



Political Affairs Digest

A daily summary of political events affecting the Jewish Community

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Home Affairs

House of Lords Committee Debate

Economic Activity of Public Bodies (Overseas Matters) Bill: Committee Stage

Scottish and Welsh Legislative Consent withheld; Northern Ireland Legislative Consent sought.

col 999 Lord Wallace of Saltaire (Liberal Democrat): ... When I first read this Bill, I noticed that it declared in its title that it was about public bodies, and that in Clause 2 it says it is about public authorities. ...

A Bill that starts by having one of these terms in its title, and then goes on to use the other term in the text, raises a number of questions. ... the impact assessment ... uses the terms interchangeably, by and large preferring “public body” to “public authority”. I worry about how clear those who drafted the Bill are about what they are doing. We then go into “hybrid public bodies”, which the impact assessment talks about, or hybrid public authorities. ...

col 1000 The Minister said on a previous occasion, in another context, that there were well over 100,000 public authorities. ...

Court cases have ruled that a privatised railway company, for example, is not a public authority, but that a privatised water company and, in a different case, a private provider of social housing are, for certain purposes, public authorities. Rulings have differed on whether private care providers to local authorities are public authorities.

The impact assessment and the ministerial letter refer to “cultural institutions” as coming within this. ...

It may be necessary to put beyond doubt that certain bodies (that are outside the scope of

the intention to ban public bodies from boycotts and divestments) fall outside the definition of 'public authority' for the purpose of the Bill". ...

col 1001 The impact assessment does refer to hybrid public bodies and suggests that it is concerned to prevent them pursuing political and foreign policy agendas, "including with public money". I interpret that as meaning that such hybrid public authorities may perhaps not be allowed to pursue such agendas, including when they are using private money. That is a question that will concern a great many people, in particular the university sector ...

col 1002 **Baroness Noakes (Conservative):** ... I have been ploughing through some of the legal cases on the definition [of public sector bodies] in the Human Rights Act. It is clear that private sector bodies can be captured, but it is also probably fair to say that the courts have been tending to give a fairly narrow interpretation of that, so that private sector companies have been caught only in relation to where they are very clearly involved in delivering or exercising public functions.

... the definition of public authority is not clear. In fact, probably the only clear thing is that if any body is in doubt, it has to take its own legal advice. ...

col 1004 **Baroness Chapman of Darlington (Labour):** ... If ... universities are to be treated as public bodies for the purposes of this Bill ... their activities that we could argue are clearly outside their publicly funded responsibilities—those conducted, perhaps, with private money or are contracted to private companies—would in no way be subject to the rules within the Bill. There is a reference that makes this clear in the Explanatory Notes, but the amendment that we have suggested would put that explanation into the Bill. ...

col 1005 **The Minister of State, Cabinet Office (Baroness Neville-Rolfe):** ... the Bill will apply to public authorities, as defined in Section 6 of the Human Rights Act 1998. I would like to explain ... that "public body" is a general term with no single legal definition. ...

Lord Wallace of Saltaire: ... there is a particular use of the term "public body" by the Office for National Statistics, which means that debt incurred by a public body is counted as part of the national debt. That means that whether or not some of these hybrid public authorities are defined as public bodies matters a great deal to their financial planning. ...

col 1006 **Baroness Neville-Rolfe:** ... we have used the HRA definition because it has three important advantages. First, it is one that has been on the UK statute book for over 25 years ... Secondly, over those 25 years, the courts have further clarified its scope and identified a number of relevant factors. ... Thirdly, the definition ensures that private activity remains out of scope of the Bill—private activity that is rightly protected by convention rights, including freedom of speech. ...

An example of a hybrid public authority includes higher education providers ... The ban will apply to these bodies only when they are delivering public functions. The Bill does not interfere with the private sphere. ...

col 1008 I should respond to the point about cultural institutions ... Some of them are in scope of the Bill in their public functions only ... the Bill contains the power to exclude bodies in its scope from the ban via regulations. The Government do not currently foresee the need to exclude such bodies, but this power will allow the Bill to evolve in line with government policy. ...

col 1009 **Lord Boateng (Labour):** ... What would be the position of an orchestra that received some funding—by no means the majority of its funding—from the Arts Council, and which determined that, in the aftermath of an invasion of a sovereign nation by another sovereign nation, it no longer wanted to perform supportively of, say, the Bolshoi Ballet? What would be the position of such an orchestra, or of a board, that made that decision because it saw a real reputational risk ...

col 1010 **Lord Wallace of Saltaire:** ... The manifesto commitment was specific to boycotts against Israel and was concerned particularly with local authorities and universities. But we have a Bill here with a much wider set of definitions and a universal set of foreign states

to which it applies, which raises a much larger number of questions. ...

Baroness Neville-Rolfe: ... the Bill applies only to investment and procurement decisions ... We are trying to find a way forward on a manifesto commitment to ban public bodies from imposing their own direct or indirect boycotts or disinvestment or sanction campaigns against foreign countries. ...

col 1011 **Baroness Chapman of Darlington (Labour):** ... If an organisation's primary activity is in another country ... would the act of withdrawing from that activity be seen as a boycott under the Bill? ...

col 1012 Do the Government really want to get into this issue of sporting boycotts and which athletes should be doing what, where? If a sporting body did not deem that there was to be a boycott, but individual athletes decided that they did not want to take part in a tournament, what would happen then? There is pressure and debate, inevitably, whether it is part of a BDS campaign or not—but how you define what that is, I do not really know. ...

col 1013 **The Lord Bishop of Manchester:** ... those of us on these Benches, along with other diocesan bishops of the Church of England, do carry out public functions. From time to time, these might bring an individual, in our corporate capacity as bishop of a diocese, within whatever definition of a public body or authority we might eventually land on.

In responding to an earlier group debated before the Recess, the Minister referred to the fact that mayors, police and crime commissioners—and, indeed, Government Ministers—also exercise public functions and hence fall under the scope of the Bill. However, since what these officeholders have in common is that they are elected or appointed primarily to exercise political functions, I can see the logic that maybe they should not use their investment and procurement functions in order to pursue a foreign policy in contrast to that of His Majesty's Government. Notwithstanding the fact that some diocesan bishops are members of your Lordships' House, is it really intended that we, along with the small charitable funds for which we are responsible in our corporate personality, should fall under the scope of the Bill? If we place those modest charitable funds with an external investment body, do we have constantly to ensure that that entity does not at any point seek to make restrictions in contravention of the Bill, by investing our money where it should not be—or not investing it where it ought to be?

col 1014 Other Church institutions are at potentially greater risk of being inadvertently caught up in the scope of the Bill. ...

Beyond the Church of England, there are many religious, charitable and other foundations—across a variety of faiths and of no faith—which perform functions in areas such as education. ...

What is true of schools is even more true of the endowment funds of universities and colleges. Let us suppose that such an institution receives an offer of funds from a private philanthropist in the UK or beyond who wishes to make some stipulation as to where the endowment may or may not be invested. This is private money. Would this Bill mean that the foundation has to refuse the money, not because the country that it wishes to boycott is already on the list but because it may come on to a subsequent list at some future date? ...

col 1016 **Lord Deben (Conservative):** ... If we take sporting bodies receiving government money ... it seems to me that if individual sportsmen wish to boycott something, the sporting body probably has to discuss that. If a body discusses that, it seems to me that under this Bill it can easily get itself into a position in which that is improper, if not illegal. Again, I do not see why people should have to ask themselves this question. ...

col 1018 **Baroness Janke (Liberal Democrat):** ... do the Government really intend that school governors should sit poring over the school meals procurement to see whether they are contravening the terms of this Bill in any way? ...

Do the Government intend that charity commissioners and trustees should take into account the implications of this Bill, and perhaps face vexatious challenges to contest

some of the decisions that they have already made? ...

Particularly concerning ... is the implication for charitable organisations delivering public functions in terms of overseas aid and humanitarian work. Often founded on moral principles ... many of these organisations have foundations which relate to moral principles and values, which they take into account when taking their decisions, whether on procurement or on investment. I believe territorial considerations must also be key to the functioning of these groups and charities. ...

col 1019 Lord Wallace of Saltaire: ... we are in the territory of the chilling effect, are we not? If there is a very large number of bodies which are not going to be sure how far they come within the scope of this Bill, they will be very nervous about doing things that they would otherwise do. ...

col 1020 Secondly, this clearly will require very substantial subordinate legislation. I think it is the sense of this House that it is a bad thing to pass Bills that need too much subordinate legislation. ...

col 1022 Baroness Neville-Rolfe: ... I remind the Committee that the Bill will not create any new criminal offences. ... Orchestras are very unlikely to be regarded as public authorities. Moreover, withdrawing from an event is unlikely to be regarded as a procurement decision for the purposes of our Bill. The definition of a procurement decision does not include contracts where it is the public authority providing the service.

... defence contracts are also exempt from the Bill. In addition, for contracts in scope, the Bill already contains an exception to the ban for national security considerations. In practice, if a case is reported to an enforcement authority it will look at whether the public authority had regard to any of the exemptions to the Bill—for example, the national security exemptions—during the decision-making process. ...

Charities would be captured by the ban only if they were performing public functions. It is the Government's understanding that most charities will not be covered by the Bill. ...

Lord Collins of Highbury (Labour): ... The Minister said that no new criminal actions arise from the Bill. What we do have is the ability of the Secretary of State to have enforcement powers that include monetary penalties. If people refuse to pay the monetary penalties, what would that result in?

Baroness Neville-Rolfe: ... It is a very reasonable question but I am not going to answer it without advice. However, there are no criminal sanctions in this Bill ...

There may be a small number of cases where charities are delivering public functions; they would therefore be captured in respect of those functions. However, it is important to note that it does not mean that a charity is a public authority just because it is in receipt of public funding. ...

col 1024 Privately funded independent schools—and I think this will probably apply to private universities—will be captured to the extent that they perform a public function. ... The ban will ensure that publicly funded schools remain shared spaces for all, and the Bill will ensure that schools and early years providers can remain focused on their core duties, rather than being distracted by divisive campaigns promoted by BDS and others.

col 1025 Lord Deben: ... If a Church of England or Catholic school says it will not buy from a country that is persecuting Christians, that is concentrating on its core responsibility. It is not avoiding it; it is what it is there for, which is to uphold the faith. Are we really going to dictate whether or not it should make that decision? ...

col 1029 Lord Hain (Labour): ... Amendment 15 seeks to answer the question: what would happen if a public authority imposed a boycott campaign which related to Israel and arose as a result of environmental misconduct in the Occupied Palestinian Territories, illegal under international law?

Under the Bill's Schedule, the Clause 1 prohibition on the consideration of moral or political disapproval is lifted, so far as that "consideration ... relates to environmental misconduct". ...

Surely such accusations of environmental misconduct should also apply to the State of Israel. There is credible evidence that Israel has engaged in such misconduct, particularly through the actions of the Israel Defense Forces, in its occupation and military actions.

In its military action in Gaza, there are serious questions to be raised about environmental misconduct. Dr Saeed Bagheri, scholar of international law at the University of Reading, stated of Israel in January this year that there may “be evidence to suggest that they have acted contrary to the International Committee of the Red Cross position that the prohibition on inflicting widespread, long-term and severe harm to the natural environment is a rule of customary international law”.

He added: “The actions by the Israeli Defence Force in Gaza have left chemicals from white phosphorus weapons that could linger in the environment for years. This can have a long term impact on the soil, affecting the growth of crops, and in Gaza agriculture takes up about a quarter of land. For individual farmers and their communities, this pollution and its long-term impacts could be devastating”.

However, such questions far pre-date the current horror in Gaza. The Institute for Middle East Understanding has set out a long list of allegations of environmental misconduct. In its actions in the Occupied Territories, long-standing allegations against Israel have been made about the deliberate destruction of olive trees and olive orchards; at least 2.5 million trees have been destroyed since 1967, yet Palestinians depend on these trees as a primary source of food and income. The destruction of natural wildlife since October has been stark: a recent estimate states that around 4,300 acres of trees and plant life have been cleared around the Gaza Strip by Israeli forces, not to mention the complete devastation of the natural and built environment within the Gaza Strip.

What of Israel siphoning off water supplies from the Occupied Territories? This has caused a permanent drop in the West Bank’s water table and distorted water flows, damaging agriculture and increasing flood and drought vulnerability. In February this year, the IDF itself confirmed that it is dumping seawater into tunnels and waterways below Gaza, an act which the director-general of the Geneva Water Hub described as polluting and contaminating, and poisoning Gaza’s aquifer.

col 1030 We also know that Israel discharges 52 million cubic yards of untreated sewage and other hazardous materials each year into the West Bank. The Israeli Information Center for Human Rights in the Occupied Territories reported: “Israel’s environmental policy in the West Bank—including situating polluting waste treatment facilities there—is part and parcel of the policy of dispossession and annexation it has practiced in the West Bank for the past fifty years.”

In the West Bank, and in contravention of the Geneva convention, Israel has appropriated most water sources for itself and restricts Palestinian access to them. Of course, this is not Israeli state or Israel Defense Forces activity alone; the administration of this occupation relies on a vast number of agencies and companies. Is it not reasonable for any public authority doing due diligence on environmental matters to prefer to disengage with any companies or agencies which are involved in such acts?

Many of these instances could feasibly fall foul of international law, such as Rome statute prohibitions on inflicting damage to the natural environment, Hague regulations provisions on natural resource use, and customary international humanitarian law principles on hostilities to the natural environment, to name a few. But the matter goes beyond the practical application of these examples raised. The question is also: can we exempt Israel and the Occupied Territories from the Schedule’s considerations without denying the very real possibility, now or in the future, of Israeli state or corporate environmental misconduct? Israel’s human destruction of Gaza is being compounded by an environmental crisis. In Rafah, large family groups have been living cramped together with no running water or fuel, while surrounded by running sewage and waste piling up. Like the rest of Gaza’s residents, the air they breathe is heavy with pollutants and the water carries disease. Beyond the city streets lie ruined orchards and olive groves, and farmland destroyed by

bombs and bulldozers. Forensic Architecture, a London-based research group, has shown how family farms close to Gaza's border with Israel, cultivated for generations, have been destroyed, their orchards uprooted and replaced by military roads. Israel has suggested it could make this sort of thing permanent to create buffer zones along the border, where a lot of Palestinian farms are sited.

An analysis of satellite imagery, reported by the *Guardian* newspaper recently, showed the destruction of nearly half of Gaza's tree cover and farmland—mainly because of the military onslaught by the Israel Defense Forces but also because, starved of fuel, desperate Gaza residents have cut down trees to burn for cooking or heating. Not only have olive groves and farms been reduced to rubble but soil and groundwater have been contaminated by munitions and toxins. The sea is full of sewage and waste. The air is polluted by smoke and particulates. The impact on Gaza's ecosystems and biodiversity is colossal, leading to calls for it to be recognised as ecocide and investigated as a possible war crime.

col 1031 United Nations environmental experts report massive amounts of debris and hazardous material in Gaza, with harmful substances such as asbestos, heavy metals, fire contaminants, unexploded ordnance and hazardous chemicals. When Israel cut off fuel to Gaza after the 7 October terrorist pogrom, power cuts meant that wastewater could not be pumped to treatment plants, leading to 100,000 cubic metres of sewage a day spewing into the sea. The sheer scale and long-term impact of all this environmental destruction has led to calls for it to be investigated as a potential war crime, and to be classed as ecocide, which covers damage done to the environment by deliberate or negligent actions. Under the Rome statute, which governs the International Criminal Court, it is a war crime to intentionally launch an excessive attack knowing that it will cause widespread, long-term and severe damage to the natural environment. The Geneva conventions require that warring parties do not use methods of warfare that cause "widespread, long-term and severe damage to the natural environment".

Forensic Architecture argues that: "The destruction of agricultural land and infrastructure in Gaza is a deliberate act of ecocide".

I put Amendment 15 to your Lordships' Committee with the intention of asking: how should a public authority act if it wishes to disengage with a company or enterprise which may be involved in acts such as these, which could amount to environmental misconduct under UK or international law, if that company is Israeli or if it engages in alleged misconduct overseen by the State of Israel?

The Bill is clear that the Schedule considerations override Clause 1 prohibitions on boycotts. However, it is not clear whether the Schedule also applies to Clause 3, which likewise overrules Clause 1. This could present a glaring contradiction ...

col 1032 **Baroness Jones of Moulsecoomb (Green):** ... This Bill sets out an uneven treatment between local or UK-based businesses and foreign enterprises, particularly where they are owned or controlled by a foreign state. A local council will remain entitled to refuse to purchase timber from a business that is clear-cutting the local woodland, but if it is in a foreign country linked to a foreign Government then the council will be prohibited from even considering the impact of clear-cutting woodlands and rainforests around the world. ...

Sitting suspended

To read the full transcript see

[https://hansard.parliament.uk/lords/2024-04-17/debates/6DD008BE-53E7-4338-874D-5A76B2EBD0CA/EconomicActivityOfPublicBodies\(OverseasMatters\)Bill](https://hansard.parliament.uk/lords/2024-04-17/debates/6DD008BE-53E7-4338-874D-5A76B2EBD0CA/EconomicActivityOfPublicBodies(OverseasMatters)Bill)

Sitting resumed

col 1063 **Baroness Deech (Crossbench):** My Lords, environmental matters are of course very serious, but the question is whether boycotts work. The speech by the noble Lord, Lord Hain, shows the determination on the part of some in this House to boycott Israel

come what may. However, if you look at the list of the most polluting and environmentally damaged countries in the world, Israel does not feature, and the degradation in Gaza, which is true, started long before the current invasion—it goes back to when Israel quit Gaza in 2005. Now, the issue is boycotts. People are looking for ways to boycott Israel. I have not noticed any suggestion of boycotting, say, China, for its polluting activities.

Lord Hain: ... I did not advocate a boycott; that was not my purpose. I was talking about the destruction of the environment in Gaza and the West Bank, and that is not disputable.

Baroness Deech: The environment is bad in Gaza, but this Bill is about boycotts.

Now, no less a moral authority than Helen Suzman said that boycotts do not work. In 1987, she said: “If there were any chance that sanctions would dismantle apartheid, I would be the first to support them. But reducing South Africa to a wasteland would lead not to a nonracial democracy but to more oppression and misery”.

A boycott, in particular a boycott of the so-called Occupied Territories, would not actually change the international scene as far as a two-state solution goes. The only people who would be hurt are the impoverished Palestinians working in the businesses in the Occupied Territories. This was proven by the SodaStream case. SodaStream closed down because it was thought unacceptable to deal with it because it worked in the Occupied Territories. Hundreds of Palestinians lost their jobs; SodaStream moved to Israel. We have to drop the illusion that a boycott of Israel, or indeed any other country, will achieve anything meaningful, let alone when it is carried out by a local authority as opposed to the Government. ...

Lord Pickles (Conservative): ... Lord Hain, some thanks; he has managed to put together what it is like in extremis—how this Bill will be dealt with when it is faced with war. Now, I cannot recall a single war in the history of our planet that did not harm the environment.

I suppose that when we put this thing together, on the facts that the noble Lord, Lord Hain, gave, we are probably going to have to think about how much of the damage was caused by the Gazans. How much of a discount should there be for the amount of damage the Gazans caused? In particular, one of Hamas’s first acts after murdering children was to cut off the electricity and the water supply, and it continued to ensure that anybody that came to try to put back the electricity or restore the water supply faced violence. The pipes that would have been used to improve sanitation and have the flow of clean water were stolen and used to fire rockets into Israel. Some 25% of those rockets fell short, killing Gazans, leaving ordnance around Gaza, particularly in the north.

col 1064 All the concrete that was there to build roads, hotels and social facilities was stolen by Hamas to build the tunnels. The tunnels in themselves were a great environmental risk, because they were not built to building regulations. They were quite close to the surface; they were beneath and beside houses; they affected the foundations, which meant that any disturbance, whether it be earthquakes or the dropping of bombs, made those houses so much more unsafe and susceptible to collapse.

There is the use of flying incendiary bombs, released by supporters of Hamas across into Israel, designed to burn crops. Burning crops causes all kinds of problems. It seems illogical that Hamas should have done that, but it did it in order to make life difficult for Gazans. That is why it is sitting on so much of the food supply; that is why there are lorries waiting to deliver aid into Gaza, but Hamas will not allow it.

I take exception to the quote relating to the Red Cross; if the Red Cross can go in to make that kind of assessment, it should be able to see the hostages. The Red Cross has made no attempt to meet with the hostages.

Baroness Jones of Moulsecoomb: What has this got to do with the boycotts Bill?

Lord Pickles: All I was doing was speaking to the amendment from the noble Lord, Lord Hain ...

Lord Warner (Crossbench): ... The noble Lord has made a lot of statements about the damage done either within the regimes run by the Gazan authorities—Hamas—or as a

result of war. I have been to Gaza and the West Bank quite a few times, sometimes when there has been a reasonable peace and the people have been able to get on with their lives. During those periods, the pollution of water and of the sea and the problems of sewage were monumental. This is not something to do with the war, the wars, or the tumult from invasions; it is actually that the status quo in Gaza is appalling. ...

col 1065 Does the noble Lord, Lord Pickles, accept that there are some long-standing problems ... with the state of the environment in Gaza?

Lord Pickles: ... I too have visited Gaza in happier times; some of the happy times I spent in the region were in Gaza by the Mediterranean Sea. The noble Lord is right: there have been some long-standing environmental problems in Gaza, which have been caused largely by Hamas. Let me give the noble Lord just one example. Hamas refused to co-operate with Israel on a desalination plant. Hamas could have had a desalination plant, which would have provided lots of fresh water, but it did not want it because it does not want to see ordinary Gazan citizens enjoy their life. Hamas wants them to be continuously in a state of disruption. ...

col 1068 **Baroness Altmann (Conservative):** ... I suggest that this debate ... suggests the one-sided and sometimes very difficult debate that surrounds Israel and the BDS question.

For example, the noble Lord described the environmental damage involved in taking away olive trees from Palestinian land as some kind of environmental crime, but historically one of the big criticisms of Israel has been that it uses forestation projects to push Palestinians off their land, so the environmental issue can be argued in different ways for different purposes. Israel has planted over 200 million trees since it was founded, so it does take care of the environment. ...

col 1069 **Lord Roborough (Conservative):** ... Environmental campaigns will be captured by the Bill only if they single out a country in a way that is influenced by disapproval of foreign state conduct. General campaigns that do not single out a specific country or territory would not be captured. However, the Bill must not leave a loophole for public authorities to take a general position on an issue mainly with the intention to target a particular state. For example, a public authority might shape a general position on an issue with the intention that it results in a boycott of Israel. The Bill should rightly stop that. ...

I reassure noble Lords that the power in Clause 3 cannot be used to remove any exception to the ban in the Bill as passed by Parliament. This includes the exception to the ban for environmental misconduct in the Schedule. To go further, in answer to the final question of the noble Lord, Lord Hain, the limitation in Clause 3(7), which refers to "Israel ... the Occupied Palestinian Territories, or ... the Occupied Golan Heights", does not mean that the exceptions in the Schedule cannot be used in relation to suppliers and companies with connections to Israel or the Occupied Territories. All that limitation does is restrict the power of the Secretary of State to use regulations to add further exceptions to the Bill if those regulations would have the result of removing Israel, the Occupied Palestinian Territories and the occupied Golan Heights from the scope of the Bill. ...

col 1071 **Lord Hain:** ... Did anybody hear me advocate the BDS cause? Did anybody hear me advocate a boycott of the State of Israel? I did not and I never have in any speech in this House or elsewhere. ...

col 1072 The noble Baroness, Lady Altmann, for whom I have a great deal of respect and count as a friend, pointed out that Israel has planted a considerable number of trees, for which I commend Israel. My point is that there is terrible environmental destruction in Gaza and the West Bank now. Nobody can dispute that, and it has been going on for a long time, including the destruction and poisoning of the water supply for many Palestinian residents there.

Lord Wolfson of Tredegar: ... he has now gone back to his favourite subject of attacking Israel. ...

col 1073 **Lord Hain:** ... On what he calls my favourite hobby of attacking Israel, as it happens, as I said in the foreign affairs debate, the whole strategy for resolving this terrible dispute is fundamentally flawed. ... Hamas will not be defeated militarily, however much I would like it to be. I made it clear that I am a friend of Israelis as well as Palestinians, but we are not revisiting all of that. ...

col 1079 **Baroness Noakes:** ... It is clear that foreign policy is a reserved matter. When we come to this Bill, the question of the political or moral disapproval of the conduct of foreign states is a matter of foreign policy that can be determined only by the UK Government. ...

We have to remember that the devolved Administrations have form here in relation to Israel. To take the Scottish Government, back in 2014, they issued a Scottish procurement policy note which, in effect, encouraged Scottish bodies to boycott operations in the Occupied Territories. That note, which is quite difficult to find on the internet nowadays, because it seems to have disappeared into a black hole of an archive, was reconfirmed by current Scottish Ministers only a couple of years ago, so it remains the Scottish Government's policy, which they cannot effectively implement because of the reserved nature of foreign policy.

col 1080 To take the Welsh Government, in 2020 they informed the Welsh Parliament that they intended to issue advice to all Welsh authorities "that they may exclude from tendering any company that conducts business with occupied territories either directly or via third parties".

It was only after intervention from an organisation called UK Lawyers for Israel that the Welsh Government deferred their decision. So we have the Scottish Government and the Welsh Labour Government itching to boycott Israel ...

Lord Hain: The noble Baroness accurately quoted the Welsh Government's position as referring to occupied territories which are illegally occupied, including those determined by the British Government, not as boycotting Israel.

Baroness Noakes: ... the boycotting of the Occupied Territories would also cause a problem under this Bill if Wales and Scotland were allowed to, in effect, opt out of the Bill.

Lord Collins of Highbury: ... has the noble Baroness had the opportunity to read the FCDO's advice on the Occupied Territories?

Baroness Noakes: ... no. ... I believe that trying to boycott the Occupied Territories is the same as trying to boycott Israel. Certainly, the intent is the same, and they are covered by the Foreign Office.

Lord Collins of Highbury: ... The noble Baroness keeps using the word "boycott". We are also talking about decisions on procurement and investment, and there is advice from the FCDO about investing in occupied territories.

Baroness Noakes: ... I would be very surprised if the FCDO had advice that boycotting procurement decisions relating to the Occupied Territories was something that it approved of, and therefore it was something that it thought the devolved Administrations could do. However, in any event, that is for the Foreign Office, not the devolved Administrations, to determine. ...

col 1083 **Baroness Neville-Rolfe:** ... international relations and foreign policy are reserved matters and remain the responsibility of the UK Government and the UK Parliament. Removing Scotland, Wales and Northern Ireland would be out of line with the devolution settlement and undermine one of the main aims of the Bill—one UK foreign policy decided by the UK Government. ...

col 1084 The second reason I oppose these amendments is that the BDS campaigns, which risk undermining community cohesion, are a UK-wide problem. I will illustrate this briefly with some examples. In Wales, a 2014 motion passed by Gwynedd Council called for a trade embargo with Israel. In 2020, as the noble Baroness, Lady Noakes, pointed out, the Welsh Government informed the Welsh Parliament that they intended to issue

advice to all Welsh public authorities that they may exclude from tendering any company that conducts business with the Occupied Territories, whether directly or via third parties. Only after intervention from UK Lawyers for Israel did the Welsh Government defer this decision.

In Scotland, in January 2009, West Dunbartonshire Council passed a motion agreeing to boycott all Israeli goods. That motion was reaffirmed in June 2010 and May 2011. In December 2010, Stirling Council passed a motion resolving to “reassess its current procurement arrangements and ensure future agreements and contracts boycott all Israeli goods”.

In March 2013, Clackmannanshire Council passed a motion to “resist, insofar as legislative considerations permit, any action that gives political or economic support to the State of Israel”.

In Northern Ireland in 2016, Derry and Strabane Council voted in favour of BDS. A motion was passed to investigate the most practical means of implementing the BDS campaign in the council. Finally, in Belfast in 2019, councillors attempted to bring forward a resolution to support BDS.

For these reasons—the need for a single UK foreign policy and the record of boycott campaigns across the UK—it is vital that the Bill’s provisions extend to each of the jurisdictions of the UK. ...

To read the full transcript see

[https://hansard.parliament.uk/Lords/2024-04-17/debates/A0034CE4-24AE-499B-8AD5-202195E4604E/EconomicActivityOfPublicBodies\(OverseasMatters\)Bill](https://hansard.parliament.uk/Lords/2024-04-17/debates/A0034CE4-24AE-499B-8AD5-202195E4604E/EconomicActivityOfPublicBodies(OverseasMatters)Bill)

The amendments under discussion above can be read at

<https://bills.parliament.uk/publications/54968/documents/4663>

Please note that The UK Web Archive advises that it is experiencing a major technology outage. As a result, the National Library of Scotland web archive is currently unavailable. When restored, the Scottish Government procurement note referred to above by Baroness Noakes can be read at

<https://www.webarchive.org.uk/wayback/archive/20160106214501/http://www.gov.scot/Topics/Government/Procurement/policy/SPPNSSPANS/policy-notes/SPPN2014/SPPN42014>

The Scottish Government reconfirmation of the continued validity of the procurement note, referred to above by Baroness Noakes, can be read at

<https://www.parliament.scot/chamber-and-committees/questions-and-answers/question?ref=s6w-03000>

The Welsh Government advice referred to above by Baroness Noakes can be read at

<https://record.assembly.wales/WrittenQuestion/80889>

The FCDO advice referred to above by Lord Collins of Highbury can be read at

<https://www.gov.uk/government/publications/overseas-business-risk-palestinian-territories/overseas-business-risk-the-occupied-palestinian-territories>

House of Commons Written Answers

Community Security Trust: Finance

Caroline Lucas (Green) [20588] To ask the Secretary of State for the Home Department, when the terms and conditions of the next round of the Jewish Community Protective Security Grant will be announced; and if he will take steps to ensure that there is no gap in the provision of funding from that grant.

Tom Tugendhat: The safety and security of the Jewish community is of the utmost importance to the Government. In light of the Israel/Hamas conflict and its impact on domestic hate crime, the Chancellor’s Autumn Statement confirmed that

protective security funding for the Jewish community will be maintained at £18 million in 2024/25. In February 2024, in response to reports of increased incidents of antisemitism in the UK, the Prime Minister announced that CST will receive the same level of funding each year to 2027/28 (totalling £54 million for 2025-2028). The Community Security Trust will continue to manage the grant on behalf of the Home Office, providing protective security measures (such as guarding, CCTV and alarm systems) at Jewish schools, colleges, nurseries, and other Jewish community sites, as well as a number of synagogues.

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-26/20588>

The Autumn Statement referred to above can be read at

<https://www.gov.uk/government/publications/autumn-statement-2023/autumn-statement-2023-html>

East London Mosque: Security

Apsana Begum (Labour) [20805] To ask the Secretary of State for the Home Department, whether his Department is taking steps to ensure the safety and security of East London Mosque.

Tom Tugendhat: This Government is committed to protecting the right of individuals to freely practise their religion at their chosen place of worship, and to making our streets and communities safer.

The rise in anti-Muslim hatred across the country since last year has been a cause for concern, and subsequently, the Home Office is providing up to £50.9 million in 2023/24 to protect faith communities. This includes £29.4 million through the new Protective Security for Mosques Scheme, and the Government has confirmed that this level of funding will now be maintained annually through to 2027/28.

Mosques and Muslim faith community centres can register for protective security measures through the Home Office's Protective Security for Mosques Scheme on GOV.UK. The scheme provides physical protective security measures, such as CCTV, intruder alarms and secure perimeter fencing. Due diligence checks are carried out by the Home Office; for example, to confirm that applicants are eligible registered charities. Following approval, applicants receive a site survey to assess the most suitable security measures for their site, which are funded by the Home Office and installed by the Department's delivery partner.

We do not provide information about the funding on specific sites

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-26/20805>

Information about the Protective Security for Mosques Scheme, referred to above, can be read at

<https://www.gov.uk/guidance/places-of-worship-security-funding-scheme>

Deportation: Palestinians

Derek Thomas (Conservative) [21173] To ask the Secretary of State for the Home Department, whether it is his Department's policy that Palestinian citizens of Israel have a well-founded fear of persecution if returned to Israel.

Tom Pursglove: All asylum and human rights claims are carefully considered on their individual merits in accordance with our international obligations. Each individual assessment is made by considering any relevant extant caselaw and the latest available country of origin information.

Our position for different groups is set out in the respective country policy and information note(s), which are published on the gov.uk website.

<https://questions-statements.parliament.uk/written-questions/detail/2024-04-12/21173>

Israel is not listed in the country policy and information notes, referred to above, which can be read at

<https://www.gov.uk/government/collections/country-policy-and-information-notes>

Crown Prosecution Service

Racial and religious based offences drive increase in hate crime cases

Prosecutors charged 10 per cent more hate crime cases in the final three months of 2023, statistics out today (April 18) show.

Figures from the Crown Prosecution Service's Quarter 3 (October-December 2023) data release show there was a 9.5 per cent increase in charges for hate crime flagged cases compared to the three months before. In total, 2,673 people were charged within this period. ...

Since July to September in 2022, the volume of hate crime cases charged by the CPS has been increasing, with the latest quarter resulting in a 20 per cent rise since January 2023. Between October and December, there were 294 more hate crime-flagged referrals, of which 240 were racial or religiously flagged hate crimes.

The number of police referrals for hate crime offences also rose by 9.2 per cent from the previous quarter. The proportion of suspects charged increased to 88 per cent, 1.6 percentage points higher than July to September.

Deputy Chief Crown Prosecutor Kris Venkatasami, the Crown Prosecution Service's Protest Lead, said: "The rise in hate crime charges since the beginning of 2023, but particularly in the last part of the year, is concerning for all communities who are deeply affected by each incident.

"Hate has no part to play in our society. Our consistently high level of charging demonstrates our determination and independence to seek justice in all cases.

"We will continue to work with our policing partners and community groups to ensure people aren't targeted for who they are or for their beliefs."

Dave Rich, Director of Policy, Community Security Trust (CST), said: "Since October 7 last year we have seen an appalling increase in anti-Jewish hate crime across the country, and it is essential for the community to see that this is being tackled through arrests and prosecutions. Given this backdrop, the increase in charges for hate crimes in the last quarter of 2023 is a welcome development. We hope to see these numbers increase further as more cases work their way through the system, and we encourage anyone who is targeted by hate crime to report it to police and CST so that action can be taken."

Iman Atta OBE, Director of Tell MAMA, said: "From community feedback and the large number of cases that have come into Tell MAMA, it is clear that the recent Gaza crisis has caused a sharp rise in anti-Muslim hate cases. Our work with police forces and engagement with the CPS, shows that partnership working at this time is the cornerstone of better outcomes for victims of hate crimes. ...

To read the press release in full see

<https://www.cps.gov.uk/cps/news/racial-and-religious-based-offences-drive-increase-hate-crime-cases>

CPS data summary Quarter 3 2023-2024

<https://www.cps.gov.uk/publication/cps-data-summary-quarter-3-2023-2024>

Scottish Parliament Debate

Hate Crime and Public Order (Scotland) Act 2021

... 14.50 **Keith Brown (SNP)**: On a point of order, Presiding Officer. I wonder if it is possible for you to clarify ... that the actual effect of a majority vote for the motion ... would have no impact on the 2021 act or on the law as it currently stands.

The Presiding Officer: ... That is the position as per the standing orders of Parliament ...

Russell Findlay (Conservative): Three years ago, Humza Yousaf was standing here in

Parliament, lapping up applause and basking in adulation, having delivered the act. He described it at the time as being “truly transformative”, and he was right. It was transformative, just not in the way that he thinks it was. From April fools’ day, it has transformed Scotland into a place of international mockery. It has transformed the birthplace of the enlightenment into a place where free speech has been debased and devalued, where sinister police billboards instruct people to snitch on those who hurt their feelings, where contentious discussions and disagreements in one’s own home can result in a knock at the door from the police, and where every single complaint—no matter how groundless or absurd—is subject to police investigation, while despairing officers are being told not to pursue real crimes. ...

I am talking about the many thousands of crimes that have been deemed not to have been crimes at all—that is, the vast majority of the 9,000 hate crimes that have been reported to the police. ...

The chilling effect of the legislation is real. Some fear being subject to investigation and prosecution for stating the truth about biological sex. When J K Rowling put that to the test on social media, Police Scotland confirmed that she had not committed a hate crime ... Even if prosecutions are unlikely, being subject to an investigation can be daunting, disruptive, humiliating and financially costly. ...

The Cabinet Secretary for Justice and Home Affairs (Angela Constance): As a matter of factual accuracy, will Mr Findlay concede and put on the record that protection of freedom of expression is built into the legislation, including the point that criticism or commentary on any protected characteristic is not to be mistaken for hatred or abuse?

Russell Findlay: ... Even before the act was enforced, my colleague Murdo Fraser was reported to the police. His alleged crime was to make a light-hearted quip about Scottish National Party policy relating to people who say that they are non-binary. The complaint and the investigation were kept secret from him. He had no idea that the police had then recorded that as a non-crime hate incident. Police Scotland’s response to Murdo Fraser has been confused and confusing ...

The law states that the hate crime threshold is met if something would be deemed by a reasonable person to be “threatening or abusive”. My party tried without success to amend that to say “threatening and abusive”, which is a crucial distinction and would be a higher bar for prosecution. ...

Then we have Police Scotland’s extraordinary output. Its website tells the public that a hate crime is “Any crime which is perceived by the victim, or any other person, as being motivated, wholly or partly, by malice, ill will or prejudice against a social group.”

That is simply untrue. Something does not become a crime just because someone perceives it to be a crime. ...

Should we be surprised by the creeping criminalisation of freedom of expression in Scotland? I am not, because that has been the direction of travel for years. ...

Humza Yousaf claims that there is a “rising tide” of hate crime in Scotland, contrary to the evidence. His Government is urging Scots to report hate crime while peddling misinformation about the definition of hate crime. ...

This is about freedom of speech. It is about bad legislation. It is about letting our police officers do their jobs. It is about rejecting division by turning Scot against Scot to clype on friends, colleagues and family. ...

15.03 The Minister for Victims and Community Safety (Siobhian Brown): The Hate Crime and Public Order (Scotland) Act 2021 will help us to target hate crime in Scotland and support those who are most affected by those crimes. ...

Over the past two weeks since its implementation, the Scottish Government has responded to numerous media statements in order to combat misinformation ... To dispel that misinformation, it would perhaps be beneficial for me to set out again what the 2021 act does. It is designed to consolidate existing legislative protections against offences that are

aggravated by prejudice against the following five characteristics: disability, race, religion, sexual orientation and transgender identity. That is the exact same group of characteristics that are protected in England and Wales under the current hate crime legislation. ...

We know that the impact on those who suffer from hate crime can be traumatic and life changing, and we want to ensure that we can protect those who are affected. ...

Hate crime, as set out under the act, is a behaviour that is both criminal and rooted in prejudice and where the offender's action has been driven by hatred towards a particular group. ...

The 2021 act introduced new offences for threatening or abusive behaviour and for the communication of threatening or abusive material that is intended to stir up hatred against a group of people who possess or appear to possess particular characteristics. ...

The independent review ... of hate crime by Lord Bracadale in 2018 that led to the act clearly stated the need for legislation in that it would help to recognise the impact of and harm caused by hate crime in saying that "Stirring up of hatred may lead to violence or public disorder." ...

The act does not prevent people from expressing controversial, challenging or offensive views, as has clearly been demonstrated, nor does it seek to stifle criticism or rigorous debate in any way. The right to freedom of expression has been specifically built into the act.

The act also provides a high threshold for criminality. For the new offences, it has to be proven that the behaviour is threatening or abusive and that it has the intention to stir up hatred. That is a higher threshold for a crime committed under the act than for the offence of stirring up racial hatred, which has been in place since 1986 in Scotland. ...

Michelle Thomson (SNP): ... I am not sure what actions Police Scotland is taking to incorporate the precedent that was set in Miller v College of Policing in December 2021, which applies to England and Wales, where it was determined that the policy of reporting non-crime hate incidents breached article 10.

I understand that Police Scotland reported in its bulletin of April to September 2023 that it would adopt the policy, but to what extent has it done so? ...

Siobhian Brown: First, non-crime incidents are not related to this act in any way. As we know, the recording of non-crime hate incidents is an approach across the whole of the United Kingdom. I am aware of the Miller recommendation that has been implemented in England and Wales. Police Scotland has indicated that it is currently reviewing it for implementation in Scotland.

Since 2014-15, an average of 6,700 hate crimes have been recorded by the police each year. In 2021-22, 6,927 hate crimes were recorded by the police. Of those, 62 per cent included a race aggravator, 27 per cent included one for sexual orientation and 8 per cent included one for disability, highlighting the clear need for hate crime legislation.

From research in 2020-21, we know that around a third of hate crimes involve a victim who has experienced an incident at their place of work or as part of their occupation. ...

Within the first week of the act's implementation, Police Scotland received more than 7,000 reports of hate crime, of which the vast majority were assessed not to be criminal. Over the same week, 232 hate crimes and 30 non-crime hate incidents were recorded.

There have been reports of individuals and groups exploiting the new legislation to make vexatious complaints in order to overwhelm police systems. We must send a strong message to those making vexatious complaints that they must stop doing so. ...

Online reporting drastically decreased by 74.4 per cent during the past week to 1,832. That fall was not reflected in the number of recorded hate crimes, which further strengthens the Government's position that the legislation is needed to support those who are the target of hate crimes. ...

We are committed to providing people with the protection that they deserve. I say to those who have faced prejudice just because of who they are—due to their race, religion, disability, sexual orientation, transgender identity or age—that we stand with them, unlike

the Conservatives, and that we will ensure that we have laws to protect them. ...

15:14 Pauline McNeill (Labour): ... We agree that we must have good, robust law on hate crime that is well understood by those who enforce it, but we also agree that there should be a high test for criminality. ...

The implementation of the 2021 act has been a shambles. In the first few weeks, there have been 8,000 reports of hate crimes. ... The Scottish Police Federation has said that an extra 40 officers a day have been needed to deal with the responses to the legislation ... The Government will say that the situation will calm down in time, but the problem is that the public are already beginning to lose confidence in the legislation, which is why Scottish Labour is calling for urgent post-legislative scrutiny of the act ...

The police are required to investigate all alleged offences, no matter how trivial or vexatious the reports are. Because of that requirement, Lord Hope, who used to be Scotland's most senior judge, has commented that the act has placed an "extraordinary" burden on the police. ... Fewer than 4 per cent of the 8,000 reports of hate crimes that were made in the first week went on to be assessed as actual crimes. ...

There must be a review of the recording of hate incident reporting. ...

Why should anyone have on their record a matter that is deemed not to be criminal? ...

The Scottish Police Federation says that the biggest issue with the 2021 act is the amount of police time that is wasted and the irrationality of a situation in which the police now do not attend and deal with certain crimes. ...

The act has merit ... Prosecutors can attach prejudice aggravators to crimes such as assault and threatening or abusive behaviour, and if the aggravator is proved, it can be taken into account in sentencing. ...

15:22 Liam McArthur (Liberal Democrat): ... it is worth reminding ourselves that the Parliament has shown itself willing to repeal legislation when the need arises. ...

The 2021 act emerged following a lengthy and detailed review by Lord Bracadale, which was set in the context of mounting public concern at the time about a rise in all forms of hate crime, particularly in relation to antisemitism and Islamophobia ... The 2021 act reflected the generally recognised benefit to be had from modernising and codifying existing laws while extending certain protections that were in place regarding race to cover other protected characteristics, namely, "age, disability ... religion, sexual orientation" and "transgender identity" ...

It would be useful to understand what further steps the cabinet secretary and the minister believe that the Government can take to ... ensure that the law is applied sensitively, practicably and in ways that fully respect essential freedoms, such as freedom of expression. ...

15:28 Murdo Fraser (Conservative): Lord Hope of Craighead is the pre-eminent Scottish lawyer of his generation. He rose to the position of Deputy President of the UK Supreme Court and is widely respected for his experience and knowledge. Last week, in a newspaper article, he called for the 2021 act to be repealed. ...

Last November, a social media post of mine that was critical of Scottish Government gender policy was reported by a trans rights activist to the police as a hate crime. The police determined that no crime had been committed but that the matter would be recorded as a non-crime hate incident.

I was not informed of that. Indeed, I would still be unaware of it had the activist in question not then reported me to the Ethical Standards Commissioner. The commissioner threw out the complaint but, at that point, I became aware of the recording of a hate incident. At that point, in December, I wrote to the chief constable of Police Scotland, asking for an urgent meeting to discuss the implications. I have still not had a reply from the chief constable, although I received a response from my local chief inspector in Perth three months later. ...

... it is my view that the recording of non-crime hate incidents is unlawful in a number of respects. In particular, I believe it to be in breach of articles 8 and 10 of the European

convention on human rights, which protect freedom of expression, particularly of political views.

It is significant that the police in England and Wales had to change their policy on recording of non-crime hate incidents based entirely on the perception of the complainer following the judgment of the Court of Appeal in the case of R (on the application of Miller) v the College of Policing ...

The matter was made much worse when I discovered that numerous complaints that were made against both Humza Yousaf and J K Rowling two weeks ago as hate crimes were—in clear breach of stated Police Scotland policy—not recorded as non-crime hate incidents. ...

Fergus Ewing (SNP): I share Mr Fraser's ... concerns. Would one way to peruse the matter in a rational and considered way be for the Scottish Government to appoint a lawyer who is expert in human rights to consider and review the matter, after taking soundings from and consulting the Law Society of Scotland, the Faculty of Advocates and leaders of political parties in Parliament to ensure that the appointee is irreproachably independent? ...

Murdo Fraser: Mr Ewing has made a sensible suggestion. ...

In a liberal democracy, we have a principle that must be applied: the principle is policing by consent. That means that the police must be answerable and accountable for their actions. I urge the minister, regardless of whether the motion is passed today, to ensure that the police are acting in a fair and balanced manner in application of their policies. ...

15:35 Audrey Nicoll (SNP): Hate crime has long been a scourge on Scottish society and we all have a responsibility to challenge it. The Hate Crime and Public Order (Scotland) Act 2021 was passed by a majority of MSPs in March 2021, following Lord Bracadale's independent review of hate crime legislation. In his report, Lord Bracadale reminds us that legislation will not change attitudes on its own but that clearly defined legislation and well-developed procedures will increase awareness of hate crime and can contribute to attitudinal change.

I am drawn to the definition of hate crime that was used by Lord Bracadale, which is that offences "which adhere to the principle that crimes motivated by hatred or prejudice towards particular features of the victim's identity should be treated differently from 'ordinary' crimes." ...

Hate crime is everyone's business and it ruins lives. ...

15:41 Liz Smith (Conservative): ... I do not doubt for a minute that the basic intentions of the act were good ones. Who can argue against the fact that hate is an all-too-prevalent cancer in our society, and who can argue against protecting vulnerable minorities who tend, all too often, to be the victims? ... The problem is not the intention but ... the fact that the act does not meet the thresholds for good law. Instead, it constitutes bad law, because it is based on unsound interpretation of the legal principles and on a proposition of law that is erroneous.

Now, the First Minister and the proponents of the act assure us that the bar for prosecution is set high, but we have found out that the police have been recording hate incidents even if they do not meet a criminal threshold. Worse still, individuals might not know that they are on the recorded list, as happened to Murdo Fraser. ...

Nor does the fact that there is no clear distinction between private and public settings. It is rightly anathema to free-thinking Scots that, potentially, in the privacy of their own home they can commit a crime that will be reported on.

The real problem for the act is that it is attempting to crack down on a problem that is not clearly defined, thus muddying the waters about the right balance between freedom of expression and human rights. It goes well beyond Lord Bracadale's review, because it is based on how you are perceived by someone rather than on your belief or action. ...

15:46 Carol Mochan (Labour): ... What is important is the way in which our communities

are being failed. We are failing on the messaging front but, more importantly, we are failing on the promises that were made, which the minister reiterated in her opening remarks, on tackling hate crime in this country. ...

15:53 Rona Mackay (SNP): ... Professor Tomkins said: “What the Hate Crime Act does is to take the core idea ... and apply it to a range of ‘protected characteristics’: not just race, but religion, sexual orientation, transgender identity, age and disability”.

He went on to say: “this idea is not new. In England it has been a crime to stir up hatred on religious grounds since 2006 and on grounds of sexual orientation since 2008 ... One of the things the new Hate Crime Act does is to bring that anomaly to an end.”

Crucially, Professor Tomkins confirmed that “Offensive speech is not criminalised by this legislation”.

Let us be clear that hate crime has a hugely damaging and corrosive impact on victims, their families and communities. People are afraid to leave the house, are being bullied and harassed at work, and are living in a state of perpetual fear. ...

The 2021 act is designed to protect people from the worst of that human behaviour and to give them greater protection. ...

The 2021 act has been deliberately—and wrongly, in my opinion—conflated with the debate around transgender rights, despite disability, faith and sexual orientation also being protected characteristics. ... No one wants to curb free speech, and the act certainly does not do that. The right to freedom of expression is specifically included in the legislation. The act is also compatible with the European convention on human rights, including article 10, which protects everyone’s right to freedom of expression. There is also a defence available if “the behaviour or communication ... was, in the particular circumstances, reasonable.” ...

The act has a high threshold for criminality. For the new offences in the legislation, it has to be proved that the behaviour is “threatening” or “abusive” and intended “to stir up hatred”. If the act was repealed, as the Tories want, we would in effect be condoning the stirring up of hatred against minorities and vulnerable people.

Hate crime is behaviour that is criminal and rooted in prejudice. It can be verbal, online or physical. It is ugly and has no place in a modern Scotland ...

15:59 Jamie Greene (Conservative): ... Having a problem with the act does not and never will mean that we condone hatred in any shape or form. ... hatred in all its forms is wrong. Racism, antisemitism, Islamophobia, homophobia, transphobia and misogyny are all wrong. ...

The problem is that Lord Bracadale’s suggestion that Scotland’s hate crime landscape was confusing was probably correct. The early incarnation of the hate crime legislation was probably well meaning. We never disagreed that tackling hate crime was important ...

Much has been said about Professor Tomkins, who is not here to speak. However, what he said is a matter of record. He voted against the bill, and here is why, in his own words:

“Even as amended and after all the work that we have done, the bill continues to pose a real risk to our fundamental rights and liberties”.—[\[Official Report, 11 March 2021; c 47.\]](#) ...

Back in 2021, Humza Yousaf, who was then the Cabinet Secretary for Justice, was clear. He stated that, if someone believes that “sex is immutable” or if “they proselytise that same-sex relationships are sinful”—[\[Official Report, 11 March 2021; c 28\]](#) they would not fall foul of the law. ... Stating a belief is not what this law was about. Given that there have been 10,000 reported hate crimes since 1 April, the question that we must ask ourselves today is: how many of those were actually about what this law is about?

Of course, we need laws to protect people. I benefit from laws that protect me. People cannot discriminate against me because of my sexuality. I supported in the Parliament—perhaps not without consequence—reform to gender recognition, and I do not regret that. However, I struggle to see why it becomes a police matter if somebody holds a different view on that matter from mine and expresses it. ...

The bill ventured way into the territory that criminalises not just what a person says or what

they do, but how they are perceived. Free speech does not mean carte blanche to say anything to anyone we want at any cost, with no recourse or consequence—I understand that. However, we do no justice to tackling hatred if people believe that their thoughts and views are being policed in the most granular and inappropriate way that a Government can police them. ...

16:05 Stuart McMillan (SNP): ... I put on record my disappointment at the way that the legislation has been conveyed publicly. Sadly, some media outlets have helped to peddle the narrative that the Hate Crime and Public Order (Scotland) Act 2021 is about limiting or removing free speech. That could not be further from the truth. Fundamentally, hate crime is behaviour that is both criminal and rooted in prejudice. It can be verbal, physical, online or in person. The act aims to tackle the harm that is caused by hatred and prejudice and to provide greater protections for victims and communities.

The legislation does not—I repeat, does not—prevent people from expressing controversial, challenging or offensive views, nor does it seek to stifle criticism or rigorous debate in any way. The right to freedom of expression is specifically built into the act. ...

Pauline McNeill: ... The intention behind the act—and importantly, it was amended as such—was that people could express their views even if they were insulting or offensive. However, I wonder whether Stuart McMillan has given thought to what Murdo Fraser said. If there is a high bar for criminality, why are we experiencing issues with people being reported to the police for doing things that should not concern a police station?

Stuart McMillan: ... Another crucial point that has been lost in some of the public discourse is that the Hate Crime and Public Order (Scotland) Act 2021 mirrors legislation in England and Wales. ... That is an inconvenient truth for those who do not support the Scottish Government, devolution or the Scottish Parliament. ...

For clarity, the new offence—of threatening or abusive behaviour that is intended to stir up hatred based on prejudice towards characteristics, including age, disability, religion, sexual orientation, transgender identity and variations in sex characteristics—reflects the law in England and Wales, which recognises five types of hate crime based on race, religion, disability, sexual orientation and transgender identity. Any crime in England and Wales can be prosecuted as a hate crime if the offender has either demonstrated hostility based on those characteristics or has been motivated by hostility based on those traits.

... the offence of stirring up racial hatred has been on the statute books in Scotland since 1986. Therefore, the stirring up of hatred provisions in the 2021 act are not new, and the new law implements a higher threshold for criminality than the long-standing stirring up of racial hatred offence. ...

16.12 Maggie Chapman (Green): ... At a time when hate crimes have been increasing against, for example, disabled people and against people on the basis of their sexual orientation, and given the previously confusing hate crime legislation in Scotland, it is clear why Lord Bracadale considered such legislation necessary. If the Hate Crime and Public Order (Scotland) Act 2021 were to be repealed, we would have, at best, fractured and scattered protections against hate in Scotland, given that the act repealed previous hate crime legislation. ...

The legislation, which was passed with cross-party support three years ago, does two main things. It requires courts that deal with existing crimes, such as assault and criminal damage, to consider aggravating hate factors, and it creates new offences of stirring up hatred. Neither of those things is entirely new or unprecedented. Scottish law already recognised that, when an offence is prompted by, for example, racial or religious hatred, the sentence should reflect our society's shared belief that such bigotry is unacceptable. Similarly, we already had a long-standing law against stirring up racial hatred, while other parts of the UK also have laws against stirring up hatred based on people's religion or sexual orientation.

The 2021 act brings those provisions together and extends protection to the characteristics

of age, transgender identity and disability. It rightly retains the existing robust understanding of stirring up racial hatred but, in relation to the other characteristics, there are multiple safeguards to ensure the protection of free speech. It is only when someone intends to stir up hatred and is not acting reasonably—when a reasonable person would consider the behaviour to be threatening or abusive—that an offence might be committed. The 2021 act does not criminalise discussion of gender issues, criticism of policies or ridicule of religion. It also abolishes the outdated offence of blasphemy, as the minister outlined.

Contrary to what the Tories would have us believe, the 2021 act is not an act of censorship; it is one of protections—protections for people who should never have to face abuse, violence or hate, in person or online, just for being who they are.

16:17 Fergus Ewing: ... I hope that it is axiomatic ... that everyone in the chamber must abhor hateful, abusive, horrendous and disgusting remarks and behaviour of a very serious nature. It is not helpful to the debate to suggest that some members in the chamber with whom we might happen to disagree politically somehow condone, permit or, in some way, favour the expression of hatred. Nobody does that here; we are a civilised chamber. ...

Are we saying that people outwith the political bubble, class or whatever we want to call it—people such as Lord Hope, those in the Police Federation and J K Rowling, whose world is not of politics and who have other interests entirely—are in favour of condoning, permitting or encouraging hatred? Of course they are not. They are expressing legitimate criticisms. ...

However, there is a strong case that the act should be reformed, in many ways. I do not have time to address all of the issues, so I will address just one, which is the issue of non-crime hate incidents ... As a lawyer and someone who has studied the law almost every day, in one way or another, since 1979, and who studied before then at Gilmorehill, I remember attending criminal law classes and reading Gerald Gordon's excellent text and studying crime; I do not remember the chapter about "non-crime hate incidents". In fact, I do not remember any chapter about "incidents". What are "incidents"?

In Scotland, if someone is charged with a crime, they have the right to defend themselves—the right to a fair trial. That is our system. However, that does not apply to these "incidents". Mr Fraser's experience is absolutely apt. I understand from discussion with him that he found out that there was a black mark against his name only because the complainant had made a complaint to the Ethical Standards Commissioner, who then informed Mr Fraser of it. It was thus only fortuitously that Mr Fraser even found out that there was a black mark against his name. ...

I gather that, if I were to make a subject access request to the chief constable as to whether there are any marks against my name, I would get a blank sheet of paper. He would not tell me, because apparently the information is held on something called an interim vulnerable persons database. When have we debated that? I do not recall it.

Is it not even more insidious that you can have a black mark against your name without even knowing about it? In what sort of democracy are we living? I used to read serious novels. I do not any longer, but I remember reading Franz Kafka, and that is the name that springs to mind. This is not a feature of western democracy, where the right to a free trial is a cornerstone and a pillar of our system. It is an abnegation of that. Why are we tolerating it? ...

16:29 Christine Graham (SNP): ... Since 2014-15, the number of hate crimes—that emphasise the word "crimes"—that have been recorded each year in Scotland has been between 6,300 and 7,000, so hate crime is not new, although perhaps the public, like many of us, were not aware of the extent of it. ...

Elsewhere in the UK, the stirring up of hatred on the ground of religion has been criminalised in England and Wales since 2007, and the stirring up of hatred on the ground of sexual orientation has been criminalised since 2010. In Northern Ireland, the law recognises the characteristics of disability, race, religion and sexual orientation.

Of course, our legislation follows the independent review that Lord Bracadale carried out in 2018. I will turn to a few of his recommendations. Recommendation 10 states: “There should be a new statutory aggravation based on age hostility.

Where an offence is committed, and it is proved that the offence was motivated by hostility based on age, or the offender demonstrates hostility towards the victim based on age during, or immediately before or after, the commission of the offence, it would be recorded as aggravated by age hostility. The court would be required to state that fact on conviction and”—I underline these words—“take it into account when sentencing.”

We are talking about aggravations to crimes that have already taken place. ...

Recommendation 15 states: “The current provisions in relation to stirring up racial hatred under the Public Order Act 1986 should be revised and consolidated in a new Act containing all hate crime and stirring up of hatred legislation.”

Recommendation 16 states: “A protection of freedom of expression provision similar to that in sections 29J and 29JA of the Public Order Act 1986 and section 7 OBFTCA should be included in any new legislation relating to stirring up offences.”

What has followed—I am glad that the Government has admitted this—has been a failure to communicate adequately to the public that the offences in question are not new, with the exception of age as a characteristic ...

16:35 Paul O’Kane (Labour): ... We would all want to take a moment to recognise that hate crime is pernicious and deeply damaging. In his review, Lord Bracadale went out of his way to highlight the particularly challenging circumstances of growing Islamophobia and antisemitism in Scotland and, through his recommendations, he sought consolidation of the law to make things better around access to recourse in that regard.

However, the past fortnight, since the Hate Crime and Public Order (Scotland) Act 2021 came into force, must surely be instructive for the Government, because there has been a clear demonstration of how the chaotic implementation of a law that is intended to improve protections from hate for individuals and communities has actively undermined confidence in that law and in its operation more generally. ...

... the Government ... has to take stock of the challenges and problems that have been highlighted throughout the debate, such as the absence of clear communication and guidance and the need for the police to be well resourced and supported, and it has to ensure that progress is made on what is missing from the act. ...

16:41 Keith Brown (SNP): ... the senior law lecturer Andrew Tickell stated the following: “Can it really be Scottish Tory policy that harassing the disabled, assaulting ethnic minorities and daubing antisemitic abuse on synagogues should not be treated in Scots Law as aggravated by prejudice? Because that’s a big part of what repealing the Hate Crime Act would achieve.”

Those were his words. However, during the debate, we heard the Tory spokesperson, when invited to do so, refuse to condemn hate crimes or even to acknowledge the existence of hate crimes in Scotland. Given that the Tory motion proposes no replacement for the act, we have to ask a different question: what is it about the absence of effective legislation on hatred against the vulnerable groups that are mentioned in the act that the Tories find so attractive? ...

Douglas Ross (Conservative): Does the member agree with Lord Hope, the former deputy president of the Supreme Court, who said that the legislation is unworkable and should be repealed?

Keith Brown: I can answer that very briefly by saying no. I do not agree with Lord Hope. Over time, we will see, as we are starting to see, that if people act in good faith, the act can be effective in protecting the people that it seeks to protect. ...

The climate that has been created has consequences, and the thousands of false complaints that have been made against people who obviously did not commit hate crimes are not only a huge waste of police time but a sad indictment of the misunderstanding of

the act that has been peddled for all the wrong reasons. The fact that nothing has come out of many of the thousands of complaints proves that the fact that a person has discussed or criticised aspects of the protected characteristics and someone has been offended, shocked or disturbed does not make it a hate crime and that that is therefore—quite rightly—not criminalised by the law. ...

... people of course have the right to be offensive to other people, including those in the protected groups. However, they do not have to do that; there is no obligation to be offensive to those people. Let us have a thought for the people in those groups, such as those who are suffering from antisemitism or Islamophobia. People are suffering if they are part of the groups that are characterised in the act because of the constant attacks on them, which are encouraged by the climate that we are now seeing. As has been said, they are very often fearful in their own homes, and that is largely to do with the public discourse around the legislation. Although we have the right to be offensive to people in those groups, we do not have an obligation to be so.

I, too, absolutely defend the right to be offensive. If that is what people want to do, they can, as part of free speech. However, the misplaced anger and frustration that have been generated by the reaction to the act is far too often channelled, not least online, towards the groups that the act seeks to protect. ...

We have two different visions of Scotland, in my view. One is that we have a law that challenges hate and has the effect of protecting vulnerable communities. The other is the Tory vision for Scotland, in which such protections are no longer in place and there is no legal framework. ...

16:47 Katy Clark (Labour): ... Hate and prejudice have no place in Scotland, and robust laws are needed. We know that the number of recorded hateful incidents has risen over a number of years, and it has been said in this debate numerous times that we already had hate crime legislation in Scotland. However, as Jamie Greene pointed out, the 2021 act is more than a consolidation. ...

The chaos of the implementation of the act has led to a loss of public confidence. Siobhian Brown has said again today that there is a high threshold for criminality, but that point has not been part of the communications strategy. She also pointed to a fall in the number of complaints since the first days of the act. Today, however, she has again made ambitious claims about how the act will help marginalised groups. It is therefore hardly surprising that a large number of complaints have been made. The fact that Lord Hope has said that the act is unworkable shows the consequences of failures of communication.

... there is merit in some of the provisions in the act—for example, the aggravators. ...

The Scottish Government has pledged to systematically collect data on hate crimes in line with United Nations recommendations. However ... the Scottish Government must set out in its guidance the extent to which it believes the recording of non-hate incidents is human rights compliant, particularly given that, in England and Wales, vexatious complaints are no longer being recorded. ...

16:53 Angela Constance: ... We know that misinformation and confusion such as people claiming that we have a law in Scotland that means that we cannot say anything derogatory about disabled people is a clear example of misinformation that fuels concern and will seek only to embolden the small minority of people who genuinely pose a threat of abuse and violence. ...

I want to emphasise that, in all this, we must not lose sight of those who experience hatred and prejudice every day. It is their voices that have been overshadowed and their voices that have not been heard. ...

The fact that there have been 445 police-recorded hate crimes in the first two weeks of the act reinforces the importance of the legislation and shows that it is working. Notwithstanding the high volume of anonymous online complaints, which have fallen by nearly 75 per cent, we know that not all hate crime incidents are reported. They do not all come to the attention of the police, and we still continue to have an issue with hate crime

being underreported. ...

On non-crime hate incidents, the purpose of that process is to focus on the vulnerability of complainers. I restate that it is important that policy is clear about what information is held about citizens, how it is used and in what circumstances. I have discussed that with the chair of the SPA, and I will do so again. I am more than happy to engage with MSPs on that. It is important to put on record that Police Scotland is looking at the guidance that came from the College of Policing and is reviewing its position, even though that guidance does not directly relate to Scotland. ...

I end by saying that, if the 2021 act is repealed in full, Scotland would be the only country in the UK without specific legislation to protect communities from hate. How would that give the message to victims and perpetrators that hate crime will not be tolerated? ...

17:01 Sharon Dowey (Conservative): ... The Hate Crime and Public Order (Scotland) Act 2021 came into force on 1 April. Already, as my colleagues have outlined clearly today, it has been a disaster, within just a few weeks of coming into force. My party warned that that would happen. We warned that it would risk free speech and overwhelm the police. We warned about that when the bill was first introduced, we reiterated it throughout the parliamentary process and we lodged amendments to prevent that from happening. We have repeated the point countless times in the years since the Parliament voted for the law, and we have called for it not to go ahead. Just before it came into force, we again warned Humza Yousaf directly, in the chamber, that the law was unworkable. In just a fortnight, our criticisms have already been proved correct.

Before getting into the substance of our arguments, I will deal with the developments yesterday on the new law. Yesterday, seemingly in panic mode, the SNP gave a statement in the Parliament on the implementation of the new law. ... It is now desperately claiming that this highly controversial new law, which it used to hail as groundbreaking, is barely any different from older laws. It is still arrogantly dismissing almost all criticism. It is refusing to accept just how flawed the law is, even as it unravels day by day. ...

The act is already being misused by activists; it is already putting neighbours against neighbours and communities against communities; and it is already limiting free speech in Scotland. Those are the facts ... and that is why my party brought forward the debate on repealing the law, because the longer that it continues, the worse the situation will get and the more damage the act will do. ...

If the 2021 act is not removed immediately, the consequences for free speech in Scotland will grow more severe. ...

What happened to [Murdo Fraser]—when the police recorded his details despite there being no evidence of a crime—was unacceptable, downright wrong and should be called out by every party in the Parliament.

Murdo Fraser described the inconsistencies in how police deal with complaints. There seems to be one rule for some complaints and an entirely different rule for others, which seems to depend on the topic. There are obvious double standards that are certainly a consequence of the introduction of the 2021 act and the misunderstandings that it has created. ...

It is having a detrimental impact on free speech in Scotland, it is stretching already overworked and underresourced police officers, and it is turning communities against one another. Far from limiting hate in Scotland, it seems to be increasing the divisions in our society. ...

To read the full transcript see

<https://www.parliament.scot/chamber-and-committees/official-report/search-what-was-said-in-parliament/meeting-of-parliament-17-04-2024?meeting=15801&iob=134892>

The Hate Crime and Public Order (Scotland) Act 2021, referred to above, can be read at <https://www.legislation.gov.uk/asp/2021/14/contents>

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

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

The judgement in *Millar v College of Policing*, referred to above, can be read at <https://www.judiciary.uk/wp-content/uploads/2022/07/Miller-v-College-of-Policing-judgment-201221.pdf>

Motion:

Russell Findlay (Conservative) [S6M-12885] Repealing the Hate Crime Act – That the Parliament believes that the Hate Crime and Public Order (Scotland) Act 2021 should be repealed.

<https://www.parliament.scot/chamber-and-committees/votes-and-motions/S6M-12855>

Amendment S6M-12885.3 Agreed

For: 64; Against: 49; Abstentions: 5:

Siobhian Brown (SNP) Repealing the Hate Crime Act - Amendment – As an amendment to motion S6M-12855 in the name of Russell Findlay (Repealing the Hate Crime Act), leave out from "should" to end and insert ", as supported by the majority of the Parliament, will provide greater protections for those who are targeted victims of hate crime; notes that the Act was developed following a review into hate crime by senior retired judge Lord Bracadale, who recommended specific legislation to recognise the impact and harm caused by hate crime; further notes that around a third of hate crimes in Scotland involved a victim who experienced the incident at their place of work or whilst undertaking duties as part of their occupation, most of whom were working in retail or other service industries, and that a quarter of recorded hate crimes had a police officer victim, and recognises that the impact on victims of hate crime can be traumatic and life changing."

<https://www.parliament.scot/chamber-and-committees/votes-and-motions/S6M-12855-3>

Amendment S6M-12885.4 Disagreed

For: 20; Against: 97; Abstentions: 1:

Pauline McNeill (Labour) Repealing the Hate Crime Act - Amendment – As an amendment to motion S6M-12550 in the name of Russell Findlay (Repealing the Hate Crime Act), leave out from "believes" to end and insert "recognises that the Hate Crime and Public Order (Scotland) Act 2021 was intended to improve protections for individuals and communities from hate, but has been let down by the chaotic implementation of it by the Scottish National Party administration; acknowledges the Scottish Government's failure to properly communicate the changes in the legislation, or to give adequate training to Police Scotland; requests that the Criminal Justice Committee carry out an urgent review into the operation of the Act, specifically the new provisions, and calls on the Scottish Government to urgently address the flaws in its implementation of the Act, to use its powers under section 12 of the Act to add the characteristic of sex as an aggravator and protected characteristic under the Act, and to review the recording of hate incident reporting to make sure that it is compliant with human rights law and prevents the recording of vexatious complaints."

<https://www.parliament.scot/chamber-and-committees/votes-and-motions/S6M-12855-4>

Motion as amended Agreed

For: 64; Against: 29; Abstentions: 25

Amendment S6M-12885.1 Not selected:

Ash Regan (Alba) Repealing the Hate Crime Act - Amendment – As an amendment to motion S6M-12855 in the name of Russell Findlay (Repealing the Hate Crime Act), insert at end ", and notes with concern that the root cause of failings in the roll-out of the Hate Crime and Public Order (Scotland) Act 2021, and other legislative failures, is the erosion of good governance to safeguard the legislative processes, and that it is essential for public confidence that Scotland's governance is returned to a competent footing."

<https://www.parliament.scot/chamber-and-committees/votes-and-motions/S6M-12855-1>

Amendment S6M-12885.2 Not selected:

Liam McArthur (Liberal Democrat) Repealing the Hate Crime Act - Amendment – As an amendment to motion S6M-12855 in the name of Russell Findlay (Repealing the Hate Crime Act), leave out from second "the" to end and insert "there needs to be robust action to tackle hate crime, particularly at a time of rising numbers of cases of antisemitism and Islamophobia; considers that substandard promotion and communication has accompanied the implementation of the Hate Crime and Public Order (Scotland) Act 2021, which has contributed to the public uncertainty and concern around its potential impact, and calls on the Scottish Government to take all necessary steps to ensure that this can be rectified and the law applied sensitively, practicably, and in a way that fully respects essential freedoms, such as freedom of expression."

<https://www.parliament.scot/chamber-and-committees/votes-and-motions/S6M-12855-2>

Scottish Parliament Oral Answers

Hate Crime and Public Order (Scotland) Act 2021

Douglas Ross (Conservative): ... When we opposed the Hate Crime and Public Order (Scotland) Act 2021, the Scottish Conservatives warned that the legislation would overburden our already overstretched police. Now, that is exactly what has happened. ...

Calum Steele, who is the general secretary of the International Council of Police Representative Associations, has said: "Police officers have been left embarrassed by this week's hate crime farce, with some left so angry they have told me they have never been more ashamed of being in the police service than they are at this moment." ...

Why does Humza Yousaf think that he is right and the police are wrong?

The First Minister (Humza Yousaf): I remind Douglas Ross that, in almost a quarter of the hate crime reports, the victims are police officers. Not only that, but we can say from the statistics that we have to hand that many of them suffer the most outrageous abuse, some of which is directed at them because of prejudice in relation to their sexual orientation and some in relation to their race. ...

... If the act did not exist, the stroke of a pen would have removed protection from stirring up of hatred against those who suffer racist abuse, antisemitism, Islamophobia, homophobia, transphobia, or abuse because of their disability. ...

Douglas Ross: ... It is a disgrace that the First Minister is unwilling to accept the failures of his act and listen to the voice of police officers up and down the country. If he will not listen to police officers, he should listen to others ... who said that the bill was too vague, was poorly defined, and would not work. Now, some of Scotland's top legal experts have said the same. Alistair Bonnington, who is a professor of law at the University of Glasgow, has said that the law is "extremely dangerous" and "could see entirely respectable and reasonable citizens prosecuted for expressing viewpoints which the law would allow in almost every country in the world."

Lord Hope, who is a former Supreme Court justice and Scotland's most senior judge, has said that the act has "misfired" and has described it as "unworkable". As the Scottish

Conservatives have done, he has called for the hate crime act to be repealed. Why does Humza Yousaf think that he is right and legal experts are wrong?

The First Minister: In all that, the one group of people whom Douglas Ross is refusing to listen to are the victims of hate crime. ...

Let us look at some of the details. Of the 8,984 hate crime complaints that were made to Police Scotland in the first couple of weeks of April, the vast majority—at least 95 per cent—have been deemed not to be crimes. The idea that there would somehow be mass criminalisation of people simply for expressing their opinions, or for being insulting or offensive, did not materialise. Why did it not materialise? If we look at the detail of the 2021 act, it makes it abundantly clear that, for the new stirring-up offences, behaviour has to be both threatening or abusive and intended to stir up hatred.

We have a piece of legislation that does what any civilised society would want a piece of legislation of that nature to do: it protects people from hatred. Of course, there is an appropriate balance to be struck in relation to protecting people's freedom of speech and freedom of expression. ...

Douglas Ross: We are opposing Humza Yousaf's bad SNP law because of the impact that it is having.

Victims of hate crimes are not getting support from the police because the police are being inundated with thousands of complaints. We are hearing that from the police and from legal experts.

We said at the very beginning that the act would put free speech at risk. Members will all have heard the report of a 74-year-old pensioner who was taken by the police to a station over a dispute with her neighbour. That grandmother was not charged and had not committed an offence, but she has been punished by the process—exactly as we warned would happen, just a few weeks ago.

Public opinion is already against Humza Yousaf's law. A recent poll found that two thirds of Scots thought that the hate crime act should be repealed.

Why does Humza Yousaf think that he is right and the public are wrong?

The First Minister: Once again, in that question, Douglas Ross did not mention the victims of hate crime.

Douglas Ross: I did. I literally said it. ...

The First Minister: Time and again, Douglas Ross forgets to mention the very people who suffer hatred.

In the figures for 2021-22, almost 7,000 hate crimes were recorded by Police Scotland. Those are almost 7,000 people who have been the victims of racist abuse, antisemitism, Islamophobia and transphobia, and people who have been the victims of hatred because of their sexual orientation or disability. Those people deserve protection.

What we have seen in the past few weeks is deliberate disinformation from the Conservatives and many other bad-faith actors who have refused to look at what the law actually does. The law is abundantly clear that, for the new stirring up offences, behaviour has to be threatening or abusive and intended to stir up hatred. In relation to police officers, let us go back to what Police Scotland has actually said. Let me commend and thank Police Scotland for the incredible job that it has done, despite the fact that there have been many bad-faith actors in relation to the hate crime act. In Police Scotland's own words, there has been a "minimal" impact on front-line policing in the first couple of weeks.

Let me thank police officers not only for the work that they do, day in and day out, in tackling hate crime, but for the fact that almost a quarter of hate crime reports are against police officers themselves.

Douglas Ross: Humza Yousaf is describing opponents of his bill as "bad-faith actors". They are the two thirds of Scots, who, at the moment, want to see his legislation being

repealed.

Humza Yousaf is sitting there saying that everything is fine with his legislation, just as he did with the ferries that he could not get to sail, the trains that he could not get to run on time and the NHS waiting lists that grew under his stewardship of the health service. ... We warned him that all these problems with the hate crime act would happen. We warned that the police would be overwhelmed, and that the law was poorly written and would put free speech at risk. He dismissed every single valid criticism. Humza Yousaf said that he knew best.

Now, the police, legal experts and the public are telling him that he has got this badly wrong. The only person in Scotland who seems to think that the act is working well is Humza Yousaf. How on earth can the First Minister say that the hate crime act has been a success?

The First Minister: ... The Parliament did not back the Conservatives. In fact, with the exception of the Conservative Party, the Parliament backed the act. ...

When I talk about bad-faith actors, I am talking about the Conservative Party. I also mean, for example, neo-Nazis—those on the far right—whom The Observer reported were organising and orchestrating complaints to Police Scotland. They are, by any stretch of the imagination, bad-faith actors. Far too many such actors have been spreading disinformation and misinformation. Despite that, despite what they had been warning—which was proved to be untrue—and even despite what I suspect some of them wished, the police dealt well with those thousands of complaints. Only a minority of such complaints have ended up being recorded as hate crimes.

Time and again, every one of us stands up in the chamber to say that we have a zero-tolerance approach to hatred. I have to say that that has been sorely tested by some comments that the Conservative Party has made in recent weeks. If they have that zero-tolerance approach, they should be getting behind the act and supporting the victims of hatred.

https://www.parliament.scot/chamber-and-committees/official-report/search-what-was-said-in-parliament/meeting-of-parliament-18-04-2024?meeting=15804&iob=134907#orscontributions_M4981E312P801C2577679

TOP

Israel

See also the House of Lords Committee Stage Debate on the Economic Activity of Public Bodies (Overseas Matters) Bill, and Commons written answer 21173 “Deportation: Palestinians” that are included in the Home Affairs section above, and the FCDO press release “UK and US sanction leading Iranian military figures and entities following the attack on Israel” that is included in the Foreign Affairs section below.

House of Commons Oral Answers

Humanitarian Situation in Gaza

col 307 **David Lammy (Labour):** To ask the Secretary of State for Foreign, Commonwealth and Development Affairs if he will make a statement on the humanitarian situation in Gaza.

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (David Rutley): ... Earlier this month, we passed a grim

milestone: six months since Hamas's horrific terrorist attack on Israel. The UK Government have been working with partners across the region to secure the release of hostages, including British nationals. We want to see the release of all hostages.

Palestinian civilians have spent these months suffering, with conditions worsening by the day. The humanitarian situation in Gaza is dire. The Iran attack and our support for Israel have not changed our focus on ensuring that Israel meets its commitments to enable at least 500 aid trucks a day to enter Gaza; to open Ashdod port for aid deliveries; to expand the Jordan land corridor; to open a crossing into northern Gaza; and to extend hours at Kerem Shalom and Nitzana. ... We have recently seen a small increase in the number of aid trucks being allowed to enter Gaza, but not all of them are full, and numbers are not yet close to reaching the levels required given the severity of the humanitarian situation that we now see.

We will continue to press Israel to take immediate action to open Ashdod fully for humanitarian aid. Meanwhile, we recently announced new support for a life-saving aid corridor by sea to Gaza ...

The UK-Med field hospital, funded by the UK, is up and running in Gaza and has already treated more than 8,000 people, a high proportion of them children. ...

We were horrified by the attack on the World Central Kitchen convoy, which killed seven aid workers, including three very dedicated British nationals. Israel must do more to protect aid workers, including through guaranteed deconfliction for aid convoys and other humanitarian work to ensure that they can operate safely. The findings of Israel's investigation must be published in full, and followed up with a wholly independent review, to ensure the utmost transparency and accountability.

col 308 Six months on, however much we might wish otherwise, the fighting has not yet come to an end. We cannot and will not stand by. ...

David Lammy: ... Conditions in Gaza are desperate and intolerable. Famine is taking hold, sewage is pooling in the streets and the water has still not been switched back on. Almost nothing is reaching northern Gaza, where people are already dying of starvation. The healthcare system has been utterly devastated. ... Aid is sat waiting, unable to reach those in need, with some rotting where it stood. Items are removed from trucks without explanation, and doctors are reusing single-use medical equipment taken from patients who have died. ...

For months, we have demanded that aid flow without restrictions—unfettered and unimpeded—at a level that meets humanitarian need. The UN Security Council has demanded it; the International Court of Justice has ordered it. However, despite the pledges that have been made, UN figures show that more aid went in on some days in January than went in yesterday, so I have three questions for the Government.

First, can the Minister be clear that Israel is not meeting its commitments, and about what pressure the Government are applying to change that? Secondly, why have the Government not yet announced that they are restoring future funding to the United Nations Relief and Works Agency? ... Thirdly, why are the Government seemingly softening their message to Netanyahu on Rafah? ...

There can be no humanitarian operation to meet the scale of need without an immediate ceasefire now. Both sides must agree to comply. ...

David Rutley: ... It is important to welcome Israel's commitments to increase the amount of aid getting into Gaza, and the limited steps that have been made, but—and this is an important but—more must be done ...

The right hon. Gentleman also talked about UNRWA. The final report from Catherine Colonna is due at the end of April. We will review that and make a decision on future funding. ...

col 309 **Oliver Heald (Conservative):** Does my hon. Friend agree that the position of the hostages is absolutely key ... He has explained that Hamas have not agreed to the latest

proposal, but does he agree that pressure needs to be put on them by their interlocutors who are working with them to do something solid on the hostage problem, and to do it speedily?

David Rutley: As I have said, the Government continue to call for an immediate humanitarian pause to allow for the release of hostages. ...

Brendan O'Hara (SNP): Understandably, perhaps, the world's attention has been on the shocking Iranian missile attack at the weekend, but we cannot and must not forget about the humanitarian crisis in Gaza, and the plight of millions of innocent civilians facing a man-made famine and living with the constant threat of attack. Neither can we forget the immensely brave humanitarian aid workers, particularly the seven World Central Kitchen employees, whose status as humanitarians appears to have offered them little or no protection from the Israel Defence Forces. ...

The elephant in the room, though, is arms export licences. For how much longer is the UK going to send humanitarian aid to Gaza while simultaneously licensing weapons sales to Israel? ...

David Rutley: ... the latest assessment carried out by the Foreign Secretary leaves our position on export licenses unchanged. That is consistent with the advice Ministers have received. ...

col 310 **Michael Ellis (Conservative):** Humanitarian aid getting into the Gaza strip is very important. ... More than 2,000 trucks have been able to get in, including about 100 trucks in the past 24 hours alone. Three bakeries have reopened in northern Gaza in the past week, producing some 3 million pita breads daily, and food aid convoys are now continuing via the newly opened northern crossing. ...

David Rutley: We have seen limited improvement. ...

Sarah Champion (Labour): Airdrops, promises of harbours and promises of money to come are not even touching the sides of the problem, given its scale. People are starving to death. At the beginning of March, my Committee published a report calling on the UK Government to press for more than 500 trucks of humanitarian aid a day to be allowed into Gaza; for all the crossings to open; for the Israeli military to co-operate better with aid agencies; and for deconfliction, so that humanitarian workers can live, and also safely carry out their vital work. Despite the Foreign Secretary's optimism about greater humanitarian flows, the average is just over 1,100 trucks a week. ...

David Rutley: ... we are pressing incredibly hard on Israel to make further progress, and there has been limited progress. ...

Kit Malthouse (Conservative): ... Over the last six months, we have heard the Government beg, plead with and press Israel, and have telephone calls, meetings and conversations with it. We even had the RAF in the sky, rightly, to defend Israel from Iran. Yet it occurs to many of us that the Israeli Government care little for what we say, to the extent that Medical Aid for Palestinians reports that a famine in Gaza over the next few weeks is all but inevitable. ...

col 311 **David Rutley:** As I have said, we are pressing incredibly hard to make sure that we see further progress in this vital area. ... one of the key things we are doing is committing £9.7 million for aid deliveries through the life-saving aid corridor to Gaza through the sea. ...

Julie Elliott (Labour): Crossings are still not open, trucks are going in half empty, and 41% of the UN's requests to send aid into northern Gaza are being refused by the Israeli Government. ... When will the Government come to this House to tell us when they will reinstate funding to UNRWA, which is the only aid organisation with the infrastructure on the ground to deliver aid at scale?

David Rutley: As I have said, we will review that report. ...

Rehman Chishti (Conservative): The Foreign Secretary was very proud to announce that the United Kingdom had set up a contact group for the middle east, which has members from Europe, the middle east and the United States. There is a key link to the humanitarian

situation in Palestine and Gaza, in that all the group's members, and the European Commission, have decided to fund UNRWA. ... Why is it taking us so long to make a decision, when our European counterparts have made theirs? ...

David Rutley: ... we will wait for the final Colonna report before we make a decision on UNRWA. ...

col 312 Layla Moran (Liberal Democrat): Yesterday, Oxford doctors Nick Maynard and Deborah Harrington briefed parliamentarians very movingly on their experiences of treating people in Gaza. They impressed on us how important it was that they were kept safe, and how many of their colleagues had died. ...

They also pointed out that the malnutrition that we see is making patients more vulnerable to infectious diseases. A report released by the London School of Hygiene & Tropical Medicine projected that if the situation continues as it is, there will be 74,000 excess deaths—that is, that number will die, over and beyond the number who have died by bombs, if something is not done. Does the Minister agree that we need not only an immediate bilateral ceasefire, but rebuilding of the medical situation in Gaza now, not later, because that is what is stopping people getting the life-saving treatment that they desperately need?

David Rutley: I join the hon. Member in praising the vital work of aid workers in the most challenging of circumstances, and I highlight the courage and bravery that they demonstrate. Obviously, we want to create conditions in which they can operate more safely. She calls for a ceasefire. We call for a pause that can lead to a sustainable ceasefire. ...

Flick Drummond (Conservative): Access to the north of Gaza for those providing humanitarian aid is still dire, and 28 children are reported to have died of malnutrition and dehydration. UNRWA continues to be disproportionately affected by access restrictions, and it was last able to deliver food to northern Gaza at the end of January. As we have heard, other countries are restoring funding to UNRWA, including the United States, so why are we taking so long?

David Rutley: We want to see the report, and then we will make our final decision. We recognise the important role of UNRWA, and we also recognise the importance of opening a crossing in northern Gaza ...

Richard Burgon (Labour): Yesterday, I attended a meeting of British doctors who have recently been in Gaza, and they described the systematic targeting of healthcare in Gaza. Let us be clear: that is a war crime. A UN special rapporteur recently warned, at a meeting that MPs organised, that Government Ministers and officials involved in arms exports to Israel should be absolutely clear that they could be individually criminally liable for aiding and abetting war crimes in Gaza. Will the Minister say on the record in this House, and ahead of next week's High Court hearing, that the legal advice that the Government have received confirms that there is no such risk, and that arms sales are in line with international law?

David Rutley: After our latest assessment of our position on export licences, it remains unchanged, and is consistent with the advice that Ministers have received. We will continue to keep the position under review.

col 313 Greg Smith (Conservative): As has been referenced, our close allies in the United States have commended Israel for stepping up the amount of aid getting into Gaza, but once aid trucks are on the Gazan side of the border, Hamas have sought to hijack the trucks, and to cynically use the distribution of aid as a political weapon, as has been recognised by this Government. What assessment has my hon. Friend made of the level of control that Hamas exercises over UNRWA and the distribution of aid?

David Rutley: ... The underlying situation relating to UNRWA was very challenging, and we need to make sure that aid is used for the appropriate purposes.

Afzal Khan (Labour): The Government rightly condemn Iran for risking destabilisation in the region, and for demonstrating that it is intent on sowing chaos in its own backyard, yet

we have had six months of Israel killing civilians, doctors and aid workers; destroying almost all civilian infrastructure in Gaza; cutting off water, fuel and electricity; and severely limiting the supply of aid. ...

David Rutley: We recognise that Israel has the right to defend itself and, as I have said, we are calling for an immediate pause in order to get aid in and the hostages out. ...

Bob Blackman (Conservative): By now there could have been a humanitarian pause and aid could be flowing into Gaza to help those poor individuals threatened with famine and war, but of course, just as the last two humanitarian pauses were breached by Hamas, Hamas refused to accept a ceasefire on the terms that have been agreed. ... Does the Minister agree that Hamas are clearly the obstacle to peace in the middle east?

David Rutley: Clearly Hamas are an obstacle to peace. Their actions provoked terrible atrocities in Israel back in October, which we find abhorrent. ...

Hywel Williams (Plaid Cymru): In reply to my written question on 15 April, the Minister said: "We want UNRWA to give detailed undertakings about changes in personnel, policy and precedents". Has the Minister, or any of his colleagues, actively sought those undertakings and changes from UNRWA by contacting it directly? ...

David Rutley: The broader issue about UNRWA is that we are waiting for the final report and then we can make decisions.

col 314 **Nigel Mills (Conservative):** Will the Minister confirm that it is inconceivable that the money we would earmark for UNRWA will not be given this year, and will he either set out what alternative agencies he thinks could do achieve the same outcomes on the ground, or confirm that we will have to give UNRWA the money anyway, in which case we might as well get on with it?

David Rutley: I have already said that UNRWA carries out important work and has a vital role, but the concerns about its activities mean that we must have this report. ...

Rachel Hopkins (Labour): Oxfam has reported that 1.1 million people are projected to be facing catastrophic levels of food insecurity in Gaza, and children are now starving. Samantha Power, administrator for USAID, told the US Congress last week that northern Gaza is now experiencing famine. ...

David Rutley: We continue to be very concerned about the humanitarian challenges in Gaza ... We have increased the amount of aid that we are committing to the region, and we are focusing laser-like in seeking that Israel should step up to the commitments it has made. ...

James Sunderland (Conservative): Israel's right to self-defence comes with clear responsibility. Gaza has become a conflict hellhole, and the delivery of more humanitarian aid from the international community, including the UN, is non-discretionary. ...

David Rutley: ... Not only are we increasing the amount of aid that we give to the region, but we want to ensure that it gets through. ...

Imran Hussain (Labour): As has been said, more than 33,000 people have been killed, 70% of whom are women and children. The International Court of Justice has warned of genocide, and more than a million people have been left starving while almost 2 million are displaced from their homes. Even as the Foreign Office's own legal advice, which it continually refuses to make public, is purported to declare that the Israeli military are breaking international law ...

col 315 **David Rutley:** ... we continue to have grave concerns about humanitarian access. However, that is not sufficient to undermine our judgment that Israel is committed to complying with IHL in general.

Anum Qaisar (SNP): Israel's military is reported to be using Lavender, an artificial intelligence system, to help choose its bombing targets in Gaza. That is machine decision making over human decision making, and it arguably sacrifices accuracy in favour of speed. The Lavender system identifies targets, which are reviewed for only 20 seconds

before authorisation of a strike. What discussions has the Minister had with colleagues in the Ministry of Defence about the use of AI in combat, the concerns over error rates, and the humanitarian impact on the ground?

David Rutley: Too many civilians have been killed, and we want Israel to take greater care to limit its operations to military targets and avoid harming civilians and destroying homes. ...

John McDonnell (Labour): The situation in Gaza is having its impact on the west bank. Tragically, this week a 14-year-old Israeli child was found dead, and that set off a process of settlers rampaging across the west bank. We now know that four Palestinians have been killed and others brutally attacked, and the evidence is that IDF soldiers stood to one side and allowed that to happen. At a meeting with Israeli colleagues this morning we heard that the Israeli Government are now arresting legal and peace observers in the west bank. ...

David Rutley: ... My understanding and memory is that we put sanctions on two individuals. We keep this issue under constant review, because those actions and what happens in the settlements is important, given the implications that has for the west bank.

Claire Hanna (SDLP): The escalation of recent days is deeply worrying, with two nuclear-armed countries exchanging ballistics, and neither with any reputation for care of civilian lives and both with agendas of their own. That escalation has occupied the headlines, but the people of Gaza continue to suffer unrelenting military attacks and starvation. The rules-based order and international law have suffered lasting damage, including by the targeting of aid workers and medics. ... one of the few legal tools available is the suspension of arms export licences. When will the Government use that?

col 316 **David Rutley:** ... our assessment on export licences remains unchanged. We have one of the most robust export systems in the world ...

Apsana Begum (Labour): Humanitarian agencies have concluded that we have passed the point of being able to avert famine in Gaza. Whatever we do now, we will be too late for those people who will have starved to death by the time aid arrives, and that is a stain on the international community. ...

David Rutley: We are urging, we are pleading and we are doing everything that we can to make our case. We are also trebling the amount of aid to £100 million. As I have said, we are also taking action to have this lifesaving aid corridor by sea to Gaza. ...

Carla Lockhart (DUP): Having seen the drone attacks on Israel at the weekend, it is disappointing to watch the Government and the US Administration basically telling the Israelis to roll over and accept this aggression by Iran. It was, however, encouraging to see an alliance of air forces assist the Israelis to protect their people. I wonder why there is little condemnation of this aggression against Israel and little continued acknowledgement that had 7 October never happened, none of this would be happening. What are the Government doing to ensure that both Gazans and Israelis are free from Hamas and Iranian aggression respectively and can live normal lives? ...

David Rutley: I agree and the Government agree that Israel has the right to defend itself. As part of our approach to enabling a sustainable ceasefire to be put in place, Hamas have to be put clearly in their place. They must not have the influence they have at the moment, and their ability to fire rockets into Israel needs to be completely diminished to enable that sustainable ceasefire.

Stella Creasey (Labour Co-op): ... Hamas were wrong to reject the ceasefire, but what Israel does next is not inevitable. Yet the Israeli Minister for Defence on Monday evening said that Israel was waiting for aid to be delivered to Rafah and for civilians to leave, and then it would begin the military operation. ...

col 317 **David Rutley:** ... we want to urge restraint about this proposed military operation by the Israelis. We are also calling for restraint in response to what has

happened with Iran, although notably the RAF and others were there to provide support to defend Israel from that attack. ...

Marsha De Cordova (Labour): ... Can we have a Government statement on Monday in which the Government set out a clear pathway back to restoring funding [to UNRWA]? The UK is the only major donor aside from the United States that has not restored its funding. ...

David Rutley: ... we are waiting for the report and then we will update Parliament on our decision. ...

George Galloway (Workers Party of Britain): Seventeen repetitions of “We are waiting for the report” will become the new definition of complacency. The more I listen to those on both Front Benches describing the bloody, putrid sea of misery that is Gaza, the more I am amazed that both sides continue to support the supply of British arms and military components to the country that is doing all this. ...

David Rutley: ... the situation on the ground is hugely complex. We are working night and day, and our officials in the FCDO are working flat out. We are providing the support we can to Israel and to help tackle the destabilisation. ... We are endeavouring to do everything we can to make our case with Israel, but it is also having to think about the implications of what is happening and act after a terrible tragic attack by Hamas and the responses by Iran.

col 318 **Olivia Blake (Labour):** I am concerned to hear the allegations made by several organisations that the trucks going in are half-full or less, which makes the amount of aid getting into Gaza by truck a difficult statistic to use. ...

David Rutley: ... we need to think not just about trucks, but tonnage. ...

Gavin Newlands (SNP): ... On the UK Government’s policy on arms sales, the criteria for halting arms sales does not require a legal confirmation that a breach of international humanitarian law has occurred, but only that it might have occurred. Does the Minister not consider that the ongoing investigation by the International Criminal Court of war crimes and crimes against humanity and the consideration by the International Court of Justice of potential genocide are indications that breaches of international law might have occurred? ...

David Rutley: We continue to have grave concerns about the humanitarian situation on the ground, but those are not sufficient to undermine our judgment that Israel is committed to complying with international humanitarian law in general. ... We recognise Israel has the right to defend itself.

Tahir Ali (Labour): The Belgian Foreign Minister stated that Israel was engaging in “tactics of starvation”. Last month, the Foreign Minister of the Republic of Ireland stated: “The use of starvation as a weapon of war is a blatant violation of international humanitarian law.” This month, Belgium’s Minister of Development and Co-operation stated that Israel’s use of hunger as a weapon of war was “a flagrant violation of international law”. The Israeli Defence Minister is on record as saying: “I have ordered a complete siege on the Gaza Strip. There will be no electricity, no food, no fuel, everything is closed. We are fighting human animals and we are acting accordingly”. When will this Government wake up to the reality that innocent Palestinians are dying and take action to stop them dying from hunger and starvation?

David Rutley: We are working hard to get the aid in ... That is critical. We are also calling out the Israeli Government, recognising that too many civilians have been killed. ...

col 319 **Karen Buck (Labour):** The world is astounded by the fact that we are having to rely on sea corridors and air drops for the delivery of aid when we know that the only way we will prevent starvation in the hell that is Gaza is through mass truck supply and UNRWA-assisted delivery. ...

David Rutley: We have seen limited improvements ...but we want to see Israel stand up to its commitment to increase the total number of aid trucks to at least 500

a day and increase the capacity through the Jordan land corridor to 100 trucks a day. ...

Tanmanjeet Singh Dhesi (Labour): Given the horrific scale of killing and the starvation of Palestinians, and especially children, we need an immediate ceasefire and the release of hostages, and the Netanyahu Government must allow aid into Gaza unimpeded, rather than continually blocking it. There also needs to be a process of investigation, accountability and justice, whether through the ICC, the ICJ or the UN commission of inquiry, given the serious allegations of war crimes, but the UK Conservative Government do not presently find any of those routes acceptable. Will the Minister please highlight which of those accountability mechanisms they find acceptable?

David Rutley: We respect the role and independence of the ICJ, but, to the points that the hon. Member raised, our view is that Israel's actions in Gaza cannot be described as genocide. We remain clear that formal determination of genocide should be based on the final judgment by a competent court.

Deidre Brock (SNP): Will the Minister explain the rationale behind advocating a humanitarian pause in the bombing to allow medical aid, food, water and basic supplies into Gaza and then—presumably—permitting the killing to start up again? ...

David Rutley: The Government's position is that we need a pause—we need to get aid in and hostages out—and then work for the conditions for a lasting peace. We must also recognise Hamas's role in getting to this point. In those conditions, we need to remove Hamas's capacity to launch attacks against Israel and ensure that they are no longer in charge in Gaza.

Naz Shah (Labour): ... I met Gaza health and aid workers and heard lots of stories. One of them was about Nuzha Awad, a lady who had given birth to triplets. Her babies should have weighed about 6 lb to 8 lb each, but they weighed just 2 lb each and have not even developed their thighs because of malnutrition. ... We send in RAF jets to support Israel when it is attacked, yet Israel does not heed the British Government's warnings to get humanitarian aid in. ...

col 320 **David Rutley:** ... I reiterate that we want to see change and are pushing for change, and we are taking action to ensure that more aid is available. We just need to get the conditions to enable aid to come forward and through to the people who need it on the ground in Gaza.

Clive Efford (Labour): When the Israeli Government are not listening to the Minister about aid getting in, why are the Government still considering selling arms to Israel? ...

David Rutley: We are working hard with the Israeli Government on humanitarian issues ... Our export controls are in place, and our approach remains unchanged. We must recognise that Israel has the right to defend itself.

Barbara Keeley (Labour): The Minister says that the Government recognise the importance of opening a northern crossing, but ... almost no aid is entering northern Gaza. ... Exactly what pressure are the Government applying ...

David Rutley: ... One of the key things that Israel is committed to is that northern route. ... that is one of the elements that we continue to urge Israel to stand up and commit to.

Ronnie Cowan (SNP): F-35s are reducing Gaza to dust. During Pinochet's brutal rule in Chile, the workers of Rolls-Royce in East Kilbride refused to manufacture parts for the Chilean air force and were hailed as heroes. Why would the UK Government not follow that humanitarian example and stop exporting the parts for F-35s?

David Rutley: It is because we have got one of the most robust arms export regimes in the world, and, as I have said, we need to recognise Israel's right to defend itself. ...

col 321 **Ian Byrne (Labour):** We were told a month ago that 1.1 million people faced catastrophic levels of food insecurity in Gaza, and that we were reduced to air drops. The situation in northern Gaza is horrific, and it is a consequence of political choices. ...

Twenty-eight innocent children are reported to have died of malnutrition and dehydration because of political choices. What meaningful, strong actions will the Government take to ensure that international law is upheld and all Palestinians have a right to food?

David Rutley: ... We are asking Israel to step up to its commitments. It has made limited progress, and we want to see much further progress to help those people on the ground.

Andy McDonald (Labour): According to UNICEF, one child in Gaza is killed or injured on average every 10 minutes. Yesterday, Israeli occupying forces struck a playground in the Maghazi refugee camp in central Gaza, massacring at least 11 people and injuring many more. ... Will the Minister tell us categorically whether arms exported from Britain were used in the strike on the Maghazi refugee camp, and, for that matter, whether the three British aid workers who were killed at the beginning of the month were killed by weapons manufactured in Britain?

David Rutley: As I have already highlighted, we have strong export controls. ... we have asked Israel for an assessment and an independent investigation to take place as to what happened in that situation.

Debbie Abrahams (Labour): We continue to call for the immediate release of all hostages, for an immediate ceasefire, for unhindered humanitarian aid, for adherence to international law and accountability for any breaches, and for immediate international efforts for a two-state solution. On aid and international law, between 6 and 12 April, 41% of UN co-ordinated missions to northern Gaza, where famine is under way and children are dying by the minute, were denied. The Israeli authorities' obligation to facilitate humanitarian aid is a matter of law. It is not just about access; it must also be able to get to where it is needed. ...

David Rutley: ... there has been limited progress, but we have made some progress in our arguments with Israel, along with international partners. Now we are pressing for those other areas to be dealt with, including northern access ...

col 322 Matt Western (Labour): ... to the wider global population, it appears that Israel is using starvation as a weapon of war, whether through the supply into the country or by intimidating the workers who should be distributing it. ...

David Rutley: We remain concerned about the implications of targeting civilians. Too many have been killed, and we want Israel to take greater care to limit its operations to military targets. ...

Andy Slaughter (Labour): Some 500 health-care workers have been killed in Gaza in the past six months. That is more than the total number of healthcare workers killed in all conflicts around the world in the previous two years. Does the Minister agree with Professor Nick Maynard, the British surgeon recently returned from Gaza, that healthcare workers are being deliberately targeted? ...

David Rutley: ... We believe that the Israelis need to do much more to protect them. That includes the guaranteed deconfliction of aid convoys and other humanitarian workers, to ensure that they can operate safely.

Clive Betts (Labour): ... In concrete terms, what will the Government do now to get aid through, to make sure that Israel lives up to the promises that it makes and does not deliver on? ...

David Rutley: As I have highlighted, we have trebled the amount of aid that we are putting ... We recognise that Israel is an occupying power, so we have to urge and work with the Israelis to enable these things to happen. ...

col 323 Chi Onwurah (Labour): I hope the Minister remembers Hind Rajab, the six-year-old Palestinian girl who was trapped in a car with nothing but a mobile phone and her own cries for help while the paramedics were struggling to get to her. They and Hind were killed that day. An IDF investigation concluded that its forces were not present within firing range of the vehicle. A subsequent *Washington Post* investigation disagreed. ...

David Rutley: On the specific point about aid workers, I highlighted that we also

want an independent review. It is important that they are protected, and we need to understand the situation on the ground. ...

Jonathan Edwards (Independent): Following the Iranian attacks over the weekend, we are one step away from the precipice of a regional war. The comments of the Foreign Secretary this afternoon following his meetings with the Israeli Government—that he believes Israel is minded to act—should worry us all. ...

David Rutley: We need to de-escalate the whole situation and do everything we can to use our influence in that task. ...

Barry Gardiner (Labour): Every Member of this House knows that it was that great Conservative statesman who said that all it takes for evil to prevail is for good people to stand by and do nothing. Today the Minister, who we know is a good man, must have been embarrassed. He stood there, wrung his hands and told us that our Prime Minister has pleaded with the Israeli Prime Minister. ...

David Rutley: ... We have already highlighted cross-party that these situations are complex. ...

Alan Brown (SNP): Currently, 1.1 million civilians are at risk of starvation due to the Israeli aid blockade. That is clearly a breach of humanitarian law and the interim ICJ ruling. ... The UK Government's incoherent position is that rather than call out Israel, they are urging and pleading Israel to change tack, while still selling arms to Israel and withholding funding to UNRWA. ... What is making the UK Government wait for the final Colonna report before restoring funding? ...

col 324 **David Rutley:** We have made it clear that we want to see the full report, and then we will make a decision.

Ruth Cadbury (Labour): Between 6 and 12 April, 41% of UN co-ordinated aid missions to northern Gaza were impeded or denied access. The Israeli authorities' obligation to facilitate humanitarian support is about not just getting trucks in but getting aid to where it is needed. That is a matter of international humanitarian law. ...

David Rutley: We are seeing some success enabling and encouraging Israel to allow more trucks in. ...

Carol Monaghan (SNP): Testimony from an Israeli intelligence officer reveals that IDF soldiers were authorised to kill 20 uninvolved civilians for a single Hamas operative. Israel is frequently in breach of the principle of proportionality and, frankly, UK diplomacy is not working. What will it take for the Government to admit finally that Israel is breaching international humanitarian law and to cease arms sales?

David Rutley: ... We have grave concerns about the humanitarian access, but that is not sufficient to undermine our judgment that Israel is committed to complying with IHL in general.

James Murray (Labour Co-op): Last week, Samantha Power, the administrator of USAID, told Congress that northern Gaza is now experiencing famine and that almost no aid is entering northern Gaza. Does the Minister agree that the situation is intolerable and unacceptable? ...

David Rutley: The situation is incredibly challenging. ...

Richard Foord (Liberal Democrat): Jim Henderson from Cornwall served in the Royal Marines for seven years before working in Gaza. The aid convoy he was supporting was travelling from the north. It was following the right procedures and remained on the correct route. ... the UN Secretary-General said a fortnight ago that the death of all 196 aid workers killed in Gaza in the past six months should be subject to independent investigations. ...

col 325 **David Rutley:** I have already highlighted how important it is that we urge Israel to do much more to protect aid workers. We want to make sure there is a guaranteed deconfliction of aid convoys, and we need to do other humanitarian work to help. ...

Michael Shanks (Labour): The Minister has said on a number of occasions today how

complex the humanitarian situation is on the ground. UNRWA is the aid agency with most of the logistical and organisational network to deliver in that situation. ...

David Rutley: The thing holding us back from signing off our approach is seeing the report. ...

Alison Thewliss (SNP): The director-general of the World Health Organisation, Dr Tedros Ghebreyesus, has talked about the devastating destruction of Gaza's hospitals, and the dead bodies still being removed from the ruins of Al-Shifa Hospital. Will the United Kingdom fund the WHO and other charities on the ground in Gaza to rebuild the shattered hospitals that have been destroyed under Israeli bombardment? Will he deliver the ceasefire necessary to allow that construction to happen, because it cannot happen while there are no construction materials going into Gaza?

David Rutley: ... Our immediate approach now is about the pause and getting aid in. That has to be the top priority right now. Then, as we look forward, let us get the conditions in place to have a sustainable ceasefire. As part of that, we can work through how that reconstruction will take place.

Kerry McCarthy (Labour): ... Given the attacks on healthcare workers ... as well as the attacks on people trying to deliver food aid, will he explain what the pleas for guaranteed deconfliction actually mean, because they do not seem to be working?

col 326 David Rutley: ... We want to find ways to ensure that we deconflict aid convoys. I think Israel recognises that there are challenges there. It will be carrying out its own report, and a further independent review will be needed to help find ways to ensure that deconfliction is meaningful and strong.

Jim Shannon (DUP): ... Last week I had occasion to be in Israel and visited some of the kibbutzim where innocent Jewish people were murdered, and the Nova music festival where over 1,000 young people were murdered, and met some of the families. All that was a result of Hamas terrorism on the Israeli people. Hamas is the reason we have a humanitarian crisis in Gaza. What discussions have taken place about opening wider channels to allow medical aid in and ill people out and medical interventions free from harassment and intervention from Hamas?

David Rutley: ... He is right to highlight the role of Hamas and what they have done to get to this situation. We are working collectively to figure out how we can best address the situations. ...

To read the full transcript see

<https://hansard.parliament.uk/commons/2024-04-17/debates/65D2C3D1-F094-4D2C-A6A2-267BAA710BE2/HumanitarianSituationInGaza>

The report referred to above by Sarah Champion can be read at

<https://committees.parliament.uk/publications/43593/documents/216534/default/>

The London School of Hygiene & Tropical Medicine referred to above by Layla Moran can be read at

https://gaza-projections.org/gaza_projections_report.pdf

The written answer referred to above by Hywel Williams can be read at

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-25/20201>

Prime Minister's Questions

George Galloway (Workers Party of Britain): The Prime Minister told us on Monday that he was off to make a telephone call to Mr Netanyahu, to urge restraint on a Government that have killed and maimed well over 100,000 people in six months, 72% of them women and children. Will he tell us how the telephone call went? What will he do if his advice is not taken and an unrestrained war begins?

The Prime Minister: I was pleased to speak with Prime Minister Netanyahu, who

thanked the UK for its support of Israel's security over the weekend. We discussed the situation and how Iran is isolated on the world stage. I also made the point to him that significant escalation is not in anyone's interest and that it is a time for calm heads to prevail. I also reiterated our concerns about the humanitarian situation in Gaza. I welcome the statements and commitments that the Israeli Government have made about significantly increasing aid into Gaza, and now we need to see those commitments delivered.

<https://hansard.parliament.uk/commons/2024-04-17/debates/0E01322F-6F82-4497-8A9C-099407574726/Engagements#contribution-46F71AA5-BC5D-44E1-939B-D2E61237F368>

House of Commons Written Answers

UAV Engines: Exports

Kenny MacAskill (Alba) [21314] To ask the Secretary of State for Business and Trade, if her Department will make an assessment of the likelihood of the presence of (a) engines and (b) engine parts produced by UAV Engines, Staffordshire, in the Hermes 450 drone used in the strikes on World Central Kitchen vehicles.

Alan Mak: We continue to monitor the situation in Israel and Gaza closely but are not commenting on specific licences.

All export licence applications are assessed on a case-by-case basis against the Strategic Export Licensing Criteria. The UK operates one of the most robust and transparent export control regimes in the world.

We are carefully reviewing initial findings of Israel's investigations into the killing of World Central Kitchen (WCK) aid workers.

The findings of the inquiry must be published in full and followed up with a wholly independent review to ensure the utmost transparency and accountability.

<https://questions-statements.parliament.uk/written-questions/detail/2024-04-12/21314>

The Criteria referred to above can be read at

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

Hamas: Hostage Taking

Apsana Begum (Labour) [20791] To ask the Minister of State, Foreign, Commonwealth and Development Office, what information his Department holds on the number of Israeli hostages taken on 7 October 2023; and how many and what proportion (a) have died, (b) have been released and (c) remain in captivity.

Andrew Mitchell: The FCDO holds information on the hostages being held in Gaza, which is taken and updated regularly from official Israeli government sources. As of 10 April 2024;

- On 7 October, 253 hostages were kidnapped and taken into Gaza.
- 124 hostages have been returned to Israel (112 alive and 12 deceased). 129 hostages remain in Gaza. Of these 129 hostages, the Israeli government has stated that it has evidence that 34 are deceased. The remaining 95 hostages are either presumed alive or their status is unknown.

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-26/20791>

Hamas and Israel: Sexual Offences

Caroline Lucas (Green) [20590] To ask the Minister of State, Foreign, Commonwealth and Development Office, what recent discussions he has had with his Israeli counterpart on tackling sexual violence in conflict; and if he will make it his policy to call for incidents of sexual violence by (a) Hamas and (b) the Israel Defense Forces to be independently

investigated.

Andrew Mitchell: The UK condemns sexual violence unequivocally and without exception. Reports of sexual violence on and since 7th October are deeply disturbing. The UK has consistently called for these reports to be fully investigated to ensure justice for survivors and victims.

Through our Preventing Sexual Violence in Conflict programmes and dedicated funding totalling £60 million, we are leading work internationally to prevent conflict-related sexual violence and strengthen justice and support for all survivors.

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-26/20590>

Information about the Preventing Sexual Violence in Conflict programmes, referred to above, can be read at

<https://www.gov.uk/government/organisations/preventing-sexual-violence-in-conflict-initiative>

Israel: Casualties

Apsana Begum (Labour) [20790] To ask the Minister of State, Foreign, Commonwealth and Development Office, what information his Department holds on the number of Israeli (a) civilians, (b) women and (c) children killed since 7 October 2023.

Andrew Mitchell: Any civilian death is a tragedy. Over 1,200 Israelis and foreign nationals have been killed in Israel, the vast majority on 7 October 2023 according to the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA). 253 hostages were also kidnapped and taken into Gaza on 7 October, of whom 124 have been returned to Israel (112 alive and 12 deceased). We continue to call for the immediate release of all remaining hostages.

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-26/20790>

Gaza: Casualties

Apsana Begum (Labour) [20795] To ask the Minister of State, Foreign, Commonwealth and Development Office, whether his Department has made a recent estimate of the number of (a) civilians, (b) women and (c) children (i) killed and (ii) injured in Gaza using UK-made (A) arms and (B) technologies since October 2023.

Andrew Mitchell: All export licence applications are assessed on a case-by-case basis against the Strategic Export Licensing Criteria. We keep all export licences under careful review.

The Foreign Secretary has underlined the need for Israel to ensure effective deconfliction in Gaza, and we want to see Israel take greater care to limit its operations to military targets.

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-26/20795>

The Criteria referred to above can be read at

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

Gaza: Internally Displaced People

Apsana Begum (Labour) [20792] To ask the Minister of State, Foreign, Commonwealth and Development Office, whether his Department has made a recent estimate of the number of people who have been displaced in Gaza since 8 October 2023.

Andrew Mitchell: We want to see Israel take greater care to limit its operations to military targets and avoid harming civilians and destroying homes.

According to a UN estimate, as of 1 April, up to 1.7 million people (over 75% of the population) had been displaced across the Gaza Strip.

As the Prime Minister has told Prime Minister Netanyahu and regional leaders, we are deeply concerned about the prospect of a military offensive in Rafah. Over half of Gaza's population are sheltering in the area, and the Rafah crossing is vital to ensure aid can reach the people who so desperately need it.

Hamas: UNRWA

Nicola Richards (Conservative) [20827] To ask the Minister of State, Foreign, Commonwealth and Development Office, if he will hold discussions with UNRWA on alleged threats made to their senior operations staff by Hamas.

Andrew Mitchell: We are not currently aware of any threats made to senior UNRWA operations staff by Hamas.

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-26/20817>

Hamas: UNRWA

Michael Ellis (Conservative) [20307] To ask the Minister of State, Foreign, Commonwealth and Development Office, what information his Department holds on the use of UNRWA push-to-talk networks by Hamas.

Andrew Mitchell: The UK takes allegations of neutrality violations extremely seriously, including any incidents related to UN installations. The FCDO also monitors this closely through our annual assessment of UNRWA. When violations have been identified, UNRWA has taken action, including raising the issue with relevant parties.

We are aware that Catherine Colonna has now provided her interim report on UNRWA neutrality to the UN Secretary-General. This independent investigation includes an assessment of the policies and systems UNRWA has in place to ensure neutrality.

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-25/20307>

Hamas: UNRWA

Nicola Richards (Conservative) [20818] To ask the Minister of State, Foreign, Commonwealth and Development Office, whether he has had recent discussions with the Director of Operations at UNRWA on (a) the precision of air strikes in Gaza and (b) whether Hamas tunnels ran near or under UNRWA schools.

Andrew Mitchell: The UK takes allegations of neutrality violations extremely seriously, including in relation to UN installations such as schools. The FCDO also monitors this closely through our annual assessment of UNRWA. When violations have been identified, UNRWA has taken action, including raising the issue with relevant parties.

We are aware that the UN Office of Internal Oversight Services and Catherine Colonna have now provided their interim reports to the UN Secretary-General. Their independent investigations include assessment of the policies and systems UNRWA has in place to ensure neutrality.

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-26/20818>

UNRWA: Finance

Tom Hunt (Conservative) [21446] To ask the Minister of State, Foreign, Commonwealth and Development Office, if he will make it his policy to continue the suspension of aid funding to UNWRA until evidence is provided that dismisses links between UNWRA and proscribed terror groups.

David Rutley: 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 have paused any future funding of UNRWA.

We are aware that the UN Office of Internal Oversight Services and Catherine Colonna have now provided their interim reports to the UN Secretary-General.

We want UNRWA to give detailed undertakings about changes in personnel, policy

and precedents to ensure this can never happen again.

<https://questions-statements.parliament.uk/written-questions/detail/2024-04-12/21446>

UNRWA: Finance

Apsana Begum (Labour) [20794] To ask the Minister of State, Foreign, Commonwealth and Development Office, what assessment his Department has made of the potential impact of the decision to withdraw funding from UNWRA on the (a) provision and (b) distribution of aid in Gaza.

Andrew Mitchell: The UK provided £35 million to UNRWA in the financial year 2023/24, including an uplift of £16 million for the Gaza humanitarian response, all of which was disbursed before the recent allegations came to light.

Our decision to pause future funding to UNRWA has no impact on the UK's contribution to the humanitarian response.

We remain committed to getting humanitarian aid to the people in Gaza who desperately need it, including through other UN agencies and British charities.

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-26/20794>

Gaza: Humanitarian Aid

Rachael Maskell (Labour Co-op) [20688] To ask the Minister of State, Foreign, Commonwealth and Development Office, what recent discussions he has had on opening crossing points into Gaza for medical and humanitarian aid.

Andrew Mitchell: The British Government has pressed with Israeli counterparts the urgency of getting significantly more aid into Gaza to alleviate the desperate situation.

On 5th April Israel committed to significant steps to increase the amount of aid getting to Gaza, including allowing the delivery of humanitarian aid through the Port of Ashdod and the Erez checkpoint.

The UK has urged Israel to take these steps for a long time and they are welcome. We are resolved that the international community will work with Israel to see these vital changes fully implemented.

The Foreign Secretary has also called on Israel to reform its deconfliction mechanism to ensure the safety of aid workers, and to make progress on the UN's minimal operating requirements, including more visas and driver approvals granted, as well as more trucks permitted to cross into Gaza.

Palestinians are facing a devastating and growing humanitarian crisis. The UK is playing a leadership role in alleviating that suffering. We are doing everything we can to get more aid in as quickly as possible by land, sea and air.

150 tonnes of more UK aid arrived in Gaza on 13 March, including 840 family tents, 13,440 blankets, almost 3,000 shelter kits, and shelter-fixing kits, 6,000 sleeping mats and more than 3,000 dignity kits.

A field hospital, provided by UK Aid funding to UK-Med, has arrived in Gaza. This facility, staffed by UK and local medics, will be able to treat over 100 patients a day.

On 20 March, the Foreign Secretary announced the UK has funded WFP to provide 2000 tons of food aid, enough to feed 275,000 people in Gaza.

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-26/20688>

The announcement referred to above can be read at

<https://www.gov.uk/government/news/largest-uk-aid-delivery-enters-gaza-to-feed-275000-people>

Gaza: Humanitarian Aid

Rachael Maskell (Labour Co-op) [20698] To ask the Minister of State, Foreign, Commonwealth and Development Office, if he will make an estimate of the amount of aid that will enter Gaza before the end of Ramadan, in the context of UN Security Council resolution 2728.

Andrew Mitchell: On 5th April Israel committed to significant steps to increase the amount of aid getting to Gaza, including allowing the delivery of humanitarian aid through the Port of Ashdod and the Erez checkpoint.

The UK has urged Israel to take these steps for a long time and they are welcome. We are resolved that the international community will work with Israel to see these vital changes fully implemented.

We are doing everything we can to get more aid in as quickly as possible by land, sea and air.

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-26/20698>

UNSCR 2728, referred to above, can be read at

[https://undocs.org/en/S/RES/2728\(2024\)](https://undocs.org/en/S/RES/2728(2024))

Gaza: Humanitarian Aid

Rachael Maskell (Labour Co-op) [20689] To ask the Minister of State, Foreign, Commonwealth and Development Office, what recent discussions he has had on the provision of security protection for aid convoys in Gaza.

Andrew Mitchell: It is imperative that those doing life-saving work are properly protected. The Foreign Secretary has called on Israel to reform its deconfliction mechanism to ensure the safety of aid workers, and to make progress on the UN's minimal operating requirements, including more visas and driver approvals granted, as well as more trucks permitted to cross into Gaza.

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-26/20689>

West Bank: Terrorism

Theresa Villiers (Conservative) [21494] To ask the Minister of State, Foreign, Commonwealth and Development Office, what assessment he has made of the implications for his policies of reports of activity by Iran-backed terrorist groups in the West Bank.

Andrew Mitchell: Iran poses an unacceptable threat to Israel, including through its long-term support for proscribed groups such as Palestinian Islamic Jihad and Hamas operating in Gaza and the West Bank. This . Iran must bear responsibility for the actions of its proxies and partners.

We introduced a new sanctions regime designed to target Iran and its proxies and partners' hostile and destabilising activity last December. We immediately used these new powers to designate individuals and an entity responsible for Iran's support to Hamas and Palestinian Islamic Jihad.

The Foreign Secretary condemned in the strongest terms Iran's attack on Israel in a call with the Iranian Foreign Minister on 14 April, and made clear that Iran must stop these attacks and de-escalate.

<https://questions-statements.parliament.uk/written-questions/detail/2024-04-12/21494>

House of Lords Oral Answers

Gaza: Humanitarian Situation

The answer given by the Minister in the Commons was read in the Lords

col 992 **Lord Collins of Highbury (Labour):** ... Famine is imminent, and perhaps even taking place now.

Sarah Champion, the IDC [International Development Committee] chair, reminded us this morning that her committee published a report in early March, asking for the Government to push for 500 trucks a day, but the weekly average is just over 1,100. Will the Foreign Secretary, while he is speaking to the Israeli Government today, ensure and demand that

they abide by international humanitarian law?

The Minister also said that before resuming funding for UNRWA, the main vehicle for delivering aid, that we will be awaiting the final report of Catherine Colonna, yet we are the only major donor—apart from the US—not to resume funding. Can the Minister explain why? Surely we should be following our allies in terms of delivering aid?

The final point is that the Minister in the other place was asked exactly what the Foreign Secretary was going to demand in terms of avoiding a catastrophe if any action took place against Rafah. Can the Minister reassure us that we are making that clear to the Israeli Government?

Lord Ahmad of Wimbledon: ... I assure the noble Lord that the issue of Rafah has been raised directly. ... On his earlier point about Israel's obligations and the need to open up more corridors and demand this, this has been something that we have consistently raised. ...

On the issue of UNRWA support, we have always been clear ... There have been some private briefings ... The final report, as the noble Lord knows, is due on 20 April. He, like me, was appalled by the allegations which were made against UNRWA staff. It is important that we look at those allegations fully and ensure that they are being addressed and mitigations are in place. ...

Lord Purvis of Tweed (Liberal Democrat): My Lords, the Minister is aware that starvation in conflict is expressly prohibited under customary international humanitarian law. ...

The Minister will also be aware of the concerns that defensive military equipment is being used to level civilian residential areas to render them uninhabitable in the future, which is also a breach of international law. Have His Majesty's Government satisfied themselves that any equipment that the UK has supplied over the last number of years is not being used, either in the blockage of aid going into Gaza or indeed in the levelling of civilian areas? ...

col 993 **Lord Ahmad of Wimbledon:** ... as the Foreign Secretary said, the UK position in regard to export licences is unchanged. We have robust checks and balances in place.

Of course, we are acutely seized of the situation in Gaza, particularly northern Gaza. That is why we are pressing for the opening up of the Erez crossing, and indeed other crossings to the north. There are other crossings that we are looking at, such as the Karni crossing, north of the Gaza wadi—the valley—to ensure that access also. ...

Baroness Fall (Conservative): ... Does the Minister not agree that the recent, very worrying escalation by Iran last weekend is likely, just at this moment, to deprioritise the aid and humanitarian issue? ... Gaza is on the verge of famine, if it is not already there. I urge the Minister to make sure that this issue is not deprioritised. What has happened to the temporary ceasefire negotiations, which seem to have broken down?

Lord Ahmad of Wimbledon: ... We want to ensure that we do our utmost to save the life of every single innocent civilian. We were all rightly seized with the shocking nature of what happened in Israel. Right now, we are focused on getting more aid in. ... We want to avert famine at all costs.

Baroness Kennedy of The Shaws (Labour): My Lords, I listened carefully to the Minister's reference to the terrible event of 1 April when the humanitarian aid workers from World Central Kitchen were targeted by drones and killed. I know that an investigation by the IDF is taking place. I have also read that Australia is going to conduct an investigation because one of those killed was Australian. Three of those killed were British citizens ... Are any steps being taken here in Britain to investigate this matter with the great military and legal expertise that we could apply? I understand that Poland is now considering having an inquiry for the Polish citizen who was killed. ...

col 994 **Lord Ahmad of Wimbledon:** I assure the noble Baroness that the WCK aid workers only intensified our concerns and momentum in addressing the

humanitarian situation, particularly where aid workers in Gaza are putting themselves at risk. ...

Lord Sterling of Plaistow (Conservative): My Lords, it was announced about a week ago that the great container port of Ashdod is opening up. ... It is by far the biggest container port in the area. It can deliver 20 times more than any of the convoys. Most importantly, is the huge amount of goods that turns up getting through, as everybody wants to see? So much of it gets into the hands of Hamas.

Lord Ahmad of Wimbledon: ... We are focused on this and, equally, on ensuring that the aid sent to Gaza reaches the victims and those who are suffering. ...

Baroness Sheehan (Liberal Democrat): My Lords, can the Minister say why there are no independent observers or journalists in Gaza, such as from the BBC, Sky News, CBS and CNN? ...

Lord Ahmad of Wimbledon: My Lords, the noble Baroness raises an important point about journalists and their protection. But equally, this is a conflict zone, and we need to ensure in a responsible manner that journalists, like aid workers, who we have just been talking about, are also protected. ... We want to see objective reporting, and Israel has always prided itself on being a pluralist, open democracy. However, we are in a conflict zone. ...

To read the full transcript see

<https://hansard.parliament.uk/lords/2024-04-17/debates/6480A9DA-E7CD-4D2A-B7C7-ADBED517D3AA/GazaHumanitarianSituation>

The International Development Committee report referred to above by Lord Collins of Highbury can be read at

<https://committees.parliament.uk/publications/43593/documents/216534/default/>

Sarah Champion's comments referred to above by Lord Collins of Highbury can be read at

<https://hansard.parliament.uk/commons/2024-04-17/debates/65D2C3D1-F094-4D2C-A6A2-267BAA710BE2/HumanitarianSituationInGaza#contribution-AC445135-5D03-4123-B4A4-882D422D3762>

Middle East: Deployment of British Armed Forces

col 983 **Viscount Stansgate (Labour):** To ask His Majesty's Government how they intend to consult Parliament on the deployment of British armed forces in the Middle East.

The Minister of State, Ministry of Defence (The Earl of Minto): ... While the deployment of the Armed Forces is a prerogative power and the Government are under no legal obligation to seek parliamentary approval, we will continue to update the House as fully as appropriate.

Viscount Stansgate: ... Just over a decade ago, the then Foreign Secretary ... speaking in the context of the Middle East, said that "wherever possible, Parliament should have the opportunity to debate, in advance, the commitment of UK forces to military action overseas, unless there is an emergency where such action would not be appropriate".

I think the whole House would agree that last Saturday night was such an exception.

col 984 With the news today that Israel has apparently decided to retaliate for that attack, the House will know that the situation is very serious. Does the Minister not agree that this would be a good time to clarify the role of Parliament in relation to the use of military force overseas? ...

The Earl of Minto: ... a very good point, and it is something that I will talk to my colleagues about. ...

Lord Lee of Trafford (Liberal Democrat): ... the Middle East situation is extremely serious. British forces have been involved. Surely we should now be having a major, full-day debate in this House ...

Lord Hannah of Kingsclere (Conservative): ... will my noble friend the Minister take this opportunity to thank and congratulate the RAF pilots who prevented needless loss of life in Israel over the weekend? ...

col 985 Baroness Anderson of Stoke-on-Trent (Labour): ... Iran's senseless aerial attack on Israel at the weekend undermined international airspace. Iran's proxies in Yemen continue to undermine freedom of navigation in the Red Sea, and last week Iran seized the "MSC Aries" in the Strait of Hormuz, again threatening global maritime efforts. What additional capabilities are we planning to deploy to counter these threats?

The Earl of Minto: ... we do not discuss these things in advance, for fairly obvious reasons. ...

Lord Woodley (Labour): Will the Minister confirm that it was three British-supplied drones that killed three British aid workers last week in Gaza?

col 986 The Earl of Minto: My Lords, we do not comment on comments like that. ...

To read the full transcript see

<https://hansard.parliament.uk/lords/2024-04-17/debates/E34D203F-0385-4386-8205-0053ACAFD6D8/MiddleEastDeploymentOfBritishArmedForces>

Foreign, Commonwealth and Development Office

Foreign Secretary in Israel to press for de-escalation of Middle East tensions

... During the visit to Israel, [the Foreign Secretary] will reiterate the [Prime Minister's message to Prime Minister Netanyahu](#) that "calm heads must prevail." He will stress UK support for Israel's security and say that significant escalation is in no one's interest, and would only deepen insecurity in the Middle East.

The UK is calling for coordinated sanctions against Iran, who are responsible for so much of the malign activity in this region by backing Hamas, backing Hezbollah and backing the Houthi rebels.

Lord Cameron will also continue to urge an immediate pause in the fighting in Gaza to get aid in and hostages out, to allow progress towards a sustainable ceasefire. The UK is playing a leading role in [alleviating the suffering of the Palestinian people](#) and diplomatic efforts to secure the safe release of hostages, including British nationals. ...

Foreign Secretary David Cameron said: The situation is very concerning. It's right to show solidarity with Israel. It's right to have made our views clear about what should happen next.

But it's clear the Israelis are making a decision to act. We hope they do so in a way that does as little to escalate this as possible."

On the conflict in Gaza, he said: More than 6 months have passed since Hamas' brutal terror attack on innocent civilians. I'm here to focus back the eyes of the world onto the hostage situation.

192 days those people have been held Hamas should release them now and there is a good deal for them on the table. We need to see a pause in the fighting to get aid in and hostages out. ...

Throughout this crisis, the UK and Germany have been united in their condemnation of Hamas' atrocious terror attacks and support for Israel's right to self-defence within international humanitarian law. The UK government has been working with partners across the region to secure the release of hostages, including British nationals and their families.

The Foreign Secretary is in the OPTs to meet with the newly appointed Prime Minister of the Palestinian Authority, Dr Mohammad Mustafa, to reiterate his support for the new Palestinian Authority government and the Palestinian people. In the West Bank, record numbers of Palestinians have been killed by settlers and Israeli forces while the economy grinds to a halt due to Israeli restrictions. ...

To read the full press release see

There is a devastating and growing humanitarian crisis in Gaza - Gazans need more aid, and they need it now: UK statement at the UN Security Council

Let me start by reiterating that the UK condemns in the strongest terms Iran's unprecedented attack against Israel, as well as its violation of Jordan and Iraq's airspace. The UK continues to call for de-escalation and remains steadfast in our commitment to protecting and upholding stability in the region. ...

President, the UK condemns the October 7th attacks unequivocally and calls for the unconditional and immediate release of all the hostages.

The United Kingdom remains resolved to work with international partners to urgently secure an immediate pause to get aid in and hostages out, and then progress towards a permanent, sustainable ceasefire without a return to fighting and loss of life.

We also urgently call for the full implementation of resolution 2720, to protect civilians and enable humanitarian assistance. ...

We welcome Israel's commitments to fully open Ashdod port and the Erez checkpoint – and to increase capacity through the Jordan land corridor. ...

For our part, the UK has trebled our aid commitment this financial year. We will keep doing everything we can to get more aid in by land, sea, and air to reach people in desperate need in Gaza.

President, we support a two-state solution that guarantees security and stability for both the Israeli and Palestinian people.

We must give the people of the West Bank and Gaza the political perspective of a credible route to a Palestinian state and a new future. And it needs to be irreversible. ...

Our long-standing position has been that we will recognise a Palestinian State at a time that is most conducive to the peace process. That pathway must start with fixing the immediate crisis in Gaza.

President, we must focus collectively on the vital elements for a lasting peace. These include:

- the release of all hostages;
- the formation of a new Palestinian Government for the West Bank and Gaza, accompanied by an international support package;
- removing Hamas's capacity to launch attacks against Israel;
- Hamas no longer being in charge of Gaza;
- and as I have mentioned, a political horizon which provides a credible and irreversible pathway towards a two-state solution.

Finally, President, I would like to address the ongoing settlement expansion and demolition of Palestinian properties in the Occupied Palestinian Territories. We are clear that settlements are illegal under international law, and once again urge Israel to halt settlement expansion immediately. ...

To read the full transcript see

<https://www.gov.uk/government/speeches/there-is-a-devastating-and-growing-humanitarian-crisis-in-gaza-gazans-need-more-aid-and-they-need-it-now-uk-statement-at-the-un-security-council>

UNSCR 2720, referred to above, can be read at

[https://undocs.org/en/S/RES/2720\(2023\)](https://undocs.org/en/S/RES/2720(2023))

Palestinians in Gaza are facing a devastating humanitarian crisis and an imminent risk of famine: UK statement at the UN Security Council

... It has been 75 years since UNRWA was mandated by the UN General Assembly to provide essential services to Palestinian refugees. Today, that mandate remains as important as ever. Palestinians in Gaza are facing a devastating humanitarian crisis and an imminent risk of famine, and the region needs stability.

Against this backdrop, I wish to make three points:

First, the UK recognises that UNRWA is critical to aid delivery in Gaza. We call on Israel to allow UNRWA and all agencies providing humanitarian relief unhindered access in Gaza, particularly to the north. UNRWA is the main provider of humanitarian relief within Gaza, and other UN and humanitarian actors depend on UNRWA's distribution network to get aid to those in need.

The UK remains committed to increasing humanitarian aid to the people of Gaza. We are calling on Israel to increase aid flows and to enable the UN's minimum operating requirements so that humanitarian agencies can operate safely. ...

Second, I want to recognise the essential role that UNRWA plays in providing health and education services and humanitarian relief across the region, including supporting some 4 million Palestinians in Jordan, Syria and Lebanon. ...

Finally, to reiterate that the UK is appalled by allegations that some UNRWA staff were involved in the 7 October attacks on Israel. We note the ongoing investigations of the UN Office for Internal Oversight Services into these allegations.

We also emphasise the importance of UNRWA continuing robust management reform, including stronger independent oversight and better detection systems.

And we look forward to seeing the findings and recommendations of former French foreign minister Colonna's independent review into UNRWA's neutrality, processes and systems. ...

To read the full transcript see

<https://www.gov.uk/government/speeches/palestinians-in-gaza-are-facing-a-devastating-humanitarian-crisis-and-an-imminent-risk-of-famine-uk-statement-at-the-un-security-council>

Joint Press Statement at the UN on the attacks by the Islamic Republic of Iran on Israel

Joint Press Statement by the Permanent Representatives of the United States, Albania, Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Ecuador, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Netherlands, New Zealand, Norway, Federated States of Micronesia, Palau, Papua New Guinea, Poland, Portugal, the Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Ukraine, and the United Kingdom.

We unequivocally condemn the April 13 attacks by the Islamic Republic of Iran and its militant partners on the State of Israel, which involved launching several hundred ballistic missiles, cruise missiles and attack drones against multiple targets, and note this large-scale attack could have caused significant damage and loss of life.

We further condemn the fact that the weapons launched at Israel violated the airspace of several regional states, putting at risk the lives of innocent people in those countries, and appeared to traverse airspace near holy sites in Jerusalem.

We welcome the efforts to avert a further immediate escalation of violence in the region, following the successful coordinated efforts to defend against Iran's attack.

We condemn Iran's unlawful seizure of a Portuguese-flagged commercial ship near the Strait of Hormuz on April 13 and call on Iran to release the ship and its international crew

immediately.

We note that Iran's escalatory attack is the latest in a pattern of dangerous and destabilizing actions by Iran and its militant partners that pose a grave threat to international peace and security.

We call on all regional parties to take steps to avert further escalation of the situation and demand that all Council resolutions be fully implemented. We will strengthen our diplomatic cooperation to work toward resolving all tensions in the region.

<https://www.gov.uk/government/speeches/joint-press-statement-at-the-un-on-the-attacks-by-the-islamic-republic-of-iran-on-israel>

Scottish Government FoI Release

Scottish Government donations to UNWRA between October 2023 - March 2024

Information requested

1. I wish to know how much money the Scottish Government has donated to UNWRA since October 2023 until end of March 2024?
2. Further more i would like to request what checks and balances within reason have been put in place to ensure that this money does not fall into the hands of Hamas and other proscribed organisations.
3. Finally as part of this request I would like to be furnished with the details of which elected representatives proposed that this money be sent to UNWRA and which elected representatives "signed off" on the financial donation / donations?

Response

Regarding the first and third questions, all of the information requested is available from the links below:

- [Humanitarian aid funding - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/foi-202400403361/)
- [Humanitarian aid for Gaza - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/foi-202400403361/)
- [Correspondence regarding United Nations Relief and Works Agency \(UNRWA\): FOI release - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/foi-202400403361/)

These funds were approved by the former Minister for Culture, Europe and International Development, as per the standard process for Ministerial approving funding under the Culture, Europe and International Development portfolio. ...

The answer to your second question is the entire amount of £750,000 was transferred to United Nations Relief and Works Agency (UNRWA), and receipted appropriately, according to standard Scottish Government payment procedures. As per the terms of the agreement with UNRWA:

- The Contributions shall be administered in accordance with UNRWA's Regulations, Rules, Organization Directives, Instructions and any other parts of its regulatory framework, as well as its policies, and procedures (collectively, the UNRWA Regulatory Framework).
 - UNRWA shall provide Scottish Government with the UNRWA Annual Operational Report (AOR) for the period 1 January 2023 until 31 December 2023.
 - UNRWA shall provide the UNRWA financial report and audited financial statements for the period 1 January 2023 until 31 December 2023, submitted by the UN Board of Auditors to the UN General Assembly, that will be available on: [United Nations Board of Auditors](https://www.un.org/press/en/2023/230119.unboa.htm)
- **To read the full release see**
<https://www.gov.scot/publications/foi-202400403361/>

Scottish Trades Union Congress (STUC)

General Council Statement - Palestine

The General Council condemns the Israeli Government's military operations in Gaza which continue to result in the tragic loss of Palestinian lives at a horrifying average rate of 250 people per day. This figure significantly surpasses the daily death toll of any other major conflict in the 21st century.

The brutality and violence of the Hamas attacks and the taking of hostages on October 7th must also be condemned but cannot justify the indiscriminate killing of over 33,000 people so far, including the deliberate targeting of journalists, rescue and aid workers.

The consequences of the Israeli Government's genocidal actions extend beyond immediate casualties. We are witnessing a mass disabling event. Over one million Gazans have sought refuge along the Egyptian border, leading to severe overcrowding and dire living conditions. The Israeli Government's stringent restrictions on aid delivery have resulted in limited access to essential provisions, including food, water, fuel, hot water and medicines, creating a substantial threat to life due to extreme suffering, starvation, displacement and disease.

We support the United Nations International Court of Justice efforts to investigate and address mass atrocity crimes and human rights violations and applaud the South African Government for seeking to end the slaughter in Palestine through its Application of 'The Convention on The Prevention and Punishment of the Crime of Genocide'.

We also note that the UN Security Council has now voted, with a US abstention but UK support, for an immediate ceasefire. However, the Israeli government has roundly ignored the vote and the US and UK have taken no action. Indeed, both continue to provide military support to Israel making each country potential accomplices to Genocide. ...

We reaffirm our support for strategic Boycott, Divestment, and Sanctions (BDS) against Israel as led by recognised international BDS movement, including its endorsement of the Time to Divest campaign, which has coalesced civil society groups - including trade unions - to scrutinise public pension funds investments in Israeli, British, and multinational companies complicit in the atrocities in Gaza and Occupied Palestine and achieved subsequent divestment.

In line with its previously agreed position on BDS, the General Council supports targeted boycott, sanctions and divestment designed to have maximum impact and garner the greatest international support. ...

Congress opposes the sale of any arms to Israel and supports the growing campaign, including more than 600 lawyers, academics, retired senior judges, and former UK Supreme Court justices, demanding an end to arms sales from the UK. ...

The General Secretary gave evidence in Westminster Parliament Committee in opposition to the Economic Activity of Public Bodies (Overseas Matters) Bill which seeks to outlaw boycott and sanctions. It will continue to engage with MSPs to ensure legislative consent is withheld for the Economic Activity of Public Bodies (Overseas Matters) Bill and the provisions of any resulting legislation are not enacted in Scotland. ...

Congress agrees that there must be an end to the systematic violence, discrimination and denial of rights that has been inflicted on the Palestinian people, both now and historically; and that there will not be peace in the Middle East until there is a political settlement that includes a free and independent Palestine with an end to the occupation. ...

The General Council recognises that over and beyond the continued activity outlined above, the crisis in Gaza and the imperative for a long-term political solution based upon international law, requires an ongoing campaigning response and strategy.

To this effect Congress agrees that a special conference should be arranged for late summer/early autumn to further develop the Scottish Trade Union position; to agree a refreshed BDS strategy and to promote to Scottish civil society and political parties, the need for a unified campaigning approach to pressure governments to choose the right

path.

The General Council will use such an event, and its other campaigning activities to persuade all political actors, including a prospective Labour Government, to adopt an unequivocal foreign policy position which recognises the need to make the Israeli government accountable for their actions in Gaza and bring Israel in line with international humanitarian law and UN resolutions.

This should include:

- The Westminster Government to play an active role to find a resolution for peace across Palestine, including in the West Bank;
- An end to Scottish public funding of companies jointly identified by trade unions and the BDS movement as strategic BDS targets;
- The ending of trade between Scotland and Israel which sustains illegal Israeli settlements in the West Bank;
- Actively promoting consumer boycott with a particular emphasis on products labelled as Israeli produce but emanating from the Occupied Territories.
- The suspending of any diplomatic relations between Scotland and Israel; and the UK and Israel;
- An immediate international investigation into the Israeli Government's war crimes against the people of Palestine;
- Continued pressure for a permanent ceasefire, the return of hostages and the cessation of acts of escalation in the region;
- Opposing the escalation of conflict in the Middle East, including the UK-US bombing in Yemen and wider regional assaults;
- The UK Government should publish any legal advice it has received that Israel is breaking international law;
- The UK Government to recognise Palestine as an independent state in accordance with STUC Policy; and
- Continuing to build our solidarity and relationship with Palestinian trade unionists.

To read the full statement see

<https://www.stuc.org.uk/news/congress2024/general-council-statement---palestine/>

United Nations

Secretary-General's remarks to the Security Council on the Middle East

The Middle East is on a precipice.

Recent days have seen a perilous escalation – in words and deeds.

One miscalculation, one miscommunication, one mistake, could lead to the unthinkable – a full-scale regional conflict that would be devastating for all involved – and for the rest of the world. ...

I reiterate my strong condemnation of the serious escalation represented by the large-scale attack launched by the Islamic Republic of Iran on Israel on 13 April. ...

It is high time to end the bloody cycle of retaliation. ...

The international community must work together to prevent any actions that could push the entire Middle East over the edge, with a devastating impact on civilians. ...

The way to do so is by advancing comprehensive diplomatic action for de-escalation in the Middle East. ...

It starts with Gaza.

Ending the hostilities in Gaza would significantly defuse tensions across the region. I reiterate my calls for an immediate humanitarian ceasefire and the immediate release of all hostages held in Gaza.

The horrific terror attacks by Hamas and other Palestinian armed groups on 7 October,

including mass killings, the use of sexual violence, torture, and the taking of hostages, were an intolerable denial of the most basic values of humanity, and a breach of the most fundamental rules of international law.

In Gaza, six and a half months of Israeli military operations have created a humanitarian hellscape. Tens of thousands of people have been killed. Two million Palestinians have endured death, destruction, and the denial of lifesaving humanitarian aid; they are now staring down on starvation. An Israeli operation in Rafah would compound this humanitarian catastrophe.

The casualty figures are overwhelming and unprecedented in speed and scale during my time as Secretary-General. According to UNICEF, more than 13,900 Palestinian children have reportedly been killed in intense, often indiscriminate attacks.

All this has happened with severe limitations imposed by the Israeli authorities on the delivery of humanitarian aid to people in Gaza, who are facing widespread starvation. ...

The operating hours of Kerem Shalom and Nitsana crossings have been expanded from the Israeli side. But security concerns mean the hours could not be expanded to the same extent on the Gaza side. ...

For example, although the Israeli authorities have cleared more aid convoys, those clearances are often granted when it is too late in the day to make deliveries and return safely. ...

So the impact is limited, and sometimes nil. The clearances increase, but there are continued obstacles to aid for people who are in desperate need. ...

Humanitarian agencies, led by UNRWA which is the backbone of our operations, must be able to move food and other supplies safely and via all possible routes and crossings, into and throughout every part of Gaza. ...

Delivering aid at scale requires Israel's full and active facilitation of humanitarian operations, including through a functioning humanitarian notification system – and improved and direct communications between humanitarians and military decisionmakers on the ground. ...

What is needed is clear: an immediate humanitarian ceasefire in Gaza; the immediate and unconditional release of all hostages; and the unimpeded delivery of humanitarian aid. ...

A comprehensive de-escalation approach must also reverse the explosive situation in the occupied West Bank.

More than 450 Palestinians, including 112 children, have been killed in the occupied West Bank since 7 October – the majority by Israeli forces in the course of their operations, and in exchanges between Israeli forces and armed Palestinians.

Others were killed by armed Israeli settlers, sometimes in the presence of Israeli security forces who reportedly stood by and did nothing to prevent these killings.

Last year saw the highest number of such attacks, and incidents of violence and intimidation against Palestinian communities, since the United Nations began recording them in 2006.

Seventeen Israelis, including one child, have also been killed in the occupied West Bank and Israel since 7 October.

In addition to this number, the reported killing of a 14-year-old Israeli boy over the weekend set off another wave of armed settler attacks against at least 37 Palestinian villages in the occupied West Bank. Four Palestinians were killed, including a 17-year-old boy. ...

I urge Israel to take immediate steps to end the unprecedented levels of settler violence, and to hold accountable those who have perpetrated such attacks.

And I call on Israel, as the occupying Power, to protect the Palestinian population of the occupied West Bank against attacks, violence and intimidation.

The backdrop to this appalling surge in violence is the continued expansion of Israeli settlements – in themselves a violation of international law – and repeated large-scale Israeli operations in Palestinian areas.

Declarations that areas now constitute Israeli State land, together with legal decisions that

strengthen settlements and potentially increase demolitions and evictions, risk undermining the contiguity of a future Palestinian state and deny hope to a generation of Palestinians. ...

The ultimate goal remains a two-state solution – Israel and Palestine living side-by-side in peace and security, with Jerusalem as the capital of both states, on the basis of UN resolutions, international law and previous agreements.

This means an end to the occupation and the establishment of a fully independent, democratic, contiguous, viable and sovereign Palestinian State, with Gaza as an integral part. ...

Exchanges of fire between Israeli forces and Hizbullah are exacting a mounting toll on civilian communities in Israel and Lebanon. Dozens of civilians have been killed and tens of thousands displaced on both sides of the Blue Line.

These exchanges could take on a momentum of their own. Strikes deep into the territories of Lebanon and Israel could ignite an even more serious confrontation – as we have seen in the past. ...

Regional de-escalation efforts must also ensure the safety of navigation on the Red Sea, respecting the rights and duties relating to maritime navigation in accordance with international law. ...

The Middle East is on a knife-edge.

Recent escalations make it even more important to support good-faith efforts to find lasting peace between Israel and a fully independent, viable and sovereign Palestinian state.

Failure to make progress towards a two-State solution will only increase volatility and risk for hundreds of millions of people across the region, who will continue to live under the constant threat of violence. ...

We have a shared moral obligation to advance a comprehensive Middle East de-escalation effort, in order to reduce risks, increase stability, and pave the way towards peace and prosperity for the countries and people of the region and beyond. ...

To read the full transcript see

<https://www.un.org/sg/en/content/sg/speeches/2024-04-18/secretary-generals-remarks-the-security-council-the-middle-east%C2%A0>

Security Council: Middle East, including question of Palestine

António Guterres, Secretary-General of the United Nations, warned: “The Middle East is on a precipice,” pointing to the recent days’ “perilous escalation — in words and deeds” and the threat of a full-scale regional conflict that would be devastating for all involved and for the rest of the world. [[click here to read this speech in greater detail](#)]

Ziad Abu Amr, Special Representative of the President for the State of Palestine, emphasized that the Palestinian people are “victims of a history not of their making”. However, since 1988, the Palestine Liberation Organization (PLO) — “the only legitimate representative of the Palestinian people”, he noted — has shown readiness to close the chapter of conflict and sit at the negotiating table to find a just, comprehensive and permanent solution for the Palestinian question. It has made every possible effort, along with unimaginable historic concessions, to achieve peace based on the two-State solution and resolve the issue of refugees ...

Addressing those who say recognition of a Palestinian State must occur through negotiation and not through a UN resolution, he spotlighted the establishment and recognition of Israel through General Assembly resolution ... Recalling the constructive role the State of Palestine has played after being granted observer status in the General Assembly, he said: “Today, we are asking for full membership for the State of Palestine in the United Nations — but this does not mean we forget what is happening in the Gaza Strip.” He therefore called on the Council to compel Israel to end its aggression, allow aid

to be delivered to a starving people, immediately withdraw from Gaza and comply with international law. ...

The representative of Israel said that, rather than condemning Hamas' atrocities or taking real action to facilitate the return of hostages, the Council will be voting on a resolution to recommend granting the Palestinian Authority a full membership status — a Palestinian State. "How detached from reality can this be to dedicate its time and resources to support a resolution so disconnected from the reality on the ground?" he asked. Six months after the most brutal massacre of Jews since the Holocaust, the Council seeks to reward its perpetrators with Statehood. However, as the Palestinian Authority — "paying monthly salaries to all the terrorists that took part in the attacks" — has zero control over Gaza, "who is going to be in charge?" he asked. ...

The Palestinians have rejected every peace plan ever proposed and their rejection pays off, he observed, noting that the UN is committed to "multi-terrorism" rather than multilateralism. ...

Uemura Tsukasa, Special Envoy of Japan for the Middle East Peace, said the Council must foster and encourage the serious efforts outside the Council chamber of countries concerned to achieve the release of the hostages and a ceasefire, warning that a full-scale military operation in Rafah would bring about a disastrous outcome. He strongly condemned the escalation posed by Iran's attack against Israel and reiterated his country's determination to continue to make all necessary diplomatic efforts to prevent any further deterioration. ...

The representative of the Russian Federation ... underscored that every United States veto cast on Gaza "comes with a specific, frightful price" — the lives of those in Gaza. ...

The representative of the United Kingdom condemned Iran's unprecedented attack against Israel, as well as its violation of Jordan and Iraq's airspace. Calling for de-escalation, she said Iran's actions "do nothing to advance the prospects for peace in Israel and Gaza". ... she welcomed Israel's commitments to fully open Ashdod port and the Erez checkpoint and to increase capacity through the Jordan land corridor. Reiterating her country's commitment to a sovereign, viable Palestinian State, she stressed that "recognition cannot come at the start of the process, but it does not have to be the very end of the process". ... [\[click here to read this speech in greater detail\]](#)

The representative of China ... [said] The continuation of fighting will result in more casualties and pull the whole region into an "even greater Holocaust" ... The fundamental way out for the Middle East lies in the two-State solution, he said, proposing to convene an international peace conference to develop a timeline and road map for its realization. Highlighting the historical injustice inflicted upon the Palestinian people, he pleaded with the Council to cast a favourable vote to "support Palestine to join the United Nations family". ...

The representative of France, condemning Iran and its proxies' 13-14 April attacks against Israel, reiterated her country's solidarity with that country and called on all parties to show maximum restraint. ... All impediments to the delivery of humanitarian aid must be lifted and Israel must open and facilitate the use of all crossings for such deliveries. She once again condemned the 7 October attacks and sexual violence committed by Hamas and other terrorist groups and urged the immediate and unconditional release of all hostages. An end to the illegal settlements under international law and the cycle of violence in the West Bank is equally necessary, she stressed ...

The representative of the United States called for united condemnation of Iran's "reckless escalatory acts". For its part, the United States announced sanctions this morning against several actors involved in Iran's unmanned-aerial-vehicle programme ... in Gaza, and he underscored: "Hamas is the sole obstacle to a ceasefire." While the world watches to see what Hamas does now, Israel must do more to prevent civilian casualties. ...

The representative of Switzerland unequivocally endorsed the calls for de-escalation,

condemning Iran's coordinated attacks against Israel as well as the Israeli strike against Tehran's consulate in Damascus on 1 April. "The spiral of violence has dangerously been triggered," she warned, underscoring the need to respect international law as "the compass" for resolving any dispute. ... Only a two-State solution, negotiated by both parties under international law and internationally agreed parameters, can lead to lasting peace between Israelis and Palestinians.

Ayman Safadi, Deputy Prime Minister and Minister for Foreign Affairs and Expatriates of Jordan ... [said] De-escalation must begin with an end to the aggression in Gaza and an end to the worsening humanitarian crisis ... His country will not allow anyone, neither Israel nor Iran, to turn it into an arena for conflict, and will protect the security of its citizens. ...

Hossein Amir-Abdollahian, Minister for Foreign Affairs of Iran, asserted that three Council resolutions and a press statement against Israel's crimes have yielded "no practical result". Israel's attack on Iran's consulate in Damascus violates the Vienna Conventions, he underlined. He regretted that the Council has taken no action on his country's repeated requests to prevent further Israeli attacks on Iran's interests. No Member State would remain silent in the face of such a serious attack on its consulate and the killing of its staff. ... His country could no longer be patient. Its only option was to attack Israel, on 13 April, under its right to self-defence under international law. It did not target civilians or civilian areas, focusing on military bases used to attack its consulate. "Therefore, it was completely limited and proportionate in terms of scope and military requirements." He emphasized that his country's legitimate defence and countermeasures have been concluded and said Israel must be compelled to stop any further "military adventurism" against Iran's interests. ... He called for a referendum among the original Palestinian residents to establish a Government in the historical land of Palestine.

José Manuel Albares, Minister for Foreign Affairs, European Union and Cooperation of Spain, warning of a risk of regional escalation following Iran's attack on Israel, noted that the political solution to the conflict between Palestine and Israel has no alternative. To ensure irreversible peace in the region, a two-State solution must be irreversible. The way to achieve this is by recognizing Palestine as a full member of the United Nations, he asserted, adding: "The establishment of the Palestinian State alongside the State of Israel is undoubtedly a matter of justice, but it is also the only viable option for peace." ...

To read the full press release see

<https://press.un.org/en/2024/sc15669.doc.htm>

Security Council Hears Briefing from Commissioner-General of Relief and Works Agency for Palestine Refugees in Near East

... **Philippe Lazzarini, Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)**, stressed that UNRWA is a stabilizing force at a time of "seismic change" in the Middle East. It is the backbone of the humanitarian operation in Gaza and, beyond the Strip, it has championed human development for Palestinian refugees for decades. He pointed out, however: "Today, an insidious campaign to end UNRWA's operations is under way, with serious implications for international peace and security." While six months of relentless bombardment and a merciless siege have transformed Gaza beyond recognition, while its children are bearing the brunt of this war, and while a man-made famine is tightening its grip across the Strip, UNRWA is denied permission to deliver aid and save lives despite the food and clean water waiting across the border.

While observing that an "overwhelming" majority of Member States support UNRWA's mandate, he pointed out that the Agency is facing a campaign to push it out of the

Occupied Palestinian Territory. Israel seeks to end UNRWA's activities in Gaza, the Agency's requests to deliver aid to the north are repeatedly denied, staff are barred from coordination meetings between Israel and humanitarian actors and, worse, UNRWA premises and staff have been targeted since the beginning of the war. ...

Turning to the "serious allegations" against individual UNRWA personnel that emerged in January, he reported that he immediately terminated the appointments of those concerned. Further, the Secretary-General ordered an investigation and, in parallel, an independent review group is assessing how UNRWA upholds neutrality. He pointed out, however, that — despite these prompt and decisive actions — a significant amount of donor funding remains suspended. "This has serious operational implications and undermines the financial sustainability of the Agency," he stressed, adding that calls for UNRWA's closure are not about adherence to humanitarian principles. Rather, they are about ending the refugee status of millions of Palestinians. ...

Ian Borg, Minister for Foreign and European Affairs and Trade of Malta, Council President for April ... said UNRWA is an "indispensable lifeline" for Palestinian refugees in Gaza and the region, and a stabilizing force there. ...

The representative of the Russian Federation pointed out that, despite the Council's demands in resolution 2728 (2024), military hostilities in Gaza are escalating. Under these conditions, the delivery of humanitarian assistance to the enclave's people is practically impossible, and UN agencies are saying — in unison — that human access is non-existent. According to the Office for the Coordination of Humanitarian Affairs, the Israeli Defense Forces are blocking half of the convoys heading to the Gaza Strip. ...

The representative of the United States stressed: "Humanitarian personnel must be protected — full stop." ... Expressing concern that Israel has not done enough to protect humanitarian workers or civilians, he called on that country to implement a series of steps to address harm to such individuals. "United States policy with respect to Gaza will be determined by Israel's immediate and sustained action on these steps," he said. The United States paused additional funding to UNRWA due to serious allegations that its personnel participated in the 7 October attacks, he recalled, urging the Agency and the wider UN system to take all steps necessary to strengthen the Organization's neutrality and improve UNRWA's sustainability. Nevertheless, he recognized the Agency's "indispensable" role in Gaza and called for the lifting of "onerous restrictions on its work". ...

The representative of the United Kingdom, stating that UNRWA's mandate "remains as important as ever" ... UNRWA's health and education services and humanitarian relief across the region are important for regional stability, and of particular importance at this critical time. She emphasized the importance of UNRWA putting in place robust management reform actions, including stronger independent oversight and better detection systems. ... [\[click here to read this speech in greater detail\]](#)

The representative of China observed that "amidst the gloom of war and death, the light of humanitarianism has never faded". UNRWA is the backbone of the humanitarian response in Palestine and is indispensable for humanitarian assistance to Gaza. He therefore urged Israel to cease restricting the Agency's work and, while expressing support for an independent, impartial investigation into allegations against UNRWA staff, stressed that the same must not have a predetermined conclusion or undermine the Agency's work. ...

The representative of France underscored that unhindered humanitarian access and delivery must be guaranteed to meet the immense needs of the civilian population of Gaza, particularly in the north of the enclave. For 75 years, UNRWA has played an indispensable role for the 5.9 million Palestinian refugees in the Occupied Palestinian Territory, Lebanon, Syria and Jordan ...

The representative of Switzerland ... underscored that UNRWA is critical to humanitarian work in Gaza and preventing further destabilization in the region. ...

Ziad Abu Amr, Special Representative of the President for the State of Palestine, said he would be “remiss” to call for an immediate ceasefire in Gaza, the unobstructed delivery of humanitarian assistance and the implementation of relevant Council resolutions. “No innocent can be saved, no relief can be provided, no famine can be stopped in Gaza” so long as Israel continues targeting civilians, homes, infrastructure, schools, shelters, hospitals, humanitarian facilities, rescue teams and medical staff, he observed. Israel must therefore be pressured to respect international law and cease its policy of collective punishment and its use of famine as a weapon of war. He also called for serious steps to open all border crossings into Gaza and to compel Israel to carry out its obligation to provide basic services to those under occupation, asking: “Isn’t it high time for this killing, destruction and displacement to stop?”

Recalling that the General Assembly established UNRWA in 1949, he said that the relevant resolution made clear when the Agency should be terminated — “when the question of Palestinian refugees is solved”. The Agency “is not a mere humanitarian project”, he urged; rather, it is a witness of the international community’s commitment to Palestinians who had to leave their homeland until a just, comprehensive solution is found for their cause. ...

The representative of Israel said the UN not only failed in advancing a solution but is directly responsible for perpetuating the conflict and ensuring that the Palestinians will continue to reject any peace plan or compromise. One of the UN’s weapons to protract this conflict is UNRWA — “an instrument of war” — whose goal is not aid or education. In practice, the Agency is creating a sea of Palestinian refugees indoctrinated to believe that “Israel belongs to them”. He emphasized that just because UNRWA has “a thin layer of Europeans in charge of collecting donations and garnering support”, it is a Palestinian organization, “fully committed to Israel’s destruction”. One of its primary goals is to brainwash Palestinian children into believing that the war of 1949 is not over and that they are still refugees 76 years later ...

He stressed that UNRWA is the world’s most prominent advocate for a one-State solution — that is, “a Palestinian State from the river to the sea”. There are Palestinians today with Jordanian, United States and Swedish passports — yet, they remain on UNRWA’s roster as Palestinian refugees, he observed, adding that “this dysfunctional system has no parallel anywhere else in the world”. ...

Ayman Safadi, Deputy Prime Minister and Minister for Foreign Affairs and Expatriates of Jordan, underscored that Gaza’s population is facing famine caused by Israel, which is using starvation as a weapon. “The suffering is beyond words,” he said. Only UNRWA has the knowledge, ability, and infrastructure to help ease the suffering, and it deserves the Council’s support, he said, stressing: “Israel wants to break it. Do not allow it to do so.” ...

“Yet the Israeli witch-hunt of the Agency continues,” he said, noting that UNRWA has been the target of political assassination for years. “Israel wants to kill UNRWA, and what it represents. The purpose of the attack on UNRWA is to kill Palestinian refugees’ rights.” About 5.6 million refugees see UNRWA as a symbol that the world still cares about alleviating the historical injustice they faced, he underscored. UNRWA must continue to implement its mandate, in accordance with international law and relevant UN resolutions. ...

The representative of Saudi Arabia, speaking on behalf of the Arab Group, appreciated UNRWA’s heroic relief work undertaken in Gaza, with 176 of its employees killed since the start of Israeli aggression. In the past six months, the Council has been incapable of protecting civilians from death, hunger, and disease. Noting the Agency’s indispensable role, he said it is a lifeline that brings hope to those who fell victim to political favouritism. However, it is not just a humanitarian organization — it has lived with the Palestinian people “moment by moment, generation by generation”. ...

The representative of Egypt called for an immediate, full ceasefire. Egypt will continue

to condemn Israeli attacks, which aim to kill UNRWA personnel, he said. UNRWA plays a fundamental role, which is a responsibility assumed by the international community due to the tragedy faced by Palestinians. He said the campaign against UNRWA aims to liquidate the cause of Palestinian refugees and bring an end to the demands of the Palestinian people. ...

The head of delegation of the European Union ... voiced grave concern over the devastating humanitarian crisis in Gaza, stressing that humanitarian workers must never be targeted. Addressing the imminent famine in Gaza urgently requires a comprehensive approach that combines political action, strict adherence to international humanitarian law, unimpeded sustained humanitarian access and the restoration of essential services. ...

To read the full press release see

<https://press.un.org/en/2024/sc15668.doc.htm>

UNSCR 2728, referred to above, can be read at

[https://undocs.org/en/S/RES/2728\(2024\)](https://undocs.org/en/S/RES/2728(2024))

UN Office of the High Commissioner for Human Rights

UN experts deeply concerned over 'scholasticide' in Gaza

UN experts ... expressed grave concern over the pattern of attacks on schools, universities, teachers, and students in the Gaza Strip, raising serious alarm over the systemic destruction of the Palestinian education system.

"With more than 80% of schools in Gaza damaged or destroyed, it may be reasonable to ask if there is an intentional effort to comprehensively destroy the Palestinian education system, an action known as 'scholasticide'," the experts said.

The term refers to the systemic obliteration of education through the arrest, detention or killing of teachers, students and staff, and the destruction of educational infrastructure.

After six months of military assault, more than 5,479 students, 261 teachers and 95 university professors have been killed in Gaza, and over 7,819 students and 756 teachers have been injured ... At least 60 per cent of educational facilities, including 13 public libraries, have been damaged or destroyed and at least 625,000 students have no access to education. Another 195 heritage sites, 227 mosques and three churches have also been damaged or destroyed, including the Central Archives of Gaza, containing 150 years of history. Israa University, the last remaining university in Gaza was demolished by the Israeli military on 17 January 2024. ...

"The persistent, callous attacks on educational infrastructure in Gaza have a devastating long-term impact on the fundamental rights of people to learn and freely express themselves, depriving yet another generation of Palestinians of their future," ...

"These attacks are not isolated incidents. They present a systematic pattern of violence aimed at dismantling the very foundation of Palestinian society," the experts said.

The experts called on all parties to respect international humanitarian law and international human rights law, and to protect educational institutions, teachers, and students. "We remind Israel in particular of its obligations to comply with the provisional measures [ordered](#) by the International Court of Justice on 26 January," they said.

The experts said they were equally appalled by the annihilation of the cultural sector in Gaza, through the destruction of libraries and cultural heritage sites. "The foundations of Palestinian society are being reduced to rubble, and their history is being erased." ...

To read the full press release see

<https://www.ohchr.org/en/press-releases/2024/04/un-experts-deeply-concerned-over-scholasticide-gaza>

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Foreign Affairs

See also the FCDO “Joint Press Statement at the UN on the attacks by the Islamic Republic of Iran on Israel” that is included in the Israel section above.

Foreign, Commonwealth and Development Office

UK and US sanction leading Iranian military figures and entities following the attack on Israel

... the UK has sanctioned a further 7 individuals and 6 entities who have enabled Iran to conduct destabilising regional activity, including its direct attack on Israel.

This adds to the 400 plus sanctions already imposed on Iran. Previous sanctions include the Islamic Revolutionary Guard Corps (IRGC) in its entirety and many of those responsible for the attack on Israel.

In a coordinated package with the US, leading Iranian military figures have been sanctioned in response to Iran’s dangerous direct attack on Israel on 14 April. The UK and US have also announced a range of sanctions to tighten the net on key actors within Iran’s unmanned aerial vehicle (UAV) and missile industries and further limit Iran’s ability to destabilise the region. ...

Prime Minister Rishi Sunak said: The Iranian regime’s attack against Israel was a reckless act and a dangerous escalation.

Today we have sanctioned the ringleaders of the Iranian military and forces responsible for the weekend’s attack. ...

Foreign Secretary David Cameron said: At a time of great tension in the Middle East, Iran’s decision to launch hundreds of drones and missiles towards Israel carried with it a serious risk of thousands of civilian casualties and wider escalation for the region.

The sanctions announced today alongside the US demonstrate our unequivocal condemnation of Iran’s attack on a sovereign state. ...

To read the full press release see

<https://www.gov.uk/government/news/the-uk-and-us-sanction-leading-iranian-military-figures-and-entities-following-the-attack-on-israel>

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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>

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>

Committee Stage, House of Lords

[https://hansard.parliament.uk/lords/2024-04-17/debates/6DD008BE-53E7-4338-874D-5A76B2EBD0CA/EconomicActivityOfPublicBodies\(OverseasMatters\)Bill](https://hansard.parliament.uk/lords/2024-04-17/debates/6DD008BE-53E7-4338-874D-5A76B2EBD0CA/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>

House of Lords Library Briefing

<https://researchbriefings.files.parliament.uk/documents/LLN-2024-0015/LLN-2024-0015.pdf>

Holocaust Memorial Bill

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

**** International Freedom of Religion or Belief Bill**

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

Amendment Paper

https://publications.parliament.uk/pa/bills/cbill/58-04/0039/amend/international_rm_pbc_0418.pdf

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

Assisted Dying for Terminally Ill Adults (Scotland) Bill

<https://www.parliament.scot/bills-and-laws/bills/assisted-dying-for-terminally-ill-adults-scotland-bill>

Gender Recognition Reform (Scotland) Bill

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

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Consultations

** new or updated today

**** closes tomorrow**

European Commission: 1st progress report of the EU antisemitism strategy

(closing date 19 April 2024)

https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14204-1st-progress-report-of-the-EU-antisemitism-strategy_en

Office of the Scottish Charity Regulator: Charity banking challenges survey 2024
(closing date 15 May 2024)
<https://www.oscr.org.uk/news/have-your-say-charity-banking-challenges-survey-2024/>

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