



# Political Affairs Digest

A daily summary of political events affecting the Jewish Community

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### House of Commons Point of Order

**Crispin Blunt (Conservative):** On a point of order, Mr Deputy Speaker. It concerns the status of the Economic Activity of Public Bodies (Overseas Matters) Bill., which we are about to discuss. It occurred to me during my examination of the Bill that there is, at the very least, a prima facie case that it is a hybrid Bill because of the private interests engaged alongside its public elements.

A number of classes of people are particularly affected. The private rights of all the groups in our society who are advocating for Palestinian rights will be affected in one way or another by the suppression of their ability to express their points of view, and that will absolutely apply to administrators of public funds. Those who manage local government pension schemes, for example, as well as the members of those schemes, will not be able to invest in a way that is free, particularly in respect of the state of Israel, the occupied Golan Heights and the occupied Palestinian territories, because of the exemption contained in the Bill. Local councillors will be similarly affected when it comes to expressing their points of view about the merits of being able to exercise power over economic assets for which they are democratically accountable. Muslims in the UK who support human rights in Palestine will also be disproportionately affected.

I have submitted a longer note on the basis of what legal advice I have been able to obtain at this short notice. It is my request to you, Mr Deputy Speaker, to rule that there is a prima facie case that this is a hybrid Bill, and I invite you to refer it to a committee of experts that you would appoint to examine that case.

**Mr Deputy Speaker (Nigel Evans):** I thank the hon. Member for giving notice of his point of order. According to Erskine May, paragraph 30.57, "Hybrid bills are public bills which are considered to affect specific private or local interests, in a manner different from the private or local interests of other persons or bodies of the same category, so as to attract the provisions of the standing orders relating to private business...Such bills are subject in both Houses to certain proceedings additional to the normal stages in the passing of public bills.

The Speaker has defined a hybrid bill as 'a public bill which affects a particular private interest in a manner different from the private interest of other persons or

bodies of the same category or class'...it is not the practice to treat as hybrid, bills dealing with matters of public policy whereby private rights over large areas or of a whole class are affected."

All Bills are scrutinised on publication by the Clerk of Legislation in the Public Bill Office, in consultation with his opposite number in the House of Lords, to see whether they are prima facie hybrid and need to be referred to the examiners. This Bill was not referred to the examiners. However, the hon. Member has put his view on the record, and if he wishes further clarification, I suggest that he go back to the Public Bill Office to put forward his views one more time.

<https://hansard.parliament.uk/commons/2023-07-03/debates/D77DA136-B5E3-4548-9B2F-883A7709A5B4/PointOfOrder>

## House of Commons Debate

### **Economic Activity of Public Bodies (Overseas Matters) Bill: Second Reading**

*col 586* **The Secretary of State for Levelling Up, Housing and Communities (Michael Gove):** ... The Bill does four things: it honours a manifesto promise to which this Government recommitted in the last Queen's Speech; it affirms the important principle that UK foreign policy is a matter for the UK Government; it ensures that local authorities concentrate on serving their residents, not directing resources inefficiently; and, critically, it provides protection for minority communities, especially the Jewish community, against campaigns that harm community cohesion and fuel antisemitism.

In our 2019 manifesto, this Government committed to "ban public bodies from imposing their own direct or indirect boycotts, disinvestment or sanctions campaigns against foreign countries." The Bill does just that—no more and no less.

**Desmond Swayne (Conservative):** I think it does a fifth thing, which is to introduce a thought crime. Were I to be a leader of a local authority opposed to the provisions of this Bill, once it became an Act, if I continued to say that I disagreed with its provisions and what I might wish to have done with the powers I retained were those provisions not to have been made law, I would be breaking the law. ...

*col 587* **Michael Gove:** ... It is important to stress what the Bill does not do. It does not restrict local authorities adopting policies in line with formal, agreed Government sanctions, embargoes and restrictions. It does not impede local authorities considering legitimate commercial factors related to business with a foreign state, and exercising due diligence in the award of contracts. And it does not prevent a local authority from exercising due diligence when considering whether a supplier or investment target might be involved in environmental misconduct, bribery, competition law infringements or labour misconduct, including human trafficking and modern slavery. In no way does the Bill circumscribe anyone's right to freedom of speech or conscience. ...

Action is required here because there is an existing, organised and malign campaign that aims to target and delegitimise the world's only Jewish state. That campaign seeks to persuade public bodies to make commercial decisions solely on the basis of harming that state and its people. ...

... we are not talking in the abstract; we are talking in concrete terms about a campaign that exists, and has been in operation now for nearly 20 years, based on a premise that seeks to delegitimise the state of Israel. The campaign also leads directly, as I shall point out, to antisemitic incidents and a loss of community cohesion.

*col 588* **Joanna Cherry (SNP):** ... Has he considered whether the interaction of clause 1(7) and clause 4 will disproportionately interfere with the freedom of expression, and of conscience and belief, of individuals who are making, or have a stake in, the procurement and investment decisions of public bodies? ...

**Michael Gove:** The BDS movement deliberately asks public bodies to treat Israel differently from any other nation on the globe. ... Let me be clear: there are legitimate reasons to criticise the Israeli Government, to question their policy and, if individuals so wish, to repudiate their leadership, as there are with many other countries. ...

Nothing in the Bill prevents or impedes the loudest of criticisms of Israel's Government and leaders, including by elected politicians at all levels of government. ...

*col 589* The founder of the BDS movement, Omar Barghouti, has been clear in his opposition to the existence of Israel as a Jewish state. He has attacked what he calls the "racist principles of Zionism"—that is, the fundamental right of the Jewish people to self-determination. ... he opposes any idea of a two-state solution—a secure Israel alongside a viable and democratic Palestine. Instead, the BDS movement's leader wants a "one-state solution...where, by definition, Jews will be a minority." ...

British policy is ... to promote a two-state solution. ...

**Jim Shannon (DUP):** ... There are many examples in Northern Ireland of councils having overstepped the mark by boycotting goods from Israel and penalising and focusing attention on the small Jewish community. Local authorities should be working hard to support diversity and good relations, not ridiculing and condemning our small and minority communities. ...

*col 590* **Michael Gove:** ... The BDS movement is not, in its origins or operation, a campaign that is designed to change Israel's Government or shift Israel's policy. It is designed to erase Israel's identity as a home for the Jewish people. Again, the founders of the BDS campaign have been clear, saying: "A Jewish state in Palestine in any shape or form cannot but contravene the basic rights of the...Palestinian population and...ought to be opposed categorically". ...

The BDS campaign opposes efforts to bring Israelis and Palestinians together to broker peace through a two-state solution, opposes cultural exchanges between Israelis and Palestinians, and fights against co-operation between Israeli and Palestinian universities. ...

Where the BDS campaign has been adopted and endorsed there have, unfortunately, been real community-cohesion problems. We have seen an increase in antisemitic events following on from the activities of the BDS movement, including supermarkets removing kosher products from their shelves following specific protests. The Community Security Trust has recently recorded the highest ever number of antisemitic incidents.

In evidence adduced before the Supreme Court in 2020, the following point was made. The evidence said that "although anti-Israel and pro-Palestinian campaigning in itself is", obviously, "not anti-Semitic, there is a pattern of anti-Semitic behaviour in connection with campaigns promoting a boycott of Israel. For example, protests outside an Israeli-owned shop in central Manchester in summer 2014 led to some Jewish people using the shop being racially abused by protestors, including shoppers"—I hope the House will forgive me—"being called 'Child killer', comments such as 'You Jews are scum and the whole world hates you', and Nazi salutes being made at Jewish shoppers using the Israeli-owned store. ...

*col 591* That is why Labour Friends of Israel has rightly stated: "BDS damages communal relations and fosters antisemitism at home, while doing nothing to further the cause of peace and reconciliation between Israelis and Palestinians. Public bodies should not be singling out the world's only Jewish state for boycotts." ...

The question for every Member of this House is whether they stand with us against antisemitism or not. ...

**Tanmanjeet Singh Dhesi (Labour):** ... Does he concede that well beyond BDS and the middle east, the Bill may hamper the UK's ability to protect and preserve human rights across the world?

**Michael Gove:** ... The Bill enhances the UK Government's ability to protect human rights

across the globe. ...

**col 592 Stella Creasy (Labour Co-op):** ... is it not ironic that the Bill does not include an exemption around genocide? Those of us who have communities that are desperately concerned about the Uyghurs, the Rohingyas or what happened in Sri Lanka recognise that this legislation could stop our speaking out for them. ...

**Michael Gove:** ... there is absolutely nothing in the Bill that prevents the UK Government or other public bodies from taking appropriate action against Myanmar, against China over the treatment of the Uyghurs or against Russia and Belarus over their aggression towards Ukraine. ...

**Philippa Whitford (SNP):** ... it is the UK's long-standing policy to support a two-state solution. It is also the UK's long-standing policy to differentiate between Israel and the occupied territories. The UK endorsed United Nations resolution 2334. Why is there no differentiation in the Bill between Israel and the occupied territories? ...

**Michael Gove:** No; they are separated in the Bill. ...

**col 593 Brandon Lewis (Conservative):** ... the Bill ... [makes] the point that it is for local government to spend taxpayers' money on services and other issues for their constituents in the best available way, not using it—or abusing it—on ideological issues ...

**Richard Graham (Conservative):** ... the manifesto commitment was not country-specific; it was country-agnostic. ... another manifesto commitment was that we would champion freedom of expression and tolerance. ... How is that compatible with clause 4(1)(b), which states that any person who “would intend to act in such a way”—of having a boycott on any part of a foreign country—“were it lawful to do so”, would be prohibited from doing so and would be penalised by the courts ...

**Michael Gove:** ... all the Bill seeks to do is to ensure that boycotts and boycotts in name only cannot be brought forward. It has absolutely no effect—chilling or otherwise—on the exercise of freedom of speech. ...

**col 594** It is important ... to make clear that there is no evidence that anything in the Bill will impede our ability or that of local government to act against modern slavery in Xinjiang or environmental misconduct in Myanmar, or to maintain a united front against Russian aggression. Nor is there anything in the Bill to prevent any individual, including councillors, from articulating in their own right any opinion that they personally hold. It is also important to make clear that nothing in the Bill changes in any way UK Government foreign policy or our position on the middle east peace process. ...

**William Wragg (Conservative):** ...has [the Minister] read the write-round from the Foreign Office, which says directly that FCDO lawyers advise that the clause on Israel and the Occupied Palestinian Territories would significantly increase the risk of the UK being in breach of our commitments under UN Security Council resolution 2334. ...

**col 595 Michael Gove:** ... every Minister supports the Bill ... because it ... ensures that we live up to the responsibilities that we have to deal with divisive campaigns that operate on the ground in a way that adversely affects minority communities and, most especially, the Jewish community. ...

... the provisions are specifically designed to provide a high bar to ensure that local government acts as it should in accordance with the interest of its citizens, to ensure that UK foreign policy is articulated with one voice, and to ensure in particular that a campaign that ... has been responsible for the demonisation of the state of Israel, for the delegitimation of its right to exist and for discrimination against Jewish people in this country, is, at last, dealt with. ...

**Lisa Nandy (Labour):** I beg to move an amendment, to leave out from “That” to the end of the Question and add: “this House, while opposing any discrimination or prejudice in the economic activities of public bodies, believing that all such bodies must act without bias or selectivity when making ethical decisions on procurement and investment and recognising

the impact selective and biased campaigns have had on the Jewish community in particular, declines to give a Second Reading to the Economic Activity of Public Bodies (Overseas Matters) Bill, because the Bill risks significantly undermining support for groups around the world facing persecution, for example the Uyghur, who are currently victims of grave and systemic human rights abuses, is incompatible with international law and the due diligence of public bodies, undermines the UK's long-standing cross-party position in respect of the Occupied Palestinian Territories and Golan Heights by conflating these with the State of Israel and running counter to UN Security Council Resolutions, singles out the State of Israel in effect creating the issue it intends to solve, seeks to enforce its provisions by giving unprecedented powers to the Secretary of State beyond those enjoyed by the police and the security services, places unprecedented restrictions on the ability of public bodies, many of them directly elected, to express a view on policy, current, proposed and desired, has potential widespread and negative impacts on local government pension funds, limits freedom of speech and is likely to be subject to repeated and extended legal challenge by reason of its conflict with established legal principles; and therefore urges the Government to bring forward alternative proposals." ...

*col 596* ... we recognise the problem which he says the Bill is designed to tackle. It is therefore ... deeply frustrating that the Government have introduced a Bill that is needlessly broad, with sweeping, draconian powers and far-reaching effects. ... It is not, in our view, wrong for public bodies to take ethical investment and procurement decisions. ... There is a difference between legitimate criticism of a foreign state's Government and what some individuals and organisations have tried to do in recent years ... To seek to target Israel alone, to hold it to different standards from other countries, to question its right to exist, to equate the actions of the Israeli Government with Jewish people, and in doing so create hate and hostility against Jewish people here in the UK is completely wrong.

There is at least one example of a publicly funded body that has taken a stance against the state of Israel that has effectively cancelled Jewish culture here in the UK. We will always stand against that. ... even one incident has unacceptable and far-reaching consequences for the Jewish community, increasing hate and hostility at a time when antisemitic attacks have reached a peak, children learn behind gates, and security guards stand outside synagogues. ...

**Stephen Crabb (Conservative):** ... When the Welsh Government issued a procurement advice note two years ago, they were trying to single out Israel yet again, and no Labour MP said a thing about it. ...

*col 597* **Lisa Nandy:** ... BDS offers no meaningful route to peace either for the Palestinians or for the Israelis. I can assure him that when BDS is used as an argument for the total economic, social and cultural isolation of the world's only Jewish state, not only will I speak out but I have spoken out time and time again. ...

*col 598* ... we were sufficiently concerned about it that earlier this year we tried to amend the Procurement Bill to ensure that when councils take ethical decisions, they do so in line with an ethical framework and Government guidance and apply those decisions across the board, not seeking to single out any one country for differential treatment. ...

We ... do not claim that all those who support BDS, despite our profound disagreement with them on that issue, are antisemitic. Our concern is with those who have tried to whip up hostility towards Jewish people under the cover of either BDS or the targeting of Israel, particularly those who seek the total economic, social and cultural isolation of the world's only Jewish state. ...

... we are talking about real people—about communities in the UK who are among the most marginalised and discriminated against in our country. ...

We are keen that all the voices in this debate ought to be heard; I have heard different views from across the Jewish community, but I have to say to her that the overwhelming view I have heard is that there is a desperate need to tackle this very real problem. ...

**Matthew Offord (Conservative):** ... The BDS movement and its increased presence on university campuses has seen the Community Security Trust state that there has been a 22% increase in campus antisemitism. We are now in a situation where many of my constituents will not go to university because they face such hostility ...

*col 599* **Lisa Nandy:** ... the Union of Jewish Students, which has expressed real concerns about the Bill—the very students who have often been the targets of the appalling abuse and attacks that the hon. Gentleman has outlined—is clear that it wants to see this problem tackled. ...

I will take a moment to explain why the Bill does not do what the Government intend it to do. Clause 1 attempts to ban public bodies from taking decisions influenced by “political or moral disapproval of foreign state conduct.”

We have commissioned legal advice that suggests there are two readings of the clause. ... That legal advice suggests that on first reading the clause applies only when it relates to specific territories. That would create the absurd situation where public bodies could refuse goods from China because of general disregard for human rights, but could not refuse cotton goods from Xinjiang because of concerns about genocide against the Uyghur population.

The second reading of the clause, which I imagine is what the Government intend, is that public bodies are banned from having any regard at all to human rights violations of foreign Governments unless they are expressly permitted by this Government. There are a few exceptions in the schedule referred to in clause 3 ... but not genocide ... or systematic torture or grave breaches of the Geneva convention. ...

*col 600* What is not clear to me and other Labour Members is why the Government have sought to draw this Bill's powers so broadly. It is not just breathtaking in its reach; it is deeply contradictory, because the Bill itself accepts that there will be times when public bodies will take a view about the conduct of foreign Governments on specific grounds, such as modern slavery. In fact, the Secretary of State wrote to councils last year urging them to do so in the case of Russia ... However, the Secretary of State is now proposing a Bill that will prevent—for example—the Department for Business and Trade from taking human rights violations into account when deciding whether to grant export credit guarantees. ...

Clause 4 is even more problematic. It prohibits public bodies from expressing a view not just about how they intend to act, but how they would have done so had the law not been in force. ... Under this Bill, faced with thousands of people signing a public petition, a council would not even be able to give any indication of whether or not it agreed with its own residents. Our legal advice suggests that this extraordinary situation is likely to be incompatible with article 10 of the European convention on human rights.

Clause 3(7) creates even more confusion. It singles out Israel, the Occupied Palestinian Territories and the Golan heights as places for which no exemption can ever be made. The long-standing position of the UK Government is to support a two-state solution along pre-1967 lines that protects and respects the security and right to self-determination of the Israeli and Palestinian peoples. This clause drives a coach and horses through that, according the occupied territories the same protected status as Israel and in effect conflating the two. ...

*col 601* Where does this leave our commitment to international law, given that it cuts across UN resolutions ... and weakens Britain's stated support for a two-state solution ...

The legal advice we have received strongly suggests that this is likely to be in breach of our international law obligations. Furthermore, it will force the UK courts, which have traditionally been reluctant to adjudicate on issues relating to the Occupied Palestinian Territories, to take a view. ...

... it seems that nobody in Government has thought of the consequences for local government pension funds, which is arguably the one area where councils have to have a global outlook. ... In recent months ... three Israeli companies have moved their money

outside Israel due to concerns about the financial risks created by the contentious reforms to the judiciary. If a local government pension fund were to do the same, this Bill would open it up to legal challenge, forcing it to prove to a reasonable observer, whatever that is, that its decision was on financial, not moral grounds. ...

*col 602* I want to turn to one of our chief concerns about this Bill, which is the concentration of the decision making and judgment of hundreds of public bodies in the hands of just one person and the implications of that for some of the most persecuted people in the world. There will be significant effects on the Uyghur in Xinjiang, who are suffering such serious crimes against humanity that the Biden Administration have recognised it as genocide. ... For the Rohingya in Myanmar, for the Tamils in Sri Lanka and for countless others, the concern is that this bad law prevents not just economic action to uphold human rights everywhere, but solidarity with some of the most persecuted people in the world. ...

*col 603* ... clause 7 grants to the Secretary of State or other relevant body the power to issue notices requiring all information to be handed over, if they suspect that a prohibited statement expressing a moral or political view about foreign conduct is in the process of or about to be made, including information in subsection (8) that would normally be protected by legal privilege. ... this hands over to the Office for Students, the Secretary of State, and the Treasury, greater powers than those available to the security services. ...

We have long fought for legislation to tackle what is a real problem ... That is why today we are proposing an alternative that allows the Government and this House to keep our promise to tackle a long-standing issue of deep concern to the Jewish community, but avoids tearing up our commitment to human rights, local democracy and free speech ...

*col 604* **Alicia Kearns (Conservative):** ... The right of Israel to exist and defend itself is not up for debate. The right of Palestine to exist and defend itself is also not up for debate. ...

Conflating East Jerusalem, the west bank and the Golan Heights breaks with our position, because the UK recognises the Golan Heights as annexed and the west bank and East Jerusalem as Occupied Palestinian Territories. ... Not only does the Bill break with our foreign policy, but clause 3(7) puts the UK in breach of our commitments under UN Security Council resolution 2334 (2016). That ... states that in their “relevant dealings”, states must distinguish “between the territory of the State of Israel and the territories occupied since 1967.”

The Bill does not distinguish between our treatment of Israel and the OPTs. ...

*col 605* I am concerned that the UN Special Coordinator would have no choice but to explicitly name the UK in their next report on how member states are adhering to compliance with UNSCR 2334. I also worry that it sends the wrong message about the achievement of sovereignty through violence. ...

I have received significant representations from human rights organisations within Israel, and also from within our Jewish communities in the UK, who feel that this is not only the worst possible timing for the Bill, but that they themselves do not support it. ...

We must ensure that all legislation makes a clear distinction between Israel where we support no boycott, and the illegal settlements on occupied land where a boycott would be consistent with our position on UNSCR 2334. ...

*col 606* **Andrew Percy (Conservative):** Does the UK presently have any policies against goods coming in from the settlements?

**Alicia Kearns:** I am not aware whether we do, but that would be legitimate within the current UN Security Council restrictions ... we would not necessarily support Israel being boycotted, but we would support a boycott of products from the occupied territories, because we consider them to be illegal or annexed. ...

Since my election, the Government have been at great pains to make the point to me that all legislation should be agnostic. ...

We should be agnostic in all we do, but worse than being non-agnostic, the Bill gives

exceptional impunity to Israel. We should not give that to any country ...

*col 607* ... this legislation does breach article 10 rights to freedom of speech, as it fails to distinguish between a person and an authority, so individuals risk being liable. If the legislation made clear that it is about public authorities, we would not have those concerns ...

Our obligations under the UN guiding principles on business and human rights essentially mean that this legislation would see the private sector having greater adherence to our human rights than the public sector. ...

*col 608* There is the chance that we might be seeing a third intifada and the Gaza crisis of 2023, and we need to demonstrate meaningful resolve ... in ending the conflict and de-escalating. I therefore urge the Prime Minister to appoint a middle east peace envoy, because we do not have any envoy for the middle east, let alone one focused exclusively on the middle east peace process. ...

**Chris Stephens (SNP):** ... SNP Members will be supporting Labour's reasoned amendment. However, it is missing one key part: the attacks on the devolved Administrations. Perversely, the democratically elected Parliament and Government of Scotland will be required under the Bill to give legislative assent to its enactment. We will be asked to provide the gag that silences our freedom of expression and that of the people we represent. ...

*col 609* For many years, the Scottish Government have conducted international engagement which benefits the people of Scotland and aligns with present constitutional arrangements. Scottish Government Ministers are simply embodying the values-based principles of the Scottish electorate, as the Welsh would do with the Welsh electorate. ...

**Nadia Whittome (Labour):** ... Does the hon. Member agree that public bodies must have the right to take a principled stance against, for example, the persecution of the people of Hong Kong, the Uyghurs in Xinjiang or political dissidents across China?

*col 610* **Chris Stephens:** I do agree. ...

Amnesty International UK is right to say that the Bill will "make it almost impossible for public bodies to use their procurement and investment policies to incentivise ethical business conduct that is human rights compliant." ...

... the International Trade Minister told the House that the UK has a clear position on Israeli settlements in the Occupied Palestinian Territories: "they are illegal under international law, present an obstacle to peace and...a two-state solution."—[\[Official Report, 29 June 2023; Vol. 735, c. 408.\]](#)

*col 611* ... there are clear risks to UK businesses related to economic and financial activities in the settlements and we do not encourage or offer support to such activity. So the Government's position seems to be, "Don't do it. We don't support it, but we're not going to allow people to boycott it." ...

I want to make it clear that the Scottish Government and the SNP unequivocally condemn and distance themselves from members or affiliates in the BDS movement who advocate a complete boycott of Israel and Israeli people and who suggest that the state of Israel does not even have the right to exist. The Scottish Government are also committed to tackling all incidents of hate crime ... It would be a cruel distraction for the Government to equate sympathy and support for oppressed people with antisemitism. The Bill leads to the accusation that the Government think there are good and bad occupations. ...

*col 612* **Andrew Percy:** ... BDS is an antisemitic, racist campaign—there is no doubt about that. It singles out the state of Israel for special treatment. There is something peculiarly sinister about those who obsess about Israel while being blind to the behaviour of despots and dictators across the world. ... That is not my view, but that of the German Parliament, the Bundestag, which passed a motion a few years ago that stated that the actions of the BDS were reminiscent of the terrifying Nazi campaign against Jewish people under Adolf Hitler. It went on to say: "The 'don't buy' stickers of the BDS movement on Israeli products"



could be associated with “the Nazi call ‘don’t buy from Jews’ and other corresponding graffiti...on shop windows”. ...

Sadly, that behaviour rooted in the Nazi period has not passed. ... they include the removal of kosher products because of the pernicious, racist BDS movement and the fact that film festivals in this country have been cancelled because they dared to take a small amount of sponsorship from the Israeli embassy.

The BDS campaign has consequences. It is no wonder a Jewish driver was attacked in Golders Green outside Kosher Kingdom for daring to have an Israeli flag on his vehicle. It is no wonder we end up with the appalling antisemitic incidents and attacks on British campuses. British Jews become the targets and victims of the campaign—none of us should forget that. We cannot divorce BDS from its impacts on the Jewish citizens of our country.

*col 613* We have seen record numbers of antisemitic incidents in recent years ... Last year, 1,652 antisemitic incidents were recorded by the Community Security Trust. Worryingly, the proportion of victims who were minors has increased. Perhaps even worse, the proportion of minors perpetrating those attacks has also increased; in 2022, 20% were recorded as minors—a number that has doubled in recent years. ... Every time there is a flare-up in the middle east conflict, British Jews are on the receiving end. ...

Many people with issues about the Bill have legitimate concerns ... However, I am afraid that for some who oppose the Bill, it is always about Israel. ... I have heard some bizarre arguments against the Bill, one of which is that it will increase antisemitism. ...

**Richard Graham:** ... the *Jewish Chronicle* itself has said: “Boycotting Israel is wrong but this anti BDS bill is not the answer...This is a bad bill...and bad especially for British Jews”. ...

*col 614* **Andrew Percy:** The editor-at-large of the *Jewish Chronicle* ... wrote: “There is no room for shades of grey here. You either think it’s fine to boycott Jews—in which case you will oppose the Bill—or you don’t, in which case you will support it.” ... the Board of Deputies of British Jews and the Jewish Leadership Council are united in believing that the Bill is invaluable in the battle against antisemitism. ...

The Bill will have no impact on the UK’s policy on settlements, which is that they are illegal under international law. ... The Bill makes no difference to that and neither does it prevent any criticism of Israel. ...

**Margaret Hodge (Labour):** ... The Government have put forward legislation that is flawed, poorly drafted, and will have damaging consequences both here and abroad. They have not done it to support Israel, to demonstrate solidarity with the Jewish community, or to show they really care about undermining the BDS movement. They simply want to set a political trap for Labour. ... The Bill is not a considered attempt to bring about peace, provide better security for Israel or respond to the threats posed by BDS. It is about using Jews as a pawn in the Government’s political game. ...

*col 615* Like many who oppose this legislation, I am a proud Zionist. I oppose the divisive and at times antisemitic BDS campaigns. I will always fight antisemitism, whenever and wherever it rears its ugly head. Action is needed, but the Bill will do more harm than good. So what is wrong with it? First, it singles out Israel. ... the same level of attack is not meted out to Myanmar, for example, or to China for its treatment of the Uyghurs. The Bill plays into the hands of antisemites by doing the one thing we should never, ever do: single out Israel as the one place that can never be boycotted. ... What thought have the Government given to ethical concerns that public bodies may have about, for instance, the Ugandan Government and their treatment of the LGBT community? By singling out Israel, the Bill pits the mainstream Jewish community against every other valiant human rights campaign, and does so in a way and at a time that will make peace in the region more difficult. ...

Like others, I reject the approach of BDS to Israel. Its actions encourage hatred between communities and too often its supporters are antisemitic in what they say. Wrongdoing is never defeated by stifling free speech and open debate, and that is what the Bill does. It

prohibits elected public officers from even making statements suggesting that they support boycotts in any state. ...

The idea that local politicians should not express views on either national or international issues is deeply arrogant. ... Our council joined many others to boycott South Africa. Margaret Thatcher opposed those boycotts in the name of economic liberalism and introduced legislation in 1988 similar to that proposed today. As we now know, that legislation proved ineffective ...

*col 616* The Minister may claim to be promoting the Bill in the name of our community, but it fails to protect or advance the interests of the Jewish community: it promotes community discord rather than encouraging community cohesion; it encourages conflict rather than inspiring peace; it cancels free speech rather than promoting democratic debate; it is another centralising move at the expense of localism; and it provides support for the extremist actions of the present Israeli Government, rather than using our influence to express our concerns and calm things down in the middle east. ...

**Simon Clarke (Conservative):** ... Put simply, local authorities have no business running a foreign policy parallel to that of His Majesty's Government. ... Their role is to deliver local services for the communities they represent, to innovate and to deliver best value. ...

Much of the specific concern in this debate is about Israel, and that is because it is always about Israel. This is the point that we cannot elide and that sits at the heart of the reason why Israel needs to be mentioned on the face of the Bill. ... we cannot be oblivious to why Israel needs this protection. The overwhelming focus of the BDS movement is, of course, on this one small state. The BDS movement is not arguing against the horrors perpetrated in Russia, China, Iran or any number of other countries ... and I do not see local authorities acting against those countries, either.

*col 617* **Julie Elliott (Labour):** ... This Bill flies in the face of that claim. It will act as a gagging order on local authorities in a way that no other piece of legislation does. ... Particular concerns have been raised about the Bill's impact on the 6 million local government pensioners. ... The Bill will ban public bodies—mainly local authorities but also universities and others—from working within current procurement rules and making their own decisions appropriate to their own areas. ...

*col 618* On the face of it, it looks as though the Secretary of State wishes to penalise councils that have acted not against the state of Israel but against illegal settlements built on the Occupied Palestinian Territories ... The failure to distinguish between the sovereign territory of Israel and the territories occupied in 1967, as outlined in UN Security Council resolution 2334, is an alarming deviation from the long-standing UK policy. ...

*col 619* **Kit Malthouse (Conservative):** ... my primary concern is the safety of [the Jewish] community. ... this Bill, should it go through in its current form, is likely to damage and worsen their safety rather than improve it. In that I am with Jonathan Freedland, who wrote in the *Jewish Chronicle* just last week: "What is the favourite refrain of the antisemites? That Israel is the one country you're not 'allowed' to criticise. This bill takes a canard and, in the case of boycotts, turns it into the law of the land."

The inclusions of clause 3(7) and, indeed, parts of clause 4 send a chill through that sense of debate, and will feed some of the disgusting conspiracy theories about the status of Israel and the influence that that country has around the globe. I have to say that I fear for the safety of the Jewish community should the measures be passed in that form. ...

My second concern is ... this is a lawyers' charter. There will be challenges to and fro, involving universities, pension funds and councils. Every decision that is taken will be scrutinised, and, moreover, councillors who have strong convictions in either direction will seek to find ways that are oblique to fulfil their own sense of moral or ethical obligation. There are groups out there who represent other countries, such as China and Myanmar, who will seek constantly to push councils in their direction, and not just in terms of Israel or Palestine. As a result, a huge amount of money and effort, and KCs at dawn, will be

expended in pursuit of this legislation, and the impact will be enormous.

Thirdly, two key fundamental issues that are intrinsic to the way we live in the United Kingdom are challenged by the Bill. The first is, obviously, the free-speech challenge ... It appears that I cannot even criticise this law, whether I am a council leader, a university vice-chancellor, or the chief executive of a company that is performing public services. I have never before seen legislation that outlaws disagreement with the law ...

A law granting powers greater than those granted to the police to the investigatory or enforcement authorities identified in the Bill—the Secretary of State, the Office for Students, and one or two others—and allowing them, in particular, to breach legal privilege so that organisations can effectively go on a fishing trip looking at the legal advice that individuals have taken as they contemplate investment decisions is a Rubicon that I believe it would be wrong to cross.

The fourth area that concerns me relates to our tradition of pluralism in this country. ... Whether we are talking about the Uyghur Muslims in China, the fate of Hong Kong Chinese or, indeed, those in Israel and Palestine ... everyone ... will have to think twice and three times before they discuss these issues, lest that should prejudice, or be seen to prejudice, an investment or other decision that they may make in the future. ...

**col 621 Andy Slaughter (Labour):** ... will the Bill help or hinder groups that are under threat around the world, such as the Uyghurs, the Rohingya, minorities in countries, or people in occupied territories—in Western Sahara, Northern Cyprus, Crimea, or the Palestinian territories? ... The answer is, I think, a clear no. ... By treating the Occupied Palestinian Territories alongside Israel, in a way that I have not seen before and that runs contrary to Government policy over many years under different Governments ...

... the Bill is a clear attack on free speech, and it is quite Kafkaesque in how it denies people the ability to speak out against what is happening. ...

The Bill will have a chilling effect. We do not need to analyse the exact effect on every procurement and investment decision to see that pension funds are conservative bodies that will take decisions in ways that do not lay them open to this very woolly legislation. The consequence is that they will make bad decisions that go much further than the Secretary of State says he wishes to take the Bill.

Finally, I speak up ... for the Palestinian people. How does this Bill benefit them? What effect will it have? On a day in which battlefield weapons are being used against civilian areas of the west bank for the first time in decades, we are talking about this scurrilous and performative Bill. The occupied territories have been occupied since 1967. Who will champion, as I wish this Government and this country would, their right to self-determination and their right to have their country recognised as a sovereign state, as we absolutely respect for the people of Israel? ...

**col 622 Flick Drummond (Conservative):** ... On the one hand, we have legislated to protect freedom of speech in universities, but this Bill will prevent universities from discussing the impact of foreign Governments' behaviour on their activities. ...

Clause 4 addresses how a person intends to act. This means that elected officials with serious responsibilities cannot even have a public discussion about how they are affected by the behaviour of overseas states. ...

The Bill's wording implies that, among office holders, only Ministers can express an opinion on the countries that should be exempted under clause 3. This means that people in other tiers of government with responsibilities within the scope of clause 2 cannot. ...

That brings me on to Israel, the Occupied Palestinian Territories and the occupied Golan Heights. Why have they been singled out in clause 3(7)? ... I do not believe this is helpful. ...

**col 623** Israel has every right to exist, and its people have a right to live in peace. However, where Israel breaches international law, others must be permitted to point this out and hold it to account. ...

Does this [Bill] mean that boycotting the settlements will be against the law? These

settlements are illegal under international law, and the UK Government's own website states that there are "clear risks related to economic...activities in the settlements, and we do not encourage or offer support to such activity ...

Israel benefits economically from its illegal occupation, and we should be permitted to comment and consider it in our policies. ...

**Kim Johnson (Labour):** Let us not forget that boycott campaigns have existed right across the political spectrum and have long been used as peaceful and principled tools to fight oppression and injustice. They are a form of protest that should be protected in a democratic society. ...

*col 624* This Bill is so broad and destructive that it will completely prevent public bodies from taking responsible and ethical decisions in relation to human rights abuses in their investment and procurement decisions. ...

Perhaps the most chilling aspect of the Bill is the so-called "gagging clause", whereby not only will public officials be prevented from raising the issue of human rights abuses in financial decision making, but it will be illegal for them to refer to the Bill as the reason preventing them from making a financial decision influenced by human rights abuses. ...

*col 625* **Theresa Villiers (Conservative):** ... local boycotts split communities here in Britain. Many Jewish people feel a deep sense of connection to Israel, so they could feel intimidated and victimised if their local council were to pursue a boycott. The spillover of anti-Israel to anti-Jewish attitudes and discrimination is illustrated by the supermarket that, in 2014, took kosher foods off the shelf after protesters gathered outside in support of a boycott of Israel.

Moreover, the BDS movement often seeks to justify its campaign using the allegation that Israel can be equated with apartheid South Africa. That is a pernicious slur. In falsely accusing Israel of racism, it singles out the world's only distinctively Jewish state for unjustified and disproportionate attack. That falls squarely within the International Holocaust Remembrance Alliance definition of antisemitism and we should always reject it. ... There is no justification for a boycott or sanctions against Israel. ...

Deeper engagement with Israel means that we as a country can play a stronger role in supporting peace and reconciliation between Israel and the Palestinians. It also brings advantages for jobs and economic growth here in the UK. ...

*col 626* I am proud that it is a Conservative Government who have listened to the Jewish community on this vital issue and brought forward the Bill it asked for to ban council boycotts. Israel is our friend and ally and we should be trying to increase trade with Israel, not trying to ban it. ...

**Steve McCabe (Labour):** ... The purpose of the BDS movement, with its talk of apartheid, genocide and ghettos, is to demonise and, ultimately, destroy Israel. I had hoped we might see a simple Bill designed to restrain the ambitions of BDS, with its single target, the state of Israel. Boycotts are not new for Jews. On 1 April this year, we marked the 90th anniversary of the Nazis' first nationwide action against the Jews, a boycott targeting Jewish businesses and professionals. There is a long, dark history of boycotts directed against Jewish people. For the world's only Jewish state to be targeted in this way shows complete indifference to that history and a single-minded determination to destroy Israel's right to exist.

The effect of BDS is felt not only in Israel. A 2019 Ministry of Strategic Affairs and Public Diplomacy report concluded that the victims of BDS include Jews in the diaspora. Let us think what it means to be Jewish in Britain today. There is an understandable affinity between Israel and Jews in this country, but every day Jewish students confront obsessive campaigns for an academic boycott of Israeli universities. BDS seeks to prevent Israeli artists, actors and musicians from performing in Britain. It wants libraries to remove Israeli authors and to "no-platform" Israeli speakers. ...

To be fair to its leader, Omar Barghouti, he is clear that he opposes a Jewish state in any

part of what he calls Palestine. We all know what the chant “From the river to the sea” actually means. BDS is a policy designed to end Israel’s existence. ...

*col 627* It is against that background that I had hoped to welcome this legislation; instead, we get ... a Bill that in its present form can serve only to guarantee conflict between the Government, local authorities and other public bodies, and will inevitably result in endless legal challenges. ...

*col 628 Richard Graham:* ... Our manifesto did not mention Israel or the BDS; it focused on preventing “public bodies from imposing their own direct or indirect ...sanctions...against foreign countries.”

That commitment was, absolutely rightly, country-agnostic, yet clause 3(7) specifically protects not just Israel but the Golan Heights and the Occupied Palestinian Territories, which are of course not countries. ...

Our manifesto also rightly committed to championing free speech and tolerance. ... now, however, as a university vice-chancellor put it to me, the Secretary of State ... has told him that he cannot even say, were it allowed, that he would prefer his university not to purchase anything manufactured on illegal settlements in the occupied territories. ...

The Union of Jewish Students ... said that the Bill may “pit Jews against other minorities”. ...

*col 629 Helen Morgan (Liberal Democrat):* ... Anti-Jewish hatred has absolutely no place in our society, and we must all do more ... to tackle antisemitism in all its forms. Nor do we support the BDS movement or any other singling out of Israel driven by anti-Jewish hatred. However, we do not believe that this piece of legislation is going to help to tackle antisemitism. ...

Liberal Democrats are also deeply concerned by a series of the provisions in the Bill. First, it will greatly restrict the ability of public bodies to take action against human rights abuses....

Secondly, this piece of legislation represents an unjustified restriction on the power of local communities to take decisions for themselves. ... If local councillors are elected on a manifesto that includes a commitment to a boycott on ethical or environmental grounds, we believe that those councillors should be held to account by their local electorate, not banned by a distant central Government.

Thirdly, we are hugely concerned by the restriction on the freedom of speech on public bodies and elected representatives in clause 4 ... The Bill does not just restrict a public body from engaging in boycott and divestment; it restricts it from saying that it would support such a boycott if it were legal. ...

*col 630* Fourthly, ... the provisions in clause 3 represent an attempt by the Government to change their position on the status of the occupied territories. ...

If there is a need to beef-up legislation on hate crime or prejudice against protected characteristics, such as race and religion, Liberal Democrats would wholeheartedly support such a move. Local councils should not be singling out one country and holding it to a higher standard than others because of their own prejudice, but closing down debate on international human rights issues will not achieve the stated aim of stamping out antisemitism. ...

*col 631 Stephen Crabb:* ... The main purpose of this legislation ... is to tackle ... the BDS movement, with its pernicious effects, its links to antisemitism and the very ugly and divisive character behind it. ...

... every single time we have tried to do something about the BDS movement it gets a legal challenge. We know that the BDS movement will try to fight this in the court. That is not a surprise, but that should not be a reason for us to resile from our commitment to do something about the matter. ...

*col 632 Paul Blomfield (Labour):* ... This is an ill-judged and unnecessary attack on local democracy—unnecessary not least because of the provisions of the Local Government

Act 1988, which ... banned non-commercial consideration on contracts on the basis of “the country or territory of origin.” ...

I do not support the BDS campaign against Israel. I do think that we should long ago have taken action on economic engagement with the illegal settlements, to match our words with positive measures, and it is extraordinary that this Bill prevents public bodies from implementing the Government’s own advice to business not to trade with the illegal settlements. ....

I am grateful to Yachad ... In its briefing on this Bill, it drew parallels with the debate in Israel on its own anti-boycott law in 2011, in which Tzipi Livni, then Leader of the Opposition in the Knesset and previously Foreign Secretary, said: “I disagree with those that demand boycotts, but I will fight for their right to express their views.”

Dan Meridor of Likud, then Deputy Prime Minister, said: “I oppose boycotts, but they should not be illegal.”

col/ 633 Ruvy Rivlin, then Leader of the Knesset and subsequently President of Israel, slammed the law for “turning freedom of speech into a civil injustice.”

The Government argue that this Bill is necessary in opposing antisemitism, but, as others have said, there are important voices within the Jewish community who disagree. ...

Today, we have seen the massive Israeli attack on Jenin, and not the first; it follows months of raids across the west bank and on Nablus. Across the west bank, settler attacks—killing and injuring Palestinians, torching their homes, their businesses and their cars—are being encouraged by the Israeli Government and those responsible are going unpunished. All that is designed to end the prospect of a viable Palestinian state and frustrate attempts to secure a just settlement.

Those Israeli civil society voices who support our ambition for a two-state solution have made it clear that there could not be a worse time for the UK to send a signal that we see the occupied territories as part of Israel in the way that this Bill is framed. ...

col/ 634 **Crispin Blunt (Conservative)**: ... If we present the BDS movement in the very extreme way ... it has been presented in this House, we are denying the Palestinians in that sense by banning their only legitimate way of expressing resistance to that occupation. ...

We are now on the receiving end of more than 50 years of illegal Israeli occupation of somebody else’s territory. In an egregious way, Israel has occupied and settled that territory with 700,000 Jewish people. ...

... do not try to present the one-state solution as a terrorist answer driving Israelis and Jews into the sea—that is absolute nonsense and of course it will never happen. If we are about trying to create national reconciliation and a path to peace, we need now to start thinking originally. Palestinians are looking over the wall at Israel and, strangely enough, young professional Palestinians want what the Israelis have. I do not think that Israelis in a similar position want to send their children, in 20, 30 or 40 years’ time, to police the occupation. ...

There is desperate anger in occupied parts of Palestine, where everything is being taken away from people, but here we are attacking a movement that tries ... to stay within the limits of peaceful resistance to illegal occupation. ...

col/ 635 **Tommy Sheppard (SNP)**: ... The Government have sought to place the question of Israel right at the heart of this legislation and of their argument. It is fundamentally based on a flawed premise: that criticism of the Israeli Government or of Israeli state policies is in itself antisemitic. ...

col/ 636 I had the privilege to attend last week a meeting called by Yachad, a Jewish organisation, in this House. I heard Michael Sfard, a distinguished human rights lawyer from Israel, speak on the situation. He gave a concise picture of what is happening in Israel ... He described how two projects are under way in that area of the world at the moment: the first is the de jure annexation of the Occupied Palestinian Territories into the state of Israel, and the second is the changing of constitutional law inside the state of Israel to

allow that to happen. ...

The choice that we need to make is whether we will stand with the people of Israel and of Palestine in protecting their human and political rights against a very right-wing anti-Palestinian Administration, or give succour—almost alone in the world in doing so—to that Administration. ...

**col 637 Bob Blackman (Conservative):** ... the ability for public bodies to take powers unto themselves that should correctly be reserved for the Government has sown division and discord across our nations. Calls for universities to sever ties with academic partners in Israel have led to a great number of prejudicial motions at our institutions, isolating and alienating Jewish students. The National Union of Students has reported that anti-Israel hatred is plainly linked to the racist treatment of British Jews, corroborating findings from the Community Security Trust, which found that campus antisemitism has hiked by 22% in the past year alone. ...

... it is the proponents of BDS who are pitting one community against another ... It is intimidation, marginalisation and incitement to hatred. I agree with my right hon. Friend the Member for Newark (Robert Jenrick), a former Secretary of State for Housing, Communities and Local Government, who said in 2021 that “successive studies have shown the single best statistical predictor of anti-Jewish hostility is the amount of BDS activity”.—[[Official Report, 22 February 2022; Vol. 709, c. 213.](#)] ...

**col 638** The Bill will empower the Government to introduce secondary legislation to enforce a boycott of states committing human rights abuses. ... In turn, public bodies will be able legitimately to advance their own trade sanctions in support of the national interest, as determined by the democratically elected Government. ...

**Andy McDonald (Labour):** ... Local authorities have long played an important role in the protection and promotion of human rights overseas, for example, in opposing the apartheid regime in South Africa ... The Bill will make the Westminster Government the ultimate arbiter of what is acceptable. ...

As for Palestine, which has been the subject of a lot of attention in this debate, the legal opinion of Richard Hermer KC, commissioned by Labour Front Benchers, states that “legislation prohibiting local authorities from taking steps to promote Palestinian self-determination within the OPT, taken with the terms of the exclusion in Clause 3(7), would likely place the United Kingdom in breach of international law obligations.” ...

**col 639** By singling out the territories under Israel’s control in this legislation, the UK will give licence to the continuation of the terrible events that unfolded in Jenin today, without an appropriate, legitimate and peaceful response. No other people should be put in the position of the Palestinians. At this very moment, we are seeing the images from Jenin, where a massive number of Israeli occupation forces are committing what the Palestinian president has called a “war crime” as they storm the city and refugee camp. ...

The Bill is ... an offence against human decency and international law. ...

**col 640 David Simmonds (Conservative):** ... the long-standing BDS campaign creates a situation where the state of Israel, and Jewish people here in the UK and elsewhere, are singled out for criticism and discrimination. ...

I urge Front-Bench colleagues to give serious consideration to entirely dropping clause 4(1)(b) ... at most two or three councils ... passed BDS motions. We should accord respect to our local government colleagues by removing clause 4(1)(b), recognising that, on the whole, they have been wise and sensible in exercising their powers. ...

On, for example, an investment committee or a procurement committee charged with making decisions to place contracts, elected members may not necessarily be aware of the decisions and policies of the bodies with which they are contracting. ... Given that those private companies may themselves be under similar pressure to exercise BDS views, what is not always going to be transparent to those elected members is how those things are taking effect in practice. We need to ensure that ... we are not losing our desired

intention to ensure that BDS is not present in the public sector by ensuring that those bodies that are contracting or subcontracting are also within sight. ...

**col 641 Jeremy Corbyn (Independent):** ... Over 70 organisations have expressed deep misgivings and opposition to the Bill. Muslim organisations, Jewish organisations, trade unions, human rights organisations, libertarian organisations, religious groups and many others have said that the Bill is wrong and that it will damage the civil liberties of everyone in this country. ...

**col 642** Under this legislation, what we did over South Africa would be impossible or illegal ... Some of us supported the people of Chile after General Pinochet seized power, and called for a boycott of Chilean goods and a non-investment policy in Chile; again, that would be illegal. ... some of us called for a boycott of Californian grapes when Californian grape pickers were facing oppression from police forces in California; again, that would be illegal. ...

Most of the Bill has been framed around Palestine and Israel. ... I spent Saturday evening talking to Mustafa Barghouti of the Palestinian National Initiative, who believes in non-violent resistance to the occupation. He pointed out to me ... that, at the moment on the west bank, there are 150 settlements, 70 more settlements are being planned or actually built at present, more than 400,000 Israeli people have been moved into those settlements and it is impossible for Palestinian people to move around their own area of land. The idea that the products made on those settlements that are sold outside should be seen as legitimate products—they are illegal within terms of international law and within terms of EU law. ...

Today in Jenin, as an example of the occupation, 14,000 people are in a refugee camp that is less than 0.4 square kilometres—14,000 people in less than half a square kilometre of land. Israel Defense Forces says that it is not targeting civilians. It is impossible to use any kind of weaponry against the population there without targeting civilians. ...

**Richard Burgon (Labour):** Three decades ago, Margaret Thatcher said that the ANC was a “typical terrorist organisation”, adding “Anyone who thinks it is going to run the government in South Africa is living in cloud-cuckoo land”. ...

Governments are not always right; Governments do not always make moral decisions; Governments do not always act in line with the wishes of the population, but through the democratic process, millions of people can effect change. ...

**col 643** The aim is clear: to put so much fear into public bodies of ending up in court that they do not just act within the law, but go beyond it in an effort to reduce that risk. ...

**col 644 John McDonnell (Labour):** ... The debate has largely focused on the specific BDS movement and Israel. ... I want to talk about the right to boycott, to disinvest and to sanction as an issue. ...

I was one of the organisers of the demonstrations over a decade ago against the royal visit of the Saudi leaders. We were calling for no public contracts to be awarded to companies operating in Saudi Arabia, because at that time they were beheading gay people for being gay. ... I campaigned against the Bahraini regime and its ongoing brutal repression of the country’s democratic movement, and the continued imprisonment of opposition political leaders. ...

I have campaigned against the Sri Lankan Administration owing to their genocidal attack on the Tamils ... I campaigned for sanctions against the military junta in Myanmar to halt the attacks on the Rohingyas and to demand the freedom of Aung San Suu Kyi.

**col 645** Yes, I have supported the boycott of goods coming from the Palestinian territories occupied illegally by Israel. The campaign in my constituency was undertaken by young people when the bombings in Gaza were killing young people there. In solidarity, young people in my constituency went round the local shops asking them to check where their goods were coming from and urging them not to sell goods from the occupied territories. ... if there is evidence that individuals associated with these campaigns are antisemitic, we



already have laws to deal with that ...

The advice of every human rights lawyer I have spoken to so far, and all the briefings from human rights groups and trade unionists, have all made it clear that that range of activities will be outlawed and it will be made illegal for decision makers even to talk about the strategy. ...

*col 646 Imran Hussain (Labour):* ... Most alarmingly, by preventing public bodies from adopting positions that deviate from this Government's foreign policy of turning a blind eye to persecution, oppression and injustice in other countries, the Bill quashes the ability of those individuals, public bodies and members of civic society with any sense of humanity to take a stand against human rights abuses ...

Instead of introducing legislation to Parliament that provides cover to the Netanyahu Government's illegal annexation of Palestinian territory, Ministers must decide whether they agree with the established position of the rest of the international community that the settlements and the Israeli Government's repeated disregard for international law are illegal. ...

*col 647* Many of us fear the anti-democratic precedent the Bill will set. Effectively, if a human rights campaign does not enjoy the support of the Government, it will be criminalised for attempting to bring abuses to light. ...

*col 648 Beth Winter (Labour):* ... This Bill is the latest example of the shrinking space for freedom of expression in the UK ... Today's Bill is an attack on democracy and rides roughshod over democratically elected representatives at a local, regional and devolved level. ...

The Bill will assist the suppression of campaigns for justice and accountability across the globe on issues as wide ranging as pollution, the environment, exploitation of children and women, and fossil fuel divestment ...

It has already been highlighted how this Bill, while giving the Government broad-brush powers to prevent criticism of any state Government, uniquely privileges Israel. That is despite its repeated and escalating human rights abuses in the west bank and Gaza, and, as we are witnessing today, the horrific and heartbreaking events in Jenin. ...

*col 649* There is a proud record of the use of boycotts in progressive struggles ... They have historically been anti-racist campaigns, and I believe that they must and will continue in the future. ...

**Jim Shannon:** ... The anti-Israel sentiment that flourishes in the absence of legislation must be addressed. ... it is not the job of universities or other Government-funded bodies to make the decision to boycott for a political reason without an outright decision in this place ... While some may also believe that only a principle is being debated today, the fact is that there is an active boycott against Israel in some political circles, and it does have an effect. ...

In 2014, the Sinn Féin mayor of what was then Newry and Mourne Council wrote to shopkeepers in the council district requiring them to inform him about all the Israeli goods that they stocked. In his capacity as mayor, he told local businesses in Newry that unless they immediately withdrew Israeli goods from sale, they were giving "financial support, succour and legitimacy" to "apartheid" and racism. Well, no, they were not. Those receiving the letter from the mayor—local shopkeepers and business people—understandably felt targeted, and some said that the letter struck them as deeply sinister, intimidating and extremely divisive.

*col 650* This boycott is clearly racially motivated, which is underlined by debates taking place on the Israel issue. In a Belfast City Council debate on Israel in 2019, Israel was presented by nationalist and Marxist councillors as a unique evil in the world, requiring unique measures to be taken against it. People Before Profit councillors referred to Israel's establishment and existence as a racist endeavour. ... The reality of any conflict in the middle east was denied; it was only their perceived Jewish oppression of Arabs. Concerns

expressed about growing antisemitism were shamelessly deflected and ridiculed ... It was suggested by some councillors that only Jews who held anti-Zionist positions deserved the council's solidarity ...

Let me be clear: Israel's existence and survival are vital to many in our Jewish community as a matter of their core identity, religious faith, family connections and sense of physical safety and security. Criticism of an Israeli Government or policy is one thing; demonisation of Israel as a unique evil, along with demands for the Jewish state's elimination from the face of the earth, is quite another. ...

Recently, a media outlet in Northern Ireland published a letter from a self-styled interfaith group identifying the leadership of Ireland's tiny Jewish community with genocide and apartheid in the middle east. ... The letter called on the 80 Jews in Belfast to support their "moderate" aim of bringing down the Zionist regime. To put it starkly, this is where the so-called BDS campaign will lead if it is never properly called out and challenged ...

Family businesses in Northern Ireland ... were subjected to a vicious attack on social media because they stocked Israeli new potatoes. An Israeli-owned stall at CastleCourt in Belfast was regularly physically attacked, and its staff intimidated. Some of these attacks were so serious that they led to custodial sentences. The stall was forced to close and has never returned. ...

During the conflict in the middle east, Belfast's synagogue had its windows smashed and the community's rabbi received threats and needed escorts to and from the synagogue. The community has frequently been targeted by online abuse.

*col 651* A County Tyrone sports personality with an online following tweeted, "If you're lucky enough to know a Jew, punch him in the face." The PSNI is investigating. Pubgoers in the Bogside were recorded by an undercover Israeli reporter telling him, "Jews are the scum of the earth. Hitler didn't kill enough of them." The PSNI is investigating. ...

**Alex Norris (Labour Co-op):** ... At the heart of the debate lies a central question: does the Bill balance legitimate, strongly held and well-meant desires to challenge behaviours overseas on principled grounds against important protections for particular nations or regions in the face of disproportionate treatment? I am afraid the answer is no.

We believe there should be legislation to frame boycott and divestment-type activities—legislation that allows communities to decide where their money goes—in response to human rights or genocide concern, while ensuring such decisions are made equitably and consistently so that the world's only Jewish state, for example, is not singled out and targeted. ...

*col 652* **Nadia Whittome:** This Bill is anti-democratic and anti-human rights. It frustrates peace efforts in the middle east and it is an obstacle to social justice everywhere. As such, it has been condemned by a huge range of civil society organisations, including trade unions, charities and faith organisations. ...

**Alex Norris:** ... we tabled an amendment to the Procurement Bill that we think is better. If the Government think it is technically inadequate, we would be happy to work with them to improve it. What we do know is that it is much better than what is before us today. ...

*col 653* The Bill means that not only does the judgment of the Secretary of State supersede any and all local leaders, but the Government seek to ensure that those leaders are not even allowed to talk about their desire to challenge human rights abuses or not to consume settlement goods. The Government are taking away not only the right to act, but the ability to speak. ... What we have in front of us is an unacceptable fetter on free expression.

*col 654* Separately, but no less importantly, the Bill will ... have consequences for billions of pounds in local government pension funds. Any hard deadline that is imposed on them to change their operations in accordance with new law could be deeply destabilising ... at the moment a pension fund makes a divestment decision on a financial ground that relates to territories named in the Bill, that decision will be challenged in the court as a moral judgment. That will bind up our pension funds in court case after court case. ...

It is not proportionate to hand to the Secretary of State even stronger powers to compel information from public bodies than the security services have. ...

But there is an alternative, as covered in our reasoned amendment. Our country has a proud history in the development of modern international humanitarian law, from the ashes of world war two to the creation of the United Nations and the role that we continue to play on the world stage. We have always defended the fundamental and inalienable rights of all human beings. It is vital that procurement decisions made in respect of such rights are then applied across the board to prevent unethical actions against specific states and to ensure that common actions have the greatest impact. That could be readily achieved by requiring public bodies to produce a document that sets out their policy on procurement and human rights, and for that to be developed in accordance with guidance published by the Secretary of State. ...

The practical effect would be to make it clear and unambiguous that if a public body does not wish to procure goods from Russia because of President Putin's abhorrent human rights abuses in Ukraine, the law will be on its side. If that same body does not wish to procure services from Xinjiang because of the appalling treatment of Uyghur Muslims, the law will be on its side. But if a public body acts only against a particular state—let us say the world's only Jewish state—while turning a blind eye to human rights abuses elsewhere, such actions would be illegal. ...

**col 655 The Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities (Felicity Buchan):** ... we believe that we should have one foreign policy, and we also believe that BDS campaigns risk undermining community cohesion. We believe that public bodies should not be wasting time and money on pursuing their own foreign policy agendas and should instead focus on providing vital public services and delivering value for money for the taxpayer in their procurement and investment decisions. Let me also clarify certain misapprehensions that certain Members have about the Bill. First, the Bill applies only to public authorities. It does not apply to private individuals or private companies, except if they are exercising public functions. It does not place restrictions on local councillors, except when they talk expressly on the behalf of their local authority. It does not prevent public authorities from making statements on foreign policy; it prevents them only from making a procurement or investment decision if it is motivated by moral or political disapproval of a foreign state's conduct. ...

I reassure Members that clause 4 only prevents public authorities from making statements of intent to boycott or divest. It does not prevent public bodies from disagreeing with this legislation. ...

Given the focus of the BDS campaign on Israel, we are simply saying in this clause that, for Israel to be exempted from the legislation, it will require primary legislation. ... This policy does not affect our foreign policy position. We are not legislating for the UK's foreign policy on Israel or on any other country in the Bill. The purpose of the Bill is to ensure a consistent approach to foreign policy across our public bodies, led by the UK Government. The Bill will not prevent the UK Government from imposing sanctions, or otherwise changing our foreign policy on any country in future.

I stress that none of the provisions in the Bill changes the UK's position on Israeli settlements in the west bank and the Golan Heights. We are continuing to urge Israel not to take steps that move us away from our shared goals of peace and security. We support a negotiated settlement leading to a safe and secure Israel living alongside a viable and sovereign Palestinian state, based on 1967 borders with agreed land swaps, Jerusalem as the shared capital of both states and a just, fair and realistic settlement for refugees.

**col 656** ... our position on settlements is clear: they are illegal under international law; present an obstacle to peace; and threaten the physical viability of a two-state solution. ... UN Security Council resolution 2334 asks countries to differentiate between Israel and the occupied territories. We have done that ... they are clearly separated out in different paragraphs. ...

**Alicia Kearns:** ... it just is not credible to keep repeating that this does not change how we treat the Golan Heights, which have been annexed, and the Occupied Palestinian Territories. The Foreign Office's own legal advice states that the Bill could breach UNSC 2334. How am I being told repeatedly from the Dispatch Box that that is not the case, when that is what Government lawyers are saying themselves? ...

**Felicity Buchan:** The Government's view is that the Bill is compliant with UN Security Council resolution 2334.

I move on to the reasoned amendment, which rightly recognises the impact that boycotts and divestment campaigns can have on undermining community cohesion. The Government, however, are resisting the amendment on the basis that this legislation is a robust and proportionate means of stopping public bodies engaging in divisive campaigns ...

col 657 Private individuals and bodies are not affected by the legislation. The right to freedom of speech is protected by article 10 of the European convention on human rights and the Government remain strongly committed to the UK's long and proud tradition of freedom of speech. ...

This legislation delivers an important manifesto commitment. It will ensure that the UK has a consistent foreign policy approach and speaks with one voice internationally. ...

cols 658-661 Question put, That the amendment be made.

Ayes 212; Noes 272

Question accordingly negatived.

cols 662-663 Question put ... That the Bill be now read a Second time. ...

Ayes 268; Noes 70

Question accordingly agreed to.

**To read the full transcript see**

[https://hansard.parliament.uk/commons/2023-07-03/debates/CF82F174-BC12-452A-B9B0-F67B7940CCCC/EconomicActivityOfPublicBodies\(OverseasMatters\)Bill](https://hansard.parliament.uk/commons/2023-07-03/debates/CF82F174-BC12-452A-B9B0-F67B7940CCCC/EconomicActivityOfPublicBodies(OverseasMatters)Bill)

*Information about the Economic Activity of Public Bodies (Overseas Matters) Bill*

<https://bills.parliament.uk/bills/3475>

*The Jewish Chronicle articles referred to above can be read at*

<https://www.thejc.com/lets-talk/all/boycotting-israel-is-wrong-but-this-anti-bds-bill-is-not-the-answer-1i4nyL0Y6BhV4k3jf1ZdDp>

and

<https://www.thejc.com/lets-talk/all/a-vote-against-the-bds-bill-is-a-vote-to-allow-the-boycott-of-jews-1FTaOUw32IY7IpALKELfVG>

*The Ministry of Strategic Affairs and Public Diplomacy report referred to above can be read at*

[https://www.gov.il/BlobFolder/generalpage/terrorists\\_in\\_suits/en/De-Legitimization%20Brochure.pdf](https://www.gov.il/BlobFolder/generalpage/terrorists_in_suits/en/De-Legitimization%20Brochure.pdf)

## House of Lords Written Answers

### Schools: Admissions

**Lord Desai (Crossbench)** [HL8536] To ask His Majesty's Government what assessment they have made of the recommendation of the United Nations Committee on the Rights of the Child that the UK should prevent the use of religion as a selection criterion for school admission in England.

**Baroness Barran:** The UK is a signatory of the United Nations Convention on the Rights of the Child's (UNCRC), and the department will consider carefully the Committee's recommendations. The government does not always agree with, or implement, UNCRCs recommendations, and there is no requirement to do so.

Mainstream state-funded schools designated with a religious character, commonly known as faith schools, may choose to give priority for places to applicants on the basis of faith, but only where they are oversubscribed. Where they have places available, they must admit all children who apply without reference to faith. Faith-based oversubscription criteria provide a means to support parents to have their children educated in line with their religious and philosophical beliefs, where they wish to do so.

Some faith schools only prioritise a proportion of places with reference to faith, and others do not use faith-based criteria at all. Free schools which are designated with a religious character must allocate at least 50% of places without reference to faith, where they are oversubscribed.

The School Admissions Code exists to ensure that admission arrangements are fair, clear and objective, and is binding on all state mainstream schools, including faith schools. Where anyone is concerned that a school's admission arrangements are unfair or unlawful, the department encourages them to refer an objection to the independent Schools Adjudicator.

<https://questions-statements.parliament.uk/written-questions/detail/2023-06-15/hl8536>

*The School Admissions Code, referred to above, can be read at*

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1001050/School\\_admissions\\_code\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1001050/School_admissions_code_2021.pdf)

### **Schools: Collective Worship**

**Lord Desai (Crossbench)** [HL8537] To ask His Majesty's Government what assessment they have made of the recommendation of the United Nations Committee on the Rights of the Child that the UK should repeal laws requiring daily acts of collective worship in schools.

**Baroness Barran:** The government believes that collective worship is an important part of school life, encouraging pupils to reflect on the concept of belief and the role it plays in the traditions and values of this country. The legislation surrounding collective worship is flexible and allows schools to tailor their provision to suit their pupils' spiritual needs, as well as providing an opportunity for schools and academies to develop and celebrate their ethos and values. The law also affords a right of withdrawal, which can be exercised by pupils over the age of 16 and by parents of pupils under the age of 16.

The government's assessment is that the current legislation appropriately balances the rights of parents and of children, and has no plans to review its policy on collective worship or the associated right to withdraw as it relates to children attending state funded schools in England.

<https://questions-statements.parliament.uk/written-questions/detail/2023-06-15/hl8537>

### **Muslim Brotherhood**

**Lord Pearson of Rannoch (Non-affiliated)** [HL8574] To ask His Majesty's Government what assessment they have made of, and what action they have taken in response to, the review by Sir John Jenkins into the philosophy and values of the Muslim Brotherhood, and its alleged connection with extremists and violence.

**Lord Sharpe of Epsom:** Our assessment of the Muslim Brotherhood remains as set out in the summary report published in December 2015, which concluded the movement is a secretive organisation and that parts of it – globally – have a highly ambiguous relationship with violent extremism. The UK Government continues to stand by the judgments of the review.

The Government keeps under review the Muslim Brotherhood's activities and views when appropriate to ensure our position is based on the latest information available and we will consider action in accordance with the five commitments included in

the former Prime Minister's statement to Parliament, if and where legal thresholds are met.

<https://questions-statements.parliament.uk/written-questions/detail/2023-06-16/hl8574>

The main findings of the review referred to above can be read at

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/486932/Muslim\\_Brotherhood\\_Review\\_Main\\_Findings.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/486932/Muslim_Brotherhood_Review_Main_Findings.pdf)

The Prime Minister's statement referred to above can be read at

<https://hansard.parliament.uk/commons/2015-12-17/debates/15121732000054/MuslimBrotherhoodReview>

## Welsh Senedd Legislation, Justice and Constitution Committee

**27 Alun Davies (Labour):** Item 5.6, correspondence from the Minister for Finance and Local Government to the Llywydd on the Economic Activity of Public Bodies (Overseas Matters) Bill. This follows the introduction of this Bill to the House of Commons, and the Minister states that the Welsh Government has not been able to produce a legislative consent memorandum within the normal two-week timescale following introduction due to the broad coverage of the Bill and to ensure that committees have a comprehensive LCM to consider. The Minister tells us an LCM will be laid as soon as possible, although 'as soon as possible' is obviously not defined. We may wish to consider that in more detail alongside our conversation on LCMs.

<https://record.senedd.wales/Committee/13400#C516517>

The correspondence referred to above can be read on p45 of

<https://business.senedd.wales/documents/b41993/Supplementary%20Pack%20Monday%2003-Jul-2023%2013.30%20Legislation%20Justice%20and%20Constitution%20Committee.pdf?T=9>

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## Israel

**See also the Point of Order and Second Reading Debate for the Economic Activity of Public Bodies (Overseas Matters) Bill that are included in the Home Affairs section above.**

## House of Commons Written Answer

### Israel: Palestinians

**Anum Qaisar (SNP) [191387]** To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what recent assessment he has made of the adequacy of the adherence by the Israeli Government to its legal responsibilities towards the populations of the occupied Palestinian Territories.

**Anne-Marie Trevelyan:** It has long been the government's view that Israel's presence in the Occupied Palestinian Territories is as an occupying power and therefore is governed by the provisions of the Geneva Convention, to which Israel is a state party. We repeatedly call on Israel to abide by its obligations under international law and we have a regular dialogue with Israel on legal issues relating to the occupation. We stress the importance of the Israeli security forces providing appropriate protection to the Palestinian civilian population. It is vital that Israeli security operations all actions are proportionate, in line with international humanitarian law and calibrated to avoid civilian casualties. The Foreign Secretary

along with the Minister of State for the Middle East, Lord (Tariq) Ahmad of Wimbledon frequently engages with Israelis and Palestinians on issues relating to the occupation. The Foreign Secretary most recently spoke to Israeli Foreign Minister Cohen on 26 June.

<https://questions-statements.parliament.uk/written-questions/detail/2023-06-27/191387>

## UK Parliament Early Day Motion

**Colum Eastwood (SDLP) [1408] Actions of the Israeli government in the Occupied Territories** – This House condemns the ongoing actions of the Israeli government in the Occupied Territories, including the expansion of settlements, demolitions of Palestinian homes, forced evictions, and discriminatory policies that perpetuate the violation of Palestinian human rights; further condemns the Israeli government's failure to comply with international law, including United Nations Security Council resolutions recognising the illegality of Israeli settlements in the Occupied Palestinian Territories; further acknowledges that these settlements undermine the prospects for a just and lasting peace in the region, creating obstacles to a two-State solution and exacerbating tensions between Israelis and Palestinians; recognises the urgent need for meaningful international action to address the situation; urges the Government to take stronger measures to ensure Israeli compliance with international law, including through economic and diplomatic means; and reiterates support for efforts to engage in meaningful dialogue and negotiations between all parties involved, with the aim of achieving a just and lasting resolution to the Israeli-Palestinian conflict.

<https://edm.parliament.uk/early-day-motion/61142>

## United Nations

**Expressing Concern about Developments in Jenin, Secretary-General Stresses That All Military Operations Must Adhere to International Humanitarian Law**

The following statement was issued today by the Spokesman for UN Secretary-General António Guterres:

The Secretary-General is deeply concerned about the developments in Jenin.

He affirms that all military operations must be conducted with full respect for international humanitarian law.

<https://press.un.org/en/2023/sgsm21860.doc.htm>

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## Relevant Legislation \*\* new or updated today

### UK Parliament

**\*\* Economic Activity of Public Bodies (Overseas Matters) Bill**

<https://bills.parliament.uk/bills/3475>

Point of Order, House of Commons

<https://hansard.parliament.uk/commons/2023-07-03/debates/D77DA136-B5E3-4548-9B2F-883A7709A5B4/PointOfOrder>

Second Reading, House of Commons

[https://hansard.parliament.uk/commons/2023-07-03/debates/CF82F174-BC12-452A-B9B0-F67B7940CCCC/EconomicActivityOfPublicBodies\(OverseasMatters\)Bill](https://hansard.parliament.uk/commons/2023-07-03/debates/CF82F174-BC12-452A-B9B0-F67B7940CCCC/EconomicActivityOfPublicBodies(OverseasMatters)Bill)

Programme Motion and Money Resolution  
at col 664

[https://hansard.parliament.uk/commons/2023-07-03/debates/CF82F174-BC12-452A-B9B0-F67B7940CCCC/EconomicActivityOfPublicBodies\(OverseasMatters\)Bill#contribution-738B2579-7395-43B5-A4F9-498DB0576833](https://hansard.parliament.uk/commons/2023-07-03/debates/CF82F174-BC12-452A-B9B0-F67B7940CCCC/EconomicActivityOfPublicBodies(OverseasMatters)Bill#contribution-738B2579-7395-43B5-A4F9-498DB0576833)

Carry-over Motion

<https://hansard.parliament.uk/commons/2023-07-03/debates/3DEF5157-9265-40FC-979C-FFEE5282AC7/BusinessWithoutDebate>

## **Education (Non-religious Philosophical Convictions) Bill**

<https://bills.parliament.uk/bills/3186>

## **\*\* Holocaust Memorial Bill**

<https://bills.parliament.uk/bills/3421>

Guidance: The right of petitioners to be heard by the house of commons select committee:  
note of promoter's position

<https://www.gov.uk/government/publications/holocaust-memorial-bill-note-of-promoters-position/holocaust-memorial-bill-the-right-of-petitioners-to-be-heard-by-the-house-of-commons-select-committee-note-of-promoters-position>

## **Marriage Act 1949 (Amendment) Bill**

<https://bills.parliament.uk/bills/3325>

## **Online Safety Bill**

<https://bills.parliament.uk/bills/3137>

## **Nakba Commemoration Bill**

<https://bills.parliament.uk/bills/3461>

## **Palestine Statehood (Recognition) Bill**

<https://bills.parliament.uk/bills/3217>

## **Private Burial Grounds and Cemeteries Bill**

<https://bills.parliament.uk/bills/3188>

## **Same Sex Marriage (Church of England)**

<https://bills.parliament.uk/bills/3438>

## **Schools Bill**

<https://bills.parliament.uk/bills/3156>

## **Terrorism (Protection of Premises) Draft Bill**

<https://www.gov.uk/government/publications/terrorism-protection-of-premises-draft-bill-overarching-documents>



## **Universal Credit (Removal of Two Child Limit) Bill**

<https://bills.parliament.uk/bills/3163>

## **Universal Jurisdiction (Extension)**

<https://bills.parliament.uk/bills/3454>

## **Scottish Parliament**

### **Charities (Regulation and Administration) (Scotland) Bill**

<https://www.parliament.scot/bills-and-laws/bills/charities-regulation-and-administration-scotland-bill>

### **Gender Recognition Reform (Scotland) Bill**

<https://www.parliament.scot/bills-and-laws/bills/gender-recognition-reform-scotland-bill>

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## **Consultations**

\*\* new or updated today

### **Charities tax compliance** (closing date 20 July 2023)

<https://www.gov.uk/government/consultations/charities-tax-compliance/consultation-charities-tax-compliance>

### **A Human Rights Bill for Scotland** (closing date 5 October 2023)

<https://consult.gov.scot/equality-and-human-rights/a-human-rights-bill-for-scotland-consultation/>

### **The future of population and migration statistics in England and Wales** (closing date 26 October 2023)

<https://consultations.ons.gov.uk/ons/futureofpopulationandmigrationstatistics/>

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The Scottish Council of Jewish Communities (SCoJeC) is Scottish Charitable Incorporated Organisation SC029438