

MINUTES

The meeting convened at 7:07 pm with Chairperson Steve Freedkin presiding.

ROLL CALL

Present: Diana Bohn, Donald Brody, Elliot Cohen, Steve Freedkin, Peter Kafin, George Lippman, Jane Litman, Bob Meola, Michael Sherman, PhoeBe ANNE sorgen, Megan Winkelman, Jonathan Wornick

Absent: Wendy Kenin

Members of
the Public: 2

COMMENTS FROM THE PUBLIC

- David Welsh, Letter Carriers Union No. 214 – Haiti Action Committee, regarding the Haiti resolution

ACTION ON MINUTES

M/S/C (*Winkelman, Bohn*) to approve the minutes of the January 2, 2008 regular meeting. **Ayes:** Bohn, Freedkin, Kafin, Lippman, Litman, Meola, sorgen, Winkelman; **Noes:** None; **Abstain:** Brody, Cohen, Sherman, Wornick; **Absent:** Kenin.

Commissioners Brody, Cohen, Sherman, and Wornick abstained from the vote because they were not present for the January meeting.

ACTIONS TAKEN

Emergency Item – City’s Position regarding the Marine Recruiting Station

M/S/C (*Cohen/Sherman*) to add the report on the City’s position regarding the Marine Recruiting from Councilmembers Capitelli and Olds to the agenda. This item came to the Commission’s attention after the February agenda was published and less than 72 hours before tonight’s meeting. **Ayes:** Bohn, Cohen, Freedkin, Kafin, Lippman, Litman, Meola, Sherman, sorgen, Winkelman; **Noes:** Brody, Wornick; **Absent:** Kenin.

Supporting the People of Haiti

M/S/C (*Bohn/sorgen*) recommending that the Council of the City of Berkeley 1) Call on all authorities in Haiti, the United Nations Mission to Haiti, and the United States, Canada, France, and Brazil, who call themselves the friends of Haiti, to work for rapid implementation of the following: a) release of all political prisoners, b) guarantee freedom of speech and assembly, c) bring about the safe return of Human Rights Activist Lovinsky Pierre-Antoine, d) compensate victims of United Nations raids in Cite Soleil and elsewhere as well as victims of rapes and sexual exploitation by United Nations troops, and e) withdraw all foreign occupying forces including the United Nations and United States forces; 2) call on members of the Bay Area Congressional Delegation to co-sponsorship H.Res.241, specifically Speaker of the House Nancy Pelosi [CA-8], Zoe Lofgren [CA-16], Anna Eshoo [CA-14], and George Miller [CA-7], and

direct the City Manager to send letters to that effect to these representatives; 3) request that Representative Barbara Lee [CA-9] re-introduce legislation similar to H.R.946, to establish an Independent Commission on the 2004 Coup d'Etat in the Republic of Haiti, and request Senators Barbara Boxer and Dianne Feinstein to introduce similar legislation to H.R.946 in the Senate, and support the amendment included in the FY 2006 Foreign Operations Appropriations Conference Report prohibiting arms transfers and sales; and 4) express our city's solidarity with the people of Haiti and that the people of Berkeley extend a standing invitation to President Aristide to visit our City. **Ayes:** Bohn, Brody, Cohen, Freedkin, Kafin, Lippman, Litman, Meola, Sherman, sorgen, Winkelman; **Noes:** Wornick; **Absent:** Kenin.

Peace Lantern Ceremony

M/S/C (*Freedkin, Meola*) recommending that the Peace & Justice Commission adopt a Resolution (Attachment 3) endorsing the 7th Annual Berkeley Peace Lantern Ceremony; encouraging the City Council to endorse the Ceremony and directing that it appear on the City's Community Calendar on its website; and encouraging the BUSD to endorse the Ceremony. **Ayes:** Bohn, Brody, Freedkin, Kafin, Lippman, Litman, Meola, Sherman, sorgen, Winkelman, Wornick; **Noes:** None; **Abstain:** Cohen; **Absent:** Kenin.

Commissioner Cohen abstained because he did not receive an agenda packet prior to the meeting and was unable to read the item in advance.

Subcommittee on United Nations Reports

M/S/C (*Bohn, Winkelman*) to approve the appointment of Commissioner Lippman to the Subcommittee on United Nations Reports. **Ayes:** Bohn, Brody, Freedkin, Kafin, Lippman, Litman, Meola, Sherman, sorgen, Winkelman; **Noes:** None; **Abstain:** Cohen, Wornick; **Absent:** Kenin.

Commissioner Cohen abstained because he did not receive an agenda packet prior to the meeting and was unable to read the item in advance. Commissioner Wornick abstained because he's never supported the reports to the United Nations.

Presentation at March Meeting

M/S/C (*Cohen, Winkelman*) to approve a five-minute presentation for the March 3, 2008 meeting from a local youth group on the types of activist activities that will take place on Cinco de Mayo Day in the Bay Area. **Ayes:** Unanimous; **Absent:** Kenin.

Opposing the Use of Blackwater

M/S/C (*Meola/Sherman*) that the Council of the City of Berkeley go on record as opposing the use of Blackwater and other private mercenary contractors by the United States in Iraq or anywhere else and call on the United States to stop all such mercenary employment; call on the United States to rescind Order 17, and investigate and prosecute all human rights violations perpetrated by the aforementioned mercenaries; and convey by letter to the Planning Commission, Mayor and City Council of Potrero, CA solidarity for their actions opposing Blackwater being permitted to establish training

facilities in their community. **Ayes:** Bohn, Brody, Cohen, Freedkin, Kafin, Lippman, Litman, Meola, Sherman, sorgen, Winkelman; **Noes:** Wornick; **Absent:** Kenin.

Election of Officers for 2008

Commissioner Meola was nominated and approved as the Chairperson. No one else was nominated for the position. Commissioner Freedkin abstained from the vote for the following reason: Since I will no longer be a member of the commission after tonight, I feel it is fitting for me to step aside from this decision about its future operation.

Commissioner Winkelman was approved as Vice Chairperson by a 6-4 vote over Commissioner sorgen. Commissioner Freedkin abstained from the vote for the following reason: Since I will no longer be a member of the commission after tonight, I feel it is fitting for me to step aside from this decision about its future operation.

City's Position regarding the Marine Recruiting Station (Emergency Item)

M/S/F (*Cohen/Lippman*) Berkeley believes the best way to support our troops is to withdraw them from the war in Iraq. Berkeley does not support having a recruiting station in our City as such a station is acting in violation of anti-discrimination laws essentially an office to hire otherwise decent people for the purpose of training otherwise decent people to commit acts of violence in our name in furtherance of a foreign policy we oppose. **Ayes:** Cohen, Lippman, sorgen; **Noes:** Bohn, Brody, Freedkin, Kafin, Litman, Meola, Sherman, Winkelman, Wornick; **Absent:** Kenin.

Two substitute motions were proposed with slightly different language, and they also failed to pass.

NEXT MEETING

The next regular meeting will be on Monday, March 3, 2008 at 7:00 p.m. in the North Berkeley Senior Center with a deadline of Friday, February 22, 2008 for submission of agenda items and materials for the March agenda packet. Dates are subject to change, please contact the Commission Secretary to confirm.

The meeting was adjourned at 10:20 p.m.

Respectfully Submitted,

Manuel Hector Jr., Secretary
Peace & Justice Commission

Attachments

ATTACHMENT 1

Supporting the People of Haiti

WHEREAS, in 1990, the Berkeley City Council adopted a Human Rights Policy based on Articles 55 and 56 of the United Nations Charter; and

WHEREAS, Chapter 3.68.010 of the Berkeley Municipal Code found that, "...The residents of Berkeley have continually demonstrated their concern for peace and justice based on equality among all peoples..."; and

WHEREAS, Berkeley citizens have demonstrated concern for the people of Haiti, working with organizations including the Haiti Action Committee, Ecumenical Peace Institute, Clergy & Laity Concerned, East Bay Sanctuary Covenant, Institute for Justice and Democracy in Haiti, TRANSCEND, Women's International League for Peace and Freedom, Berkeley Fellowship of Unitarian Universalists' Social Justice Committee, and the Father Bill O'Donnell Social Justice Committee of St. Joseph the Worker Church; and

WHEREAS, since the February 29, 2004 coup d'etat that overthrew the elected government of Jean-Bertrand Aristide in Haiti, even though an election was held on February 7, 2006 in which Rene Preval was elected President, Haiti remains under United Nations occupation, and the constitutional government and judicial system still remains under the control of coup forces, and many Aristide supporters remain imprisoned and subjected to inhumane conditions without due process; and

WHEREAS, the citizens of Berkeley have voted for impeachment of President George Bush, and the sponsoring of a coup d'etat against Haiti is an impeachable offense committed by the Bush Administration; and

WHEREAS, in a press release dated December 20, 2007, a representative of Amnesty International stated, "The Haitian authorities have a responsibility under international law to protect the legitimate rights of human rights defenders to organize and take action without restrictions or fear of reprisals," and the organization has mobilized its global network of activists on behalf of two human rights defenders in Haiti, one abducted and the other facing physical threats, and is calling on the Haitian authorities to redouble efforts to find Lovinsky Pierre-Antoine, who was abducted in August, and to protect Wilson Mesilien, who has recently been threatened with physical harm; and

WHEREAS, Haiti, the most impoverished country in the Western Hemisphere, owes over one billion dollars to multilateral financial institutions, much of which was accumulated during the oppressive rule of the United States-supported Duvalier regime, which did not use the money to benefit the Haitian people; and

WHEREAS, on March 13, 2007, Representative Maxine Waters [CA-35] (for herself, and Representatives Spencer Bachus [AL-6], William Delahunt [MA-10], Barbara Lee

[CA-9], Donald Payne [NJ-10], John Conyers [MI-14], Luis Gutierrez [[IL-4], and Carolyn Maloney [NY-14] introduced H.Res.241 urging the International Monetary Fund (IMF), the International Bank for Reconstruction and Development (World Bank), and other multilateral financial institutions to cancel Haiti's debts completely and immediately.

NOW THEREFORE, BE IT RESOLVED that Peace & Justice Commission recommends that the Council of the City of Berkeley, in solidarity with the Haitian people in their ongoing struggle for full human rights and true democracy, call on all authorities in Haiti, the United Nations Mission to Haiti, and the United States, Canada, France, and Brazil, who call themselves the friends of Haiti, to work for rapid implementation of the following:

1. Release all political prisoners,
2. Guarantee freedom of speech and assembly,
3. Bring about the safe return of Human rights activist Lovinsky Pierre-Antoine,
4. Compensate victims of United Nations raids in Cite Soleil and elsewhere as well as victims of rapes and sexual exploitation by United Nations troops, and
5. Withdraw all foreign occupying forces including the United Nations and United States forces.

BE IT FURTHER RESOLVED, that the Council of the City of Berkeley call on members of the Bay Area Congressional Delegation to co-sponsor H.Res.241, specifically, Speaker of the House Nancy Pelosi [CA-8], Zoe Lofgren [CA-16], Anna Eshoo [CA-14], and George Miller [CA-7], and direct the City Manager to send letters to that effect to these representatives.

BE IT FURTHER RESOLVED, that the Council of the City of Berkeley request that Representative Barbara Lee [CA-9] re-introduce legislation similar to H.R.946, to establish the Independent Commission on the 2004 Coup d'Etat in the Republic of Haiti, and request Senators Barbara Boxer and Dianne Feinstein to introduce similar legislation to H.R.946 in the Senate, and support the amendment included in the FY 2006 Foreign Operations Appropriations Conference Report prohibiting arms transfers and sales.

BE IT FURTHER RESOLVED, that the Council of the City of Berkeley express our city's solidarity with the people of Haiti, and that the people of Berkeley extend a standing invitation to President Aristide to visit our City.

BE IT FURTHER RESOLVED, that the Council of the City of Berkeley direct the City Manager to send copies of this Resolution to the United Nations High Commissioner for Human Rights Louise Arbour, United States Secretary of State Dr. Condoleezza Rice, Senators Barbara Boxer and Dianne Feinstein, and Representative Barbara Lee, President Rene Preval of Haiti, Jean Bertrand Aristide, and the Ambassadors of Canada, France, and Brazil.

ATTACHMENT 2

Opposing the Use of Blackwater and Other Private Mercenary Companies

WHEREAS, the Peace and Justice Commission advises the City Council on all matters relating to the City of Berkeley's role in issues of peace and social justice (Berkeley Municipal Code (BMC) Chapter 369.070); and

WHEREAS, it is distressing enough that the United States launched an illegal, immoral and unprovoked war of aggression in Iraq based on the numerous lies of the Bush Administration and is threatening the possibility of war in Iran; and

WHEREAS, wars have produced catastrophic loss of human life, both civilian and military, as well as physically maiming and deforming and psychologically destroying countless numbers of civilians and military personnel; and

WHEREAS, the people of the City of Berkeley have long voiced their stand for peace and against unnecessary wars; and

WHEREAS, the United States war in Iraq is the most privatized war in history and "according to the Government Accounting Office [GAO], there are as many as 180 mercenary firms in Iraq with tens of thousands of employees" [from Jeremy Scahill's article, "Making A Killing," in the October 15, 2007 issue of *The Nation* magazine]; and

WHEREAS, Blackwater, the leading mercenary company of the United States occupation of Iraq received its original \$27 million no-bid contract to provide security in the summer of 2003 and since that contract "has won more than \$700 million in 'diplomatic security' contracts through the State Department alone" [see Scahill's article quoted above] and therefore, citizens of Berkeley, who are United States taxpayers, are funding these mercenaries at great moral and material cost; and sustaining a vested class of Americans, profiting off of the militarization of the American economy, often to the detriment of soldier morale; and

WHEREAS, Blackwater was the perpetrator of the infamous Nisour Square Massacre on September 16, 2007, wherein at least 28 innocent Iraqi civilians, including a young Iraqi family with an infant, and other men, women and children were killed due to the launching of some sort of grenade by Blackwater troops, followed by repeated gunfire by Blackwater troops and other Iraqi civilians were injured and in critical condition; and the Iraqi government and survivors of the attack by Blackwater troops have stated that the attack was completely unprovoked; and

WHEREAS, there were at least six other deadly incidents last year involving Blackwater troops killing groups of Iraqis and Iraqi officials tried several times to contact the United States through administrative and diplomatic channels to complain about Blackwater's conduct in these incidents and their complaints went nowhere; and

WHEREAS, Order 17, signed by Paul Bremer on June 27, 2004, granted sweeping immunity to private contractors working for the United States in Iraq, and is a potent symbol of the utter lack of any Iraqi sovereignty, self-rule or independence, even when it involves “the murder of citizens in cold blood by Blackwater—a terrorist action against civilians just like any other terrorist organization.” [statement by officials from Iraq’s Interior, National Security and Defense Ministries]; and

WHEREAS, the United States Department of Justice needs to be pressured to investigate and prosecute the actions and human rights violations of Blackwater employees and employees of other companies [like those (according to Amnesty International) of Halliburton’s subsidiary, KBR, accused of gang raping their fellow employee, Jamie Leigh Jones, in Iraq]; and

WHEREAS, the massive use of a private army impedes the transparency and accountability necessary for effective government.

NOW THEREFORE, BE IT RESOLVED that the Peace and Justice Commission recommends that the Council of the City of Berkeley go on record as opposing the use by the United States of Blackwater and other private mercenary contractors in Iraq or anywhere else and calls on the United States to stop all such mercenary employment.

BE IT FURTHER RESOLVED, that the Berkeley City Council call on the United States to rescind Order 17, and investigate and prosecute all human rights violations perpetrated by the aforementioned mercenaries.

BE IT FURTHER RESOLVED, that the Berkeley City Council convey by letter to the Planning Commission, Mayor and City Council of Potrero, California, the solidarity of the City of Berkeley to the people of Potrero, California for their actions opposing Blackwater being permitted to establish training facilities in their community.

BE IT FURTHER RESOLVED, that the Berkeley City Council send copies of this Resolution to President George Bush, Speaker of the House Nancy Pelosi, Senator Barbara Boxer, Senator Dianne Feinstein, and Congresswoman Barbara Lee.

ATTACHMENT 3

ENDORING THE SEVENTH ANNUAL BERKELEY PEACE LANTERN CEREMONY

WHEREAS, Berkeley Municipal Code § 3.68.010 states, in part: "The [Peace and Justice] commission shall perform the following functions: (A) Advise the Berkeley City Council and the Berkeley Unified School Board on all matters relating to the City of Berkeley's role in issues of peace and social justice, including, but not limited to the issues of ending the arms race, [and] abolishing nuclear weapons...; (C) Help develop proposals for the City Council and the School Board for actions in furtherance of the goals of peace and justice, and help publicize such actions in the community"; and

WHEREAS, on or about Saturday evening, August 9, 2008, the 63rd anniversary of the atomic bombing of Nagasaki, Japan, residents of Berkeley and vicinity will come together at Aquatic Park in Berkeley for the seventh annual Peace Lantern Ceremony in remembrance of the victims of the atomic bombings of Hiroshima (August 6, 1945) and Nagasaki (August 9, 1945) during World War II, and of all victims of war; and

WHEREAS, the ceremony is a beautiful and moving tradition that has been imported from Japan by many cities in the United States and throughout the world, and Berkeley's event drew the participation of approximately 100 people in 2002, more than 300 in 2003, more than 400 in 2004, more than 500 in 2005, an estimated 650 in 2006, and more than 200 on a cold and rainy day in 2007; and

WHEREAS, the event is an excellent family activity in which children as well as adults can decorate and prepare lanterns for floating on the Aquatic Park lagoon; and

WHEREAS, the Peace and Justice Commission endorsed the previous annual Peace Lantern Ceremonies, as did the City Council and numerous Berkeley-area peace and justice organizations; and

WHEREAS, this annual event, initiated by a member of the Peace and Justice Commission, is one element of a lively, ongoing exchange of peace activists between Berkeley and Japan during the past four years, including several delegations visiting Berkeley from Japan and three members of this Commission speaking at peace conferences in Japan; and

WHEREAS, all costs of producing the event have been borne by the individuals and community organizations participating in the event, and no funding is requested from the Commission, the City, or the School District.

NOW THEREFORE, BE IT RESOLVED that the Peace and Justice Commission endorses the seventh annual Berkeley Peace Lantern Ceremony.

BE IT FURTHER RESOLVED, that the Commission encourages the City Council to again endorse the Ceremony, and direct that it appear on the City's Community Calendar on its website once the date is finalized.

BE IT FURTHER RESOLVED, that the Commission encourages the Berkeley Unified School District Board to endorse the Ceremony, and to encourage children in the school district and their families to participate in the Ceremony, including distributing an announcement for schoolchildren to take home before the end of the school year.