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CONSENT CALENDAR

July 12, 2005

To: Honorable Mayor and
Members of the City Council

From: Councilmember Kriss Worthington
Councilmember Darryl Moore

Subject: Support ACR 11 encouraging PERS and California State Teachers' Retirement System's
companies to divest from Sudan

RECOMMENDATION:

That the Berkeley City Council support California Assembly Concurrent Resolution (ACR) 11 encouraging Public Employees' Retirement System (PERS) and California State Teachers' Retirement System's companies to divest from Sudan.

BACKGROUND:

There have been numerous reports from worldwide peace organizations about Sudan's government's supplying arms to the Janjaweed and allowing widespread acts of genocide in western Darfur. We would like the City of Berkeley to join our state representatives in a collective message to the Sudanese government that these human rights violations must end.

FINANCIAL IMPLICATIONS:

NONE

CONTACT PERSON:

Councilmember Kriss Worthington 981-7170.
Councilmember Darryl Moore 981-7120.

AMENDED IN ASSEMBLY APRIL 18, 2005

AMENDED IN ASSEMBLY MARCH 30, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

Assembly Concurrent Resolution

No. 11

Introduced by Assembly Member Dymally

(Coauthors: Assembly Members Aghazarian, Arambula, Baca, Bass, Benoit, Berg, Calderon, Canciamilla, Chan, Chu, Cogdill, Cohn, Coto, Daucher, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Jones, Karnette, Keene, Klehs, Koretz, Laird, Leno, Leslie, Levine, Lieber, Liu, Matthews, Maze, Montanez, Mountjoy, Mullin, Nakanishi, Nation, Nava, Negrete McLeod, Niello, Nunez, Parra, Pavley, Plescia, Richman, Ridley-Thomas, Ruskin, Saldana, Salinas, Spitzer, Strickland, Torrico, Tran, Umberg, Vargas, Villines, Wolk, Wyland, and Yee)

January 31, 2005

Assembly Concurrent Resolution No. 11—Relative to the Public Employees' Retirement System.

LEGISLATIVE COUNSEL'S DIGEST

ACR 11, as amended, Dymally. Public Employees' Retirement System: Sudan.

This measure would encourage the Public Employees' Retirement System and the California State Teachers' Retirement System, whenever feasible and consistent with their fiduciary responsibilities, to encourage companies in which employee retirement funds are invested and that are doing business in Sudan, as identified by the Department of Treasury's Office of Foreign Assets Control, to act responsibly and not take actions that promote or otherwise enable human rights violations in the Sudan.

Fiscal committee: yes.

1 WHEREAS, The government of Sudan and the southern
2 opposition signed a peace agreement on Sunday, January 9,
3 2005, in Kenya, Africa; and

4 WHEREAS, The peace agreement is expected to put a stop to
5 Sudan's cruel treatment of southerners; and

6 WHEREAS, The rebel south will not have to redeploy an army
7 consisting of children; and

8 WHEREAS, Secretary of State Colin Powell, on behalf of the
9 United States, with Ambassador John C. Danforth, U.S.
10 Representative to the United Nations, assisted in negotiating the
11 peace agreement; and

12 WHEREAS, Stopping the conflict in western Darfur is not part
13 of the peace agreement, however; and

14 WHEREAS, The Sudan government is suspected of a policy
15 of genocide in western Darfur; and

16 WHEREAS, There is a need for the United States and the
17 United Nations to continue to put pressure on the Sudanese
18 government to stop supplying arms to the Janjaweed; and

19 WHEREAS, The State of California is deeply concerned over
20 the poor human rights situation in Sudan; and

21 WHEREAS, The State of California calls for stepped-up
22 international efforts to end the crisis in Sudan's Darfur region,
23 and concurs with United States policy, which has officially
24 declared that genocide is ongoing in the Darfur region of Sudan;
25 and

26 WHEREAS, Despite significant pressure from the United
27 States government, the government of Sudan has not taken all the
28 necessary actions to disassociate itself fully from the fighting in
29 Darfur; and

30 WHEREAS, The 2002 Machakos Protocol, signed by both
31 sides in the civil war in Sudan, has recognized that "Sudan is a
32 multi-cultural, multi-racial, multi-ethnic, multi-religious, and
33 multi-lingual country," and that there "shall be freedom of belief,
34 worship and conscience for followers of all religions or beliefs or
35 customs and no one shall be discriminated against on such
36 grounds" once a peace agreement is signed; now, therefore, be it

37 *Resolved by the Assembly of the State of California, the Senate*
38 *thereof concurring,* That the Legislature encourages the Public

1 Employees' Retirement System and the California State
2 Teachers' Retirement System, whenever feasible and consistent
3 with their fiduciary responsibilities, to encourage companies in
4 which employee retirement funds are invested and that are doing
5 business in Sudan, as identified by the Department of Treasury's
6 Office of Foreign Assets Control, to act responsibly and not take
7 actions that promote or otherwise enable human rights violations
8 in the Sudan; and be it further
9 *Resolved*, That the Chief Clerk of the Assembly transmit
10 copies of this resolution to the author for appropriate distribution.

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