Don’t Bank on the Bomb Scotland briefing sheet: Tayside Pension Fund

Tayside Pension Fund manages the contributions of employees of Angus Council, Dundee City Council, Perth and Kinross City Council as well as Perth College UHI, Police Scotland (non-uniformed staff), Scottish Fire and Rescue Service (non-uniformed staff), Tayside Contracts and a range of other organisations.

Tayside Pension Fund currently holds shares worth £49 million in 6 companies that are involved in the production and maintenance of nuclear weapons, their deliver systems or delivery platforms:

<table>
<thead>
<tr>
<th>Company</th>
<th>Contracts related to UK’s nuclear weapons programme?</th>
<th>Involved in development or production of new types of nuclear weapons?</th>
<th>Value of Shareholdings at 31 Mar 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airbus</td>
<td>√</td>
<td>√</td>
<td>£22,299,092.21</td>
</tr>
<tr>
<td>BAE Systems</td>
<td>√</td>
<td>√</td>
<td>£3,049,781.04</td>
</tr>
<tr>
<td>Leidos</td>
<td></td>
<td></td>
<td>£6,393,998.20</td>
</tr>
<tr>
<td>Leonardo</td>
<td>√</td>
<td></td>
<td>£2,824,777.86</td>
</tr>
<tr>
<td>Rolls Royce</td>
<td>√</td>
<td></td>
<td>£10,510,068.74</td>
</tr>
<tr>
<td>Safran</td>
<td></td>
<td></td>
<td>£3,849,161.59</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td></td>
<td></td>
<td><strong>£48,926,879.64</strong></td>
</tr>
</tbody>
</table>

Source: List of Tayside Pension Fund’s shareholdings obtained May 2019 via freedom of information. For more information these companies see: Producing Mass Destruction: Private companies and the nuclear weapons industry: https://www.paxforpeace.nl/publications/all-publications/producing-mass-destruction.

Airbus is involved in the maintenance and development of several nuclear missiles for the French arsenal through the ArianeGroup, a joint venture with Safran.

Airbus, BAE Systems and Leonardo together form the MBDA joint venture that supplies medium-range air to surface missiles, including the new ASN4G, to France.

BAE Systems is building Britain’s new nuclear-armed Dreadnought class submarines and has contracts for key components for the submarine-launched Trident II (D5) missiles that are deployed by the UK and US. BAE is also working on the development of the US’s new Ground Based Strategic Deterrent intercontinental ballistic missile.

Rolls Royce was involved in the development of Britain’s current fleet of nuclear-armed Vanguard class submarines and has been working with Babcock International and BAE Systems on the development of their successor since 2007. The company has a contract to design, develop and manufacture the new PWR3 nuclear reactors for the Dreadnought submarines worth £1,082 million.

Leidos is one of the companies responsible for the management and operation of the Plantex Plant, the US’s primary facility for assembling and maintaining nuclear weapons. Weapons produced there include the W76-2, a controversial new low-yield, submarine-launched ballistic missile warhead.

*Tayside Pension Fund has a policy to divest from tobacco companies (see pp. 3 and 4). The fund could divest from nuclear weapons producers too.*
Why divest?

**Nuclear weapons are uniquely destructive**
- Nuclear weapons are designed to destroy cities and kill indiscriminately.
- Any use of nuclear weapons would have devastating environmental consequences. Even a “limited” nuclear war would trigger a nuclear winter, making food production impossible in some regions and putting millions at risk of starvation.
- Companies that make nuclear weapons are contributing to a new nuclear arms race which has raised the threat of nuclear conflict to its highest level since the Cold War.

**Nuclear weapons programmes have a huge opportunity cost to taxpayers**
- The world’s nuclear armed states spend an average of US$300 million a day on their nuclear weapons programmes.
- Latest predictions suggest that the UK’s Trident renewal programme will cost at least £172 billion over its lifetime, or £3.4 bn a year.
- Scotland pays £187 million a year towards Trident, money that could instead fund the training of 750 nurses, 370 police officers, 1,500 teachers and 235 doctors.

**Nuclear weapons are prohibited by international treaty**
- The 2017 Treaty on the Prohibition of Nuclear Weapons prohibits the development, production, testing, possession and use of nuclear weapons. It also prohibits assistance with these activities.
- Financing is a recognised form of assistance so when the treaty enters into force, most likely in 2020, financing nuclear weapons producers will contravene international humanitarian law.
- The treaty has increased the stigma associated with nuclear weapons. Companies which continue to produce them face damage to their reputation which could affect their value, making them a poor investment choice. Nearly 100 financial institutions have divested since the treaty was signed.

**Divestment promotes nuclear disarmament**
- A decision to divest would set an example to other organisations in Scotland that profiting from weapons of mass destruction is unacceptable.
- Widespread divestment could persuade companies to stop producing nuclear weapons, as was the case with the cluster munitions divestment campaign.
- Divestment will further delegitimise nuclear weapons and increase the pressure on states to abandon doctrines that them.

**Scots support divestment from unethical industries**
- In March 2018, a Survation poll found that nearly three quarters of Scots believe that the Scottish Parliamentary Pension Scheme should divest from arms companies, including Trident contractor Rolls Royce, and from tobacco and fossil fuel companies.
Is nuclear weapons divestment possible?

Fiduciary duty
Local authority pension funds often say that divestment on the basis of non-financial considerations is not possible because this would conflict with the fund’s fiduciary duty to its members. However, a legal opinion commissioned by the Scottish local government pension scheme’s advisory board states that pension committees can take into account non-financial factors in their investment decisions, “so long as that does not risk material financial detriment to the Fund”: http://lgpsab.scot/wp-content/uploads/2016/06/Letter-to-Funds-on-Fiduciary-Duty.pdf

Moreover, in a letter accompanying the opinion, the advisory board emphasised the importance of guarding “against extremes or selective interpretation of the legal principles by Pension Committees and Pension Boards, for instance which might unduly restrict the consideration of ESG and other wider factors which the Opinion makes clear may influence the choice of investments so long as that does not risk material financial detriment to the Fund”.

Pension funds do have a duty to act in the best interests of their members but there is a strong case that those interests will be best served by a fund which helps to limit the threat of nuclear war by divesting from nuclear weapons producers.

Examples
Tayside Pension Fund's Policy on Environmental, Social and Corporate Governance Issues states that the fund aims to disinvest from tobacco stocks. If fund managers wish to invest in the tobacco industry, they must produce a business case which demonstrates “that there are no suitable alternatives at that time that better meet the criteria to meet their investment objectives”: https://www.taysidepensionfund.org/media/3948/194-2018-esg-040618.docx

While this falls short of a blanket exclusion, Tayside’s ESG policy demonstrates that pursuing divestment is an option for Scottish local authority pension funds.

In 2016, the pension committee of the Waltham Forest became the first UK public authority to announce that it would divest its £735 million pension fund from fossil fuels. Waltham Forest’s investment strategy can be found here: https://democracy.walthamforest.gov.uk/documents/s59084/Investment%20Strategy%20-%202028%20-%202017.pdf

Waltham Forest’s announcement was closely followed by a commitment from Southwark to divest its pension fund from fossil fuels. The fund is worth £1.49 bn and provides pensions for 22,292 members. Southwark’s investment strategy states that “The Fund commits to transferring over time any current investments in these traditional energy sources in a way that is both structured and affordable and also meets the Fund’s fiduciary duties”: https://www.southwark.gov.uk/assets/attach/3507/Southwark%20Investment%20Strategy%20Statement%20-%20Fossil%20Fuel%20Appendix.pdf

Both Waltham Forest and Southwark are working to reinvest in positive, “green” focussed assets.

Many international examples of pension funds that have divested from nuclear weapons producers can be found in the “Hall of Fame” contained in the 2018 Don’t Bank on the Bomb Report: https://www.dontbankonthebomb.com/2018_report/.
How can nuclear weapons divestment be achieved?

**Councils can pass a resolution supporting divestment**

Don’t Bank on the Bomb Scotland and Nuclear Free Local Authorities UK have created a model resolution on nuclear weapons divestment:

### Draft model divestment resolution

- Council is a member of the Mayors for Peace, the global international body of Councils working for over 3 decades to promote multilateral nuclear disarmament and a more peaceful world. [If applicable] Council passed [name of resolution] on [date] calling on the UK government to cancel Trident replacement plans and support the 2017 Treaty on the Prohibition of Nuclear Weapons (TPNW).

- [Name of pension fund] manages the pension contributions of Council employees. [Name of pension fund] is known to hold shares in companies that are involved in the production or maintenance of nuclear weapons or their delivery systems, [If applicable] including some that undertake work on the UK’s nuclear weapons programme.

- Any investments in nuclear weapons producers are at odds with Council’s support for the TPNW and Council’s opposition to Trident renewal. Such investments also present a growing risk to [name of pension fund]. The TPNW has increased the stigma associated with nuclear weapons and companies which continue to produce nuclear weapons after the treaty enters into force will face damage to their reputation which could affect their value.

- Council calls on [name of pension fund] to:
  1. Work towards eliminating current and future financial exposure to companies that are involved in the production or maintenance of nuclear weapons and their delivery systems, giving due regard to fiduciary duty.
  2. Council asks the Chief Executive to write to the convener of [name of pension fund]’s pension committee to urge them to take full consideration of this resolution.

In May 2019, Renfrewshire became the first council the UK to pass this resolution, calling on Strathclyde Pension Fund to divest from nuclear weapons. Soon after, West Dunbartonshire passed a resolution that calls on the fund to divest from nuclear weapons and fossil fuels.

Council resolutions do not bind local government pension funds but they are an important statement of support for nuclear weapons divestment from councillors, who are fund members. The more councils that adopt resolutions, the greater the pressure will be on funds to divest.

**Influencing pension committees**

Local authority pension funds are governed by pension committees, which are generally comprised of councillors and sometimes union representatives. Pension committees act in a quasi-trustee capacity and are responsible for setting the pension fund’s investment strategy. Pension boards scrutinise the decisions of pension committees.

Pension committees could include divestment from nuclear weapons producers in their fund’s investment strategy, as Tayside Pension Fund has done with tobacco companies, providing that there is no financial detriment to the fund. It is therefore important that pension committee members hear from other fund members and constituents about why nuclear weapons divestment is so important.

Don’t Bank on the Bomb Scotland’s website provides links to the list of members for each pension committee and pension board in Scotland: