documents/2015/06/03/2015-13478/36b1-arms-sales-notification>.

²¹⁹ United States Air Force, "GBU-39B Small Diameter Bomb Weapon System," af.mil, accessed July 26, 2024, <https://www.af.mil/About-Us/Fact-Sheets/Display/Article/104573/gbu-39b-small-diameter-bomb-weapon-system/>.

²²⁰ United States Air Force, "GBU-31/32 Joint Direct Attack Munitions (JDAM)," af.mil (National Museum of the United States Air Force), accessed July 26, 2024, <https://www.nationalmuseum.af.mil/Visit/Museum-Exhibits/Fact-Sheets/Display/Article/197589/gbu-3132-joint-direct-attack-munitions-jdam/#:~:text=Developed%20by%20Boeing%20for%20the>.

²²¹ Murtaza Hussain, "Israel Killed up to 192 Palestinian Civilians in May 2021 Attacks on Gaza," The Intercept, December 9, 2021, <https://theintercept.com/2021/12/09/israel-attacks-gaza-palestine-civilians-killed/>.

²²² Human Rights Watch, "Gaza: Apparent War Crimes during May Fighting," hrw.org, July 27, 2021, <https://www.hrw.org/news/2021/07/27/gaza-apparent-war-crimes-during-may-fighting>.

²²³ Amnesty International, "ISRAEL/OPT: INVESTIGATE POSSIBLE WAR CRIMES during ISRAEL'S MILITARY OFFENSIVE on GAZA in MAY 2023," June 13, 2023, <https://www.amnesty.org/en/documents/mde15/6848/2023/en/>.

²²⁴ Boeing, "Joint Direct Attack Munition (JDAM)," boeing.com, 2015, https://www.boeing.com/content/dam/boeing/boeingdotcom/defense/weapons-weapons/images/jdam_product_card.pdf.

²²⁵ Amnesty International, "Amnesty International USA Submission to NSM-20: Unlawful Use of US-Made Munitions and Violations of International Law by Israel since January 2023," <https://www.amnestyusa.org/Wp-Content/Uploads/2024/04/4.29.2024-NSM-20-AIUSA-Submission-Re-Israel.pdf>, April 29, 2024.

²²⁶ Boeing, "AH-64 Apache," boeing.com, accessed July 26, 2024, <https://www.boeing.com/defense/ah-64-apache>.

²²⁷ Boeing, "F-15EX," www.boeing.com, accessed July 26, 2024, <https://www.boeing.com/defense/f-15ex>.

²²⁸ Flight International, "WORLD AIR FORCES" (Flight Global, 2024), <https://www.flightglobal.com/download?ac=98881>, 21.

Hellfire Missiles to indiscriminately and intentionally target civilian populations²²⁹ which, in 2015, the UN High Commissioner called “a direct attack against civilian objects or civilians, a war crime under international criminal law.”²³⁰

Northrop Grumman Corporation collaborates with Lockheed Martin and Boeing to develop and modernize the Israeli military’s air capabilities. In its partnership with Lockheed Martin, Northrop Grumman produces the center fuselage, the AN/APG-81 AESA radar system, and communication subsystems for the F-35,²³¹ as well as the AN/ALQ-257 Integrated Viper Electronic Warfare Suite for the F-16.²³² With Boeing, they produce the AN/APG-78 LONGBOW Fire Control Radar system for the AH-64 Apache Helicopter equipped specifically for carrying Hellfire missiles.²³³ AFSC writes that “Hellfire missiles have been used extensively in Israel’s major assaults on Gaza [...] in 2014, for example, Apache-fired Hellfire missiles killed at least 51 people, including 24 children, and injured at least 66 others, including 36 children, in incidents that the United Nations Office of the High Commissioner for Human Rights identified as ‘a direct attack against civilian objects or civilians, a war crime under international criminal law.’”²³⁴ Northrop Grumman’s military technology has been used in numerous military operations against Palestinians before Oct. 7 in tandem with Elbit Systems and Lockheed Martin, such as the bombardment of F-35 aircraft to carry out airstrike campaigns on Gaza in 2021.²³⁵

General Dynamics is the fifth-largest military company in the world, designing, manufacturing and selling lethal weapons of war against Palestinians. General Dynamics manufactured weapons, such as the unguided MK-84 2,000-pound bomb, have been used against Palestinians by the Israeli Air Force in its 2014²³⁶ and 2021²³⁷ aerial attacks on Gaza.²³⁸ Whereas these weapons are sparingly used by Western militaries because of their civilian impact,²³⁹ especially in densely populated areas like Gaza, an independent report by CNN found that nearly half of the

²²⁹ United Nations Human Rights Office of the High Commissioner, “Report of the Detailed Findings.”

²³⁰ Peter Beaumont, “UN Accuses Israel and Hamas of Possible War Crimes during 2014 Gaza Conflict,” *The Guardian*, June 22, 2015, sec. World news, <https://www.theguardian.com/world/2015/jun/22/un-accuses-israel-and-hamas-of-possible-war-crimes-during-2014-gaza-war>.

²³¹ Northrop Grumman, “F-35 Lightning II,” Northrop Grumman, accessed July 26, 2024, <https://www.northropgrumman.com/what-we-do/air/f35-lightning>.

²³² Northrop Grumman, “F-16 Integrated Viper Electronic Warfare Suite (IVEWS),” Northrop Grumman, accessed July 26, 2024, <https://www.northropgrumman.com/what-we-do/air/f-16-integrated-viper-electronic-warfare-suite-ivews>.

²³³ Northrop Grumman, “AN/APG-78 Longbow Fire Control Radar,” Northrop Grumman, accessed July 26, 2024, <https://www.northropgrumman.com/what-we-do/an-apg-78-longbow-fire-control-radar>.

²³⁴ AFSC, “NORTHROP GRUMMAN CORP,” American Friends Service Committee Investigate, n.d., <https://investigate.afsc.org/company/northrop-grumman>.

²³⁵ Hussain, “Israel Killed up to 192 Palestinian Civilians in May 2021 Attacks on Gaza.”

²³⁶ United Nations Human Rights Office of the High Commissioner, “Report of the Detailed Findings.”

²³⁷ Entsar Abu Jamal, “Gaza Bomb Squad Handles Ordnance with Scant Equipment - Al-Monitor: The Middle East’s Leading Independent News Source since 2012,” *www.al-monitor.com*, June 21, 2021, <https://www.al-monitor.com/originals/2021/06/gaza-bomb-squad-handles-ordnance-scant-equipment>.

²³⁸ Frank Andrews and Shir Hever, “Israel Opts for Indiscriminate Vietnam-Era Bombs in Gaza,” *Middle East Eye*, July 17, 2021, <https://www.middleeasteye.net/news/israel-palestine-gaza-faulty-indiscriminate-lethal-vietnam-era-bombs>.

²³⁹ Tamara Qiblawi et al., “‘Not Seen since Vietnam’: Israel Dropped Hundreds of 2,000-Pound Bombs on Gaza, Analysis Shows,” *CNN*, December 22, 2023, <https://www.cnn.com/gaza-israel-big-bombs/index.html>.

Israeli munitions used in the assault on Gaza are ‘dumb bombs,’ of which the MK-84 is the primary American contribution.²⁴⁰ In 2015, the UN Human Rights Council warned the State of Israel that the use of MK-84 bombs in highly populated areas constitutes a violation of international law.²⁴¹ Experts attribute these bombs as one of the primary factors resulting in the unprecedented civilian death-toll since October 7th in Gaza, the majority of whom are women and children.²⁴² Because of the indiscriminate and destructive use of these imprecise bombs, 370,000 housing units in Gaza have been destroyed as of May 2024, rendering millions of already-impooverished Palestinians homeless and erasing over \$50 billion of investment in civilian infrastructure.²⁴³

Caterpillar provides the State of Israel with the D9 bulldozer, modified by IMI for military use,²⁴⁴ which it uses to forcefully displace Palestinian people,²⁴⁵ demolishing Palestinian homes,²⁴⁶ agriculture,²⁴⁷ and monuments,²⁴⁸ quelling protests,²⁴⁹ and making way for illegal Israeli settlements. The D9 was infamously used in 2003 to murder American activist and student Rachel Corrie. In 2000, the State of Israel began a violent campaign to demolish the homes of Palestinians in Gaza, using bulldozers and explosives that caused collateral harm to civilians, arguing that the homes belong to the families of Palestinian militants and prisoners.²⁵⁰ By the time Rachel Corrie was killed, occupying forces had demolished 12,737 homes in Gaza.²⁵¹ As bulldozers approached the Nasrallah home, who was hosting her at the time, Rachel, donning an orange vest with a megaphone in hand, tried to stop the demolition:

²⁴⁰ Katie Bo Lillis and Natasha Bertrand, “Exclusive: Nearly Half of the Israeli Munitions Dropped on Gaza Are Imprecise ‘Dumb Bombs,’ US Intelligence Assessment Finds | CNN Politics,” CNN, December 14, 2023, <https://www.cnn.com/2023/12/13/politics/intelligence-assessment-dumb-bombs-israel-gaza/index.html>.

²⁴¹ United Nations Human Rights Office of the High Commissioner, “Report of the Detailed Findings.”

²⁴² Julia Frankel, “Israel’s Military Campaign in Gaza Seen as among the Most Destructive in History, Experts Say,” AP News, December 21, 2023, <https://apnews.com/article/israel-gaza-bombs-destruction-death-toll-scope-419488c511f83c85baea22458472a796>.

²⁴³ Edith M. Lederer, “The Unprecedented Destruction of Housing in Gaza Hasn’t Been Seen since World War II, the UN Says,” AP News, May 2, 2024, <https://apnews.com/article/un-report-gaza-destruction-housing-economy-recovery-4f61dcca7db3fd5eb3da5c6a25001e12#:~:text=At%20least%20370%2C000%20housing%20units>.

²⁴⁴ Defense and Aviation, “Caterpillar D9, the Armored Bulldozer of the Israeli Combat Engineering Corps,” November 19, 2023, <https://www.outono.net/elentir/2023/11/19/caterpillar-d9-the-armored-bulldozer-of-the-israeli-combat-engineering-corps>

²⁴⁵ Who Profits Research Center, “The Israeli Occupation Industry - Caterpillar Inc.,” Who Profits, accessed July 26, 2024, <https://www.whoprofits.org/companies/company/3772?caterpillar>.

²⁴⁶ Center for Constitutional Rights, “Factsheet: Home Demolitions and Caterpillar,” Center for Constitutional Rights, October 17, 2007, <https://ccrjustice.org/home/get-involved/tools-resources/fact-sheets-and-faqs/factsheet-home-demolitions-and-caterpillar>

²⁴⁷ Euro-Med Human Rights Monitor, “Gaza: By Destroying Agricultural Lands and Blocking Food Aid, Israel Uses Starvation as a Weapon of War against Civilians,” Euro-Med Human Rights Monitor, June 24, 2024, <https://euromedmonitor.org/en/article/6377/Gaza:-By-destroying-agricultural-lands-and-blocking-food-aid>.

²⁴⁸ Times of Israel Staff, “IDF Bulldozes Monuments for Yasser Arafat in West Bank’s Tulkarem Refugee Camp,” The Times of Israel, November 14, 2023.

²⁴⁹ Times of Israel Staff, “IDF Bulldozer Filmed Clearing Stones at ‘High Speed’ during West Bank Clashes,” The Times of Israel, February 21, 2021.

²⁵⁰ Human Rights Watch, “Razing Rafah: Mass Home Demolitions in the Gaza Strip,” hrw.org, October 18, 2004, <https://www.hrw.org/report/2004/10/17/razing-rafah/mass-home-demolitions-gaza-strip>.

²⁵¹ United Nations Relief and Works Agency, “House Demolitions Hit 12,700 in West Bank and Gaza Strip ,” United Nations, May 7, 2003, <https://www.un.org/unispal/document/auto-insert-208509/>.

“Standing alone on a mound of earth in the path of the armored vehicle, she expected the Israeli bulldozer approaching her to come to a halt, as other bulldozers had done when faced with international protesters. But it kept going, and, as her fellow activists screamed and tried to stop it, the 23-year-old college student from Olympia, Washington, was crushed to death. The Nasrallah family's children watched in horror through a crack in their garden wall.”²⁵²



Figure 41. American student and activist Rachel Corrie confronts Israeli bulldozer in Rafah, Gaza. Image by Getty. March 16, 2003.



Figure 42. Colleagues hold Corrie's body after she was killed by an Israeli bulldozer. Photo by Getty. 2003.

More recently, the D9 bulldozer continues to terrorize and displace Palestinians in Gaza and the West Bank. While the State of Israel's bombing campaign has been the biggest contributor to the destruction of homes, in Gaza, where at least 370,000 homes have been damaged and 79,000 utterly destroyed, the IDF continues to use D9 bulldozers to perpetuate the mass displacement of Palestinians. These bulldozers demolish both occupied and unoccupied homes, often targeting refugee camps²⁵³ and hospitals.²⁵⁴ In the West Bank, where the violent establishment of illegal settlements has only accelerated in the last year,²⁵⁵ bulldozers are an essential tool for occupying

²⁵² Jane Arraf, “21 Years after Her Death in Gaza, Palestinians Remember U.S. Activist Rachel Corrie,” NPR, March 30, 2024, <https://www.npr.org/2024/03/30/1241231447/rachel-corrie-gaza-palestinians-aid-israel-hamas-war>.

²⁵³ Lujayn, “‘The Bulldozer Kept Coming’: A Girl Stares down Death in Gaza,” www.thenation.com, April 24, 2024, <https://www.thenation.com/article/world/the-bulldozer-kept-coming-a-girl-stares-down-death-in-gaza/>.

²⁵⁴ The New Arab Staff, “Israel Bulldozes Gaza Refugee Tents, ‘Buries Alive’ Dozens,” <https://www.newarab.com/>, December 16, 2023, <https://www.newarab.com/news/israel-bulldozes-gaza-refugee-tents-buries-alive-dozens>.

²⁵⁵ United Nations Human Rights Office of the High Commissioner, “UN Human Rights Chief Deplores New Moves to Expand Israeli Settlements in Occupied West Bank” (United Nations, March 8, 2024), <https://www.ohchr.org/en/press-releases/2024/03/un-human-rights-chief-deplores-new-moves-expand-israeli-settlements-occupied>.

forces to displace Palestinians, like in Umm al-Kheir,²⁵⁶ East Jerusalem,²⁵⁷ Umm Butin,²⁵⁸ where Caterpillar's D9 bulldozers were used to threaten or even kill civilians while demolishing their homes.

Chevron is an American multinational energy corporation that operates and has ownership of some of the largest oil fields in the State of Israel, namely Tamar and Leviathan, as well as the Eastern Mediterranean Gas (EMG) Pipeline that operates off the shores of the Gaza Strip. AFSC reports that from Tamar and Leviathan in 2022 alone, Chevron made over \$2.3 billion in revenue.²⁵⁹ Furthermore, Chevron is a major owner in the CPC pipeline in Russia, one of Israel's crude oil suppliers.²⁶⁰ Not only does Chevron profit immensely from fueling the State of Israel's operations, its partly-owned gas fields fuel the Israeli Electric Company (IEC) that simultaneously supplies the most gas to the Israeli military and subjugates Palestinians to deprivation of essential electricity.²⁶¹ In the early stages of the Israeli military campaign in Gaza, the State of Israel unilaterally cut all power going to the Gaza Strip, a form of collective punishment for all those in Gaza that only further exacerbated the 16-year Israeli blockade on Gaza. AFSC writes that:

“The supply of electricity [...] is used as a tool of subjugation, collective punishment, annexation, and dispossession. In the occupied West Bank, the IEC took over the Palestinian power grid after the 1967 occupation, making the Palestinian population dependent on its services. Some Palestinian communities [...] are banned from connection to the grid, [...] provided subpar services, [...] charged differently than neighboring Jewish-Israelis, and many suffer punitive power cuts as a form of collective punishment. This is energy apartheid. As part of the military blockade of the Gaza Strip, Israel has destroyed civilian energy infrastructure, repeatedly bombed the one remaining power plant, and consistently deprived Gaza of adequate fuel supply. This has made the IEC an indispensable supplier, providing about 30–50% of the electricity to Gaza, paid for by the Palestinian Authority. The supply of electricity to Gaza has been used as leverage against the population, frequently reduced or shut off in violation of international

²⁵⁶ Bethan McKernan and Quique Kierszenbaum, “Israel Destroys 11 Homes in West Bank Village amid Spiralling Violence,” *The Guardian*, June 28, 2024, sec. World news, <https://www.theguardian.com/world/article/2024/jun/28/israel-destroys-11-homes-in-west-bank-village-amid-spiralling-violence>.

²⁵⁷ Mat Nashed, “With All Eyes on Gaza, Israel Steps up Demolitions of Palestinian Homes,” *Al Jazeera*, February 25, 2024, <https://www.aljazeera.com/features/2024/2/25/with-all-eyes-on-gaza-israel-steps-up-demolitions-of-palestinian-homes>.

²⁵⁸ Palestine Chronicle Staff, “‘Unprecedented in Negev History’ - Israel Destroys 47 Palestinian Homes in the Naqab,” *Palestine Chronicle*, May 8, 2024, <https://www.palestinechronicle.com/largest-demolition-in-years-israel-destroys-47-palestinian-homes-in-the-naqab/>.

²⁵⁹ Peter Stevenson and John Cockayne, “Israel Sees Gas Export Revenues Surge 58% To Record \$2.3bn for 2022,” *Mees*, April 7, 2023, <https://www.mees.com/2023/4/7/economics-finance/israel-sees-gas-export-revenues-surge-58-to-record-23bn-for-2022/65750600-d547-11ed-a2e4-bdde78e22324>.

²⁶⁰ Action Center for Corporate Accountability, “F-a-c-t S-h-e-e-t: C-h-e-v-r-o-n F-u-e-l-s I-s-r-a-e-l-i A-p-a-r-t-h-e-i-d a-n-d W-a-r C-r-i-m-e-s,” American Friends Service Committee, March 2024, <https://afsc.org/chevron-fuels-israeli-apartheid-and-war-crimes>.

²⁶¹ *Ibid.*

law. It was cut off completely after Oct. 7, 2023.”²⁶²

Despite the State of Israel’s illegal and inhuman manipulation of energy to maintain control of Palestinians’ resources, Chevron not only continues its business with the State of Israel, but is actively expanding it; in February of 2024, Chevron committed to a \$24 million investment for boosting Israeli gas production in the Tamar gas field.²⁶³ As a result, Chevron’s profits from the State of Israel’s crimes has become an additional target of other divestment, boycott, and protest campaigns.²⁶⁴

Cisco Systems is an American multinational digital communications technology corporation that facilitates the development of illegal settlements in the OPT. In 2018, Cisco announced an agreement with the State of Israel to modernize the country’s infrastructure by building several “digital hubs” throughout the region.²⁶⁵ This includes hubs in the illegally occupied East Jerusalem, Golan Heights, and the West Bank.²⁶⁶ According to information collected by the Who Profits Research Center,

“Seven of the 36 hubs that have been opened are located on occupied territory. Five hubs are located in the occupied West Bank, in the settlements of Modi’in Illit, Beitar Illit, Kiryat Arba, Itamar, and Sha’ar Binyamin Industrial Zone. Two additional hubs are located in the occupied Syrian Golan – one at the Ha’Emir junction, between the settlement of Sha’al and Odem, and the second in the settlement of Katzrin.”²⁶⁷

These settlements, long established as illegal under international law, encourage Jewish Israelis to immigrate to occupied Palestinian lands and forcefully displace Palestinian civilians. To further facilitate this displacement, Cisco Systems also cooperates with the Israeli military, winning a deal to upgrade the network capabilities of the IDF and Ministry of Defense.²⁶⁸

By maintaining these investments, JHU is taking an affirmative stance on the side of the perpetrators of unbearable violence against the Palestinian people — the indiscriminate murder of innocent civilians, the deliberate destruction of civilian infrastructure, and the illegal

²⁶² Action Center for Corporate Accountability, “F-a-c-t S-h-e-e-t: C-h-e-v-r-o-n F-u-e-l-s I-s-r-a-e-l-i A-p-a-r-t-h-e-i-d A-n-d W-a-r C-r-i-m-e-s.”

²⁶³ Sharon Wrobel, “Chevron Partners Greenlight \$24m Investment to Boost Gas Production at Offshore Site,” *The Times of Israel*, February 18, 2024, <https://www.timesofisrael.com/chevron-partners-greenlight-24m-investment-to-boost-gas-production-at-offshore-site/>.

²⁶⁴ Andrew Mendez, “Protesters Urge Chevron to Divest Amid War in Gaza,” *NBC Bay Area*, May 29, 2024, <https://www.nbcbayarea.com/news/local/east-bay/protesters-urge-chevron-to-divest-amid-war-in-gaza/3551411/>.

²⁶⁵ Cisco Newsroom, “Cisco Expands Network of Digital Hubs in Israel,” Cisco Systems, March 6, 2018, <https://newsroom.cisco.com/c/r/newsroom/en/us/a/y2018/m03/cisco-expands-network-of-digital-hubs-connecting-communities-and-businesses-in-israel.html>.

²⁶⁶ YNet News, “The Smart Periphery: Cisco to Launch a Network of Tech Hubs in Israel,” www.ynet.co.il, March 7, 2018, <https://www.ynetnews.com/articles/0>.

²⁶⁷ Who Profits Research Center, “Cisco Systems,” Who Profits, accessed July 27, 2024, <https://www.whoprofits.org/companies/company/6529?cisco-systems>.

²⁶⁸ Anna Ahronheim, “Cisco Wins Deal to Upgrade IDF, Ministry of Defense Networks,” *The Jerusalem Post*, January 16, 2017, <https://www.jpost.com/Israel-News/Cisco-wins-deal-to-upgrade-IDF-Ministry-of-Defense-networks-478647>.

occupation and encroachment of sovereign Palestinian territory. The aforementioned databases of corporations elucidate those directly involved in the occupation, emphasizing the specific investments where JHU must uphold its legacy of divestment from apartheid and exploitation. This includes a complete disclosure of the University's assets, especially those related to the State of Israel. When JHU's endowment is deeply invested in the State of Israel's illegal occupation of the OPT, there is no stance of neutrality. By choosing not to divest, JHU sends a definitive and long-lasting signal that it stands on the side of apartheid, insisting on the University's right to profit from the exploitation of the Palestinian people. To protect its legacy, uphold its values, and shield its portfolio from regional instability, JHU must divest.

IV. Consensus

This portion of the report describes the extent to which the general community has raised concern over the State of Israel's current and past activities in the OPT and against Palestinians. The above sections on the Humanitarian Impact of the humanitarian crisis in the OPT and the previous divestment campaigns demonstrate that this situation, while global, has strong implications for JHU's campus, students, and general culture. The renewed siege on the Gaza Strip has provoked a renewed public interest in justice for atrocities committed against Palestinians by the State of Israel, not only culminating in international demonstrations across university campuses, such as the erection of the Palestine Solidarity Encampment at JHU reminiscent of the erection of shanties against the South African apartheid, but also resulting in global condemnations of the State of Israel's reprehensible behavior.

Resistance against complicity in ongoing atrocities is potent at each level of community engagement; JHU's student organizations, faculty, graduate student union, and alumni have coalesced to demand that the University react against the State of Israel's military occupation, including explicit condemnation of Israeli occupation, calls for divestment, and protests against a censure of pro-Palestinian voices in academia. These actions follow the behavior of countless other higher education institutions that have similarly insisted that their universities commit to divestment, as well as non-academic public support. This request for divestment is one part of a broader campaign to disentangle JHU from its complicity in crimes against humanity and genocide within the context of a global, historic, anti-war, anti-genocide movement.

a. Support from the Johns Hopkins Community

The Johns Hopkins affiliated community is widely supportive of divestment from the State of Israel. Notable instances include a letter signed by JHU professors in November 2023,²⁶⁹ a joint solidarity statement from the School of Advanced International Studies (SAIS) and the Bloomberg School of Public Health (BSPH),²⁷⁰ a statement from the BSPH,²⁷¹ a denunciation of the State of Israel's settler colonialism from students in Critical Diaspora Studies,²⁷² and a statement from the Hopkins graduate workers and faculty condemning genocide.²⁷³ The Hopkins community has also expressed concern about APL's weapons research, development, engineering, and testing and called for the cessation of such affiliations with military violence, as

²⁶⁹ Johns Hopkins Full and Associate Professors, "Open Letter in Solidarity with Gaza," n.d., https://docs.google.com/document/d/14gnTM2tR-R9Jt9h0UH1vc9rq-nY07lbnKer0S_F4vn4/edit.

²⁷⁰ Bloomberg School of Public Health Students for Justice in Palestine and School of Advanced International Studies Student, "Joint Statement of Solidarity," *Instagram*, March 5, 2024, accessed July 22, 2024, https://www.instagram.com/p/C4JGeMWrfCo/?img_index=3.

²⁷¹ Bloomberg School of Public Health Students for Justice in Palestine, "Official Statement: A Critical Call to End the Occupation and Resolve the Public Health Crisis in Palestine," n.d., https://docs.google.com/document/d/170it3Fzxi7ATLP_h3P8RDVFuDBY4EBTihIsFW5ntKmo/mobilebasic.

²⁷² Critical Diaspora Studies, "Denunciation of Settler-Colonialism," November 8, 2023, https://www.instagram.com/p/CzaST2lsZBS/?img_index=1.

²⁷³ Graduate Workers in TRU-UE and Faculty at Johns Hopkins, "Open Letter from Graduate Workers in TRU-UE and Faculty at Johns Hopkins Condemning the Genocide and Occupation of Palestinians," n.d., https://docs.google.com/document/d/1vWGcQWFuFB_t3wVCWf5TI4ORU3e36fdhFAloO9d579E/edit.

indicated by teach-ins,²⁷⁴ protests by Prevent Nuclear War Maryland,²⁷⁵ and a statement by the JHU Newsletter editorial board calling for an end to nuclear weapons development.²⁷⁶ Since APL's inception, there has been debate over whether it reflects the university's commitment to academic freedom, given that its research remains confidential and is defined by requests from the U.S. military.

There has been significant attention from the student body across Hopkins campuses on the apartheid governance of the State of Israel. Student-led organizations at JHU have called for the cancellation of events that justify Israeli occupation at the expense of Palestinian lives²⁷⁷ and the suspension of a professor who has expressed anti-Palestinian views.²⁷⁸ As of July 2024, three hundred and thirty-two JHU faculty have signed a letter denouncing attempts to suppress academic freedom in expressing opposition to the State of Israel's actions against Palestinians and the OPT.²⁷⁹

The establishment of the Palestine Solidarity Encampment in May of 2024, through the efforts of Hopkins students and faculty, represents the coming together of Hopkins affiliates and the broader Baltimore community who are committed to the cessation of JHU's support for the Israeli occupation intensified by the escalation of genocidal violence, including the severing of ties through divestment and demilitarization. Multiple Hopkins student organizations released statements in solidarity with the encampment's demands calling for JHU to divest from the State of Israel. These include: the South Asian Students at Hopkins,²⁸⁰ Inter-Asian Council,²⁸¹ Caribbean Cultural Society,²⁸² Sudanese Student Union,²⁸³ Organización Latine Estudiantil

²⁷⁴ Helen Lacey, "Teach-in Addresses University's Complicity in War and Climate Disaster," *The Johns Hopkins News-Letter*, November 14, 2022, <https://www.jhunewsletter.com/article/2022/11/teach-in-addresses-universitys-complicity-in-war-and-climate-disaster>.

²⁷⁵ Min-Seo Kim, "Protesters Call on Hopkins to Drop Nuclear Weapons Research," *The Johns Hopkins News-Letter*, January 27, 2021, <https://www.jhunewsletter.com/article/2021/01/protesters-call-on-hopkins-to-drop-nuclear-weapons-research>.

²⁷⁶ Johns Hopkins Newsletter - Editorial Board, "Hopkins Must Take a Stand Against Its Nuclear Weapons Production," *The Johns Hopkins News-Letter*, November 21, 2019, <https://www.jhunewsletter.com/article/2019/11/hopkins-must-take-a-stand-against-its-nuclear-weapons-production>.

²⁷⁷ Bloomberg School of Public Health Students for Justice in Palestine and School of Advanced International Studies Student, "Joint Statement of Solidarity."

²⁷⁸ Miana Massey, "Calls for Firing of Johns Hopkins Doctor Continue Following Alleged anti-Palestinian Post," CBS News, December 12, 2023, <https://www.cbsnews.com/baltimore/news/group-families-call-for-action-following-anti-palestinian-social-media-post-by-johns-hopkins-doctor/>.

²⁷⁹ JH FACULTY FOR ACADEMIC FREEDOM, "Open Letter From Johns Hopkins University Faculty and Staff Supporting Freedom of Expression," accessed July 22, 2024, <https://jhfacultyforacademicfreedom.wordpress.com/openletter/>.

²⁸⁰ South Asian Students @ Hopkins. "Statement from SASH Board Regarding Student Demonstrations and Palestine." Instagram, May 3, 2024. https://www.instagram.com/p/C6hKhqaJ8l_/.

²⁸¹ Inter-Asian Council @ Johns Hopkins University. "Inter-Asian Council Solidarity Statement with Palestine and the JHU Free Palestine Encampment." Instagram, May 5, 2024. <https://www.instagram.com/p/C6m9P2HsmFQ/>.

²⁸² JHU Caribbean Cultural Society. "Statement Regarding Palestine." Instagram, May 7, 2024. <https://www.instagram.com/p/C6rXGgXJazy/>.

²⁸³ JHU Sudanese Student Union. "Sudanese Student Union Statement of Solidarity with Palestine and the JHU Free Palestine Encampment." Instagram, May 7, 2024. <https://www.instagram.com/p/C6sDVxQMCqU/>.

(OLÉ, Latine Student Organization),²⁸⁴ Black Student Union,²⁸⁵ Sigma Chapter of Latinas Promoviendo Comunidad/Lambda Pi Chi Sorority, Inc.,²⁸⁶ Arab Student Union,²⁸⁷ African Students Association,²⁸⁸ Graduate Muslim Student Association,²⁸⁹ and Puerto Rican Student Association.²⁹⁰ The JHU Muslim Association released a statement calling for JHU to divest from the State of Israel and terminate defense research funding.²⁹¹ Johns Hopkins alumni have begun a petition²⁹² pledging to withhold donations until JHU divests from the State of Israel and endorsing the demands of the Palestine Solidarity Encampment, including divestment and disclosure, which this report advocates.

In addition to the support of divestment from the apartheid State of Israel, the previously outlined divestment from the apartheid state of South Africa was championed by JHU as a decision that upheld its high standard of ethical principles.

b. Support from the Wider Baltimore Community

Furthermore, individuals and organizations across the Baltimore community have called for divestment and collective action in response to the ongoing genocide in Palestine, making the call for this measure at Johns Hopkins a well-contextualized one.

Among local universities, the Student Government Association of Towson University has voted for a divestment recommendation of the Towson University endowment from the State of Israel.²⁹³ Both faculty and staff of the Maryland Institute and College of Arts (MICA)²⁹⁴ have

²⁸⁴ OLÉ Latine Student Group @ JHU. “Letter in Solidarity with JHU Free Palestine Encampment.” Instagram, May 7, 2024. <https://www.instagram.com/p/C6sK5c8sXZR/>.

²⁸⁵ JHU Black Student Union. “The JHU Black Student Union 2023-2024 Executive Board’s Statement Regarding the JHU Palestine Solidarity Encampment.” Instagram, May 8, 2024. <https://www.instagram.com/p/C6uPyVpJprB/>.

²⁸⁶ Sigma Chapter of Latinas Promoviendo Comunidad/Lambda Pi Chi Sorority, Inc. “Official Statement from the Sigma Chapter of Latinas Promoviendo Comunidad/Lambda Pi Chi Sorority, Inc. In Solidarity with the Hopkins Justice Collective.” Instagram, May 9, 2024. https://www.instagram.com/p/C6wWX_FOLBr/.

²⁸⁷ JHU Arab Student Union. “Letter in Solidarity with JHU Free Palestine Encampment.” Instagram, May 10, 2024. https://www.instagram.com/p/C6zrPDcJkPa/?img_index=1.

²⁸⁸ JHU African Students Association. “Statement Regarding Palestine.” Instagram, May 13, 2024. <https://www.instagram.com/p/C67QHiHJ9Ob/>.

²⁸⁹ Johns Hopkins Graduate Muslim Student Association. “Letter in solidarity with JHU Free Palestine Encampment.” Instagram, May 17, 2024. https://www.instagram.com/p/C7E6trmAJzl/?img_index=1.

²⁹⁰ Puerto Rican Student Association @ JHU. “Statement from PRSA Board Regarding Demonstrations and the Current State of Palestine.” Instagram, May 10, 2024. https://www.instagram.com/p/C6z4JTs7_E/.

²⁹¹ JHU Muslim Association. “Statement by JHUMA on the Demands for Palestine.” Instagram, May 17, 2024. https://www.instagram.com/p/C7FKC0zhKK-/?img_index=1.

²⁹² Change.org and Alizay J, “Johns Hopkins Alumni: Pledge to Withhold Donations Until JHU Divests from Israel,” Change.org, May 4, 2024, https://www.change.org/p/johns-hopkins-alumni-pledge-to-withhold-donations-until-jhu-divests-from-israel?utm_content=cl_sharecopy_490043737_en-US%3A3&recruiter=448492294&recruited_by_id=6be814be-7631-45a6-ba2b-03645024d0ae&utm_source=share_petition&utm_medium=copylink&utm_campaign=psf_combo_share_initial&utm_term=psf&share_bandit_exp=initial-490043737-en-US.

²⁹³ Towson YSDA, “The Divestment Resolution Has Passed,” *Instagram*, May 7, 2024, https://www.instagram.com/p/C6sBaSBRnon/?img_index=1.

²⁹⁴ MICA Organizers and Activists, “Letter from Faculty and Student Orgs,” *Instagram*, November 14, 2023, https://www.instagram.com/p/Czpz7X3L5dm/?img_index=1.

released open letters calling for divestment, student organizations from Goucher College have supported divestment,²⁹⁵ and the University of Maryland has both student and faculty groups calling for divestment from companies complicit in the genocide of Palestinians.²⁹⁶

After calls from local and national organizations for registered Democrats to vote uncommitted in the primaries as a signal of dissatisfaction with President Biden’s continued support for the State of Israel’s genocide,²⁹⁷ 14% of democrats in Baltimore City voted uncommitted,²⁹⁸ up nearly five-fold from 2020 (3%). Furthermore, local organizations such as the People's Power Assembly,²⁹⁹ Jewish Voice for Peace Baltimore,³⁰⁰ Speak Out Now Baltimore,³⁰¹ Black Alliance for Peace Baltimore,³⁰² PSL Baltimore,³⁰³ CAIR Maryland,³⁰⁴ and MD2PALESTINE³⁰⁵ have advocated for participation in the BDS movement, and over 200 local Baltimore businesses and organizations composed a joint letter to the Baltimore congressional delegation in December 2023.³⁰⁶

c. International Academic Support

Universities across the country and world are currently engaged in divestment processes similar to that at Hopkins, ranging in stages from having completed divestment to just beginning review of current investments. Notably, Bard College³⁰⁷ has agreed to challenge state-level obstructions of boycotts to the State of Israel and will begin disclosing the nature of its endowment for the 2024-2025 academic year. Other universities that have agreed to divest from the State of Israel

²⁹⁵ Goucher Students for Palestine, “Students for a Free Palestine,” 2024, <https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:15dac473-1b77-44eb-8fc2-74cd76ea74f7>.

²⁹⁶ UMD FSJP, “UMD Faculty and Staff for Justice in Palestine (UMD FSJP),” UMD Faculty and Staff for Justice in Palestine (UMD FSJP), n.d., <https://www.umdfsjp.com/about>.

²⁹⁷ Uncommitted National Movement, “Uncommitted National Movement,” n.d., <https://www.uncommittedmovement.com/>.

²⁹⁸ Maryland State Board Of Elections, “Official 2024 Election Results,” n.d., https://elections.maryland.gov/elections/2024/primary_results/gen_results_2024_by_county_3.html.

²⁹⁹ People’s Power Assembly, “Baltimore Stands with Palestine: Stop U.S. Aid to Racist Apartheid Israel,” *Instagram*, June 8, 2024, <https://www.instagram.com/peoplespowerassembly/p/C79f9WNMPZr/?hl=en>.

³⁰⁰ Jewish Voice for Peace - Baltimore, “Greater Baltimore Residents for Ceasefire -- Public Letter to Our Congressional Delegation,” December 7, 2023, https://docs.google.com/forms/d/e/1FAIpQLScalpJ7gZr_gnrMiTvGNnhrYvb_YCQHYCSi_rsunmgTzy2jw/viewform.

³⁰¹ Speak Out Now Baltimore, “Speak Out Now Baltimore,” *Instagram*, n.d., <https://www.instagram.com/sonbaltimore/>.

³⁰² Black Alliance for Peace, “The Black Alliance for Peace Condemns the Murderous Assault on Occupied Palestine,” October 11, 2023, <https://blackallianceforpeace.com/bapstatements/bapstandswithpalestine>.

³⁰³ PSL Baltimore, “PSL Baltimore,” *Instagram*, n.d., <https://www.instagram.com/baltimorepsl/>.

³⁰⁴ CAIR MD, “Call on Maryland Governor Wes Moore to Repeal Unconstitutional Anti-BDS Executive Order,” n.d., https://action.cair.com/a/repeal_anti-bds_in_md.

³⁰⁵ MD2PALESTINE, “MD2PALESTINE,” n.d., <https://md2palestine.com/>.

³⁰⁶ Jewish Voice for Peace - Baltimore, “Greater Baltimore Residents for Ceasefire -- Public Letter to Our Congressional Delegation.”

³⁰⁷ Maria Silva, “Bard Student Protesters Reach a Deal With the College to End Ludlow Occupation,” *Times Union*, May 20, 2024, <https://www.timesunion.com/hudsonvalley/news/article/bard-college-students-deal-ludlow-occupation-19467756.php>.

include Evergreen State College,³⁰⁸ Trinity College Dublin,³⁰⁹ University of Barcelona,³¹⁰ Polytechnic University of Catalonia,³¹¹ Université Libre de Bruxelles,³¹² and the University of Copenhagen.³¹³ Leiden University, Ghent University, OsloMet University, University of South-Eastern Norway, Vrije Universiteit Brussel (VUB), Ugent, KU Leuven,³¹⁴ and the University of Stavanger³¹⁵ are among those that have suspended academic cooperation with Israeli universities, academics, or organizations that support the human rights abuses being committed in Gaza. Universities that are currently considering divestment among their respective investment committees include Brown University,³¹⁶ which has already agreed to disclosure. Universities that have agreed to disclose their investment exposure to the State of Israel include Northwestern University³¹⁷ and the University of California Riverside.³¹⁸

Divestment among academic institutions is far from unprecedented, with 155 U.S. and Canadian universities divesting from South Africa by 1988³¹⁹ — including Johns Hopkins University— over human rights abuses perpetrated by the apartheid regime, which also lie at the core of calls for divestment from the State of Israel. JHU’s BSPH published an article on the adverse public health consequences of the "Israel-Hamas War."³²⁰ Between 2003 and 2022, student organizations at over 90 universities have called for divestment from Israel in response to their treatment of Palestinians.³²¹ By divesting, Johns Hopkins University would join a large group of international organizations, countries, and academic institutions that stand against genocide and

³⁰⁸ Shauna Sowersby, “Evergreen sign agreement with students to move toward divesting from companies profiting in gaza,” *The Olympian*, May 3, 2024, <https://www.theolympian.com/news/local/article288254270.html>.

³⁰⁹ New Arab Staff, “Dublin and Barcelona Universities Set to Divest From Israel,” *The New Arab*, n.d., <https://www.newarab.com/news/dublin-and-barcelona-universities-set-divest-israel>.

³¹⁰ Ibid.

³¹¹ Ibid.

³¹² Piet Ruig, “Academic Boycotts Claim Wins as EU Universities Start Cutting Ties With Israel,” *EUobserver*, May 29, 2024, <https://euobserver.com/health-and-society/ar5fd8e187>.

³¹³ Isabelle Carlsson, “Denmark university to halt investment in companies in West Bank amid student protests,” *Reuters*, May 28, 2024, <https://www.reuters.com/world/europe/denmark-university-halt-investment-companies-west-bank-amid-student-protests-2024-05-28/>.

³¹⁴ “Academic Boycotts Over Gaza War Jeopardise Israel’s Place in Horizon Europe,” *Science|Business*, n.d., <https://sciencebusiness.net/news/universities/academic-boycotts-over-gaza-war-jeopardise-israels-place-horizon-europe>.

³¹⁵ “Norwegian University Cuts All Ties With Israel Over Violations of International Law,” n.d., <https://www.aa.com.tr/en/europe/norwegian-university-cuts-all-ties-with-israel-over-violations-of-international-law/3242525>.

³¹⁶ Rachel Dobkin, “College Issues New Timeline for Israel Divestment,” *Newsweek*, May 1, 2024, <https://www.newsweek.com/brown-university-timeline-israel-divestment-pro-palestinian-protests-1896235>.

³¹⁷ Northwestern, “Northwestern Agreement of Deering Meadow,” 2024, <https://www.northwestern.edu/leadership-notes/2024/agreement-on-deering-meadow.pdf>.

³¹⁸ Yusra Asif, “Schools across the globe accede to student demands to divest from Israel,” *Alarabiya News*, May 9, 2024, <https://english.alarabiya.net/News/world/2024/05/09/schools-across-the-globe-accede-to-student-demands-to-divest-from-israel->

³¹⁹ The Africa Fund, “Divestment action on south africa by US and canadian colleges and universities,” *The Africa Fund* (The Africa Fund, n.d.), <https://kora.matrix.msu.edu/files/50/304/32-130-E6E-84-AL.SFF.DOCUMENT.acoa000194.pdf>.

³²⁰ Johns Hopkins Bloomberg School of Public Health, “The Humanitarian Health Effects of the Israel-Hamas War Among Civilians in Gaza,” October 20, 2023, <https://publichealth.jhu.edu/2023/the-humanitarian-health-effects-of-the-israel-hamas-war-among-civilians-in-gaza>.

³²¹ National SJP, “Recent Campus BDS Victories,” n.d., <https://nationalsjp.org/bds-victories>.

actively aim to end the current genocide of Palestinians by the State of Israel.

These actions across academic institutions demonstrate that the call for divestment is not abstract and is well supported in response to the flagrant human rights abuses perpetrated by the State of Israel. In a world with an increasingly educated population that is more aware of the far-reaching impacts of financial investments, it is no surprise that calls for universities to stop being complicit in human rights abuses are becoming more common and more agreed upon.

d. National and International Support

Nationally, there has been overwhelming support for divestment from the State of Israel and companies profiting from the occupation of Palestinian territories. As of July 2024, seven major unions have called for the total cessation of US military aid to Israel, namely: Association of Flight Attendants (AFA), American Postal Workers Union (APWU), International Union of Painters (IUPAT), National Education Association (NEA), Service Employees International Union (SEIU), United Auto Workers (UAW), and United Electrical Workers (UE).³²²

Internationally, the State of Israel's actions have received widespread critique and condemnation. UN Resolution ES-10/22, called for an immediate ceasefire, passing with 153 votes in favor to 10 against and 23 abstentions. Also significant is the aforementioned ICJ ruling brought to the court by South Africa on December 23, 2023, alleging that the State of Israel contravened the UN Genocide Convention. The ICJ ruled that there is a plausible threat to Palestinians' right to be protected from genocide and that the State of Israel should take measures to prevent genocidal acts. Since this ruling, the State of Israel has not complied with the ICJ's orders.³²³

In March 2024 the ICJ ordered new emergency measures to take action,³²⁴ including providing food and water to Palestinians to prevent more deaths and ultimately stopping the genocide. These measures have not been taken by the State of Israel. In July 2024, the ICJ gave an advisory opinion to the UN General Assembly concluding that the State of Israel's occupation of Palestinian territories is unlawful, that the State of Israel should bring an end to this presence and cease all further settlement activities, and provide reparations for the damage caused by its occupation. In addition, the ICJ noted that "states are under an obligation not to recognize as legal the situation arising from the unlawful presence" of the State of Israel in the occupied Palestinian territories and "not to render aid or assistance" to sustain this occupation. The international community has also disavowed its ties to the State of Israel. Bolivia has severed

³²² United Auto Workers (UAW) et al., "Public Letter on Military Aid," July 2024, <https://drive.google.com/file/d/1ASKF012G-ZuMQ2cK0zePLm3PaXY72Q3Q/view>.

³²³ Human Rights Watch, "Israel Not Complying With World Court Order in Genocide Case," *Human Rights Watch*, February 26, 2024, <https://www.hrw.org/news/2024/02/26/israel-not-complying-world-court-order-genocide-case#:~:text=One%20month%20later%2C%20however%2C%20Israel,as%20a%20weapon%20of%20war>.

³²⁴ Stephanie Van Den Berg, "World Court Orders Israel to Take Action to Address Gaza Famine," *Reuters*, March 28, 2024, <https://www.reuters.com/world/middle-east/world-court-orders-israel-take-measures-ensure-food-gets-into-gaza-2024-03-28/>.

diplomatic ties with the State of Israel.³²⁵ Jordan,³²⁶ Bahrain,³²⁷ Turkey,³²⁸ Honduras,³²⁹ Belize,³³⁰ South Africa,³³¹ Chad,³³² Chile,³³³ Colombia,³³⁴ and Bolivia³³⁵ have recalled their ambassadors from the State of Israel in protest of the ongoing genocide of the Palestinian people. Several countries have also stopped selling arms to the State of Israel including Canada, Japan, Spain, Belgium, and the Netherlands.

Given these developments, failing to divest from the State of Israel signals JHU's complicity with the erosion of international human rights and the delegitimization of international criminal courts and its support of the State of Israel's siege on Gaza.

³²⁵ Paola Flores and Daniel Politi, "Bolivia Severs Diplomatic Ties With Israel as Chile and Colombia Recall Their Ambassadors | AP News," AP News, November 1, 2023, <https://apnews.com/article/bolivia-israel-gaza-diplomatic-relations-f403fc27c9b2194a317fda829fb7ed08>.

³²⁶ Suleiman Al Khalidi, "Jordan Recalls Envoy in Israel Over Gaza Bombardment," *Reuters*, November 1, 2023, <https://www.reuters.com/world/middle-east/jordan-recalls-envoy-israel-over-gaza-bombardment-2023-11-01/>.

³²⁷ Arab News, "Bahrain Expels Israel Envoy, Cuts Economic Ties: Parliament Statement," *Arab News*, November 2, 2023, <https://www.arabnews.com/node/2402056/middle-east>.

³²⁸ Giselle Ruhyyih Ewing, "Turkey Recalls Ambassador From Israel," *Politico*, November 4, 2023, <https://www.politico.com/news/2023/11/04/turkey-recalls-ambassador-from-israel-00125397>.

³²⁹ "Honduras Recalls Ambassador to Israel, Condemning the Humanitarian Situation," PBS News, November 3, 2023, <https://www.pbs.org/newshour/world/honduras-recalls-ambassador-to-israel-condemning-the-humanitarian-situation>.

³³⁰ Maija Ehlinger, "Belize Suspends Diplomatic Ties With Israel, Renews Call for 'Immediate Ceasefire,'" *CNN*, November 14, 2023, <https://www.cnn.com/2023/11/14/world/belize-suspends-diplomatic-ties-israel-ceasefire/index.html>.

³³¹ Mogomotsi Magome, "South African Lawmakers Vote in Favor of Closing Israel's Embassy and Cutting Diplomatic Ties | AP News," AP News, November 21, 2023, <https://apnews.com/article/south-africa-israel-ambassador-recall-gaza-bb30d780d0d33f2220dc08bf032a5738#:~:text=The%20vote%20came%20after%20Israel's,over%20the%20war%20in%20Gaza>.

³³² David McKenzie, Sarah Dean, and Joseph Ataman, "South Africa and Chad Recall Diplomats From Israel," *CNN*, November 6, 2023, <https://www.cnn.com/2023/11/06/africa/south-africa-chad-recall-diplomats-from-israel-intl/index.html>.

³³³ Eduardo Thomson, "Israeli Companies Banned From Participating in Chilean Air Show," Bloomberg, March 6, 2024, <https://www.bloomberg.com/news/articles/2024-03-06/israeli-companies-banned-from-chilean-air-show>.

³³⁴ Flores and Politi, "Bolivia Severs Diplomatic Ties With Israel as Chile and Colombia Recall Their Ambassadors | AP News."

³³⁵ *Ibid.*

V. Conclusion

JHU must commit to financially *divesting* from all companies with ties to the State of Israel and *disclosing* all of its financial relationships with the State of Israel given this report's substantial evidence of Israeli responsibility for severe humanitarian suffering and unprecedented international crimes of genocide, apartheid, crimes against humanity, and war crimes. Divestment builds on an existing process at the university, has previously been utilized in cases of moral necessity, has significant local and international support, and has the potential to reduce the ongoing violence currently funded in part by the Johns Hopkins endowment. By taking this step, JHU will join universities, countries, and international organizations that have denounced the genocide of Palestinians by the State of Israel and have taken steps to mitigate the violence, prevent further supply of war crimes, and halt and remedy the displacement and dispossession of the Palestinian people in occupied Palestine.

In this vein, the PIIAC process is a moment of opportunity for representatives of JHU and the broader campus community to bring the University's financial commitment in line with international law, global humanitarian consensus, and moral decency. However, just as divestment offers the possibility of engaging a global movement for peace and justice, the choice to reject divestment would deepen the University's culpability for the ongoing processes outlined above of annexation, apartheid, starvation, ethnic cleansing, and genocide currently happening in Palestine. If JHU continues to fund companies like Elbit Systems, General Dynamics, and Caterpillar as they build the tools of this unprecedented humanitarian crisis, it will commit itself to the moral stain of the apartheid and the mass death of Palestinians in perpetuity. The outcome of this PIIAC process will be a permanent testament to how comfortable Johns Hopkins and the members of this committee were with University dollars funding the deaths of tens of thousands of Palestinians. We urge the committee to make the appropriate choice.

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Fig 37. Mike Blake and Reuters, *A defaced sign at the Northrop Grumman office complex after pro-Palestinian demonstrators gathered outside to protest against the sale of their weapons to Israel, in San Diego, California, US., November 9, 2023*, Al Jazeera, November 9, 2023, https://www.aljazeera.com/wp-content/uploads/2023/11/2023-11-09T184058Z_1827693315_RC2T94AD910X_RTRMADP_3_ISRAEL-PALESTINIANS-USA-PROTEST-1699635722.jpg?fit=1170%2C780&quality=80.

Fig 38. *iShares MSCI ACSW ETF Composition*, Hopkins Justice Collective, July 24, 2024. Data from BlackRock iShares ASCW ETF portfolio composition. <https://www.ishares.com/us/products/239600/ishares-msci-acwi-etf>

Fig 39. *Composition of holdings to be divested*, Hopkins Justice Collective, July 24, 2024. Data from Vanguard Intermediate-term Corporate Bond ETF portfolio composition file and Long-term Corporate Bond ETF portfolio composition file. https://advisors.vanguard.com/investments/etfs?asset_class=Fixed%20Income

Fig 40. *Holdings that qualify for divestment*, Hopkins Justice Collective, July 24, 2024. Data from Vanguard Intermediate-term Corporate Bond ETF portfolio composition file and Long-term Corporate Bond ETF portfolio composition file. https://advisors.vanguard.com/investments/etfs?asset_class=Fixed%20Income

Fig 41. *Getty, American student and activist Rachel Corrie confronts Israeli bulldozer in Rafah, Gaza*, Al-Jazeera March 16, 2003. <https://www.npr.org/2024/03/30/1241231447/rachel-corrie-gaza-palestinians-aid-israel-hamas-war>

Fig 42. *Getty, Colleagues Hold Rachel Corrie's Body*, Al-Jazeera, 2003, https://www.aljazeera.com/wp-content/uploads/2008/03/1_243323_1_9.jpeg?quality=80.