Motion to: Council

24 June 2025

Subject: Divest the Norfolk Pension Fund

Proposer: Councillor Hoechner

Seconder: Councillor Worley

This council **NOTES** that:

1) As the world and our city have watched in horror the events unfolding in Gaza since October 2023, multiple international bodies and UN-appointed legal experts have found that the actions of the current Israeli government in Gaza amount to serious violations of international law, including:

    a) The International Court of Justice, in its provisional ruling (January 2024), found that the actions of the Israeli government in Gaza could plausibly amount to genocide under the Genocide Convention.[1]

    b) The United Nations Human Rights Council's Independent International Commission of Inquiry concluded in March 2025 that Israeli authorities are responsible for war crimes and crimes against humanity in Gaza, including extermination, gender persecution, and the use of starvation as a method of warfare.[2]

    c) The UN Special Rapporteur on the Occupied Palestinian Territory, Francesca Albanese found in her March 2024 report "Anatomy of a Genocide" that there are reasonable grounds to believe that the Israeli government is committing genocide in Gaza.[3]

    d) The UN High Commissioner for Human Rights, Volker Türk, stated that the operations of the Israeli military in Gaza show an unprecedented disregard for the principles of international humanitarian law (February 2025).

    e) The UN General Assembly adopted Resolution ES-10/21 (October 2023), calling for an immediate, durable and sustained humanitarian

[1] https://www.icj-cij.org/node/203454
[2] https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session58/a-hrc-58-crp-6.pdf
[3] https://docs.un.org/en/A/HRC/55/73

truce in Gaza and demanding that all parties comply with their obligations under international law.[4]

2) The UK, as a State Party to the Genocide Convention, the Geneva Conventions, and the European Convention on Human Rights, has a binding obligation to prevent genocide, war crimes, and other serious breaches of international humanitarian and human rights law.

3) According to data obtained by the Palestine Solidarity Campaign via Freedom of Information Requests (see https://lgpsdivest.org/lgps-investments/, last updated in February 2025), the Norfolk Pension Fund, administered by Norfolk County Council, has over £166 million invested in companies directly linked to violations of international law by the Israeli government. This includes over £500k invested in Israeli government bonds and over £12.8 million invested in arms companies supplying the Israeli military, including L3Harris (£9.5 million), BAE Systems (£2.1 million), and Northrop Grumman (£1.2 million).

4) Data from the Campaign Against the Arms Trade highlight that arms companies frequently supply states accused of egregious human rights violations, and that many governments – including the UK – actively facilitate these deals.[5]

5) A growing number of local authorities (https://lgpsdivest.org/timeline-of-divestment-milestones/) – including Waltham Forest Council, Oxford City Council, North Somerset Council and Bristol City Council – have set valuable precedent by resolving to seek to persuade the relevant Pension Committees to divest from companies involved in the arms trade and grave violations of international law.

6) The trade unions UNISON, Unite the Union, and GMB, representing thousands of LGPS (Local Government Pension Scheme) members in the UK, support the LGPS Divest campaign (https://lgpsdivest.org/), calling on administering authorities to ensure members' money does not finance violations of international law.

7) According to the 2014 guidance provided by the Law Commission on the 'Fiduciary Duties of Investment intermediaries' (paragraphs 5.14/15),[6] pension trustees

[4] https://docs.un.org/en/A/RES/ES-10/21

[5] https://caat.org.uk/challenges/who-buys-uk-arms/

[6] https://assets.publishing.service.gov.uk/media/5a7ebcdded915d74e33f21b2/41342_HC_368_LC350_Print_Ready.pdf

a) should not invest in activities which are illegal or contravene international conventions and

b) may disinvest for ethical reasons if they have good reason to think that scheme members would share their outlook and if they anticipate that such a decision will not result in financial detriment to the scheme.

8) In 2020, the Supreme Court confirmed the right of pension funds to divest from countries or companies on ethical grounds.[7] This was also confirmed by a legal opinion obtained by the LGPS Advisory Board in January 2025.[8]

9) The Norfolk Pension Fund invests its asset through the ACCESS Pool whose guidance on Environmental, Social and Governance (ESG) Factors explicitly mentions Human Rights as part of Social Factors to be identified and integrated into the investment selection, monitoring and deselection process.[9]

This Council **BELIEVES** that:

1) As a City of Sanctuary and longstanding member of 'Mayors for Peace',[10] an organisation committed to promoting world peace, the Council has a moral duty to do all it can to make sure it does not contribute to war crimes and crimes against humanity.

2) We can show solidarity with victims of violence, oppression, and occupation around the globe, by ensuring that none of our investments, including the investments of the Pension Fund we are part of, help finance states or companies implicated in serious violations of international law.

3) We should use our leverage as a member of the Norfolk Pension Fund to demand that the Fund immediately reviews its investment strategy with a view to implementing adequate investment screening and due diligence procedures to ensure that none of its investments facilitate such serious violations of international law.

4) Council staff have a right to know how their pensions are being invested and to have a say in ensuring those investments align with ethical and legal standards.

5) For many of the companies identified as being associated with violations of international law by the Israeli government, an engagement-only approach is insufficient. Companies complicit in these violations, such as arms companies

[7] https://www.unison.org.uk/news/article/2020/04/lgps-court/

[8] https://lgpsboard.org/images/LegalAdviceandSummaries/Jan2025_Updated_opinion_on_fiduciary_duty_in_the_LGPS.pdf

[9] https://www.accesspool.org/document/12619/

[10] https://www.norwich.gov.uk/info/20251/lord_mayor_and_sheriff/3885/mayors_for_peace

supplying the Israeli military with weapons, have been engaged with for many years, and they have faced sustained civil society campaigns. Giving these companies more time is unlikely to achieve change and hence the divestment process must begin now.

This council **RESOLVES**:

1) To ask the leader of the Council to write to the Chair of Pension Committee at Norfolk County Council, urging the Pensions Committee to:

    a) Publish all current investments – including those held via the ACCESS Pool and those made by fund managers – in an open, detailed and transparent way, including breakdowns by sector and company.

    b) Take immediate steps to develop adequate investment screening and due diligence procedures to ensure that going forward no investments are made in bonds from governments that commit war crimes and crimes against humanity, or in companies that are complicit in such crimes.

    c) Develop a timeline for divesting from government bonds and companies linked to war crimes and crimes against humanity.

    d) Make a public statement on the Committee's plans for divesting from government bonds and companies linked to war crimes and crimes against humanity.

    e) Report quarterly on divestment as a standing item on the Pension Committee until divestment goals are achieved.

    f) Engage with trade unions representing LGPS members, including UNISON, Unite, and GMB, to develop an ethical investment policy that respects members' voices.

2) To make a public statement reaffirming the Council's support for ethical investment and pension fund divestment from companies linked to war crimes and crimes against humanity.

3) To write to the Chair of the Joint Committee of the ACCESS Pool, urging the Joint Committee to take immediate steps to divest from government bonds and companies linked to war crimes and crimes against humanity, and to develop adequate investment screening and due diligence procedures to ensure that none of its investments facilitate violations of international humanitarian law.

4) To write to the Leaders of the Councils who form part of the ACCESS Pool to highlight members' concerns about problematic investments and to urge them to use their leverage to demand that the ACCESS Pool divests from

government bonds and companies linked to war crimes and crimes against humanity, and implements adequate investment screening and due diligence procedures to ensure that none of its investments facilitate violations of international humanitarian law.

5) To proactively advocate for a potential future Greater Norwich Unitary Authority to become the administering authority of the Norfolk Pension Scheme.

6) To actively engage with and seek advice from Councils and Pension Committees that have already taken steps to exclude and/or divest from companies linked to the arms trade and violations of international humanitarian law, and to work with trade unions representing scheme members on developing ethical investment principles in preparation of Local Government Reorganisation.

7) To seek appointment of a representative of Norwich City Council as second-largest council employer within the Norfolk Pensions Scheme to the Norfolk Pensions Committee at the earliest opportunity, and to proactively use such a position on the Committee to push for ethical investment.