



Political Affairs Digest

A daily summary of political events affecting the Jewish Community

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Home Affairs

House of Lords Debate

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

col 521 **The Minister of State, Cabinet Office (Baroness Neville- Rolfe):** My Lords, at a time of increasing global division, the effective communication of the United Kingdom's foreign policy is vital. In order to achieve our objectives, the nation must speak clearly with one voice. It is for His Majesty's Government alone to decide the UK's foreign policy.

I acknowledge that the Bill is being debated at a troubling time. Although some noble Lords may disagree with the Government on certain aspects of this legislation, I hope that everyone in this House will be sensitive to the broader issues with which the Bill deals. ... It is vital that public bodies are not allowed to pursue policies, through their investment and procurement decisions, in order to try to legitimise a UK foreign policy that differs from that of HMG.

Some public bodies have tried to declare boycotts and divestment policies that are inconsistent with the foreign policy set by the Government. Local councils have passed motions in support of boycotts. Local government pension schemes are frequently under pressure to divest certain securities. Universities, too, have been pressurised by groups that want to impose their own views about foreign policy.

The campaign that has placed the most pressure on our public bodies is the BDS movement. It deliberately asks public bodies to treat Israel differently from any other

country, and its founders have been clear in their opposition to the existence of Israel as a Jewish state. Not only is that at odds with the policy of this Government, which is to promote a two-state solution, but we have seen an increase in anti-Semitic events following on from the activities of the BDS movement. These concerns pre-date the 7 October attacks, but since then the Community Security Trust has recorded the highest-ever number of anti-Semitic incidents, alongside increasing pressure for public bodies to engage in BDS activity.

The provisions in this landmark Bill prohibit public bodies from imposing their own boycotts or divestment campaigns against foreign countries or territories. It is clearly wrong that individuals who have roles of authority in a subordinate public body can act in such ways. It is also wrong that those public bodies can act in a way that, at home, jeopardises community cohesion while sowing confusion among our international allies about UK government policy.

col 522 It is particularly noticeable that boycotts and divestment campaigns disproportionately target Israel, especially in recent months in the wake of Hamas's despicable terror attack and the resulting conflict. These boycotts contribute to the depressing rise of anti-Semitism across the UK, as reported last week by the Community Security Trust, which recorded its highest-ever annual total of anti-Jewish hate across the UK.

This Bill was unamended in the other place. That reflects the care taken in the drafting of this legislation to ensure that it adequately prohibits BDS campaigns in public bodies, applies to the correct public bodies within its scope and provides appropriate enforcement powers. ...

I now turn to the Bill in greater detail. It will prohibit public bodies from implementing boycotts or divestment campaigns against foreign countries and territories that are inconsistent with the legal sanctions, embargoes and restrictions set by HMG. The Bill will apply to public bodies UK-wide. It provides for an enforcement regime with the power to issue compliance notices and to investigate and fine public bodies in breach of the ban.

The main provisions are as follows. The Bill will ban public bodies from considering the country or territory of origin of a product or service, in a way that indicates moral or political disapproval of foreign state conduct, when making a procurement or investment decision. It does not prevent public bodies taking such considerations into account where this is required by formal UK government legal sanctions, embargoes and restrictions. To capture the rare and legitimate occasions when territorial considerations are relevant to a procurement or investment decision, the Bill provides for a number of exceptions to its provisions. For example, the Bill will not prevent public bodies taking into account territorial considerations for reasons such as national security, labour-related misconduct, and legitimate business and financial considerations. ...

The Bill will work in harmony with the Procurement Act ... This Bill will in no way hinder our ability, under that Act, to exclude suppliers where necessary, including where there is evidence that a supplier is involved in modern slavery practices. ...

The Bill has been drafted so as not to interfere with any individuals' or bodies' rights under existing human rights legislation, including the European Convention on Human Rights.

col 523 The Government are committed to protecting freedom of speech and are not restricting any person's or private organisation's right to free speech. This applies to all in their individual capacities as elected officials ... The Bill will apply only to decisions by a public body related to its investment and procurement functions. It will not interfere with any person's or private organisation's rights to express a view or to protest. ...

On the type of public bodies that are covered by the Bill, they include the devolved authorities, local authorities, local government pension schemes, universities, government departments and agencies, publicly funded schools, and cultural institutions, such as museums and theatres, which receive significant public funding. The Bill will apply to public bodies across the country. It will cover bodies in Scotland, Wales and Northern Ireland,

including devolved bodies with wholly or mainly devolved functions, as well as those with wholly reserved functions. As foreign affairs is a reserved matter, we will not seek legislative consent from the devolved assemblies to apply the Bill's provisions to devolved bodies.

... Israel is a frequent and disproportionate target of boycotts and divestment campaigns. To ensure that the Bill is effective at banning divisive behaviour, it will apply to all countries and territories, including Israel and the Occupied Palestinian Territories and occupied Golan Heights.

Another provision I wish to highlight is one that recognises the need for flexibility when there are fast-moving changes in the global landscape. The Bill includes a power to exclude a certain country or territory from the Bill's provisions via secondary legislation. In fact, we intend to use this power to maximise our impact on Putin's capacity to fund his war by exempting Russia and Belarus from the Bill to allow public bodies to continue to stop procurement from Russia and Belarus. ...

At the same time, we have seen examples of public bodies making declarations to boycott and divest as far as the law allows. These are harmful even where the law does not allow boycotts and divestments and therefore such declarations ought not to be made. There is concern that recent declarations of anti-Israel boycotts, even when not implemented in practice, have driven and contributed to rising anti-Semitism. ...

col/ 524 I stress that the Bill will apply only to public bodies carrying out public activity. Therefore, it will not prohibit individuals such as elected officials from speaking in favour of a boycott or divestment policy. ... I should explain that councillors could place their authority in breach of the ban only if they were making a statement of intent to boycott on behalf of their authority. The Bill will not restrict representatives, including council leaders, from expressing their support for a boycott in a debate or on their personal social media. ...

Baroness Chapman of Darlington (Labour): ... We on these Benches oppose this Bill. We do not support boycott, divestment and sanctions campaigns towards Israel—they wrongly single out one nation and are counterproductive to peace—but the Bill is deeply flawed. It contains draconian powers and fails in its central purpose, which surely ought to be to prevent anti-Semitism.

The Bill prohibits public bodies from making procurement and investment decisions based on their "political or moral disapproval" of a foreign state's conduct. The Government say that this is an attempt to ensure that all UK public bodies speak, as the Minister said, "with one voice" on international issues. However, the Government seem to think that there are councils, universities, NHS trusts and nursery schools with their own foreign policies, and that this is somehow confusing to our international allies. In fact, the impact assessment points to just three local government pension funds in Scotland that have disinvested from an Israeli bank since 2018. None of them say that this was a political decision or should be taken to represent any kind of political or moral disapproval ...

col/ 525 The naivety of the Bill is to believe that trustees of pension schemes have, until now, been making investment decisions ... in response to local boycott, divestment and sanctions campaigns. There is just no evidence for this. The risk is that the Bill will serve only to heighten tensions. ... We know, and accept, that some campaigners have used the cover of BDS to whip up hate towards Jewish people, to hold Israel to different standards, to question its right to exist and to equate the actions of the Israeli Government with the Jewish people. We know that this happens and it is utterly wrong, but do we really think that the Bill will eradicate anti-Semitism? My fear is that it will make things worse, and it could not be happening at a more sensitive time.

The Bill treats the Occupied Palestinian Territories as though they are, in effect, the same as the State of Israel. This runs counter to decades of British diplomacy under Labour, Conservative and coalition Governments. In 2016, the UN Security Council passed Resolution 2334, requiring every UN member to distinguish between the territory of the State of Israel and the Palestinian territories occupied since 1967. The resolution says that

illegal settlements have “no legal validity”, constitute “a flagrant violation under international law”, and are “a major obstacle to the achievement of the two-State solution”. ...

Then there is the issue of freedom of speech. ... This Bill does not do anything to legislate against the expression of anti-Semitism, but it does curtail the right to freedom of expression. Clause 4 is clear: decision-makers cannot express political or moral views that might be seen to relate in any way to procurement decisions. ... They have every right to express their views on moral and political issues—some might say that is their job. They do not, of course, have a right to whip up anti-Semitism and where that happens it must be dealt with, but the Bill will criminalise community representatives expressing views in a free and open way that has been a fundamental underpinning of our democracy for hundreds of years. ...

col/ 526 The Minister says that the Bill applies only when a councillor acts on behalf of a council. ... Suppose a council leader attends a local government conference and expresses a view on human rights, modern slavery, tobacco production, the arms industry, animal welfare or the environment in relation to another country. They will be advised not to express that view or to tone it down. That is not the kind of democracy that I think we want to create.

As for universities being within the Bill’s scope, they are not even classified as public bodies by the ONS, and nor should they be. Why are they included? Which university has actually acted—not made a statement but acted—as a result of a BDS campaign? ...

I accept that there have been some BDS campaigns on some campuses where the atmosphere experienced by Jewish students has been damaged by those campaigns. I completely accept that, and it is right that we do what needs to be done to protect those students. However, the Union of Jewish Students is against this Bill. ...

col/ 527 One final point is the lack of support from the devolved Governments. The Minister says that the Government have no intention of seeking any kind of legislative consent. That is of course the Government’s right—but is it good politics? Is it good for our democracy ...?

Lord Wallace of Saltaire (Liberal Democrat): ... This Bill is ambiguous, confused and contradictory. It is about a specific campaign to boycott Israeli firms and companies based in the Occupied Territories, but it also applies to all foreign countries. It is aimed primarily at local authorities and universities, but it also extends far more widely, across a large and unknown number of public authorities. ...

All of us who support the long-term security of the State of Israel are opposed to campaigns to discredit and undermine it. Those of us who believe that a secure future for Israel within the Middle East depends upon permitting a Palestinian state as its neighbour have more doubts about goods produced in illegal settlements, but remain clear that Israel, within its 1967 boundaries, is and remains a trusted trading partner.

The current conflict means that there are passionate views within our society about what has happened on both sides. Michael Gove, nevertheless, has argued that the Bill is needed to maintain “community cohesion”, but the conflict has shown how diverse and divided the British public are on the Israel-Palestine conflict, at the moment. ...

col/ 528 The Bill is not just about Israel and the Occupied Territories. ... This is not the first time that people in Britain have campaigned against behaviour in territories overseas. In the late 18th century, anti-slavery campaigners promoted the boycott of West Indies sugar. My generation of students boycotted South African oranges and sherry, with student unions raising money to support scholarships for ANC members—at a time when the older generation regarded Nelson Mandela as a terrorist and a communist. Few would now disagree that the younger generation then were right.

The Bill proposes damaging limitations on speaking or protesting against a wide range of potential injustices, based on a single and particularly delicate case. ...

The Government also assume that local government is merely an agent of the central

state, not to be trusted even to discuss divergent actions. ...

To me, Clauses 4 and 7 are the most noxious aspects of the Bill. They block discussion of actions against any foreign state. They impact on freedom of speech and extend the powers of the state to inform itself about discussions within autonomous bodies. ...

In answering an Oral Question on 23 January, the Minister told us that there are “nearly 100,000 public authorities” ...

col 529 The impact assessment for the Bill implies that charities, including student unions, will be caught by the Act. There is a loose and worrying reference to it extending to “cultural institutions”. ...

A recent Universities UK survey did not find any higher education institution that has imposed a boycott or sanctions related to a foreign state, or recently come close to doing so, so what is the case for including universities within this Bill? ...

col 530 **Lord Etherton (Crossbench):** ... My focus today is on one particular issue: the international law exception to Section 1 in paragraph 6 of the Schedule. Consistently with the policy objectives of the Bill, that exception must be qualified to ensure consistency between the view of the public body decision-maker and that of central government about the meaning and effect of the obligations under international law relied upon by the decision-maker. ...

The policy objectives of the Bill are described in paragraphs 5 and 6 of the Explanatory Notes. In summary, the Bill is intended to give effect to the Government’s view that it is not appropriate for public bodies to accede to campaigns to persuade them not to buy goods or services associated with particular foreign countries for political or moral reasons, “except where to do so is positively consistent with the UK’s foreign policy as determined by the Government”.

The international law exception in the Schedule does not reflect that policy background as it leaves entirely to the public body decision-maker the right to reach its own conclusion about whether the decision, or anything done further to it, would place the United Kingdom in breach of its obligations under international law. There are ... many sources of international law. They include treaties, custom deriving from state practice—that is, customary international law—general principles of law, international conventions, advisory opinions of the International Court of Justice and resolutions of the United Nations General Assembly, to mention but some. International humanitarian law—the law of war and armed conflict—is part of international law. Many aspects of international law derived from those sources can be highly contentious. ...

col 531 Under the international law exception, it is sufficient for the public body decision-maker to form a reasonable view of the meaning and effect of the applicable international law, even if that view is different from the Government’s. That is entirely at odds with the policy stated in paragraph 6 of the Explanatory Notes that decisions of public bodies about procurement and investment based on political or moral disapproval of a foreign state are permitted only if the decision “is positively consistent with the UK’s foreign policy as determined by the Government”. ...

Lord Hain (Labour): My Lords, this is another pernicious piece of legislation attacking the freedom to protest against injustice and oppression except when the Government approve. ...

It is also abolishing the right of British citizens to make their own choices. Tory Ministers support boycotts against Putin’s Russia over his barbaric attacks on Ukraine but want to ban even those advocating boycotts of Israeli products from settlers in the West Bank who have stolen Palestinian land in flagrant breach of international law. ...

The Bill violates UN Security Council Resolution 2334, which the UK voted for and which declares Israeli settlements in the Palestinian territory occupied since 1967, including east Jerusalem, as legally invalid and a clear violation of international law. The Bill explicitly designates Israel for special protection and seems to encompass the illegally occupied territories within its definition of Israel. ...

col 532 The right to boycott is a principle that has had a massive impact for good. International pressure to cut links with the apartheid regime included disinvesting, not buying goods produced by it and not providing sporting or cultural cover for a regime that the United Nations had deemed a crime against humanity. Democratically elected local authorities should be able to use their resources in ways that do not sustain oppressive regimes where human rights are violated. ...

col 533 **Lord Willetts (Conservative):** ... surely across the House people are shocked by clauses of a Bill with titles such as: “Disapproval of foreign state conduct prohibited” and “Related prohibition on statements”. ...

It is indeed to be an offence for someone to indicate that they would intend to act in such a way were it lawful to do so. These are shocking provisions to bring before this House. ... The Minister has said ... that one argument for it is that such campaigns will damage community cohesion. That is a legitimate concern and of course it needs to be taken into account, but I have to say that if there had been an attempt to amend the Higher Education (Freedom of Speech) Bill so that freedom of speech was not permitted where it would damage community cohesion, the Government rightly would have had nothing to do with such an argument as a constraint on activity and freedom of speech. ...

col 534 As well as community cohesion, the other argument, which we have heard both in the other place and here, is that it is not the role of all these bodies to run the Government’s foreign policy. ... It is perfectly clear where the Government’s foreign policy resides. ... occasional actions by other bodies do not interfere with any understanding of what foreign policy is or should be. However, it is absolutely clear—and encouraged by the Government themselves in other guidance—that bodies such as universities should take account of legitimate foreign policy concerns. ... the *Trusted Research Guidance for Academics* ... asks them to address questions such as: “Are there any potential ethical or moral concerns for the application of your research? ... Could your research be used to support activities in other countries with ethical standards different from our own, such as internal surveillance and repression?”.

It goes on to urge universities to note the importance of understanding the “democratic and ethical values” of the country that they partner. So that is absolutely encouraged by the Government but meanwhile, in this legislation, explicit consideration of such issues is apparently also to be forbidden. ...

col 535 **Baroness Young of Old Scone (Labour):** ... This law is indeed pernicious ... It is a Bill aimed specifically at the BDS movement. The main targets are ostensibly official boycotts and official divestment, but the memorandum document acknowledges that it would be difficult to define the precise limits of boycotts or divestments so, to prevent that, the Bill is cast in broader terms of “procurement and investment decisions”. ...

Public procurement and the Local Government Pension Scheme’s investments are important levers for change—in environmental improvement, climate change and social welfare. It is vital that we continue to drive ESG considerations through investment and purchasing decisions. ...

The most heinous part of the Bill in practical terms is Clause 5, in that it opens up a wide range of collateral damage through judicial review. It is particularly dubious. Clause 5(5) and (6) are incredibly widely drawn. They allow any interested person with “sufficient interest in the subject-matter of the proposed application” to apply for a judicial review. That is amazingly wide. It allows anybody, from anywhere in the world—indeed, anyone walking along the street—to raise judicial review concerns. ...

col 537 Lord Thomas of Cwmgiedd (Crossbench): ... It seems clear from the Bill and the various devolution statutes that the Bill affects powers that have been devolved to the national Parliaments and Governments. ... pages 13 and 14 of the Explanatory Notes, first, tick boxes that say that legislative consent would be sought and, secondly, seem to accept that, at least as regards the executive powers of Ministers, devolution powers are

engaged. I very much hope that the Government have not changed their position on that and that they will not proceed with this legislation without obtaining legislative consent.

... it is claimed that much of the Bill does not involve devolved competences because the general reservations in most of the devolution settlements expressly reserve international relations, the regulation of international trade, and international development assistance and co-operation, although there are qualifications to that. ...

As I understand it, the Bill's wording is intended to prevent the devolved Governments adopting a procurement policy based on their disapproval of the policies or conduct of any state. That is extremely wide. It is not confined to conduct that is in conflict with the foreign policy of the United Kingdom. ...

col 538 If, for example, the Bill when an Act is to work properly, how will we deal between national Governments and with local authorities in determining what they can do that is consistent with British foreign policy and with what is, on any reading, disapproval of the conduct of a foreign state? ...

Lord Boateng (Labour): My Lords, this Bill is ill judged, ill drafted and ill timed. It offends on all three of those points. It is ill judged because it is brought forward purportedly with a narrow political purpose ... it will have a widespread and chilling effect on decision-making around ethical investment, environmental considerations and human rights. It will have a disastrous consequence globally in all three of those areas, while purporting to deal with one particular narrow mischief that it seeks to address.

... it is ill drafted because of its extremely loose terminology —unprecedentedly loose in its references to moral and political considerations. ...

It is ill timed because it is being introduced into our Parliament at a particular moment in history when there is widespread concern about human rights violations in sovereign states, which are causing much wider concerns, about the actions of some sovereign states in invading the territories of others and about conflicts, with international and domestic impacts, around the illegal occupation of areas of sovereign states in our world. Frankly, nothing could be more designed to impact adversely on community cohesion than this Bill or to yet further undermine the reputation of this country as an upholder of international law. ...

col 539 The Bill limits and chills action in all those areas. The exceptions are too narrowly defined, in that they fail to cover human rights. ... It provides the Secretary of State with exceptional and unnecessary additional powers; it places unnecessary and cumbersome restrictions on public authorities; it limits the ability of local authority pension funds to perform their stewardship responsibilities; and it offends in every way against the very best that this nation represents. ...

Lord Mann (Non-affiliated): ... The reality is that the Bill has been sold as assisting the Jewish community on the BDS campaign targeting Israel that has been going for many years. It would be inaccurate for any Member of the House to think that this was something in the future. The BDS campaign has had a plethora of resolutions passed across the public sector over many years.

I will cite one example as an illustration of the effectiveness—or otherwise—of this campaign. There is a student union that has had a BDS policy for 15 years. ... At the same time, the student union sells kosher products, some of which are available only from Israel. It does so as a duty of care to its Jewish students. In the context of a BDS policy passed for the last 15 years, it is selling kosher products—including Israeli products—in its shop.

col 540 If the objective of the BDS campaign is to boycott and divest from Israel, I suggest that factually it is the most unsuccessful campaign in all our lifetimes, because it has manifestly failed to do that. One of the reasons is that, if we want to be honest about boycotting Israeli products, the key products that one would start by never using would be computers and mobile phones. They would be at the heart of it, because that is where Israeli products have the maximum impact on all our lives.

There is one exception in this country: pharmaceuticals. On the balance of probabilities, each of our households will be using Israeli pharmaceuticals. I will cite the example of naloxone, which is the only drug available for bringing people round after a heroin opiate overdose and saving lives. Its introduction in this country has been a major lifesaver—fact. The idea that the NHS would not use naloxone is a nonsense.

Therefore, those resolutions are there but have not been implemented. ...

On managing expectations, it is important to look at what the impact will be of any legislation ... because there can be unintended consequences. ... On the Higher Education (Freedom of Speech) Bill, I raised some questions about whether there could be unintended consequences by shifting more extreme protests from the public realm to the university realm, using the rationale that there is absolute freedom of speech in the university realm. I am sad to report to the House that my questions and warnings have proved true. I speak to universities every week and to the Union of Jewish Students most days, and that is precisely what is happening in our country now: extremists are moving their protests off the public realm to the university realm, nearer Jewish students, using the excuse and rationale that free speech goes in any way in universities. ...

There has not been disinvestment from Israel in the university sector, but let me tell the House where this campaign is most pernicious: academic boycotts. They are not covered in the Bill, and I have not found a way in which I can amend it ... Academic boycotts are attempts to stop university lecturers or researchers doing this or that kind of research in co-operation with Israelis, and sometimes beyond Israelis. ... It is hard to regulate for that because it is normally peer-group pressure that leads to it.

col 541 This Bill does not address academic boycotts at all, and nor does it deal with the issue of the Jewish way of life, which manifests, for example, in access to kosher foods. ... If we legislate as framed at the moment, will it make the Sainsbury's incidents that we are seeing, where the targeting of the BDS campaign shifts from the university or municipality to the supermarket and its products, more likely, less likely or the same? Will the Jewish independent store be more or less targeted? It seems to me that these are fundamental issues about how the Jewish community lives its life.

My fear with any legislation is that, if it is rushed through, those unintended consequences will come to fruition. ...

Lord Wood of Anfield (Labour): ... It starts with a desire we all share: to counter anti-Semitism. From this, it deduces the wisdom of banning the practice of boycotts of Israel by UK public authorities and associated bodies on the grounds that these practices often promote anti-Semitism. It then executes this ambition, however, by proposing a blanket ban on such bodies taking any moral or political considerations into account in procurement and investment decisions with regard to all states. Then it backtracks and exempts Russia and Belarus from this ban, and then it provides the possibility of exception for other countries to be decided at the discretion of Ministers—but it rules out Israel and the post-1967 Occupied Territories from being included in further exemptions. ... a multi-tiered sledgehammer that does not even crack the nut. Sadly, however, the Bill's clunky complexity is its least objectionable feature, because with each clunky step of justification it tramples on more and more rights and freedoms.

col 542 First, the Bill straightforwardly erodes precious civil rights to freedom of expression, freedom to campaign and freedom to boycott, which are almost universally recognised by NGOs—including, by the way, by leaders of four Jewish youth groups, the Union of Jewish Students and other Jewish groups. ...

However, the cavalier approach to international law does not stop there because, extraordinarily, the Bill aims to prohibit decision-makers in public bodies from telling us what they would have done if these restrictions were not in force. ...

However, the trampling of rights does not even stop there. ... it undermines the expression of solidarity with groups which are experiencing systematic abuse, persecution and even torture elsewhere ...

Further, the partial exemption of certain types of foreign state activity from the list of banned considerations in investment decisions has the effect of generating a new and totally bizarre two-tiered categorisation of human rights. ...

What of the principle of a list of countries excluded by law from ministerial discretion to be designated as exempt from these restrictions? The list consists, as other noble Lords have said, only of Israel, the Occupied Palestinian Territories and the occupied Golan Heights. This contradicts not only UN Resolution 2334 but the Government's own policy towards occupied territories. Its logic is also self-defeating because, prompted by an objection to singling out Israel, it takes steps to single out Israel. ...

col 543 In sum, the Bill creates precedents that undermine freedom of expression and the freedom to campaign. It unintentionally creates a new hierarchy within human rights, undermines the integrity of our foreign policy, and shows a cavalier disregard for rights at home and for international law. ...

Lord Palmer of Childs Hill (Liberal Democrat): ... We have this poorly drafted and politically motivated Bill purely so that Mr Gove can show that he supports the UK Jewish community, beleaguered as it is—and it is—by anti-Semitism. He can try to dress it up with talk of other nations being discussed at local levels, but if one googles “BDS” one sees that the “movement works to end international support for Israel's oppression of Palestinians and pressure Israel to comply with international law”.

col 544 I stress that these are its words, not mine. The Bill implicitly recognises who it is meant to defend, as it specifically singles out as the only nation an exemption of powers cannot be applied to as “Israel ... the Occupied Palestinian Territories, or ... the Occupied Golan Heights”. ...

I am concerned that the Bill, as drafted, could have a negative effect. Would there be a strong backlash to the Bill as being a freedom of speech issue? ... Is there a fear that it could lead to a rise in anti-Semitism as being seen, incorrectly, as a result of Jewish pressure, when it is not? ...

The Bill gives government the power to exempt certain countries from boycott restrictions, but it specifically does not allow the exemption of Israel, the West Bank and the Golan. Why are these the only named territories? It is not as simplistic as suggested. I was on the Golan Heights the week after they were taken from Syria to stop Syria shelling the Israeli valley below. Yes, Israel has annexed the Golan, and if you stand on that spot you can see why. There is no way it could ever be returned to Assad's Syria. ...

When the Minister replies, it would be helpful if she could clarify the scope of BDS. Does it include Israel? Does it include the major Jewish settlements in the West Bank and the Golan? These settlements are generally thought of as a land swap—settlements that would be in a reconstituted, rebounded Israel. Does it include them, or all the settlements of the West Bank?

We have this Bill because some public bodies have proposed BDS motions. The Minister mentioned three when she spoke; could she tell the House how many public bodies, local authorities or whatever have actually done so? ...

There is an argument that this Bill limits free speech, but the BDS campaign itself calls for limits on freedom of speech, preventing speeches by Israeli academics and Israeli performers ...

col 545 **Baroness Noakes (Conservative):** ... The BDS movement is Palestinian-led and explicitly aimed at Israel. It wants to weaken the State of Israel using economic weapons, but we should be in no doubt that it is part of a wider movement that denies Israel's right to exist. The Palestinian BDS National Committee is interlinked with proscribed terrorist organisations, including Hamas. We saw on 7 October last year what that murderous organisation is capable of, and its leaders have been clear that Hamas is committed to replicating attacks like that until Israel is completely eradicated.

The BDS movement portrays itself as peaceful, but we should be in no doubt that BDS and Hamas draw from the same well. The BDS movement at its core is anti-Semitic. Anti-

Semitism nowadays wears the clothes of being anti-Israel, but it is little different from the anti-Semitism that Jews have suffered down the ages. That is why it is so dangerous and why the Government are right to target it in this Bill. ...

This Bill is a modest but important contribution to reducing the impact that the BDS movement can have on life in our society. It does not outlaw the BDS movement in the UK and it does not stop individuals or private companies exercising their rights not to deal with or invest in Israel. ...

col 546 Concerns have been raised about Clause 4 and we have heard quite a lot about that this afternoon. I do not believe that fears about this clause are well founded, since the prohibition relates only to public bodies or persons speaking on behalf of public bodies. Even then, it applies only to statements about the contravention of Clause 1. It does not prohibit the expression of more general views and does not apply to statements made by individuals speaking in a personal capacity. ...

As we have heard, there are also concerns about Clause 3(7), which hardwires Israel and the Occupied Territories into the Bill. I support this because it is always Israel that is the target of BDS activities and this Bill needs to send a strong message about the unacceptability of that. ...

Lord Browne of Ladyton (Labour): ... I start by drawing your Lordships' attention to remarks that were made at the Second Reading of the Bill in the other place. In rebutting the critics of the Bill, Michael Gove suggested—and this was deliberately calculated—that the central question for every Member of that Chamber was “whether they stand with us against antisemitism or not”.—[[Official Report, Commons, 3/7/23; col. 591.](#)]

This is not merely a false dichotomy but an extremely irresponsible piece of rhetorical manoeuvring. ... By implication, it condemns opponents or even critical friends of the Bill as anti-Semitic. ...

col 547 ... the more extreme elements of the BDS movement argue that Israel is too often held unjustifiably exempt from criticism and that the actions of the Israeli Government do not receive appropriate scrutiny. Surely by naming only Israel and the Occupied Palestinian Territories in the Bill we will not defang those who make such criticisms but give them further ammunition for such assertions. ...

548 A final anomaly to mention is a further consequence of Clause 4. In what circumstances is a decision-maker, or one who may influence a decision-maker, under the terms of this Bill speaking in a private capacity or as part of a public body? If the leader of a council spoke in the council chamber expressing their disapproval of Israeli actions but prefaced these remarks with an acknowledgement that such views were privately held and siloed from decision-making, would this exempt them from these provisions? ...

col 549 **Lord Verdirame (Non-affiliated):** ... I share the concern ... that Clause 4 as currently drafted might have a disproportionate impact on freedom of expression, and in particular on political and academic speech. ...

Secondly, I am concerned about the impact of the Bill on universities. ...

As Universities UK noted in its written evidence, universities, in their relationships with overseas higher education institutions, as well as with foreign businesses and states, are already subject to a number of duties, particularly with regard to national security, that require them to take into account foreign state conduct. We have to be sure that the new duty in the Bill does not create confusion around these other duties which are intended to protect universities and our country from the influence of unfriendly foreign actors, not least actors such as Iran, which are keen to set foot in our universities, radicalise students and propagate anti-Semitism.

My third concern ... goes to paragraph 6 of the Schedule. There was some discussion in the other place about the legal opinion on the legislation by Mr Hermer KC ... In that opinion, he identified the problem with paragraph 6 ... “The fact that the United Kingdom is in breach of its obligations under an unincorporated international treaty (e.g. the UN Charter) does not normally create a foundation for a claim in domestic law before the UK

Courts. Here though the Bill provides a ‘domestic foothold’ through paragraph 6 of the Schedule”.

He observes, rightly, that domestic courts are normally reluctant to review the conduct of foreign states, but the Bill would oblige them to tackle the issues because they will have to do so to determine the legality of the impugned decision. I agree with his conclusion that, paradoxically, paragraph 6 “will very materially increase the prospects of a domestic court pronouncing on the legality of various aspects of the occupation”. ...

col 550 There is an evident tension between the stated purpose of the Bill, which is to make sure that the Government are in greater control of foreign policy, and what could happen as a result of paragraph 6 in the Schedule. ... The guidance on procurement, which has been in place since the 2016, simply states that unless the Government have put in place formal legal sanctions, embargoes or restrictions, there should be no scope for a regime of trade sanctions or embargoes to be developed surreptitiously through public procurement. I am not sure what has changed since then that has led to the introduction of paragraph 6.

col 551 **Baroness Blackstone (Labour):** ... how does [the Bill] affect the ONS review of university status in the national accounts and whether they should be reclassified as public bodies? ... Only in totalitarian countries is universities’ freedom of expression restricted. This Bill is overbearing in its treatment of local authorities and exposes them to vexatious legal challenges. It entails disproportionate centralisation, giving more power to the Secretary of State, which could hold up local decision-making, resulting in delay and inefficiency. ...

Under present law, pension funds are required to take into account financially material environmental, social and governance considerations. By outlawing funds taking into account country-specific financial risks, the Bill is in conflict with the Law Commission’s guidance on the fiduciary duties of pension funds. ...

In conflating Israel and the Occupied Territories, the Bill conflicts with the UN Security Council resolutions which the UK has endorsed. As such, it is also in conflict with UK foreign policy and its stated aim to promote a two-state solution in Israel and Palestine. Under the Fourth Geneva Convention, it is illegal for an occupying power to transfer any part of its population to occupied territory. Successive Israeli Governments have frequently and fragrantly ignored this convention by allowing settlements on territory designated for a future Palestinian state. Perhaps unintentionally, the Bill implies that the UK no longer accepts that the settlements are illegal under international law nor that they are involved in human rights abuses of West Bank Palestinians.

col 552 I end by expressing my bewilderment about how this Bill will reduce anti-Semitism and refer the Minister to a passionate campaigner against anti-Semitism, Margaret Hodge MP. At Second Reading in another place, she said that an outcome of the Bill was that it would increase, rather than reduce, anti-Semitism because it plays into the hands of anti-Semites by singling out Israel “as the one place that can never be boycotted”.—[[Official Report, Commons, 3/7/23; col. 615.](#)] ...

Lord Hannay of Chiswick (Crossbench): ... The Bill is ill-timed in the sense that, while many will assert and defend Israel’s right to act militarily in self-defence in response to the onslaught unleashed against it by Hamas on 7 October, as does the present speaker, this is hardly the appropriate moment to bring forward a piece of legislation which appears to give Israel a blank cheque for whatever it does in Gaza and the other Occupied Territories. It is ill-conceived because it would appear also to override some of the formal international positions taken by successive British Governments with respect to the West Bank and the settlements established there, to the Golan Heights and to east Jerusalem. Can the Minister confirm whether it remains the Government’s position, as set out in paragraph 5 of UN Security Council Resolution 2334, for which the UK voted, that the status of these territories can be determined only by international negotiations and agreement between the parties to the dispute between Israel and Palestine—and not, as is the view of the

present Israeli Government, by the unilateral action of Israel—and that those settlements are illegal and that the assertion of Israeli sovereignty over the Golan Heights and east Jerusalem has no basis in international law? If so, and given that that view is shared by the vast majority of the members of the UN, why is that distinction not recognised in the present Bill? ...

col 555 Lord Johnson of Marylebone (Conservative): ... I [do] not think this was perhaps the best way of realising the Government's good intentions. There is possibly a better way, specifically with regard to universities, and that is to focus on developing the positive announcement that the Government made in the Autumn Statement that they would fund training and education relating to anti-Semitism in schools and universities, and to address the problem of anti-Semitism up stream. There are excellent organisations that provide training, including the Holocaust Educational Trust, which could much better be deployed in the cause of addressing the root cause of anti-Semitism in our universities than this legislation. ...

Baroness Bryan of Partick (Labour): My Lords, over the past few years we have seen many Bills in this House that show a worrying disregard for humanity, but as far as I know this is the first that actually instructs public bodies to disregard morality. ...

col 556 The right of women and girls to live in safety is not protected in many countries, and any UK public body that is uncritical of an offending Government should be ashamed of itself. Some Governments are failing to protect children from exploitation by global companies. Most of us would expect public bodies not to procure goods made in those conditions.

Protecting the environment and workers' rights should also be important in making decisions. However, financial consultants are warning that even the apparent exceptions may not protect public bodies from being challenged, leading to possibly lengthy legal proceedings. ...

Ultimately, the Bill acts as a way of gagging public bodies, including elected bodies, stopping them publicly expressing what they believe is in the best interests of those they represent. ...

This means that, if electors approach their local authority or pensioners approach their pension scheme to ask why they are investing in a country that oppresses its own citizens, or which is responsible for tens of thousands of deaths of women and children in an occupied country, they are prohibited from saying that they would have liked to boycott the culprit country but government legislation makes that illegal. ...

The Bill, like many others over the past few years, seeks to grab power from other national and regional Governments. It acts to ensure that there is only one centralised power: the Executive, acting in the name of parliamentary sovereignty and imposing their will, without reference to other elected bodies across the UK. ...

col 557 Finally, the Bill is clearly discriminatory, as has been expressed by many noble Lords, in giving a uniquely high level of protection from political and moral disapproval to one state above all others in the world. The written evidence from Jews for Justice for Palestinians, submitted in August 2023, points out that it is not the actual boycott and disinvestment advocacy that leads to "increases in antisemitic incidents" but rather "spikes of violence in Israel and Palestine, particularly with ... major Israeli ... attacks on Palestinian areas". ...

The Lord Bishop of Southwark: ... surely our history has taught us that consensus has been built up around what is obviously true and lived out with integrity, rather than by suppression.

There is a royal prerogative in foreign affairs, as there is around peace and war. His Majesty's Government treat with states and, where necessary, apply sanctions, but not all and every entity is derivative of the Executive. ...

It is for bodies which have a mandate separate from His Majesty's Government to

determine how, within the law, we obtain the best outcome with the assets we have, and to do so while being accountable to the people we serve. For example, Section 17 of the Local Government Act 1988 already prohibits local authorities from making procurement decisions on non-commercial grounds.

col 558 I recall from when I served on the staff of St Paul's Cathedral, and later as a parish priest in Tower Hamlets, the declarations of the nearby borough that it was a nuclear-free Hackney. I am not sure what that achieved but it was a matter for them. More significant is that some of the action in respect of apartheid South Africa would not, as we have heard, have been possible had such a Bill been in force then. ...

... public funding means that a number of religious foundations in education will be caught by the prohibition on saying anything about these matters. ...

From these Benches, we have not called for a boycott or disinvestment, or sanctions against Israel, but we find a number of things alarming in the implications for our liberties and freedoms. One is blanket prohibitions about statements ... One may argue that the Secretary of State may permit such things, but why should this require the permission of the Secretary of State? The other is that there can be no justification for singling out a particular country in the Bill ... to put it beyond exception in the regulation-making power in the operation of any resulting statute. It is also deeply worrying that territory illegally occupied by the same state is treated identically in the Bill, as if it is the sovereign territory of that state. ...

I endorse what the Minister said about the need to eradicate anti-Semitism, but have the Government heard the concerns of bona fide Jewish bodies? For instance, a motion passed unanimously at the recent conference of the Union of Jewish Students, which represents 9,000 Jewish students, stated that "the UK government's recently proposed BDS Sanctions Bill weakens the ability of British Jewish students to approach the conversation about Israel in a nuanced manner". ...

col 559 **Lord Grocott (Labour):** ... provisions in the Bill are contrary to UN Security Council Resolution 2334 ... the clause perversely gives the illegally Occupied Territories special protection under UK law. I shall also say that the clause undermines British foreign policy, both in respect of the illegality of the occupation and the pursuit of a two-state solution.

On the UN resolution, the clause fails because it gives equal status, with no differentiation between Israel on the one hand and the Occupied Palestinian Territories on the other. ... It is surely perverse in the extreme to afford special protected status to Israeli settlements that UK Governments of both parties—not to mention the UN resolution—have repeatedly stated to be part of an illegal occupation. How can the Government on the one hand condemn the continued expansion of the settlements while on the other be passing a law that has the potential to help the settlements become more established and prosperous? Indeed, it is worse than that, because the Government's justification for the Bill is that it is not appropriate for public authorities to impose their own boycotts and sanctions, except where to do so is positively consistent with UK foreign policy. Well, what could be more positively consistent with UK foreign policy than refusing to indulge in economic activity that might help and sustain the illegal settlements? ...

Even before the horrors of the war in Gaza, the political prospect of achieving a two-state solution was getting ever more problematic. In April 2017 the International Relations Committee of this House published a report on the Middle East, which had this to say: "On its current trajectory, the Israeli-Palestinian dispute is on the verge of moving into a phase where the two-state solution becomes an impossibility and is considered no longer viable by either side. The consequences would be grave for the region ... If Israel continues to reduce the possibilities of a two-state solution, the UK should be ready to support UNSC resolutions condemning those actions in no uncertain terms. The Government should give serious consideration to now recognising Palestine as a state". ...

col 560 There is another serious impediment to the two-state solution that it would be folly

to ignore. We have long been aware that the Israeli Government under Mr Netanyahu has been pursuing a policy of settlement expansion, which makes the possibility of a two-state solution much more difficult to achieve. On 21 January this year, he made this policy explicit when he confirmed that he is a total opposition to an independent Palestinian state. He said: "I will not compromise on full Israeli security control over the entire area west of the Jordan—and that is contrary to a Palestinian state".

What a time this is to be debating a Bill which fails to distinguish between Israel and the Occupied Territories. It gives me no pleasure at all to say that this seems to be more in line with Mr Netanyahu's policy than it is with UK foreign policy. ...

col 562 Lord Stevens of Birmingham (Crossbench): ... As someone who supports both Palestinian and Israeli rights of national self-determination, the policy test I apply is whether these BDS tactics will help or hinder a just and sustainable peace. The answer becomes obvious when you discover that leading global BDS founders' clearly expressed goal is to prevent a two-state solution and destroy the world's only majority-Jewish state, which is why they single out Israel alone among the nations and why they remain strangely mute when it comes to Iranian terror, Syrian gulags or Houthi slavery.

Instead, notwithstanding the pessimistic view of the noble Lord, Lord Grocott, we should be working for a better future: peace restored, Hamas removed, Gaza reconstructed, Israel secure, Palestinian statehood in prospect and the Abraham accords proceeding. Progress on all these fronts will be underpinned, not undermined, by vibrant and successful Palestinian and Israeli economies, something that BDS aims to destroy.

Just as the Cold War was not ended by Lambeth Council, BDS will not end conflict in the Middle East. In fact, careful scrutiny reveals its problematic aims and its destructive consequences. It seems to me that, within our governmental and public bodies, it is not illegitimate for Parliament to circumscribe the reach of this toxic campaign. ...

Baroness Blower (Labour): ... [the] Amnesty International ... briefing describes the Bill as being predicated on "the unevidenced assumption that some procurement and investment decisions on the part of public bodies are driven by or result in antisemitism". Amnesty International then quotes from the Government's own impact assessment, paragraph 60 of which says: "Without a larger volume of evidence, we are unable to draw definitive conclusions regarding the impacts of the proposed legislation on indirect discrimination for 'race' and 'religion or belief'". Paragraph 64 says that "we cannot say ... when or if a boycott and disinvestment campaign incites hate crimes or antisemitism and anti-Muslim hatred".

Others have argued, both in this Chamber and elsewhere, that the Bill might actually tend to exacerbate, rather than calm, anti-Semitism. ...

Amnesty says: "It would make it almost impossible for public bodies to use their procurement and investment policies to incentivise ethical business conduct that is human rights compliant". Surely we would want public bodies to support and incentivise ethical behaviour and practice. ...

col 563 They have the support of the EU and the OECD and are referenced in several briefings, including one from Yachad, a British Jewish organisation with which I was previously unfamiliar. I have read its briefing with close interest. Specifically, Yachad says that the Bill "would breach the ... UN Guiding Principles on Business and Human Rights" and "could run contrary to the government's commitments to UN resolution 2334 ... that requires states to differentiate in their dealings with Israel within its internationally recognised borders and the occupied Palestinian territories".

This has been the position of the UK, and it was argued in the other place on a cross-party basis.

For my part, I favour boycott and disinvestment. In democratic societies, with the freedom that should confer, boycotts are a way of bringing non-violent pressure to seek to bring changes. ...

Yachad says: "Democracies are fragile and need to be protected. Using legislation to

clamp down on free speech and space for dissent harms our democracy. The idea that we as Jews are somehow safer because it will now be made illegal for public authorities not just to boycott Israel, but China or Myanmar ... makes a mockery of our commitment ... to the concept of democratic rights and free speech. ...

“If the Jewish community wishes to stand shoulder to shoulder with those fighting for their human rights, it cannot expect to be taken seriously when it simultaneously supports legislation that would bar these individuals and groups from encouraging public authorities to boycott states committing human rights abuses against them”. ...

col 564 Baroness Janke (Liberal Democrat): ... Local councils are not an outpost for the delivery of government policies and should not be treated as such. They are living democratic institutions where debate flourishes and challenge to policies, whether from national or local government, is legitimate and to be welcomed. Dissent is a necessary and valuable part of democracy. ... What happens in the wider world is important, and not just to central government, and there are large numbers of activists and advocates in local communities, on a range of matters, local and national, that inspire them to stand up for the causes that they believe in. ...

Democratic values and beliefs underpin our system of government, whether at national or local level. Those who fail to respect them do so at their and our peril. The Bill criminalises decisions to invest or procure based on morality or political disapproval. Councillors have become more and more concerned at the frequency of government interference in local matters, but criminalising moral judgments and freedom of speech by elected politicians is a chilling new threat to councillors and officials. It will inhibit valuable discussion, advice and transparency over financial decisions. Advice will be, “If in doubt, don’t say it”, for fear of legal action, which may be used as a weapon by those with vested interests who disagree with certain actions. ...

col 565 The Bill prevents legitimate and peaceful campaigns against human rights abuses. Although focused on Israel, it prevents action on human rights across the world ... Israel, the Palestinian Occupied Territories and the Golan Heights are wrongly conflated in this Bill, in the light of UK policy and UN Resolution 2334. ...

... it will cause resentment and anger, worsening public trust and poisoning relationships between Whitehall, local communities and other public bodies. The Bill is draconian and places unreasonable constraints on elected councils and public bodies; it removes the democratic rights that individuals and public bodies should have to determine investments and express views on all issues, including foreign states and human rights. It makes the UK Government complicit in protecting and supporting states that violate human rights, and it criminalises elected members of public bodies who are brave enough to speak out, campaign or take action against such abuses. ...

col 566 Baroness Warsi (Conservative): My Lords, this Bill could not have come to our House at a more tragic or inappropriate time. We debate it as the death toll in Israel and Palestine has passed 30,000, when more than 100 Israeli hostages remain in captivity, when more than 17,000 children in Gaza have no living parent, when most of Gaza is now uninhabitable and when Israel tragically finds itself before the ICJ defending claims of genocide—and here at home we have seen a rise in anti-Jewish, anti-Arab and anti-Muslim racism.

We debate the Bill at a time when diplomacy has failed, and when the UK and the US find ourselves increasingly frustrated by the leadership both in Israel and in Gaza, neither of which appear to be partners for peace nor part of the solution. That is why more than ever we need civil society in Israel and Palestine and here in the UK to step up and shape the future of both countries. That must include the ability to use other levers of persuasion, to leverage contracts, seats at the table and ESG [Environmental, Social and Governance] goals in the private and public sector as a force for achieving good, as defined in international law, UN resolutions and international human rights frameworks. ...

I welcome the last Foreign Secretary’s decision not to engage with extremist Israeli

politicians, such as Ben-Gvir and Smotrich, which was an important message of disengagement and boycott. I welcome the Foreign Secretary's decision to ban extremist settlers from travelling to the UK; it was an important move and a message on sanctions. I also welcome the FCDO's continued advice, which is an important message on investment and disinvestment: "The UK has a clear position on Israeli settlements: The West Bank, including East Jerusalem, Gaza and the Golan Heights have been occupied ... since 1967. Settlements are illegal under international law ... There are ... clear risks related to economic and financial activities in the settlements, and we do not encourage or offer support to such activity". ...

Palestine has a right to exist; settlements on occupied land are illegal under international law; and we, along with others, should be working towards bringing an end to the occupation and towards the creation of two states, Israel and Palestine, both of them secure, viable as territories and sharing Jerusalem as their capital. ...

col 567 Israel should not be held to a higher standard than any other country, but it must also not enjoy impunity in ways that others do not. It should be subject to the same rules and standards to which we hold the rest of the world—no higher or lower. However, this Bill does not say that. It says that the rules simply do not apply to Israel. ...

Some of it is at the behest of Israeli embassies ... As Prime Minister Netanyahu bragged on Twitter in February 2020: "Whoever boycotts us will be boycotted ... In recent years, we have promoted laws in most US states, which determine that strong action is to be taken against whoever tries to boycott Israel".

We must resist this. The current Israeli Government's agenda of silencing criticism of them, including clamping down on Israeli citizens in Israel and Jewish diaspora groups elsewhere and jamming the levers of accountability, is dangerous. ...

col 569 **Baroness Bennett of Manor Castle (Green):** ... Israel's attack on the Gaza Strip has killed more than 29,000 people, including well over 12,000 children. Nearly 70,000 people are injured and at least 7,000 are missing, presumably still underneath the rubble. Some 1.5 million people, including half a million children, are sheltering in less than 20% of the Strip without access to shelter, water, food and medical facilities.

The Government are saying, in response to all of that, that local communities, as represented democratically by councils, cannot take peaceful, non-violent action—the kind of action that ... once helped to change the world in the right direction in the context of apartheid South Africa.

Much has been said about the boycott, divestment and sanctions movement. This is something that the Green Party supports and has done since our democratic conference of members agreed in 2014 to call on "individuals, organisations, councils and governments to refuse to deal with companies and institutions identified as facilitating Israel's military capacity, human rights abuses or illegal settlement activity". ...

col 570 **Baroness Deech (Crossbench):** ... the Bill is a timely and necessary stand against anti-Semitism. In a narrower context, the Bill does not harm free speech or protest, as has been alleged, because it does not prevent individuals expressing their opinions. ... BDS movement, which is the target of the Bill, has been ineffective—thankfully—but serves to fuel hatred in periods such as this one when there are peaks of anti-Semitic incidents in the public realm.

I would set aside the parallel with South Africa. In South Africa, action was to achieve—one might say—regime change and internal matters. At the heart of BDS, as expressed by some of its leaders, is the end of Israel as a state. The true nature of the ill that the Bill combats can be seen from the briefings sent against it by opponents. ...

The most unpleasant opposition to the Bill came from a group of churches—not, I should say, the Church of England or the Roman Catholic Church, but what might be called smaller communities. They include Embrace the Middle East, the Iona Community, the Methodist Church, Quakers in Britain, Sabeel-Kairos and a few others. They call on right reverend Prelates in this House to oppose the Bill in its entirety, because it would, in their

view, prevent local councils and other bodies considering ethical issues in the conduct of a foreign state when making procurement or investment decisions. They then go on to say that Israel should not be singled out for special protection against boycott campaigns, giving it unique rights in UK law.

col 571 This would be ironic if it were not so uninformed. For centuries, the church has singled out Jews for special treatment. It is entirely because Israel is being singled out for boycott that the Bill is before us. There are no boycotts and no collective church action in relation to Saudi Arabian oil, or Chinese products ... There are no protests or marches against Iran and its horrendous abuse of women and use of the death penalty; no persecution of Chinese students on campus because of their Government's actions; and no marches against Syria, where the conflict has killed and displaced millions. Note that tens of thousands, maybe millions, of Christians have been persecuted and killed in Nigeria and in the Congo. There is no concern about goods coming from occupied northern Cyprus. The religious hostility to Israel goes back long before the current hostilities in the Middle East. Some of it is virulently anti-Zionist and anti-Israel, denies the Jewish historical connection to Israel in theological terms, and advocates supersession of Christianity over Judaism.

The actions of these religious bodies in supporting boycott bring to mind the action of the church over many centuries in restricting Jewish trades and professions and isolating Jewish communities. It is high time that this focus on Israel by these churches should lead to their considering their own historic responsibility for the perilous situation of the world Jewish community and its desperate search for safety in one tiny country. It looks like anti-Semitism, no matter how much the BDS supporters claim to be targeting only Israel and not Jews, because the thin line between anti-Semitism and criticism of Israel has been worn down almost to non-existence by virtue of the protests we have seen on our streets and in our universities in recent weeks. ...

Christian BDS supporters should be embarrassed by those who are campaigning with them: for example, Ayatollah Khomeini and Hamas. ... Churches should instead help Palestinians build democratic institutions and invest in their economy, and urge them to accept peace offers. Christian-Jewish understanding would be gravely weakened if churches insisted on continuing to boycott. ...

col 572 The boycott proponents and the hate-filled marches remind us of why the Bill is still necessary. Boycotts do nothing to assist Palestinians; they simply ally the boycotters with the anti-Semites and the authorities who, over the centuries, have tried to impound and constrain Jewish communities, not least in the many Middle East countries from which the Jews were expelled in the 20th century. ...

Lord Davies of Brixton (Labour): ... My first point is that the Bill is clearly one more example of arrogant overreach. Michael Gove, in opening the Second Reading in the Commons, stated that "UK foreign policy is a matter for the UK Government".—[[Official Report, Commons, 3/7/23; col. 586.](#)]

I have to disagree. UK foreign policy is a matter for us all, individually and through our representative organisations and those working on our behalf. As free citizens, we are all entitled to exercise rights relating to foreign affairs, individually and through organisations. One of the strengths of this country is that there are multiple locations of power and responsibility. The assumption that only the Government are responsible for relationships with foreign countries destroys that strength. That arrogance was made clear when the Minister, in introducing the Bill, used the word "subordinate" to refer to other public bodies. It is a question of partnership; it is not an issue of subordination. ...

col 573 ... government Ministers, in proposing the Bill, commit the offence that they claim needs to be prevented. The argument here is simple. Michael Gove stated at Second Reading that the Bill "provides protection for minority communities, especially the Jewish community, against campaigns that harm community cohesion and fuel antisemitism".—[[Official Report, Commons, 3/7/23; col. 586.](#)]

But there is no reference in the Bill to anti-Semitism. What it does mention is Israel, which is not the same thing. ...

It is not for me to say what constitutes anti-Semitism, but look at the definition of anti-Semitism provided by the International Holocaust Remembrance Alliance. It makes it clear that “criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic”.

That point seems to have been lost in this debate, with a few speakers saying explicitly that supporting action against Israel is inherently anti-Semitic. That is itself an anti-Semitic claim, according to what the definition goes on to say. As an example of the manifestations of anti-Semitism, it describes anything that “might include the targeting of the state of Israel, conceived as a Jewish collectivity”. But that is exactly what this Bill does ...

col 574 Baroness Fox of Buckley (Non-affiliated): ... this Bill presents a dilemma. I have long argued that the BDS campaign has seeded a culture of normalising anti-Semitism. ... The problem I have is that BDS is an entirely illiberal and censorious boycott campaign; but, on the other hand, this legislation, which aims to ban such boycotts, is also illiberal and censorious. ...

In the broadest terms, the Bill’s premise could sanction a dangerous trend of government determining in law which political campaigns are legitimate and which are not. I found the Minister’s emphasis on public authorities all speaking with one voice on foreign policy more scary than reassuring. ...

However, if the aim is to rein in public institutions from dabbling in contentious moral decisions beyond the scope of their core responsibilities, which Michael Gove certainly seemed to imply, then we should recognise that, ironically, one reason why investment and procurement strategies have been politicised in recent years is government-backed, top-down directives. ... By and large, therefore, the Government should stop interfering in what is and is not invested in by autonomous public bodies.

Beyond a concern about the threat to the autonomy of, for example, universities, councils and arts organisations ... I just cannot see how the Bill can avoid stifling democratic debate. ... the provision that prohibits vice-chancellors, chief execs of arts organisations and council leaders from saying that they would support the boycott if it were lawful is in fact Orwellian ... Is it not dangerous to discourage leaders of public bodies from explaining their decision-making processes? ...

col 575 Those of us who oppose BDS should hold firm that it is we—or it should be—who are on the side of democratic free speech. In contrast, BDS is a boycott campaign whose very essence is to use regressive censorship tactics to isolate Israel economically and culturally. However, note that this is not about shaming Israel or embarrassing it into taking a different policy decision. We have heard a lot in today’s debate about the past boycott of South Africa ... but that was aimed at ridding South Africa of apartheid, not of ridding the world of South Africa. The BDS movement, however, aims to rid the world of a Zionist state: that is, to eradicate Israel. ...

I think I get why the Government might focus on trying to find a way of curtailing BDS. Today’s boycott culture is pretty grim. I recently encountered those abusive, rather vicious protests outside Zara and McDonald’s, which I was told not to enter and buy a burger from, as it would mean that I was endorsing genocide. It is scary that so many of those young protesters have no qualms about mirroring the 1930s Nazi tactic of blocking Jewish services and businesses with their “Don’t buy from the Jews” slogans. BDS campaigns have certainly created a boycott culture, with anyone associated with Israel being treated in a cavalier, cruel and prejudicial way. There was the terrible incident the other day, when the young Israeli swimming champion was booed and jeered; and Gary Lineker, a leading BBC pundit, casually went along with the BDS demand to kick the Israel football team out of FIFA.

I am all for a robust response to this ugly mood, but this proposed legislation follows a worrying trend: creating criminalising laws as a substitute for political courage in taking on

contemporary challenges. I therefore ask the Minister: is the problem the Government seek to tackle a plethora of university senates using BDS schemes to avoid investing in Israel? Hardly. However, there is the huge problem of a spike in anti-Semitic abuse targeting Jewish students ... and, by the way, of leaders of those public institutions often looking away. Consider the shameful case of a Birmingham University Jewish chaplain being driven off campus and into hiding after returning from military service fighting Hamas. Beyond these visceral attacks, let us not forget that too many in academia have cultivated the intellectual justification for anti-Jewish attitudes among the young by propagating decolonisation ideology and critical race theory—branding Jews as the embodiment of white privilege and Israel as the epitome of a colonial settler state, and therefore fair game for righteous hatred.

How will the Bill's restrictions deal with that or help arts organisations tackle pernicious cultural boycotts such as the cancelling of Israeli artists, be it the London theatre that pulled the plug on the Jewish Film Festival, the cancellation of the Israeli hip-hop opera at the Edinburgh Fringe, or the bullying of high-profile artists who have the temerity to announce that they will gig in Tel Aviv? The Bill will not make an iota of difference.

I finish with the story of the Jewish nightclub owner who closed down his nightclub last week, having received a package addressed “Zionist child killer” that contained children's clothes drenched in fake blood. However, the final straw was the threat to boycott the club. The Bill will make no difference. ...

col 576 Baroness Lister of Burtersett (Labour): ... The ... stated aim is to stop public bodies pursuing their own foreign policy agenda, as we have heard, so that the UK “speaks with one voice internationally”.

I think I heard the Minister say at the outset that the nation must speak with one voice. That to me smacks of totalitarianism—it is frightening.

On foreign policy, the chair of the Foreign Affairs Committee, Alicia Kearns MP, warned that by, in effect, conflating Israel and the Occupied Palestinian Territories, the Bill “is a departure from our foreign policy”.

The fact that they are listed separately does not, as Ministers have tried to argue, negate the point. ... Kearns expressed the worry that “the Bill will leave the international community questioning whether Israeli settlements in the OPTs and the Golan Heights are still regarded as illegal by the UK Government”.—[[Official Report, Commons, 3/7/23; cols. 604-05.](#)] ...

[The Foreign Secretary] cited what he called the “chilling statistic” that 96 Palestinian children had been killed there since the horrors of 7 October, but I respectfully suggest that his proud statement that the Government had for the first time just taken out sanctions against violent settlers does not add up to much, given that it was only four settlers. ...

... what hope there is for the holy grail of a two-state solution if one of those states is subject to ever more illegal settlements that deprive Palestinians of their land and livelihoods? When the Government talk about speaking with one voice internationally, they cannot be surprised if some organisations and citizens want to see more than speaking—actions, not words. And if central government will not take decisive actions against the illegal settlements, of course they might well look to local government, which will now be powerless to act. ...

col 579 Lord Oates (Liberal Democrat): ... I feel a sense of profound shock at the rise in anti-Semitism since the appalling attacks of 7 October. ... the Jewish community feels increasingly and understandably beleaguered, and we must do all we can to support it. But ... I believe that this is a very bad Bill and I do not believe it will do anything to combat anti-Semitism. Indeed, I fear it will do the opposite.

If that were not bad enough, the Bill tramples on fundamental rights of free speech and peaceful protest, provides extraordinary powers to Ministers and enforcement authorities and ... effectively introduces an offence of thought crime. ...

col 580 Much was made, both in the Second Reading debate in the other place and

repeated by the Minister today, about not having rival foreign policies, but Clause 3(7) conflates Israel and the Occupied Territories ... This seems to represent the Department for Levelling Up, Housing and Communities running an alternative foreign policy to the Foreign, Commonwealth and Development Office ...

We have to think very carefully about the precedents that we are setting in this Bill. As we have heard, not only would it prevent local authorities taking financial decisions ... but it prohibits people stating that they would have acted in such a way if they had been able to, but they could not do so because it was not lawful. ... if somebody said, for example, "I don't believe in investing in the Occupied Territories or Xinjiang", their constituents asked, "Then why is your local authority not following that belief?", and they said, "Because the law doesn't allow me to", they would commit an offence under the Bill, if I understand it rightly, subject to an unlimited fine. ... It is even worse than that, because it is not just if you say that—this is where the thought crime comes in—but if it is thought that you are likely to say something like that, and if you are thought likely to contravene the applicable provision of the Bill. ...

col 581 Baroness Kennedy of The Shaws (Labour): ... The Minister sought to make it clear that although the Bill has general application to all material decisions by public bodies, it is really directed at the boycotting of Israel. In the Bill, the Occupied Territories and the Occupied Golan Heights are seen as part and parcel of Israel, when in fact, as we know, international law makes it very clear that that is not the case and that Israel has been in breach of international law in occupying those territories.

The Bill prohibits boycotting. We know that there can be exceptions in certain circumstances if sanctioned by the Secretary of State, but in no circumstances whatever can Israel be excluded. It gets a free pass; that one nation is wrongly singled out. That is seriously worrying at this time. ...

All public bodies are already prohibited in law from pursuing policies or taking any actions that are directly or indirectly anti-Semitic. I make it clear that the rise in anti-Semitism that has taken place since 7 October has been really horrifying. I was shocked myself when I heard from a young Jewish woman that she got on the bus early in the morning and saw, engraved on the frosted windows, a swastika. Seeing that she and her friend were upset, somebody went and cleared the window. But these things, which are intimidatory and aggressive, are being experienced all the time. I walked over a bridge close to where I live and saw that posters had been put up of those who were hostages. Each face had been obliterated with black aerosol paint and, only a few days later, the posters had even been torn down. It questions what people are seeking to do in denying that hostages have been taken.

Fortunately, law does exist which can be used to confront these things, and not only against individuals but public bodies. These protections are found in our common law and in our statutes, as well as in the European Convention on Human Rights. All are enforceable in our courts. So I urge on this House that there are tools which should be used more actively to counter anti-Semitism, and that there is much more to be done. However, I cannot believe that this Bill is the right way to do it: not at this time, when there is this grievous conflict taking place which is costing so many lives. We have already had the events of 7 October, followed by the deaths of many children, the displacement of so many people, the reduction of homes to rubble and the acts on the West Bank which have led to the sanctions which our Foreign Secretary described to us the other day. In the midst of all that, to pursue this Bill seems to me to be inept politics, crass diplomacy and another blot on our reputation internationally. ...

col 582 This Bill would, at a stroke, preclude public bodies from taking into account a range of deplorable conduct by a foreign state. ... The Secretary of State can intervene if it is about the national interest or human trafficking, but what about genocide? What about unlawful military invasions? What about war crimes, other crimes against humanity or racial discrimination? ...

Lord Wolfson of Tredegar (Conservative): ... I want to focus on Clause 3(7), which provides in effect that a future Minister seeking to permit public bodies to boycott Israel would have to do so by way of primary legislation and not secondary legislation. The question has been asked: why is Israel treated differently by being singled out in the Bill? The short answer is that Israel is already treated differently and singled out—by international institutions and by too many public bodies here in the UK. That differential treatment and singling out has real effects, not only on the State of Israel but—and this is my focus—on civil society in the UK.

col 583 This Bill puts Israel into a special category because Israel is put by others, both internationally and nationally, into a special category. I will look first at this internationally. Last year, the United Nations General Assembly condemned Israel 14 times. The rest of the world put together: seven. Since 2015, the score stands at Israel 140, the whole of the rest of the world put together, 68. The UN Human Rights Council has a standing agenda item, item 7, which is focused on Israel—and only on Israel. This is the same UN Human Rights Council that, just two days after the 7 October massacre, held a minute's silence to mourn, to quote from its own website, "the loss of innocent lives in the occupied Palestinian territory and elsewhere".

"Elsewhere"? For 2,000 years, the Jewish people had nowhere. Now, according to the United Nations Human Rights Council, they have an "elsewhere". All of this is not because Israel is wicked, let alone uniquely wicked. It is because, internationally, Israel is treated differently and singled out.

Secondly, Israel is also treated differently and singled out by public bodies here in the UK. In 2020, the Welsh Government brought out a new national procurement note singling out Israel—and only Israel—for potential sanctions. A decade earlier, West Dunbartonshire Council adopted a policy of boycotting Israeli—and only Israeli—goods, including even books printed in Israel. So the sermons of Jesus printed in totalitarian China were permitted, but they were banned if they were printed in the place where he actually delivered them.

A number of English councils implemented BDS against Israeli—and only Israeli—products, including Leicester in 2014 and Lancaster in 2021. In 2014, Birmingham City Council threatened not to renew a contract with Veolia because of its activity in the West Bank. ...

My third point is that it is not only the fact that Israel is treated differently. Anti-Israel resolutions and boycotts have a different and dramatic effect on civil society. The correlation is clear and unambiguous. When Israel is targeted, it ends up with attacks on Jews. I am not saying that all anti-Zionism is anti-Semitism—although a lot of it is ...

But let us be clear: when you chant "From the river to the sea", you are not critiquing the Israeli Government; you are calling for the destruction of Israel. We are increasingly seeing anti-Israel rhetoric blurring into demonising and attacking Jews. "Zionists" is being used as a code word for Jews.

It is a code word, because who are these Zionists? The overwhelming majority of Jews, both in the UK and around the world, are Zionists because of our history, ancient and modern. We have prayed for, and facing, the land of Israel for thousands of years. We know the cost in Jewish lives from not having a State of Israel and the price paid in lives for having that state. Many of us have family there, in what is now the world's largest Jewish community. When Israel is singled out, the inevitable effect is that Jews, regardless of their passports or politics, are also singled out in commerce, culture and education.

col 684 In commerce, when Sainsbury's removed kosher food from its shelves after giving in to anti-Israel protesters, it was Jews who could not buy food—a scene repeated in the Republic of Ireland only last week.

In culture, two weeks ago, a Jewish member of the audience at the Soho Theatre was sworn at by Paul Currie, an anti-Semite masquerading as a comic, because he would not stand in respect when a Palestinian flag was unveiled on stage. Much of the rest of the

audience joined in the chanting against him. ...

In education, the Jewish chaplain at Leeds University is now in hiding with his family, because he has been targeted by protesters, who also daubed anti-Israel slogans on the Jewish society building. When students marched through Birmingham University with a banner reading “Zionists off our campus”, what they meant, in practice, was “No Jews here”. ...

All this is a problem for Jews, but it is a tragedy for everyone else. A society that permits anti-Semitism is a society suffering from a terminal illness. That is an iron rule of history: anti-Semitism destroys any society that harbours it.

Baroness Kennedy of The Shaws: ... Israeli National Security Minister, Itamar Ben-Gvir. ... says that to encourage the exodus of Gaza’s inhabitants and the influx of Israeli settlers to the Gaza Strip would be a “correct, just, moral ... solution”. When it comes to people speaking in language that is exclusionary and discriminatory against the other side, I am afraid that some of it comes very strongly from extreme right-wing Jewish settlers.

Lord Wolfson of Tredegar: I loathe Itamar Ben-Gvir and his rhetoric and want to see that sort of rhetoric out of Israel and out of everywhere. But let us be real: when people opposed apartheid, they were opposing a policy of the South African Government. What BDS wants is not to change the policy of Israel, but to change the existence of Israel by destroying it. The Bill singles out Israel because Israel is always singled out. ...

col 585 **Lord Shipley (Liberal Democrat):** ... the Bill is disproportionate. It runs counter to the basic principles of civil liberties, human rights and upholding international law. ... It has been claimed that the Bill will assist community cohesion, but it will not; it will make community cohesion more difficult. ...

col 586 The Government’s own impact assessment for the Bill says: “The number of actual or attempted boycotts or divestments inconsistent with UK foreign policy is relatively low”. The Minister has referred to six; in the impact assessment, six are mentioned. But attempted boycotts or disinvestments are just that—unsuccessful attempts. How many have actually happened? How many have actually been successful? ...

col 587 More broadly, existing legislation is sufficient. ... Section 17 of the Local Government Act 1988 already prohibits local authorities from taking non-commercial considerations into account in procurement decisions. They cannot take into account considerations of country or territory of origin of the contractor or their supplies. ...

col 588 **Lord Collins of Highbury (Labour):** ... Anti-Semitism is a scourge on our society that all political parties ... should stand together in opposing and eradicating. ... This legislation simply is not supporting that fight against anti-Semitism. ...

We have consistently put forward an alternative solution to address the very real concerns over BDS. We have tabled amendments, most recently to the Procurement Bill as it was progressing. We sought to ensure that the Bill—the Act, as it now is—would prevent councils from singling out Israel. We said that public bodies should be able to take ethical decisions, but that these must be consistent with their investment and procurement policy, within a framework based on principles that applied equally to all countries, rather than singling out individual nations. That was a principle that was rejected, sadly, by the Government when we put it forward in the Procurement Bill. ...

col 589 Despite what the Minister said in her introduction, this is clearly a threat to actions in support of persecuted people across the world. ... when Governments inhibit human rights, the first institutions they attack and the things they undermine the most—this is certainly what we see in Russia—are civil society and workers’ rights, by banning trade unions, voices, churches and the sorts of institutions that act as a safeguard against the actions of Governments. Civil society is one of the most important parts of our democracy. ...

col 590 ... in diplomatic terms, the most damaging part of the Bill is that it treats the Occupied Palestinian Territories as though they were in effect the same as the State of

Israel. ...

It is hard to understand how any Foreign Secretary has allowed such a Bill to proceed in its current form. ... I supported the noble Lord, Lord Cameron, in his statements last week on how we give hope to the Palestinian people about a future in which we can guarantee the security of Israel with a secure Palestinian state. That is fundamental. I hope that we will get a better understanding about who is in control here. Foreign policy should be a matter for the Foreign Secretary and not for the Levelling Up Secretary.

Baroness Neville-Rolfe: ... Anti-Semitism is often referred to as the world's oldest hatred; unfortunately, it is still very much alive. Since the 7 October attacks, we have seen a surge in anti-Semitic incidents in the UK. The Community Security Trust recorded its highest-ever total of anti-Semitic incidents in 2023, and 66% of these incidents occurred after 7 October. Many British Jews are understandably scared. Some Jewish schools in London even temporarily closed their doors over security fears.

col 591 Now more than ever, the Government should be taking steps to stop behaviour that could legitimise or even drive anti-Semitism. This is what the Bill does. The BDS movement is pernicious and has no place in our public institutions. That is why the Bill has been widely supported by the Jewish community in the UK. It has been endorsed by the Jewish Leadership Council and the Board of Deputies of British Jews.

The reasons for this were persuasively outlined by my noble friend Lord Wolfson of Tredegar, citing some telling examples from the UN, local government, supermarkets and universities. I am very grateful to him for coming to make the case against BDS, and doing it so clearly. ...

We have taken care to keep the scope of the Bill narrow, so that it applies only to the procurement and investment decisions of public authorities, as defined in Section 6 of the Human Rights Act 1998. ...

First, concerns ... about Clause 4, which prohibits public authorities from making statements indicating that they intend to boycott or divest, or would if it were legal to do so. This provision is a vital addition to the Bill. Such statements can be just as divisive as boycotts that are implemented, and have been widely condemned by Jewish groups. ... it is vital that the prohibition also applies to statements indicating that a public authority would boycott if it were legal to do so. This is because, in 2014, Leicester City Council passed a resolution saying it would boycott produce from Israeli settlements in so far as legal consideration allowed. ...

I explained in my opening remarks that that provision will not prevent elected officials, such as local councillors, expressing their support for boycotts or divestment campaigns. The distinction has been made clear in the Bill's Explanatory Notes ... The Bill will restrict individuals from making these statements only when speaking on behalf of a public authority, which do not have human rights guaranteed by the European Convention on Human Rights. The clause has been drafted narrowly and will not in any way prevent public authorities making statements on foreign policy that do not express the intent to boycott or divest. ...

col 592 An academic would be considered to be speaking on behalf of the university in the context of the Bill only if they had a role in the university's decision-making process for public investment and procurement decisions ...

col 593 The Bill will not prevent public authorities accounting for social value in their procurement decisions ... For example, authorities might structure their procurement so as to give more weight to bids that create jobs or promote animal welfare. Moreover, the Bill contains an exception to the ban for considerations that relate to environmental misconduct ...

... there was official-level engagement with the devolved Administrations on the Bill's provisions before it was introduced to the other place through the common frameworks working groups process. ...

The Government have never set out to legislate without consent. We formally sought

consent from all the devolved legislatures. ... However ... boycotts and divestments against foreign countries or territories are a matter of foreign policy. This Bill relates to foreign affairs and international relations, which are reserved matters ...

I turn to the Bill's enforcement powers. I start by clarifying that the Bill does not create any new criminal offences ... Moreover, these enforcement powers are not unprecedented: the regime is based on existing enforcement regimes ...

col 594 [Various speakers] questioned why the ban needs to apply to universities. This ban will ensure that any public authority, including universities in scope of the Bill performing public functions, can maintain their focus on their core purpose rather than taking partisan stances that undermine community cohesion.

It is not appropriate for those institutions to have a corporate view on a matter of foreign policy in the context of their public investment and procurement functions. That risks stifling the academic freedom of individual members of staff to take positions on foreign policy. ...

I will now address concerns that this Bill represents a change in the UK's foreign policy. ... nothing in this Bill changes the UK's position on Israeli settlements. They are illegal under international law, present an obstacle to peace and threaten the viability of a two-state solution. The Government continue to urge Israel to halt settlement expansion immediately.

I reassure the House that the Government's assessment is that the Bill distinguishes between Israel and the territories it has occupied since 1967. It is therefore compliant with UN Security Council Resolution 2334. The Government believe very strongly in the importance of complying with international obligations under the UN Charter.

Lord Oates: Could the Minister tell us how the Bill distinguishes this, because the clause applies to them all equally? Could she set that out?

col 595 **Baroness Neville-Rolfe:** The instructions for the drafting were to ensure the distinction and compliance. The Bill sets these out individually and I understand that it is compliant. ...

Baroness Blackstone: ... nothing in this Bill that makes a clear distinction between the Occupied Territories and Israel itself. ...

col 595 **Baroness Neville-Rolfe:** ... I made it clear that it is compliant. ...

As many noble Lords have said, there has been a rising problem of anti-Semitism since 7 October. I believe we now need this Bill all the more and that it is important to protect community cohesion. ...

Public authorities cannot have their own subjective views on what constitutes a breach of international law. They must reasonably consider the decision relevant to the UK's obligations under international law. ...

Additionally, concerns have been raised around how the Bill will impact the ability of public authorities to protect against human rights abuses. It is the Government's view that allowing for blanket exclusions of suppliers because they are based in a particular country, for an undisclosed period, is disproportionate and unfair on suppliers from those countries which operate fairly and ethically. ...

col 597 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. ...

Bill read a second time.

To read the full transcript see

[https://hansard.parliament.uk/lords/2024-02-20/debates/1906FBFC-C909-4322-8F64-AFCD6C706E31/EconomicActivityOfPublicBodies\(OverseasMatters\)Bill](https://hansard.parliament.uk/lords/2024-02-20/debates/1906FBFC-C909-4322-8F64-AFCD6C706E31/EconomicActivityOfPublicBodies(OverseasMatters)Bill)

The Economic Activity of Public Bodies (Overseas Matters) Bill can be read at

<https://bills.parliament.uk/publications/53574/documents/4223>

The Explanatory Notes to the Economic Activity of Public Bodies (Overseas Matters) Bill can be read at

<https://bills.parliament.uk/publications/53575/documents/4225>

The Impact Assessment to the Economic Activity of Public Bodies (Overseas Matters) Bill can be read at

https://publications.parliament.uk/pa/bills/cbill/58-03/0325/EAPB_IA_15-03-23.pdf

UNSCR 2334, referred to above, can be read at

[https://undocs.org/en/S/RES/2334\(2016\)](https://undocs.org/en/S/RES/2334(2016))

The oral answer referred to above by Lord Wallace of Saltaire can be read at

<https://hansard.parliament.uk/lords/2024-01-23/debates/0114e907-4f47-4751-9203-8e88a187e161/LordsChamber#contribution-78780D0C-8B5A-46BC-A94C-25329038B7D0>

Mr Hermer KC's legal opinion, referred to above by Lord Verdirame, can be read at

<https://publications.parliament.uk/pa/cm5803/cmpublic/EconomicActivityPublicBodies/memo/EAPBB31.htm>

The International Relations Committee report referred to above by Lord Grocott can be read at

<https://publications.parliament.uk/pa/ld201617/ldselect/ldintrel/159/159.pdf>

The Amnesty International briefing referred to above by Baroness Blower can be read at

<https://www.amnesty.org.uk/files/2024-02/Amnesty%20International%20UK%20Briefing%20-%20Economic%20Activity%20of%20Public%20Bodies%20-%20Lords%202nd%20Reading%2C%20February%202024.pdf>

The Yachad briefing referred to above by Baroness Blower can be read at

<https://yachad.org.uk/wp-content/uploads/2023/06/Yachad-Briefing-on-Economic-Activites-of-Public-Authorities-Bill-.pdf>

The UN Guiding Principles on Business and Human Rights, referred to above by Baroness Blower can be read at

https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf

The Foreign Secretary's remarks quoted above by Baroness Lister of Burtersett can be read at

<https://hansard.parliament.uk/lords/2024-02-13/debates/92F9BA16-0BBC-44F5-A611-F7C22AB297E8/PalestinianStateUKRecognition#contribution-17FAB2BE-10BA-4F9E-9B46-17F473E8FEC4>

House of Lords Written Answer

Bevis Marks Synagogue

Lord Triesman (Labour) [HL2266] To ask His Majesty's Government what steps they are taking to ensure the long-term survival of Bevis Marks Synagogue at its current site, in the light of its listed status and historical importance to the Jewish community.

Lord Parkinson of Whitley Bay: Listing recognises the special architectural or historic interest of a building, and ensures that the conservation of its significance is given particularly careful consideration by local planning authorities through the planning and listed building consent processes. The Secretary of State for Levelling Up, Housing and Communities has the power to call in applications for planning permission or listed building consent.

The Bevis Marks Synagogue in the City of London was listed at Grade I in 1950, reflecting its status as the oldest synagogue in Great Britain, and among the oldest in continuous use in Europe. It is one of the most splendid architecturally, as well as being a place of religious and cultural significance.

Historic England is a statutory consultee in relation to applications planning permission or listed building consent relating to Grade I-listed buildings. It is working closely with the Synagogue and the City of London Corporation to ensure that

commercial growth in the City is achieved without harm to the Synagogue. As a result of its negotiations with Historic England the City Corporation recently designated a conservation area around the Synagogue and is now considering a specific policy for the protection of the Synagogue's immediate setting.

<https://questions-statements.parliament.uk/written-questions/detail/2024-02-06/hl2266>

Migration Advisory Committee

Lord Mann (Non-affiliated) [HL2249] To ask His Majesty's Government what decision, if any, was made by the Migration Advisory Committee on item 7 of their agenda as referenced in the minutes of their meeting of 14 July 2023; and, if so, when.

Lord Sharpe of Epsom: In response to the request from the Home Secretary for all agencies and public bodies that are sponsored by the Home Office, including the Migration Advisory Committee (MAC), to adopt and publish a statement adopting the IHRA's definition of antisemitism, the MAC included a wider policy statement on discrimination in its 2023 Annual Governance Report: [Migration Advisory Committee: annual report, 2023](#).

<https://questions-statements.parliament.uk/written-questions/detail/2024-02-06/hl2249>

The Minutes referred to above can be read at

<https://www.gov.uk/government/publications/migration-advisory-committee-meeting-minutes-2023/migration-advisory-committee-minutes-14-july-2023>

Home Office

James Cleverly We apologise to the family for the offence caused and I have ordered an urgent review of a birth certificate being defaced. While we establish the facts, our commercial partner has suspended some staff. The matter is totally unacceptable. We will not tolerate antisemitism.

[plus link to Campaign Against Antisemitism post:

Two weeks ago, a member of the public sent off a passport application to @ukhomeoffice for his six-month-old baby girl. Today, the birth certificate was returned ripped with the word "Israel" scribbled out. The parents are understandably very concerned about this incident. We are asking the Home Office to investigate how this happened. The Home Office has responsibility for law enforcement and the security of the Jewish community. Confidence in the authorities is at painfully low levels and must be restored.]

<https://twitter.com/JamesCleverly/status/1760381940753117465>

Scottish Parliament Motion

Ross Greer (Green) [S6M-12095] **Dr Ghassan Abu-Sittah Candidacy for Rector of the University of Glasgow** – That the Parliament welcomes the reported announcement that Dr Ghassan Abu-Sittah will run as a candidate for Rector of the University of Glasgow; commends Dr Ghassan Abu-Sittah's lifesaving work as a war surgeon in Yemen, Iraq, Syria, South Lebanon and Gaza and what it sees as his commitment to the people of Palestine and what it considers to be their cause, having worked, it understands, during four wars in the Gaza Strip, including for 43 days beginning in October 2023; understands that Dr Abu-Sittah has pledged to pressure the university to condemn what it sees as Israel's current genocidal campaign, which has reportedly already resulted in the death of a former University of Glasgow student, Dima Alhaj, as well as to divest the university from all arms companies and forge connections with the academic

institutions of Palestine, and notes the months of devastation that it considers have been inflicted on the people of Gaza and the occupied West Bank by Israeli occupation forces, and which have reportedly resulted in the deaths of around 30,000 people, including at least 11,000 children.

<https://www.parliament.scot/chamber-and-committees/votes-and-motions/S6M-12095>

Northern Ireland Assembly Oral Answer

Topical Questions: Faith-based Organisations: Funding

T8. Diane Dodds (DUP) [AQT 28/22-27] asked the Minister for Communities, who will be aware of the difficulty in funding faith-based organisations, whether he plans to address that issue and, if so, how quickly, given that he will know that many churches in the Upper Bann constituency provide not just spiritual support but practical support to their communities, with the ‘House of Good’ report, commissioned by the National Churches Trust, indicating that for every £10 spent, there was a return of £37·50.

Gordon Lyons (Communities Minister): ... I absolutely agree with what she has said about the impact that church and faith-based organisations can have across Northern Ireland. I am sure that we all see that in our constituencies. Whatever background we come from and whatever faith we might have, if any, we can see the impact that they have, especially among children and young people. I have been approached by a number of people in recent years who have said how difficult it is for some faith-based groups to get funding. Quite simply, I do not believe that anyone should be discriminated against on the basis of their faith or religion.

The Northern Ireland Assembly does not provide direct links to Topical Questions, but the above exchange can be read three questions above an urgent question on “Health” at

<https://aims.niassembly.gov.uk/officialreport/report.aspx?&eveDate=2024/02/20&docID=388360#4221876>

Northern Ireland Assembly Written Answer

Pro-Palestine Protests

Gerry Carroll (People Before Profit Alliance) [AQW 5560/22-27] To ask the Minister of Justice what discussions she has had, or intends to have, with the Chief Constable in relation to Pro-Palestine protests that have taken place since August 2023.

The Minister of Justice [Naomi Long] The policing of protests is an operational matter for the PSNI who are accountable to the Northern Ireland Policing Board. Whilst I met the Chief Constable on 7 February this matter was not discussed as I am committed to respecting the operational independence of the PSNI and the Policing Board.

<https://aims.niassembly.gov.uk/questions/printquestionssummary.aspx?docid=387062>

TOP

Holocaust

Scottish Parliament Motion

Jackson Carlaw (Conservative) [S6M-12172] **Holocaust Survivor, Henry Wuga**

Celebrates 100th Birthday – That the Parliament congratulates Holocaust survivor and Giffnock resident, Henry Wuga, on reaching his 100th birthday; notes that Henry was born in Nuremberg on 23 February 1924, and arrived into the UK on the Kindertransport in 1939; understands that, after entering the UK on the Kindertransport, Henry was sent to Glasgow and he was later evacuated to Perth following the commencement of the Second World War; further understands that Henry worked at a restaurant when later returning to Glasgow, and that he met his future wife, Ingrid Wolff, who also came to the UK on the Kindertransport, at the German and Austrian refugee centre in the city; notes that Henry and Ingrid married on 27 December 1944, and that they ran a Kosher catering business for three decades; understands that, amongst a range of endeavours, Henry and Ingrid spent considerable amounts of time sharing their own testimony and educating others about the Holocaust; acknowledges that Henry and Ingrid devoted 20 years of their lives to fundraising for the Prince and Princess of Wales Hospice; understands that Henry also worked as a ski instructor with the British Limbless Ex-Serviceman’s Association (BLESMA), where he taught people with missing limbs how to ski; recognises that Henry was awarded an MBE in 1999 for services to sport for disabled people, and that Ingrid received a British Empire Medal (BEM) in 2019 for services to Holocaust education; understands that Henry is a great admirer of Robert Burns, and that his writings on themes of liberty and freedom mean a great deal to him, with Burns Night celebrated just two days before Holocaust Memorial Day each year; further understands that Ingrid sadly passed away in October 2020, but that the couple were able to celebrate their 75th wedding anniversary in 2019; recognises that Henry and Ingrid have two children, four grandchildren and three great-grandchildren; believes that, on reaching his 100th birthday, Henry is a truly remarkable individual, and offers warm wishes to him in celebrating this milestone occasion.

<https://www.parliament.scot/chamber-and-committees/votes-and-motions/S6M-12172>

TOP

Israel

See also the Lords Second Reading debate on the Economic Activity of Public Bodies (Overseas Matters) Bill, Scottish Parliament Motion S6M-12095 “Dr Ghassan Abu-Sittah Candidacy for Rector of the University of Glasgow”, and Northern Ireland Assembly written answer AQW 5560/22-27 “Pro-Palestine Protests”, that are included in the Home Affairs section above, and Lords oral answers “Iran: Military Power” that is included in the Foreign Affairs section below.

House of Commons Written Answers

Arms Trade

Imran Hussain (Labour) [13709] To ask the Minister of State, Foreign, Commonwealth and Development Office, what information his Department holds on whether UK-manufactured (a) weapons and (b) components of weapons have been used in countries it has assessed as being in potential breach of (i) the Genocide Convention and (ii) Article 8 of the Rome Statute of the International Criminal Court.

Anne-Marie Trevelyan: The Government operates a robust and thorough assessment of licence applications against the Strategic Export Licensing Criteria, and we will not grant an export licence if to do so would be inconsistent with that Criteria including where there is a clear risk that the items might be used to commit

or facilitate a serious violation of International Humanitarian Law.

<https://questions-statements.parliament.uk/written-questions/detail/2024-02-08/13709>

The Genocide Convention, referred to above, can be read at

https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf

The Rome Statute, referred to above, can be read at

<https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf>

The Criteria referred to above can be read at

<https://questions-statements.parliament.uk/written-statements/detail/2021-12-08/hcws449>

The following two questions both received the same answer

Israel and Occupied Territories: Arms Trade

Imran Hussain (Labour) [13710] To ask the Minister of State, Foreign, Commonwealth and Development Office, what information his Department holds on whether UK-manufactured (a) arms and (b) weapons components have been used in (i) Israel and (ii) the Palestinian Occupied Territories.

Rafael Advanced Defense Systems: Arms Trade

Tommy Sheppard (SNP) [13792] To ask the Minister of State, Foreign, Commonwealth and Development Office, what information he holds on (a) arms exports originating from factories owned by Rafael Defense Systems Ltd and (b) whether such exports have been used by the Israeli military in Gaza.

Anne-Marie Trevelyan: The export of strategic goods is controlled by export licensing and the government publishes data on its export licensing decisions:

<https://www.gov.uk/guidance/strategic-export-controls-licensing-data>

We continue to monitor closely the situation in Israel and the Occupied Palestinian Territories. All export licence applications are assessed on a case-by-case basis against the Strategic Export Licensing Criteria. We will not issue an export licence to any destination where to do so would be inconsistent with the Criteria. Licences are kept under careful review and we are able to amend, suspend or revoke extant licences, or refuse new licence applications, as circumstances require.

<https://questions-statements.parliament.uk/written-questions/detail/2024-02-08/13710>

and

<https://questions-statements.parliament.uk/written-questions/detail/2024-02-08/13792>

The Criteria referred to above can be read at

<https://questions-statements.parliament.uk/written-statements/detail/2021-12-08/hcws449>

Gaza: Israel

Zarah Sultana (Labour) [13836] To ask the Secretary of State for Defence, pursuant to the Answer of 24 January 2024 to Question 10673 on Gaza: Israel, whether his Department has a comparable tracker logging alleged Israeli military International Humanitarian Law violations.

James Heapey: The Ministry of Defence (MOD) does not maintain such a tracker. However, the MOD works closely with the FCDO, who continue to assess Israel's commitment and capability to comply with International Humanitarian Law.

<https://questions-statements.parliament.uk/written-questions/detail/2024-02-08/13836>

The answer referred to above can be read at

<https://questions-statements.parliament.uk/written-questions/detail/2024-01-19/10673>

Gaza: Israel

Bell Ribeiro-Addy (Labour) [12087] To ask the Minister of State, Foreign, Commonwealth

and Development Office, if he will make an assessment of the Israeli government's compliance with the provisional measures set forth by the International Court of Justice in the case concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel).

Anne-Marie Trevelyn: We respect the role and independence of the International Court of Justice (ICJ). However, we have stated that we have considerable concerns about this case, which is not helpful in the goal of achieving a sustainable ceasefire. Israel has the right to defend itself against Hamas in line with International Humanitarian Law, as we have said from the outset. Our view is that Israel's actions in Gaza cannot be described as a genocide, which is why we thought South Africa's decision to bring the case was wrong and provocative.

We have long advocated for the release of hostages and the need to get more aid in.

We are clear that an immediate pause is necessary to get aid in and hostages out, and then we want to build towards a sustainable, permanent ceasefire, without a return to the fighting.

<https://questions-statements.parliament.uk/written-questions/detail/2024-01-30/12087>

The International Court of Justice provisional measures (Order) referred to above can be read at <https://www.icj-cij.org/sites/default/files/case-related/192/192-20240126-ord-01-00-en.pdf>

Gaza: Development Aid

Kenny MacAskill (Alba) [13839] To ask the Minister of State, Foreign, Commonwealth and Development Office, how much UK aid money was spent in Gaza in each year since 2003.

Anne-Marie Trevelyan: We remain committed to getting humanitarian aid to the people in Gaza who desperately need it and, as such, we have trebled our aid commitment for this financial year. The UK is providing £60 million in humanitarian assistance to support partners including the British Red Cross, UNICEF, the UN World Food Programme (WFP) and Egyptian Red Crescent Society (ERCS) to respond to critical food, fuel, water, health, shelter and security needs in Gaza.

The UK's 'Official Development Assistance' (ODA) Spend for Occupied Palestinian Territories each year since 2012:

2012/13 - £89.3 million
2013/14 - £95.4 million
2014/15 - £85 million
2015/16 - £73.6 million
2016/17 - £67.8 million
2017/18 - £64.9 million
2018/19 - £81.3 million
2019/20 - £112.7 million
2020/21 - £79.8 million
2021/22 - £29.8 million
2022/23 - £25.7 million

<https://questions-statements.parliament.uk/written-questions/detail/2024-02-08/13839>

Hamas: UNRWA

Zarah Sultana (Labour) [13374] To ask the Minister of State, Foreign, Commonwealth and Development Office, with reference to the press notice entitled Allegations about UNRWA staff and 7 October attacks: FCDO statement, published on 27 January 2024, what steps his Department is taking to review those allegations; and what estimate he has made of when that review will be concluded.

Andrew Mitchell: We are appalled by allegations that UNRWA staff were involved in the 7 October attack against Israel, a heinous act of terrorism that the UK

Government has repeatedly condemned. We are pausing any future funding of UNRWA whilst we review these concerning allegations. The United States, Germany, Australia, Italy, Canada, Finland, Switzerland and the Netherlands have all temporarily paused funding.

The pause will remain in place until we review the allegations, and we are looking to our partners in the UN to carry out a robust and comprehensive investigation.

Any future funding decisions will be taken after this point.

Our decision to pause future funding to UNRWA has no impact on the UK's contribution to the humanitarian response. We are getting on with aid delivery through funding multiple implementing partners including other UN agencies and international and UK NGOs. This support is helping people in Gaza get food, water, shelter and medicines.

<https://questions-statements.parliament.uk/written-questions/detail/2024-02-06/13374>

The press notice referred to above can be read at

<https://www.gov.uk/government/news/statement-on-allegations-about-unrwa-staff-and-7-october-attacks>

House of Lords Written Answer

Gaza and Israel: Reconstruction

Lord Roberts of Llandudno (Liberal Democrat) [HL2208] To ask His Majesty's Government what plans they have to assist with rebuilding destroyed or damaged areas in Israel/Gaza when the conflict there ends; and what assistance the UK will provide in training citizens in those affected countries to enable them to lead in all work of reconstruction.

Lord Ahmad of Wimbledon: We are calling for an immediate stop in fighting to get aid in and hostages out, then progress towards a sustainable, permanent ceasefire, without a return to destruction, fighting and loss of life.

We recognise that we must work with our allies to provide serious, practical and enduring support needed to bolster the Palestinian Authority. We already provide technical and practical support and are ready to do more.

We have regular discussions with Israeli counterparts on all aspects of the conflict.

<https://questions-statements.parliament.uk/written-questions/detail/2024-02-05/hl2208>

House of Commons Foreign Affairs Committee

Foreign Secretary writes to FAC on the planned Israeli offensive in Rafah and UK arms exports to Israel

The Foreign Affairs Committee [has] published two letters from the Foreign Secretary David Cameron to Chair Alicia Kearns MP. One letter responds to the Committee's letter over the planned military offensive in Rafah. The other responds to correspondence from the Committee on the UK's strategic export controls policy on Israel. ...

Chair of the Foreign Affairs Committee, Alicia Kearns MP, said: "The Foreign Secretary's response to our letter on strategic export controls raises several questions. Given the high level of concern over the conflict between Hamas and Israel, I am surprised that no licence applications have been escalated to the inter-departmental disputes procedures in the last 3 months. It is telling that the FCDO does not answer our question on how many times export licence applications for Israel have been referred to ministers in the last 12 months. If none have been referred, the Government should say so. ...

"The FCDO says it is still assessing the interim findings of the ICJ. How long will this take?

This work should be progressed urgently, it cannot wait until the full judgment which may be years away.

“We understand that diplomacy, by its nature, is an instrument of soft power and sometimes quiet influence. Maintaining our relationships with both allies and adversaries requires long-term consistency and patience. However, the situation in Gaza is a humanitarian catastrophe and the need for a lasting ceasefire is pressing. Humanitarian access to Gaza, in particular to Rafah, where more than half of the population of Gaza is concentrated, is vital in order to prevent intolerable loss of life.

“It remains unclear what Israel’s exact plans are to ensure the safety of civilians in Gaza, including the possibility of safe zones, and whether the UK perceives Israel’s planned military offensive to be in line with the ICJ’s order.

“The UK needs to steer both sides towards a resolution and work towards putting an end to the conflict between Hamas and Israel. The urgent release of hostages and a ceasefire must be the UK’s priorities, alongside the creation of a Palestine Contact Group and plans for track two negotiations.”

To read the full press release see

<https://committees.parliament.uk/committee/78/foreign-affairs-committee/news/199981/foreign-secretary-writes-to-fac-on-the-planned-israeli-offensive-in-rafah-and-uk-arms-exports-to-israel/>

Letter from the Foreign Secretary regarding concern over Rafah offensive

<https://committees.parliament.uk/publications/43397/documents/215963/default/>

Letter from Foreign Secretary regarding arms export licences

<https://committees.parliament.uk/publications/43398/documents/215964/default/>

Attorney General’s Office

Attorney General visits Israel and Occupied Palestinian Territories

The Attorney saw first-hand the horrors of Hamas terror attacks in Israel, and visited the Occupied Palestinian Territories in the West Bank and East Jerusalem.

In Southern Israel, close to Gaza, the Attorney General visited Kfar Aza Kibbutz, a site of terror, murder and kidnapping on October 7th. The Attorney also met with the Israeli Attorney General, lawyers for the Israeli Defence Force and the President of the Supreme Court.

She spent the second day in the West Bank, visiting Ramallah and East Jerusalem, where the Attorney General saw first-hand the effect of illegal settlement on villages and held meetings with the Palestinian Attorney General and the Prime Minister.

The Attorney General used her frank meetings to emphasise the importance of International Humanitarian Law being respected, civilians protected, and detainees being held in compliance with the Geneva Convention.

The Attorney General said: At Kfar Aza Kibbutz, I saw the remains of hideous atrocities perpetrated by Hamas on October 7th, within sight and sound of ongoing fighting in Gaza. This is a site of terror, murder and kidnapping. Hostages from this Kibbutz continue to be held by Hamas. The suffering and trauma of this community, and many others across Southern Israel, is immense.

Palestinian civilians in Gaza are facing a devastating and growing humanitarian crisis. I heard from those working with communities in Gaza about the serious humanitarian situation and stressed the UK’s position that more must be done, faster to get aid to those who need it.

During my visit to the West Bank, I visited a Bedouin village where villagers are unable to graze their sheep on their land, or access schools or medical clinics due to a real fear of

settler violence and illegal settlement expansion. The UK has already sanctioned extremist settlers involved in violence. Israel must take stronger action to put a stop to it.

At home these events are also causing real pain and anguish. All parties need to conduct themselves in line with International Humanitarian Law and minimise the terrible and unnecessary suffering of Israeli and Palestinian civilians.

<https://www.gov.uk/government/news/attorney-general-visits-israel-and-occupied-palestinian-territories>

Foreign, Commonwealth and Development Office

UK and Jordan drop life-saving aid to Gaza hospital

... The UK and Jordan have air-dropped life-saving aid to a hospital in northern Gaza. The UK-funded consignment of aid, delivered by the Jordanian Air Force, was dropped ... into the Tal Al-Hawa Hospital in northern Gaza.

Four tonnes of vital supplies were provided in the air-drop, including medicines, fuel, and food for hospital patients and staff. The Tal al-Hawa Hospital, set up by the Jordanian Armed Forces, is located in Gaza City and has treated thousands of patients since the start of the crisis.

Foreign Secretary David Cameron said: ... Thousands of patients will benefit and the fuel will enable this vital hospital to continue its life saving work.

However, the situation in Gaza is desperate and significantly more aid is needed – and fast. We are calling for an immediate humanitarian pause to allow additional aid into Gaza as quickly as possible and bring hostages home.

Earlier this week, the UK signed a Memorandum of Understanding with the Jordan Hashemite Charity Organisation to procure and deliver £1 million worth of UK aid to Gaza, including the critical medicine and fuel included in this flight.

Secretary-General of the Jordan Hashemite Charity Organisation (JHCO), Dr Hussein Shabli, said: We welcome this partnership with the UK to provide life-saving aid to those who need it most in Gaza. ...

Humanitarian needs are particularly acute for people remaining in northern Gaza. A [report](#) issued on 20 February by UNICEF and WFP noted that 1 in 6 children under two years old in northern Gaza are acutely malnourished.

To read the full press release see

<https://www.gov.uk/government/news/uk-and-jordan-drop-life-saving-aid-to-gaza-hospital>

Welsh Senedd Debate

The importance of Wales's voice in the campaign for peace

462 Sioned Williams (Plaid Cymru): ...I was at a peace march in Swansea recently calling for an immediate ceasefire in Gaza. I marched with women from Swansea who had been at Greenham Common, and local members of campaign for nuclear disarmament. As chair of the cross-party group on violence against women and children, I have written to both our Governments to emphasise the fact that it is women and children who have suffered most as a result of the attacks by Israel on Gaza, and encouraging them to call out clearly and publicly for an immediate ceasefire.

463 So, in bearing in mind the history of this petition, why does the Welsh Government not feel that it could do that? It was speaking very fluently about the situation in Ukraine yesterday, and I heard two Members state their opinions clearly, so why the silence about the war in Gaza? ...

472 Carolyn Thomas (Labour): ... Today, we live in a more volatile world than ever before, with technological advances allowing many acts of warfare to be carried out like

little more than simulation, but with consequences that are just as deadly as traditional armed conflict. That volatile world necessitates a global chorus for peace, inclusive of this Senedd, which is why our recent vote for an immediate ceasefire in Gaza was so important and, moving forward, it's why we must continue to evoke the spirit of women in Wales and speaking up for peace today and peaceful resolutions. ...

476 Mabon ap Gwynfor (Plaid Cymru): ...Wales has a very proud tradition of peace. ... we here in the national Parliament of Wales must continue to stand up for global peace and to ensure that our Government does likewise and ensures that Wales does stand up for Gaza and Ukraine ...

To read the full transcript see

<https://record.senedd.wales/Plenary/13713#A85713>

International Court of Justice

Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem (Request for an Advisory Opinion)

Hearing of 20 February 2024: South Africa, Algeria, Saudi Arabia, Netherlands, Bangladesh, Belgium, Belize, Bolivia, Brazil, Canada, Chile

verbatim transcript

<https://www.icj-cij.org/sites/default/files/case-related/186/186-20240220-ora-02-00-bi.pdf>

video recording

<https://webtv.un.org/en/asset/k13/k13jfq7uqb>

United Nations

Security Council Again Fails to Adopt Resolution Demanding Immediate Humanitarian Ceasefire in Gaza on Account of Veto by United States

The Security Council ... failed to adopt a resolution that would have demanded an immediate humanitarian ceasefire in Gaza owing to a negative vote of the United States — a permanent member of the Council — marking the second time Washington, D.C., has blocked such a text since early December 2023.

If adopted, the resolution — presented by Algeria — would have also demanded the immediate and unconditional release of all hostages, as well as reiterated its call for unhindered humanitarian access.

By other terms, it would have rejected forced displacement of the Palestinian civilian population, including women and children, and emphasized the importance of preventing further escalation in the region. Further, it would have reiterated its demand that that all parties scrupulously comply with their obligations under international law, particularly regarding the protection of civilians and civilian objects.

Despite being blocked by a permanent member, the text garnered support from 13 Council members, including three permanent members (China, France and the Russian Federation), with one permanent member (United Kingdom) abstaining. ...

The representative of Algeria said that the resolution was the culmination of extensive discussions among all Council members. ... he underscored that “silence is not a viable option”. “Now it is the time for action and the time for truth,” he stressed, warning that the value of ceasefire is diminishing every moment.

The speaker for the United States, who warned that the text tabled by Algeria will negatively impact ongoing efforts to negotiate a hostage deal between Israel and Hamas — facilitated by her country, alongside Egypt and Qatar. “Sometimes hard diplomacy

takes more time,” she said, describing it as “the only path available towards a longer durable peace”. An immediate unconditional ceasefire without demanding Hamas to release the hostages will not bring about peace. “While numerous parties engage in sensitive negotiations this is not the time for this resolution which jeopardizes these efforts,” she emphasized.

In response to the current situation, the United States offered an alternative resolution that seeks to pressure Hamas into accepting the hostage deal and facilitate humanitarian assistance to Palestinians in need, she said. The text condemns Hamas for recent attacks, reaffirms the rejection of forced displacements and supports the two-State solution. It also rules out a major ground offensive into Rafah. ...

The Russian Federation’s delegate countered that there is no real alternative to the Algerian draft. The text the United States plans to put forward does not contain a call for an immediate ceasefire in Gaza but refers only to a temporary ceasefire when the conditions are right ...

China’s speaker rejected the United States claim that the text would interfere with diplomatic efforts. The continued avoidance of an immediate ceasefire “is nothing different from giving a green light to the continued slaughter”, he said, adding that only by “extinguishing the fires of war in Gaza we can prevent the fires of hell from engulfing the entire region”. ...

Egypt’s representative called the United States’ obstruction of the adoption of the ceasefire resolution on Gaza a stark example of a double standard. Pointing out that his country will continue to bear the heavy brunt on the political, security and humanitarian fronts, he noted Cairo’s blocked efforts to expedite the delivery of humanitarian aid to Gaza and save Palestinians from the unjust siege. ...

The Permanent Observer for the State of Palestine said that the message to Israel with this veto is that it can continue to get away with killing babies and mothers and destroying an entire people and the international order. “But, more importantly, the message given to our people and peoples of the world, yet once again, is that their lives are marginal and their rights are optional,” he said, adding that Israel killed nearly 4,000 more Palestinian children, women and men in just the past 20 days alone.

Describing as “absurd” the notion of a ceasefire, **Israel’s delegate** rejected arguments that it would bring home the hostages and end the genocidal ambitions of Palestinian terror groups aiming for Israel’s annihilation. A ceasefire achieves one thing: the survival of Hamas, he insisted, noting that the fighting can only stop if all hostages are released and Hamas turn themselves in.

The lack of condemnation of Hamas atrocities in the resolution was also highlighted by many speakers, who supported the text.

Switzerland’s delegate regretted that a more explicit condemnation of Hamas’ acts of terror was not included. ... **The speaker for France** said it was incomprehensible and unacceptable that the Council has not condemned the 7 October 2023 Hamas terrorist attacks. She underscored the extreme urgency to agree on a ceasefire that would finally guarantee the protection of all civilians and a massive delivery of emergency aid. ...

While stressing the critical urgency of achieving a ceasefire, some delegates highlighted the dire humanitarian situation in Gaza and pointed to the importance of implementing the provisional measures issued by the International Court of Justice. ...

Delegates warned about the disastrous humanitarian consequences of the possible Rafah operation by Israel. ...

Qatar’s representative ... condemned the Israeli threat regarding the launch of a military operation against the city of Rafah — “the last refuge for hundreds of thousands of displaced persons in the Gaza Strip”. Sounding alarm over the increased frequency of Israel’s military attacks, she said Gaza is facing “the worst humanitarian disaster the world has seen” with 2 million refugees there are now at risk of starvation.

The representative of China, responding to an earlier statement delivered by Israel’s

delegate, said the mother of the detained Israeli citizen Noa was once China's national. Recently, his country's diplomats — at the request of Israel — met with Noa's friends, he said, expressing hope that she would return home soon. Collective punishment of Palestinians is not the right response, he asserted, citing the two-State solution as the only path towards peace between the two countries.

To read the full press release see

<https://press.un.org/en/2024/sc15595.doc.htm>

UN Office of the High Commissioner for Human Rights

Gaza: UN experts call for prioritisation of gender-responsive humanitarian interventions

Israel must immediately implement a ceasefire and concrete humanitarian measures that prioritise the needs of Palestinian women and girls in accordance with the International Court of Justice's ruling of 26 January 2024, UN experts said ...

"At this stage of the conflict, there is an urgent and growing need to address the near total disruption of schooling, massive destruction of housing, lack of access to sexual and reproductive health care and supplies, and heightened risk of arbitrary detention and violence, including [gender-based violence](#), faced by women and girls in Gaza and the West Bank," ...

The experts called on Israel to adopt the following six gender-responsive measures as a matter of the highest priority in order to address the urgent needs and vulnerable conditions of women and girls in Gaza and the West Bank:

1. Implement an immediate ceasefire and take all possible measures to avoid civilian casualties and displacement from Gaza;
2. Establish a field hospital at the Rafah Crossing or offshore from Gaza, specifically to provide medical assistance for pregnancy and amputations, and protect existing hospitals;
3. Facilitate the delivery of food, drinking water, medicines, fuel and other supplies critical to the survival of women and girls, and open crossings for humanitarian aid and the movement of people, particularly the injured;
4. Prioritize adequate supplies of menstrual hygiene products for women and girls in Gaza, as well as sexual and reproductive health care and psychosocial support services;
5. Build additional shelters and schools in Gaza so that educational facilities are no longer used as shelters and girls can resume their education;
6. Provide safe spaces and reparations for women and girls who have survived or are at risk of gender-based violence in Gaza and the West Bank, and ensure accountability for those who perpetrate violence against them, including Israeli authorities and settlers. ...

To read the full press release see

<https://www.ohchr.org/en/press-releases/2024/02/gaza-un-experts-call-prioritisation-gender-responsive-humanitarian>

The International Court of Justice ruling (Order) referred to above can be read at

<https://www.icj-cij.org/sites/default/files/case-related/192/192-20240126-ord-01-00-en.pdf>

TOP

Iran: Military Power

Lord Browne of Ladyton (Labour): To ask His Majesty's Government what recent assessment they have made of Iran's capacity to project military power beyond its borders.

The Minister of State, Ministry of Defence (The Earl of Minto): My Lords, the Ministry of Defence regularly makes assessments of our adversaries' ability to project military power beyond their borders and how this may affect UK interests. We continue to monitor developments in the Middle East, including Iran's destabilising actions in the region. The UK has long condemned Iran's reckless and dangerous activity in the Middle East. Iran's support to militant groups directly counters UK interests. The Government are committed to working with international partners to deter Iran's destabilising activity, including by holding Iran to account at the UN and maintaining our permanent defence presence in the region.

Lord Browne of Ladyton: My Lords, Iran arms—including by supplying Shahed drones—trains and funds militias and political movements in at least six countries: Bahrain, Iraq, Lebanon, the Palestinian territories, Syria and Yemen. This is because it is a revisionist state seeking to change the regional order. Possession of a nuclear weapon would magnify its ability so to do. This would embolden not only Iran but its proxies, which is why preventing that must continue to be a foreign policy priority. What measures are we taking with allies and regional partners to ensure that Iran is not able to achieve nuclear weapon status? If we are to adopt a more stringent policy to frustrate Iran's objectives, deepening engagement with regional partners will be critical. What is His Majesty's Government's assessment of the state of our alliances in the region? How are we seeking to enhance these relationships and to bolster our partners' resistance to Iran's proxies?

The Earl of Minto: The noble Lord makes a very thorough and important point. We remain committed to a diplomatic solution and are prepared to use all diplomatic options to prevent Iran developing a nuclear weapon, including, if necessary, triggering the JCPOA snapback mechanism, which allows for the rapid reimposition of UN sanctions on Iran. Along with partners, including the US, France, the United Arab Emirates and the Kingdom of Saudi Arabia, the UK is leading international efforts to deter Iran. This includes keeping international focus on Iran to dissuade it from proliferating, stopping the supply of weapons components into Iran, and deterring potential purchasers of all Iranian weapons. ...

Baroness Smith of Newnham (Liberal Democrat): My Lords, in answering the initial Question of the noble Lord, Lord Browne of Ladyton, the Minister rightly pointed out that we have sanctions against Iran. But does he believe those sanctions are working, given that the chief commander of the Iranian Revolutionary Guard pointed out last week that Iran now has unparalleled naval capabilities and the ability to deal with military things from afar?

The Earl of Minto: My Lords, this is an extremely good point. We can go only so far with sanctions, due to all the reasons that your Lordships are fully aware of and the fact that Iran has its allies, which are not remotely interested in stopping—and in fact are encouraging—its proliferation. We sanctioned the IRGC in its entirety. We have sanctioned more than 400 Iranian individuals and organisations to do with weapons proliferation, regional conflicts, human rights violations, and terrorism. Since October 2022, we have sanctioned a further 56 IRGC-related organisations and officials. So we are taking as much action as we can.

Lord Hannan of Kingsclere (Conservative): ... sanctions may not be working. Iran has been subject, on and off, to quite stringent sanctions for some 40 years—yet it has developed state-of-the-art drones that are now being used in Ukraine. What would my

noble friend the Minister see as turning up a notch beyond economic sanctions and looking at ways of effectively deterring the ayatollahs?

The Earl of Minto: ... The key is to keep diplomatic channels open—it has to be. That is the only way this will be resolved in the long term. On drone technology, we introduced a new set of sanctions in December, and last month all components and everything to do with drone technology were included in these stringent sanctions.

Baroness Anderson of Stoke-on-Trent (Labour): My Lords, Iranian influence in the Middle East and further afield is a destabilising presence, providing support for Hamas, Hezbollah, and the Houthis in Yemen, as well as Putin's war in Ukraine. What strategy is the UK developing with our allies in the region to combat the malign activities of Iran and its proxies, including efforts to interrupt their weapons supply chains?

The Earl of Minto: My Lords, the noble Baroness will know that we cannot go into any great detail on this sort of thing. However, we have a permanent presence in the area, as do our allies, and we maintain an integrated international force to act as a deterrent. We also use financial and other sanctions, disrupting supply chains for all forms of activity.

Lord Swire (Conservative): What is my noble friend the Minister's current assessment of those who are under threat, in this country, from Tehran directly or through its proxies?

The Earl of Minto: My Lords, we recently took action against a number of different organisations which have been acting malignly within and against this country. So this is certainly something that is very closely watched. ...

To read the full transcript see

<https://hansard.parliament.uk/lords/2024-02-20/debates/5ECE43F5-D090-4854-A1F7-3ABD722C710E/IranMilitaryPower>

TOP

Relevant Legislation ** new or updated today

UK Parliament

Arms Trade (Inquiry and Suspension) Bill

<https://bills.parliament.uk/bills/3567>

**** Criminal Justice Bill**

<https://bills.parliament.uk/bills/3511>

Amendment Paper

https://publications.parliament.uk/pa/bills/cbill/58-04/0155/amend/criminal_rm_rep_0221.pdf

Disestablishment of the Church of England Bill

<https://bills.parliament.uk/bills/3539>

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

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

Second Reading, House of Lords

[https://hansard.parliament.uk/lords/2024-02-20/debates/1906FBFC-C909-4322-8F64-AFCD6C706E31/EconomicActivityOfPublicBodies\(OverseasMatters\)Bill](https://hansard.parliament.uk/lords/2024-02-20/debates/1906FBFC-C909-4322-8F64-AFCD6C706E31/EconomicActivityOfPublicBodies(OverseasMatters)Bill)

The Equality Act 2010 (Amendment) Regulations 2023 [Draft]

<https://www.legislation.gov.uk/ukdsi/2023/9780348253191/contents>

Genocide Determination Bill

<https://bills.parliament.uk/bills/3535>

Genocide (Prevention and Response) Bill

<https://bills.parliament.uk/bills/3521>

Holocaust Memorial Bill

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

International Freedom of Religion or Belief Bill

<https://bills.parliament.uk/bills/3564>

Palestine Statehood (Recognition) Bill

<https://bills.parliament.uk/bills/3596>

Terrorism (Protection of Premises) Draft Bill

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

Scottish Parliament

Gender Recognition Reform (Scotland) Bill

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

TOP

Consultations

** new or updated today

Female Genital Mutilation (FGM) Enhanced Dataset [England] (closing date 5 March 2024)

<https://digital.nhs.uk/data-and-information/clinical-audits-and-registries/female-genital-mutilation-datasets/female-genital-mutilation-fgm-enhanced-dataset-overview-of-2024-consultation>

Terrorism (Protection of Premises) Bill - Standard Tier (closing date 18 March 2024)

<https://www.gov.uk/government/consultations/martyns-law-standard-tier-consultation>

TOP

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