

To: AIUSA Board of Directors

From: Tom Benner, National Resolutions Committee (NRC) Chair for 2015-2016

Date: January 22, 2016

Re: Outcome of the 2015 Regional Conferences

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**This memorandum contains the five resolutions that passed at the 2015 Regional Conferences. Each of these resolutions should be placed on the agenda of the 2016 Annual General Meeting in Miami, Florida.**

In total, five timely-submitted and one late resolution were considered at one or more of the regional conferences.

**Resolution 1 (Board Size)** was considered and passed at four of the regional conferences. There was one amendment added at two of the conferences (Midwest and Northeast). The South conference was unable to obtain a quorum, and so did not conduct any official business.

**Resolution 2 (Economic Approaches to Defending Human Rights)** was considered and passed at the Midwest conference.

**Resolution 3 (Standing Rules of the Membership Resolution Process)** was considered and passed at the West conference.

**Resolution 4 (Human Rights of Agricultural Workers)** was considered and passed at the West conference.

**Resolution 5 (Affirming Past AGM Decision)** was not submitted on time, but was ruled to be in order by the NRC. It was considered and passed at the West conference.

Finally, three different resolutions on the subject of Amnesty's policy on sex work were submitted at three different regional conferences (Midwest, Northeast, and West). None of these resolutions passed.

The NRC will be glad to address any questions that may result from your discussion of these resolutions. The language of the resolutions that passed follows.

## **Resolution 1: Board Size**

*Passed by the Midwest, Northeast, Mid-Atlantic, and West Regional Conferences*

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**[A] RECOGNIZING** the 2013 International Council Meeting (ICM) adopted the Core Standards;

**[B] WHEREAS** all AI sections are undergoing a governance review for compliance with the Core Standards;

**[C] WHEREAS** AIUSA is undergoing a governance review and considering governance changes in this process;

**[D] WHEREAS** AIUSA has the largest Board of Directors among AI sections;

**[E] WHEREAS** governance reform suggestions have included reducing the Board size;

**[F] THEREFORE BE IT RESOLVED** that the size of the Board will decrease from eighteen (18) to fifteen (15) persons;

**[G] THEREFORE BE IT FURTHER RESOLVED** that Article V, Section 3 of the Bylaws of AIUSA be amended to read as follows:

Section 3: Number of Directors:

The Board shall consist of fifteen (15) persons.

*[The following paragraph was added at the Midwest and Northeast conferences]*

**[H] THEREFORE BE IT FURTHER RESOLVED** that Article V, Section 4 (B) be amended to read as follows:

There shall be three classes of directors, each class consisting of five (5) directors.

## **Resolution 2: Economic Approaches to Defending Human Rights**

*Passed by the Midwest Regional Conference*

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**[A] WHEREAS** human rights abuses are perpetrated worldwide by a wide variety of actors;

**[B] WHEREAS** AI has not historically utilized tactics designed to apply economic pressure to human rights abusers;

**[C] WHEREAS** economic approaches such as boycotts, divestment, and asset control have shown to be effective tools to discourage human rights abuses in many cases;

**[D] WHEREAS** current AI policy limits economic pressures to combat human rights abuses; this also limits AI solidarity with other human rights groups;

**[E] WHEREAS** the financial assets and other resources of individuals and entities committing human rights abuses are often held or provided by other individuals and entities;

**[F] WHEREAS** 2001 ICM 11 (the ICM decision) directed the International Executive Committee to study disinvestment in companies in different countries and to present the results to the 2003 ICM. This report was not completed;

**[G] THEREFORE BE IT RESOLVED** that AIUSA requests that the International Board (IB) consider a change in policy to more actively consider economic approaches to defending human rights. Such approaches – targeting governments, corporations and individuals – may include divestment, boycotts and asset control by third parties.;

**[H] THEREFORE BE IT FURTHER RESOLVED** that such approaches not be relegated to a policy of last resort;

**[I] THEREFORE BE IT FURTHER RESOLVED** that AIUSA request that the IB adopt a policy to encourage third parties, when appropriate, to limit access to financial resources of human rights abusers;

**[J] THEREFORE BE IT FURTHER RESOLVED** that the IB implement the 2001 ICM Decision 11, in an expedited manner, to be presented no later than the 2017 ICM.

### **Resolution 3: Standing Rules of the Membership Resolution Process**

*Passed by the West Regional Conference*

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[A] **WHEREAS** resolutions presented to the AGM without previously being passed at a Regional Conference are called non-binding Decisions if they are passed at the AGM;

[B] **WHEREAS** important issues and concerns may arise in the six months between the Sept 1 deadline for submission to Regional Conferences and the AGM (late March/early April);

[C] **WHEREAS** in ICM years, the Resolutions submitted to the ICM are published in January or February of that year;

[D] **WHEREAS** the current wording of the Standing Rules of the MRP has allowed the Board to discount, dismiss and/or refuse to consider non-binding Decisions passed overwhelmingly (or by a large majority) at the AGM;

[E] **WHEREAS** prior to revision of the Standing Rules in 2007, non-binding AGM Decisions (also called “Special” or “Emergency”) were treated equally to binding Decisions except that they could be overturned by a simple majority of the Board instead of 2/3;

[F] **THEREFORE BE IT RESOLVED** that Section 7E of the Standing Rules of the MRP be changed from:

7E. Non-binding decisions will be advisory, and implemented at the Board’s discretion.

To

7E. Non-binding decisions will be placed on the Board agenda and either implemented, or overturned by a simple majority of the Board.

## **Resolution 4: Human Rights of Agricultural Workers**

*Passed by the West Regional Conference*

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**[A] WHEREAS** under Article 23 of the UDHR,

“(1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interests.”;

**[B] WHEREAS** workers in the US agricultural industry often come from historically politically-disenfranchised communities, both in identity and geographic location;

**[C] WHEREAS** workers’ racial, or economic, or immigration status contribute to their vulnerability to exploitation by both economic and political powers;

**[D] WHEREAS** conditions often limit access to education for both workers and their family members;

**[E] WHEREAS** natural resources (such as food, water and land) have been denied of workers and their communities but granted to the industry that employs them;

**[F] WHEREAS** workers consistently experience need for heat stress prevention, equipment safety, pesticide safety, and protection from gendered violence/discrimination;

**[G] WHEREAS** current AI policies underserve these communities’ ability to pursue suitable standards of living;

**[H] THEREFORE BE IT RESOLVED** that the AIUSA Board ask the international movement to develop a comprehensive policy to advocate for the recognition and protection of human rights of those individuals working in the agricultural industry and their communities.

## **Resolution 5: Affirming Past AGM Decision**

*Passed by the West Regional Conference*

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**[A] WHEREAS** the Board decided at its September 2015 meeting, to change the Bylaws (Article III, Section 4) regarding the number of signatures required for a petition to put a Board candidate on the ballot;

**[B] WHEREAS** AGM 2008 Decision #3 expressly designates changes in the number of petition signatures as something that has to be approved by the membership:

**[E] THEREFORE BE IT RESOLVED** that should any of the following major changes to the AIUSA elections process be under consideration such changes must be presented through the resolutions process at all Regional Conferences and may only be enacted if passed by the subsequent AGM:

- 1) changes to the number of signatures required for a Petition Candidate.
- 2) restrictions on the number of Petition Candidates from each region.
- 3) any limitation on the size of the nominations slate.

**[C] WHEREAS** the Board failed to take the steps indicated in the Bylaws (Article IV, Section 9(a)) to overturn AGM 2008 Decision #3;

**[D] WHEREAS** the Bylaws (Article IV, Section 9(a)) give the Board only one year to overturn an AGM Decision, unless certain "special circumstances" occur, allowing them to overturn the resolution at a later date;

**[E] WHEREAS** overturning an AGM Decision at any point requires a 2/3 vote of the Board members present, and at least 9 votes (1/2 the full board);

**[F] WHEREAS** the Board did not meet the Bylaws proviso (Article IV, Section 9(a)(iv)) that requires that they use all means possible to inform members as soon as possible about any invoking of special

circumstances to overturn an old resolution;

**[G] WHEREAS** the Board failed to consider alternative means of addressing the threat/risk of hostile takeover (as reported in the September minutes);

**[H] WHEREAS** "Likely" and "potential" threats do not constitute a fundamental change in conditions as defined by the Bylaws, namely:

"a fundamental change in political, cultural or governmental conditions has, in the opinion of the AIUSA Board, rendered the prior AGM decision inappropriate or invalid”;

**[I] WHEREAS** alternative means exists, such as were voted by a majority at AGM 2015 Decision #3:

**[D] THEREFORE BE IT RESOLVED** that petition candidates for the AIUSA Board of Directors must be members of AIUSA in good standing for two consecutive calendar years immediately prior to the deadline for submission of petitions.

**[E] THEREFORE BE IT RESOLVED** that good standing be interpreted to mean voting members who are active participants in AIUSA and can provide two letters of recommendation from Amnesty leaders that have worked with the petition candidate in the past and who have held those leadership positions (with the understanding that Amnesty leaders are qualified voting members in active leadership roles such as group coordinators, student activist coordinators, field organizers, legislative coordinators, etc.).

**[J] THEREFORE BE IT RESOLVED** that this AGM affirms the AGM 2008 Decision #3 and declares that the board's decision to change the bylaws to 200 signatures is null and void;

**[K] THEREFORE BE IT FURTHER RESOLVED** that the Board implement the will of the majority of members as expressed in AGM 2015 Decision #1, paragraphs [H] and [I];

**[L] THEREFORE BE IT FURTHER RESOLVED** that should the board choose to invoke the "special circumstances" argument and take a vote on overturning AGM 2008 Decision #3, notice must be sent at least two weeks in advance to all members of the Board, and also be communicated to the membership at the same time by all means possible.