Preparations for the Tribunal continue, as this new bulletin shows.

We call for the creation of a Russell Tribunal on Palestine. This Tribunal will work rigorously and in the same spirit as the Tribunal on Vietnam that sat in 1967, under the presidency of Jean-Paul Sartre. The Tribunal will have to judge the breaches of international law, of which the Palestinians are victims, and which deprive the Palestinian people of a sovereign State.

The Advisory Opinion given by the International Court of Justice of The Hague on the 9th of July, 2004 sums up those violations, and concludes, in particular, with the obligation for Israel to dismantle the Wall and to compensate the Palestinians for all the damage suffered from its construction. This Opinion recalls, in its §163,D, that ‘All States are under an obligation not to recognise the illegal situation resulting from the construction of the wall and not to render aid or assistance in maintaining the situation created by such construction; all State parties to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of the 12th of August 1949 have in addition the obligation, while respecting the United Nations Charter and international law, to ensure compliance by Israel with international law as embodied in that Convention’.

This Opinion has been confirmed on the 24th of July 2004, by the resolution ES-10/15 of the General Assembly of the United Nations, adopted by 150 Member States. The General Assembly ‘demands that Israel, the occupying Power, comply with its legal obligations as mentioned in the advisory opinion’ and ‘calls upon all States Members of the United Nations to comply with their legal obligations as mentioned in the advisory opinion’.

Drawing in particular on the Advisory Opinion and the UN resolution, the Russell Tribunal on Palestine will reaffirm the primacy of international law as the basis for the settlement of the Israeli Palestinian conflict. It will identify breaches to the application of the law and will condemn all the perpetrators before international public opinion. Your support of this Tribunal will give it the moral weight necessary to advance the cause of justice and law in this part of the world. Thanking you for you attention and your response to this appeal, and with cordial greetings.

Ken Coates, Chairman of the Bertrand Russell Peace Foundation,

Nurit Peled, Sakharov Prize 2001, Leila Shahid, General Delegate of Palestine to the European Union, Belgium, Luxembourg
‘May this Tribunal prevent the crime of silence’… declared Bertrand Russell to define the spirit and the objective of the International War Crimes Tribunal constituted in 1966 to investigate crimes committed in Vietnam and judge them according to international law. Initiated by Lord Russell, who was awarded the Nobel Prize for Literature in 1950, and supported by eminent intellectuals such as Jean-Paul Sartre, who chaired the Tribunal, Lelio Basso, Günther Anders, James Baldwin, Simone de Beauvoir, Lazaro Cardenas, Stokely Carmichael, Isaac Deutscher, Gisèle Halimi, Laurent Schwartz … this Tribunal was named the Russell Tribunal.

The Russell Tribunal has no legal character but acts as a court of the people, a Tribunal of conscience, faced with injustices and violations of international law, that are not dealt with by existing international jurisdictions, or that are recognised but continue with complete impunity due to the lack of political will of the international community.

Today, and in the same spirit, the Bertrand Russell Foundation supports the setting up of a Russell Tribunal to examine the violations of international law, of which the Palestinians are victims, and that prevent the Palestinian People from exercising their rights to a sovereign State.

This Tribunal has been named the Russell Tribunal on Palestine. It will reaffirm the supremacy of international law as the basis for a solution to the Israeli Palestinian conflict. It will identify all the failings to the implementation of this right, and will condemn all the parties responsible for these failings, in full view of international public opinion.

It will thus examine the various responsibilities that lead to the persistence of the occupation of the Palestinian Territories by Israel and the non-application of the United Nations resolutions, from Resolution 181 of the 29th of November 1947, on the partition of Palestine, to the Resolution ES-10/15 of the 20th of July 2004, that acknowledges the Opinion of the International Court of Justice (ICJ) – of the 9th of July 2004 – on the construction of the Wall by Israel in the Occupied Palestinian Territories and requests all the UN Member States to acquit themselves of their legal obligations as defined by the ICJ Opinion. The responsibilities of Israel and also of other states, particularly the United States and the Member States of the European Union, the Arab States and the international organizations concerned (United Nations, the European Union, the Arab League) will be scrutinised.

The Tribunal also aims, by this approach, to contribute to the mobilisation and involvement of civil society in all the states concerned with the question of Palestine.

The Russell Tribunal on Palestine is composed of personalities from all states, including Israel, which will be one of the states investigated. The legitimacy of the Russell Tribunal on Palestine does not come from a government or any political party but from the prestige, professional interests and commitment to fundamental rights of the Members that constitute this Tribunal.

Members of the Support Committee (2008)

Madam Nguyen Thi Bin Former Vice-President, Vietnam, Ahmed Ben Bella First President, Algeria, Milan Kucan Former President, Slovenia, Andreas Van
Actor/Screenwriter, UK, **Sir Brian Urquhart** Former Undersecretary-General of the United Nations, UK, **Itala Vivan** Professor, Italy, **Naomi Wallace** Playwright/Screenwriter, USA, **Michel Warschawski** Activist, Israel, **Francisco Whitaker** Right Livelihood Award 2006, Brazil, **Betty Williams** Nobel Peace Prize 1976, Northern Ireland, **Jody Williams** Nobel Peace Prize 1997, USA.

**Call for contribution**

The Russell Tribunal on Palestine aims to be a high quality moral, intellectual and scientific contribution, with the purpose of restoring rights and dignity to a people. It is open to any qualified person who feels they can contribute as expert, witness, assistant in the organisation of the Tribunal, or of a national support Committee. Essential financial support is welcome.

**Organising Committee of the Tribunal**

Ken Coates, Pierre Galand, Stéphane Hessel, Marcel-Francis Kahn, Robert Kissous, François Maspero, Paulette Pierson-Mathy, Bernard Ravenel, Brahim Senouci

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**Footnote**


**OBAMA ON CUBA**

Following our analysis of Senator Obama’s Afghanistan policy in *Spokesman* 99, we publish his recent remarks about Cuba, and the response they drew from President Castro. These excerpts are taken from the Senator’s address to the Cuban Independence Day Luncheon hosted by the Cuban American National Foundation in Miami, Florida, on 23 May 2008.

‘... It’s time for a new alliance of the Americas. After eight years of the failed policies of the past, we need new leadership for the future. After decades pressing for top-down reform, we need an agenda that advances democracy, security, and opportunity from the bottom up. So my policy towards the Americas will be guided by the simple principle that what’s good for the people of the Americas is
good for the United States. That means measuring success not just through agreements among governments, but also through the hopes of the child in the favelas of Rio, the security for the policeman in Mexico City, and the answered cries of political prisoners heard from jails in Havana.

The first and most fundamental freedom that we must work for is political freedom. The United States must be a relentless advocate for democracy. I grew up for a time in Indonesia. It was a society struggling to achieve meaningful democracy. Power could be undisguised and indiscriminate. Too often, power wore a uniform, and was unaccountable to the people. Some still had good reason to fear a knock on the door.

There is no place for this kind of tyranny in this hemisphere. There is no place for any darkness that would shut out the light of liberty. Here we must heed the words of Dr. King, written from his own jail cell: ‘Injustice anywhere is a threat to justice everywhere.’

Throughout my entire life, there has been injustice in Cuba. Never, in my lifetime, have the people of Cuba known freedom. Never, in the lives of two generations of Cubans, have the people of Cuba known democracy. This is the terrible and tragic status quo that we have known for half a century – of elections that are anything but free or fair; of dissidents locked away in dark prison cells for the crime of speaking the truth. I won’t stand for this injustice, you won’t stand for this injustice, and together we will stand up for freedom in Cuba.

Now let me be clear. John McCain’s been going around the country talking about how much I want to meet with Raul Castro, as if I’m looking for a social gathering. That’s never what I’ve said, and John McCain knows it. After eight years of the disastrous policies of George Bush, it is time to pursue direct diplomacy, with friend and foe alike, without preconditions. There will be careful preparation. We will set a clear agenda. And as President, I would be willing to lead that diplomacy at a time and place of my choosing, but only when we have an opportunity to advance the interests of the United States, and to advance the cause of freedom for the Cuban people.

I will never, ever, compromise the cause of liberty. And unlike John McCain, I
would never, ever, rule out a course of action that could advance the cause of liberty. We’ve heard enough empty promises from politicians like George Bush and John McCain. I will turn the page.

It’s time for more than tough talk that never yields results. It’s time for a new strategy. There are no better ambassadors for freedom than Cuban Americans. That’s why I will immediately allow unlimited family travel and remittances to the island. It’s time to let Cuban Americans see their mothers and fathers, their sisters and brothers.

It’s time to let Cuban American money make their families less dependent upon the Castro regime.

I will maintain the embargo. It provides us with the leverage to present the regime with a clear choice: if you take significant steps toward democracy, beginning with the freeing of all political prisoners, we will take steps to begin normalising relations. That’s the way to bring about real change in Cuba – through strong, smart and principled diplomacy.’

CASTRO ON OBAMA

President Castro listened to Senator Obama’s remarks and, later the same day, wrote down his own reflections and some questions arising from what he had heard.

It would be dishonest of me to remain silent after hearing the speech Obama delivered on the afternoon of 23 May at the Cuban American National Foundation created by Ronald Reagan. I listened to his speech, as I did McCain’s and Bush’s. I feel no resentment towards him, for he is not responsible for the crimes perpetrated against Cuba and humanity. Were I to defend him, I would do his adversaries an enormous favour. I have therefore no reservations about criticising him and about expressing my points of view on his words frankly.

What were Obama’s statements?

‘Throughout my entire life, there has been injustice and repression in Cuba. Never, in my lifetime, have the people of Cuba known freedom. Never, in the lives of two generations of Cubans, have the people of Cuba known democracy. (…) This is the terrible and tragic status quo that we have known for half a century – of elections that are anything but free or fair (…) I won’t stand for this injustice, you won’t stand for this injustice, and together we will stand up for freedom in Cuba,’ he told annexationists, adding: ‘It’s time to let Cuban American money make their families less dependent upon the Castro regime. (…) I will maintain the embargo.’

The content of these declarations by this strong candidate to the US presidency spares me the work of having to explain the reason for this reflection.

José Hernandez, one of the Cuban American National Foundation directors whom Obama praises in his speech, was none other than the owner of the 50-calibre automatic rifle, equipped with telescopic and infrared sights, which was
confiscated, by chance, along with other deadly weapons while being transported by sea to Venezuela, where the Foundation had planned to assassinate the writer of these lines at an international meeting held in Margarita, in the Venezuelan state of Nueva Esparta.

Pepe Hernández’ group wanted to renegotiate a former pact with Clinton, betrayed by Mas Canosa’s clan, who secured Bush’s electoral victory in 2000 through fraud, because the latter had promised to assassinate Castro, something they all happily embraced. These are the kinds of political tricks inherent to the United States’ decadent and contradictory system.

Presidential candidate Obama’s speech may be formulated as follows: hunger for the nation, remittances as charitable hand-outs, and visits to Cuba as propaganda for consumerism and the unsustainable way of life behind it.

How does he plan to address the extremely serious problem of the food crisis? The world’s grains must be distributed among human beings, pets and fish, which become smaller every year and more scarce in the seas that have been over-exploited by the large trawlers which no international organization could get in the way of. Producing meat from gas and oil is no easy feat. Even Obama overestimates technology’s potential in the fight against climate change, though he is more conscious of the risks and the limited margin of time than Bush. He could seek the advice of Gore, who is also a democrat and is no longer a candidate, as he is aware of the accelerated pace at which global warming is advancing. His close political rival Bill Clinton, who is not running for the presidency, an expert on extra-territorial laws like the Helms-Burton and Torricelli Acts, can advise him on an issue like the blockade, which he promised to lift and never did.

What did he say in his speech in Miami, this man who is doubtless, from the social and human points of view, the most progressive candidate for the US presidency?

‘For two hundred years,’ he said, ‘the United States has made it clear that we won’t stand for foreign intervention in our hemisphere. But every day, all across the Americas, there is a different kind of struggle – not against foreign armies, but against the deadly threat of hunger and thirst, disease and despair. That is not a future that we have to accept – not for the child in Port au Prince or the family in the highlands of Peru. We can do better. We must do better. (…) We cannot ignore suffering to our south, nor stand for the globalisation of the empty stomach.’

A magnificent description of imperialist globalisation: the globalisation of empty stomachs! We ought to thank him for it. But, 200 years ago, Bolivar fought for Latin American unity and, more than 100 years ago, Martí gave his life in the struggle against the annexation of Cuba by the United States. What is the difference between what Monroe proclaimed and what Obama proclaims and resuscitates in his speech two centuries later?

‘I will reinstate a Special Envoy for the Americas in my White House who will work with my full support. But we’ll also expand the Foreign Service, and open more consulates in the neglected regions of the Americas. We’ll expand the Peace Corps, and
ask more young Americans to go abroad to deepen the trust and the ties among our people,' he said near the end, adding: ‘Together, we can choose the future over the past.’

A beautiful phrase, for it attests to the idea, or at least the fear, that history makes figures what they are and not the other way around.

Today, the United States has nothing of the spirit behind the Philadelphia declaration of principles formulated by the 13 colonies that rebelled against English colonialism. Today, they are a gigantic empire undreamed of by the country’s founders at the time. Nothing, however, was to change for the natives and the slaves. The former were exterminated as the nation expanded; the latter continued to be auctioned at the marketplace – men, women and children – for nearly a century, despite the fact that ‘all men are born free and equal’, as the Declaration of Independence affirms. The world’s objective conditions favoured the development of that system.

In his speech, Obama portrays the Cuban revolution as anti-democratic and lacking in respect for freedom and human rights. It is the exact same argument which, almost without exception, US administrations have used again and again to justify their crimes against our country. The blockade, in and of itself, is an act of genocide. I don’t want to see US children inculcated with those shameful values.

An armed revolution in our country might not have been needed without the military interventions, Platt Amendment and economic colonialism visited upon Cuba.

The revolution was the result of imperial domination. We cannot be accused of having imposed it upon the country. The true changes could have and ought to have been brought about in the United States. Its own workers, more than a century ago, voiced the demand for an eight-hour work shift, which stemmed from the development of productive forces.

The first thing the leaders of the Cuban revolution learned from Martí was to believe in and act on behalf of an organisation founded for the purposes of bringing about a revolution. We were always bound by previous forms of power and, following the institutionalisation of this organisation, we were elected by more than 90 per cent of voters, as has become customary in Cuba, a process which does not in the least resemble the ridiculous levels of electoral participation which, many a time, as in the case of the United States, stay short of 50 per cent of the voters. No small and blockaded country like ours would have been able to hold its ground for so long on the basis of ambition, vanity, deceit or the abuse of power, the kind of power its neighbour has. To state otherwise is an insult to the intelligence of our heroic people.

I am not questioning Obama’s great intelligence, his debating skills or his work ethic. He is a talented orator and is ahead of his rivals in the electoral race. I feel sympathy for his wife and little girls, who accompany him and give him encouragement every Tuesday. It is indeed a touching human spectacle. Nevertheless, I am obliged to raise a number of delicate questions. I do not expect
answers; I wish only to raise them for the record.

1) Is it right for the president of the United States to order the assassination of any one person in the world, whatever the pretext may be?

2) Is it ethical for the president of the United States to order the torture of other human beings?

3) Should state terrorism be used by a country as powerful as the United States as an instrument to bring about peace on the planet?

4) Is an Adjustment Act, applied as punishment on only one country, Cuba, in order to destabilise it, good and honourable, even when it costs innocent children and mothers their lives? If it is good, why is this right not automatically granted to Haitians, Dominicans, and other peoples of the Caribbean, and why isn’t the same Act applied to Mexicans and people from Central and South America, who die like flies against the Mexican border wall or in the waters of the Atlantic and the Pacific?

5) Can the United States do without immigrants, who grow vegetables, fruits, almonds and other delicacies for US citizens? Who would sweep their streets, work as servants in their homes, or do the worst and lowest-paid jobs?

6) Are crackdowns on illegal residents fair, even as they affect children born in the United States?

7) Are the brain-drain and the continuous theft of the best scientific and intellectual minds in poor countries moral and justifiable?

8) You state, as I pointed out at the beginning of this reflection, that your country had long ago warned European powers that it would not tolerate any intervention in the hemisphere, reiterating that this right be respected while demanding the right to intervene anywhere in the world with the aid of hundreds of military bases and naval, aerial and spatial forces distributed across the planet. I ask: is that the way in which the United States expresses its respect for freedom, democracy and human rights?

9) Is it fair to stage pre-emptive attacks on sixty or more dark corners of the world, as Bush calls them, whatever the pretext may be?

10) Is it honourable and sound to invest millions and millions of dollars in the military industrial complex, to produce weapons that can destroy life on earth several times over?

Before judging our country, you should know that Cuba, with its education, health, sports, culture and sciences programmes, implemented not only in its own territory but also in other poor countries around the world, and the blood that has been shed in acts of solidarity towards other peoples, in spite of the economic and financial blockade and the aggression of your powerful country, is proof that much can be done with very little. Not even our closest ally, the Soviet Union, was able to achieve what we have.

The only form of co-operation the United States can offer other nations consists in the sending of military professionals to those countries. It cannot offer anything else, for it lacks a sufficient number of people willing to sacrifice themselves for others and offer substantial aid to a country in need (though Cuba
has known and relied on the co-operation of excellent US doctors). They are not to blame for this, for society does not inculcate such values in them on a massive scale.

We have never subordinated co-operation with other countries to ideological requirements. We offered the United States our help when hurricane Katrina lashed the city of New Orleans. Our internationalist medical brigade bears the glorious name of Henry Reeve, a young man, born in the United States, who fought and died for Cuba’s sovereignty in our first war of independence.

Our revolution can mobilise tens of thousands of doctors and health technicians. It can mobilise an equally vast number of teachers and citizens, who are willing to travel to any corner of the world to fulfil any noble purpose, not to usurp people’s rights or take possession of raw materials.

The goodwill and determination of people constitute limitless resources that cannot be kept and would not fit in a bank’s vault. They cannot spring from the hypocritical politics of an empire.

**WAR CRIMES IN DERRY**

On 11 June 2008, six anti-war activists, who had occupied arms manufacturer Raytheon’s offices in Derry and destroyed its computers during Israel’s war on Lebanon in 2006, were found not guilty by a unanimous verdict of the jury in Belfast. After their acquittal on three charges of criminal damage to the computer equipment and office of Raytheon, the world’s largest supplier of Guided Bomb Units, Colm Bryce and Eamonn McCann spoke to supporters and press outside the court. Colm Bryce began:

‘The Raytheon 9 have been acquitted today in Belfast for their action in decommissioning the Raytheon offices in Derry in August 2006. The prosecution could produce not a shred of evidence to counter our case that we had acted to prevent the commission of war crimes during the Lebanon war by the Israeli armed forces using weapons supplied by Raytheon.

We remain proud of the action we took and only wish that we could have done more to disrupt the “kill chain” that Raytheon controls. This victory is welcome, for ourselves and our families, but we wish to dedicate it to the Shaloub and Hasheem families of Qana in Lebanon, who lost 28 of their closest relatives on the 30 July 2006 due to a Raytheon “bunker buster” bomb. Their unimaginable loss was foremost in our minds when we took the action we did on 9 August, and the injustice that they and the many thousands of victims of war crimes in Lebanon, Palestine, Iraq and Afghanistan have suffered, will spur us on to continue to campaign against war and the arms trade that profits from it.

We said from the beginning that we came to this court not as the accused but as the accusers of Raytheon. This court case proved that Raytheon in Derry is an integral part of the global Raytheon company and its military production. This is
no longer a secret or in doubt. Raytheon have treated the truth, peaceful protest, local democracy and this court with complete contempt. The most senior executive who appeared said that the charge that Raytheon had “aided and abetted” the commission of crimes against humanity was “not an issue” for him. Raytheon should have that contempt repaid in full and be driven out of Derry and every other place they have settled. They are war criminals, plain and simple. They have no place in our society and shame on all those in positions of power or influence who would hand them public funds, turn a blind eye to their crimes, cover their tracks or make excuses for them …

We feel totally vindicated by this decision and wish to extend our heartfelt thanks to all of those who gave us support … we particularly want to thank the jury who listened intently through three weeks of evidence before ensuring that justice was done today.’

Eamonn McCann then addressed supporters and press saying:

‘The outcome of this case has profound implications. The jury has accepted that we were reasonable in our belief that the Israel Defence Forces were guilty of war crimes in Lebanon in the summer of 2006; that the Raytheon company, including its facility in Derry, was aiding and abetting the commission of these crimes; and that the action we took was intended to have, and did have, the effect of hampering or delaying the commission of war crimes.

We have been vindicated. We reject entirely and with contempt the statement by Raytheon this evening suggesting that the result of the trial gives them concern about the safety of their employees. This is an abject attempt to divert attention from the significance of the outcome. Not a shred of evidence was produced that we presented the slightest danger to Raytheon workers. The charge of affray was thrown out by the court without waiting to hear defence evidence.

Our target has always been Raytheon as a corporate entity and its shareholders and directors who profit from misery and death. There is now no hiding place for those who have said that they support the presence of Raytheon in Derry on the basis that the company is not involved in Derry in arms-related production. We have established that not only is the Derry plant involved in arms-related production, it is also, through its integration into Raytheon as a whole, involved in war crimes. We call on all elected representatives in Derry, and on the citizens of Derry, to say now in unequivocal terms that the war criminal Raytheon is not welcome in our city.

We call on the office of the Attorney General and the Crown Prosecution Service, in light of this verdict, to institute an investigation into the activities of Raytheon at its various plants across the UK, with a view to determining whether Raytheon is, as we say it is, a criminal enterprise.

We believe that one day the world will look back on the arms trade as we look back today on the slave trade, and wonder how it came about that such evil could abound in respectable society. If we have advanced by a mere moment the day when the arms trade is put beyond the law, what we have done will have been worthwhile.
We took the action we did in the immediate aftermath of the slaughter of innocents in Qana on July 30th 2006. The people of Qana are our neighbours. Their children are the children of our neighbours. We trashed Raytheon to help protect our neighbours. The court has found that that was not a crime. This what the Raytheon case has been about.

We have not denied or apologised for what we did at the Raytheon plant in the summer of 2006. All of us believe that it was the best thing we ever did in our lives.’

source: www.raytheon9.org