



Political Affairs Digest

A daily summary of political events affecting the Jewish Community

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Hate Crime and Public Order (Scotland) Bill

Bill Bowman (Conservative): To ask the Scottish Government what action it is taking in response to the issues concerning the Hate Crime and Public Order (Scotland) Bill that have been raised by bodies such as the Law Society of Scotland. (S5O-04493)

The Cabinet Secretary for Justice (Humza Yousaf): Hate crime has a hugely damaging impact on victims and their families and communities. The recent increase in the number of hate crime charges reported to the Crown Office and Procurator Fiscal Service is a clear indication that hate crime remains a significant problem. The increase in hate crime charges might reflect a greater willingness of victims and witnesses to report, but we are not complacent and recognise that not all incidents of hate crime come to the attention of the police.

We remain committed to tackling all forms of hate crime and prejudice, whenever and wherever they arise. The bill affirms that commitment by ensuring that sufficient protection is provided for those people who need it.

Since the bill's introduction, I have engaged extensively with a range of organisations, including the Law Society of Scotland. I am aware of the strong views that have been expressed on the bill, and I am listening to the feedback that has been received on it. I note, in particular, the concerns about the possibility of the bill stirring up hatred offences, and I will reflect on whether changes need to be made and on how such changes could be made in an appropriate and effective way.

In the coming months, the bill will be robustly scrutinised by the Justice Committee and members of the Scottish Parliament. I will give their conclusions my full consideration to make sure that the proposed legislation can be a force for good in helping to protect groups who are affected by dangerous hatred and prejudice, while protecting vital freedoms that we all hold dear.

Bill Bowman: ... The Hate Crime and Public Order (Scotland) Bill has been criticised for threatening freedom of speech by the Faculty of Advocates, the Scottish Police Federation and the Law Society of Scotland, among others, yet the justice secretary said that he

would “reflect on” the bill’s provisions only after yes activists and writers voiced their concerns about the bill. Can one imply, therefore, that the justice secretary listens to concerns about proposed legislation only when they are raised by nationalists?

Humza Yousaf: That is a woeful response ... I phoned Murdo Fraser, who I do not think is in the chamber, to speak to him about his concerns about the bill, and I engaged with Liam Kerr, Mr Bowman’s party’s justice spokesperson, on the bill in advance of its introduction. I have said clearly and publicly that I would listen to Opposition members and stakeholders.

If we are to do the subject justice—I am certain of Bill Bowman’s good intentions in that regard—it would be helpful if we attempted to take the politics out of the issue and to look at the substance of it. Regardless of the fact that there are those who criticise the bill and have genuine concerns about it, all of us agree that we all have a responsibility to those groups who have often been the victims of hatred to make sure that the bill is effective in protecting them while, as I said, protecting the freedoms that we all hold so dear.

<http://www.parliament.scot/parliamentarybusiness/report.aspx?r=12750&i=115333#ScotParlOR>

Hate Crime and Public Order (Scotland) Bill

Anas Sarwar (Labour): To ask the Scottish Government what steps it is taking to engage communities across Scotland as the Hate Crime and Public Order (Scotland) Bill progresses. (S5O-04494)

The Cabinet Secretary for Justice (Humza Yousaf): Following the recommendations that were made in Lord Bracadale’s “Independent Review of Hate Crime Legislation in Scotland”, the Scottish Government engaged extensively with stakeholders. In November 2018, the Scottish Government launched the “One Scotland: Hate Has No Home Here” consultation and ran 11 public awareness events throughout Scotland. A series of stakeholder engagement events and bilateral meetings were also undertaken.

Since the bill’s introduction, we have engaged with more than 45 organisations. I have met a number of stakeholders and organisations, including faith and equalities groups, legal experts and victims groups. As the bill makes its way through Parliament, I will ensure that I continue to engage with those stakeholders, who include not just representatives of communities that are directly affected by hate crime but opponents of the bill. As I have said, it is essential that we make sure that all those who have an opinion on the bill have their voices listened to, and I have committed to ensuring that I do that.

Anas Sarwar: The justice secretary and I recognise the importance of challenging hate crime and defeating prejudice and hatred. Sadly, for us and many others, it is often a daily experience. I know that the cabinet secretary and I share the same ambition and want the same outcome, which is to make Scotland a fairer and more equal country, where everyone has the same opportunity, regardless of their race or religion.

There are lots of good things in the bill—it consolidates the aggravation, adds vulnerability and sex, and removes outdated blasphemy laws—but does the cabinet secretary accept that the way in which aspects of the bill are drafted and the narrative that has been built around the bill risk undermining the very purpose of the bill, and risk fracturing the coalition that we need to build across Scotland if we are to defeat hate? ...

Humza Yousaf: I do not think that Anas Sarwar’s characterisation of the bill is incorrect; there are challenges around the narrative. That is why it is important that, as legislators, we all engage with those who oppose the bill and that, crucially, we listen to the voices of those who are impacted by hatred. Anas Sarwar has been at the forefront of tackling hatred in many of its forms, so he will know that it is important that we listen to the voices of those who are directly impacted by it.

As the cabinet secretary who will lead the bill through Parliament, I will engage, I will listen and I will find common ground where I can. My only plea to those who oppose the bill is to ask them to do the same and to listen to those who are directly impacted by hate crime. They should ask themselves why organisations such as the Equality Network, Stonewall, the Scottish Council of Jewish Communities, the Muslim Council for Scotland and many other groups support the bill, including its inclusion of a stirring-up offence.

<http://www.parliament.scot/parliamentarybusiness/report.aspx?r=12750&i=115334#ScotParlOR>

The Bracadale Report, referred to above, can be read at

<https://www.gov.scot/publications/independent-review-hate-crime-legislation-scotland-final-report/>

Hate Crime and Public Order (Scotland) Bill

James Kelly (Labour): To ask the First Minister what action the Scottish Government is taking to address concerns that the Hate Crime and Public Order (Scotland) Bill is an attack on free speech. (S5F-04319)

The First Minister (Nicola Sturgeon): ... The bill proposals seek to find a balance between protecting those who suffer the scourge of hate crime and respecting people's freedom of speech and expression, which is extremely important. The bill approaches the matter through the prism of the European convention on human rights.

We know that hate crime is damaging and disruptive—we just heard that. It is rooted in prejudice and intolerance. As the Cabinet Secretary for Justice made clear in the Parliament last week, the Scottish Government will engage, listen and seek to find common ground, to ensure that the bill helps to protect people from hate crime—which I hope that everybody will agree is important—while respecting freedom of speech and expression.

James Kelly: Action on hate crime is welcome and important, but it is clear that there is a serious problem with the offence of “stirring up hatred”, as proposed in the bill. The Law Society of Scotland, the Scottish Police Federation, the Catholic Church and a range of stakeholders have lined up to criticise the bill's vague language and to express their concern that it is a threat to freedom of speech.

Does the First Minister accept that the Government has got its approach to the bill badly wrong and that the stirring up hatred offence needs to be fully deleted or heavily amended?

The First Minister: I do not accept that. What I accept—and I hope that everyone will enter into the legislative process in the same spirit—is that we have to consider these things, listen to views that are expressed and decide whether amendments to the bill are required. That is the right way to go about this. Nobody should go into the process with a closed mind, and that includes Opposition members, just as much as it includes the Scottish Government.

I hear the concerns that have been expressed. The Government will consider all of them carefully. That said, the concept of stirring up hatred offences is not new to Scots law; long-standing stirring up racial hatred offences have operated effectively in Scotland since, I think, the mid-1980s. The bill includes explicit provisions on freedom of expression and its provisions require to be interpreted in accordance with the European convention on human rights.

It is important that people express their views on this bill or any bill at the start of the legislative process and that they try to do so constructively. The Government has a duty to listen; we will listen and we will respond appropriately. However, let us not lose sight of what we were talking about in the previous question. Hate crime is a real problem in Scotland and we all have a duty to tackle it—that goes wider

than legal ways of tackling it, but our approach must certainly include legal ways of doing so.

<http://www.parliament.scot/parliamentarybusiness/report.aspx?r=12763&i=115419#ScotParlOR>

Welsh Government

Updated Guidance to local authorities, approved premises and places of worship on marriages and civil partnerships: coronavirus

<https://gov.wales/guidance-marriages-and-civil-partnerships-coronavirus-html>

Guidance on the impact of the Health Protection (Coronavirus Restrictions) (No.2) (Wales) Regulations 2020 on funerals

<https://gov.wales/sites/default/files/publications/2020-08/coronavirus-funeral-guidance.pdf>

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Holocaust

House of Lords Library

Letter from Lord Ahmad of Wimbledon to Lord Mann regarding the maintenance of plaques to mark sites of mass atrocities across Lithuania, as raised during a question on the Terezin Declaration

<http://data.parliament.uk/DepositedPapers/Files/DEP2020-0506/Letter from Lord Ahmad to The Lord Mann.pdf>

The question referred to above can be read at

<https://hansard.parliament.uk/lords/2020-07-27/debates/8F895CBC-5BBC-43B7-840D-EE1483FB2205/TerezinDeclaration#contribution-01F51A8C-8C74-41F5-AB4B-284EDA76DE47>

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Israel

Foreign and Commonwealth Office

Foreign Secretary to press for renewed dialogue in Israel and OPTs

... In light of the normalisation of relations between the United Arab Emirates (UAE) and Israel and the suspension of the annexation of the West Bank, Foreign Secretary Dominic Raab is visiting Israel and the Occupied Palestinian Territories this week to press for renewed dialogue between their governments and reinforce UK commitment to preventing annexation and pursuing a negotiated two-state solution.

He will also use his trip to Israel to emphasise the UK's commitment to Israel's security and to our strong and enduring relationship. The visit comes following the announcement that the UAE and Israel would normalise relations; a move the UK welcomed as a much-needed boost for peace in the region.

Israel also announced earlier this month that it would suspend plans to annex parts of the West Bank. The UK had been calling for this for some time, with the Prime Minister warning

that annexation would jeopardise the progress that Israel has made in improving relations with the Arab and Muslim world.

The UK has consistently encouraged a solution that allows justice and security for both Israelis and Palestinians. Ahead of his visit, Foreign Secretary Dominic Raab said:

The UK remains committed to Israel's security and stability, and the recent normalisation of relations between Israel and the UAE was an important moment for the region.

Israel's suspension of annexation is an essential step towards a more peaceful Middle East. It is important to build on this new dynamic, and ultimately only the government of Israel and the Palestinian Authority can negotiate the two state solution required to secure lasting peace. ...

To read the full press release see

<https://www.gov.uk/government/news/foreign-sec-to-press-for-renewed-dialogue-in-israel-and-opts>

Securing peace between Israel and the Palestinians: Statement by Ambassador James Roscoe, Acting UK Deputy Permanent Representative to the UN, at the Security Council briefing on the Middle East

... I would like to start by welcoming the announcement on the 13th of August, as set out by Ambassador Kelly, of the normalisation of relations between Israel and the United Arab Emirates and, in particular, the suspension of Israel's plans to annex parts of the West Bank.

As my Prime Minister and Foreign Secretary have said, this is an historic step which sees the normalisation of relations between two great friends of the United Kingdom. The UK has consistently made clear in this Council our firm opposition to annexation, which would have been contrary to international law, counterproductive to securing peace in the region and a severe blow to the prospects of the two-state solution. We therefore profoundly hope that this moment can be used as a step towards direct talks between Israel and the Palestinians, as there can be no substitute for direct talks in order to reach a two-state solution and a lasting peace. ...

Mr President, despite this positive development, we are concerned by other negative trends on the ground. The number of Covid-19 cases continues to rise across the region. Meanwhile, Hamas has been launching IEDs and firing rockets into Israel. Such actions by Hamas are unacceptable, and we call on them to cease immediately. The current situation continues to have a devastating impact on the people living in Gaza in particular. ... We call on Israel to lift movement and access restrictions and allow fuel to enter Gaza, which is vital to power hospitals, water and sewage treatment. More broadly, we encourage the Palestinian Authority and the Government of Israel to urgently resume cooperation across all files – security, economic and civil – at this critical time.

While the shadow of annexation appears to be lifted, we remain concerned about the potential for further settlement advancements, continued demolitions and evictions. Mr President, we are also concerned by continued acts of violence and we're alarmed to hear of the shooting on the 17th of August at Qalandiya checkpoint of a Palestinian who was unarmed and deaf. The use of lethal force should only be deployed as a last resort.

I would like to finish by reiterating the UK's longstanding position on the Middle East peace process. We support a negotiated settlement leading to a safe and secure Israel living alongside a viable and sovereign Palestinian based on 1967 borders with agreed land swaps, Jerusalem as the shared capital of both states and a just, fair, agreed and realistic settlement for refugees. The United Kingdom remains committed to supporting such efforts towards peace in the Middle East. ...

To read the full transcript see

<https://www.gov.uk/government/speeches/securing-peace-between-israel-and-the-palestinians--2>

Updated Travel Advice: Israel

<https://www.gov.uk/foreign-travel-advice/israel>

Updated Travel Advice: The Occupied Palestinian Territories

<https://www.gov.uk/foreign-travel-advice/the-occupied-palestinian-territories>

Scottish Government FoI Release

Palestinian Mission to the UK: FOI release

Information requested: A press release issued by the 'State of Palestine, Palestinian Mission to the United Kingdom' and dated May 29, 2020, and titled "Head of Palestinian Mission to UK demands apology" stated; "Ambassador Husam Zomlot, head of the Palestinian Mission to the UK, has asked for urgent clarification from the Scottish National Party and Scottish Government after an amendment last week to a Scottish parliamentary motion described the Palestinian Nakba as self-inflicted".

A copy of all correspondence, including replies, between May 20, 2020 and receipt of this request, relative to the aforesaid subject. ...

<https://www.gov.scot/publications/foi-202000054258/>

The response, which includes an exchange of letters between Husam Zomlot and the Cabinet Secretary for the Constitution, Europe and External Affairs, can be read at

<https://tinyurl.com/y4ldh7pp>

The press release referred to above can be read at

<https://palmissionuk.org/head-of-the-palestinian-mission-to-the-uk-demands-apology-from-parliamentarian-and-the-snp/>

United Nations

Security Council briefing on the situation in the Middle East, including the Palestinian Question (as delivered by UN Special Coordinator Mladenov)

I address you today following the agreement that was reached between Israel and the United Arab Emirates (UAE) that stops Israeli annexation plans over parts of the occupied West Bank and includes the normalization of relations between the two countries. ...

Israel's commitment to suspending annexation removes an immediate threat that had the potential to upend the peace process and regional stability. ... Annexation would constitute a most serious violation of international law, effectively close the door to a renewal of negotiations and destroy the prospect of a viable Palestinian State and the two-State solution itself.

The Israel-UAE deal also has the potential to change dynamics across the region. ...

I hope it will inspire leaders on all sides to re-engage constructively in meaningful negotiations to resolve the Israeli Palestinian conflict. The terms of reference of resolving the conflict have not changed — they are based on the relevant UN resolutions, bilateral agreements and international law. Only a two-State solution, in which Israel and Palestine live side-by-side in peace, security and mutual recognition, can lead to sustainable peace. ...

Meanwhile, the Palestinian economy is in freefall. Now that the imminent threat of annexation has been removed, I hope that the Palestinian leadership will resume accepting its clearance revenues and provide some breathing space for the battered economy.

Recently, the security situation in Gaza has also deteriorated; a trend which soon may become irreversible.

It is essential that the ceasefire agreement brokered by Egypt and the UN, which has proved effective since August 2018, be reaffirmed. Mediation efforts will continue; however, I am concerned that militant activity, incendiary balloons, rockets and a deteriorating humanitarian situation inside the Strip are rapidly eroding existing arrangements. ...

The UN is deeply engaged in efforts to mitigate the economic and humanitarian consequences of the PA's decision to halt all coordination with Israel in response to the threat of annexation. ...

Fortunately, after minor delays, a mechanism that supports the transfer of patients requiring medical treatment outside of Gaza has also been established. ...

As I noted earlier, tensions in Gaza are rising again.

Over the reporting period, militants fired some 20 rockets towards Israel and launched some 270 balloons carrying incendiary devices, causing hundreds of fires and forcing some civilians to be evacuated from their homes.

Shrapnel from rockets intercepted by the Iron Dome damaged a car and two houses in the Israeli town of Sderot. Six civilians were lightly injured while running for shelter.

Israeli Defense Forces (IDF) responded by striking Hamas targets and agricultural fields, firing some 80 missiles and shells, with five people reported injured, including four children and one woman. Following one of these strikes, an unexploded Israeli missile was found in an UNRWA school in the ash-Shati refugee camp. The IDF has classified this as an accident that is under review.

I reiterate that the indiscriminate launching of rockets and incendiary devices towards Israeli population centers violates international law and must cease immediately. Likewise, children and schools should never be targeted by any party, nor should children be exposed to violence. ...

The Israeli population in proximity to the Strip live in constant fear, watching their lands burn and their children run for shelter. The Palestinian population in Gaza endure unbearable economic conditions, no freedom of movement and political isolation. Closures and rounds of escalation have defined their lives for over a decade.

There is a moral imperative to end all militant activity in Gaza, restore Palestinian national unity and lift Israeli closures. ...

Turning to the occupied West Bank, including East Jerusalem, three Palestinians, including one child and one woman, were killed and 47 injured, including two children and one woman, in clashes, attacks, search and arrest operations, and other incidents. Seven Israelis, including two soldiers and one child, were injured during the reporting period. ...

On 13 August, Israel's prosecution authorities filed an indictment against five Border Police officers on 14 counts of serious abuse, including assault and robbery. A video subsequently released showed unacceptable, vicious beatings and humiliation of Palestinian detainees. ...

During the reporting period, Israeli authorities demolished 72 Palestinian-owned structures in Area C and East Jerusalem, displacing some 89 people ...

On 10 August, Israel's High Court of Justice overturned an order to punitively demolish the home of a Palestinian accused of killing an Israeli soldier in May 2020. The Court emphasized that the rights of the perpetrator's wife and children would be disproportionately harmed if the demolition were to proceed. ...

On the Golan, tensions between Israel and Syria heightened on 2 and 3 August. On 2 August, the Israel Defense Forces (IDF) carried out a strike killing four individuals from the Bravo side in the vicinity of the ceasefire line. The IDF informed UNDOF that they had carried out an attack on targets east of the Israeli technical fence to thwart an attempt to place explosives in that area. ...

Without resolving the Israeli-Palestinian conflict, regional peace will not be complete. The legitimate national aspiration of five million Palestinians living in the occupied West Bank, including East Jerusalem, and Gaza cannot be ignored.

It is well beyond time that we all work together with the parties for peace before it is too late. That is why every opening must be explored, every opportunity must be used, every idea must be discussed and debated if we are to get out of the cycle of statements, preventive diplomacy and conflict management and work towards a real solution that is sustainable and in line with relevant UN resolutions.

To read the full transcript see

<https://unsco.unmissions.org/security-council-briefing-situation-middle-east-including-palestinian-question-delivered-un-1>

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Other Relevant Information

TUC

An old libel – coronavirus & anti-Semitism – Matt Detzler

Anti-Semitic tropes, dating back to the Middle Ages, are being used by the far-right in the coronavirus age. ...

The Community Security Trust have [identified 5 different categories of anti-Semitic propaganda](#):

1. Coronavirus isn't real, it's a Jewish conspiracy to mislead the public
2. Coronavirus is real, but it's still a Jewish conspiracy
3. Jews are the primary spreaders of the virus – 'the Jew flu' as some on the far-right have named it
4. Propaganda celebrating news that Jewish people are dying in higher numbers than others
5. Propaganda encouraging the infection of Jewish people – the 'Holocough' ...

As trade unionists, it's our responsibility to tackle anti-Semitism.

Our ['Tackling the far right eNote'](#) supports trade unionists (and others) to combat the lies and half-truths of anti-Semites. ...

The Office of National Statistics has researched the [impact of ethnicity, disability and religion on coronavirus death statistics](#).

They found that Muslims were between 2.5 (males) and 1.9 (females) times at greater risk of dying from coronavirus than Christians. Other non-Christian communities were also shown to be at a higher risk.

When they adjusted these findings for other factors (like ethnicity), however, then religion did not appear to be a factor in increased risk. The only exception to this was for members of UK's Jewish community.

The ONS' findings show that people who identified as Jewish in the 2011 census are at a higher risk of dying from coronavirus compared to the baseline Christian population. Jewish men show twice the risk, and women were at 1.2 times the greater risk. The ONS couldn't explain why the Jewish population are at such a high risk of death.

We call on the EHRC's [inquiry into the impact of coronavirus on ethnic minorities](#) to pay special attention to the UK's Jewish community. If anti-Semitism is found to be responsible, then we must take direct action to protect our Jewish friends, neighbours, colleagues and family members.

To read the article in full see

<https://www.tuc.org.uk/blogs/old-libel-coronavirus-anti-semitism>

United Nations

Religious Hate Crimes, Racist Discourse Rising amid COVID-19, Secretary-General Warns in Observance Message, Urging Greater Inclusion, Respect for Diversity

... The right to freedom of religion or belief is firmly entrenched in international human rights law and is a cornerstone for inclusive, prosperous and peaceful societies.

Yet, across the world, we continue to witness deep-seated discrimination against religious minorities, attacks on people and religious sites, and hate crimes and atrocity crimes targeting populations simply because of their religion or belief. While societies have shown resilience and strength in the face of COVID-19, the pandemic has also been accompanied by a surge in stigma and racist discourse vilifying communities, spreading vile stereotypes and assigning blame.

As we commemorate the victims, we must do more to address the root causes of intolerance and discrimination by promoting inclusion and respect for diversity. We must also ensure that the perpetrators of these crimes are held accountable. ...

To read the full statement see

<https://www.un.org/press/en/2020/sgsm20214.doc.htm>

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Relevant Legislation ** new or updated today

UK Parliament

Assisted Dying Bill

<https://services.parliament.uk/Bills/2019-20/assisteddying.html>

Education (Assemblies) Bill

<https://services.parliament.uk/Bills/2019-20/educationassemblies.html>

Genocide Determination Bill

<https://services.parliament.uk/Bills/2019-20/genocidedeterminationbill.html>

Marriage Act 1949 (Amendment) Bill

<https://services.parliament.uk/Bills/2019-20/marriageact1949amendment.html>

Marriage and Civil Partnership (Minimum Age) Bill

<https://services.parliament.uk/Bills/2019-20/marriageandcivilpartnershipminimumage.html>

Scottish Parliament

Hate Crime and Public Order (Scotland) Bill

<https://beta.parliament.scot/bills/hate-crime-and-public-order-scotland-bill>

Post-mortem Examinations (Defence Time Limit) (Scotland) Bill

<https://beta.parliament.scot/bills/post-mortem-examinations-defence-time-limit-scotland-bill>

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