



<http://mn.breakthebonds.org>

P.O. Box 1180, Watertown, MN 55388

February 15, 2015

Secretary of State Steve Simon  
Retirement Systems of Minnesota Building  
60 Empire Dr., Suite 100  
St. Paul, MN 55103

Re: MN State Board of Investment; Request for Recusal from all Israel Bond Investment Decisions

Dear Secretary of State Simon:

This is a formal request that you recuse yourself from all involvement in the SBI decision-making process pertaining to Israel Bond investment, reinvestment and divestment by the SBI.

Our request stems from your position as a long-time member of the board of the Jewish Community Relations Council of Minnesota and the Dakotas (JCRC).

As a community based social welfare organization, JCRC has a lengthy and laudable history in the upper Midwest, except for one of its stated missions. JCRC's mission of advocating for Israel, right or wrong, while overlooking Israel's grotesque human rights record is inconsistent with its claims that it promotes tolerance and advocates for social justice. Because the government of Israel has designated the international Boycott, Divestment and Sanctions (BDS) movement, a peaceful non-violent protest movement, as an existential threat, the JCRC has characterized its statewide efforts to resist BDS, including our attempts to persuade the SBI to divest from Israel Bonds, as a "major initiative."

The Minnesota Break the Bonds Campaign is directed to the divestment of all Israel Bonds by the SBI not only because we have joined the Palestinian Civil Society Call for Boycott, Divestment and Sanctions against Israel until the government of Israel conforms its conduct to the requirements of international humanitarian law and treats the Palestinian population under its control with equality and dignity, but also because a sizeable portion of the money that Israel obtains by selling Israel Bonds is used to engage in activities that violate international law and the human rights of Palestinians. Not once, at any time in which you have held a leadership position in the JCRC, has the JCRC either admitted or disclosed this

key undisputable material fact which is at the heart of our divestment campaign nor has the JCRC ever attempted to refute it.

Instead, as part of Israel's anti-BDS campaign, the JCRC has disseminated false information to SBI board members, the legislature and the public in an attempt to block our divestment campaign. These falsehoods include accusations, published on the JCRC website, that we have engaged in an "endless campaign to delegitimize and demonize Israel in Minnesota." As a JCRC board member, you have overseen JCRC's hyperbolic misrepresentations to the community and you have never disavowed them.

Our campaign is not about "delegitimizing and demonizing Israel in Minnesota." Instead, we seek to expose and end apartheid, ethnic cleansing and racism in Israel. If the BDS movement causes Israel to eliminate these demons, it will be a better country for it. According to the Palestinian Civil Society Call, non-violent BDS measures will end when Israel meets its obligation to recognize the inalienable right of the Palestinian people to self-determination and fully complies with the precepts of international law by (1) ending its occupation and colonization of all Arab lands and dismantling the Wall; (2) recognizing the fundamental rights of the Arab-Palestinian citizens of Israel to full equality; and (3) respecting, protecting and promoting the rights of Palestinian refugees to return to their homes and properties as stipulated in UN resolution 194. Whatever "delegitimizing" may mean, unless it is solely defined by these three goals, it is not part of the Minnesota Break the Bonds Campaign.

Your obligations as an SBI board member are grounded in your statutory fiduciary obligations to Minnesota taxpayers and the public employee retirement fund beneficiaries, the majority of whom would undoubtedly object if they knew their money was being used to support human rights and international law violations, including Israel's massive settler colonization project in the West Bank. Your position of leadership in a community organization that is actively promoting the purchase of Israel Bonds by the SBI, knowing that a sizeable portion of the funds received into Israel's general fund from the purchase will be used to support unlawful West Bank settlement activities, among other international law violations, is incompatible with your statutory fiduciary obligation to the retirement fund beneficiaries whose money is being managed by the SBI. Aside from a paltry return on investment, purchasing Israel bonds to curry favour or show political solidarity with a special interest group is a misuse of plan assets which exposes the SBI and its Board members to breach of fiduciary duty allegations.

Combined with your impressive legislative record, we anticipate that you will complete your service as Minnesota's Secretary of State, the first Jewish constitutional officer in state history, with a solid legacy of having championed and expanded voting rights and the elimination of all barriers to participation in the political process for all Minnesotans. Thus, it is truly unfortunate that you have also participated in a leadership role in a community organization that, in addition to its more positive contributions to the community, has chosen not only to side with an oppressor but to promote the sale of the oppressor's sovereign bonds by engaging in a disinformation crusade.

Please do not unnecessarily tarnish your legacy by allowing yourself to be drawn into the divestment controversy by supporting, promoting or encouraging SBI investment in Israel Bonds, especially now that you are on formal notice as an SBI fiduciary about how a portion of the money is used. Because we also acknowledge your commitment to the more positive aspects of the JCRC's community actions and your probable reluctance to withdraw from the JCRC for those reasons, we urge you to completely and permanently recuse yourself from Israel Bond investment, reinvestment and divestment issues as long as you remain a member of the SBI.

Respectfully yours,

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Sylvia Schwarz, Co-Director  
Minnesota Break the Bonds Campaign

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Ilana Rosoff  
Midwest Regional Organizer  
Jewish Voice for Peace

cc:  
Senator James Abourezk  
Governor Mark Dayton  
Attorney General Lori Swanson  
State Auditor Rebecca Otto  
Executive Director Mansco Perry