

## Convention Resolutions

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### Resolution in Support of Unionized Employees of The National Lawyers Guild

WHEREAS, the National Lawyers Guild has a long and proud history of defending rights of workers;

WHEREAS, the employees of all Lawyers Guild entities are represented by the National Organization of Legal Services Workers, UAW 2320; and the terms and conditions of their employment are covered by a collective bargaining agreement between the National Lawyers Guild and the Union; and

WHEREAS, in recent years some managerial entities of the Lawyers Guild have taken actions which union employees of the Guild believe to be inconsistent with both the letter and spirit of the union contract resulting in the filing of various grievances by the unionized employees.

Now, therefore be it resolved that all managerial Lawyers Guild entities recommit themselves to abide by the letter and spirit of the contract and the history, tradition, and principles of the National Lawyers Guild.

*Submitted by: the Unionized Employees of the National Lawyers Guild. Implementation: the NLG National Executive Committee.*

### Resolution for Excess Profits Tax on Income from Contracts with the U.S. for War in Iraq

WHEREAS CEOs of major corporations operating in the US are receiving massive bonuses for establishing systems that bring in greater profits without regard to the effects of these systems on the standard of living of people in the US; and

WHEREAS excess profits are now being raked in by such corporations from government contracts for goods and services for the war in Iraq and from out-sourcing jobs to countries where workers are not paid wages similar to those paid in the US; and

WHEREAS the Congress and Presidents have three times established excess profits taxes on contracts for war goods in World War One and World War Two and the Korean War, bringing in considerable income in taxes; and

NOW, THEREFORE, BE IT RESOLVED that the National Lawyers Guild and all its chapters will work for adoption of HR 4825 introduced by Congress member Major Owen (D-NY) to impose an additional tax on income from contracts with the US for goods and services for the war in Iraq involving more than 150 workers, and

BE IT FURTHER RESOLVED that copies of this resolution will be sent to other bar associations, labor unions, members of Congress, the International Labour Organization, the American Association of Jurists and the International Association of Democratic Lawyers.

*Proposed by Ann Fagan Ginger, San Francisco Bay Area NLG Chapter*

(510) 848-0599, afg@mcli.org, FAX (510) 848-6008

Adopted by vote at Plenary session.

## Law Resolution to Divest, in Principle and Practice, from Israel

WHEREAS the Israeli government with its illegal occupation and expansionist program in the Palestinian West Bank and Gaza Strip is engaged, and has been engaged in grave human rights violations including but not limited to: the use of live ammunition on unarmed civilians (including men, women, and children); massive and disproportionate use of force including the firing of missiles from Apache helicopter gunships against defenseless civilian populations; illegal mass arrests and institutionalized torture (including men women, and children); the willful destruction of agricultural land; the deprivation of water; forced malnutrition with concomitant health consequences including stillborn deaths and irreversible developmental damage to children; the mass demolition of homes and confiscation of land; hostage taking and extra-judicial assassinations; denial of medical services to the sick and wounded; the use of human shields (including children); the targeting of schools, and hospitals; the building of illegal fortified “Jewish-only” Israeli colonies/settlements on confiscated land connected by “Jewish-only” bypass roads, and the heavily subsidized transfer of hundreds of thousands of its own civilian population into these colonies/settlements;

WHEREAS the International Court of Justice has ruled that Israel’s Apartheid Wall violates international humanitarian law which governs Israel’s administration of the Palestinian territories it has occupied since 1967 as well as the fundamental human rights of the Palestinians;

WHEREAS by virtue of, but not limited to, the Principles of the Nuremberg Charter and Judgment; The United Nations Declaration of Human Rights; International Covenant of Civil and Political Rights; The Geneva Conventions, in particular, but not limited to the 4th Geneva Convention, the Convention Against Torture, the Convention on the Rights of the Child, Protocol I, Additional to the Geneva Conventions, as well as other international covenants and the general humanitarian principles of international law, these acts constitute war crimes, and in some cases crimes against humanity.

WHEREAS, the US Foreign Assistance Act of 1961, 22 USC sec. 2304, provides that “no security assistance may be provided to any country the government of which engages in a consistent pattern of gross violations of internationally recognized human rights;”

WHEREAS, the UN General Assembly on October 22, 2003, reaffirming the principle of the inadmissibility of the acquisition of territory by force, and stressing the need to end the occupation and reiterating its call upon Israel, the occupying power, to fully and effectively respect the Fourth Geneva Convention and reiterating its opposition to settlement activities in the Occupied Palestinian Territories almost unanimously, with the exception of the US, Israel,

WHEREAS “complicity in the commission of a ...war crime, or crime against humanity is a crime under international law.” Principle VII of the Nuremberg Tribunal;

BE IT RESOLVED that the National Lawyers Guild seeks, in principal and practice, supports national and international campaigns to divest from Israel;

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BE IT FURTHER RESOLVED that the National Lawyers Guild will (a) support divestment campaigns to make full public disclosure of any and all investments it or other institutions have in Israel and of any and all profits earned from companies invested in Israel, and (b) either immediately divest from those companies, or cause such companies to disinvest from Israel until all of the following conditions are met:

- 1) Israel complies with United Nations Resolution 242, and all subsequent and related resolutions, affirming the inadmissibility of the acquisition of territory by war, and which calls for the withdrawal of Israeli armed forces from the Occupied Palestinian Territories;
- 2) Israel accepts and immediately begins full implementation of the inalienable individual and collective Palestinian Right of Return as enshrined in international law, especially United Nations Resolution 194, thereby permitting Palestinian refugees wishing to return to their homes to do so immediately while paying compensating for the property of those choosing not to return and for the loss of or damage to property that, under principles of international law or in equity, should be made good by the Israeli Government;
- 3) Israel immediately complies with the United Nations Convention Against Torture, and the UN Convention on the Suppression and Punishment of the Crime of Apartheid;
- 4) Israel complies fully with the Fourth Geneva Convention including, but not limited to Article 49, paragraph 6 ("The occupying power shall not deport or transfer parts of its own civilian population into territories it occupies"), which requires that it cease building new settlements, and vacates all existing "Jewish-Only" Israeli colonies/settlements in the Palestinian West Bank and Gaza Strip;
- 5) Palestinian victims of torture, home demolitions, and other grave violations of human rights by the Israeli government are justly compensated as provided by international law.

*Delegated for submission by the International Committee through the Middle East Subcommittee.*

### Controversial Resolutions, Contested Election, Proposed Amendments to Constitution and Bylaws

At one of two plenaries at the 2004 Convention in Birmingham, Alabama, one resolution was deemed controversial: "Resolution for Excess Profits Tax on Profits from Outsourcing." In addition, one national election was contested, that of Executive Vice President. Constitution and bylaws amendments were proposed. These were sent to the current membership, for a mail ballot vote and the results will be announced in late December 2004.

### Attention Graduating Law Students!

Please make sure to update your address after graduation. We want to stay in touch and continue to have you as members of the Guild.

You are the future of the Guild.

Address updates can be sent to [studentorg@nlg.org](mailto:studentorg@nlg.org) or 143 Madison Ave, 4th FL, New York, NY 10016.