



2012 -13 no.3 £3.50 (free to members)

INTERLIB

Journal of the Liberal International British Group

Inside – Sudan Egypt Russia
Lib Dem Conference Reports



Members of Liberal Youth with a Belarus Bear!

EVENTS CONTENTS

26th February Diplomatic Reception, NLC
6.00-8.00pm tickets £25.00 from the Chair (below)

8th-10th March Liberal Democrats Spring Conference,
Brighton

11th March LIBG Forum on Kurdistan.
NLC. 7.30pm

15th-17th March Scottish Liberal Democrats Spring
Conference, Dundee - see page 24.

12th-14th April LI Exec. Beirut.

19th-21st April Democratiaid Rhyddfrydol Cymru
(Welsh Liberal Democrats) Spring Conference, Cardiff

8th July LIBG AGM

14th –18th September Liberal Democrats Autumn
Conference, Glasgow

18th September 175th anniversary of the establishment
of the Anti-Corn Law League by Richard Cobden,
1838.

October 128th Liberal Party Assembly, Friends Meeting
House, Wolverhampton

*For bookings & other information please contact the
Chair below.*

NLC= National Liberal Club, Whitehall Place, London
SW1A 2HE
Underground: Embankment

Liberal International (British Group)
Chair: Wendy Kyrle-Pope, 1 Brook Gardens, Barnes,
London SW13 0LY

email w.kyrle@virgin.net

*InterLiB is published by the Liberal International
(British Group). Views expressed therein are those of
the authors and are not necessarily the views of
LI(BG), LI or any of its constituent parties.*

*Comments and articles can be sent to
Lockhart & Hastings, Creative Media Centre,
45 Robertson Street, Hastings TN34 1HL,
email lockharthastings@btconnect.com*

Chair's letter Page 3

Darfur - Becky Tinsley Pages 4-6

Tabidjan LI Congress Page 6

Liberal Democrat Autumn Conference Pages 6-16

Friends of Israel Delegation & Fringe Pages 7-8

Britain's Betrayal of the Sacred Trust in Palestine
John Dugard (Friends of Palestine Fringe) Pages 9 - 14

Britain's Place in Europe, Europe's Place in the
World. Dr. Carol Weaver (LIBG/LDEG) Pages 15-16

A Russian Deja-vu, the Political Development
& the Objectives of the YABLOKO party.
Sergei Mitrokhin Pages 17-19

Minorities & Majorities in a Democracy .
Mohamed Nossier (Egypt) Pages 20-21

American Night Pages 21-22

Peter Dulieu Obituary Page 22

Ronnie Fraser Award Page 22

Reviews, International Abstracts Pages 23-24

Scottish Group Report & Kurdistan Forum Page 24



Adrian Trett on the LIBG stall at Brighton

From the Chair...

After a good Liberal Democrat Conference in Brighton, the Group looked forward to the 58th Liberal International Congress held in October.

All Congresses are interesting, and the agenda for this one, which included the Arctic, Female Genital Mutilation, Child Soldiers and many other vital topics, was no exception. What was remarkable was its venue, Abidjan in the Cote d'Ivoire, because just two years ago that would have been unthinkable; its legitimate President under hotel arrest, the threat of more civil war, the destruction of the country's infrastructure and economy, democracy cast aside. Now the Cote d'Ivoire is rebuilding, and democracy and stability have returned.

Sergei Mitrokhin, the brave leader of our sister party, Yabloko, in Russia, came to Westminster in November to speak of what is happening there. Whilst the chances of a truly free democracy in Russia look very unlikely at the moment, stranger and more miraculous things have happened, and we must never give up hope. Cracks are appearing in the Burmese regime's hold on that country, something no one could have imagined a couple of years ago.

Events move very fast, from good to bad, from dictatorship to democracy, and Liberal International has to be just as fast to react, support democracy, speak out for beleaguered peoples. The British Group runs events to reflect this changing world; Burma in December, Belarus last year, and a forum on Kurdistan on 11th March.. Some of these events are run in partnership with Liberal Youth, so their enthusiasm and ideology can enliven us. However, I am very aware that our

events are very London-centric and many of our members do not live in easy travelling distance.

Please do tell me if you would like an event on a topical subject in your region; speakers can be found, local members of Liberal Youth rallied to help, (reasonably inexpensive) venues can be funded.

These meetings need not be grand and formal; our now-four yearly Eve of Election for the US Presidency debate/discussion/oh please let Obama back in, was a very relaxed affair, held just prior to the real event. A lovely lady from Democrats Abroad, big with child, took us through the campaigns, the gaffs, the horrors, the vital states, and the chances of re-electing Obama. She called it right, a near run thing, and the relief at the result was universal.

But we do do Grand and Formal sometimes, and do it very well. The Diplomatic Reception will be held at the National Liberal Club in London on 26th February 2013, so if you want to dress up and be at the very epicentre of world affairs, this is the event for you. Please send your cheque for £25, payable to Liberal International (British Group) with your contact details (email vital), to 1 Brook Gardens, London SW13 0LY and your place at this glittering gala will be assured.

with best wishes for 2013

Wendy Kyrle-Pope
Chair



Diplomatic Reception

Once again, the ever popular Diplomats' Reception will take place at the National Liberal Club on 26th February 2012. With the Liberal Democrats in government it is fascinating to see who turns up!

Tickets cost £25.00 and are available from Wendy Kyrle-Pope at 1 Brook Gardens, Barnes, London SW13 0LY.

DARFUR - it doesn't get any better.

Becky Tinsley

Imagine that you are woken at dawn as the air force swoops low over your village, deliberately bombing houses, schools and clinics. The planes are followed by government soldiers, systematically targeting everyone with your colour skin, raping the girls and women, and killing the men. Welcome to Sudan.

Imagine that your government considers you an enemy because of your faith or your ethnicity, rather than your political views. For this you are repeatedly arrested and tortured by the oppressive regime ruling your homeland.

Perhaps the decades of marginalization endured by your people led you to join a group working peacefully for democratic pluralism, freedom of speech, and tolerance of minorities. Your involvement is seen as a threat to those in power: you are arrested and tortured repeatedly, you lose your job and your children cannot attend college.

You escape with only the clothes on your back, and after a hazardous journey, you arrive in a land you have always admired: the UK. You respect the British for their commitment to the same values for which you have suffered and sacrificed at home.

On arrival you explain as best you can that you consider yourself a refugee, and you claim asylum. However, the immigration officials question your story and even the torture marks you bear. They know nothing about the ethnic cleansing in Sudan, or the years of state-sponsored violence against people like you.

You are given temporary leave to stay while your claim for asylum is assessed. You are not allowed to work, though, which you find demeaning because you don't want charity. Instead, you can claim benefits of £35 (43 Euros) a week in vouchers to buy food, and you are given accommodation on a remote and troubled council estate far from London. At this point the nerve-wracking waiting begins, as the massive, inefficient Home Office bureaucracy examines each case, giving judgments that are as arbitrary and unpredictable as they are ruthless.

Equally numbing is the loss of control over your own fate, and the lack of dignity. Some refugees become involved in Diaspora groups, pressing UK decision-makers about the human rights abuses back home. They feel powerless as distant observers, knowing what horrors are occurring at home, although they are rarely reported, even on the BBC World Service. However, just attending a meeting can put their families in peril: refugees describe how Sudanese intelligence officials have names and photos of all those attending meetings inside the Houses of Parliament, or at demonstrations outside Downing Street.

The situation described above is shared by thousands of brave political dissidents who have fled to the UK from countries like Sudan. It is also the unenviable lot awaiting people who avoided political activism, but who are targeted because they are from a minority unwanted in their own land.

The human rights group, Waging Peace, which I started after visiting Darfur, tries to help people from Sudan who fit both of these categories. We convinced the Home Office that non-Arab Darfuris were being targeted because of their ethnicity, and must thus be given asylum. But our moment of victory was brief: immigration officials moved the goal posts, demanding proof that people were members of the minority to which they claimed to belong. Hence we now produce experts who attest to the ethnic origins of individuals facing deportation.

Many Sudanese fled without documents proving their identity. Time and again it is assumed they are opportunistic economic migrants. It is particularly galling for someone who has courageously suffered for worthy fundamental democratic principles when the human rights of the radical Islamist cleric Abu Qatada are protected because of his fame and ability to cause embarrassment.

Eventually those without the necessary documents are interviewed by the Home Office. To their horror, they have on occasion found a representative of the Sudanese embassy, the very regime from which they

have escaped, is present. The British officials believe the embassy's man is there to 'help,' while the opposite is the case. Consequently many Darfuris will live in terror of a phone call in the middle of the night, telling them their family in Sudan have been "disappeared."

Due to the random nature of decision-making, some British officials believe sending Darfuris back to Sudan's capital, Khartoum, is fine because it is peaceful. The violence is in the region from which the refugee has fled, not Khartoum, they argue. The immigration system seems incapable of understanding that the regime in Khartoum has a master plan to ethnically cleanse all non-Arabs from Darfur.

Once a refugee's claim is rejected they are removed from the minimal support they have been receiving and are left without "recourse to public funds." They cannot even go to homeless shelters. Consequently many live on the streets or "sofa surf" from one sympathetic home to the next, depending on the fickle kindness of strangers (often members of the Catholic Church). The lucky ones are given three small one off monthly payments the Red Cross, or are helped by groups like ours who extend some financial help where we can.

They live in constant fear of being picked up by the UK Border Agency, detained and deported to Khartoum where they fear they will be arrested and tortured. Their fears are based on what they have heard about other refugees who have suffered this fate. Refugees who end up in detention face a miserable time in limbo, dreading the inevitable forcible return to Sudan. No wonder so many become depressed, disturbed, or go on hunger strike. Waging Peace has interviewed detainees who describe less than ideal treatment by the staff employed by the private security companies running detention facilities.

When all other appeals have failed solicitors may apply for "judicial review" of refugees' cases challenging the legality of the decision making process, but as of April 2013 this vital tool to protect human rights will be limited by new legal aid laws, a victim of government cuts. There then remains only the possibility of making a last minute appeal to the European Court of Human Rights. On occasion the "stay of execution" arrives as the refugee is being bundled on the plane for Khartoum, not good for the mental health of anyone involved in the process.

It would be helpful if the Foreign Office shared its knowledge of the human rights situation within a

country with Home Office and Border Agency staff making decisions about deportation so that the best possible decisions can be made. The human rights situation in Sudan is grave and rapidly changing. In the light of the renewed and systematic campaign of ethnic cleansing in Sudan (the Nuba Mountains, Blue Nile state and among the Beja people in the east), refugee status should be extended to all non-Arab Sudanese, not only Darfurians.

Better still, our government, as one of three nations that were midwives to the Sudan peace process, and as a member of the UN Security Council, can bring pressure to bear on the Khartoum regime. If the violence and ethnic cleansing stopped, so would the flow of immigrants. Many people arriving in the UK as refugees are from countries like Iraq and Afghanistan. We can hardly be surprised when the wars in which we are involved cause thousands of people to flee.

In the case of Sudan, there are many unenforced UN resolutions calling for a no-fly zone over Darfur, an arms embargo, and sanctions targeted at the architects of the ethnic cleansing. The no-fly zone should be activated and extended to cover South Kordofan and Blue Nile states where non-Arab people are being hunted like animals. In November 2012 alone, there were 320 bombing raids on the people of the Nuba Mountains in this region. An arms embargo covering all of Sudan would also be appropriate, although it will be resisted by China and Russia who supply Khartoum.

We have further levers of 'soft power' we could use. For instance, technology allows us to freeze the assets of narco-criminals: we should apply the same to the leaders of Sudan's ruling National Congress Party (formerly the National Islamic Front). In addition, travel bans and smart sanctions would make life inconvenient for the regime's top officials.

The president, Field Marshall Bashir, has been indicted for genocide by the International Criminal Court, yet our government treats him as our partner in the search for peace in the region. Sudan has broken every deal it has ever signed, and yet our diplomats appease him, emboldening his sense of invulnerability.

Bashir has convinced the CIA and MI6 that he is on their side, a curious idea, given that he counts Iran and Hizbollah as his closest allies, and that he sheltered Osama bin Laden for five years. But Bashir has offered the West what it most wants: Human Rights Watch reports that Sudan tortured rendered

suspects on our behalf, and it is rumoured there are US drone bases inside Sudan.

So, for all our talk of human rights and supporting the self-determination of people across the Arab world, in truth we have very different priorities. In the case of the UK, we also continue to promote trade links with Sudan. So much for the famous British values that inspire political dissidents around the world.

Rebecca Tinsley is Director of Waging Peace.

It 'Appened in Abidjan

The 58th Congress of the Liberal International took place in Abidjan, Cote d'Ivoire on 17th-21st October 2012. Over 150 delegates and guests from all over the world joined the debates related to the central theme '*Promoting Private Investment, Enhancing Social Responsibility.*' John Alderdice, Nick Branson, Iain Gill, Simon Hughes, Chris Rennard & Robert Woodthorpe Browne attended from the UK

The LI Congress was generously hosted by Rassemblement des Républicains (RDR, Cote d'Ivoire) under the patronage of the President of the Republic of Cote d'Ivoire His Excellency Alassane Ouattara and in cooperation with the Africa Liberal Network (ALN) and the Friedrich Naumann Foundation for Liberty (FNF) through its Abidjan Office.

The adopted documents from the Congress, copies of speeches delivered by various prominent liberal leaders, the final Program and other important information can be found at www.liberalinternational.org

Always look on the Bright(on) side of Life...

Brighton was my first Liberal Democrat conference for a number of years, and the first since they have been a party of government. Invariably MPs and Peers now take a greater role in debating policy. They would, there are more of them, the media if not the public expect it, and it is not necessarily a bad thing (in the sense of Labour & Tory conferences) when one remembers that it was only a short while ago you were just as likely to be shoving Focus through the

letterboxes alongside them. It remains useful to know what their commitment to issues is.

The debates that I attended were of a high quality. A gasp went around the auditorium when George Potter let slip that Clegg's office doesn't necessarily share our commitments on disability (though he felt sure that Nick would). This is key to the problems of the body politic – too many of its operators have had no experience of the real world. However, I was pleased to see Liberal Youth out of their suits and looking young again in this respect.

LIBG's fringe was of a high standard. We joined forces with LGBT+ and Liberal Youth to discuss equal global rights in countries that persecute people for their identity and sexuality. Jeremy Browne, no longer in the Foreign Office (some mistake there Cleggers) gave an insight into its workings on such matters, whilst the speakers from Kaleidoscope, Lance Price and Harjeet Johal and Kavya Kaushik of Liberal Youth spoke of their experiences.

Britain's Place in Europe, Europe's Place in the World, saw us teamed up with the Liberal Democrat European Group. The speakers were the Lib Dems newest MEP Rebecca Taylor; Dr Carol Weaver; Jonathan Fryer; and Catherine Bearder MEP. Do we really think there is going to be a referendum on membership of the European Union? I doubt it myself... some fudge rather. Not holding a referendum on some EU issue was possibly Blair's biggest mistake (well, in terms of domestic party politics). Carol's piece follows, as do reports from the Friends of Israel and Palestine... others? You can ask.

The fringe was less corporate than Sheffield & Gateshead, but party and quasi-party organisations are finding it very expensive (hence the grouping of bodies in fringe meetings below). There is concern over this on the FCC and it needs to be addressed.

I didn't listen to Nick Clegg's speech; it was probably just as well. But I read it; it is comparatively brief. I'd expected a greater internationalist focus from what he'd said at the International Reception. Given some of his remarks about party activists, do we have another Liberal Unionist in the making?

The party is more professional than when I last attended; more polished in its delivery; but many of the faces remain the same, so I conclude it is in the good hands of its membership.

Stewart Rayment

Liberal Democrat Friends of Israel Parliamentary Delegation to Israel, June 2012 & at Brighton

At Liberal Democrat Friends of Israel's Autumn Conference Fringe meeting, Stephen Williams MP and Lorely Burt MP talked about their experiences and recollections of their June visit to Israel with LDFI earlier in the year. The meeting was also joined by the Israeli Ambassador in London, Daniel Taub, who gave the Israeli's Government's perspective on prospects for peace in the Middle East."

A delegation led by LDFI's President Sir Alan Beith MP visited Israel and the West Bank in June. Chair of the Parliamentary Party Lorely Burt MP, Bristol West MP Stephen Williams and Lord Rennard were joined by two potential candidates Sandy Walkington (Candidate for St Alban's in 2010) and Maajid Nawaz (Chair of the Quilliam Foundation and member of the Liberal Democrat Leadership Programme).

The visit saw the delegation cross Israel from furthest north to deepest south. We visited the *Nofei Hovshor* School just outside Sederot. The school is a reinforced building with safe rooms throughout so schooling can continue even when the area is under rocket attack from the near-by Gaza strip, which sadly it often is. At the opposite end of the country, we visited Kibbutz Misgav on the border with Lebanon and Syria; the area has been quiet for the last couple of years, but Hezbollah are believed to have a large stock of missiles in the basements of houses just across the border. Our guide told us these missiles if fired could reach Tel Aviv.

On the West Bank, the delegation visited Rawabi just north of Ramallah. This is the largest private sector



project in Palestinian history, initiated at the 2008 Palestine Investment Conference.

Mostly funded by the Qatari company LDR and Palestinian multi-millionaire Bashar al-Masri, the development

is expected to generate between 8,000 and 10,000 new jobs in the construction sector and up to 5,000 new homes.

The delegation met with the Israeli Prime Minister's official spokesperson, Mark Regev (see left), who described the political challenges Israel face. We also met with, Husam Zumlot, spokesman for the

Palestinian Authority who described the political challenges the Palestinians face.

Amongst the most moving of many meetings, Arnold Roth described his experiences. He lost his daughter when a terrorist blew himself up the Sbarro pizza restaurant in Jerusalem two weeks before 9/11 back in 2001. Since then Arnold has set up the charity Keren Malki, in his daughter's name. The Malki Foundation is a non-political, non-sectarian, not-for-profit organisation that honours the tragically short life of a girl dedicated to bringing happiness and support into the lives of special-needs children. The delegation also visited *Yad Vashem*, Israel's Holocaust museum and memorial.



The group toured both Jerusalem and Tel Aviv, including the Western Wall and Old City of Jerusalem, the White City of Tel Aviv which is designated a UNESCO World Heritage site and the Tel Aviv square where Prime Minister Yitzhak Rabin was assassinated in 1995. And the delegation saw the Security Fence, built following a large number of suicide bombings and other terrorist attacks in around 2000 to prevent terrorists coming from the West Bank into Israel's main population centres. The fence has been successful in reducing the number of suicide attacks, but at the same time as caused serious dislocation to the lives of many Palestinians.

We had diplomatic briefings from the UK's two diplomatic missions: UK Ambassador to Israel Matthew Gould and UK Consul General in Jerusalem Sir Vincent Fean.

We also saw some of Israel's connections with Liberal history. We stayed in a hotel on Herbert Samuel Boulevard, Tel Aviv's main promenade, named after the Liberal Leader of the 1930s who was Britain's first High Commissioner for Palestine. In Jerusalem we saw Lloyd George Street. And the Great Man's picture was in pride of place on the desk of Israel's first President Chaim Weizmann at the Weizmann Institute, now one of the

world's leading multidisciplinary research institutions which has been responsible for ground-breaking medical and technological applications.

Sandy Walkington, St Alban Parliamentary Candidate, 2010 - *"My visit to Israel and the West Bank with the LDFI delegation was tremendously informative and enriching. It was a privilege to be with such a distinguished group, and very helpful being able to share impressions and reactions. We gained some fascinating insights into the issues. There are no easy answers but nothing beats seeing things on the ground."*

Lorely Burt MP - *"Our LDFI trip to Israel was truly amazing. I can honestly say I felt we not only went everywhere and we met people representing all interests. I'm so grateful to LDFI for raising the money to enable us to experience this beautiful but troubled land."*

"The hospitality was wonderful, and the best moment for me was the Shabbat evening I spent with a Jewish Rabbi and his lovely family. I was truly touched by the family evening, where each family member no matter how small were encouraged to talk about one good thing that had happened and one wise thing. One small daughter's wise thing was 'just do it!' The tender love shown in the Friday blessing of the children moved me to tears."

Stephen Williams MP - *"I am grateful for LDFI for arranging my third visit to Israel and Palestine. I wanted to gain the perspective of the Israeli government and officials and also to hear first-hand the experiences of Israeli citizens. The highlight for me was a Shabbat supper with an Israeli family and their neighbours – a fantastic culinary, cultural and politically informative experience!"*



David Taub, the Israeli Ambassador speaking at the Friends of Israel fringe meeting. We look forward to seeing him again at the Diplomatic Reception.



David Taub with Gavin Stollar, Chair of the Friends of Israel

LIBERAL INTERNATIONAL BRITISH GROUP FORUM

KURDISTAN AND HER NEIGHBOURS

19:30-21:00 MONDAY 11 MARCH 2013

**ROUNDTABLE DISCUSSION in THE LADY VIOLET ROOM, NATIONAL LIBERAL CLUB,
1 WHITEHALL PLACE, SW1**

See Page 24 for further info.

BRITAIN'S BETRAYAL OF THE SACRED TRUST IN PALESTINE

John Dugard

Thank you for invitation. Today I will be speaking about Britain's special historic role in securing peace in the Middle East; about the "sacred trust" that Britain undertook in 1920 to lead the people of Palestine to full statehood and independence.

I know that this is a sensitive subject in Britain and in the Lib Dem Party. Witness the rebuke administered to Baroness Jenny Tonge.

Let me say at the outset why I am troubled by this sensitivity and the taboo it engenders.

As a South African opposed to apartheid I spoke my mind in South Africa during the apartheid era. It did not make me very popular in South Africa. I was prosecuted and arrested. My family was subjected to death threats.

But when I visited the United States, the UK and other European countries and spoke my mind I was welcomed as a hero. Audiences fell upon my every word. I was praised for my courage and convictions.

But now when I speak about a similar situation in Palestine – and the situations are very similar – I am viewed as an anti-semite. When I was UN Special rapporteur on the Human Rights Situation in Palestine I was vilified by the US and Israeli governments. European governments too found me an embarrassment.

I am concerned about Palestine in the same way that I was concerned about apartheid South Africa. It is in this spirit that I speak today.

I do not intend to speak about apartheid and Palestine today.

I have made this comparison and I believe that there are serious and real comparisons to be made. Any South African has a sense of déjà vu when visiting the Occupied Palestinian Territory (OPT) – as it is officially known. Anyone interested in this subject should read a new book on this subject: Beyond Occupation. Apartheid, Colonialism and International

Law in the Occupied Palestinian Territory (Ed Virginia Tilley, Pluto Press 2012).

Let me now turn to Britain's Sacred Trust.

British policy towards Palestine for the past 100 years has been informed by two narratives, two visions.

First, the vision of a Jewish state in Palestine, captured in the Balfour declaration of 1917. Second, the vision of a democratic independent state in Palestine where human, political and religious freedom were to prevail. This vision is captured in the "sacred trust" for Palestine accepted by Britain in 1920 in the Mandate for Palestine.

First a few words about the Balfour Declaration. In 1917 the Foreign Secretary Arthur Balfour wrote a letter to the wealthy British banker and Zionist, Lord Rothschild, in which he declared: "His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of non-Jewish communities in Palestine..."

From the outset this Declaration was controversial. After all in 1917 there were 690,000 Arabs (Christian and Muslim) compared with 59,000 Jews in Palestine and it seemed difficult even then to see how a small minority could be given preferential treatment.

This fact, together with the fact that the Balfour declaration was seen largely as a means for diverting Jewish immigration from Britain to Palestine, issued by a man with known anti-semitic views, led the two most prominent British Jewish politicians of the day, Lord Curzon and Edwin Montagu, to vigorously oppose the Balfour Declaration.

Later, when the language of the Balfour Declaration was included in the mandate for Palestine, the House of Lords rejected its inclusion in the Mandate, in motion passed by 60 to 29, on the ground that it was

opposed to the “wishes of the great majority of the people of Palestine”.

The other vision for Palestine was to be found in the Hussein-McMahon correspondence of 1915, promising an independent Palestine, the declaration of General Allenby when he liberated Jerusalem in December 1917 and promised liberation for all the peoples of Palestine, and the Mandate for Palestine. This brings me to the “sacred trust” contained Mandate for Palestine .

THE MANDATE FOR PALESTINE AND THE MANDATES SYSTEM

The Mandates system of the League of Nations was proclaimed in Article 22(1) of the Covenant of the League of 1920 which provided:



John Dugard speaking at Brighton

“ To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilization and that securities for the performance of this trust should be embodied in this Covenant.”

Advanced nations were entrusted with the task of administering these territories, to be known as mandates, in order to give effect to this “ sacred trust”. They were, however, to be accountable to the Council of the League of Nations for their administration of the sacred trust. A distinction was made between the developed former colonies of the Turkish Empire – Iraq, Palestine and Transjordan, Syria and Lebanon, and the less developed former colonies of Germany in Africa and the Pacific Ocean. The former colonies

of the Turkish Empire, designated as “ A Mandates”, were described in Article 22(4) of the Covenant as having “*reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone.*”

The League of Nations entered into Mandate agreements with the Mandatory Powers. Great Britain was granted the mandate for Palestine entered into such an agreement in respect of Palestine and Transjordan .

The Mandate for Palestine took account of the controversial Balfour Declaration¹ in its Preamble which declared that the Mandatory should be responsible for putting into effect the Balfour Declaration “ *in favour of the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of non-Jewish communities in Palestine* ”.

The Mandate gave full power of legislation and administration to Great Britain. The Mandatory was required to develop self-governing institutions, safeguard the civil and religious rights of all the inhabitants, encourage local autonomy, ensure complete freedom of conscience and worship and prohibit any discrimination of any kind between the inhabitants on grounds of race, religion or language.

The administration of Palestine was controversial and unhappy. Conflict and violence between the Jewish and Arab communities in Palestine characterized the inter-war years and Britain found it difficult to administer the territory in a fair and even-handed manner.² Britain did, however, succeed in producing an Anglophile Palestinian elite instilled with the best British values and committed to the creation of a democratic Palestine on the termination of the Mandate.

On 26 June 1945 the Charter of the United Nations was signed. A new international Trusteeship System was created by the Charter which was to apply to “territories now held under mandate”.³ Both the

¹ See Victor Kattan *From Co-existence to Conquest. International Law and the Origins of the Arab-Israeli Conflict 1891-1949* (2009) 42- 44.

² See Kattan *op cit* footnote 5 at 78-97.

³ Article 77.

United Nations and the League of Nations anticipated that mandated territories would be placed under trusteeship but no obligation was imposed on mandatory states to do this.

The status of the mandates after the demise of the League of Nations was raised in respect of the Mandate for South West Africa that had been conferred on South Africa. In 1950 the International Court of Justice gave an advisory opinion on the *International Status of South West Africa* ¹.

In its Opinion the Court made a number of pronouncements relating to the mandates system in general which are equally applicable to the Mandate for Palestine. Under the mandates system, declared the Court “two principles were considered to be of paramount importance: the principle of non-annexation and the principle that the well-being and development of such peoples form ‘a sacred trust of civilization’”². The mandates were created “in the interest of the inhabitants of the territory, and of humanity in general, as an international institution with an international object – a sacred trust of civilization.”³ The fulfillment of the sacred trust did not depend upon the existence of the League of Nations. In its dissolution resolution the Assembly of the League said that the League’s functions with respect to mandated territories would come to an end but it “did not say that the Mandates themselves came to an end”⁴.

In 1971 the International Court of Justice handed down another advisory opinion on South West Africa/Namibia - *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)*⁵- in which it held that the Mandate for South West Africa had been lawfully terminated by the United Nations.,

As in 1950 the Court made a number of pronouncements of a general nature on the sacred trust

¹ 1950 ICJ Reports 128.

² *Ibid* 131.

³ *Ibid* 132.

⁴ *Ibid* 134.

⁵ 1971 ICJ Reports 16.

that applied to all mandated territories. It made it clear that the continuance of an institution such as a mandate was not inseparably linked with the League of Nations and “cannot be presumed to lapse before the achievement of its purpose”.⁶ The Court declared that the concept of the sacred trust had evolved in accordance with developments in international law and

“These developments leave little doubt that the ultimate objective of the sacred trust was the self-determination and independence of the peoples concerned”.⁷

PALESTINE AFTER 1945

On the demise of the League of Nations in 1946 Britain, as mandatory power, had two options. Either it could grant independence to Palestine, as had been done in the case of all the other A Class Mandates – Iraq, Syria, Lebanon and Jordan – or it could place Palestine under trusteeship. Sectarian conflict made independence impossible. Britain then proposed trusteeship for a five year period. In so doing Britain explained:

“throughout the period of the Mandatory rule in Palestine it has been the object of His Majesty’s government to lay the foundations for an independent Palestinian state in which Arabs and Jews would enjoy equal rights.”

When this proposal was rejected by both Arabs and Jews, Britain asked the United Nations to make recommendations on the future of Palestine.

On 29 November 1947 the General Assembly adopted Resolution 181(II) by a vote of 33 (including France, USA and USSR) to 13 (including all Arab States) with 10 abstentions (including China and the UK), which provided for the partition of Palestine into an Arab and a Jewish state, an economic union between them and the internationalization of Jerusalem under United Nations administration. The Mandate was to terminate on the withdrawal of Britain and not later than 1 August 1948.

Resolution 181(II) was accepted by the Zionist League on behalf of the Jewish community but was rejected by the Arab community of Palestine and by

⁶ *Ibid* at 32 (para 55).

⁷ *Ibid* at 31 (para 53).

Arab States. This was not surprising as the partition plan offered the Jewish community comprising 33 per cent of the population of Palestine 57 per cent of the land and 84 per cent of the cultivatable land. According to Ernest Bevin, Britain's Foreign Minister it was "manifestly unfair to the Arabs".¹

The legality of Resolution 181(II) was and still is hotly debated by international lawyers². Moreover, it was clearly impossible to implement it in the face of Arab opposition. Attention then returned to the possibility of a trusteeship agreement and on 20 April 1948 the US introduced the text of a draft Trusteeship Agreement for Palestine before the General Assembly which envisaged a single Palestinian state.³ Time was, however, running out as the United Kingdom had announced that it would evacuate its administration on midnight of 14 May. On midnight of 14 May 1948 Israel declared its independence, invoking Resolution 181 (II) in support of its independence. From the outset, however, it was clear that the new state of Israel had no intention of abiding by the terms of the resolution. The new state was immediately recognized by President Truman of the United States, much to the surprise and

¹ *Ibid* at 152.

² *Ibid* at 153 – 155; N Araby "Some Legal Implications of the 1947 Partition Resolution and the 1949 Armistice Agreements (1968) 33 *Law and Contemporary Problems* 97; H Cattat "Recollections of the United Nations Resolution to Partition Palestine (1987-88) *Palestine Yearbook of international Law* 263

³ Kattan *op cit* footnote 5 at 166-7.



Bob Russell raises a point.

consternation of the State Department, which had warned against premature recognition⁴. Two days later Israel was recognized by the Soviet Union.

Israel's declaration of independence was followed by hostilities between the new state and the Arab states of Egypt, Jordan, Syria and Lebanon, which were brought to an end by the Armistice Agreements of 1949, and which resulted in the state of Israel occupying much more of Palestine than was envisaged by Resolution 181 (II). On 11 May 1949 Israel was admitted to the United Nations, with Britain abstaining in both the Security Council and the General Assembly.

In 1967 Israel fought the Six-Day war against its Arab neighbours. The jury is still out on the question whether Israel acted in self-defence or as an aggressor but for the present study a decision on this subject is unnecessary. What matters is that Israel occupied the West Bank, East Jerusalem and Gaza and continues to occupy them. In 1980 Israel purported to annex East Jerusalem, but this annexation was condemned as invalid by the Security Council of the United Nations⁵. In 1967 the Security Council unanimously adopted resolution 242 which emphasized the "inadmissibility of the acquisition of territory by war" and affirmed that a just and lasting peace required the "withdrawal of Israel armed forces from territories occupied in the recent conflict".⁶

In the early 1990s Israel and the Palestinian Liberation Organization (PLO) entered into a series of bilateral agreements known as the Oslo Accords which provided for the establishment of a Palestinian Interim Self-Government Authority (PA) "for a transitional period not exceeding five years, leading to a permanent settlement based on Security Council Resolutions 242 and 338."⁷ The negotiations that preceded these Accords, the Accords themselves, and

⁴ J Snetsinger *Truman, the Jewish Vote and the Creation of Israel* (1974) 109.

⁵ See Security Council Resolution 1860(2009) which recognizes that "Gaza constitutes an integral part of the territory occupied in 1967". See further, Y Dinstein *The International Law of Belligerent Occupation* (2009) 276 -280.

⁶ For an analysis of this resolution, see J McHugo "Resolution 242: A Legal Appraisal of the Right-Wing Interpretation of the Withdrawal Phase with Reference to the Conflict between Israel and the Palestinians" (2002) 51 *ICLQ* 851.

the subsequent negotiations aimed at implementation of the Accords were characterized by an absence of lawyers and respect for international law. The Israelis, backed by the Americans, refused to be guided by international law because legal norms were not useful and disputes were to be settled on more realistic grounds.¹ Needless to add, the sacred trust of Article 22 of the League Covenant, premised on self-determination with its ultimate goal of independence, received no mention in the Oslo Accords or related negotiations. As far as the Israelis and Americans were concerned *real politik* had replaced the sacred trust.

The breakdown of negotiations resulted in the Second Intifada, an uprising of the Palestinian people against the Israeli occupation. This led Israel, in 2002, to embark upon the construction of a wall, partly in Palestinian territory, allegedly for security reasons but in reality to incorporate Israel settlements in the West Bank into Israel. The response of the General Assembly was to request the International Court of Justice to give an advisory opinion on “the legal consequences arising from the construction of the wall being built by Israel, the Occupying Power, in the Occupied Palestinian Territory...considering the rules and principles of international law...”²

On 9 July 2004 the International Court of Justice handed down its Opinion on *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*³ in which it held that the wall being built by Israel in the Occupied Palestinian Territory is contrary to international law; that Israel is under an obligation to cease forthwith the construction of the wall and to dismantle the sections of the wall that had already been built; that Israel is under an obligation to make reparation for the damage caused by the construction of the wall; and that all states are obliged to withhold recognition of the illegal situation resulting from the construction of the wall. The Court also found that Israeli settlements in the Palestinian Territory are unlawful. This Opinion was supported

⁷ Declaration of Principles on Interim Self-Government Arrangements, Israel-PLO 13 September 1993 (1993) 32 *ILM* 1525.

¹ Omar Dajani “Shadow or Shade? The Roles of International Law in Palestinian – Israeli Peace Talks” (2007) 32 *Yale Journal of International Law* 189.

² General Assembly Resolution ES – 10/14.

³ 2004 ICJ Reports 136.

by fourteen judges, including the British Judge, Dame Rosalyn Higgins. Only the American judge dissented.

The sacred trust was endorsed by the International Court when it recalled the dictum of the Court in its advisory opinion on the *International Status of South West Africa*⁴ that the Mandate was created “as an international institution with an international object – a sacred trust of civilization” premised on two principles of “paramount importance: the principle of non-annexation and the principle that the well-being and development “of the peoples of the mandated territories was “a sacred trust of civilization”.⁵ Later in its Opinion, echoing the 1971 advisory opinion on *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)*,⁶ the Court declared that the ultimate objective of the sacred trust referred to in Article 22 of the Covenant of the League of Nations “was the self-determination and independence the peoples concerned”.⁷

The importance of the right of self-determination of the Palestinian people was

repeatedly stressed by the Court⁸ and by judges in their separate opinions. Judge Higgins declared that “the Palestinian people are entitled to their territory, to exercise self-determination, and to have their own State”.

From the 2004 Opinion of the International Court it is clear that the sacred trust contained in the Mandate for Palestine did not terminate with the dissolution of the League of Nations. Nor did it terminate with the withdrawal of the mandatory Power in 1948 or the creation of the state of Israel in 1948 in a portion of the mandated territory of Palestine. The Mandate imposed a special international status on the territory of Palestine as a whole, which continues to exist until the independence of the whole of Palestine is achieved and the sacred trust is fulfilled.

⁴ Above footnotes 12 and 13.

⁵ Above footnote 40 para 70.

⁶ Above footnote 21 paras 52-53.

⁷ Above footnote 40 para 88.

⁸ *Ibid* paras 88, 118, 149, 159 and 156.

THE BALFOUR DECLARATION AND THE SACRED TRUST

The Zionist dream has in part been fulfilled. There is a national home for the Jewish people in Palestine. Not as much as the most ardent Zionists would like as 22 per cent of the former Palestine is still occupied Palestinian territory. True, settlements and the wall are slowly taking what remains of Palestine but many Zionists will not rest until the whole of the former Palestine has been formally incorporated into Israel. The Balfour declaration is seen by Zionists as the inspiration for the state of Israel. In 2007 the Prime Minister of Israel, Ehud Olmert, said in a speech to commemorate the 90th anniversary of the Declaration:

“ The Balfour Declaration constitutes one of the basic milestones in the establishment of the state of Israel – the right of the Jewish people to a national home”.

One British vision of Palestine has therefor been accomplished. There is a national home for Jews in Palestine. But what about the other vision? Self-determination and independence for the Palestinians living in what remains of the former mandate for Palestine? Is the “sacred trust” assumed by Britain in 1920 forgotten, abandoned in the interests of Israel and US domestic policies?

The implications for Britain of the continued existence of the sacred trust created by the Mandate for Palestine are twofold.

First, the sacred trust compels the UK as former Mandatory, acting through the United Nations as successor to the League of Nations, to ensure that there is no consistent pattern of human rights violations in the territory. This is in the very nature of a “sacred trust”. This was made clear by the International Court when it said in respect of South West Africa that the former mandatory was obliged to respect and promote human rights in the mandated territory.

Secondly, as the International Court of Justice has stressed, the concept of sacred trust must be interpreted as requiring effect to be given to the principle of self-determination leading to independence.

Sadly Britain has done little to protect the human rights of the Palestinian people or to advance their independence.

Human rights

There is abundant evidence of violations of the human rights of the Palestinian people ranging from torture to arbitrary restrictions on freedom of movement, and from the destruction of homes to the seizure of water resources. The reports of UN treaty bodies, UN Special rapporteurs (including those of the present writer¹), NGOs and UN Commissions of Enquiry testify to such violations.² The violations of international humanitarian law are equally widespread

¹ See, for example, E/CN.4/2004/6 of 8 September 2003 and A/HRC/4/17 of 29 January 2007.

² See too the study of the South African Human Sciences Research Council published in *Beyond Occupation*, footnote 1.

and persistent. Settlements in the West Bank and East Jerusalem accommodate some 600, 000 settlers or colonists and were condemned as illegal by the International Court of Court in its 2004 Advisory Opinion.³ Many reports, including the so-called Goldstone report of the Human Rights Council⁴ and the Report of the League of Arab States Fact Finding

³ Above footnote 40 at para 120.



John Dugard and Graham Watson

John Dugard’s lecture *Britain’s Betrayal of The Sacred Trust in Palestine* was delivered at the Liberal Democrat Friends of Palestine fringe meeting.

Editor’s note: The numbering of footnotes to John Dugard’s piece has gone astray in the course of layout. Footnote numbering now relates to those on the page in question. Apologies for this.

BRITAIN'S PLACE IN EUROPE, EUROPE'S PLACE IN THE WORLD

Dr Carol Weaver

Europe is changing and in the future there might be several levels of EU membership or 'variable geometry'. For example, even at the moment in the wider Europe there are 'ins' and 'outs' of the EU, of the EuroZone, of Schengen, and indeed of NATO. So the future could see the EU with a core EuroZone having 'full' membership and peripheral countries only having some kind of 'associate' (an unfortunate term) membership with various 'menu' options to choose from. Associate members might have access to some institutions but probably not all of them. The UK would have the choice of being an associate member or of being completely outside the EU, possibly with some kind of privileged partnership. Either way it could well lose much of its present influence. (See Andrew Duff MEP's new book 'On Governing Europe').

Many so-called associates will be working towards joining the euro, if it survives, and having full membership at some point in the future ('pre-ins'). If we in the UK are not in this group, we could find ourselves being very much on the outside and only included on one or two 'menus' such as trade and security. Or, worse still, we could become an EU 'pre-out' and eventually find ourselves with no influence at all.

As an academic I like to use some theory to examine situations and in particular I see the European Union as a security community. Theory can also tell us why the UK plays such an important role in that community.

So what exactly do I mean by a security community? Theoretically it's basically more than an organisation such as NATO or the OSCE and it has a simple definition of a group of nations which do not expect war with each other. Of course that definition has gone further and implies the equality, democracy and proximity of the nations and more than just top down institutions. A true security community also requires bottom up civil society such as that in the EU with citizens feeling they have some kind of shared identity.

The EU can still be said to be 'one of a kind' – and the best example of a true security community. However, other parts of the world are trying to regionalise using

the EU as a model, forming organisations like ASEAN in South East Asia, Mercosur in South America or the African Union. And President Putin is talking about a Eurasian Union.

My own contribution to the theory of security communities is to suggest that in order to arise and endure, a security community must be based on 'regional balanced multipolarity'. In other words it should not be based around just one or two powerful hegemony. Within the EU we have that kind of multipolarity at the moment because the UK is a member along with France and Germany and other large countries have joined within the last decade. This is one reason why it has been so important for the UK to remain in the EU.

So what about the EuroZone, which does not have the UK as a member? Does that have balanced multipolarity? I would say not and perhaps that has brought about many of the difficulties (as I discussed in a recent EuroFile article). And, as mentioned already, the EU is changing and if the Eurozone begins to act as a whole then it will dominate on many issues in the EU as a whole. In order to keep the balance it is important that it does not dominate on all issues especially those of defence, for example, where the UK and France can be more important poles than Germany. This also applies to the European courts especially the ECJ where the UK must continue to play an important role and not be marginalised.

Regarding security matters, whilst many post-Soviet countries have looked to the EU or the US in order to protect themselves, especially in Western Europe, are tired of US hegemony and of fighting what they regard as US wars after 2001 when G. W. Bush came to power and NATO's Article 5 was called upon by the US after 9/11 (the only time it has been called upon).

On the other hand many in the US do not want the job of protecting Europe any more. They see Russia as being in decline and China as being more powerful in an increasingly multipolar world. They think Europe should take more responsibility for protecting not only itself but its neighbourhood. They also recognise that we are a long way from being in a position to do so.

When it comes to NATO, the Americans want Europe to play a stronger role as was seen in Libya with America possibly 'leading from behind'. So what is the place of the UK in all of this? Are we to be America's sidekick... or client? Are we to play an important role at the heart of Europe within the EU's new External Action Service currently headed by Baroness Ashton? Or are we to try to go it alone? After all, we can't really just assume that NATO will last forever in its current format. There have been many divisions and conflicts of interest of late as well as discussions about its changing nature and having more of a focus on issues such as cyber-security.

Currently it could be argued that NATO and the EU together cover many more countries in Europe than just one of them alone including the very important ally of Turkey. There is also much sharing between NATO



Dr Carol Weaver

and the EAS and many discussions about their joint future roles as well as 'pooled' or 'smart' defence.

So, to summarise, we are going through difficult times in the UK, many of them created by the current attitude towards the EU. There is bound to be some insecurity due to all our problems and this can either lead to regressive tendencies which make us try to punch above our weight in a sometimes rather delusional way, or to a desire for being protected by the US. But our need is for strong allies in a security community and regionalisation is the method. Regionalisation provides a layer of governance between individual states and the global international system. In this new century no state or region can be truly autonomous so the process of regionalisation in the world is both a step towards globalisation and a protection from it.

For me, the place of Britain is as a full member of the European Union, having a strong influence on as many institutions and 'menus' as possible, and the place of the European Union is as a security community and a major pole in the multipolar global system. That way we can help to do much good in both the wider Europe and the world once we have sorted out the current mess.

Based on a talk given at the joint LIBG/LDEG fringe event at the Liberal Democrat Autumn Conference 2012

Carol is a member of the LDEG executive and its new 'think-tank' as well as an occasional representative for Liberal International and ELDR. She is also a member of the EMI PC for Enlargement and the Eastern Partnership.

Currently, Carol is finalising her new book 'The Politics of the Black Sea Region: EU neighbourhood, conflict zone or future security community?' to be published in Spring 2013 by Ashgate Publishing.

LI Executive - Beirut

Upon invitation of Al-Mustaqbal/Future Movement, the 190th Executive Committee of Liberal International will take place in the capital of Lebanon, Beirut on 12th-14th April 2013.

Only a month ahead of the national elections in Lebanon, Liberal International will assemble in 'the capital of democracy and freedom' of the Middle East, allowing liberals from the region and world to discuss perspectives for growth of individual rights and freedoms globally in the aftermath of the Arab Spring. In this spirit it is expected for the Executive Committee to focus on debates that would define a winning liberal agenda in today's changed world dominated by populist tendencies. Political discussions will be organized to define common liberal strategies to further foster peace, freedom and democracy, while respecting the religious and traditional values of the diverse communities.

LI has already successfully organized two Congresses in the wider Middle East and North Africa in less than 10 years: Marrakesh (2006) and Cairo (2009).

Further details will appear on the LI website closer to the event.

A RUSSIAN DEJA-VU

The Political Development and the Objectives of the YABLOKO party.

Sergei Mitrokhin

Soon it will turn a year since the beginning of mass protest rallies in Russia. For many people these rallies meant hopes for rapid democratic changes. Frankly speaking, I have never shared such an optimistic point of view. For me, it was clear that Vladimir Putin would consider the awakening of the society as disorders and side-effects of the "liberalization" carried out by ex President Dmitry Medvedev. This meant that Putin's only possible response to the mass protests could be "tightening the screws" or, in other words, increase of reprisals.

This is how Vladimir Putin's regime tries to avoid the fate of his Middle Eastern counterparts. Obviously, Putin has been very concerned of the fates of his colleagues from the Arab world, and this makes him take up preventive measures against the Arab Spring scenario in Russia.

Instead of starting a dialogue so much demanded by the society, the Russian government began looking for a more or less convincing excuse for suppressing rising public activity.

And the government found such an excuse on the 6th of May, when the police and security services managed to use the adventurous moods of some leaders of the protest movement for mass provocations at Bolotnaya Square in Moscow.

The beatings and fightings of the 6th of May were a turning point after which the government began implementing a previously developed programme targeted at curbing of civil rights and liberties.

Political Reprisals

Today we observe a new wave of reprisals in Russia against opposition activists and the civil society. The government launched the acts of intimidation against the participants of the protest actions. Thirteen people were arrested and charged with public disorders of the 6th of May. Four people have been still under threat of arrest. They are made confess in crimes that they did not commit. The authorities deliberately imprisoned ordinary participants rather than protest leaders so that to frighten all those who may participate in further actions.

Reprisals against the opposition are manifest not only in numerous arrests, searches and charges against participants of mass actions. They also take extralegal forms of persecution: kidnappings, threats, printouts of bugged conversations and forged 'opposition' chronicles broadcast on TV, as well as tortures for forcing false self-confessions, as was the case of Leonid Razvozzhayev.

Prosecutions also affected our party colleagues accused and convicted on false evidence. Maxim Petlin, City Council deputy in Yekaterinburg (in the Urals), was persecuted by the FSB on the order of commercial structures severely criticized by Petlin for corruption. In Southern Russia our activists and candidates to the regional parliament Suren Ghazaryan and Yugeny Vitishko were persecuted for accusing Governor of the Krasnodar region Alexander Tkachyov of unlawful grabbing public lands on the Black Sea coast.

The situation with Gazaryan is very dangerous. He is facing several years of imprisonment. We have called on the ALDE groups to raise the issue in the European Parliament and the Council of Europe and draw the attention of the Russian government to the inadmissibility of persecutions for criticism.

Toughening reprisals against the opposition the government demonstrates its impressive care of the police and secret services engaged in the suppression of the protests. Policemen are awarded bonuses and even gratuitous apartments for breaking peaceful rallies.

Toughening of the Laws

Simultaneously with intensification of selective reprisals against civil society activists the government has launched a broad programme of legislative changes targeted at suppression of civil rights.

Since June the Russian government has been pouring onto the civil society numerous amendments increasing the powers of secret services and the police and restricting political and civil activities. Journalists have even started calling the State Duma a "crazy printer", because the parliament have been adopting

repressive amendments at a record high speed - sometimes within a few days only.

The key such amendments are as follows:

First, penalties for violation of the law on rallies have been considerably increased. The new amendments envisage huge fines for violations, and the list of such violations has been broadened and brought to the point of absurdity. For example, there are huge fines now for "trampling the grass" or "interference with the pedestrians' movement". These fines amount to several thousand US dollars.

Besides, the police always reports some violations that are not actually made. And the judges always take such reports as reliable evidence. All this has reduced to zero the constitutional right to peaceful assembly.

Second, amendments to the law on non-governmental organisations envisage that those receiving international grants must from now on register as "foreign agents".

Third, the concept of "treason against the State" was broadened: any citizen cooperating with foreigners or even international organizations may be accused of this crime if the government and secret services wish to do so.

Fourth, the control over the Internet has been enhanced under the guise of combatting child pornography.

Fifth, new restrictions for mass media are underway: some have been already adopted and some restrictions are under preparation.

Clericalisation of the State

The reaction of Vladimir Putin's regime to mass protests is not simply intensification of reprisals. Putin responded to the challenge made by the society with a new state ideology based on aggressive clericalism.

Orthodoxy has been exploited by the regime in a very specific interpretation focusing on its contraposition to the European values and the Western way of life. This "sacred resource" provides the authorities an ideological basis for criticism of the human rights concept, as well as political systems based on respect to civil liberties.

In other words, the specific interpretation of Orthodoxy has begun playing the same role for Vladimir Putin's regime as the interpretation of Marxism by Soviet communists, or racial theories by Adolph Hitler or Catholicism by General Franco.

The stance of the "true Orthodoxy" makes it much easier to blame any oppositional movement in "undermining the foundations" of the state or accuse representatives of the civil society in servicing the interests of hostile outside forces. In practice such ideological evolution resulted in a demonstratively cruel sentence to the participants of the Pussy Riot punk band, inspired anti-liberal "Orthodox leanings" or aggressive patrols by the

Orthodox Banner Bearers and establishment of theology faculties in technological universities.

The Orthodox Church gets the function of a political truncheon against the dissenting, who are mobbed by chauvinists from the Black Hundreders as the alien and people of a different confession are labelled as "infidels". Paradoxically, but the Stalinist methods of suppressing the opposition are very organically combined with the Orthodox propaganda. For example, Sergei Rybko, a well-known Orthodox preacher, has recently labelled all citizens who participated in the rally in Bolotnaya Square the "enemies of the people", despite the fact that there were many believers among the protestors. Thus, clerical activists consider support for Vladimir Putin be a far more important sign of "true Orthodoxy" than faith in God.

Simultaneously the legislative basis for a clerical police state has been rapidly formed.

An initiative introducing into the Criminal Code a punishment for injury of religious beliefs and feelings of up to five years of imprisonment has been submitted to the State Duma. Obviously, opponents of clericalisation of the state will be the first victims of this vague norm based on subjective estimates. This Kremlin's initiative was supported by all the factions of the State Duma, which demonstrates broad support of totalitarian trends in the transformation of the regime.

An obvious stake at an anti-Western and anti-European policy has changed the political situation in Russia before our eyes. A conflict with the West has become more apparent and moreover demonstrative. Cultivation of xenophobia and hostility to the outside world allows the regime to feel more confident when rejecting accusations of election fraud, destruction of an independent judiciary, and so on. All these liberties, rights and institutions that the awakening civil society has been demanding from the government are alien to the political order based on traditions of the "true Orthodoxy". Adherence to the "true Orthodoxy" is a good protection from any anticorruption initiatives that are regarded as being rooted in the 'alien' Western values.

Problems of the Opposition

Russian opposition looks quite chaotic against the background of a clear evolution of the ruling regime. And here I would like to say first of all about the strategy of my party. YABLOKO offers a coherent alternative to Vladimir Putin's regime. We stand for the European way of development for Russia and have a definite program of actions here. We believe that such an alternative can be implemented only in a peaceful and lawful way, by means of winning positions in the parliaments of different levels and, thus, gradually taking away the power from the current elite.

The results demonstrated by our party in the local elections last month showed that this strategy has good prospects: we have good results in a number of small cities which was not typical for us in the past as we were considered a party of big cities only. So we managed to expand our electoral base. YABLOKO does not accept any alliances with nationalists and left-wing radicals. The desire of these political forces to shove Vladimir Putin's regime does not justify in any way these initially antihuman ideologies. YABLOKO has been fighting against Vladimir Putin's regime so that it was not replaced by the new Bolsheviks or slightly disguised fascists.

However, such views are not shared by all the liberals in Russia. Some of them find it possible to create common political bodies with left and right-wing radicals justifying such "latitude of views" by the need to overthrow Vladimir Putin's regime. In the beginning of the 20th century the leader of the Russian coup-d'état Vladimir Lenin called such liberals "useful bourgeois idiots".

A new political structure – the Coordinating Council of the Opposition – supported by such liberals represents a kind of a lift to the big politics for left radicals and nationalists.

Realizing the deadly danger of radical ideologies for Russia YABLOKO has to resolutely dissociate itself from the so-called "united opposition" dominated by left-wing radicals and nationalists. Their views by and large are not an alternative to the ideology and practices of the ruling regime.

Zakhar Prilepin, a writer and a representative of the left opposition, expressed all this best of all addressing liberals,

"Comrades liberals,

Our requests and demands to the government are different and even opposing. You are infuriated by their military rhetoric, the Soviet anthem and Orthodox obscurantism. And we do not like that the government does not really mean it when declaring all this. Sometimes their rhetoric is almost correct; however, unfortunately they lack the experience.

If we were in power, we would tell the same things, only even in a worse variant, and after that we would implement all this with grim and austere faces. And certainly we would not restrict ourselves to returning the Soviet anthem only. And you are still wishing to get a 'normal country', but there are plenty of 'normal countries' in the world, why do we need a 'normal country'? We would like to have an 'abnormal country'."

Now you realise why it is absolutely impossible to vest hopes for positive changes in Russia in the so called

"united opposition". We can say that today the main confrontation line in Russia runs between the anti-liberal reactionary government and non-liberal revolutionary opposition. This opposition consists mainly of radical socialists, nationalists and a small number of liberals tolerating them.

We had a similar situation exactly 100 years ago, when mostly radical left opposition opposed anti-liberal autocracy. However, right-wing radical nationalists fully supported the Tzar then, while today they have been in opposition to the government. And this is generally speaking the only difference. This means a complete déjà-vu of the developments we had 100 years ago.

In such circumstances, I believe that the mission of the YABLOKO party should be as follows: strictly marking the liberal and the European vector in the Russian politics to work for a peaceful change of the regime without any revolutionary upheavals that may lead either to destruction of the country, or to another period of totalitarian rule by the left-wing or the right-wing.

The déjà-vu situation implies that there should be at least one party which remembers the lessons of the history and therefore has a chance to avert repeating of the tragedy

Sergei Mitrokhin, leader of the Russian Liberal International affiliate Yaboloko, spoke at a meeting in the Attlee Room in Portcullis House, Westminster on the 13th November 2012.

Hosting the event in the Houses of Parliament, Simon Hughes and John Alderdice, expressed concern about the ongoing deterioration of civil rights and liberties in Russia. They praised Mitrokhin and Yabloko for their peaceful, but decisive actions in fighting to safeguard the freedoms of the Russian people, guaranteed by the international European instruments that Russia has ratified.

In his speech Mitrokhin warned that Russia had "a similar situation exactly 100 years ago", and continued: "Today we observe a new wave of reprisals in Russia against opposition activists and all dissenters against the backdrop of the curb on human rights and freedoms; suppression of the freedom of speech; use of the law enforcement and the judiciary as a tool for reprisals."

MINORITIES AND MAJORITIES IN A DEMOCRACY

Mohamed Nosseir

In their first attempt toward establishing a democracy, Egyptians apparently misunderstood the real meaning of the concept, and how its mechanism functions. Democracy is not only about placing ballots in transparent boxes to set up a government. Democracy is a philosophy of ruling and governing a country through a given mechanism that entails many aspects. Limiting the concept of democracy to the idea of an authoritative majority being in power is a serious error in building the “New Egypt.”

Democracy, in essence, is about the rule of law. Empowering institutions that may overrule an elected president, having a genuine understanding and correct practice of human rights, enabling real freedom of expression that is supported by law, developing a political structure that empowers citizens to easily engage in politics — these are some of the real attributes of democracy. These attributes conclude in elections, and permit a single party, or a coalition of parties, to rule any given country.

Acknowledging the above-mentioned process does not mean diminishing the rights of minorities who did not fare well in elections, but still attempted to politically engage in the progress of their respective countries, nor does it mean forcing these minorities to follow and abide by the decisions of the majority.

In most advanced and well-established democratic nations, there is sizable room for minorities to apply their ideas and practice their rights. Certainly, this does not mean that political minorities may establish their own governments — but the government in power must always recognize the right of the minority to pursue beliefs or ideas that differ from its own. This could happen through enabling citizens to practice a religion that is different than that of the majority, or advocating for an idea and promoting policies completely opposite to those espoused by the majority.

The fact that minorities are, by definition, small groups of people in quantitative terms, doesn't mean that these groups support the wrong ideas or policies. A political minority is simply a group that has not managed to persuade a sufficient number of citizens to vote for it.

Engaging minorities in the political decision-making process helps the society of a given nation to be in harmony, thus contributing to enhancing that nation's progress and performance.

Recognition by the ruling government of politicians who represent minorities and their ideas does not destabilize the government or threaten its principles. On the contrary, a bias toward good ideas and people with merit is a sign of political maturity; turning a blind eye toward all notions put forth by minorities is not an advisable approach.

Carrying on an ongoing debate over national issues between governments and their opposition enables countries to progress and allows their people to flourish — as long as this debate is managed in a constructive manner that enables rivals to listen to one another and convey their views to the public, who will eventually pick their favourite party's policies. An obsession with the phenomenon of the political majority is actually destructive of the majority, who will not be able to progress if they only listen to their own egos.

Elections bring a government to power. However, this does not mean that the ruling government always has better policies. Therefore, advanced countries often work toward enabling political minorities to sustain their ideas and policies, which could eventually serve as alternative policies should the ruling party's policies fail.

Furthermore, the ruling majority should understand that citizens enabled them to temporarily rule the country for a period of a few years, and for the purpose of applying their electoral program. In other words, it is not a Catholic marriage or a lifetime commitment.

It is widely known that sometimes rulers come up with ideas and programs that are simply not feasible, but they somehow manage to mislead citizens into believing these ideas. Almost one-third of the Egyptian labour force works for the government, and potential presidential candidates can therefore easily secure the votes of this labour force by providing them

with false promises. Therefore, a true democracy should have a mechanism to enable citizens to outvote their ruler who does not fulfil his or her commitments by applying a vote of no-confidence.

Unfortunately, elections in Egypt are not about competing on the basis of ideas, programs or policies. They are simply about a politician's ability to mobilize ordinary people, persuading them to vote for a given person or party by convincing them that the person or party can make Egyptians' lives better. This is not an anti-democratic approach, but it is definitely an indication of immature democracy. It is also a well-known fact that, due to the high illiteracy rate in Egypt (among other factors), the majority of Egyptians don't yet have the capacity to assess a political party's programs and vote accordingly. Thus, they tend to vote based on personality attributes — such as acceptance and trust — and not according to specific programs and policies. Therefore, whoever has the talent to gain people's confidence in his personality and is able to run a good campaign will win, even if he has no substance whatsoever. This was a real issue in the latest Egyptian presidential and parliamentary elections.

Minorities by definition are few in number, but this does not mean that they are weak or powerless. On the contrary, if a minority party or group is well-organized, its power could exceed that of the party in power, which bears the burden and responsibility of running a government.

A minority group could easily play a role that is destructive to the government, but this is not advisable, because the issue at stake would be the state's progress. However, it is doable and it could lead to the toppling of a government. Therefore, Egypt is in need of a leader who is able to guide the nation and unite all citizens in support of the country's welfare, not one concerned with supporting a single party or group.

Mohamed Nasseir is a member of the Free Egyptians Party political bureau.

Mohamed's article originally appeared in Egypt Independent. Sunday, 16th December 2012

American Night

LIBG's Forum on the US presidential election 2012 with Karin Robinson, vice-chair of Democrats Aboard UK, heard that female voters could be crucial to the outcome.

Ms Robinson said that with only a handful of states in real contention in a heavily polarised electorate, differential turnout between men and women could be vital.

She said that President Obama's legislative record included the Fair Pay Act and the defence of abortion rights, whereas Mitt Romney had said he would appoint Supreme Court justices who would reverse the relevant legislation on abortion, and believed that life began at the moment of conception. He had also refused to commit himself on equal pay.

Obama had also strongly supported gay and lesbian rights, while Romney has said he would make gay marriage illegal.

Ms Robinson said the Obama's greatest achievement had been enacting healthcare legislation, a goal that had for decades eluded other presidents.

Provisions that require insurers to cover people aged under 26 on their parents' plan have taken effect, as have those that require refunds to policy holders if insurers' administrative costs exceed 80% of premium income.

But the main legislation would come into operation only in 2014 and Romney has said he would repeal it, despite it being closely modelled on healthcare insurance that he himself introduced when he was governor of Massachusetts.

She said Romney had also threatened the hugely popular Medicare programme for retired people and Medicaid, used by those with long-term conditions.

Healthcare was the clearest divide she had found between the US and UK, "the most fundamentally different experience in how life is lived", and much the hostility to Obama's reforms in America came from those who were simply attached to the status quo. However, almost half of American voters were conservative and would treat the idea with suspicion.

The economy is though likely to determine the outcome. "Obama clearly has to face the most difficult economic circumstances any US president has had to face," she said.

"There was huge hope and optimism 2008 but the economy was in free fall and while it has outperformed Europe it is still struggling."

This had left Obama without the strong enthusiasm shown among his supporters in 2008. But Ms Robinson said that while it would not be possible to recapture that feeling after four years in office, the Democratic party still had the data accumulated from 2008 and was using it in vast 'ground war' operation to get voters out.

"In 2008 there was groundswell of enthusiasm," she said. "The Bush administration was deeply unpopular, Sarah Palin provoked people and Obama was the first African American candidate. It could not feel like that again."

She described Dashboard, a digital tool developed by the Democrats that means volunteers need not travel to party offices to canvass, but can just be given sheets for their area and then report results electronically. Early voting attracted publicity when President Obama himself voted this way in early October.

Ms Robinson said the rules on who could vote early and when differ from state to state, even between different polling places, but with these often closing before working people get home, early voting had become important for the Democrats.

Mark Smulian

LIBG Forum on US presidential election, with Karin Robinson, vice-chair Democrats Abroad UK. October 31st 2012 National Liberal Club.

Peter Dulieu

Peter Dulieu died peacefully on 25 August, just four days after his 71st birthday. Peter was one of those who kick-started the Lib Dem Friends of Palestine, serving as their membership secretary. For them, as for his own local Liberal Democrat group, his loss will be acutely felt.

Living in the East End after the war – when he and his brothers were evacuated - Peter, small for his age, remembers being bullied, until one day he turned on his tormentors. His first weapon he always said, was a branch of holly which put his pursuers to flight. Perhaps this early experience of bully boy tactics decided him in Palestine's favour: while he had never visited the West Bank he was an absolutely natural campaigner against injustice wherever he found it.

Peter joined the army at the age of 16, spending 19 years as a soldier, first with the Royal Green Jackets and then as a Staff Sergeant in the Ordinance Corps, serving in Germany, Cyprus and Bahrain. This was followed by six years with the Ministry of Defence, before eight years working for Social Services. His attitude to authority was nicely cynical: if you wanted to skive in the army, he said, you carried a clipboard. No-one would then question you.

Peter's small and wiry frame contained a demonic energy and he never really retired. He worked part time for the Suffolk Library Service, and was elected to St Edmundsbury Borough Council for the Southgate Ward in 1999. Latterly his leaflet delivery round for the Lib Dems encompassed most of the 3,000 houses of Southgate. He worked tirelessly for the community he loved, and for the Liberal Democrats.

At the Autumn Lib Dem conference, Peter used to man the Friends of Palestine exhibition stall more or less single handed, sitting hour after hour with steely purpose, never happier than when he could engage in argument for the cause of justice.

Peter was a campaigner at local, regional and national level and would turn up for by-elections across the country. At the last General Election he was the Agent for Bury St Edmunds where the vote rose by 48% from 10,000 to 15,000 votes.

No-one who met him was untouched by his charm, integrity, and sense of purpose. The Lib Dem Friends of Palestine have lost an irreplaceable friend and ally.

Sally Fitzharris

Ronnie Fraser Award

The first winner of the Ronnie Fraser Award is Mimi Ajibade, of the School of African and Oriental Studies, University of London. She will be visiting China to study economic and political issues, and will report back to LIBG by articles that are expected to appear on the LIBG website.

The award was made possible by a generous legacy from Ronnie Fraser last year.

Reviews

Atlas of the Great Irish Famine,
edited by John Crowley, William J Smyth
& Mike Murphy.
Cork University Press 2012
€59.00 or £55.00

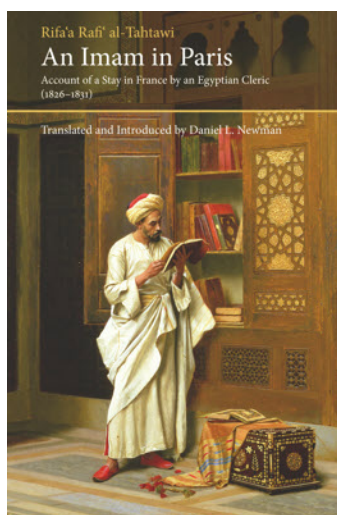
An Imam in Paris,
by Rifa'a Rafi' al-Tahtawi
Saqi 2011

Al-Tahtawi is an important figure in the development of Arab Liberalism. He was sent by Muhammed Ali as religious guide to a group of Egyptians sent to France between 1826 and 1831 to learn about western sciences and the like and thus witnessed the 1830 revolution. His task included observation of things French and it is fascinating to see a western culture viewed through other eyes. Perhaps we have something of what Dean Swift might have written if Lemuel Gulliver's Travels had been intended for a Houyhnhnm audience.

On his return to Egypt al-Tahtawi functioned variously as an educationist and translator, drifting in and out for favour with Egyptian rulers as a modernizer. Unfortunately this work was undoubtedly curtailed by the assumptions of British imperialists, but as our perspectives globalise it is important to see that are Liberalisms other than our own, and it is particularly important in the context of Islam that its Liberalism should have its own sources from which to develop and also teach us.

Our friend Mohammed Nossier of the Free Egyptians party tells me that 'Egyptian Liberals are often proud of Rifa al-Tahtawi, we recognize him as one of the earlier leaders who spoke very positive about Liberal values'. Al-Tahtawi is an important role model in combating the claims of radical conservative Islamists.

Stewart Rayment



The Great Famine has been described as the most pivotal event in modern Irish history. It sets the tone for at least the following century. In the years of the Celtic Tiger it was possible to talk of Ireland (at last) moving to a post-Famine mentality, but in the current recession, which has particularly hit the Republic, this seems less certain.

There is an emptiness in parts of Ireland – those most hit by the Famine and consequent migration. It impacts on the landscape in ways that are almost forgotten – the ridges on a hillside where potatoes were once grown. This emptiness has yet to be fully resolved in the Irish psyche.

The Great Famine is also pivotal in the history of Liberalism, being the catalytic event that caused the split between the Peelites and other Tories and led in turn to the formation of the Liberal party.

Over a million people perished between 1845 & 1852 and a greater number, at least 1¼ million migrated, whether voluntary or not, in the wake of hunger. The Great Famine remains an emotive subject that it is difficult to talk rationally about.

If you read Tocqueville's account of his visit to Ireland, predating the Famine slightly, it is clear that in parts it is an overcrowded country; we see this elsewhere. Famines had occurred before, and as the economy struggled to meet the needs of its, migration in one form or another was common. The legacy of the Norman conquest of Ireland didn't help, but the aristocracy didn't treat tenants elsewhere substantially better whilst agriculture remained the dominant sector of the economy.

The famine was widespread across western Europe (stemming from the north-east of the USA originally), but its impact and longevity were greatest in Ireland because of the importance of the potato as a staple. As we know, the response to the Famine split the government in Britain, and the state or social apparatus simply wasn't there to deal with the scale of the problem. Attitudes, both of those suffering and those who might help were not attuned in the way that they would be now and it is now known that the widespread gluten intolerance of many people in western Ireland made some forms of relief

inappropriate, although this could not have been understood at the time.

The outcome was a more viable, but politicised Ireland, which despite Mr. Gladstone's best efforts, was to part from the rest of Britain. The dead hand of the Tories has much to answer for in that.

The detail of the Atlas is awesome; it will be the grounding for much future research into the famine and its consequences. *Stewart Rayment*

SCOTTISH GROUP

The Scottish committee of LIBG will have a fringe event at the Scottish Liberal Democrats' conference in Dundee.

Graham Watson, LibDem MEP for south-west England, is returning to his Scottish roots when he addresses a Liberal International fringe meeting at the Scottish Liberal Democrats' spring conference in Dundee on Saturday, March 16. •While Conservatives in the current British Government strive to retreat from internationalism in Europe ahead of a referendum, Graham will underline the advantages of a liberal, co-operative approach that, rooted in the European Union, appeals across wider continents.

Sir Graham will also take part in a question-and-answer session with George Lyon, LibDem MEP for Scotland, ahead of next year's European elections.

The Scottish committee of LIBG held a well-attended annual general meeting in Edinburgh last autumn addressed by John Brand, chair of the European Movement in Scotland. Office-bearers elected were Willis Pickard, chairman; Clive Sneddon, secretary; and John Barnett, treasurer.

INTERNATIONAL ABSTRACTS

Abolish War, No.21 Spring 2012 carried an article by Hilary Evans on Henry Richard (1812-1888) 'The Apostle of Peace'. Richard was Liberal MP for Merthyr Tydfil and a great critic of imperialism.

http://www.bbc.co.uk/blogs/adamcurtis/2012/11/save_your_kisses_for_me.html is a very interesting blog on Palestine with a strong historical perspective.

Liberator 357 contains analysis of the US Presidential Election by Minnesota activist Dennis Graf.

Journal of Liberal History, Issue 77 Winter 2012-13 focuses on David Lloyd George, with much on his international career.

KURDISTAN AND HER NEIGHBOURS

19.30-21.00 MONDAY 11 MARCH 2013

ROUNDTABLE DISCUSSION in THE LADY VIOLET ROOM, NATIONAL LIBERAL CLUB, 1 WHITEHALL PLACE, SW1

Kurdistan is likened to the largest nation without a state. 2013 marks an unusual coincidence of anniversaries: the 10th anniversary of the intervention in Iraq, the 25th anniversary of the Anfal and the killing of 5,000 innocent civilians by chemical weapons in Halabja, and the 30th anniversary of the killing of the Barzanis. It is estimated that 182,000 innocent civilians were killed, thousand of villages were destroyed, and hundreds of thousands of Kurds were displaced. Securing international recognition of the Kurdish genocide is important for many reasons including facilitating justice, but also to help prevent future atrocities, not only in Iraqi Kurdistan but also further afield.

In spite of the legacy of the past, a major recent oil find at Shaikan has contributed to estimated reserves of 45 billion barrels of oil. Many believe Kurdistan could emerge as a leading contributor to global oil supplies by 2020. Yet disputed ownership of reserves with the central government in Baghdad has resulted in tensions, and indeed Kurdistan's neighbourhood remains particularly unstable, most notably the ongoing civil war in Syria.

This timely roundtable will involve LIBG and Liberal Democrat members and parliamentarians, as well as representatives of the Kurdish Regional Government and political parties. It will take place before an important debate on Kurdistan in Parliament on 21st March.

19.30: Welcome: **Wendy Kyrle-Pope**, Chair, LIBG.

19.35: Introduction from the chair: **Nick Hopkinson**, Executive Member, LIBG; former Director, Wilton Park

19.40: **Senior Speaker, Kurdistan Regional Government UK Representation**

Jonathan Fryer, Vice-President, LIBG; Broadcaster, Journalist and Lecturer

20.15: Interventions, Questions and Discussion

A cash bar will be available.

To reserve one of a number of limited places, please contact Nick Hopkinson, LIBG Executive, on nickhopkinson151@gmail.com by Monday 4th March 2013.