

BCUWU Palestine Solidarity Working Group

Report on Pension Plan Investment in Companies Benefitting from Operations in the Occupied Palestinian Territories

November 12, 2024

Executive Summary

Background

1. The present report is submitted to the membership of the British Columbia Union Workers' Union (BCUWU) pursuant to the *Trade Union Solidarity with Palestine*¹ resolution, passed on December 14, 2023 at the BCUWU's bi-annual general membership meeting.
2. As part of these resolutions, the BCUWU resolved that "all BCUWU affiliates work with union trustees to ascertain and report on whether their respective pension plans include investments in companies benefitting from operations in the illegally Occupied Territories by the end of 2024."
3. A working group of the Social Justice and Solidarity Committee was struck to create the report and found that ***seven pension funds covering 319 BCUWU members are investing funds in a minimum of 20 companies directly implicated in the genocide in Gaza or the apartheid in the occupied territories of the West Bank***
4. This resolution was premised on the rationale that, as of December 2023:
 - a. Canada exported over \$21 million CAD in military goods to Israel in 2022, including over \$3 million in bombs, torpedoes, missiles, and other explosives;
 - b. More than 10,000 Palestinian civilians had been killed since October 9, 2023 as the result of the Israeli military's exercise of overwhelming and unjustified force;
 - c. the Israeli government had issued more than 10,000 weapons with no oversight to Israelis living in settlements deemed illegal under international law;
 - d. On October 16, 2023 more than 30 Palestinian trade unions, including the largest labour federation, issued an "Immediate Call to Action" to workers and trade unions around the world to stop the flow of arms to Israel by immediately
 - i. Refusing to build weapons destined for Israel.
 - ii. Refusing to transport weapons to Israel.
 - iii. Passing motions in their trade union to this effect.
 - iv. Taking action against complicit companies involved in implementing Israel's brutal siege, especially if they have contracts with your institution.

¹ <https://bcuwu.ca/bcuwu-resolutions-on-palestine/>

- v. Pressuring governments to stop all military trade with Israel.

5. Since the passing of this resolution:

- a. As of November 8, 2024, Israel's war on **Gaza** has killed at least 43,469 Palestinians, 70% of which are women and children²
- b. Canada exported \$30,641,495.83 in military goods to Israel in 2023, including over \$10 million in bombs, torpedoes, grenades, smoke canisters, rockets, mines, missiles, and other explosives³;
- c. The United Nations special rapporteur has declared a famine in northern Gaza and the widespread of previously eradicated diseases, ensuring many more civilian deaths ⁴
- d. Israeli settlers and military personnel have killed more than 700 Palestinians in the occupied territories in the West Bank⁵
- e. Israel has repeatedly invaded Lebanon, killing more than 3,000 civilians as of November 5, 2024, and displacing hundreds of thousands⁶
- f. The International Criminal Court has issued an arrest warrant against Israeli Prime Minister Benjamin Netanyahu under the United Nation's Convention on Genocide⁷
- g. The United Nations has determined Israel guilty of multiple war crimes⁸

Methodology

Companies benefitting from operations in the occupied Palestinian territories

6. In order to determine whether BCUWU pensions are invested in companies benefitting from operations in the occupied Palestinian territories (oPt), it is first necessary to determine which companies have been deemed to benefit from operations in the oPt. This report will compare pension investments against three lists of companies benefitting from or complicit in human rights violations in the oPt:

²

<https://www.aljazeera.com/news/2024/11/8/nearly-70-percent-of-deaths-in-gaza-are-women-and-children-un>

³

<https://www.international.gc.ca/transparence-transparence/assets/pdfs/controls-controles/reports-rapports/military-goods-2023-marchandises-militaires-en.pdf>

⁴

<https://www.ohchr.org/en/press-releases/2024/07/un-experts-declare-famine-has-spread-throughout-gaza-strip>

⁵

<https://www.unocha.org/publications/report/occupied-palestinian-territory/humanitarian-situation-update-230-west-bank>

⁶ <https://www.nytimes.com/article/israel-lebanon-invasion-map.html>

⁷ <https://www.icj-cij.org/case/186>

⁸

<https://www.ohchr.org/en/press-releases/2024/10/un-commission-finds-war-crimes-and-crimes-against-humanity-israeli-attacks>

- a. The United Nations (UN) Database⁹ which tracks “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.” The database was created pursuant to the UN Human Rights Council’s (HRC) March 2016 resolution 31/36, and updated in June 2023. The database contains business enterprises involved in the following activities:
- i. The supply of equipment and materials facilitating the construction and the expansion of settlements and the wall, and associated infrastructures
 - ii. The supply of surveillance and identification equipment for settlements, the wall and checkpoints directly linked with settlements
 - iii. The supply of equipment for the demolition of housing and property, the destruction of agricultural farms, greenhouses, olives groves and crops
 - iv. The supply of security services, equipment and materials to enterprises operating in settlements
 - v. The provision of services and utilities supporting the maintenance and existence of settlements, including transport
 - vi. Banking and financial operations helping to develop, expand or maintain settlements and their activities, including loans for housing and the development of businesses
 - vii. The use of natural resources, in particular water and land, for business purposes
 - viii. Pollution, and the dumping of waste in or its transfer to Palestinian villages
 - ix. Captivity of the Palestinian financial and economic markets, as well as practices that disadvantage Palestinian enterprises, including through restrictions on movement, administrative and legal constraints
 - x. Use of benefits and reinvestments of enterprises owned totally or partially by settlers for developing, expanding and maintaining the settlements
- b. The American Friends Service Committee (AFSC) Investigate database of “companies profiting from the Gaza genocide.”¹⁰ AFSC Investigate is a project of the Economic Activism Program of the AFSC, a Quaker organization with a history of supporting non-violent campaigns through research, training, and strategy consultation. This database includes “companies involved in specific human rights violations as part of the Israeli occupation.”
- c. The Who Profits Research Center list of “companies commercially involved in the Israeli occupation economy.”¹¹ The Who Profits Research Center is “an independent

⁹ <https://www.ohchr.org/en/hr-bodies/hrc/regular-sessions/session31/database-hrc3136>

¹⁰ <https://investigate.afsc.org/occupations>

¹¹ <https://www.whoprofits.org/companies/all>

research center dedicated to exposing the commercial involvement of Israeli and international corporations in the ongoing Israeli occupation of Palestinian and Syrian land and population.”¹²

7. It is also necessary to determine which of these companies BCUWU pension funds invest in, and what amount each fund invests. Members of BCUWU belong to different pension plans depending on their employer and the terms of each respective collective agreement.

Table 1 - BCUWU Pensions by Employer

Pension Plan	Employer	No. of members covered
British Columbia Target Benefit Pension Plan	ILWU	4
Public Service Pension Plan (PSPP)	BCGEU PEA	255
Local 40 Pension Plan	UNITE HERE LOCAL 40	6
Multi Sector Pension Plan (MSPP)	CUPE 2278 CUPE 4163	3
Municipal Pension Plan (MPP)	CEU CUPE 1004 CUPE 15	37
UBC Staff Pension Plan	CUPE 2950 UBC FA	10
University of Victoria Staff Pension Plan	CUPE 951 UVICFA	4
No pension plan	BCHC GSS-UVIC TSSU UGW 333	26

8. Each pension plan is managed differently. In order to report on investments BCUWU requires insight into how each plan is invested.
9. We were not able to get insight into investments made by the BC Target Benefit Pension Plan, the Local 40 Pension Plan, MSPP, the UBC Staff Pension Plan, and the UVic Staff Pension Plan. These plans do not appear to provide publicly available lists of investments. Further reporting will attempt to provide insight into the governance structure of these pension plans and

¹² <https://www.whoprofits.org/sections/view/3?who-profits-research-center>

their investments. Combined, these plans cover 8% of BCUWU members who are enrolled in a pension.

10. Investments by PSPP and MPP are both managed by the British Columbia Investment Management Corporation (BCI). As the pension fund for members from BCGEU, PEA, CEU, CUPE 1004, and CUPE 15, the PSPP and the MPP are the pension funds for 92% of BCUWU members who are enrolled in a pension.
11. We were able to use BCI's latest 13F form, filed with the United States Securities and Exchange Commission on August 18th 2024, to get insight into its investments.¹³ Form 13F is the reporting form filed by institutional investment managers pursuant to Section 13(f) of the Securities Exchange Act of 1934.¹⁴ All institutional investment managers that exercise investment discretion over \$100 million or more in Section 13(f) securities must file this form. Section 13(f) securities include U.S. exchange-traded stocks (e.g., NYSE, AMEX, NASDAQ), shares of closed-end investment companies, and shares of exchange-traded funds (ETFs). This is the most accurate publicly available information on BCI's investments. However, it is important to note that not all securities are required to be reported on form 13F and that, as of November 2024, this form was filed over 2 months ago. It is likely that the exact value of investments has changed since this filing.
12. BCI's Form 13F filing was compared against the three lists laid out in section 5 of this report in order to generate a list of investments in companies benefitting from operations in the oPt.

BCI Investment in Companies Benefitting from Operations in the oPt

13. Table 2, below, lays out BCI's investments in securities found on at least one of the three lists in section 5 of this report. Where possible, a link has been provided to the Who Profits or AFSC description of the company's involvement in operations in the oPt.
14. BCI invests in 20 securities found to exist in at least 1 of the lists identified in section 5 of this report.
15. The total of BCI's investments in these 20 securities is approximately \$1.26 billion. This represents approximately 8% of BCI's total \$16.5 billion invested.

Table 2 - BCI investment in securities benefitting from operations in the oPt

Company	Value (USD)	Shares	Blacklist(s)
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¹³

https://www.sec.gov/Archives/edgar/data/1228242/000122824224000009/xslForm13F_X02/BCIMC_13F_20240630.xml

¹⁴ https://www.ecfr.gov/current/title-17/chapter-II/part-240#_top

AIRBNB INC	12,836,238	84,655	UN Who Profits
BOEING CO	20,207,296	111,023	AFSC
BOOKING HOLDINGS INC	81,955,512	20,688	UN Who Profits
CATERPILLAR INC	31,860,682	95,649	AFSC Who Profits
CHEVRON CORP NEW	52,578,393	336,136	AFSC
CISCO SYS INC	36,846,808	775,559	Who Profits
DELL TECHNOLOGIES INC	6,942,941	50,344	Who Profits
EXPEDIA GROUP INC	3,155,798	25,048	UN Who Profits
FIRST SOLAR INC	4,390,834	19,475	Who Profits
GENERAL DYNAMICS CORP	12,942,565	44,608	AFSC
GENERAL MTRS CO	10,273,003	221,115	Who Profits
L3HARRIS TECHNOLOGIES INC	37,573,357	167,305	AFSC
LOCKHEED MARTIN CORP	19,364,565	41457	AFSC
MICROSOFT CORP	882,815,640	1,975,200	Who Profits
MOTOROLA SOLUTIONS INC	12,319,242	31,911	AFSC UN Who Profits
NORTHROP GRUMMAN CORP	11,751,468	26,956	AFSC
PALANTIR TECHNOLOGIES INC	9,224,350	364,167	AFSC
PRIMO WATER CORPORATION	1,978,319	90,505	AFSC

TEXTRON INC	3,164,027	36,851	AFSC
VALERO ENERGY CORP	9,893,437	63,112	AFSC

Conclusion

Workers of conscience have a moral imperative to act against genocide and apartheid.

One tangible way BCUWU can take action is to organize alongside other workers to demand our pension funds hold no investments in illegal occupation, apartheid, and genocide. Accomplishing this will require mobilizing with hundreds of thousands of other union members whose pensions are managed by BCI.

Divestment will be a lengthy process and will not immediately stop the genocide or end the apartheid, but it is a powerful tool we can exercise. We trade unionists of today must look to our elders around the world who took bold and direct action against South Africa in the 1980s, bequeathing us a deep legacy and an unavoidable responsibility. The Boycott Divestment and Sanctions movement (BDS) allows BCUWU members to stand on the shoulders of activists who came before and compels us to stop our hard-won pensions from being invested in companies colluding with an apartheid state in illegal occupation and genocide.

Now is the time for BCUWU members to mobilize the many other union members whose pensions are being invested by BCI in companies operating in the West Bank and arming the Israeli military, so that together we can fulfill the ethical obligation passed down to us and stop our labour from being used to oppress other working people. The authors of this report implore you to read further, research the companies listed, draw your own conclusion, and add your voice to the dialog around this urgent issue.

Report recommendations

The Palestine Working Group recommends that the BCUWU Executive:

1. release a public statement calling for the BCI to divest itself of all holdings in companies and entities that profit from or enable the abuse of human rights in Palestine
2. take a leading role in convening union representatives whose members' pensions are also invested by BCI to share information and discuss divestment
3. direct the Palestine Solidarity Working Group to submit a one-year work plan and budget request to the BCUWU Executive to execute the following aspects of its mandate:

- a. educate union members about how workers' capital being held in pension plans can be divested from companies and entities profiting from the war, occupation, apartheid and human rights violations in Palestine; and
- b. organize workers, including the members of other unions in the broader public sector in BC, whose pension funds are managed by the British Columbia Investment Management Corporation (BCI) to pressure it to responsibly and conscientiously divest all assets from companies currently profiting from the war, occupation, apartheid and human rights violations in Palestine and prohibit such future investments; and
- c. organize within the labour movement and civil society to build a pan-union movement in support of Palestinian human rights, Boycott, Divestment and Sanctions against companies and entities profiting and supporting the war, occupation, apartheid and human rights violations in Palestine