

Peace and Justice
Commission

PEACE & JUSTICE COMMISSION MEETING AGENDA
Monday, November 4, 2019 – 7:00 p.m.
Berkeley City Hall,
2180 Milvia, Cypress Room Berkeley, CA

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 - see attachment 2
5. Commission Updates & Chairperson's Report
6. Secretary's Report (including status of passed items from previous meetings)

SECTION B. ACTION ITEMS

7. Resolution calling on the government of India to retract the revocation of Articles 370 and 35a (Commissioner al Bazian) - see attachment 3
8. Resolution affirming Berkeley's commitment to our asylum-seeking residents (Commissioner Bohn) – see attachment 4
9. Resolution opposing the new military base at Henoko, Okinawa (Bohn) – see attachment 5
10. Proposal to sponsor an educational forum regarding the 75th anniversary of the atomic bombings of Hiroshima and Nagasaki and host a rally in support of ending the research and development of nuclear weapons at Livermore National Weapons Lab and all other locations (Meola) - see attachment 6
11. Discussion and possible action on potential Council proposal to modify role of commissions (Tregub and Lippman)

SECTION C. SUBCOMMITTEE REPORTS AND OTHER COMMISSION BUSINESS

12. Subcommittee on The Convention on the Rights of Persons with Disabilities discussion and potential appointments (Commissioner Maran)

13. Subcommittee on Socially Responsible Investments and Procurement discussion and potential appointments (Commissioner Bohn)
14. BUSD subcommittee discussion and potential appointments (Commissioner Pancoast)

SECTION D. COMMUNICATIONS

SECTION E. BACKGROUND INFORMATION

SECTION F. ADJOURNMENT

Attachments:

1. Roster
2. Minutes of October 7, 2019 meeting
3. Resolution calling on the government of India to retract the revocation of Articles 370 and 35a
4. Resolution affirming Berkeley's commitment to our asylum-seeking residents
5. Resolution opposing the new military base at Henoko, Okinawa
6. Proposal to sponsor an educational forum regarding the 75th anniversary of the atomic bombings of Hiroshima and Nagasaki and host a rally in support of ending the research and development of nuclear weapons at Livermore National Weapons Lab and all other locations

The next meeting of the Peace & Justice Commission is scheduled for January 6, 2019. All proposed Commission agenda items should be submitted to the Commission Secretary by or before December 20, 2019. Dates are subject to change, please contact the Commission Secretary by email at bslimick@cityofberkeley.info to confirm receipt of submitted items.

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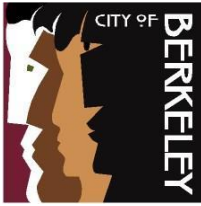
Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at Old City Hall located at 2134 Martin Luther King Jr. Way, Berkeley, CA 94704.

Commission Contact Information

Breanne Slimick, Secretary

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Peace and Justice Commission Roster		
Name	Appointer	District
Omeed Askary	<i>Levy-Cutler</i>	<i>BUSD</i>
Zo Pancoast	Alper	BUSD
Zaira Rodriguez	Student Director	BUSD
Rachel Pierce	Julie Sinai	BUSD
VACANT		BUSD
Grace Morizawa	Appel	BUSD
Igor Tregub (Chair)	Arreguin	Mayor
Rita Maran	Maio	1
Dr. Hatem al-Bazian	Davila	2
J. George Lippman (Vice Chair)	Bartlett	3
Diana Bohn	Harrison	4
Judith Gussmann	Hahn	5
Robert L Meola	Wengraf	6
Vacant	Worthington	7
Vacant	Droste	8



Peace and Justice
Commission

**Peace and Justice Commission Meeting
Regular Meeting – Monday, October 7, 2019
City of Berkeley City Hall, 2180 Milvia, Berkeley CA, Cypress Room**

DRAFT MINUTES

The meeting convened at 7:05 pm with Chair Tregub presiding.

**Paul Blake is substituting for Commissioner Lippman*

1. Roll Call

Present: Askary, al-Bazian, Gussmann (7:06 PM), Blake, Maran, Meola, Morizawa, Pancoast, Pierce (7:10 PM), Rodriguez, Tregub

Absent: Bohn

Excused: Pancoast, Pierce

2. Announcements

3. Comments from the Public

Public Attendance: 7

Public Comments: 6

Action Items

4. Review and Approval of Meeting Minutes

The Peace and Justice Commission adopted minutes for September 9, 2019 meeting.

M/S/C: Maran, Meola

Ayes: al-Bazian, Bohn, Gussmann, Han, Blake, Maran, Meola, Pancoast, Rodriguez, Tregub

Noes: None

Abstain: Askary

Absent: Morizawa, Pierce

Excused: None

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5. Commission Updates and Chairperson’s Report (No Action Taken)

6. Secretary’s Report (No Action Taken)

7. **City Auditor Presentation on Internal Domestic Violence Policy**
8. **Presentation: Alameda County Census 2020**
9. **Resolution calling on the government of India to retract the revocation of Articles 370 and 35a (Commissioner al Bazian)**

Item #9 Moved to November meeting agenda

10. **Send a letter to City Council supporting charter amendment for strengthened police oversight (Vice Chair Lippman)**

The Peace and Justice Commission voted to send a letter to the Berkeley City Council supporting the proposed charter amendment to strengthen police oversight.

M/S/C: Bohn, Tregub

Ayes: Askary, Bohn, Gussmann, Han, Blake, Maran, Morizawa, Pancoast, Rodriguez, Tregub

Noes:

Abstain: al-Bazian, Meola, Morizawa

Absent: Pierce

Excused:

11. **Subcommittee on The Convention on the Rights of Persons with Disabilities (No Action Taken)**
12. **Subcommittee on Socially Responsible Investments and Procurement (No Action Taken)**
13. **BUSD subcommittee discussion and potential appointments (No Action Taken)**

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The meeting was adjourned at 8:30 PM.

Respectfully Submitted,

Breanne Slimick, Secretary
Peace and Justice Commission

Peace and Justice Commission
City of Berkeley
Draft

Resolution Urging the Indian Government to Immediately End the Siege in Kashmir, Protect the Human Rights of Kashmiris, Dismantle the Military Occupation, and Enable the UN Resolved Plebiscites to Take Place

Whereas: In the 72-year-old history of Indian Military Occupation, the unilateral abrogation of Articles 370 and 35A is only the most recent violation of the constitutional autonomy, guaranteed to the people of Jammu & Kashmir, *pending the determination of the peoples' will* -- an autonomy that was already severely diminished via a series of illegal moves and vast military presence.

Whereas: On August 5th, 2019, the government of India abrogated Articles 370 and 35A of its constitution, without consulting the Jammu & Kashmir constituent assembly, as required by law, or by consulting the political or civil society leaders and the people themselves, thereby not just unilaterally revoking the semi-autonomous status of Jammu & Kashmir, but also, very crucially, breaking off *the only legal connection* between Jammu & Kashmir and India, thus making Indian control over the territory *an explicit Annexation*.

Whereas: The abrogation of Articles 370 and 35A of the Indian constitution is a move intended to bring about demographic changes in the disputed territory of Jammu & Kashmir, by opening it up to settlement by outsiders, a possibility that had heretofore been held in check via Article 35A.

Whereas: Jammu & Kashmir is *disputed territory*, according to the United Nations, and *must be* resolved based on the principle of self-determination, as acknowledged by the UN, and *any* engineered demographic change in disputed territories is *manifestly illegal* according to International Law.

Whereas: Jammu & Kashmir is *not* a bilateral issue between India and Pakistan, but instead requires the implementation of the right to self-determination, *which the international community has already promised the people of Jammu & Kashmir via UN Resolution 47(1948)*.

Whereas: India has ruled Jammu & Kashmir through the 'illegal use of force,' committing gross human rights violations, with absolute impunity, which is unacceptable within international law and amounts to a contravention of Jus Cogens norms.

Whereas: The territory Jammu & Kashmir does not belong to India or Pakistan. Currently, India maintains some 900,000 troops in the region -- 700,000 of which have been stationed there since 2010, already making the disputed territory *the most militarized in the world*.

Whereas: The anti-democratic abrogation of Articles 370 & 35A was preceded and followed by a surge of, variously reported, 40,000-180,000 Indian forces to the already *most heavily militarized* Jammu & Kashmir.

Whereas: Starting from August 4, 2019, India imposed a total and unprecedented communications siege across Kashmir Valley and sections of Ladakh, entailing no internet, no cell phones, no landlines, no mail services, no regular television etc, and barricaded entire neighborhoods, effectively cutting off Kashmiris from the world and from each other *even inside*

Kashmir -- people have been unable to inform close relatives living in the same city about death, births, illnesses, and other emergencies.

Whereas: Kashmiris remain cruelly cut off from each other and the outside world while their families across the globe, including Kashmiri Americans in the city of Berkeley, are unable to contact them and ensure their safety and well-being. (Some landlines and a tiny minority of the cell phones have been reopened, the latter on the 72nd day of the siege, October 14.)

Whereas: The communication siege has already caused a loss of more than a \$700 Million USD (~5000 Crore INR) to the Kashmiri economy.

Whereas: The Indian Occupation started a massive detention of local political and social leaders and of Kashmiris citizens at large, sending some to unknown prisons outside Kashmir, and put into place other coercive measures like effective curfews, razor wires, barricades, checkposts, bunkers et al, to *effectively incarcerate* approximately 8 million Kashmiri people in the biggest open-air prison in the world.

Whereas: India continues the arrest and preventive detention of Kashmiri politicians from across the spectrum (the Joint Resistance Leaders have been in custody off and on for decades now); Kashmiris from the civil society, human rights activists, academics, journalists, and *most disturbingly of young boys aged 10-17*, up to 13,000 in number (as of Sept 23, 2019, according to an independent report by some Indian women).

Whereas: The Indian State already has outstanding allegations of widespread torture of Kashmiris, widely documented by the local civil rights organizations and acknowledged by the United Nations in its two reports on Kashmir, released in 2018 and 2019 -- which also mention the more than 6700 unmarked massgraves, the Forcibly Disappeared, fake encounters, massacres, and the incidents of mass rapes by the Occupying forces -- this torture has not just continued but exponentially increased since August 5, 2019.

Whereas: India has gagged Kashmiri journalists and Kashmiri news publications through heavy restrictions, incarcerations, censorship, and constraints in their reporting, including the embargo on communications.

Whereas: The ongoing blackout has also severely restricted the ability of international press to investigate on the ground in Kashmir, the few reports that have emerged have been uniformly disturbing, entailing: mass detentions of doctors, lawyers, and children as young as 10; use of torture, including sexual torture, and lethal force against civilians; dwindling supplies of life-saving medical treatments, inability of patients to access hospitals, inability to access specialists on time; and the curtailment of religious freedoms.

Whereas: The prohibition of peaceful assembly and the use of military force by the Indian State to quell protests has resulted in deaths and injuries.

Whereas: The Indian State uses the singular lens of "terrorism" to conceal the reality of the Indian Occupation, erases the 100 plus years of struggle for sovereignty led by the people of Kashmir, and ignores the right of Kashmiris to resist any foreign occupation of their land by all means possible: the foundation of all International Laws, as we know them today. "Terrorism," as a discursive, analytical and policy lens for Kashmir, cannot be separated from broader

conversations on Settler-Colonialism, Islamophobia, racism, genocide, and majoritarian nationalism sweeping India and beyond.

Whereas: Genocide Watch has issued a 'Genocide Alert' on the disputed territory of Kashmir.

Therefore, let it be resolved:

That the City of Berkeley's Peace and Justice Commission goes on record as immensely concerned about the developments in Kashmir and the anti-democratic actions and human rights abuses of the Indian government.

Resolved: That Berkeley's Peace and Justice Commission call on the Indian government to work towards a peaceful resolution of the conflict via recognizing the right of self-determination of the people from Jammu & Kashmir, *as fully acknowledged and resolved by the United Nations*.

Resolved: That Berkeley's Peace and Justice Commission support the right of people from Jammu & Kashmir to decide their own political future and exercise the right to build a free, just, and a peaceful society that recognizes the dignity of all people and seeks the welfare of all its citizens.

Resolved: That Berkeley's Peace and Justice Commission call on all city and state elected representatives to urge India's *immediate and complete cessation of the siege of eight million Kashmiris*, and end the communications blackout in Kashmir so that this city's residents may contact their families, and so that reports of human rights abuses may be thoroughly and properly investigated by international press and independent human rights observers.

Resolved: That the Indian government immediately restore the Kashmiris' basic human rights: right to life, mobility, food, education, work, and health.

Resolved: That the Indian government ensure the right of free expression, a free press, free association and free assembly.

Resolved: That the Indian government immediately repeal all discriminatory and colonial laws like AFSPA (Armed Forces Special Powers Act) and PSA (Public Safety Act) -- terrible laws that enable preventive detention, political persecution, arrest without warrants, and give impunity to the Indian soldiers who rape, torture or kill Kashmiris.

Resolved: That the Indian government end the military occupation of Kashmir, and allow free movement of Kashmiris from either side of the Line of Control (LoC) which divides Kashmiris from their kith and kin.

Resolved: That the Indian government immediately end torture, sexual violence, forced disappearances, murder, maiming, intimidation and other crimes and require all perpetrators of such crimes to be duly punished through a transparent and accountable system.

1 Resolution Affirming Berkeley's Commitment to our Asylum-Seeking Residents and
 2 Condemning the Federal Government's Administrative Decision Undermining Asylum
 3 Protection for Survivors of Domestic Violence
 4

5 WHEREAS, the Peace and Justice Commission advises the City Council on all matters relating
 6 to the City of Berkeley's role in issues of peace and social justice (Berkeley Municipal Code
 7 Chapter 3.68.070); and
 8

9 WHEREAS, the Berkeley City Council has repeatedly affirmed its commitment to protecting
 10 our immigrant communities, and since January 2017 has consistently condemned actions of the
 11 Trump Administration that target our immigrant and asylum-seeking residents;¹ and
 12

13 WHEREAS, the City of Berkeley has a long history and proud legacy of leading the fight to
 14 advance women's rights and combat gender-based violence;² and
 15

16 WHEREAS, former U.S. Attorney General Jefferson B. Sessions, on June 11, 2018, issued a
 17 sweeping decision in the asylum case *Matter of A-B-* (27 I&N Dec. 316 (A.G. 2018)), involving
 18 a domestic violence survivor from El Salvador, which vacated the Board of Immigration
 19 Appeals' landmark decision in *Matter of A-R-C-G-* (26 I&N Dec. 388 (BIA 2014)), which had
 20 recognized domestic violence as a basis for asylum;³ and
 21

22 WHEREAS, in his decision then-Attorney General Sessions declared that asylum seekers
 23 presenting claims based on domestic violence will "generally" no longer qualify for relief, and
 24 his decision included sweeping pronouncements undermining protections for individuals fleeing
 25 other forms of persecution perpetrated by nongovernment actors, including gangs and organized
 26 crime groups;⁴ and
 27

28 WHEREAS, in *Grace v. Whitaker* (344 F. Supp. 3d 96 (D.D.C. 2018)), the U.S. District Court
 29 for the District of Columbia found the heightened standards articulated by Sessions in *Matter of*
 30 *A-B-* to be inconsistent with existing legal precedents and congressional intent behind the
 31 Refugee Act of 1980, holding that there can be no blanket rule barring domestic violence
 32 asylum claims, and although the *Grace* decision has halted the implementation of *Matter of A-*
 33 *B-* in initial credible fear proceedings, the Departments of Homeland Security and Justice have
 34 instructed adjudicators that *Matter of A-B-* must continue to be used in deciding asylum claims

¹ Berkeley Sanctuary City: https://www.cityofberkeley.info/Mayor/Home/Sanctuary_City.aspx

² The City Council of the City of Berkeley finds and determines as follows: ... The United Nations General Assembly adopted CEDAW in 1979 and it became effective as an ... One hundred eighty-seven nations have agreed to be bound by the provisions of CEDAW: <https://www.codepublishing.com > CA > Berkeley > Berkeley1320020.html>

³ Dec 19, 2018 - Attorney General Sessions used Ms. A.B.'s case to vacate a previous ... On August 7, 2018, twelve asylum seekers from El Salvador, *Matter of A-B-* may request protection again if they return to the precedential immigration decision issued by then-Attorney 3d ---, 2018 WL 4637013 (D.D.C.)Sept.: <https://cliniclegal.org > resources > attorney-general-issues-precedent-decision>:

<https://cliniclegal.org/resources/attorney-general-issues-precedent-decision-matter-b-seeking-limit-protection-asylum>

and

<https://www.justice.gov > eoia > page > file > download>

⁴ *Grace v. Whitaker* (344 F. Supp. 3d 96 (D.D.C. 2018)), the U.S. District Court for the District of Columbia found the heightened standards articulated by Sessions in *Matter of A-B-* to be inconsistent with existing legal precedents and congressional intent behind : <https://casetext.com/case/grace-v-whitaker> and: <https://www.aclu.org/legal-document/grace-v-whitaker-opinion>

35 on their merits. Berkeley's East Bay Sanctuary Covenant was a lead plaintiff in successful
36 lawsuit challenging the Trump Administration in this matter;⁵ and

37
38 WHEREAS, the majority of women and girls seeking asylum at the U.S. southern border hail
39 from the Northern Triangle countries of Central America, El Salvador, Guatemala, and
40 Honduras, where rates of femicide (gender motivated killings of women) are among the highest
41 in the world, and which are currently experiencing epidemic levels of violence, including
42 widespread domestic violence and other forms of gender-based violence, which is perpetrated
43 with virtual impunity;⁶ and

44
45 WHEREAS, according to data from the Syracuse University Transactional Records Access
46 Clearinghouse (TRAC), in the 12 months following the issuance of the *Matter of A-B-* decision
47 national asylum grant rates for applicants from El Salvador, Guatemala, and Honduras fell to an
48 average of 15 percent, compared to a 24 percent grant rate in the year prior to the decision; and
49 the *Matter of A-B* decision has put countless women, children, LGBTQ people, and families at
50 heightened risk of removal to perilous situations where their lives are in danger;⁷ and

51
52 WHEREAS, United Nations guidance and international law reflect that domestic violence can
53 form the basis of asylum protection when all other elements of the refugee definition are met,
54 and the United Nations High Commissioner for Refugees (UNHCR) has asserted that the
55 *Matter of A-B-* ruling stands at odds with the United States' international treaty obligations by
56 creating a high barrier to women fleeing domestic violence;⁸ and

⁵ [Grace v. Whitaker, 344 F. Supp. 3d 96 | Casetext:](https://casetext.com/.../2018/December/Grace-v-Whitaker)

[https://casetext.com > ... > 2018 > December > Grace v. Whitaker](https://casetext.com/.../2018/December/Grace-v-Whitaker)

Dec 17, 2018 - Read the full text of *Grace v. Whitaker* for free on Casetext. ... On June 11, 2018, while Gonzales-Veliz's motion for reconsideration was still *Reno*, 18 F.Supp.2d 38, 41 (D.D.C. 1998) (describing prior system for removal).

and [East Bay Sanctuary Covenant v. Trump | American Civil ...: https://www.aclu.org > cases > east-bay-sanctuary-covenant-v-trump](https://www.aclu.org/cases/east-bay-sanctuary-covenant-v-trump)

Feb 7, 2019 - The American Civil Liberties Union, Southern Poverty Law Center, and Center for Constitutional Rights filed a federal lawsuit challenging the ...

and Aug 13, 2019 - *East Bay Sanctuary Covenant v. Trump*. Restrictions on Asylum. 18-17274, 18-17436. Due to the level of interest in this case, this site has been: [https://www.ca9.uscourts.gov > content > view](https://www.ca9.uscourts.gov/content/view)

..
⁶ Dec 19, 2018 - Now, the Northern Triangle is turning deadly for women, too. ... A total of 2,559 cases of femicide were reported in Latin America and the ...

The Northern Triangle also has an incredibly high rate of femicide (the intentional killing of females because of their gender) as well as violence against : Latin America and the ... : [https://www.jstor.org > stable domestic violence asylum claims and recent](https://www.jstor.org/stable/domestic-violence-asylum-claims-and-recent)

⁷ Asylum Representation Rates Have Fallen Amid Rising Denial Rates: domestic violence asylum claims and recent ... domestic violence asylum claims and recent ... <https://trac.syr.edu/immigration/reports/491/>

⁸ [Why domestic abuse and anti-gay violence qualify as ...](https://theconversation.com/why-domestic-abuse-and-anti-gay-violence-qualify-as-...)

[theconversation.com > why-domestic-abuse-and-anti-gay-violence-qualify...](https://theconversation.com/why-domestic-abuse-and-anti-gay-violence-qualify-as-...)

Jun 15, 2018 - International law recognizes that women and LGBTQ people face unique forms of violence that may qualify them for asylum. ... by asserting that women fleeing domestic violence will not generally qualify for asylum. ... The United Nations has reinforced this interpretation, stating that individuals who fear ...: [domestic violence asylum claims and recent ... - jstor](https://www.jstor.org/stable/domestic-violence-asylum-claims-and-recent-...-jstor)

and

[domestic violence asylum claims and recent ... - jstor: https://www.jstor.org > stable](https://www.jstor.org/stable/domestic-violence-asylum-claims-and-recent-...-jstor)

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WHEREAS, in 2018, 84 members of Congress, including Congresswoman Barbara Lee, cosponsored Congresswoman Jan Schakowsky's (D-Ill.) resolution (H.Res.987) condemning the former Attorney General's decision in *Matter of A-B*;⁹ and

WHEREAS, Senators Feinstein and Harris have decried the *Matter of A-B*- ruling and called for its reversal;¹⁰ and

WHEREAS, 118 members of Congress, including Barbara Lee, signed a letter sent on September 12, 2018 to then-Attorney General Sessions requesting that he rescind his decision in *Matter of A-B*.¹¹

THEREFORE BE IT RESOLVED, that the Council of the City of Berkeley declares its condemnation of former Attorney General Sessions' decision in *Matter of A-B*- seeking to close the door to women and others seeking asylum on the basis of domestic violence; and,

BE IT FURTHER RESOLVED, that Council of the City of Berkeley recognizes the decision as a shameful attempt to eviscerate protections for women, children, LGBTQ people, and families fleeing harrowing violence; and

BE IT FURTHER RESOLVED, that the Council of the City of Berkeley calls on the U.S. Department of Justice to rescind the *Matter of A-B*- decision; and

BE IT FURTHER RESOLVED, that the Council of the City of Berkeley urges congressional appropriators to instruct the Departments of Justice and Homeland Security that they may not use appropriated funds to implement *Matter of A-B*-; and

BE IT FURTHER RESOLVED, that the Council of the City of Berkeley urges our leaders in Congress to enact laws that address the issues created by *Matter of A-B*- and restore justice and fairness to our asylum system; and

BE IT FURTHER RESOLVED, that the Council of the City of Berkeley urges the federal courts of appeals to overturn *Matter of A-B*- and affirm that domestic violence may be a basis for asylum; and,

by S Mullally - 2011 - [Cited by 22](#) - [Related articles](#)

obligations that international law now imposes on States. ... sensitivity in the practice of refugee law, women fleeing domestic violence continue to on Gender Issues for Decision-Makers (1996); Immigration and Refugee Board of ... panded the potential reach of the Convention.¹² In this it has been aided by the work of.

⁹ H.Res.987 - Condemning the Attorney General's decision in "Matter of A-B-" seeking to declare domestic violence and gang violence as invalid grounds for seeking asylum:

¹⁰ [Feinstein Statement on Asylum Law Changes: https://www.feinstein.senate.gov/public/index.cfm/press-releases?ID=51182C79-CC38-4A12-9395-10404C2C0044](https://www.feinstein.senate.gov/public/index.cfm/press-releases?ID=51182C79-CC38-4A12-9395-10404C2C0044)

and <https://twitter.com/SenKamalaHarris/status/1017481406866444288>

¹¹ ¹¹118 House Democrats to AG Sessions: Reverse Decision Ending Asylum for Victims of Domestic, Gang, and Gender-Based Violence: <https://mcgovern.house.gov/news/documentsingle.aspx?DocumentID=397246>

91 BE IT FURTHER RESOLVED, that City Council asks the City Clerk to send a copy of this
92 resolution to Congresswoman Barbara Lee, Senators Dianne Feinstein and Kamala Harris, the
93 Chair of the congressional Appropriations Committee, and the Chair of the Judicial Committee.
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95
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Resolution opposing the new U.S. base construction in Henoko-Oura Bay of Okinawa.

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 Chapter 3.68.070); and

WHEREAS, a new U.S. military base is being constructed in the Pacific Ocean, in Okinawa's Oura Bay,¹ in the Henoko region of Okinawa. Oura Bay is one of the most bio-diverse ecosystems on the planet with over 5,300 species and world-renowned coral reef systems. 262 of the species in Oura Bay are endangered, including the dugong, a medium-sized marine mammal, which have been closely monitored internationally by environmental groups due to its diminishing numbers as well as its status as a designated a cultural property² of indigenous historical value; and

WHEREAS, the Japanese government, in partnership with the U.S. government, is causing irreversible harm to the ecosystem by dropping concrete blocks on top of precious coral and suffocating the marine habitat with dirt and concrete. The construction is already adversely impacting the region, contributing to species collapse and furthering environmental damage already sustained from rapid climate change;

WHEREAS, the construction of this base has been repeatedly opposed by the Okinawan people.³ Most recently on February 24, 2019, over 70% of Okinawans voted in opposition to the construction of this particular U.S. Marine Corps base; and

WHEREAS, Okinawa has already been forced to host nearly 70% of U.S. military facilities in Japan⁴ despite consisting only 0.6% of Japan's national landmass; and

WHEREAS, this treatment of Okinawa as a colonial military outpost has continued since the Japanese annexation of the once sovereign nation of the Ryūkyū Kingdom. Then during WWII, Okinawan land was destroyed in a war between U.S. and Japan, taking almost a third of the entire Okinawan population. From there, the U.S. construction of military bases began against the will of the Okinawan people and continues today;⁵ and

WHEREAS, the Okinawan people have employed all legal and peaceful means of opposing this new base from being forced upon them – from elders staging nonviolent protests and sit-ins to Okinawan governors challenging the Japanese government through the legal system, only to be disregarded in Tokyo and Washington, D.C. Okinawan Diaspora members of Global Uchinanchu Alliance (GUA)⁶ have come together to reach out for support in this international crisis; and

WHEREAS, the City of Berkeley has expressed its solidarity with the Okinawan people by passing a resolution in support of the immediate halting of new U.S. military base construction at Henoko, Okinawa, passed by the Berkeley City Council on September 9, 2015.⁷

THEREFORE BE IT RESOLVED that the Council of the City of Berkeley asks the City Clerk to send the attached message to the U.S. House Armed Services Committee.

FURTHER BE IT RESOLVED that the Council of the City of Berkeley asks the City Clerk to send a copy of this resolution to Representative Barbara Lee and Senators Dianne Feinstein and Kamala Harris.

Attachment: Proposed Letter to U.S. House Armed Services Committee

The City of Berkeley, California stands in solidarity with the people of Okinawa in demanding the immediate and complete halt of the U.S. Marine Corps base construction in Henoko, Okinawa.

This military facility is being constructed upon the pristine reef of Oura Bay - among the most bio-diverse ecosystems on the planet with over 5,300 species of which 262 are endangered - including the designated cultural property, the dugong. In addition to violating the U.S. National Historic Preservation Act and the Administrative Procedure Act, it also violates the democratic will of the Okinawan people who again voted over 70% in opposition to the construction in a February 24, 2019 referendum.

This offshore construction of yet another military base on Okinawa must end now as it is already adversely impacting the region contributing to species collapse and furthering environmental damage already sustained from rapid climate change. Okinawa has been forced to host almost 70% of US military facilities in Japan despite comprising only 0.6% of Japan's national landmass. Resources that sustain life for Okinawan communities are greatly affected and this heavy base presence already threatens public health and safety daily.

In the protection of our ocean and precious ecosystem as well as genuine human security and sustainability, we request the immediate stop of this base construction and ocean destruction at Henoko-Oura Bay.

¹ "Expansion of US Military base puts endangered Henoko Bay Dugong at risk on Okinawa, Japan", May, 1, 2019 (last update), <https://ejatlas.org/conflict/henoko-bay-dugong-or-us-base-for-okinawa>

² "Okinawa Dugong Lawsuit Judge asks why US govt did not consult with environmental experts and Okinawans about Landfill, Construction Impact on Okinawa Dugong Cultural Heritage", June 28, 2018, <https://tenthousandthingsfromkyoto.blogspot.com/2018/06/okinawa-dugong-lawsuit-judge-asks-why.html>

³ "We shall overcome (戦場ぬ止み Ikusaba Nu Tudumi)" Trailer, YouTube video, October 3, 2015, https://www.youtube.com/watch?v=FEc_D_meOBY&list=PL55Jwk9JymqyuApWq7gi08uWQKyZhK3cH&index=20&t=0s

⁴ Okinawa Prefectural Government, September 2011, "US Military Base Issues in Okinawa." <https://www.pref.okinawa.jp/site/chijiko/kichitai/documents/us%20military%20base%20issues%20in%20okinawa.pdf>

⁵ "Message to Obama from a Veteran in Okinawa," YouTube video, February 29, 2016, <https://www.youtube.com/watch?v=6p5kXBod1gg&list=PL55Jwk9JymqyuApWq7gi08uWQKyZhK3cH&index=4&t=11s>

⁶ [Global Uchinanchu Alliance](https://uchinanchu.com/), <https://uchinanchu.com/>

⁷ Resolution in support of the immediate halting of new U.S. military base construction at Henoko, Okinawa, passed through the Berkeley City Council on September 9, 2015: https://www.cityofberkeley.info/...Council/.../2017-05-30_Item_34_Support_the_Immediate_Halting.aspx

Peace and Justice Commission

DRAFT

PROPOSAL for a Peace and Justice Commission Sponsored Educational Forum RE the 75th Anniversary of the Atomic Bombings of Hiroshima and Nagasaki and a PJC Sponsored Rally in Support of Grassroots Organizing to Stop the Research and Development of Nuclear Weapons at the Livermore National Weapons Lab as Well as the Production or Use of Nuclear Weapons Anywhere

From Commissioner Meola, November 4, 2019

August 6, 2020 and August 9, 2020 will be the 75th anniversaries of the atomic bombings of Hiroshima and of Nagasaki, respectively. One of the mandated functions of the Peace and Justice Commission is to hold educational forums on topics within its purview and “abolishing nuclear weapons” is listed as one of the issues that the Commission was chartered to advise both the Berkeley City Council and the Berkeley Unified School District about in Berkeley Municipal Code 3.68.070 Functions, the enabling legislation of the Commission.

Every year, for decades, citizens of Berkeley have joined others in protesting the research, development, production and use of nuclear weapons by rallying at the gates of the Livermore National Weapons Laboratory, including on August 6th, Hiroshima Day, as well as communicating the wish of “No nukes” to government agencies and representatives.

Since the 1970s, groups including the Livermore Action Group, Tri-Valley CAREs [Communities Against a Radioactive Environment], the Livermore Conversion Project, Western States Legal Foundation and others, have been part of the local and the global anti-nuclear movement.

A working group of people, including members of the PJC, are already planning the events to commemorate the 75th Anniversary of the atomic bombings of Hiroshima and Nagasaki.

July 16, 2020 will be the 75th anniversary of the first atomic bomb test.

This proposal is for two events. One would be an PJC Forum on the nuclear issues. So far, two people have agreed to be part of such a PJC Forum panel of speakers/presenters. They are Marylia Kelley and Jackie Cabasso.

***Marylia Kelley** is the executive director of the Livermore, CA-based Tri-Valley CAREs. For 36 years she has monitored the programs, capabilities and budgets of U.S. nuclear weapons complex, including at Livermore Lab. She has provided testimony on nuclear weapons design and production before the House Armed Services Committee of the U.S. Congress and the California State Legislature. In 2002, she was inducted into the Alameda County Women's Hall of Fame.*

Jacqueline Cabasso is the Executive Director of Western States Legal Foundation [WSLF]. Western States Legal Foundation (WSLF) is a non-profit, public interest organization

36 founded in 1982, which monitors and analyzes U.S. nuclear weapons programs and
37 policies and related high technology energy and weapons programs, with a focus on the
38 national nuclear weapons laboratories.

39 WSLF recognizes that nuclear weapons affect the environment, the economy, the role
40 of violence in society, and democracy itself. Rather than enhancing our "national"
41 security, nuclear weapons threaten our fundamental human security. WSLF seeks to
42 abolish nuclear weapons, compel open public environmental review of nuclear
43 technologies, and ensure appropriate management of nuclear waste. Grounded in
44 nonviolence and rooted in both international and environmental law, the principle
45 guiding WSLF's activities is democratization of decision making affecting nuclear
46 weapons and related technologies.

47 This proposal is written in hopes of educating, inspiring, motivating, and activating people to
48 attend the forum, attend a local rally in Berkeley, and attend the rally at the gates of the
49 Livermore National Weapons Lab on August 6, 2020.

50 It is proposed that a rally be held in Berkeley, in advance of the rally in Livermore. Whichever
51 event happens first, the Berkeley rally or the PJC Forum can be used to outreach to inspire
52 people to attend the other. Perhaps the rally would precede the forum and perhaps the forum
53 would precede the Berkeley rally. It has been proposed that the rally take place outdoors at
54 the new Downtown Berkeley BART Plaza where events including musical bands on a stage have
55 recently taken place. The Commission can be granted a sound permit by the City, as it is for
56 other events every year.

57 It is proposed that one of the events, possibly the Forum, take place on or near the July 16th
58 date of the 75th anniversary of the first atomic bomb test and that the other, possibly the rally,
59 take place on a weekend afternoon, possibly starting at 1:00 PM on a Saturday or a Sunday in
60 July. The first of these two events could also happen in June or even the second half of May,
61 which would allow students to be present before UC Berkeley breaks for the summer.

62 This is a preliminary sketch of these events. It is hoped that the Commission will take this
63 proposal into account when planning its 2020 Calendar. It is also proposed that this plan be
64 put into the form of a resolution that the Council can issue as a Proclamation to mark the 75th
65 Anniversary of the atomic bombings of Hiroshima and Nagasaki in advance of August 6, 2020.