

STOP THE WALL CAMPAIGN



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BRIEFING:

Motorola: 'Securing' Israeli occupation

Extract:

Motorola through its fully owned subsidiary Motorola Israel provides the Israeli state and its military with equipment employed in war crimes and contributes to the construction and maintenance of the Wall, the settlements and the checkpoints.

The practices of Motorola clearly violate international law, including the IV Geneva Convention and the UN Covenant of Civil and Political Rights. According to the Ethics Guidelines of Copenhagen Municipality, which exclude companies in violation of UN Conventions, the municipality is bound to exclude Motorola from its investment portfolio until it ceases its complicity and involvement with Israeli violation of these treaties.

Introduction:

Motorola is involved with companies that manufacture products for use in the illegal practices of the Israeli occupation. Motorola's complicity and aid to the Israeli occupation and violations of international law and human rights include:

- Materially supporting and providing equipment to the illegal Israeli settlements in the occupied West Bank, thereby entrenching the occupation of Palestinian land;
- Aiding the maintenance and construction of the Wall, confirmed illegal by the International Court of Justice, through provision of security equipment
- Providing the Israeli military with communication equipment essential to keep up the functioning of the Occupation and its repressive regime
- A history of manufacturing weapons and weapons components that are used to kill and maim Palestinian civilians;

This means that it is actively contributing to Israel's military occupation and is thereby implicated in war crimes and gross, systematic violations of international law. These possible violations include land confiscation, home demolitions, forced displacement, and severe restrictions on freedom of movement, all of which arise in part as a result of the network of security and control in which Motorola is involved.

Numerous campaigns have taken up the call for divestment from Motorola. The Hampshire College in Western Massachusetts divested in February 2009 from Motorola. A widespread divestment and boycott campaign has already forced Motorola to withdraw itself from the business providing bomb fuses for the Israeli military.

Company overview:

Motorola, Inc. Motorola is one of the largest multinational telecommunications companies in the world. It is headquartered in Schaumburg, Illinois, USA. In 2009 its net sales reached US\$22 billion, its R&D expenditures \$3.2 billion. Motorola holds offices around the globe, among them Motorola Israel in Tel Aviv. Motorola's involvement in Israel began in 1948, and in 2008, Motorola Israel's sales totaled \$908.365 million.¹

Motorola provides technologies, products and services for mobile phones. Its portfolio includes wireless handsets, wireless accessories, digital entertainment devices, set-top boxes and video distribution systems, wireless and wireline broadband network products, and end-to-end enterprise mobility products.

Motorola's involvement in the Israeli settlement project

a) The Israeli Settlements

The Israeli settlement project started in 1967, just after the occupation of the West Bank, the Gaza Strip and the Syrian Golan Heights. Israeli settlements are pockets of land for exclusive Jewish-Israeli use inside the West Bank, including East Jerusalem and the Golan Heights on occupied land from which the Palestinian population is expelled and barred access. There are now some 150 settlements in the occupied Palestinian territory in which more than 475,000 settlers² are living. Settlements control over 40 percent of the territory of West Bank, including essential agricultural and water resources³.

The settlements in the OPT violate a number of international legal norms. Their illegality has been recognised by the International Court of Justice (ICJ) and numerous UN resolutions.

- They are a flagrant violation of Article 49(6) of the IV Geneva Convention, which prohibits an Occupying Power from transferring parts of its civilian population into the territory it occupies and prohibit the appropriation of Palestinian property not justified by absolute military necessity.
- Israeli settlements violate international humanitarian and human rights law by imposing severe movement restrictions. These movement restrictions further violate those human rights dependent on freedom of movement, including the rights to health, education, family life, work and worship.
- The scale of Israel's settlement project and the massive financial investment in it clearly indicates an intention to retain control over these areas in any future political settlement. This violates a core principle of the UN Charter: Article 2(4), which prohibits the acquisition of territory by the use or threat of force.

b) Motorola profits from the settlements

Motorola is extensively involved in designing and implementing perimeter surveillance systems around illegal Israeli settlements and military camps in the occupied West Bank.

¹ http://duns100.dunb.co.il/ts.cgi?tsscript=comp_eng&duns=600020978

² http://www.passia.org/palestine_facts/pdf/pdf2009/LANDandSettlements.pdf

³ <http://www.alhaq.org/pdfs/q&a-settlements.pdf>

- Motorola has developed the Electronic Fence Radar System (EFRS), which is used as a “virtual fence” around at least 47 settlements in the occupied West Bank. These virtual fences can extend up to 700 meters outside of the settlement, thereby confiscating not only the area upon which the settlement is illegally built, but also a vast swath of land around the settlement itself.⁴
- MotoEagle Surveillance, which is used in at least 16 West Bank locations is one of Motorola-developed surveillance systems⁵
- Furthermore, MIRS Communications, a subsidiary of Motorola Israel, has been the exclusive provider of cell phone services to the Israeli military since 2005. As part of its contract, MIRS has set up at least 200 antennae inside military bases, and more than 80 antennae and telecommunications infrastructure facilities inside Israel's illegal settlements in the occupied West Bank.⁶ By establishing telecommunications infrastructure inside the occupied West Bank, Motorola and its subsidiaries are effectively entrenching the occupation, and solidifying military bases and illegal settlements as “facts on the ground.”
- On December 1, 2008, Afcon, an Israeli company in which Motorola holds a 9% stake, won a large contract for the supply of the security system for the Jerusalem Light Rail Transport System⁷. The Jerusalem Light Rail enterprise is one of Israel's more egregious projects, designed to solidify Israeli control of Jerusalem by connecting it with the illegal settlements that surround the city.

Motorola's involvement in Israeli military occupation and war crimes

The continuous Israeli military presence all across the West Bank plays a key role in Israeli violations of international law and human rights. It ensures the persistence and expansion of the settlements, the Wall and mans the over 500 checkpoints across the West Bank.

Israeli occupation practices and de-facto rules of engagement violate international law. For instance, the use of military force in the repression of Palestinian human rights defenders shows the routine violations of human rights at the hands of the Israeli military. Within the strategies of repression, the arrests and violence inflicted on civilians and human rights defenders is not sporadic or accidental but instead follows an established pattern, wherein the IOF routinely uses snipers or firing from concealed locations with various types of ammunition against human rights defenders, predominately youth, with the stated intent of causing serious injury; detains and arrests youth and organizers; employs blanket punishment against entire villages, such as curfews and destruction of properties.

Israel's violation of human rights, international law and fundamental freedoms include the right to freedom of expression, the rights to association and assembly, the right to life, liberty and security of person, the right to fair and impartial trial and protection from arbitrary arrest, detention or

⁴ <http://www.jpost.com/servlet/Satellite?cid=1154526030992&pagename=JPost/JParticle/ShowFull>

⁵ <http://www.whoprofits.org/Company%20Info.php?id=544>

⁶ Gabay, Eran. (December 9, 2006). “Wireless Companies Using IDF Bases to Skirt Antenna Regulations.” *Ha'aretz*. Retrieved from: <http://www.haaretz.com/hasen/spages/761827.html> ; Coalition of Women for Peace. (n.d.) *MIRS Communications*. Retrieved from:

<http://www.whoprofits.org/Company%20Info.php?id=543>

⁷ <http://www.afconind.co.il/AfconInd/Templates/ShowPage.asp?DBID=1&LNGID=1&TMID=10000&FID=379>

exile and the right to freedom of movement.

News of war crimes committed by the Israeli military may even reach the international public during Israel's wars and attacks, such as "Operation Cast Lead," a 22 day massive military assault on the civilian population of Gaza, which left over 1,400 people dead, more than 5,300 injured (most of whom were civilians), and essential infrastructure, industry, and housing destroyed. The Goldstone Report, compiled by the UN Fact Finding Mission, concluded that the attack on Gaza "was a deliberately disproportionate attack designed to punish, humiliate and terrorize a civilian population, radically diminish its local economic capacity both to work and to provide for itself, and to force upon it an ever increasing sense of dependency and vulnerability."⁸ It found clear evidence that Israel had committed major war crimes in the siege of Gaza and even more during its assault on Gaza during Operation Cast Lead.

b) Motorola's support for Israeli military

Motorola has a substantial history of providing the Israeli military with telecommunications technology that is used to assert control over the occupied West Bank and Gaza Strip.

- In 2000, Motorola won a \$100 million contract to design and implement the Vered Harim GSM-900 military cellular network, tailored specifically for Israeli military needs. It has been installed in a wide range of armored vehicles, and is integrated with intercom systems throughout the occupied West Bank⁹. Telecommunications is key to maintaining control over the occupied West Bank. Whether the Israeli forces are conducting raids on Palestinian villages, forcefully suppressing non-violent demonstrations, or asserting another form of repressive control, they require a sophisticated system to sustain the occupation.
- "The Stronghold" is a perimeter security system, which has been jointly developed by Motorola and Aeronautics Defense Systems. It has been deployed by the Israeli Ministry of Defense¹⁰.
- Wide Area Surveillance System (WASS) is a Motorola Israel product, is deployed by the Israeli military in several "sensitive" areas around the country.¹¹
- Human Rights Watch reported that shrapnel with Motorola serial numbers was found at a police training academy – a civilian site under international law – bombed during "Operation Cast Lead"¹² and hence used in a war crime of the Israeli military.

⁸ http://www2.ohchr.org/english/bodies/hrcouncil/specialsession/9/docs/UNFFMGC_Report.pdf

⁹ Levi, Ofer. (January 12, 2004). *We Were Here First*. Israel Venture Capital Research Centre. Retrieved from: <http://www2.ivic-online.com/ivcWeeklyItem.asp?articleID=2511> ; Israel Ministry of Defense. (2008). *Motorola Israel Ltd*. Retrieved from: http://www.sibat.mod.gov.il/NR/rdonlyres/46327BB3-3E46-42E7-B459-ACA055C6F97D/0/sod_motorolad_dsd_.pdf

¹⁰ <http://www.aeronautics-sys.com/?CategoryID=260&ArticleID=196>

¹¹ Israel Ministry of Defense. (2008). *Motorola Israel Ltd*. Retrieved from: http://www.sibat.mod.gov.il/NR/rdonlyres/46327BB3-3E46-42E7-B459-ACA055C6F97D/0/sod_motorolad_dsd_.pdf ; Israel Ministry of Defense (n.d.) *Israeli Defense Sales Directory*. Retrieved from: <http://www.sibat.mod.gov.il/SibatMain/catalog/companies/motorola.html>

¹² <http://www.hrw.org/en/reports/2009/06/30/precisely-wrong-0>

Motorola's contribution to the Wall and the checkpoint system

a) The Wall and the checkpoint system

Israel began constructing the Wall in the occupied West Bank, including in and around East Jerusalem in 2002. Once complete, the Wall will be over 725km in length and currently construction has been completed on some 59% of the Wall. Only around 20% of the Wall follows the path of the 1949 armistice line 'the Green Line', with the majority deviating significantly into West Bank territory, *de facto* annexing over 10% of West Bank land. In some areas, the Wall reaches as far as 22km into West Bank land. The Wall incorporates around 83% of the West Bank settler population into Israel, and isolates the vast majority of occupied East Jerusalem's 250,000 Palestinian residents from the West Bank. It expropriates prime agricultural lands and water resources. The Wall, together with settlements, their road infrastructure, military zones and nature reserves, effectively prevents Palestinians from accessing 49% of the West Bank.

An integral part of the Wall is a system of military 'terminals' for commercial use and transit of people, located within the West Bank. Over 500 checkpoints across the West Bank restrict and control movement between the Bantustans or enclaves created by the Wall. By November 2009, they restricted 74% of the main routes in the occupied West Bank.

In July 2004, the International Court of Justice (ICJ), the primary judicial organ for the United Nations, issued an Advisory Opinion on the legal consequences of the construction of the Wall being built by Israel in the occupied Palestinian territory (oPt). The primary finding of the ICJ was that Israel's construction of the Wall in the oPt, including in and around East Jerusalem, is contrary to international law and Israel is obliged to cease all construction, to dismantle the Wall and to make reparation for all damages caused by the construction of the Wall. The ICJ further stated high contracting parties to Fourth Geneva Convention are obliged to ensure compliance by Israel with international humanitarian law and cease in any actions which aid or assist the maintenance of the Wall and its regime.

The Wall and the checkpoint regime severely violate Palestinian human rights to movement, health, education, among others.

b) Motorola's involvement in the construction and maintenance of the Wall and its associated regime

- Motorola owns 49% of Taldor Communications, which is a division of Israeli company Taldor. In April of 2008, Taldor Communications signed a deal with Visuals Defense Inc. (VDI), to distribute VDI's "integrated security solutions" in Israel.¹³ VDI specializes in manufacturing products such as watchtowers, motion sensors, military surveillance and communications systems, public announcement systems, and x-rays. All of these products are used in the illegal Wall, checkpoints, terminals, military bases, and illegal settlements that Israel has established in the occupied West Bank.¹⁴ Given VDI's focus on homeland security and defense, as well as its recent increased presence in the Israeli market, it is highly likely that its equipment is used to help entrench Israel's regime of control in the occupied West Bank.

¹³ http://www.visualdefence.com/042908_PR_Taldor.htm

¹⁴ <http://www.icjci.org/docket/index.php?pr=71&code=mwp&p1=3&p2=4&p3=6&case=131&k=5a>

- Motorola holds a 9% stake in Afcon, one of Israel's largest industrial groups. Afcon manufactures metal detectors and gates which are installed in checkpoints throughout the OPT, including the Patriarch's Cave checkpoint, the Beit Iba checkpoint, Erez Terminal, and in various locations in the Jordan Valley.¹⁵

Successful divestment and efforts to stop Motorola from providing support to the Israeli occupation

- On February 7, 2009, Hampshire College in Western Massachusetts divested from the State Street mutual fund, which holds Motorola. The decision to divest came after an extensive campaign by Students for Justice in Palestine, which recommended that the university divest from six companies, including Motorola, on the grounds of their violations of human rights and international law in Palestine.¹⁶
- In 2008, the US Presbyterian Church's Mission Responsibility Through Investing (MRTI) recommended that the Church's General Assembly divest from Motorola based on its ongoing contributions to and profiting from the illegal Israeli occupation¹⁷.
- Until April 2009, Motorola Israel was the leading Israeli company in developing and manufacturing a wide range of electronic fuses for aircraft bombs and guided munitions, including those that were used during Operation Cast Lead. (See above.) In April, following a widespread campaign in the US to draw attention to Motorola's possible complicity in these crimes, the company sold its Government Electronics Department (GED), which produced the fuses¹⁸.

¹⁵ <http://www.whoprofits.org/Company%20Info.php?id=569>

¹⁶ <http://www.hsjp.org/divestment/>

¹⁷ <http://www.presbyteriandivestment.org/>

¹⁸ <http://www.endtheoccupation.org/downloads/motogedsalefactsheet>