

Peace and Justice
Commission

PEACE & JUSTICE COMMISSION MEETING AGENDA Monday, August 15, 2022 – 7:00 p.m.

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH VIDEOCONFERENCE AND TELECONFERENCE

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the January 25, 2021 meeting of the Peace and Justice Commission will be conducted exclusively through teleconference and Zoom videoconference. Please be advised that pursuant to the Executive Order and the Shelter-in-Place Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, there will not be a physical meeting location available.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device: Please use this URL
<https://us02web.zoom.us/j/84600651143>

If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.

*To join by phone: Dial 1-669-900-9128 and enter Meeting ID 846 0065 1143. If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair.*

Please be mindful that all other rules of procedure and decorum will apply for Commission meetings conducted by teleconference or videoconference.

SECTION A. PRELIMINARY MATTERS

1. Roll Call
2. Announcements
3. Comments from the Public (*subject to time limits applicable to all speakers as necessary*)
4. Review and approval of meeting minutes
5. Commission Updates & Chairperson's Report
6. Secretary's Report (including status of passed items from previous meetings)

SECTION B. DISCUSSION/ACTION ITEMS

7. Election of Vice-Chair
8. Discussion on Reinstating Burma/Myanmar in Berkeley's Oppressive State Ordinance
9. Discussion on Review of Peace and Justice Commission FY 2023 Annual Work Plan for Implementation Planning
10. Discussion and Action on Selective Services Resolution


SECTION D. COMMUNICATIONS

11. No communications received.

SECTION E. BACKGROUND INFORMATION
SECTION F. ADJOURNMENT

Attachments:

- A. June Draft Minutes
- B. Meeting Schedule
- C. Oppressive States Ordinance
- D. Irrawaddy Article
- E. New York Times Article
- F. Washington Post Article
- G. Berkeley Article
- H. Peace and Justice Commission FY 2023 Annual Work Plan
- I. Selective Services

 Meeting Access: To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist, at 981-6418 (V) or 981-6347 (TDD), at least three (3) business days before the meeting date.

Communications Disclaimer

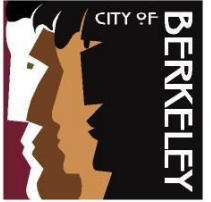
*Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.*

SB 343 Disclaimer

Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at Old City Hall located at 2134 Martin Luther King Jr. Way, Berkeley, CA 94704.

Commission Contact Information

*Okeya Vance-Dozier, Secretary
Peace and Justice Commission
City of Berkeley
2180 Milvia Street, 5th Floor
Berkeley, CA 94704
Ovance-dozier@cityofberkeley.info (email)*



Peace and Justice
Commission

Peace and Justice Commission Meeting June 6, 2022

Pursuant to March 17, 2020 Governor's Executive Order N-29-20, this meeting was held electronically.

MINUTES

The meeting convened at 7:12 pm with George Lippman (Chair) presiding. Okeya Vance-Dozier, Community Service Specialist, Secretary.

SECTION A. PRELIMINARY MATTERS

1. **Roll Call**

Present: Morizawa, Jacquilin, Lippman, Bohn, Gussmann, Maran, Lee

Absent: Leon-Maldonado, Rodriguez

Excused: None

Leave of Absence: None

2. **Announcements**

3. **Comments from the Public**

Public Attendance: 3

Public Comments: 3

4. **Review and approval of meeting minutes**

Peace and Justice Commission approved minutes from 5/2/21.

M/S/C: Morizawa, Jacquilin

Ayes: Morizawa, Jacquilin, Lippman, Bohn, Maran, Lee

Noes: None

Abstain: None

Absent: Leon-Maldonado, Rodriguez, Gussmann

Excused: None

5. **Commission Updates & Chairperson's Report (No Action Taken):**

Must allow time for review of the agenda packet, so there can be a productive discussion on action items. Agenda items and supporting documents must be submitted 10 days max prior to the scheduled meeting on a Sunday so that agenda packets can be sent out at the beginning of the week. As the day approaches the secretary will provide email notification, in the event that agenda items are not submitted along with supporting documents the topic will not be heard at the

scheduled meeting. If nothing is submitted for the agenda the meeting will be cancelled.

Cancelled the July meeting and will reconvene on August 15th.

6. Secretary's Report (No Action Taken)

SECTION B. DISCUSSION/ACTION ITEMS

7. Peace and Justice Commission Work Plan 2022-23

Work plan has not been finalized, will continue to add additional ideas.

M/S/C: Bohn, Morizawa

Ayes: Morizawa, Jacquilin, Lippman, Bohn, Gussmann, Lee

Noes:

Abstain: Maran

Absent: Leon-Maldonado, Rodriguez

Excused:

8. City of Berkeley's Commitment to Abortion Access

“Reaffirming the City of Berkeley’s Commitment to Roe v. Wade and Access to Safe Reproductive Health Services,” stating its “support for women to be able to exercise their constitutional rights and continue have access to critical health care services, including abortion.”

M/S/C: Bohn, Morizawa

Ayes: Morizawa, Jacquilin, Lippman, Bohn, Gussmann, Lee, Maran

Noes: None

Abstain: None

Absent: Leon-Maldonado, Rodriguez

Excused: None

9. African American Holistic Resource Center in the Infrastructure and Affordable Housing Measures

A letter was will be drafted and sent over to the City Council.

M/S/C: Lippman, Bohn

Ayes: Morizawa, Jacquilin, Lippman, Bohn, Gussmann, Lee, Maran

Noes: None

Abstain: None

Absent: Leon-Maldonado, Rodriguez

Excused: None

10. Police Accountability, Reform, Reimagining, and Budget Processes in the City of Berkeley

No action.

11. Endorse S. 1139-Selective Service Repeal Act of 2021

No action taken will be placed on the next agenda.

12. Support of a Peaceful Future

No action taken.

SECTION C. COMMUNICATIONS

13. No communications received prior to meeting.

SECTION D. ADJOURNMENT

The meeting was adjourned at 10:00 PM.

M/S/C: Lippman, Jacquilin

Ayes: Morizawa, Rodriguez, Jacquilin, Lippman, Bohn, Leon-Maldonad

Noes: None

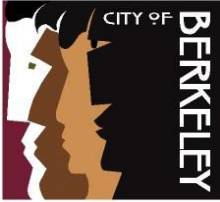
Abstain: None

Absent: Leon-Maldonado, Rodriguez

Excused: None

Respectfully Submitted,

Okeya Vance-Dozier, Secretary
Peace and Justice Commission



Peace and Justice
Commission

Peace and Justice Commission Approved 2022 Meeting Schedule Zoom Webinar Meetings

1. ~~Tuesday, January 4, 2022 at 7pm~~
2. ~~Monday, February 7, 2022 at 7pm~~
3. ~~Monday, March 7, 2022 at 7pm~~
4. ~~Monday, April 4, 2022 at 7pm~~
5. ~~Monday, May 2, 2022 at 7pm~~
6. ~~Monday, June 6, 2022 at 7pm~~
7. ~~Monday, July 18, 2022 at 7pm~~ rescheduled for August 15th
8. Tuesday, September 19, 2022 at 7pm
9. Monday, October 3, 2022 at 7pm
10. Monday, November 7, 2022 at 7pm

RESOLUTION NO. 59,853-N.S.

EXPRESSING SUPPORT FOR A NATIONAL FOREIGN POLICY WHICH PLACES PARAMOUNT IMPORTANCE ON HUMAN RIGHTS BY PROHIBITING THE EXPENDITURE OF PUBLIC FUNDS FOR PERSONAL SERVICES OR FOR THE PROCUREMENT OF GOODS OR FOR DEPOSIT OR INVESTMENT IN ACCORDANCE WITH THE STANDARDS ENUMERATED IN THIS RESOLUTION AND REPEALING RESOLUTION NOS. 57,881-N.S., 59,009-N.S. AND 59,107-N.S.

WHEREAS, the Council of the City of Berkeley finds as follows:

SECTION I. PREAMBLE

- A. The citizens of the City of Berkeley, believing that their quality of life is diminished when peace and justice are not fully present in the world, adopted Ordinance No. 5985-N.S. to promote universal respect for human rights and fundamental freedoms, and to stimulate public debate regarding the paramount importance of the rule of law and the need to end injustices and egregious violations of human rights wherever they may occur.
- B. The citizens of the City of Berkeley believe that the foreign policy of the United States of America should be grounded upon equality, respect for human rights and the abhorrence of exploitation and all forms of oppression. However, the foreign policy of the United States of America with regard to particular countries, or governments, fails to accord sufficient importance to promoting equality, respect for human rights and the abhorrence of exploitation and all forms of oppression.
- C. The citizens of the City of Berkeley believe that the expenditure, and the withholding, of public funds derived from their taxes constitutes an expression of their civic conscience regarding a subject of legitimate public debate and, therefore, can influence the views of their fellow American citizens.
- D. The citizens of the City of Berkeley believe that effective advocacy of both public and private points of view is undeniably enhanced by group association, including their association as electors and taxpayers in the City of Berkeley.
- E. The citizens of the City of Berkeley reaffirm that the right of the people peaceably to assemble for the purpose of petitioning Congress for a redress of grievances, or for anything else connected with the powers and duties of the national government, is an attribute of American citizenship, and, as such, under the protection of, and guaranteed by, the United States.

- F. The citizens of the City of Berkeley are cognizant of the fact that in the global marketplace the City's expenditures for services, goods, deposits and investments subject to this Resolution are not substantial enough to have even an indirect coercive effect on foreign governments and, therefore, the policies established herein represent principally a symbolic gesture rather than an economic threat, a regulatory action or an act to change the domestic policies of any foreign country.
- G. The citizens of the City of Berkeley desire to establish the policies herein for the purposes of stimulating public discussion, influencing the views of their fellow American citizens, and affecting the formulation and implementation of foreign policy by the United States Congress.
- H. The procurement of personal services and commodities, and the deposit and investment of public funds are municipal affairs of the City of Berkeley and the policies established herein are not established for the benefit of contractors submitting bids, but for the benefit of the Citizens of the City of Berkeley.
- I. The citizens of the City of Berkeley believe that like any participant in the global marketplace, the City of Berkeley possesses the right to consider the moral character of its business partners in determining with whom it seeks to maintain business relations and therefore to refrain from contracting with those entities which maintain business relationships with morally repugnant regimes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Berkeley as follows:

SECTION II. DEFINITIONS

"City" or "City of Berkeley" shall mean the City of Berkeley, or any entity acting under the direction of the City Council of the City of Berkeley.

"City Manager" shall mean the City Manager of the City of Berkeley, or any authorized representative of the City Manager.

"Peace and Justice Commission" shall mean the City of Berkeley's Peace and Justice Commission established pursuant to Chapter 3.68 of the Berkeley Municipal Code.

"Commodities" shall include, but not be limited to, any tangible supplies, goods, vehicles, machinery, or equipment.

"Oppressive State" shall mean the territory, or any portion of the territory, of a foreign government designated in the Oppressive States List.

“Business Entity” shall mean any individual, firm, partnership, corporation, association, or any other commercial organization, and including parent-entities and wholly-owned subsidiaries to the extent that their operations are related to the purpose of its contract with the City. The term “Business Entity” does not include not-for-profit community based organizations, the United States of America, any State, municipality or other public corporation or agency.

“Personal Services” shall mean the performance of any work or labor and shall also include acting as an independent contractor or providing any consulting advice or assistance, or otherwise acting as an agent pursuant to a contractual agreement.

“Oppressive States List” shall mean Appendix A to this Resolution, as amended from time to time, and consisting of a compilation of Oppressive States and their respective Delisting Criteria.

“Delisting Criteria” shall mean the standard or standards which must be met in order for a government to be removed from the Oppressive States List.

“Remote Transaction” shall mean a sale of Commodities initiated and consummated completely by means of postal or Internet service and not exceeding the sum of \$10,000 U.S. Dollars to a single purchaser in a 12 month period.

“Loan” shall mean purchasing securities, investing in assets, lending monies, making interest-bearing deposits, extending lines of credit, or any other such transaction that is anticipated to result in a return, directly or indirectly, of assets.

All terms used in the Resolution shall be construed in a manner consistent with the intent of this Resolution.

SECTION III. PROVISION OF PERSONAL SERVICES

A. General Prohibited Transactions

The City is prohibited from entering into any contractual agreement for the provision of Personal Services with any Business Entity that is providing or is willing to provide personal services to:

- (i) the governing regime in any Oppressive State;
- (ii) any business or corporation organized under the authority of the governing regime of any Oppressive State;
- (iii) any person for the express purpose of assisting in business operations or trading with any public or private entity located in any Oppressive State.

B. Contract Stipulation

Any Business Entity contracting with the City for the provision of Personal Services shall be required as a material condition of any such contract to represent and certify that said Business Entity has reviewed this Resolution, that said Business Entity does not provide Personal Services to any entity described in Section III.A. and will not provide Personal Services to any such entity during the term of said contract; and that in the event of violation of the terms of this Resolution, the Business Entity will be subject to the remedies provided in Section VIII. The provisions of this section shall apply to renewals of existing contracts as well as to new contracts.

C. Disclosure Statement Required

Before any contract for the provision of Personal Services is awarded by the City pursuant to a formal or informal bid or proposal solicitation, the City Manager shall obtain from the prospective supplier of Personal Services a statement disclosing information sufficient for the City Manager to ascertain whether said supplier maintains any of the relationships described in Section III.A or is otherwise exempt from requirements of this Resolution pursuant to Section VII. The statement shall be signed and certified by an employee of the prospective supplier of Personal Services with sufficient legal authority to obligate the prospective supplier under the laws of the State of California. The Statement shall require the prospective supplier of Personal Services to notify the City Manager by written communication if the information disclosed in the statement is subsequently materially changed.

SECTION IV. SELECTIVE PURCHASE OF COMMODITIES

A. General Prohibited Transactions

1. The City shall not purchase any Commodity that is manufactured, assembled, extracted, harvested or refined in any Oppressive State;
2. The City shall not purchase any Commodity that is manufactured, assembled, extracted, harvested or refined by any Business Entity that buys, sells, leases or distributes Commodities in the conduct of business with, or who provides or is willing to provide Personal Services to:
 - (i) the governing regime in any Oppressive State;
 - (ii) any business or organization organized under the authority of the governing regime in any Oppressive State;
 - (iii) any Business Entity for the purpose of assisting in business operations or trading with any public or private entity located in an Oppressive State.

3. For the purposes of this Section only, a Remote Transaction(s) shall not be deemed selling, leasing, or distributing Commodities in the conduct of business.

B. Disclosure Statement Required

Each prospective supplier of Commodities that submits a formal or informal bid or proposal for a contract to supply Commodities shall include with its bid or proposal documents a statement disclosing information sufficient for the City Manager to ascertain whether or not said supplier of Commodities complies with the requirements of this Resolution or is exempt under Section VII. The statement shall be signed and certified by an employee of the prospective supplier of Commodities with sufficient legal authority to obligate the prospective supplier of Commodities under the laws of the State of California. The statement shall require the prospective supplier of Commodities to notify the City Manager by written communication if the information disclosed in the statement is subsequently materially changed.

C. Contract Stipulation

Any Business Entity contracting with the City for the provision of Commodities shall be required as a material condition of any such contract to represent and certify that said Business Entity has reviewed this Resolution; that the Commodities it provides to the City comply with the standards set forth in Section IV.A above; that the Business Entity will continue to comply with this Resolution during the term of said contract; and that in the event of violation of the terms of this Resolution, the Business Entity will be subject to the remedies provided Section VIII. The provisions of this section shall apply to renewals of existing contracts as well as to new contracts.

D. Selective Purchasing Process

The ability of a bidder to comply with the requirements of this Resolution is a material term of every bid solicited by the City pursuant to City Charter Section 67 or Ordinance No. 6420-N.S. Therefore, if the Commodity offered thereunder is manufactured, extracted, harvested or refined in any Oppressive State, or by an entity having any of the relationships described in Section IV.A above, said bid shall be deemed "non-responsive."

SECTION V. DEPOSIT AND INVESTMENT OF CITY FUNDS

A. General Prohibited Transaction

1. No City funds shall be deposited or remain deposited in any bank or financial institution which has any outstanding Loan to:

- (i) the governing regime in any Oppressive State;

- (ii) any business or entity organized under the authority of the governing regime of any Oppressive State;
- (iii) any person for the express purpose of assisting in business operations or trading with any public or private entity located in any Oppressive State.

2. No City funds shall be invested or remain invested in the stocks, bonds, securities, notes, debentures, certificates of indebtedness, or other obligations of any bank or financial institution which has any outstanding Loan to:

- (i) the governing regime in any Oppressive State;
- (ii) any business or entity organized under the authority of the governing regime of any Oppressive State;
- (iii) any person for the express purpose of assisting in business operations or trading with any public or private entity located in any Oppressive State.

3. The prohibitions of this Section shall not apply to City funds invested under a trust indenture or investment agreement or otherwise invested by the City under a pre-existing contractual obligation, provided that such funds, if invested or deposited in non-compliance with this Resolution, shall be withdrawn or divested at the earliest possible maturity date.

B. Disclosure Statement Required

1. Before any City funds can be deposited or invested in any bank or financial institution, the City Manager shall obtain from each bank or financial institution a statement certifying that it does not have any outstanding loan of the type listed in subsection A of this Section, or, in the alternative, the City Manager shall obtain from each bank or financial institution a statement stating that the policy of the bank or financial institution is to not make any such future loans during the period that it holds City funds. The statement shall require the bank or financial institution to notify the City Manager if it subsequently enters into any loan described in this subsection, or if the policy prohibiting such loans is changed.

2. The requirements of this Section shall be satisfied by ensuring that no City funds are invested or deposited by banks or financial institutions which fail to submit the Statements required by this Section.

C. Compliance

1. The withdrawal or divestiture required by this Section shall be completed within one hundred twenty (120) days after the effective date of this Resolution.

2. When the City Manager determines that City funds must be withdrawn or divested from banks or financial institutions for noncompliance with the provisions of this Resolution, the City Manager shall advise the bank or financial institution that the withdrawal or divestiture of City funds is required by this Resolution.

3. If the City Manager determines that City funds have been deposited or invested in a bank or financial institution which subsequently fails to comply with this Resolution, the City Manager shall require the withdrawal or divestment of those funds within one hundred twenty (120) days after the date of determination of noncompliance.

D. The prohibitions of Subsection V.A.1. and V.A.2 shall not apply if the City Manager finds that:

1. no bank or financial institution is available which is capable of performing the desired function, or
2. the City will incur a significant financial loss as a consequence of said prohibitions.

SECTION VI. CITY REAL PROPERTY MANAGEMENT

To the maximum extent permitted by law, it shall be the policy of the City of Berkeley that the City Manager shall not sell, rent, or dispose of any real property including, but not limited to, granting the right to lay, construct, maintain, or operate pipelines through, over, across, or under land, water, park, reservation or highway of the City of Berkeley, to any entity which meets the criteria set forth in Sections III.A and IV.A of this Resolution. For the purposes of City Charter Section 76, the City Council will determine in each individual case whether the public interest is served by applying the terms of this Resolution to the grant of a franchise. The City Manager may sell, rent, or dispose of said property or grant said rights to said entity only if he or she finds such action is essential to protect the health, safety and welfare of the public.

SECTION VII. WAIVERS AND EXEMPTIONS

A. The prohibitions of this Resolution shall not apply if the City Manager makes one or more of the following findings:

1. The special characteristics of the particular Personal Services or Commodities offered by the Business Entity are necessary for the efficient operation of the City or the health, safety, and welfare of the City, or no comparable Personal Service or Commodity is available without financial loss occurring. The City Manager shall periodically report to the City Council his or her exercise of the waiver authority granted pursuant to this subsection.

2. The Business Entity offering the particular Personal Services or Commodities to the City is operating in an Oppressive State exclusively for the one or more of the following purposes :

- (i) providing medical goods or services; or
- (ii) providing emergency or humanitarian goods or services; or
- (iii) news reporting or publishing.

SECTION VIII. REMEDIES

A. Upon a finding by the City Manager that a person has violated the terms of this Resolution, the City Manager shall be authorized to terminate said contract and bar the Business Entity from bidding on future contracts with the City for five years from the effective date of the contract termination. The City Council may, in its discretion, waive or modify such punitive action if the Business Entity can demonstrate to the City Council's satisfaction that the person did not knowingly violate the contract stipulation and has taken appropriate steps to prevent future violations.

B. In addition to the above, the City Council or City Manager may take any such actions as deemed necessary to recover damages resulting from the violations of contractual agreements as specified in Sections IV.C or V.C above.

SECTION IX. RULES AND REGULATION

The City Manager shall be authorized to promulgate any rules and regulations not in conflict with the purposes of this Resolution.

SECTION X. EFFECTIVE DATE

This Resolution shall take effect and apply to all bids and proposals due to the City, and contracts executed, on or after March 1, 1999. Any contract already executed at the effective date of this Resolution shall remain in full force and effect and not be subject to the provisions of this Resolution until such a time as the existing contract is renewed. At the time of the renegotiation, extension, or other similar action to effect the continuation or renewal of any existing contract, all provisions of this Resolution shall apply to such contract.

SECTION XI. AMENDMENT PROCESS

The City Council may alter the Oppressive States List only by amendment to this Resolution. Said amendment shall identify the country or territory to be added to, or removed from, the Oppressive States List, the basis for said action, and the applicable Delisting Criteria.

SECTION XII. PUBLIC AWARENESS

In furtherance of the purposes of this Resolution, the City Clerk shall distribute copies of the text of this Resolution, and any amendments thereto: (1) on or about the Independence Day holiday as observed each year; and (2) whenever the Council adopts an amendment to this Resolution. Copies shall be distributed by mail to the following officials: California's U.S. Senate delegation, the member(s) of the U.S. House of Representatives from the congressional district(s) representing the citizens of the City of Berkeley, the President of the United States, the U.S. Secretary of State, to a local newspaper of general circulation, and to a newspaper of national circulation.

SECTION XIII. SEVERABILITY

This Resolution shall be enforced to the full extent of the authority of the City of Berkeley. If any section, subsection, clause, sentence, paragraph or word of this Resolution or the application thereof to any entity or circumstances is deemed to be invalid or beyond the authority of the City of Berkeley by any court or agency of competent jurisdiction, such invalidity shall not affect the validity of the remaining sections, subsections, clauses, sentences, paragraphs or words of this Resolution, and the applications thereof; and to this end, the sections, subsections, clauses, sentences, paragraphs and words of this Resolution are declared to be separate, distinct, independent, and severable.

SECTION XIV. OVERSIGHT

A. Public Hearing and Reports

Pursuant to Section 3.68.070(L) of the Berkeley Municipal Code, the Peace and Justice Commission is directed to review the implementation of this Resolution on a regular basis as described below. One month prior to each public hearing, the City Manager shall provide a written report to the Peace and Justice Commission on the implementation of this Resolution.

B. Schedule of Hearings

The Peace and Justice Commission shall hold public hearings at least annually on the implementation of the Resolution with the first public hearing taking place at the first Peace and Justice Commission meeting in May after the effective date of the Resolution.

SECTION XV. REPEAL.

The following resolutions are hereby repealed upon the effective date of this Resolution: Resolution No. 57,881-N.S., Resolution No. 59,009-N.S., Resolution No. 59,107-N.S. However, the repeal of said resolutions is not intended to amend or modify the terms of any existing City contract and the terms of the such contracts will remain enforceable according to the resolutions in effect at the date of their execution.

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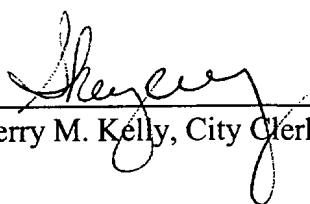
The foregoing Resolution was adopted by the Berkeley City Council on January 12, 1999 by the following vote:

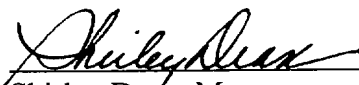
Ayes: Councilmembers Breland, Maio, Olds, Shirek, Spring, Woolley, Worthington and Mayor Dean.

Noes: None.

Abstain: Councilmember Armstrong.

Absent: None.

Attest: 
Sherry M. Kelly, City Clerk


Shirley Dean, Mayor

APPENDIX A

OPPRESSIVE STATES LIST

1. Country/Region: **Union of Myanmar (Burma).**

Delisting Criteria: The Citizens of the City of Berkeley, acting through the City Council, determine that the foreign policy of the United States regarding the Union of Myanmar embodies an effective strategy for bringing about democratic government for the People of Burma.

2. Country/Region: **Federal Republic of Nigeria.**

Delisting Criteria: The Citizens of the City of Berkeley, acting through the City Council, determine that the foreign policy of the United States regarding the Federal Republic of Nigeria embodies an effective strategy for bringing about democratic government for the Nigerian People.

3. Country/Region: **Tibet Autonomous Region and the provinces of Abo, Kham, and U-Tsang.**

Delisting Criteria: The Citizens of the City of Berkeley, acting through the City Council, determine that the foreign policy of the United States regarding the Tibet Autonomous Region and the provinces of Abo, Kham, and U-Tsang embodies an effective strategy for bringing about democratic government for the Tibetan People.

4. Country/Region: **Republic of Indonesia**

Delisting Criteria: The Citizens of the City of Berkeley, acting through the City Council, determine that the foreign policy of the United States embodies an effective strategy for bringing about East Timorese self-determination and independence in a referendum agreeable to, and supervised by, the United Nations, as called for in United Nations General Assembly Resolutions 31/53 of 1 December 1976, 32/34 of 28 November 1977, 33/39 of 13 December 1978, 34/40 of 21 November 1979, 35/27 of 11 November 1980, 36/50 of 24 November 1981, and 37/30 of 23 November 1982, as well as in United Nations Security Council Resolutions 384 of 22 December 1975 and 389 of 22 April 1976, which, together with United Nations Human Rights Commission Resolution 1997/63 of 16 April 1997, co-sponsored by the United States, must be fully complied with by the Republic of Indonesia.

THE IRRAWADDY

HOME	BURMA	ASIA	BUSINESS	OPINION	FEATURE	INTERVIEW	MAGAZINE	ARCHIVES	SPORTS	BLOG
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Burma

MORE ARTICLES IN THIS SECTION

US City Declares August 8 'Burma Day'

By LALIT K JHA / NEW YORK Thursday, June 12, 2008

Expressing solidarity with the people of Burma and their relentless struggle to fight for democratic rights, a university city in California has decided to observe August 8 as "Burma Day."

Although Berkeley—located in northern California to the east of the San Francisco Bay—does not have much of a Burmese population, the city council at its meeting on Tuesday, June 10, unanimously passed a series of resolutions expressing strong solidarity with the people of Burma.

In the US Congress, the city is represented by Congresswoman Barbara Lee, a well-known advocate of the restoration of democracy in Burma at Capitol Hill.

Commending the people of Burma for 46 years of struggle against a brutal dictatorship and honoring the 20th anniversary of the 1988 popular uprising, the Berkeley City Council in its resolution declared August 8 as "Burma Day."

Under Berkeley's new resolution, on August 8, every year, the city of Berkeley will raise the national flag of Burma and the city will continue to raise the Burmese national flag until a "genuine democracy" is restored in Burma. The flag for this ceremony will be provided by the Burmese American Democracy Alliance.

"By these actions, the Council of the City of Berkeley will help promote the 8/8/88 commemorations held by the Burmese American Democratic Alliance, the Buddhist Peace Fellowship and other allies," said the resolution, which was tabled by the Peace and Justice Commission of the city council.

Berkeley City Council also thanked Congresswoman Barbara Lee for writing to US President George W Bush, urging him not to attend the Beijing Olympics because of its pro-junta policies on Burma.

The resolution further urged Lee and senators Barbara Boxer and Dianne Feinstein to do whatever they could to ensure aid is delivered to Burma, with or without the junta's permission, using any means possible except military invasion or force.

Copies of the resolution are to be sent to Liu Qi, the president of the Beijing Olympic Organizing Committee; and its main sponsors Coca-Cola, McDonald's, General Electric, Johnson & Johnson, Kodak, Visa, Lenovo, Panasonic, Samsung, Manulife Financial, Atos Origin and Omega.

The letter to these companies will communicate Berkeley's opposition to human rights violations by the Chinese government and its opposition to the political cover that these companies give the Chinese government through their sponsorship of the Olympics in China.

 COMMENTS (0)


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Phyo Zeya Thaw, Burmese Pro-democracy Rapper, 41, Is Executed

A hip-hop star, he was a democracy activist in Myanmar and then a lawmaker. After a military coup last year, he was hanged for it.



By Hannah Beech

Published July 27, 2022 Updated July 28, 2022

U Phyo Zeya Thaw, a Burmese hip-hop pioneer whose democracy-affirming lyrics led to a career in Parliament and, after Myanmar's military coup last year, as a resistance leader, was executed on Saturday in Yangon, Myanmar, by the country's military junta. He was 41.

His execution, and those of three other political prisoners, were announced in the junta-controlled news media on Monday. His mother, Daw Khin Win May, confirmed his death.

The four men were convicted of terrorism charges in trials widely denounced as a sham. The four executions, including that of the veteran democracy activist U Kyaw Min Yu, popularly known as Ko Jimmy, were the first to be carried out in decades in Myanmar.

Since the junta seized power last year from a civilian government, it has killed more than 2,100 civilians and arrested 14,800, according to the Assistance Association for Political Prisoners, a monitoring group. Large swaths of the country are in open rebellion, with civilian militias defending against military incursions and launching occasional raids on army bases.

Mr. Phyo Zeya Thaw, already well known as a democracy activist, led an underground resistance cell in Yangon, Myanmar's commercial capital. Many such civilian militias, loosely grouped together as the People's Defense Force, are led by ousted legislators, pro-democracy activists and even the occasional doctor or lawyer.

After Mr. Phyo Zeya Thaw was arrested on terrorism charges last November, the authorities released a photo of him surrounded by weapons that they said he had been planning to use to kill members of the military forces.

His defenders disputed the authenticity of the photo. Mr. Phyo Zeya Thaw's face in the photo was visibly bruised and puffy.

"I laughed when I saw the weapons in the picture," said Ma Thazin Nyunt Aung, Mr. Phyo Zeya Thaw's fiancée, who said she had been with him when he was arrested. "The military council is an organization that is never trusted because it never tells the truth."

Mr. Phyo Zeya Thaw, who was commonly known as Zayar Thaw (pronounced zay-yahr thaw), was adept at career makeovers.

Toward the end of the military's first round of iron-fisted rule, in the early 2000s, he fronted one of Myanmar's first hip-hop groups and co-founded Generation Wave, a collective of rappers, activists and other young people who used music as a medium of dissent.

"With hip-hop, we can express ourselves without fear," Mr. Phyo Zeya Thaw said in a 2011 interview, shortly after he was released from his first stint in prison. "Music can make us brave."

As the ruling generals began to open up the country and allow members of the long oppressed National League for Democracy to run for Parliament in a 2012 by-election, Mr. Phyo Zeya Thaw reinvented himself as a politician, trading his baggy hip-hop outfits for the demure shirt and sarong of the political class. His sideways baseball cap gave way to a neat hairdo worthy of a business executive.

He won a seat in Parliament for the N.L.D., the party of the democracy leader Daw Aung San Suu Kyi.

His was a rare young face in a political party whose stalwarts had grown old battling the military generals who had ruled Myanmar for nearly five decades, a period of international isolation and destruction.

"I was just an activist who rebelled against injustice," Mr. Phyo Zeya Thaw said shortly after his electoral victory. "When I was in prison, I thought seriously about what I wanted. I wanted to end injustice, so I joined the N.L.D."

He grew close to Ms. Aung San Suu Kyi, traveling overseas with her and soothing her often cranky dog.

"He is almost like a son to her," U Win Htein, a now-imprisoned N.L.D. elder, said of Mr. Phyo Zeya Thaw in 2019. "He is very obedient. He believes in her, and she believes in him."

Ms. Aung San Suu Kyi, who rose to de facto leader of Myanmar after elections in 2015 and 2020, is also imprisoned and has been convicted of crimes that Western governments and human rights groups say are trumped up.

Phyo Zeya Thaw was born on March 26, 1981, in Yangon. His father was a rector of a dental school, and his mother was a dentist. In ninth grade, he told his parents that he wanted to become an artist. They encouraged him to pursue more traditional studies.

A year later, he informed his mother, Ms. Khin Win May, that he wanted to become a D.J.

“I asked him to explain what a D.J. is,” she said. He obliged.

She survives him, along with his father, U Mya Thaw; his sister, Daw Phyu Pa Pa Thaw; and

Myanmar was then one of the most closed countries on earth, moldering under the general
terrorized the population. Listening to foreign radio broadcasts or holding foreign currency

While completing his university studies in English, Mr. Phyo Zeya Thaw opened a recording
major hip-hop band. The band was called Acid, and his music name was Nitric Acid.

In 2007, amid rising fuel prices and yet another economic crisis, Buddhist monks led mass
their alms bowls to signal disenchantment with the military junta. Young protesters syncoated their rebellion with local hip-hop.

As it had with previous mass demonstrations, the military ultimately responded with gunfire. Mr. Phyo Zeya Thaw then co-founded
Generation Wave, a secret band of anti-government hip-hoppers and youth activists.

He was arrested in 2008 and convicted of violating a law-and-order statute and of illegally possessing the equivalent of about \$20 in
foreign currency.

After his release from prison in 2011, he still performed at occasional gigs, but he began to focus on promoting the National League for
Democracy.

With the military agreeing to power-sharing with a civilian authority, he was elected to Parliament in 2012 and re-elected in 2015, this time
to represent a district in Naypyidaw, the capital built by the generals early this century to replace Yangon. The military-linked party was
shocked by its defeat on home turf.

Mr. Phyo Zeya Thaw busied himself as an assistant to Ms. Aung San Suu Kyi, helping to prepare briefing papers on legislation and peace
talks with ethnic minority rebels. He remained loyal, even as she earned international condemnation for her support of the military when
it unleashed a campaign of ethnic cleansing against Rohingya Muslims.

During parliamentary season in Naypyidaw, Mr. Phyo Zeya Thaw lived in an austere concrete dormitory for legislators, his room outfitted
with little more than a hard bed with a mosquito net and a table piled high with legislative paperwork. There was little evidence of his life
as one of Myanmar’s most renowned hip-hop artists.

“He liked singing more than politics,” said Ms. Thazin Nyunt Aung, his fiancée. “But he did his duty to the end.”

Mr. Phyo Zeya Thaw declined to run for re-election in 2020, hoping to return to rap. The National League for Democracy won an even
bigger margin of victory that year. The military-aligned party was mortified.

The putsch came less than three months later, and the country’s top leaders were quickly rounded up and imprisoned.

When mass protests against the new junta spilled onto the streets, Mr. Phyo Zeya Thaw joined the rallies. But with soldiers killing
unarmed protesters with single shots to the head, even targeting small children, he and others went underground.

His activities in the resistance are not publicly known. He was arrested in November when 300 soldiers descended on the Yangon housing
project where he was in hiding.

In January, the junta’s court sentenced Mr. Phyo Zeya Thaw and the three other activists to death.

“These death sentences, handed down by an illegitimate court of an illegitimate junta, are a vile attempt at instilling fear among the
people of Myanmar,” the United Nations said in a statement.

Mr. Phyo Zeya Thaw was hanged before dawn on Saturday, along with the three other democracy activists.

“I will always be proud of my son because he gave his life for the country,” Ms. Khin Win May said. “He is the martyr who tried to bring
democracy to Myanmar.”

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Myanmar junta defiantly defends executions as U.S. presses China to do more

By [Adela Suliman](#)

Updated July 26, 2022 at 12:42 p.m. EDT | Published July 26, 2022 at 9:49 a.m. EDT

Myanmar's military junta struck a defiant tone Tuesday after executing four pro-democracy activists, stating that it would not hesitate to repeat the actions, while the United States called on China to exert more political pressure on its neighbor.

The executions were the first death sentences carried out in Myanmar since 1988, sending shock waves through the country and sparking widespread international condemnation. They included two prominent leaders of the civilian resistance movement whom the ruling military accused of terrorism and sentenced to death last year in closed-door trials.

"We had nothing personal with them," military junta spokesman Zaw Min Tun told a news conference in the capital, Naypyidaw, on Tuesday. "We proceeded with the laws to keep the stability of the country in line with the rule of law."

Striking a defiant note, he said the four were sentenced legally by the courts, adding: "I will repeat that their acts should be sentenced to death again and again."

Kyaw Min Yu, 51, also known as Ko Jimmy, rose to prominence in student uprisings in 1988 and had spent years in and out of prison for his activism. Phyo Zeya Thaw, 41, was a hip-hop artist turned member of parliament who was widely admired among Myanmar's youth. Two other men, Hla Myo Aung and Aung Thura Zaw, were also executed, state media reported — all were probably killed by hanging.

The United States condemned the killings by the country also known as Burma.

"Such reprehensible acts of violence and repression cannot be tolerated," tweeted Secretary of State Antony Blinken. "We remain committed to the people of Burma and their efforts to restore Burma's path to democracy."

Secretary Antony Blinken 

@SecBlinken · **Follow**

United States government official



We strongly condemn the Burma military regime's executions of pro-democracy activists and elected leaders. Such reprehensible acts of violence and repression cannot be tolerated. We remain committed to the people of Burma and their efforts to restore Burma's path to democracy.

8:53 AM · Jul 25, 2022



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The State Department went further, saying that after the “heinous acts,” there could be “no business as usual” with the military junta that took power last year in a coup.

Spokesman Ned Price called the executions “a slap in the face to the millions of Burmese who wish to see their country back on the path to democracy,” and he urged countries to ban sales of military equipment to the country and “refrain from lending the regime any degree of international credibility.”

Price also spotlighted Beijing.

“Arguably, no country has the potential to influence the trajectory of Burma’s next steps more so than the PRC,” he said, referring to the People’s Republic of China. “The fact is that the regime has not faced the level of economic and in some cases diplomatic pressure that we would like to see. We are calling on countries around the world to do more. We will be doing more as well.”

He added that Blinken and his counterpart, Chinese Foreign Minister Wang Yi, had discussed Myanmar during their meeting in Indonesia this month.

Senate Minority Leader Mitch McConnell (R-Ky.) also criticized the junta’s “illegitimate rule” and called the executions a “dark step backwards” for the country, which is home to about 55 million people.

“Clearly it is time for Burma’s neighbors to shoulder a larger burden,” he said in a statement. “It is Burma’s neighbors who have the most economic influence over the junta, and it is Burma’s neighbors who have the most at stake.”

Chinese Foreign Ministry spokesman Zhao Lijian told reporters Monday that Beijing “adheres to the principle of noninterference in other countries’ internal affairs.” He added that all parties in Myanmar “should properly handle their differences and disagreements within the framework of the constitution and laws with an eye on the long-term interests of the country.”

Protests took place Tuesday outside Myanmar’s embassies in Bangkok and Tokyo. Human rights groups, the United Nations and foreign governments also swiftly condemned the executions.

Malaysia called them a crime against humanity, with Foreign Minister Saifuddin Abdullah telling reporters Tuesday that the junta was “making a mockery” of a regional peace plan.

The Association of Southeast Asian Nations (ASEAN), of which Myanmar is a member, also denounced the executions as “highly reprehensible.” It said the killings had been a setback to any dialogue between the junta and the opposition. Cambodian Prime Minister Hun Sen, who chairs ASEAN, had previously urged Myanmar’s military leaders not to enforce the death sentences.

Leaders from the European Union, Canada, New Zealand, Japan and Britain and others also issued a joint statement Monday condemning the executions and the regime’s “disregard for human rights and the rule of law.”

In Myanmar, Aung San Suu Kyi’s National League for Democracy party said in a statement that the four men were killed in “cold blood” and accused the junta of committing “atrocities against the people of Myanmar.”

Myanmar’s military first seized power in 1962 but gradually loosened its grip in 2010, allowing for democratic elections and an influx of international companies. Nobel Peace Prize laureate Suu Kyi’s National League for Democracy won elections in 2015, but its administration — circumscribed in advance by military-imposed constitutional changes — was short-lived. The military violently reclaimed total control in February 2021. Since then, more than 100 people have been sentenced to death and thousands imprisoned, rights groups say. Those imprisoned include Suu Kyi.

U.N. Secretary General António Guterres said in a statement Monday that the executions “mark a further deterioration of the already dire human rights environment in Myanmar.”

Suliman reported from London. Cape Diamond in Thailand, Rebecca Tan in Washington and Rachel Pannett in Sydney contributed to this report.

CITY OF BERKELEY
Oppressive States Compliance Statement for Commodities

The undersigned, an authorized agent of _____ (hereafter "Vendor"), has had an opportunity to review the requirements of Berkeley City Council Resolution No. 59,853-N.S (hereafter "Resolution"). Vendor understands and agrees that the City may choose with whom it will maintain business relations and may refrain from contracting with those Business Entities which maintain business relationships with morally repugnant regimes. Vendor understands the meaning of the following terms used in the Resolution:

"Business Entity" means "any individual, firm, partnership, corporation, association, or any other commercial organization, including parent-entities and wholly-owned subsidiaries" (to the extent that their operations are related to the purpose of the contract with the City).

"Commodities" includes, but is not limited to, any tangible supplies, goods, vehicles, machinery or equipment.

"Oppressive State" means: **Tibet Autonomous Region and the Provinces of Abo, Kham, and U-Tsang,**

The commodities which vendor proposes to supply to the City are not manufactured, assembled, extracted, harvested or refined in any Oppressive State. Vendor understands that it is not eligible to receive or retain a City contract if at the time the contract is executed, or at any time during the term of the contract, it buys, sells, leases or distributes Commodities in the conduct of business with, or provides Personal Services to:

- a. The governing regime in any Oppressive State.
- b. Any business or corporation organized under the authority of the governing regime of any Oppressive State.
- c. Any person for the express purpose of assisting in business operations or trading with any public or private entity located in any Oppressive State.

Vendor further understands and agrees that Vendor's failure to comply with the Resolution shall constitute a default of the contract and the City Manager may terminate the contract and bar Vendor from bidding on future contracts with the City for five (5) years from the effective date of the contract termination.

The undersigned is familiar with, or has made a reasonable effort to become familiar with, Vendor's business structure and the geographic extent of its operations. By executing this Statement, Vendor certifies that it complies with the requirements of the Resolution and that if any time during the term of the contract it ceases to comply, Vendor will promptly notify the City Manager in writing.

Based on the foregoing, the undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Printed Name: _____ Title: _____

Signed: _____ Date: _____

Business Entity: _____

I am unable to execute this Statement; however, Vendor is exempt under Section VII of the Resolution. I have attached a separate statement explaining the reason(s) Vendor cannot comply and the basis for any requested exemption.

Signed: _____ Date: _____

Contract description/Specification No.: _____

Attachment D

Peace and Justice Committee Fiscal Year 2023 Work Plan

The Commission emerged from an 18-month pandemic lockdown in the fall of 2021, eager to grapple with the new world that has emerged since mid-2020.

Our landscape in the 2020s is defined by a national racial reckoning and the demand to reimagine public safety, in the midst of an ongoing pandemic, a U.S. body politic figuratively at war with itself, along with a literal war in Europe that makes us fear for our survival, climate destruction even more terrifying, and now with a woman's right to choose under severe attack.

As grim as these challenges are, they can bring out the best of Berkeley's character. This city has a genius for grasping the what the moment calls upon us to do, what role we can play to turn tragedy into triumph.

The big lesson of our times is that the pursuit of human rights, peace and social justice, is one that everyone plays a role in. At the founding of this Commission in 1986, Council declared, "It is the responsibility of one and all to labor hard for peace and justice within forums of appropriate scale."

The mission of the Berkeley Peace and Justice Commission is, firstly, to "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." Secondly, it is to "help create citizen awareness around issues of social justice and develop educational programs for implementation by the City Council and the School Board."

These times are very fluid, and it is impossible to entirely predict what fresh challenges to peace and justice will arise in the coming year. Therefore, the Commission can determine its Work Plan in advance only in part, as we must be able to respond to the unfolding crises of our society.

We do expect, however, to focus much of our work on the following issues:

1. Reimagining public safety in Berkeley.
 - The City of Berkeley is committed to the Reimagining rubric of three parts: Reduce, Improve, and Invest. Public (or community) safety is seen in its broadest sense: how can we ensure our collective and individual safety and health?
 - The Commission's mandate calls upon us to "develop ways to resolve conflict which do not involve violence and which may be applied on a local level as well as a national level....Our best protection lies in initiating, devising, and promulgating peaceful and just policy alternatives." Today, we call these restorative practices.
 - From the beginning of the Reimagining process in 2020, the Council elaborated three overall goals. The first two were outcome-focused, envisioning a transformative

approach to public safety and equitable investments in historically marginalized communities. The third envisioned a process shift, “a broad community process that will result in deep and lasting change to support the safety and well-being of Berkeley residents.”

As the City moves into planning and implementation phases, we and other advisory commissions must play our full role in concert with the elected leaders, staff, and public to ensure that the needs of the community are clearly heard.

- City Council has proposed to create an Office of Equity and Diversity, initially to consider the recommendations from the Reimaging Public Safety Task Force. As the Commission mandated to advise Council and BUSD on all matters of social justice, Peace and Justice will follow with interest the work of the Office, and support it with community-based input.

2. Fostering world peace and security.

- Promote a just and prompt end to the illegal invasion of Ukraine by Russia.
- Contribute to the global conversation about international security and how such conflicts can be prevented in the future.
- Defend democracy and freedom in domestic and U.S. foreign policy, including immigration and economic, military, and diplomatic relations.

3. Defending reproductive rights including access to abortion.

- Based on the recent Supreme Court leak, the greatest rollback on access to abortion in a century appears underway.
- Governor Newsom has been working with community organizations from some time in preparation for this moment. The recommendations made by the Governor’s Future of Abortion Council (CA-FAB)¹ focus primarily on supporting women who may travel to California for procedures that will no longer be available in their states. Secondly, they propose broadening support for abortion provision across California, surveying issues preventing access in the most-impacted communities.
- The Peace and Justice Commission has recommended to the City Council that it charter a similar investigation of reproductive care and women’s health in Berkeley. As we move into the expected post-Roe future, it is important to know what disparities in access and affordability of reproductive health services exist in our City.

4. Eliminating racial and other inequities in all realms, including housing, health, law enforcement, education, labor, and the environment.

¹ <https://apnews.com/article/abortion-california-sanctuary-625a118108bcda253196697c83548d5b>
and
https://www.plannedparenthoodaction.org/uploads/filer_public/d8/e1/d8e17825-72e0-4f6f-9c57-7549bb54261e/ca_fab_council_report_.pdf

- Not only have these manifold disparities been identified and studied for many years, beginning measures to address them have been discussed and adopted. To secure the public's trust in overcoming inequality, the program of change must be clearly communicated, it must be fully funded and successfully implemented, and it must have full transparency, community oversight, and accountability.
- In early 2021, Council also passed a resolution titled "Declare Racism as a Public Health Crisis, a Threat and Safety Issue in the City of Berkeley" proposal, providing an additional framework for the Department of Equity and a potentially a path for Peace and Justice to collaborate with other commissions and City departments toward a new paradigm in public safety and health.²
- The Commission continues to support and advocate for the African American Holistic Resource Center (AAHRC).

5. Support efforts in the BUSD to provide equitable access to education.

- In the last year, commissioners have reached out to school board members, staff, and other members of the BUSD community to discuss how we can be of help in the District's social justice initiatives. The commission is studying the BUSD's African American Success Framework and its new program for K-12 Ethnic Studies. We will continue to look for ways to support such positive initiatives and to build support for them in the community at large.

In addition, several other critical social issues cry out for our attention, including voter suppression, gun violence, and homelessness and affordable housing for all.

Ongoing Projects

Nuclear-Free Berkeley

The Nuclear Free Berkeley Act came into force in 1986 (Chapter 12.90.070 Section 030D). The Peace & Justice Commission established the Subcommittee on The Nuclear Free Berkeley Act (NFBA) to oversee and reinforce compliance with the terms of the Act. The

² The "Declare Racism as a Public Health Crisis, a Threat and Safety Issue in the City of Berkeley" proposal reflects on both the disparate impact of Covid-19 on Black, Latinx, Native American, and Asian American communities, and the heightened understanding of structural and institutionalized racism nationally. The proposal commits the City to eliminate all socioeconomic barriers to health equity. Specifically, it calls for a series of town hall meetings throughout the sessions to address the concerns of people of color and marginalized community members and to strengthen the anti-racist capacity building; establishment of a working group to promote racial equity; the City Manager to explore greater health disparities that have emerged as a result of the COVID-19 crisis; to propose a Health in All Policies Ordinance; mandatory anti-racist training for City employees; a Strategic Plan for Health Equity; an anti-racism dashboard; work with BUSD to study whether "race-based differential access means that some students have less access to educational opportunities."

Subcommittee's activities have included:

- recommendation against a waiver for continuation of the Berkeley Public Library's contracts with 3M (2009-2010);
- consideration of a waiver for the City of Berkeley Public Health Division's proposal on medical supplies (2012);
- recommendation of a waiver for the SkyDeck Business Incubator-Accelerator Contract (2012);
- recommendation (February 7, 2013) to the Regents of the University of California that it phase out responsibility for operating the Nuclear Weapons Laboratories in Livermore and Los Alamos;
- a letter from the City of Berkeley to President Obama in 2014 urging support of a ban on nuclear weapons;
- maintenance of opposition to nuclear power.

More recently, in light of the Award of the Nobel Peace Prize in 2017 to the International Campaign to Abolish Nuclear Weapons (ICAN), whose goal is international adherence to and full implementation of the Treaty on the Prohibition of Nuclear Weapons (the Treaty), the Peace and Justice Commission will seek to collaborate further with ICAN on activities of mutual concern. We would note that the California State Senate and the California State Assembly voted affirmatively on a bill in September 2018 to urge U.S. Senate adoption of the Treaty. Strong support comes also from the International Red Cross Red Crescent Movement; Nuclear Ban US; The City of Los Angeles, California; the City of Takoma Park, Maryland; Physicians for Social Responsibility; and the U.S. Conference of Mayors, among others.

Indigenous Peoples

Between December 2015 and January 2016, the Berkeley City Council, upon the recommendation of the Peace and Justice Commission, adopted five important resolutions supporting the treaty rights of indigenous people in Berkeley. The resolutions included: recognition of the Ohlone people as the original inhabitants of Berkeley and the Bay Area, pledging to work in good faith with Ohlone representatives; implementing the UN Declaration on the Rights of Indigenous Peoples as municipal policy; endorsing the upgrading of the Declaration to a Convention; honoring the Berkeley Shellmound indigenous site; and urging the East Bay Regional Parks District to protect the Ohlone place of origin sacred site.

The resolution on the Berkeley Shellmound mandated that “free, prior, and informed consent of the Ohlone and other indigenous peoples of the region should be integral to any alteration planning for the Berkeley Shellmound site, in accordance with the provisions of the United Nations Declaration on the Rights of Indigenous Peoples.”

Socially Responsible investment and Procurement Policy (SRIPP) and Sustainable Sweatshop-Free Berkeley

The SRIPP Subcommittee of the Peace and Justice Commission was chartered by resolution of the Berkeley City Council on July 16, 2019. Its immediate charge is to develop a proposed policy to “govern the Commission’s advisory role in socially responsible investing and socially responsible procurement.” Prior to March 2020, the subcommittee held several meetings including one discussion with City Finance Department staff and used those conversations to craft a draft SRIPP ordinance that is responsive to the City Council’s request.

The Sweatshop-Free Berkeley Policy now has a zero-dollar threshold per supplier per year for textile products purchased by the City. This threshold is an improvement over the previous minimum of \$1,000 purchase per supplier for the Policy to apply. However, the policy is complaint-driven, so the burden is on community members to research the supply chain for each supplier. The SRIPP Subcommittee proposes to establish a mechanism for suppliers to show that they are using Sweatshop Free products for City purchases.

The Policy governs textile purchases only. The goal is to identify sweat-free alternatives for technology purchases so tech can be covered as well.

The BUSD, through the School Board Policy Committee, is in the process of establishing a Sweatshop-Free Schools Policy for athletic supplies. The SRIPP Subcommittee and the Commission are supporting the BUSD to ensure the development of an effective policy.

1 Resolution in Favor of Congressional Action to Repeal Selective Service Registration

2
3 WHEREAS, the Peace and Justice Commission advises the City Council on all matters relating to
4 the City of Berkeley's role in issues of peace and social justice (Berkeley Municipal Code Chapter
5 3.68.070); and
6

7 WHEREAS, S.1139, Selective Service Repeal Act of 2021 (Ron Wyden, OR) has two co-sponsors
8 as of May 15, 2021,¹ and H.R. 2509, Selective Service Repeal Act of 2021 (Peter DeFazio, OR),
9 which has 17 co-sponsors as of February, 2022;² and
10

11 WHEREAS, This bill repeals the requirement for males of ages 18 through 25 years old to register
12 with the Selective Service. The bill also specifies that an individual shall not be penalized for prior
13 failure to register with the Selective Service; and
14

15 WHEREAS, Representative DeFazio said in a press release dated May 14, 2021, “No young
16 person, regardless of gender, should be subject to a military draft or be forced to register for a
17 draft in the United States. The military draft registration system is an unnecessary, wasteful
18 bureaucracy which unconstitutionally violates Americans’ civil liberties and unfairly subjects
19 individuals who fail to register for the draft to unnecessarily severe, lifelong penalties – penalties
20 which disproportionately affect low-income Americans;”³ and
21

22 WHEREAS, the American Friends Service Committee states that it “opposes requiring anyone,
23 regardless of gender, to register for the draft and to participate in systems of war. However, in
24 July [2021], the Senate Armed Services Committee voted to expand the registration
25 requirement—and associated penalties—to women. This is a step backward toward militarism
26 that hurts us all. Instead of expanding registration, the U.S. must end the Selective Service
27 requirement for everyone....Without an active draft, the Selective Service system has become a
28 military recruitment tool with recruiters often targeting Black, Brown, and low-income
29 communities;”⁴ and

30 WHEREAS, even former directors of Selective Service have called its records “less than
31 useless” and have called for an end to registration.⁵

32 NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley calls on
33 Representative Barbara Lee and Senators Dianne Feinstein and Padilla to co-sponsor S.1139 and

1 <https://www.congress.gov/bill/117th-congress/senate-bill/1139>

2 <https://www.congress.gov/bill/117th-congress/house-bill/2509>

3 <https://defazio.house.gov/media-center/press-rel> s sease/defazio-davis-wyden

4 “Not registering for the Selective Service is a felony, and those who choose not to register face many penalties [including many government jobs and job training and state student aid] It can also cause a five-year delay for those seeking citizenship. In the worst case scenario, if someone were to be criminally convicted of not registering, they could be fined up to \$250,000 and sent to jail for up to 5 years....The United States has not drafted anyone since 1973, <https://www.afsc.org/blogs/news-and-commentary/its-time-to-end-not-expand-selective-service-system>

5 The Selective Service system, which costs taxpayers about \$26 million a year, collects registration records that have been described as “less than useless” by Bernard Rostker, a former director of the agency.” AFSC, op.cit.

Former Selective Service director Edward Hasbrouck said on April 30, 2019, “... it’s time to end draft registration. <https://couragetoresist.org/time-to-end-draft-registration/>

34 H.R. 2509.

35

36 BE IT FURTHER RESOLVED that copies of this resolution be sent to Berkeley's congressional
37 representative.