



STATEMENT

Advocacy Group Calls for Port of New Orleans to Sever Ties with Israel

September 6, 2024

New Orleans Stop Helping Israel's Ports (NOSHIP) was founded in November 2023 in response to the Port of New Orleans ("Port")'s complicity in the ongoing genocide of the Palestinian people. In the months since then, NOSHIP, alongside other residents of Orleans, Jefferson, and St. Bernard Parish, have consistently attended and given comments at the Port's Board of Commissioners ("Board")'s public meetings, citing publicly available data to expose the Port's continued shipments of military goods to Israel.¹ NOSHIP has also alerted the Board to the July 19, 2024 ruling of the International Court of Justice, which declared that Israel's occupation of the Palestinian territory is unlawful,² as well as an open letter from international legal experts that urged states to cease the transfer of arms and jet fuel to Israel in compliance with said ruling.³ NOSHIP has ensured the Board's awareness of its complicity in Israel's illegal occupation and the risks that the Port is taking by defying international law. In line with this, NOSHIP has also urged the Board to retract its support from the letter of intent to establish the Innovation Embassy, an intended technological partnership between the Port of New Orleans and the Port of Ashdod.⁴

In response, the Board has made several statements denying the Port's weapons shipments and shifting blame to other entities. Most recently, Board Chairman Toomey delivered a prepared statement responding to NOSHIP's comments. In that statement, Toomey once again denied any knowledge or evidence of weapons being shipped from the Port of New Orleans to Israel, claiming that they had "found nothing to confirm the assertions [made in public comments] through the International Trade

¹ U.S. International Trade Commission data found at <https://dataweb.usitc.gov/>.

² *Legal Consequences Arising From the Policies and Practices of Israel in the Occupied Palestinian Territory, Including East Jerusalem*. Advisory Opinion. International Court of Justice, July 19, 2021, <https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-adv-01-00-en.pdf>.

³ RE: States' international legal obligations relating to the transit of military fuel to Israel onboard the Overseas Santorini and Overseas Sun Coast. (Aug. 9, 2024). Palestine Institute for Public Diplomacy. <https://www.thepipd.com/actions/international-legal-experts-warn-states-transit-of-military-fuel-to-israel-on-overseas-santorini-and-suncoast-breaches-international-law/>.

⁴ Ports in Israel and New Orleans Establish "Innovation Embassy". Biz New Orleans. (Feb. 23, 2023). <https://bizneworleans.com/ports-in-israel-and-new-orleans-establish-innovation-embassy/>.



Commission data portal or otherwise.” In reference to the regulation of shipments, Toomey claimed that “under the state and federal laws by which this Board is created and regulated, we have no power or authority to make political or moral judgements with respect to which ports of countries trade through the Port of New Orleans.” He also stated that the Innovation Embassy between the Port of New Orleans and Israel’s Port of Ashdod is “similar to numerous other such agreements that the Port has signed with many ports worldwide,” indicating a refusal to retract any involvement in that agreement.

These claims are evidence of either dishonesty or incompetence on the part of the Board. Despite the Board’s claimed inability to locate the data, NOSHIP has found ample evidence of military shipments within the International Trade Commission database.⁵ A portion of that research was recently verified by an independent news source.⁶ NOSHIP has also found legislation which contradicts the Board’s claimed lack of authority. Per LA. R.S. 34:25, it is within the Port Board’s authority to make rules and regulations that apply to “commerce, traffic, and navigation” within the Port’s territorial jurisdiction.⁷ Even if the Board is allegedly unable to regulate the traffic of specific goods, this statute authorizes the Board to regulate the function of vessels within the Port’s jurisdiction.

The Biden administration, the U.S. Department of Defense, and the U.S. State Department are in violation of U.S. law.⁸ These laws prohibit arms support and security assistance to foreign governments when there is credible information that these forces are engaged in gross violations of human rights. According to international human rights groups, Israel has woefully failed to provide credible assurances that it would not block life-saving aid or violate international law with U.S. weapons.⁹ According to international law experts, the U.S. and its local agencies must refuse “[oil tanker vessels] to transit within

⁵ U.S. International Trade Commission data found at <https://dataweb.usitc.gov/>.

⁶ Pro-Palestine Group Wants Port of New Orleans to Stop Sending Aid to Israel,; Port Says it Doesn’t Have Authority. (Aug. 26, 2024). WWNO. <https://www.wwno.org/coastal-desk/2024-08-26/pro-palestinian-group-wants-port-of-new-orleans-to-stop-sending-aid-to-israel-port-says-it-doesnt-have-authority>.

⁷ LA. R.S. 34:25. <https://www.legis.la.gov/legis/Law.aspx?d=92115>.

⁸ Arms Export Control Act, 22 U.S.C. §2751 et seq.; Limitation on Assistance to Security Forces, 22 U.S.C. §2378d; Prohibition on Use of Funds for Assistance to Units of Foreign Security Forces that Have Committed a Gross Violation of Human Rights, 10 U.S.C §362.

⁹ Israeli Forces’ Conduct in Gaza, a Human Rights Watch and Oxfam Submission to Biden Administration’s NSM-20 Process. (Mar. 19, 2024). Human Rights Watch, Oxfam. <https://www.hrw.org/news/2024/03/19/israeli-forces-conduct-gaza>.



states' territorial waters or to provision them within ports under states' jurisdiction. [...] Failure to do so could amount to a breach of international legal obligations and complicity in the international law violations being committed by Israel."¹⁰

Therefore, NOSHIP demands that the **Port use its authority granted by Louisiana law to abide by the rulings of the International Court of Justice** by impounding any vessel suspected of violating international law for investigation by the ICJ. This would include any vessel suspected of transporting military goods such as arms, ammunition, and jet fuel to Israel. If the Board of Commissioners believes it does not have the authority to stand in line with international law, **it is its moral and legal obligation to petition the U.S. government to be granted said authority.** Further, NOSHIP demands that the Board **publicly retract its signature from the letter of intent to establish the Innovation Embassy.** We reject the notion that the Innovation Embassy is comparable to agreements with other ports and refuse to accept that the Board is incapable of exiting said agreement. If the Board had the authority to sign the letter of intent in 2023, it stands to reason that it has the same authority to retract its signature now. The Board's continued refusal to acknowledge and rectify the Port of New Orleans' complicity in Israel's genocidal illegal occupation in Palestine will only serve to implicate the Board and this Port in violations of U.S. and international law.

¹⁰ RE: *States' international legal obligations relating to the transit of military fuel to Israel onboard the Overseas Santorini and Overseas Sun Coast.* (Aug. 9, 2024). Palestine Institute for Public Diplomacy. <https://www.thepipd.com/actions/international-legal-experts-warn-states-transit-of-military-fuel-to-israel-on-overseas-santorini-and-suncoast-breaches-international-law/>; See also *States and Companies Must End Arms Transfers to Israel Immediately or Risk Responsibility for Human Rights Violations: UN Experts.* (Jun. 20, 2024). UNHRC. <https://www.ohchr.org/en/press-releases/2024/06/states-and-companies-must-end-arms-transfers-israel-immediately-or-risk>.



About the Organization

New Orleans Stop Helping Israel's Ports (NOSHIP) is an all-volunteer grassroots Palestine solidarity organization. We demand an end to all ties between New Orleans and Israel. Our main campaign is to end all trade and aid, including military, with and to Israel through the Port of New Orleans, in accordance with international Boycott, Divest, and Sanction efforts. Without U.S. aid, Israel's genocide in Gaza and illegal occupation of the Palestinian people would be impossible. We look forward to the victory of the Palestinian resistance.

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