



## **The War against the Boycott, Divestment and Sanctions Movement**

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The Boycott, Divestment and Sanctions Movement (BDS) against the Israeli occupation has garnered headlines recently due in large part to efforts by the Israeli government, and traditional American Jewish groups to oppose it and portray supporters of the BDS movement as anti-Israel, bent on the destruction of Israel as a state. Clearly, the BDS movement has gained some momentum, particularly in Europe, leading to an all-out effort by opponents to discredit the movement and its supporters.

### **What is the Boycott, Divestment and Sanctions Movement?**

The Boycott, Divestment and Sanctions (BDS) began in July 2005 by over 100 Palestinian non-governmental organizations in support of Palestinians living under Israeli occupation. Citing a number of UN resolutions the BDS campaign called for various forms of boycott against Israel until it meets its obligations under international law. BDS is a non-violent means of allowing Palestinians to take the struggle against Israel into their own hands. Its three goals -- an end to Israeli occupation, equality for Palestinian citizens of Israel and the return of Palestinian refugees. These goals clearly make reference to the three main Palestinian populations as a symbolic reference to their unity (those in occupied territories, those inside Israel and refugees)

For most of the past decade scant attention was paid to the efforts of BDS supporters. Ten years later the BDS movement has become somewhat successful, by drawing support from European companies, to stir deep concern within the Israel government and American Jewish groups who do not wish to change the political *status quo* of the Israeli occupation.

## **The Campaign against BDS**

The current uproar over BDS while significant, is nothing more than a public relations ruse exploited by Prime Minister Netanyahu and his government and designed to muddle the real issues at stake, i.e., his policies. Why are BDS opponents acting so aggressively against the movement? Over the past few weeks there have been a series actions, perceived by Israel as attacks aimed at its delegitimization. These include the proposal by the Palestinian Football Association to suspend Israel from international competition; the brouhaha over French telecom Orange that said it would pull out of the West Bank and then sent its CEO to Israel to deny the statement and apologize, an apology which Netanyahu refused to accept; and a call by Zahi Khouri, head of the Palestinian National Beverage Company, to boycott Israel. In response the Tel Aviv-based Shurat HaDin-Israel Law Center, a leading Israeli activist NGO, is calling on Coca Cola to rescind its franchise agreement with the Palestinian National Beverage Company. Khouri has published two op-ed pieces advocating for the BDS movement and has been critical of Congress for passing anti-BDS legislation.

Netanyahu realizes he lost the argument on Iran and now Israel needs a new bogey man; why not the BDS movement? In his mind, BDS has replaced Iran as the existential threat to Israel. Moreover, a recent *Financial Times* article published a leaked Israeli government report estimating the BDS could cost Israel's economy \$1.4 billion per year. The Rand Corporation estimates the cost could be as high as \$4.7 billion per year. If accurate, these figures are cause for great concern to Netanyahu.

American business magnate Sheldon Adelson, who has poured millions into the coffers of conservative pro-Israel candidates, along with Haim Saban, held a secret conference in Las Vegas on June 6-7, 2015, for Jewish groups aimed at countering the BDS movement. The meeting is solid proof that pro-Israeli activists are ramping up their campaign against BDS. The response has been a race among American Jewish groups to lead the anti-BDS charge. AIPAC, the Anti-Defamation League and the American Jewish Committee have all recently set up operations geared at students who support BDS largely to do the same thing.

These groups have no scruples as they engage in intimidation and libeling against students and other pro-BDS activists, as well as accusations of anti-Semitism. Equally disturbing is the eagerness with which Jewish organizations, like the Jewish Federation of North America (JFNA) Hillel and the Anti-Defamation League, join the extremists like Adelson, who has exhibited nothing but contempt for the Palestinian people.

How much money is needed to stop the BDS movement? The JFNA and the Jewish Council for Public Affairs are launching a \$6 million effort – the Israeli Action Network – to combat the BDS. The Israeli Action Network was established at the urging of the Israeli government. Certainly, members of the Knesset see BDS as a threat, having introduced a bill that would make it illegal for Israelis to launch or incite a boycott against Israel.

### **Supporters of BDS**

Contrary to the popular perception, many Jewish Americans, especially the young, and more liberal groups, like Jewish Voices for Peace, are active supporters of the BDS movement. Supporters see BDS as a legitimate and moral response to Israel's occupation policies, and not the delegitimization of Israel as Netanyahu and BDS opponents claim. Unfortunately, they are viewed by the mainstream Jewish community as leftish fringe elements and therefore, their influence is limited, although they have taken credit for Soda Stream's move out of the West Bank.

While some of the BDS rhetoric, particularly on campuses, can be perceived as directed against the State of Israel, the majority of BDS actions, as well as actions by FIFA, Orange, EU threats of sanctions, and European supermarket boycotts, are directed only against the Israeli occupation.

Supporters argue that continued settlement expansion represents the clear existential threat to Israel; not BDS. Supporting Israel should include actions that will prevent Israel from continuing down a path that will lead to either a bi-national state, stripping Israel of its Jewish character or an apartheid reality, causing Israel to become an international pariah, much as South Africa was during the apartheid era.

### **The US Position and Congressional View**

The US has a long history of opposing economic boycotts against Israel dating back to the Arab Boycott in 1948... In 1976 and in 1979 Congress enacted legislation successfully banning US companies from participating in the boycott. The US Commerce Department continues to maintain an office to ensure US companies abide by the law. It is highly unlikely.

In Congress, Democrats and Republicans have attached an anti-BDS bill to the Trade Promotion Authority Act (TPA), granting the President fast-track authority to negotiate the **Transatlantic Trade and Investment Partnership** (TTIP). In Tennessee and Indiana state officials passed a resolution criticizing BDS as anti-Semitic. All of this represents a sustained attack on BDS in the US and are part of a nationwide effort to halt the movement that has had success – both symbolic and concrete – in forcing foundations and churches to divest from corporations doing business with the Israeli military, although it has not succeeded in isolating Israel, nor is it likely to if Congress has any say.

The Congressional initiative, backed by AIPAC, and sponsored by Senators Ben Cardin (D-Maryland) and Rob Portman (R-Illinois), and Representatives Peter Roskam (R-Illinois) and Juan Vargas (D-California) calls on the US to discourage European trade partners from boycotting Israeli products – even if they are made in West Bank settlements, products that EU nations have targeted. The language would not condition TTIP on any formal agreement by Europe to do so, but it does represent an unprecedented step by Congress to define

support for Israel as support for Israel and settlements. Future congressional initiatives could include conditions denying funding to universities if they support BDS.

On May 30, the US House of Representatives voted to approved part but not all of the TPA bill. It voted for Title I containing the anti-BDS language, but defeated Title II of the bill dealing with worker assistance. On June 18 the House finally passed Title II as a separate bill. The Senate will act on the two bills next week, allowing the President to sign the TPA bill into law with the anti-BDS provision. To date the Administration has not issued any statement on the anti-BDS provision in the bill.

## **Conclusion**

While the anti-BDS movement may continue to have success in Europe, any major success with US companies is questionable. Many US firms will not leave Israel or risk their commercial operations in Europe. Moreover the Administration, despite current tensions in the US-Israeli relationship, believes such actions threaten Israel and the fragile US economy. European countries, however, are more likely to support the BDS movement, despite the language in the TPA legislation.

A June 22 opinion piece in Haaretz by Alan Johnson of Britain Israel Communications Research Center, an anti BDS organization, writes that Israel's allies cannot defeat BDS alone, they need Israel's help, and that help includes a commitment to a "viable Palestinian state." "When Israel is largely perceived as being serious about giving up settlements and dividing the land, even if an Israeli-Palestinian peace agreement is not going to happen tomorrow, then BDS will remain a fringe activity." If not, then the BDS movement will become mainstream, potentially making Israel an international pariah. The complete article can be viewed at <http://www.haaretz.com/opinion/.premium-1.662409>