Union witch hunt & election trigger

The Dirty Double

Anna Pha

There will be a July 2 federal election following a double dissolution after the Senate’s rejection of the government’s attempt to re-establish the anti-union Australian Building and Construction Commission.

Parliament returned this week for a special three-week session to consider two industrial relations bills that the Senate had previously blocked and for the Budget which has been brought forward to May 3. Prime Minister Malcolm Turnbull has opportunistically used the bills to bring on the double dissolution of Parliament in the hope of gaining control of the Senate. The trade union movement and working people of Australia now may face WorkChoices Mark II: an even more vicious onslaught on trade union rights, wages, working conditions and living standards.

The Turnbull government hopes to rid the Senate of the independent cross-benchers who cannot always be relied upon to support its legislation.

The bills that were being considered this week are the Fair Work (Registered Organisations) Bill 2014 and the Building and Construction Industry (Improving Productivity) Bill 2013 (BCIIP).

The Registered Organisations Bill applies to all trades unions. It aims to set up a special Registered Organisations Commission and Commissioner with draconian powers to regulate, monitor and impose a stringent financial accounting and disclosure regime on trade unions with far heavier penalties than those currently operating under the Fair Work Act.

In many respects it is modelled on the Australian Securities and Investments Commission (ASIC) as if trade unions were corporations, but in some areas demands more of trade unions than corporations.

The government plans to play the “union corruption” card during the election campaign, drawing on Labor’s close links to the trade union movement.

Royal Commission

The Abbott government set up the Heydon Royal Commission into alleged trade union corruption with the aim of trying to justify the draconian, undemocratic legislation as well as to vilify trade unions and so discourage workers from joining them.

The Royal Commission ran for 20 months. During that period, in a heavily biased cover-

age weighted against the union movement, the media ran hot, daily reporting on alleged union corruption, violence, bikie gang links with the construction union – the CFMEU – and criminality. It did not give the same coverage when many of these allegations were proven to be false or withdrawn.

The Heydon Royal Commission made sweeping, totally unsubstantiated claims about “widespread and deep-seated” misconduct in the trade union movement. It’s “revelations” were the “very tip of the iceberg”, offering no proof of an iceberg.

As the Guardian pointed out: “It denigrated individuals and cast a stain over the trade union movement in order to undermine the legitimacy of trade unionism – all, in the final analysis, to boost profits. That was its ideological thrust.” (“Coward punch on workers’ rights”, 20-01-2016, #1715)

It was an expensive, taxpayer-funded political witch hunt. Apart from trying to damage the Labor Party and boost construction company and developers’ profits, then Prime Minister Tony Abbott had the aim of vilifying and destroying the reputation of trade unions. This could then be used to try to justify the introduction of one of the most reactionary, undemocratic, union-busting pieces of legislation – the Construction Industry (Improving Productivity) Bill 2013.

The Royal Commission’s “findings” are now being used to justify the restoration of the Howard government’s Australian Building and Construction Commission (ABCC). But the ABCC does not deal with criminal offences such as corruption. With a few exceptions, the offences under the legislation are civil.

Abbott claims that the (BCIIP) restores the ABCC with its industry specific police force. The truth is that it goes further than the original ABCC.

ABCC Mark II

The bill replaces the Office of the Fair Work Building Industry Inspectorate (Labour’s modified version of the ABCC) with a reincarnation of the ABC. Its provisions include:

Coercive investigatory powers of ABC Commissioner – require a person to attend an interrogation session, answer questions (eg repeat what their fellow workers or a union official said at a meeting) under oath or affirmation.

No right to remain silent – this basic legal right has been taken away from construction workers. Workers would not have right to lawyer of choosing.

Criminal offences – refusal to attend, answer questions, take an oath or affirmation or answer questions is an offence punishable by six months jail.

Continued on page 2

“It denigrated individuals and cast a stain over the trade union movement in order to undermine the legitimacy of trade unionism – all, in the final analysis, to boost profits. That was its ideological thrust.”
The Perth Declaration: A Better World is Possible

Declaration of the 2016 Australia/NZ-Cuba Friendship Societies National Consultation

This National Consultation of Friendship Societies in Australia and New Zealand gathered in Perth on April 16-17, 2016.

We call for:• The lifting of the criminal economic, financial and commercial blockade imposed by the US for over 55 years• The immediate closure and withdrawal of the US from the illegally occupied Guantánamo Bay, a prison that has been described as a torture camp for the systematic violation of human rights, which is an insult to the Cuban people and Cuba• The end of the covert and overt media war against Cuba, and attempts at regime change to try to discredit and demonise the victorious Socialist Revolution won and constructed by the Cuban People.

We stand with Fidel in saying “A better world is possible.”

The Dirty Double

Continued from page 1

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Picketing unlawful – a new offence where organising or engaging in a picket with the aim of supporting claims against an employer is illegal. That includes solidarity and community pickets as well as pickets by employees of the company being targeted.

Coercion and discrimination – there can be no insurance against preventing unions gaining uniform wages and conditions across a construction site. The aim is for subcontractors to be picked against each other in a race to the bottom reducing costs. This affects health and safety as well as wages and working conditions. They also relate to union recruitment.

Hours of work – EBAs specifying maximum hours of work would be illegal.

Penalties – for unlawful industrial action, picketing, coercion, etc are typically very high ($34,000 for individuals and $170,000 for companies) and can include personal bankruptcy and the loss of licence to operate a business.

We are optimistic that the Cuban people in the negotiations with the US will be able to maintain their principles in any meaningful way. The report’s thrust was:• Directed towards empowerment of Aboriginal societies on the basis of the full recognition of their right to self-determination, capacity, their democratic right to exercise that right, maximum control over their lives and communities…such empowerment requires the recognition that life and communal rights…are embedded in the relationship of Aboriginal society with the basis of the principles of self-determination…”

The Communist Party of Australia works for unity in action, solidarity in their struggle against the enemies of the Cuban people, their struggle for a socialist Cuba, its people and government. ACFS stands in solidarity with the Cuban people for the long struggle to unite our two countries, with Cuba maintaining its socialist principles.

The building and construction industry is the most grind-}

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Inquiry looks at youth suicides

A parliamentary inquiry will examine Aboriginal youth suicides in Western Australia after a 10-year-old girl took her own life in the Kimberley region.

State coroner Ros Fogliani has announced she will hold an inquest into several suspected suicides in the Pilbara and Kimberley regions, while suicide prevention researcher Gerry Georgatos has called for a Royal Commission.

The Education and Health Standing Committee of the Legislative Assembly has announced it will conduct a parliamentary inquiry following a motion by Kimberley MP Josie Farrer.

In a statement, the committee said it would report in November on what could be done to halt the worry- ing number of suicides among Abro- riginal youths, particularly in remote communities.

It will also determine what resources have been set aside to tackle the issue.

Director of the Aboriginal and Torres Strait Islander Suicide Preven- tion Evaluation Project (ATSIPEP) Professor Pat Dudgeon of the Bardi tribe of the Kimberley, said suicide could not be examined in isolation.

“There needs to be a holistic approach, absolutely,” she said.

“Read our reports, we’ve already started presenting some findings on our website.

“About mid-year we’ll be provid- ing a report. We’ve been evaluating suicide prevention programs, work- ing on culturally-appropriate suicide prevention tools, holding community round tables, so we can get as much community input as possible.

“We recognise that solutions need to be holistic, because every- thing is interconnected. The history of colonisation is very important, as is recognising social-determinant ori- ented factors.”

As one of its many arms of research, the ATSIPEP recently released a paper regarding Indig- enous Lesbian, Gay, Bisexual, Transsexual, Intersex and Queer (LGBTIQ) people.

“Vulnerable groups”

“Within our group there are vul- nerable groups as well,” Professor Dudgeon said. “I hope that our big thrust is that there needs to be lead- ership or other indigenous issues, from a national to regional level. What I’d like to see – and we have one – is the first Aboriginal and Torres Strait Islander suicide prevention strategy to be implemented and communities to be resourced so they can address suicide themselves.

“There are two major issues. The first is recognising that this is cultur- ally different, and the second is to work in partnerships with commu- nity and our organisations.

“We need to work strongly and together to overcome a lot of these things – and it has to be by communi- ty. We are the people who are affect- ed by reforms.”

Turnbull escalates war on the poor

Unemployed and underemployed Australians can be issued with on-the-spot fines by privately owned job agencies under a tough new government proposal, writes Owen Bennett*

Next month the Turnbull gov- ernment will be asking the Senate to support one of the most devastat- ing attacks launched against poor and vulnerable Australians in recent memory. The Bill – entitled Social Compliance) Bill 2015 – propos- es to have unemployed workers a 10% deduc- tion of their income support – increas- ing by 10% each day until they “re- engage” – if they:

• Fail to sign a job plan at their first job agency appointment;
• Are found by their job agency to have behaved inappropriately at an appointment (“inappropriate behaviour” is defined as acting in a manner “such that the purpose of the appointment is not achieved”); or
• Fail to attend a Work for the Dole or Training exercise with an excuse deemed reasonable by the job agency.

All fines (roughly $55.00) will be deducted immediately. Unem- ployed Australians who feel they have been unfairly fined will be required to go through Centrelink’s arduous appeals process to get their money back – a procedure that can take up to four months.

This means that even if an unemployed worker successfully appeals against a fine – and thou- sands do every year – they will still be forced to endure up to four months without a significant portion of their income support. As private- ly run job agencies can effectively impose these financial penalties on unemployed workers before having to provide any concrete proof, the Coalition’s proposal gives private- ly owned job agencies the power to control life and death over unemployed workers.

With the dole already $391.00 below the poverty line according to of- ficial government figures there are 11 job seekers competing for each vacancy, even more when you consider low- skill jobs.

With unemployment already a one-way ticket to poverty for many Australians, why is the Turnbull government introducing a bill that will make it considerably harder for unemployed workers to survive?

To answer this question, it is necessary to understand the employ- ment services industry. Comprised of for-profit and not-for-profit com- panies ranging from billion-dollar corporations like Max Employment to charities like the Salvation Army, the employment services indus- try has become a highly lucrative business.

Under the Coalition govern- ment’s four-year $6.8 billion Jobactive program, government payments to employment services are tied to a variety of “jobsseeker outcomes”. The most efficient way for job agencies to maximise out- come payments is to ensure that their unemployed “casehead” are, at a bare minimum, compliant with appointments and activities. Clearly the employment services industry has a financial interest in obtain- ing increased powers to penalise the unemployed.

With these perverse financial incentives already firmly in place, there are a number of well-docu- mented cases of job agencies bul- lying unemployed workers. Every day, the Australian Unemployed Workers’ Union receives new cases of Australian Unemployed Workers’ Union being bullied into unfair activities or appointments by money-hungry job agencies.

Even if unemployed work- ers are able to muster up the courage to demand that their rights be recognised, job agencies use the threat of sanctions to ensure compli- ance. With the continued failure of the Department of Employment to effectively regulate the industry and bring bullying job agencies into line, unemployed workers have nowhere to go. This has created a culture of fear and intimidation throughout the employment services industry.

By proposing that job agencies should be given new unprecedented- ly powerful powers to financially penalise unemployed workers, the Turn- bull government is sending a clear message to the employment serv- ices industry. With such punitive measures, job agencies are not only acceptable but should be intensified.

If you have been unfairly fined by your job agency, join the Aus- tralian Unemployed Workers’ Union and fight against this unfair compliance system by contacting them on contact@unemployedworkersonion.com. You can also participate in the AUWU’s Fight the Fine campaign against this bill. Visit the AUWU’s Facebook page for more info.

*Owen Bennett is the president of the Australian Unemployed Workers Union, an organisation dedicated to fighting for the rights and dignity of the unemployed. He is also writing his PhD thesis on the unemployment services industry.
It started simply enough in August last year when 73-year-old retired coal miner Percy Verrall contacted CFMEU Queensland President Stephen Smyth with suspicions that his rapid health deterioration was linked to his 29 years working in the state’s coal industry. “Percy described a chronic lung condition and I asked him if he could give me x-rays he had taken and I undertook to send them to Dr Bob Cohen in the US, a panel had been set up down under, to have a look at them. As it turned out Dr Cohen and his team found that Percy had Black Lung, a chronic killer disease that had gone undiagnosed in Australia.”

Stephen Smyth told Common Cause that Percy’s diagnosis set the alarm bells ringing and along with Queensland Resources Council Inspectors Jason Hill and Stephen Woods, the union embarked on an investigation that led to many more cases of the deadly Black Lung being uncovered. Working miners at Vale’s Carborough Downs and Anglo’s Grasstree mines were found to be suffering from the disease. Among them is Keith Stoddart, a 66-year-old coal mining veteran who had been a smoker but given up. He went to his doctor because he was suffering from stabbing pains in his chest.

The scars on Keith Stoddart’s lungs didn’t look like ordinary cancer so his doctor sent him to see a thoracic specialist himself. It took two biopsies, a lung function test and an agonising wait before a phone call came with a diagnosis. “Good news – no cancer. Bad news – Black Lung,” Keith Stoddart told The Australian newspaper. He had been diagnosed with deadly coal workers’ pneumoconiosis, a disease supposedly eradicated in Australia 30 years ago. As an underground coal miner, Keith’s five-yearly x-rays are supposed to be analysed by specialists who can accurately detect and report on the disease and filed with the Queensland Department of Mines and Natural Resources.

But they all failed to identify the deadly disease in Keith.

As other cases of Black Lung victims came to light it was crystal clear that the system in Queensland had disastrously failed the workforce.

Stephen Smyth told Common Cause that in Keith Stoddart’s case, he has spent thousands on medical bills, and had not yet been able to receive workers’ compensation. “It’s all his own medical care, all his travel costs, all his scans, his hospitalisations, and all the specialists he has to see,” he said.

Keith’s wife Danielle told the Senate Inquiry her husband’s health had deteriorated since diagnosis. “As soon as he exerts himself, like by mowing the lawn, he can’t manage that. As soon as he gets up he’s exhausted. He’s starting to wake up through the night with pains in his chest”.

One of Keith Stoddart’s fellow miners at Anglo’s Grasstree colliery, 34-year-old Chris Carter, told the Senate Inquiry that dust monitoring was generally undertaken once a month at the mine, on a Thursday afternoon, when his longwall crew was on a “maintenance” shift.

Data provided to The Australian, which the union says was leaked from Carborough Downs, shows dust levels could have exceeded four times the legal limits as far back as 2011. Back then, Ian Hiscock worked at Carborough Downs in a longwall crew.

“There was always an operator in the dust constantly,” Ian Hiscock told The Australian. “There was too much leakage in the seals from the mines, that we just couldn’t get any more air,” he adds. “Carborough Downs had a leakage problem in its ventilation seals.

“We were always asking management for more air ... fighting for more air.” Concerned about the effects on his health, Ian left Carborough Downs and after working briefly at Anglo’s Grasstree colliery, he quit the industry at the age of 46 and now works as a prison officer.

“I decided that enough was enough and my health and family came first so I quit the industry,” he says. “I dropped $110,000 a year but so much happier now.”

However, troubled by a nasty cough, in January this year Ian Hiscock asked Vale, his former employer, at Carborough Downs, to send his last x-rays to the US as part of its review. But they refused as Ian no longer works for them! The union stepped in and sent Ian’s x-rays off for expert analysis.

Self-regulation failure

At the Senate Inquiry, witnesses from across the industry said self-regulation of dust levels was a major factor in the return of Black Lung, and will lead to further cases of the disease. Evidence provided by US Black Lung expert Dr Bob Cohen showed that independent monitoring was the only way to ensure procedures were being followed. He told the Inquiry: “I think deregulation doesn’t work. We’ve had pretty good evidence. For many years our industry stated that they could just self-police, that they would you know, police themselves and do this. And it really didn’t work.”

Stephen Smyth summed up the scandal of the return of Black Lung at Queensland’s mines: “We have a health system that hasn’t been looking for Black Lung in the first place and medical practitioners not qualified to recognise it anyway, we have a self-monitoring system that is refusing to look for illegal dust levels, we have government agencies that have covered up and continue to be too close to mining companies and we have non-existent compensation for victims who end up with a disease that has been inflicted on them through no fault of their own and was being ignored at every turn.

“The truth is that with over 100,000 coal miners’ medical reports lying unexamined in storage, we don’t know how many victims of Black Lung there are working in the industry or among those who have left the industry through retirements or relocations.

“Our Union has uncovered this whole mess and we will not rest until it is fixed once and for all and that the victims who have had this insidious disease inflicted on them by criminal neglect start to get the support they need and deserve.” Stephen Smyth told Common Cause.

In the meantime, the union in Queensland will continue to participate in the state government’s Sims Review into the processes that failed in the Black Lung scandal.

“As we pushed for a full inquiry into all issues related to the return of Black Lung, we pointed out to Minister Anthony Lynham that the present Queensland Labor government had inherited the crisis and not been part of creating it. We know the government is under pressure from the Queensland Resources Council and various figures in its own departmental agencies who are trying to downplay the extent of the Black Lung crisis but frankly while we welcome the Sims Review as a start, the government will be judged by its actions and we have a way to go yet to ensure the eradication of Black Lung in Queensland and win justice for its victims”, said Stephen Smyth.

Common Cause
CFMEU Mining and Energy

How the union exposed those responsible
Evanthia Sgouras, who passed away in Sydney, after a long illness, on April 7, 2016, was a simple woman with universal values of the working class.

She was born in Salonika, Northern Greece, in 1933, the youngest child of a working class family. As a young child Evanthia went through the horrors of World War II, the occupation of Greece by the Nazis, the terror and suppression unleashed upon the Greek population by the occupying forces, and the widespread hunger the Nazi troops enforced on the people.

She experienced the arrest of her brother-in-law, a fine man of Russian descent, who was beheaded by the Nazis and the arrest of her older sister who was thrown into jail and died there at the age of 20. As a young child, Evanthia experienced the war work in factories to earn the family's living, new, unknown environment. Both husband and wife started work in factories to earn the family's living. A young baby girl yet unnamed.

In 1944, young Evanthia was one of the revolutionary songs. She managed to migrate to Australia in 1968. They managed to migrate to Australia in 1968. Melbourne became the family's new home town and new struggle started. The struggle for survival in a new situation with all the difficulties of migrant life, and at the same time the struggle to adapt to the conditions of the working class movement in a new, unknown environment. Both husband and wife started work in factories to earn the family's living.

Earning a living, however, wasn't enough for this couple. Evans sold the unshakable conviction that in whatever country working people lived, they had to join the local struggle for a better life. It wasn't long before John joined the CPA and became active in the Democratic Club, the Greek Community of Melbourne, the Committee for Democracy in Greece.

Evanthia's dauntless spirit, Xanthoula, also joined the Party at the young age of 21 and became a leading cadre of the Greek Progressive Youth of Australia (EPPA) in Melbourne. Evanthia was always the driving force encouraging her daughter and son to participate in the working class struggle and become “better persons”.

In 1984, due to John’s serious heart condition, the family returned to Greece. He wanted to die in his native land. He died in 1994 and Evanthia was left without her lifelong comrade. She devoted her care and affection to her children and grandchildren. She never stopped teaching the grandchildren the revolutionary songs of the Liberation Army and urging them to follow the steps of their parents and grandparents, when they grew up.

In 2003, circumstances forced the family to return to Australia. By this time Evanthia was a very sick woman, in a wheelchair, almost blind. Her mind however was as alert as ever and full of fighting spirit. She finished her days singing the revolutionary songs of the Liberation Army. The last song she sang was “The Red Flag”. After that she didn’t utter another word. She passed away a few hours later.

Evanthia is survived by her daughter Xanthoula, her son Angelo, the grand children Joanna, John and Stelios and the great-grandchildren Evangelos and a young baby girl yet unnamed. May her memory live for ever!

Road Safety

The Transport Workers’ Union has called on the government to introduce legislation to hold major companies which are-party-owned, accountable for road safety. "The one body which can provide a solution to the crisis in transport, without reducing rates, cutting back on safety standards and ensuring people can present on banks moving cash at reduced rates, cutting back on safety and putting lives at risk. If this Tribunal has been abolished myself and my colleagues will leave the sector because we won’t be prepared to put our lives at risk,” he said.

Owner driver Ray Childs said he operates in NSW where a minimum rate has already applied for 30 years to drivers and this has improved the industry. “Minimum rates need to apply nationally to lift standards and ensure people can pay themselves and put their heads. Otherwise you get a race to the bottom and safety is sacrificed,” he said.

Obituary

A simple woman with universal values

Evanthia Sgouras, who passed away in Sydney, after a long illness, on April 7, 2016, was a simple woman with high the universal values of the working class and had a deep, unshakable conviction in the cause of the liberation of humanity from the yoke of capitalist exploitation.

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**Cuba stands by principle**

**Keith Headland**

Last week’s Guardian (April 13) contained an article titled “US President Obama’s visit to Cuba which highlighted the negative aspects of both the visit itself, and US Cuba relations, by US tourism to Cuba. According to reports from the Cuban government they have won some important victories during the negotiations, combined with pressure from international solidarity, including among other things the return of the Cuban Five and being taken off the list of countries that support terrorism.

It is important to note that during this whole process Cuba has not had to give up any of its principles. The struggle continues to lift the Blockade and hand back Guantanamo Naval Base to the Cuban people. 

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**Tilling the soil of Cuban cooperation**

**Richard Grossi & CJ Atkins**

Saul Berenthal and Horace Clemmons have a dream. They want to outfit the farmers of Cuba with small, customisable, easy-to-repair tractors. Cuban-born Berenthal and Alabama native Clemmons are the co-owners of Cleber LLC, an American firm which, if all goes as planned, will soon be setting up a tractor manufacturing plant in the Mariel Special Economic Zone.

In February, the US Treasury Department’s Office of Foreign Assets Control (OFAC) – the body responsible for enforcing the blockade against Cuba – approved a license for Cleber to go ahead with plans to establish an assembly facility in the foreign investment area just west of Havana.

Their product, the Oggjin, is named after the god of iron in the Afro-Cuban religion of Santería. It is aimed at the small farms which make up the backbone of Cuba’s agricultural sector. Clemmons says the company is proud to be taking steps to help “develop the Cuban economy” and provide “a route for farmers to directly benefit from their efforts.”

Cleber, whether its owners completely realise it or not, is a piece in the effort to normalise economic relations between the United States and Cuba. It is one of the first companies to receive an OFAC licence since President Obama began his push for normalisation, and it will likely be the first US manufacturer to open up in Cuba since the 1959 revolution.

The company is the beneficiary of one of the few powers available to Obama in his effort to end the blockade. Even under the terms of the so-called embargo, the president can encourage US companies to do business with Cuba as long as they are able to meet the licensing terms set by theTreasury Department and can demonstrate a benefit to the Cuban economy in the sectors prioritised: oil, renewable energy, or tourism.

They also have to get approval from Cuba, of course, whose foreign investment laws don’t just accept any project. According to Deborah Rivas, the director general for foreign investment at Cuba’s Ministry of Foreign Trade and Investment (MINCETI), “It’s about attracting foreign investors whose projects are in tune with our public policy.”

Cleber’s proposed tractor facility and the negotiations around its establishment are just one aspect of the much bigger efforts undereway to end the blockade. In September 2015, President Obama reauthorized the Trading with the Enemy Act so he could retain jurisdiction over Congress and take steps to weaken the blockade.

**Article II. Section 3 of the Constitution gives the President the power to re-**

Article II. Section 3 of the Constitution gives the President the power to recommend changes to Congress, and thus exercise some authority to dismantle the blockade.

The Departments of Treasury and Commerce, which are overseeing projects like the Cleber tractor plant, are part of the executive branch, and thus under Obama’s direction. They are tasked with carrying out the terms negotiated through any bilateral agreement with Cuba.

It’s important to remember, however, that although the approval of licences like Cleber’s are important steps, it is still the case that Obama’s power to change economic policy toward Cuba is limited. The laws of course, rests with the US Congress. The imposition of an economic, commercial, and financial blockade against Cuba in peacetime remains an extralegal act that has no useful purpose in a global economy. Business requires two-way trade in order to benefit people on either end in the marketplace, and so far only Obama and the Cubans seem willing to do their part.

This week, Americans opposed to the blockade will be in Washington demanding that Congress step up to the plate. From April 18 to 22, a series of events including education forums, film showings, and Congressional lobbying will take place as part of the “Days of Action Against the Blockade.”

It is only a matter of time before ever-wider sections of the US public demand their legal right to travel and trade with Cuba on an equal par with the rest of the world. The pressure on Congress will only increase. The small Cleber tractors that will soon be tilling Cuban fields are hopefully the first of many more joint venture products to come. As Berenthal told the press, “There’s no reason trade cannot be re-established ... the product exists, the facilities exist, and there are people willing to invest.”

The Oggjin, designed in Alabama and assembled in Mariel, is just a first sample of what’s possible through greater US-Cuba cooperation. It’s time for Congress to get out of the way.

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**People’s World**
Regional free trade agreements such as the Trans Pacific Partnership and the US-EU Transatlantic Trade and Investment Partnership (TTIP) because it could enable American companies to file claims against the states. The strange thing, however, is that Western Europe is becoming a big hub in this mechanism, called investor-state dispute settlement (ISDS), leading to billion-dollar claims against poorer countries.

Imagine a country is in the middle of a severe economic crisis in decades. One in four people is unemployed. Tens of thousands are homeless. Four hundred thousand have been replaced in two weeks. To halt the downward spiral, the government decides to nationalise previously privatised sectors and companies. In response, dozens of companies sue the government, because they feel disadvantaged by the new policy. The government is forced to pay handsome millions in financial compensation in the years after.

It happened to Argentina after the economic crisis early this millennium. Argentina had signed dozens of bilateral investment treaties (BITs) meant to attract foreign direct investment (FDI). The treaties gave investors the right to sue the Argentine government in case of a conflict. Argentina became easy prey. With 56 claims to date, it is the most sued country in the world.

ISDS is a mechanism by which a company can sue a state without actually going to court. The investor can bring his dispute before a panel of arbitrators, which acts as a kind of private court. The hearings often take place at the World Bank. Both parties appoint one arbitrator each, and these two appoint a third, or one is chosen by an usually investment lawyer. The trio then will decide if the state treated the investor unfairly and, if so, what it has to pay. There is no possibility to appeal.

The world of investment arbitration is very, very, very different from a normal court, in which investment cases are decided by handled by former judges. According to Kahale, this leads to too many legal “mistakes.” “Their commercial lawyers, who even continue to act as counsel next to their commercial lawyers, who even continue to act as counsel next to their work as arbitrators. It is possible for a state to be condemned by a judge whose law firm partner is a lawyer for an investor in a comparable case. According to Kahale, this leads to too many legal “mistakes.” “Their business background shines through in their decisions. Their background is commercial arbitration. The aim there is not to create correct legal precedent, but to get parties back to business again as soon as possible. Which is very bad. It is not about some little disputes, this is about multi-billion-dollar claims, about principles that are crucial for countries, many of which have just a small GDP.”

Criticism against the current system of investment arbitration is rising, as a growing number of countries decide to terminate the investment treaties behind ISDS. Not only countries like Venezuela, but also Indonesia, South Africa, Ecuador and Brazil. The United States, have now decided to end up with a small group. We are specialists.”

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Vincent Di Stefano

The melt down of three nuclear reactors at Fukushima in the wake of the earthquake and tsunami of March 11, 2011 seems to have quietly slipped out of our collective awareness – as quietly as the cauldrons of radioactive elements that were once within the active cores of the reactors invisibly bled into the groundwaters and seaways of the region. This event has become yet another minor detail in the distorted mosaic of ruin that mirrors the latter days of a civilization in free-fall.

Arnie Gundersen is looking a little weathered these days. He has just returned from a five-week long speaking tour of Japan. He spent much of that time in the company of many whose lives have been indelibly seared by the Fukushima catastrophe. What he reports is unlikely to appear in the mainstream media, but such has ever been the case when it comes to the hidden machinations of big government and big business.

What Gundersen has to say is worth closely attending to. As a nuclear engineer, he has been deeply involved in the American nuclear industry for over four decades. He has a special interest in the design and safety of containment structures and holds a patent for a nuclear safety device. He has also managed and coordinated nuclear projects at 70 nuclear power plants in the US and is a former nuclear industry senior vice-president. He knows the industry well, particularly its toxic underbelly.

Arnie Gundersen served as an expert witness in the investigation of the 1979 Three Mile Island accident, and found that releases of radioactivity from that particular event were 15 times higher than the figures published subsequently in a government report. He is no stranger to the prevarication and deceit that have too often accompanied statements made by the nuclear industry and its government supporters.

Gundersen has been an active critic of the nuclear industry for over two decades. More recently, he has co-authored a Greenpeace International report on Fukushima. He was among the first North American commentators to speak publically and forcefully on the implications of Fukushima in the days and weeks after the meltdowns. And since that time, he has been tireless in his efforts to provide an informed narrative of developments at Fukushima and their consequences for both the inhabitants of Japan and on the global community.

Arnie Gundersen reports that the Japanese government continues to put the interests of Japanese banks and power companies ahead of the safety of its people. Within a short time of the Fukushima meltdowns in 2011, the Democratic Party of Japan (DPJ) who were in power at that time arbitrarily raised the “acceptable” limits of radiation exposure 20-fold. From 1 millisievert (mSv/year) – the maximum dose recommended by the International Commission on Radiological Protection – to 20 mSv/year. In 1998, over a decade beforehand, Roselle Berteli presented the findings of a number of independent studies published in peer-reviewed journals, including the British Medical Journal and the Journal of the American Medical Association that showed unequivocally that radiation doses as low as 2.5 mSv/year were associated with significant increases in the incidence of leukaemia and myelomas, and cancers of the pancreas, lungs and female reproductive organs in nuclear industry workers.

As Japanese medical practitioners begin to encounter the effects of radiation exposure in their patients – particularly children – the government now refuses to pay doctors who record a diagnosis of radiation-induced sickness in their patients.

Rearranging the deck chairs

Over 100,000 people are still not able to return to their homes in Fukushima prefecture since the meltdowns. In a disturbing disclosure, Gundersen reveals that many of the evacuees have received virtually no information regarding the issue of radiation exposure either from the Japanese government or from TEPCO, the operators of the Fukushima power plant. The subsistence stipend that they have received since being evacuated will cease in March 2017.

Considerable pressure is being put on former residents by the government that they now return to Fukushima and tough it out regardless of the ongoing contamination. Many have grave concerns regarding the effects of such a move on the future health of their families.

Another remarkable aspect of the present situation concerns the manner in which highly contaminated materials – which include radioactive soil, leaves and other debris – have been dealt with.

Thirty million tons of such debris has so far been gathered from throughout the Fukushima prefecture. Much of this is now stored in over nine million large plastic bags scattered throughout the affected areas. Three years after being filled, the bags have started to disintegrate and nobody seems to know what to do next since their contents need to be kept isolated for at least another 30 years.

One favoured option is to incinerate them. This would certainly decrease their number, but would inevitably result in the further dispersion of radioactive elements in aerosol form around Japan.

There are clearly some who still hold to the old but ultimately banal adage that, the solution to pollution is dilution. Dwarring the problem of solid wastes is the ongoing leaching of radioactive elements from the melted reactor cores into groundwater and seawater. For the past five years, between 200 and 500 tons of groundwater flow through the reactors every day as a result of multiple cracks in the containment structures. Some of this water has recently been diverted away from the reactors, but an estimated 150 tons of groundwater continue to flow through the reactors daily.

This irradiated water inexorably flows on, steadily bleeding into the northern Pacific. Furthermore, 700,000 tons of highly radioactive water salvaged from cooling operations since the meltdown is presently stored in massive tanks that now pepper the reactor site. More are being built as contaminated water continues to accumulate.

The tragic absurdity

It is common knowledge that engineers will be busy for the next 30 to 40 years in their efforts to put the lid on the cauldron of radioactivity that seethes in the reactor basements at Fukushima. Meanwhile, the Pacific tectonic plate continues its own inexorable movement beneath the continental Okhotsk plate on which Japan sits, creating the conditions for future mega-thrust events like that which shook the region on March 11, 2011. The unspoken terror is that it could all turn again in the blink of an eye.

Despite what has happened at Fukushima, the Abe government is determined to restart Japan’s nuclear reactors that were all shut down after the 2011 earthquake. Widespread anti-nuclear protests throughout Japan have been ignored and three nuclear power plants in Kagoshima and Fukui prefectures have been restarted since August 2015. Over the next year, a further six to 12 reactors are slated to resume operations. Business reigns as usual.

There are many who proudly insist on riding the nuclear beast regardless of the human and environmental consequences. They insist that this is the way of the future and a “necessary” solution to the problems of rising atmospheric carbon dioxide levels and an ever-accelerating movement towards numerous tipping points which include ocean acidification, loss of polar albedo effects due to melting of polar ice, and the bubbling up of vast new wells of methane gas from the melting of northern permafrost and sea-floor deposits.

In the immortal words of Edwin Airlington Robinson, what folly is here that has not yet a name? globesofresearch.co
Steel

should be invested to save British

the crisis and said taxpayers’ cash

ernment of being “in disarray” over

industry would be sold off piece-

of

elsewhere, I think nationalisation is

business.

options” for the “absolutely vital”

the industry faces,” he said. Busi-

alisation of the stricken industry.

had demanded the recall as steel

Labour leader Jeremy Corbyn

announced it would sell its Brit-

Prime Minister David Cameron

sations’ which is used to describe

It noted that the term Katz

law,” Barghouti added.

Palestinian people under internation-

An especially alarming state-

ment came from Israeli Minister

of Transport, Intelligence and Atomic

Energy Yisrael Katz who called on

Israel to engage in “targeted civil ex-

BDS leaders with the help of Israeli intelligence,” Amnesty

Amnesty described these state-

An escalation of acts of intimi-

against Barghouti and other human

殺 was also “withdraw

the threat to arbitrarily restrict his

permanent residency in Israel,”

Amnesty added. Barghouti has welcomed Amnes-

“Already I feel slightly safer,

have moved to a clear position by

Amnesty International,” Barghouti
told The Electronic Intifada.

“It not only criticises the Israe-

li government’s intimidation and

violence threats against me and my

BDS colleagues, it defends our right
to engage in the non-violent BDS

movement to defend the rights of

the Palestinian people under internation-

al law,” Barghouti added.

Barghouti, a co-founder of the BDS

movement, also renewed his call for Isra

The right to BDS

Since the launch of the BDS

10

initiatives in support of the Palestinian

Mine civil society’s human rights ini-

being implemented in order to under-

mine civil society’s human rights ini-

atives in support of the Palestinian

freedom of speech and political

action for Palestinian rights.

The European Coordination of

Committees and Associations for

Palestine (ECCP) is calling on

human rights organisations, civil

liberties groups, social movements,

trade unions and political parties to

call a petition to the European Union

“opposing government-led attacks on

free speech and civil liberties that are

being implemented in order to under-

mine civil society’s human rights ini-

atives in support of the Palestinian

people’s struggle for freedom, justice
d’equality.”

“As Israel is increasingly unable to

defend its regime of apartheid and settler

colonialism over the Palesti-

nian people and its regular mas-

sacres of Palestinians in Gaza, it is

seeking supportive governments in

Europe and the US to undermine

free speech as a way of shielding it

from criticism and measures aimed at

holding it to account for its gross

violations of international law.”

ECCP states, citing recent repres-

sive acts by authorities in the UK

and France, as well as the threats by

Israelis.

“Regardless of their position on BDS, human rights organisa-

tions and citizens of the world who care about civil rights and human

rights have to take a clear stand to

defend the right to advocate for BDS as a matter of conscience and free

speech and a non-violent means of civil society to advocate the funda-

central rights of the Palestinians,”

ECCP adds.

The Electronic Intifada

Sydney

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12 noon - 4 pm Saturday April 23

Waterloo Green (Raglan St Waterloo)

reductions available

Speakers on Waterloo redevelopment plans

Picnic

Presented by

Waterloo Action Committee – Richard 0448 388 378

Millers Pt Community Assoc Inc – Barry 0421 107 121

Action for Public Housing – Dennis 0418 290 663
Vietnam places a high value on education

HO CHI MINH CITY: The sounds of laughter could be heard throughout the halls and into the classrooms. Children were playing with a soccer ball in the outside school court. This joyous sound of laughter was not a distraction to the students in the classroom. In fact the children seemed content to know that their classmates were actively participating in the scheduled recreation time.

Students during this recreation time could participate in playing outside, participate in exercise – Tai Chi style or participate in dancing Zumba style, with all activities occurring outside in the school courtyard. Inside, students could get instructions in an art class or watch a movie. The headmaster of Hoa Binh school. “Vietnam has a very serious Royal Commission to make it more difficult for unions to advocate for workers to join the relevant industry fund. Likew...
Just in time for Earth Day 2015, *Catching the Sun* is an informative and upbeat new film about solar power. It will debut on Netflix on April 22.

In just 75 minutes, director Shalini Kantayya introduces us to working people who want jobs in renewable energy. The film will screen at the *American Film Institute’s National Theatre*, 927 G St NW, Washington, DC, 20001 at 7 PM on April 20, 2016.

The US, with 5 percent of the world’s population, consumes 27 percent of its energy. As Americans now understand that this equation is unsustainable, not only ethically, but because the domestic and the imported fossil fuel resource base will not always be available, and because they contribute mightily to the problem of climate change. It is time to revolve the world. It will be both cheaper and cleaner. Green jobs will grow exponentially.

President Barack Obama wants to restore America’s greatness, but as the world’s number one producer, not to be invaded by others.

An earlier president, Jimmy Carter, understood the challenge of converting to renewable energy as far back as the late 1970s. In fact, he had solar panels installed at the White House to set an example. This was a most unifying precedent, however. The former president believed his successor in the White House, who had them removed on his second day in office. That was, of course, Mr. Reagan. The revolving doors between fossil fuel executive suites and government agencies have continued to spin ever since.

But Jones did not last long. The right-wing, and in particular the fossil fuels industry launched a full-court press against Jones, accusing him of being a radical, an anarchist, a communist – all by way of attacking Obama’s legitimacy as president. Starting with early “exposés” on Fox News, the rumour-mongering soon metastasized to the mainstream press. Finally, until Van Jones became the symbol of everything dangerous about the Obama victory. So that it would not become the focus of the president’s first year in office, Jones opted to resign. It was “like being mugged in a parking lot,” Jones recalls. He has gone back to his non-profit work, and presently is also a news commentator.

During Obama’s first term the House passed cap and trade (The American clean energy and Security Act of 2009), a policy by which polluters exceeding their “cap” could offset their emissions with monetary payments. But the smear campaign over energy got to the Senators in time for them never to take it up. In California, where cap and trade did pass in October of 2011, one-fourth of such payments, amounting to billions of dollars every year, are earmarked to be invested in poor and rural communities.

The revolution is all around us

*Catching the Sun* packs a vast amount of information, and presents it with warmth and humour. The local Richmond solar crew hook up radios, a fan, and a tiny music box to solar power, and as soon as the latter is properly wired, what song does it play? “You are the sunshine of my life!”

There are, of course, some leaders in the energy industry, such as the former coal-based NRG, who have seen the writing on the wall and seek to invest in more renewables. Eventually, companies by company, city by city and state by state, the battle will be won, but the fossils will predictably hold us back for some time to come. As recently as the 2008 presidential election, Jones reminded us in a post-viewing panel, candidate John McCain agreed with the theory of global warming and also supported cap and trade policies. It’s come to the point now, as the crescendo of hate against Obama and liberalism has mounted, that to be a member of the conservative “tribe,” you must declare yourself an apologist for the climate. We see that over and over again in energy, medicine, health, and education.

Will the US actually be able to build a clean energy economy? The prospects are not all dim by any means. The 2014 People’s Climate March signalled a major commitment by millions of Americans to move toward a green economy. And in 2015, at COP 21 in Paris, the US joined dozens of other countries in legally binding mutual promises to reduce carbon emissions. Solar-powered homes and buildings are already commonplace; cars, phones and other machines will soon be able to be powered by the sun, and solar will become one of the world’s biggest employers.

The revolution is all around us, moving at different paces here and there, but inevitable. Already Germany supplies 75 percent of its energy needs with renewables, and other countries are approaching that level. The technology exists and is expanding, the infrastructure can readily accommodate more renewables, the labour force is ready to go to work, and the costs are declining precipitously. What holds us back is the political will, thwarted by forces of environmental blackmail. If the US could pull together on this, we could have a majority renewable energy grid by the year 2030. (Which is why elections matter.)

Kantayya repeatedly uses the film technique of time lapse photography in all kinds of interesting, visually arresting ways. These quick-moving sequences are always beautiful to the eye – traffic rushing through an intersection, shadows moving across the landscape, clouds rushing past – but also signify how fast the world is changing nowadays.

Blind and there’s a new solar-powered building over there; blink again and there’s a whole field of solar panels supplying energy to cities and factories. The disparate, but related stories, filmed in the US, China, Germany, India and elsewhere, are interwoven artfully. The film director allowed his friend Van Jones to answer the lion’s navel questions during the panel discussion, and Jones did not disappoint. There is progress, and there is hope, he said, but “Congress is stuck on stupid.” Technology is getting better all the while, and he envisions a time, perhaps not too far off, when solar panels may be obsolete: “We’ll be able to spray solar onto walls.”

Jones is confident in the next generation of activists, who are persistent and well informed. But we have serious problems to overcome. For example, the ecology movement is far too identified with “save the polar bears” white people. Go into a lot of environmental groups and you’ll find a sea of pale faces – “ecocritics,” Jones calls them. Such discrimination in hiring makes the movement vulnerable to right-wing attack: They can appeal to poor people and people of colour and say, “See, these movements are not your movements. Ego-atheriality will only lead to eco-apocalypse.”

At the same time, he advised, it is critical not to see the 1 percent as all-powerful. “People’s movements matter a lot.” The elites are in a disarray, “a zoo, a circus,” he says. “They’re less in control than they have ever been. Don’t get trapped in the amber of these conspiracy theories that are sucking the life out of our people.”

Eventually we will have a national solution and a smart, renewable grid. But in the end, Jones says, “it’s up to everybody to fight for the future they want.”

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April 20, 2016

11

April 21

The Turnbull Government’s impending major attack on workers’ wages & conditions – why all fair minded Australians should back the ACTU campaign of opposition

• Emma Maiden, Assistant Secretary Unions NSW;
• Tim Ayres, NSW Secretary, Australian Manufacturing Workers Union

April 28

Surging poker machine/gaming industry, profits taken from the pockets of the poor, what new government controls are needed urgently?

• TBA

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11
Elections defy US-NATO sanctions on Syria

Ken Stone

Damascus: Today (April 15) the members of the Second Internationa l Tour of Peace to Syria were offered the privilege of accompanying the Patriarch of the Melkite Greek Catholic Church, who went to vote in the Syrian parliamentary elections. Gregorios III, the spiritual head of millions of Catholics all over the world, told us, in an audience before he invited us to join his procession, that the Syrian elections were very important.

In fact, he declared they represented “a challenge to the world to recognise that, despite the covert machinations of certain Western and Arab countries against Syria, Syrians are united in the pursuit of peace.” He offered a prayer for Syria, using the motto, “One people, one country!” Furthermore, he indicated that the elections, if successful, could be a model for other countries in the Arab world, similarly beset by foreign meddling.

The patriarchal procession left the 19th century Greek Melkite Catholic Church and wound its way through the narrow, cobblestone streets of Old Damascus to the Armenian Catholic Church, where it was met by priests of that church. Together in the chapel, after exchanging some ecumenical greetings, the whole procession then departed to the school next door where the polling station was located.

There was quite a crowd who came to vote and witness the voting, which was conducted in secret behind a white curtain. The patriarch, as usual, stood behind a white cloth screen and was testing the seats open for election in Damascus from each slate. Sometimes, the voters were only on behalf of a single candidate. It reminded me of trade union elections at national union conventions back in Canada.

On the walls of the buildings along the narrow streets were plastered hundreds upon hundreds of election posters. Over the streets were string banners showing small and large groupings of well-dressed candidates representing each slate. Clearly, the 250 parliamentary seats were being hotly contested.

On every corner were uniformed soldiers armed with assault rifles. After five long years of war, the Syrian people welcome the presence of their army.

After all, just several kilometres away, in neighbouring Ghouta, all kinds of terrorists hold sway over the population, hostage in and terror. Until just three months ago, these foreign-backed terrorists had been lobbing mortar shells on Damascus virtually every single day for five years.

They timed their attacks to coincide with rush hour in the mornings to achieve the maximum kill of working people and at 12:30pm every day just as school children were coming out of school. Many were killed and wounded. However, after their leader, Zahran Alloush, was killed in a Syrian Army drone strike, the mortars fell silent.

Our tour guide led us past dozens of polling stations over the course of our tour of the historic sites of Old Damascus that day. In the Old City, the polling stations were never more than two blocks apart, which is far more frequent than in Canada.

We actually went inside five different polling stations, which were staffed mostly by women. And here’s how those little quarter-page flyers work their magic.

When a voter (of 18 years or older) enters the polling station, he or she must produce the government-issued ID card. His or her name is then dutifully entered into a register and the voter is given a ballot and an envelope.

The ballot has spaces to enter the 29 names of candidates who are contesting the seats open for election in Damascus. The voter may go behind the white cloth screen and fill in as many as 29 names or as few as one.

Or, he or she may take one of those little flyers containing the candidates’ names of one particular slate, put it into the envelope, and then proceed to drop the envelope, containing the blank ballot and slate list, into the ballot box.

Or, the voter can strike out any names on the flyer containing the slate’s list that he or she doesn’t like and put the envelope, with the blank ballot and the amended slate list, into the ballot box.

Having worked on many Canadian elections, I can attest to the fact that Syrian elections are different from Canadian elections. But that doesn’t mean they don’t represent the national will, as claimed by US State Department.

After all, with the Syrian first-past-the-post system, the representation of political parties in the House of Commons in Ottawa bears little resemblance to their share of the popular vote. And, in Canada, we have, in effect, a two-party system. Only the big business-friendly Liberals and Conservatives have ever held power in our country in 150 years.

In Syria, the system works this way: out of 250 seats in the Syrian parliament, 170 are allocated to the ruling Ba’ath Party and its allies in the National Progressive Front. The remainder are open for grabs to anyone who holds only Syrian citizenship, is over 18, and has no security issues (is not actively fighting with one of the terrorist groups).

In this election, there were an incredible number of 3,000 candidates for all 250 positions. Why? There were so many candidates, in fact, that 7,000 candidates became discouraged and dropped out of the running before today’s election.

It will take up to a week to count all the ballots.

Meanwhile, Syrians were not shy to share their enthusiasm for these elections. I interviewed a number of them, men and women, in my statistically-insignificant exit poll. One middle-aged man told me:

“These elections show the world that Syrians—nobody else—will determine the future of Syria!”

Another young first-time voter indicated that she felt it “her national duty” to participate in the elections. A young man declared his belief that these elections would speed up the peace process.

A young woman said she felt the elections would bring a better life to Syrians. I asked if she meant that “better life” would include Syrian women. She replied it would include “all Syrians.”

Still another young first-time voter, when asked by me what the world would think of these elections, said:

“It doesn’t matter what they think. It is up to Syrians to decide for themselves.”

The representatives at Geneva of the armed opposition have not submitted themselves to the test of an election in any of the territories of Syria they have invaded and occupied. Their only mandate derives from the arms, technical help, and money that flows to them from the USA, Israel, UK, France, and the Gulf despots, through Turkey and Jordan.

In fact, the Syrians unlucky enough to have lived in the “rebel-held” areas voted with their feet about their terrorist overlords. The vast majority of them fled, either to other countries, or to government-held areas. Damascus and Latakia, for example, have doubled and tripled their populations due to internally-displaced persons.

While we wait for the results of the elections, members of the Second International Tour of Peace have been granted an audience with the Syrian Minister for Reconciliation.

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