



# Political Affairs Digest

A daily summary of political events affecting the Jewish Community

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## Home Affairs

### House of Lords Committee Debate

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

*col 25 Baroness Altmann (Conservative):* ... International law is not well defined, especially in developing areas where international lawyers are increasingly recognising a duty of states to avoid assisting violations of international law by others. It could be easy for activists to assert disputed facts alleged to constitute violations of international law, which might bring this into play. Activists could, for example, promote BDS against Israel by claiming that it is required to avoid placing the UK in breach of its obligations under international law.

*col 26* The problems are highlighted by a recent letter signed by the noble and learned Baroness, Lady Hale, and Lord Sumption, which claimed that the UK Government have an obligation to cease arms supplies to Israel on the grounds that these might assist Israel to carry out genocide. This was based on a misunderstanding of the International Criminal Court's initial conclusions on an appeal by South Africa. Paragraph 6 of the Schedule might, I fear, enable activists to argue, in every council and public authority up and down the country, on a similar basis that they should not procure from or invest in a company that does business with Israel, for example, because this might assist some alleged genocide or other alleged crimes, which may be based entirely on a misunderstanding. ...

*col 28 Baroness Noakes (Conservative):* My Lords, we should get this into perspective.

... this Bill is handling one particular aspect: fundamentally, boycotts and divestment decisions. There is a whole range of law in the Procurement Act, which we passed last year, which sets out the UK's version of the procurement rules we used to take from the EU ...

For a very long time, the Government's own procurement advice to public bodies was that: "Public procurement should never be used as a tool to boycott tenders from suppliers based in other countries, except where formal legal sanctions, embargoes and restrictions have been put in place by the UK Government".

In many ways, this Bill provides a more liberal approach to that blanket proposition, which was in a government procurement policy note and which has been governing procurement for a long time. We need to see this Bill in context and in the light of the rather narrow area it is trying to deal with. ...

**Lord Wolfson of Tredegar (Conservative):** ... the general approach in this country is that public bodies do not have their own interpretation of international law. It is the Government who assess international law obligations, because they are binding on the United Kingdom as a state. ...

*col 29* The effect of the Bill as drafted is to introduce, by the back door, potentially vast swathes of international law into our domestic legislation. ... we have a dualist system: international law is not part of domestic law unless and until it is incorporated. So ... if somebody were to say in a domestic court that a public authority was in breach of "the law" because it had not complied with some international law obligation that was not part of our domestic law, the public body's obvious retort would be to say that it is not subject to that obligation.

The third point is a practical rather than legal one. My concern is that, in the real world, if the Bill is left as drafted it will in practice drive a coach and horses through what it really seeks to achieve, because the courts will be clogged up with arguments, even if they are entirely unmeritorious, as to the scope of international law. ...

*col 30* **Lord Purvis of Tweed (Liberal Democrat):** ... If we have an involvement in that other country, there is the risk that we would be covered by elements of international law. ... This is important when it comes to countries such as Myanmar or the Occupied Palestinian Territories because there have been times when Ministers at the Dispatch Box, responding to my questions, have said that they have issued warnings to sovereign countries that their actions run the risk of breaching international humanitarian law or customary law. What is the public body meant to do with that statement? A public body could act proportionately and reasonably—the equivalent would be the risk register—and state that it heard the Foreign Secretary issue a warning in Parliament that that country was potentially in breach of international humanitarian law. Under the Bill, is it asked to do nothing about it or to act reasonably and state that there is a risk with entering into commercial or investment relations with the very body to which the Foreign Secretary, on behalf of the Government, issued a warning? ... On one reading of the legislation, I think the public body would be under a duty to ignore the Foreign Secretary's warning. Under the Schedule, the public body would potentially be able to take that into consideration in acting reasonably and stating that it would not invest or have a relationship. ...

*col 31* **Lord Collins of Highbury (Labour):** ... The Labour Party has made it absolutely clear that we are opposed to boycotts, disinvestment and singling out Israel. The problem with the Bill is that it is wide. It covers all kinds of issues that will place public bodies in a very difficult position. ... we have senior legal people all saying basically the same thing: this will end up in court. When that fear of ending up in court occurs—when people read a law and say, "This is so complicated that we don't know what it means; it will end up with us in court" ... It is the chilling effect. There will be decisions made not in the interest of the public body but on the basis of it not being sure that it is capable of making this decision. ... The Government in this legislation are saying, "There are all sorts of factors that we can't

take into account—and even if we can, there are exceptions, the Secretary of State has to be involved, and we know it's going to end up in court.” That is the problem with this legislation. It is not straightforward dealing with BDS. I wish it were. ...

I have been trying to work out at what point I should read out the guidance on the Occupied Territories in Palestine that the Government have issued to companies. ...

*col 32* “The UK has a clear position on Israeli settlements: The West Bank, including East Jerusalem, Gaza and the Golan Heights have been occupied by Israel since 1967. Settlements are illegal under international law, constitute an obstacle to peace and threaten a two-state solution to the Israeli-Palestinian conflict. We will not recognise any changes to the pre-1967 borders, including with regard to Jerusalem, other than those agreed by the parties ... There are therefore clear risks related to economic and financial activities in the settlements, and we do not encourage or offer support to such activity. Financial transactions, investments, purchases, procurements as well as other economic activities (including in services like tourism) in Israeli settlements or benefiting Israeli settlements, entail legal and economic risks stemming from the fact that the Israeli settlements, according to international law, are built on occupied land and are not recognised as a legitimate part of Israel’s territory. This may result in disputed titles to the land, water, mineral or other natural resources which might be the subject of purchase or investment ... UK citizens and businesses should be aware of the potential reputational implications of getting involved in economic and financial activities in settlements, as well as possible abuses of the rights of individuals. Those contemplating any economic or financial involvement in settlements should seek appropriate legal advice”.

That is the Government’s advice, recently issued. ... we are saying that there is one policy for the private sector and another for the public sector. That is absolutely crazy. ...

*col 33* **The Minister of State, Cabinet Office (Baroness Neville-Rolfe):** ...As I have stressed before, it is not appropriate for public authorities to have their own foreign policies. ... they should not pursue blanket boycotts. These are unfair on suppliers operating ethically in those countries.

I want also to highlight ... that doing business with a country that has breached international law is not always by itself enough to put the UK in breach of international law. ...

**Baroness Blackstone (Labour):** ... I am sorry to interrupt the Minister, but I am perplexed by her view that foreign policy is simply a matter for central Governments. Foreign policy affects the population of the UK; it affects thousands of institutions in one way or another. We live, after all, in a global world. We do not live in a completely isolated country with no contact with the rest of the world. Foreign policy is not just something that can be determined and administered entirely by central government without the engagement, involvement and acceptance of those policies by a very large number of public and private institutions and individual members of this country.

**Baroness Neville-Rolfe:** ... the Bill does not change UK foreign policy. That is for FCDO and the UK Government to decide. This applies only to public authorities and to investment and procurement ...

*col 34* The Government ... in relation to the Palestinian Occupied Territories, recognise the risk associated with economic and financial activities in the Israeli settlements, but we do not support boycotts of the Occupied Palestinian Territories. They are inherently divisive and may lead to inadvertent negative effects on Palestinians, as well as undermining the aim of the Bill, which is to ensure that we speak with one voice internationally. None of this changes existing government guidance.

**Lord Collins of Highbury:** ... We are talking about investment in factories in illegal settlements in the Occupied Territories. What is the noble Baroness saying to a public body that realises that an investment it had has suddenly transferred from Jordan to a factory in the Occupied Territories? Is she saying that that public body cannot say that the investment is in breach? It causes reputational risk and could fundamentally affect the

value of the investment, because it is illegal. What is the noble Baroness saying: that we are going to put it in this Bill, come what may, because that is the foreign policy? ...

**col/ 35 Lord Purvis of Tweed:** ... My understanding is that, under the Bill, in the absence of a Minister or the Government coming to a determination that international law has been breached, a decision-maker in a public authority can make the decision that there is the potential of a breach. Therefore, a decision-making body at the moment, for example—because Ministers are warning the Israeli Government that their actions in the West Bank and Occupied Territories are potentially in breach of international law—would be permitted under Schedule 6 to make a decision not to invest.

**Baroness Neville-Rolfe:** I am not sure that I entirely understand the noble Lord's question, but I will reflect on it. ...

**col/ 36 Lord Collins of Highbury:** ... we are very happy to sit down with the noble Baroness and her departmental colleagues to see whether there is a way forward to address the fundamental principle of not outlawing BDS but ensuring that decisions are not simply made to single out one particular nation—and that is of course Israel. ...

In our view, it is not wrong for public bodies to take ethical investment decisions ... but those decisions must be consistent. ...

In these amendments [19 and 48], which will hopefully have the support of the Government, we are trying to stop people who seek to target Israel alone, hold it to different standards from other countries, question its right to exist and equate the actions of the Israeli Government to Jewish people, in doing so creating hate and hostility against Jewish people in the United Kingdom. We have seen a lot of evidence of that in recent times and it is completely wrong.

**col/ 37** What our amendment seeks to do is to address this problem in a coherent policy way. It would allow public bodies to produce a document setting out their policy on procurement and human rights. The policy would be cemented in a framework based on principles that apply equally to all countries, rather than singling out an individual nation. Such a statement of ethical policy would ensure consistency in how public bodies decide on these matters and would be subject to the guidance issued by the elected Members and laid before this House. ... Any inconsistent application would be prohibited. Under Labour's proposals, if a public body were to act against a particular state—for instance, the world's only Jewish state—and failed to apply a consistent approach to human rights everywhere, such actions would be unlawful. ...

Far from singling out Israel, the Bill applies as much to China, to Myanmar, as we heard on the previous group, and to North Korea as it does to Israel. For example, on the issues we have discussed in terms of procurement, it could have significant effects on the ability of communities to support the Uighur minority in China, who are victims of grave human rights abuses—concentration camps and slave labour. The amendment seeks genuine consensus across the Committee to make sure that we do not have bad, inconsistent legislation. ...

Even the Foreign Secretary's office warned No. 10 about the impact of the Bill on our foreign commitments ... particularly in relation to the Occupied Territories and the impact on our policy of a two-state solution. ...

**col/ 38 Lord Warner (Crossbench):** ... Clause 4 as drafted is a straightforward gagging provision. It stops people openly discussing a full range of possible actions they might take to express their disapproval of an Israeli Government's continued breaching of international law in Gaza and the Occupied Territories. This places the Bill in breach of Article 10 of the convention—the right to freedom of expression—and therefore in breach of Section 6 of the 1998 Act.

That is not just my view—it is the clear view of Liberty, Amnesty International and many others, including many parliamentarians. People cannot see how Clause 4 can be squared with Article 10 of the ECHR. Liberty has also argued that the Bill constitutes an interference

with the rights of freedom of conscience under Article 9 of the ECHR, a view that I think is shared by Quakers, given their beliefs.

In these circumstances, I am at a loss to see how the Minister can make the statement on the face of the Bill that it is compliant with Section 19(1)(a) of the Human Rights Act. ...

**col 39 Baroness Noakes:** ... Lord Collins, helpfully explained in his opening remarks the extent to which he agrees with the aims of the Bill but not the means chosen. However, his amendment could open a huge back door to councils and devolved authorities doing what they want in relation to BDS activities, because they would only have to dress up what they want to do as a statement of human rights policy. ...

**col 42 Baroness Deech (Crossbench):** ... The Bill is about procurement and investment. When student unions sit in, they are not doing procurement and investment. It is only when student unions start spending their money in contravention of charity law—to which they are subject—that they may be beginning to breach the law.

The Bill is not about curbing freedom of speech—far from it. As far as the South Africa analogy goes, the point of those sanctions was to bring an end to that particular regime. The point about the BDS movement and sanctioning Israel is not just to change the regime; it is calling for the eventual end of the state—as the noble Lord, Lord Hain, knows, because in the past he has called, in print, for the dismantling of Israel.

**Lord Hain (Labour):** I have not called for the dismantling of the State of Israel. I was a Middle East Minister for the Government and conducted diplomacy with the Israeli Prime Minister in 2000, trying to repair the damage from the collapse of Camp David. I support the right of Israel to exist, as I support the right of the Palestinians to have their own state. ...

**Baroness Deech:** I am glad that the noble Lord has changed his mind ...

I have it in print, from many years ago, but I am glad that it is no longer the case. ...

I also note that a group called Muslim Vote, which has put 18 demands to Sir Keir Starmer, has as the 17th demand the throwing out of the Bill, which I think shows what the group understands the point of the Bill to be: simply that it might stand in the way of whatever its aims are in relation to Gaza. ...

**col 46 Lord Sentamu (Crossbench):** ... In the background to this legislation, we are told by those who prepared it that, if people argue that there should be no investment in Uganda ... the public body should not agree to that if the Government's policy is different. I find the Explanatory Notes absolutely disturbing for any democratic body. Many noble Lords know that I led a campaign against Robert Mugabe's regime. In fact, I cut up my dog collar and never wore it for nine years and nine months. Some people would have said, "You are an archbishop of the Church of England, so you are part of a public body. The Government have not stated that you could do such and such a thing; therefore you will be in breach". I find this sentence disturbing. There may be those who want, for example, to say that we must disinvest from a particular body, country or place because it is breaching part of our understanding and that sanctions should be brought, but paragraph 6 states: "The Government has set out its view that it is not appropriate for public bodies to accede to such campaigns except where to do so is positively consistent with the UK's foreign policy as determined by the Government. ...

Friends, in a free democracy, should we rule out public bodies that may feel, for example, that they should not invest such an amount of money and have our people working with a Government who are oppressing their people from doing so unless it is consistent with government policy? ...

I remember arriving in Cambridge. We wanted to boycott green apples from South Africa. There was no way of doing this, but some of us decided to go to Sainsbury's and announce as loudly as we could, "We are not buying these green apples from South Africa". Do you know what happened? We never saw those green apples any more in Sainsbury's. That is democracy. ...

col 47 ... it suggests that the Government, of whatever shape, will always get it right, that, somehow, they have become omniscient and omniscient, and that there are no areas where because of political pressure they will not do it. ... Some of our foreign policies have not been good. ...

**Baroness Lister of Burtersett (Labour):** ... I find it really disturbing that the Minister said we must speak “with one voice internationally”. For me, that is not democracy; it smacks of totalitarianism. ...

Secondly, the noble Baroness, Lady Deech, finished her speech with reference to a Muslim group that called for the Bill to be thrown out, and she seemed to imply that that meant it was against the State of Israel. There are myriad groups that want the Bill thrown out. ... what one thinks of it says nothing about one’s attitude to Israel. ...

col 49 **Lord Collins of Highbury:** ... the important point I wanted to make is that there is nothing wrong with public bodies taking ethical investment and procurement decisions. The reason there is nothing wrong in that is that the Government advocate it. ... [in] the Government’s current national action plan on the *UN Guiding Principles on Business and Human Rights* ... the Minister says in the introduction that the Government firmly believe that “the promotion of business, and the respect for human rights, go hand in hand”. ... in current guidance, the recommendation of the Government is to “continue to ensure that UK Government procurement rules allow for human rights-related matters to be reflected in the procurement of public goods, works and services ...

We have good policy; let us make sure it is reflected in this legislation. ...

col 50 ... there is a difference between a public body having an ethical investment and procurement policy and an organisation which, as some individuals are trying to do, seeks to target Israel alone, and have standards for Israel that are completely different from those for other countries. ...

**Lord Wolfson of Tredegar:** ... My putative public authority has a consistent policy, which it applies consistently to all countries around the world, of not disinvesting merely because a foreign country does not allow gay marriage, or treats women in a discriminatory fashion, but of disinvesting when a foreign country is in control of occupied or disputed territory. Would that be permitted, or not permitted, under the noble Lord’s amendment? ...

**Lord Mann (Non-affiliated):** ... my observation of the Foreign Office over the years is that it often manages to face two ways at the same time. ... One can therefore read into Foreign Office policy almost anything one wants to do at any one time. ... So I question whether that, as a basis for legislation, is sensible. ...

The question of double standards in foreign policy is a fundamental part of the IHRA definition of anti-Semitism—a definition that was adopted first by the United Kingdom, in 2017, before any other country, but which has now been adopted by many countries. Pertinent to this debate is the fact that it has been adopted by virtually every political party represented at Westminster, including the Labour Party, the Conservative Party and the Liberal Democrats.

col 51 Within it, the concept of double standards against the State of Israel, judging the State of Israel in ways in which one would not judge any other state, is rather fundamental. It is there, I guess, particularly because of what people have said, for example, in the United Nations. I am not talking about the legitimacy or otherwise of any specific United Nations vote or decision, but what one can objectively demonstrate is that there has been a huge number of decisions relating to the State of Israel, far outweighing, usually, every other country in the world put together. That, I think, could rationally be argued as therefore being a double standard in approach—of unduly concentrating on one member state of the United Nations and not being equal handed. The IHRA definition is quite specific that that should not happen, which is not the same as to say that one should not be vehemently critical, if one chooses to be, of the State of Israel, its Government or its policies. Many people are, including many people in the Israeli Knesset. It does not state that that is in

any way illegitimate or anti-Semitic, but it does say that double standards should not apply. Listening to and reading what the noble Lord, Lord Collins, has put forward, it seems to me that he hits on a conundrum within the way the Bill is currently presented. To have any impact, the Bill has to last the course of time, including across elections and different Governments. Therefore, if there is a double standard within it, that is a problem, in my view, in terms of tackling anti-Semitism. If it contradicts the IHRA definition of anti-Semitism—while that is a working definition and should not be, as some people have misguidedly presumed, turned into law in itself, because that is not the purpose of it—it seems to me that what the noble Lord, Lord Collins, is proposing, to assist the Government in what they are attempting to do, cannot merely be dismissed as something that is not of consequence. ... it seems to me that it ... potentially strengthens the Bill's ability to stop double standards in relation to the State of Israel. I regard that as a worthy objective, which again makes no comment, positive or negative, by me or anyone else, on the actions of the Government of the State of Israel, but does in relation to how we frame this legislation. I would be very interested, having heard what the noble Lord, Lord Collins, has put forward, to see how the Government could actually defeat his argument using the IHRA definition of anti-Semitism as their reference point.

**Baroness Deech:** My Lords, as we speak, the double standards are in operation on many campuses in this country, where there are sit-ins in relation to one country but not, for example, in relation to Russia. As a footnote, I would like to substantiate, in case there is any doubt, what I said earlier in relation to the reference by the noble Lord, Lord Hain, to Israel. In his article in the *Guardian* in 1976, when he was a young man, he says it twice. It concludes: "The present Zionist state is by definition racist and will have to be dismantled". I just clarify that that was his article in the *Guardian*.

**col 52 Lord Hain:** ... I do not withdraw the fact that there are many features of the State of Israel of which I am critical, not least in its dual citizenship law, where certain citizens are regarded as full citizens and others are not. That is a racist thing to be practising—but the noble Baroness suggested that I was questioning the right of Israel to exist. I have not done that, and I do not believe that, and she should not suggest it.

**Lord Leigh of Hurley (Conservative):** My Lords, to bring us back to Amendment 19, I thought it was a probing amendment—but it seems that perhaps it is a serious one ... For example, let us assume that there is an egregious gay rights violation in some country, and a local council gets very agitated about it, responds to pressure and announces that it will no longer do business with, or procure works or services from, this country, because it abuses gay rights. Under this amendment, it would then have to apply that to every country that does not fully respect gay rights, so if it wanted to buy product from the Middle East then the only place it could go to would be Israel. ...

**col 53 Lord Roborough (Conservative):** ... I am the Minister representing His Majesty's Government on this group of amendments. ...

Let me begin with Amendment 48, tabled by the noble Lord, Lord Warner. This amendment would require the Secretary of State to lay before Parliament a review of the Bill's compliance with the Human Rights Act 1998, and in particular Article 10 of the European Convention on Human Rights, within six months of Royal Assent. As my noble friend the Minister has set out, the Bill will apply to public authorities as defined in Section 6 of the Human Rights Act. In the exercise of their public functions these bodies do not have their own rights under the Human Rights Act or the ECHR, including under Article 10. The Bill does not apply to individuals and their private functions; therefore, it will not infringe on any individual's rights under the ECHR. ...

**col 54 Amendment 19** would exempt decisions from the ban that have been made in accordance with a statement of policy relating to human rights produced by a public authority. The Secretary of State would be required to produce guidance on the content of such statements to which public authorities would be required to have regard ...

We are all in agreement that human rights abuses have no place in public supply chains or investments by public bodies. However, the Government have two fundamental concerns about this amendment. The first is that it would lead to a proliferation of public authorities developing their own foreign policy positions, which is in opposition to the philosophy of the Bill. ...

I acknowledge that public authorities would be required to have regard to guidance published by the Secretary of State when exercising the exception, but this would have the opposite effect of that intended by the Bill, leaving public authorities distracted by pressure from lobby groups on the details of their human rights statement. Many public authorities with no interest or expertise in such debates would come under pressure to produce statements or explain why they did not have one. Most public authorities do not want to get involved in these divisive foreign policy debates and want to remain focused on delivering their public functions. ... It would not be a proportionate response to place additional burdens on public authorities.

*col 55* The Government's second concern is that the amendments could leave public authorities able to set out apparently general policies in their statements with the intention of targeting particular states to boycott. This would represent a huge loophole in the ban and would fundamentally undermine the manifesto commitment. ...

*col 56 Lord Collins of Highbury:* ... this is not a probing amendment. ... I made it very clear in my opening remarks that we oppose the BDS campaigns we have seen. I do not accept them. They are very damaging. I think I made the point that they have sought to target Israel alone, hold it to different standards, question its right to exist—which is wrong—and equate the actions of the Israeli Government with Jewish people, in doing so creating the very hate that my noble friend raised. ...

Everyone keeps talking about public bodies making foreign policy. No one questions the right of the Government to make foreign policy. The Government's duty is to speak for the whole country on foreign policy —no one doubts that—but the Government have placed a duty on public bodies to have ethical human rights considerations in their investment and procurement policies.

*col 57* ... the sad thing is that the Bill damages our foreign policy. It will implicate us in undermining the very resolutions that we have tabled and supported at the United Nations. ...

We have an existing policy on the Occupied Territories, so if a public body says it will not invest in the Occupied Territories, that is in accordance with the guidance issued by this Government. If it says it is going to ban any investment in Israel, that would be in breach of the code or whatever guidance, because we are against singling out Israel. ...

I have resisted ... advocating blanket boycotts because I know that, where we have investment and contacts, the leverage, guidance and engagement we can have can make a big difference. We have changed people's attitudes through that. The problem with blanket boycotts is that they have the complete opposite effect.

**Lord Wolfson of Tredegar:** ... under this amendment a public authority could refuse to trade with Israel on human rights grounds but could none the less trade with Saudi Arabia. That would, as I understand it, be the consequence of the argument. ...

**Lord Collins of Highbury:** No ... That is not what I said. We have guidance about specific investment in the Occupied Territories. That is what the Government issue now. ...

*col 58* We currently have guidance on human rights and investment decisions. ... When a public body is taking into account investment decisions, as a private company would, it takes into account those sorts of policies. ... The problem we have at the moment is that this debate is on BDS but we are actually talking about ethical investment policies. ... This comes down to specific targeting campaigns that are not to do with human rights.

I strongly defend the right of Israel to exist. I strongly defend the right of Israel to defend itself. Those two things go together. If a campaign of BDS is saying that Israel occupied



territories in 1948—many of these campaigns talk not about 1973 but about 1948—I do not agree with that. Israel exists and has a mandate to exist. We must respect that, and I strongly believe in it. But when we come to human rights and investment policy decisions, the Government are more than capable of giving guidance on that, because they do so at the moment through the UN guiding principles, the Modern Slavery Act and all the other things that we have done. The Procurement Act even has paragraphs in it as well. So it is not impossible to have the sort of guidance that we are advocating in this amendment. ... The important thing is that we have a Bill before us that unacceptably widens the scope of dealing with BDS. People have asked whether it will stop them dealing with the ethical issues that the Government have asked them to deal with. ...

One of the really good things about the Government's human rights sanctions legislation is that it is not a blanket ban; we can target and look at different means. The purpose of this amendment is to ensure that we do not, in dealing with a genuine concern about BDS campaigns, suddenly broaden it out to restricting people's right to condemn the Government of Israel for certain actions. ...

#### *Amendment 28 withdrawn*

*col 59 Lord Warner:* ... this amendment [20] brings us to the heart of what I regard as a misguided Bill: Clause 3(7), which effectively provides the State of Israel with a considerable, unique protection, almost in perpetuity and certainly until new legislation is passed to overturn it. ... the primary justification for this extraordinary legislation is that boycotts, disinvestments and other such campaigns not only undermine UK foreign policy but lead to “appalling antisemitic rhetoric and abuse”, in the words of the departmental press notice launching this Bill. Yet, many groups in the Jewish diaspora have said that the Bill will not combat anti-Semitism. The Government's claim that it will has been convincingly challenged by evidence produced for parliamentarians by the organisation Jews for Justice for Palestinians. Its evidence demonstrates that the rise in anti-Semitic incidents is “correlated closely with spikes of violence in Israel and Palestine, particularly with the major Israeli army attacks on Palestinian areas, not with boycott and divestment advocacy”.

It was that formidable campaigner against anti-Semitism, Dame Margaret Hodge, who said in the Commons that this legislation would increase anti-Semitism.

Secondly, alongside drafting a Bill that is more likely to increase anti-Semitism than reduce it, the Government seem to have used wording in Clause 3(7) that is at odds with the UK's stated foreign policy, because it includes “the Occupied Palestinian Territories” and “the Occupied Golan Heights” in the protection given to Israel. By treating these two areas as part of Israel, the passage of the Bill would seem to mean that the UK is legitimising Israel permanently retaining two large swathes of territory obtained by acts of war. As the noble Lord, Lord Hain, who is unfortunately not in his place, Amnesty International, and others have pointed out, this would mean that the Bill will violate UN Security Council Resolution 2334, which the UK voted for. The resolution declares Israeli settlements in the Palestinian territories occupied since 1967, including east Jerusalem, as legally invalid and a clear violation of international law.

*col 60* Thirdly, the Government's claim for this legislation is that it makes it clear internationally that it is the Government who determine UK foreign policy, not protestors or other levels of government. Most people in this country and overseas would assume, then, that when the Foreign Secretary utters on policy towards Israel he speaks for the Government—therefore, they can rely on him to set out the current policy. With this in mind, I draw the Committee's attention to a piece in the *Times* on 22 March with the headline: “Gaza aid held up by arbitrary Israeli denials, says Cameron”.

In that piece, the noble Lord, Lord Cameron, is quoted as telling the Commons Foreign Affairs Select Committee that it was, “‘an enormous frustration’ that aid had been ‘routinely held up waiting for Israeli permissions’”.

To make sure that his views were fully understood, the noble Lord seems to have gone on

to say that: “Israel’s ‘arbitrary denials’ of aid being sent to Gaza is now the ‘main blocker’ to providing humanitarian assistance”.

All this on top of suggesting, in February, that the UK could unilaterally recognise a Palestinian state in the aftermath of a ceasefire.

The noble Lord, Lord Cameron, has accompanied his words with deeds, by imposing sanctions on extremist settlers in the Israeli-occupied West Bank who have violently attacked Palestinians. He went on to say: “This behaviour is illegal and unacceptable ... Too often, we see commitments made”—by Israel—“and undertakings given, but not followed through”.

I found the noble Lord’s views refreshingly frank, and rather similar to my own. However, I also found it difficult to reconcile them with the wording and timing of the Bill.

We are now in a rather bizarre situation. On the one hand, we have Michael Gove bringing forward a Bill to give unprecedented protection to the Israeli Government—I could, if I were unkind, say that Clause 3(7) could have been drafted by Mr Netanyahu and Likud. On the other hand, there is the Foreign Secretary laying into the same Government for blocking humanitarian aid to a territory in which thousands of women and children have been killed or displaced, and are starving, as a result of Israeli military action.

Any responsible public body decision-maker or international observer would be entitled to be confused about what the UK Government’s policy is toward the current Israeli Government. Should people heed Mr Gove’s Bill or the words and actions of the Foreign Secretary, who has actually seen what is going on in Israel and the occupied territories? What would the Minister’s advice be to any confused citizen? ...

**col 61 Lord Oates (Liberal Democrat):** ... what is already a very bad Bill is made worse by this subsection. First, it singles out Israel as the only country which cannot be exempted from the provisions of the Bill, even should a future Government decide that such an exemption should be made. The noble Lord, Lord Mann, has set out why that is potentially problematic in relation to the IHRA anti-Semitism definition. Moreover, Ministers have frequently argued that legislation should not single out individual countries but rather should apply common principles. Clause 3(7) goes completely against that approach and, in doing so, sets a dangerous precedent. ...

Secondly, as we have heard, Clause 3(7) conflates Israel and the Occupied Palestinian Territories, contradicting long-standing British-government policy and violating UN Security Council Resolution 2334, which was co-authored by the UK, voted for by the UK, and requires member states to distinguish between Israel and the Occupied Palestinian Territories. ...

This contradiction of settled UK foreign policy has serious ramifications which Ministers are trying to avoid by pretending that the Bill is compliant with Resolution 2334. At Second Reading in the other place and in response to Dr Philippa Whitford, who asked why the Bill did not distinguish between Israel and the Occupied Palestinian Territories as required by the resolution, Michael Gove stated that “they are separated in the Bill. I am afraid the hon. Lady is wrong”.—[\[Official Report, Commons, 3/7/23; col. 592.\]](#)

His claim is apparently that the separation of Israel and the Occupied Palestinian Territories between paragraphs (a) and line (b) of subsection (7) satisfies the requirements of Resolution 2334, but of course that is nonsense. The resolution does not call for the semantic separation of the State of Israel and the Palestinian territories; rather, it “Calls upon all States, bearing in mind paragraph 1 of this resolution, to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967”.

It is absolutely clear that the “relevant dealings” of the Bill explicitly do not distinguish between the two, because subsection (7) applies equally to them. ...

**col 62** For all those who want to see peace and security both for the people of Israel and the people of Palestine, Israel’s continued illegal occupation and illegal settlement of the Palestinian territories is both a tragedy for the people of Palestine and a disaster for the

people of Israel. To my mind, it is wrong to single out Israel, or, indeed, any other countries, from the provisions of the Bill, but to do so in respect of the Occupied Palestinian Territories is not only wrong in principle but wrong in law and contrary to established UK foreign policy. It cannot be right for the Government to prevent public bodies exercising their legal and moral judgment about engaging in economic activities with settlements in those territories. Indeed, given that the settlements are illegal under international law, the Government appear intent on forcing public bodies to ignore their international law obligations. That is presumably why we get into all the confusion of the exemptions under paragraph 6 of the Schedule.

For years, the international community has been calling on Israel to halt the illegal settlements and end the occupation, and for both parties to cease violence and arrive at a peace settlement based on two states living side by side in peace and mutual respect. Yet in that time, successive Israeli Governments have seemed determined to deliver the maximum national humiliation for the Palestinian people. Settlements have expanded ever further and they have often stood aside in the face of settler violence. Those Palestinians who want a peaceful resolution with Israel have been consistently undermined. This in turn has empowered the violent extremists who have no desire for peaceful co-existence with Israel and who have flourished instead.

Clause 3(7) is deeply damaging, because it suggests to Israel that its conduct in the Occupied Palestinian Territories does not matter and that it is immune from any criticism from its friends, whatever it does and however it acts. ...

**Lord Hannay of Chiswick (Crossbench):** ... It is conceivable that the Government's objective of exempting the State of Israel—I say that carefully, the State of Israel—from the imposition of BDS, which I do not support, could be achieved with different drafting. However, to have introduced it in the way that it is introduced in Clause 3(7) is a mistake, and the mistake is compounded by mixing up completely different things: the State of Israel and the Occupied Territories, which certainly include the West Bank, east Jerusalem and the Golan Heights. They should not be treated in the same way. They are not part of the State of Israel in the view of the British Government, though they are in the view of the present Israeli Government. ... Within those Occupied Territories—Golan, east Jerusalem and the West Bank—there are internationally illegal settlements. Illegality is another category on which the British Government's policy is quite clear ... Mixing these things up together is, frankly, a solution of disaster. ...

*col 63* I doubt very much whether specifically mentioning Israel is a wise thing in the first place. I agree with the Government that public bodies should not be making foreign policy, but I am not sure that specifying one country out of 194 where they particularly should not be making foreign policy is a very clever way of setting about that. ...

**Baroness Noakes:** My Lords, the noble Lord, Lord Warner, said that this Bill will increase anti-Semitism. That is one view. I prefer to observe what is actually happening. We only have to look at what is happening in universities at the moment ...

If we look at what has been happening with the encampments that have been springing up in the UK following what has been happening in the US, they are vocally calling for boycott and divestment in relation to Israel—and, indeed, quite a lot worse. This is a very live issue. It is causing much harm on campuses for Jewish students, who are clear that there has been a significant increase in anti-Semitism since this has started. This is not theory; it is actually happening.

Israel is always the focal point for BDS campaigns. The BDS movement itself came into being to attack Israel. ... From my perspective, if the Bill does nothing else, it should try to protect Israel from boycott and divestment activities. That is why we need Clause 3(7): it underlines the importance of Israel and the particular attacks on Israel.

I accept that the Occupied Territories raise much more difficult issues. In line with the international community, the UK recognises the settlements as illegal, but the practicalities are that this will not be settled conclusively until there is a two-state solution. This is

something that cannot be imposed; it will have to be agreed, but that is unlikely to happen very soon. Anyone who has been to Israel or has been in touch with people in Israel will know that the attacks by Hamas on 7 October have left a traumatised Israeli people, for whom the possibility of discussing a two-state solution seems almost unthinkable at this point in time. That is not to deny that that is the right solution in the long term but simply to say that it does not appear to be an immediate, practical problem.

The reality on the ground is that, in the meantime, the unsatisfactory nature of the Occupied Territories is likely to continue. Even if we thought that boycotts and divestments in relation to the Occupied Territories would punish Israel, this ignores the simple fact that there is economic activity in those settlements. Anything that harms that will almost certainly harm Palestinians as much as it harms the people of Israel. We only have to look at what happened when SodaStream, an Israeli company, was forced to withdraw from its activities in the occupied West Bank. The people who really lost out were the Palestinians who lost good, well-paid jobs when that facility had to close.

*col* ... this Bill reflects [the] pragmatic position—that the Occupied Territories are a fact of life—and that, until there is a two-state solution, trying to eliminate it from the Bill does not reflect the practical politics we are facing. ...

It is a fact of life that there will be economic activity in the Occupied Territories and that that may or may not involve businesses from Britain.

The only point I am trying to make is that the Occupied Territories are a fact of life at the moment; there is no easy solution and it is probably not a near-term solution. At the point when it is settled via a two-state solution, they will cease to be Occupied Territories, so that bit of the Bill will cease to have any relevance—but, for the moment, it has relevance. The other point I am trying to make is that anything that deliberately harms that is just as likely to harm Palestinians as it is Israeli citizens.

**Baroness Blackstone (Labour):** ... I am puzzled by the speech that the noble Baroness, Lady Noakes, has just made. First of all, I do not know why she feels that she can speak up on behalf of the Palestinians or how much time she has spent on the West Bank. I do not think that most of them would agree for one moment with anything she said about the proposal that we should stop, or that including Israel and the Occupied Territories in the Bill would damage the Palestinians. The Palestinians are concerned about their basic rights both to have their own state and to be able to live in what is now occupied by the Israeli Government and the Israeli Defence Forces in the completely different way that that occupation has created.

I am also very puzzled by what she said about anti-Semitism, which is in complete conflict with what was said by Margaret Hodge MP, who has thought about this very deeply—that the Bill is damaging from the point of view of creating anti-Semitism rather than alleviating it. ...

*col 65* ... what legal advice have the Government taken about including the Occupied Territories in the Bill in the way that they are? ... under international law, which we have accepted, this occupation is illegal and the settlements, which have grown and grown, are also illegal. So how can it be that the Government bring to Parliament a Bill that includes the Occupied Territories and does not differentiate them from the state of Israel? The counsel's advice that I have seen says that to distinguish them is absolutely essential; it is pure sophistry to say that a distinction is made in the Bill ...

*House resumed*

**To read the full transcript see**

[https://hansard.parliament.uk/lords/2024-05-07/debates/92DF2C5B-9CE3-4BC6-BF60-BCB6F7951762/EconomicActivityOfPublicBodies\(OverseasMatters\)Bill](https://hansard.parliament.uk/lords/2024-05-07/debates/92DF2C5B-9CE3-4BC6-BF60-BCB6F7951762/EconomicActivityOfPublicBodies(OverseasMatters)Bill)

*Committee continued:*

*col 81* **Lord Leigh of Hurley:** ... The question has been raised as to why one country should be singled out. The noble Lord, Lord Warner, drew attention to the remarks of the

noble Lord, Lord Cameron of Chipping Norton. He did not mention the noble Lord's other remarks—that part of his deal to recognise Palestine as a state would be that Hamas was expelled and, of course, the release of all hostages, which is an integral part of the jigsaw.

Others have commented that the Bill, which I support, does nothing about anti-Semitism. That is a minority view within the Jewish community. Jews for Justice for Palestinians, which was referenced, has an extremely small minority view. The vast majority of the Jewish population in the UK is represented by the Board of Deputies of British Jews and the Jewish Leadership Council, on which I serve as vice-president. They are both in favour of such a Bill. They would not be in favour of this Bill if they had any worries that it would lead to an increase in anti-Semitism.

Likewise, with reference to the impact on the West Bank, the noble Baroness, Lady Noakes, was asked whether she goes to the West Bank much. I have been to the West Bank. I chair a charity called the Jerusalem Foundation. One of the projects we are doing is building a very large sports centre in east Jerusalem. It includes a swimming pool, and it will be run by the locals for the benefit of the local community. It would be a great shame if this sports centre could not be built by a British contractor in whole or part because of fear of sanctions and thus its inability to win local council contracts.

It is obvious why Israel has to be protected by this Bill: precisely because it is the one country singled out for unparalleled abuse, criticism, misinformation and, sadly, hate. Which other country has people on the streets of the UK calling for its complete destruction? A country controlled by autocrats, or denying the rights of women, gays, minorities or religious groups? No. In fact, it is only one country—the one that achieves the reverse of all that.

This pattern has happened since Israel's creation, facilitated in 1948 by a body—the United Nations—that has subsequently done all it can to demonise it. So why should special protection be given to Israel as Clause 3(7) suggests? I can answer that if noble Lords can explain to me why, since 2003, the UN has issued 232 resolutions in respect of Israel. Some 40% of all resolutions issued by the UN in that period have been on Israel, six times that of the second-placed country, Sudan. In 2023 alone, the UN General Assembly brought 15 resolutions against Israel and only seven on the multitude of conflicts around the world. Furthermore, the UN Human Rights Council has a dedicated, permanent line item—item 7—on Israel, specifically and alone. It has not done this with any other member state.

I argue that special prejudice and discrimination deserve special protection. The UN has had nine meetings of the Security Council to discuss the situation in Gaza, but not one about the hostages. If such a once-distinguished—now, sadly, widely regarded as discredited—organisation can show such bias against Israel, and only Israel, we need to take steps to ensure that this cancer of thought does not spread to UK institutions. ...

**col 82 Baroness Bennett of Manor Castle (Green):** ... Alicia Kearns MP, chair of the Foreign Affairs Select Committee ... pointed out that, as the Bill is written, it constitutes a departure from British foreign policy that “puts the UK in breach of our commitments under UN Security Council resolution 2334”.—[[Official Report, Commons, 3/7/23; col. 604.](#)]

My second point picks up a point raised by the noble Lord, Lord Oates. We have seen changes, over the months, in the British Government's rhetoric at least, if not in their policy, when it comes to arms sales to the Israeli state, which will become only more legally, diplomatically and politically pressing. But we are not here talking about policy. We are talking about law: something on the statute book that remains until the law is changed. The convention, of course, is that no Parliament binds its successors, but we know how time-consuming and energy-consuming it is to change past errors as circumstances change.

The third point I want to make is one that no one else has made, but I am afraid that I have to, which is to refer to what is happening as we speak. Hundreds of thousands of people

are in desperate fear with nowhere left to run, nowhere to seek safety. The Israeli state has seized the Rafah border crossing. A couple of figures haunt me. One of them is, of course, the death toll, which is approaching 35,000 in Gaza, but another figure I saw last week is that 5% of people in Gaza have been killed or injured. That is a deeply shocking figure. ...

... the noble Baroness, Lady Noakes, referred with displeasure to what is happening now in our universities and those around the world, where mostly young people are expressing their horror at what is being done to an occupied people, of whom 5% have been killed or injured. I believe those young people should have the right to do that. ...

*col/ 83* I must stress that the horror and anger must not be directed at the wrong targets but we are seeing people expressing their humanity and their care for others, particularly the most vulnerable. To suppress that is indefensible in general, but to pick on an area where there is so much suffering at this moment makes Clause 3(7) particularly indefensible.

**Baroness Janke (Liberal Democrat):** ... We have heard that the Bill singles out protection for Israel in perpetuity and conflates Israel, the Occupied Palestinian Territories and the Golan Heights, despite the fact that these are recognised as distinct by UK foreign policy. Primary legislation would be needed if Israel were to be removed from being protected by UK legislation. Also, the Occupied Territories are illegally occupied, as we have already said. How can it be justified and embedded in UK law that such protection in perpetuity for illegal settlements should be given by our own country?

There is more confusion, as the noble Lord, Lord Collins, said, about Foreign Office guidance. What the advice said ... was: "There are ... clear risks related to economic and financial activities in the settlements, and we do not encourage or offer support to such activity. Financial transactions, investments, purchases, procurements" and other activities "in Israeli settlements or benefiting Israeli settlements, entail legal and economic risks".

Presumably, trustees and advisers of pension funds considering such advice may need to take action and not procure or invest in these areas; they would be contravening the provisions of the Bill.

We also know that the ICJ has warned that Israel may be committing genocide and is currently investigating a case brought by South Africa to that effect. Should that be found to be the case, public bodies would be prevented from taking any action against Israel or settlers in illegally occupied territories unless primary legislation were to be enacted. Again, how can this possibly be justified?

The Government's explanation of the need for such extreme measures is that sanctions and boycotts of Israel cause anti-Semitism in communities. While we have seen no evidence of this, several Jewish organisations believe that the Bill will impede the UK's ability to combat anti-Semitism. Many organisations are opposing the Bill and saying that the reverse will be the case. The Union of Jewish Students, for example, unanimously decided to oppose the Bill, as have 40 Israeli NGOs, and has called on our Parliament to reject it. Finally, Diaspora Alliance said: "The rhetoric promoting this bill erroneously conflates efforts to hold Israel accountable with hostility against Jewish people. This kind of rhetoric gives the impression that the most effective solution to combatting antisemitism lies in the protection of the interests of a foreign power, rather than in the policies that protect Jewish citizens of the UK from prejudice, harassment and discrimination—like all other British citizens".

*col/ 84* **Lord Wolfson of Tredegar:** ... I respectfully point out that groups such as Diaspora Alliance hold the same sway and weight in the Jewish community as, for example, Gays for Trump would in the homosexual community in America. You can always find a Jew or Jewish group who will say whatever you want; going back to the Talmud, we are a disputatious people. ... The two main communal bodies, the Board of Deputies of British Jews and the Jewish Leadership Council have been forthright in support of the Bill. ...

... the way in which the Bill works is that unless a country is added to the Schedule by the Secretary of State, a public body cannot discriminate against it on essentially political

grounds—I paraphrase. Clause 3(7) provides more procedural protection to Israel and to the territories listed in it because its effect is that a future Secretary of State cannot add Israel or those territories to the Schedule—that can be done only by way of primary legislation ...

The purpose of this amendment is obvious although I note that, perhaps wisely, its proposers were neither able nor willing to say so in terms in a Member's explanatory statement. Its purpose is to strip Israel of that procedural protection to make it easier procedurally, and therefore also politically, for a future Secretary of State to give a green light to a boycott of Israel. ...

Two main arguments have been made in support of removing Clause 3(7) from the Bill ... The first is that Clause 3(7) does not distinguish between Israel and the Occupied Palestinian Territories, as it is said the UK is required to do. There are two points in relation to that: first, what is the source of this supposed obligation?

... Richard Hermer KC[’s] ... opinion says that there is a “wider international law obligation on all states to ensure that impediments to Palestinian self-determination are brought to an end”.

To support that proposition, he cites the 2004 ICJ advisory opinion on the separation wall. That, of course, is an advisory opinion and, in terms, is limited to the separation wall itself, which the ICJ refers to as an “impediment” to Palestinian self-determination “resulting from the construction of the wall”.

We could mount a very good argument, and I would, that it is the construction of that wall which advances Palestinian self-determination because without it, there would still be suicide bombings and people blown up on buses and in cafes, but let us put that to one side.

**col 85 Lord Hannay of Chiswick:** ... The judgment did not say that the wall was illegal; it said that it was placed illegally because it was placed in the Occupied Territories, not on the boundary between the State of Israel and the Occupied Territories.

**Lord Wolfson of Tredegar:** ... the noble Lord is absolutely right. My point was whether there is in that judgment some sort of obligation on us not to impede the construction of a Palestinian state. ...

The only obligation the judgment refers to, therefore, is an obligation not to recognise the Occupied Palestinian Territories as part of Israel. ... UK government policy does not do so, and this Bill does not do so either.

Then we look at the other supposed source of this obligation: UN Security Council Resolution 2334 ... That goes no further. That, in paragraph 5, “calls on states”. Let us just be clear: that is not an international law obligation. ... “calls on states” to distinguish between Israel and the Occupied Palestinian Territories, and not to lump them together.

Secondly, in so far as there is any legal obligation, which there is not, it would only be one to distinguish between Israel and the Occupied Palestinian Territories. Clause 3(7) does that. It does distinguish: you distinguish between things by treating them distinctly. You do not need to treat them differently. ...

Let me go to the second point, which is the question about why Israel is treated differently. ... The short answer ... is that Israel is constantly subjected to differential and discriminatory treatment, both by international bodies such as the UN and its rather unhappily named Human Rights Council, on which sit some of the world's biggest abusers of human rights, and by some public authorities in this country. ...

**col 86 Lord Warner:** ...[I] go very often to Gaza and the Occupied Territories and talk to some of the people who have been trying to intervene to help the cause of an independent Palestinian state. That has caused me to actually come back rather horrified as to what I have seen about the way the Israelis have treated some Palestinians. ...

**Lord Wolfson of Tredegar:** My Lords, all I am doing is highlighting that, when it comes to gross breaches of human rights around the world, Israel is treated differently ... When

people stop treating Israel differently, Clause 3(7) will not be needed, but until then it is a necessary and essential part of this Bill. ...

**Lord Purvis of Tweed:** ... Earlier he said that the Occupied Palestinian Territories were being afforded a protection under the Bill. He is aware that existing trading and investment relations are covered by a UK-Palestinian Authority bilateral agreement. Is he aware that the Palestinian Authority has asked for this protection?

*col 87* **Lord Wolfson of Tredegar:** ... I would be happy if Clause 3(7) encompassed not only Israel and the Occupied Palestinian Territories but the Palestinian Authority, because I do not want anybody using divestment or boycotts as a lever in the Middle East. We should all be working for peace, and we do not work for peace through BDS. ...

**Baroness Altmann:** ... This amendment would be deleterious to the Palestinians themselves. I cite the example of SodaStream, which had to close down its factory in the Occupied Territories at a loss of 600 Palestinian jobs because of the BDS movement. ... I shall quote two people who worked there. Ali Jafar, a shift manager from a West Bank village, said: "All the people who wanted to close" it "are mistaken ... They didn't take into consideration the families".

Anas Abdul Wadud Ghayth, who had worked there for four years, said, as he wiped tears: "We were one family. I am sad because I am leaving my friends who have worked here for a long time".

I am not in favour of settlements. I certainly believe that Israel has offered many times, and would offer again, to get out of territory that is currently occupied in exchange for a genuine peace deal. It has tried and would try again. Currently, there is perhaps a different mindset among those leading the country, but that is not necessarily permanent. At the moment, these territories are part of Israel. They are not necessarily permanently part of Israel, and I believe that they would ultimately be given up or exchanged in return for a genuine peace deal.

Currently, however, it is occupying them and providing jobs for Palestinian people who want them and could not find gainful employment otherwise. ... From a security perspective, if Israel were to give back to the Golan Heights, it would be signing its own death warrant. ...

*col 88* **Baroness Blackstone:** ... the noble Baroness paints a very rosy picture of the West Bank. From all my experience of being there, it is totally unlike what she is describing. There may be some factories employing Palestinians that have been closed down, but thousands of Palestinians have lost their livelihoods as a result of the settlements and the Israel Defense Forces promoting violence, and certainly allowing violence, by settlers against ordinary Palestinian farmers, who have lost their olive orchards and the land where they were growing grapes. ...

Lastly, I want to challenge the noble Baroness on the suggestion that the Israeli Government are in favour of a two-state solution—on the contrary. ...

**Baroness Altmann:** ... I understand that the current Israeli Government are not in favour ... Past Israeli Governments have offered a two-state solution and offered an exchange of land for peace time and again. ... Israel withdrew from Gaza itself without even an offer of peace from the other side, and this is where we have ended up.

... one can always hear two sides to any argument, but there are a large number of Palestinians who welcome the employment they have in those territories. ... The noble Baroness is ignoring the fact that the other side, whether it is the Palestinian Authority or Hamas, is intent on wiping Israel off the map. It is not interested in a two-state solution. Israel would offer, and has offered, a two-state solution. ...

*col 89* I do not agree with the settlements, and I do not agree with the actions of the settlers. But that does not in any way change the situation we are dealing with here, which is that until there is a two-state solution, some partnership for peace and some agreement, the idea of boycotting, whether the Occupied Territories or Israel, will do damage both to Israel



and to the Palestinians who are gainfully employed there. ...

**Lord Sentamu:** ... I stand here as somebody who still mourns the death, the assassination, of Yitzhak Rabin, a great statesperson who was on the cusp of finding a solution that has evaded many people. I also mourn the loss of Rabbi Jonathan Sacks. I was a great student of his; he taught me Hebrew and how to read the Hebrew scriptures. Also, before he died, he planted nine trees in Israel for me, so I have a little plot of land where those nine trees are.

What would he say about Clause 3(7)? ... I am not sure that it is wisdom that, unfortunately, has included Israel in the clause. I know it is differentiated ... we then have in paragraphs (b) and (c) the Occupied Territories and the Occupied Golan Heights. I just wonder what it is that is being asked of us. Legislation, at the heart of it, is a statement of public policy. What public policy are we doing with subsection (7)? What are we saying? ...

I totally agree that, as the noble Lord reminded us, this differentiation is made because Israel comes up more than any other country in the world. What is it that drives that? Of course, being a Christian, I cannot say, but given the Second World War and the Holocaust, you have to have a heart that tells you, "Be very careful that you do not tread on holy ground".

I am reminded of another great name who influenced me greatly on issues such as this: Rabbi Hugo Gryn, who was asked by a child on the radio, "Where was God in the Holocaust? Why wasn't he there? Why didn't he defend them?" Like all good rabbis who know the Torah, he gave the most beautiful answer: "In Auschwitz, God was being blasphemed and violated. The real question is, where was humanity, made in God's image and likeness?" The question is, will our humanity find itself better in this subsection (7)? I am very doubtful, the way it is drafted, because it conflates two pieces of land ...

*col 90* Of course, there is a need to make sure that a country that is small can develop. I was there not long ago; you discover that in 75 years the development is just unbelievable. The same could have happened in Gaza and in the West Bank. That opportunity is now becoming more and more difficult. What is it? How can humanity emerge here? ... Yes, it may give today some kind of assurance that people will not boycott Israel—"Don't do this". But the fact is that it is still the Holy Land and will still attract a lot of people, whatever anybody else tries to do, so I am not so sure. ...

How do we as legislators find a way of never losing sight of our hope that the State of Israel will ultimately one day live in peace, the Palestinian people will have their own self-determination, and the neighbours around Israel will not intimidate it in whatever way? ... I suspect in the end that this legislation has to be extremely careful that it does not scare the horses or give assurance which you cannot actually physically deliver ...

**Lord Purvis of Tweed:** My Lords, inevitably this group has raised the wider issues that we have debated within it. A week has not gone by without either Statement repeats or Questions that I have contributed to. Since 7 October, I have visited the region; I have visited the kibbutzim, the hostage families and the illegal outposts and settlements. I say, in the most sincere way I can, to the Minister, that I do not believe that this particular part of the Bill and the Bill as a whole will reduce any of the tensions or make a complex situation any simpler or clearer. For many people, it will make the situation even more complex and divisive at the very time when we need there to be more common ground. ... I would have thought that the definitive position on the topic would be the statement from the Government in their document on the strategic objectives of a UK-Israel free trade agreement, which sets the parameters for UK trade and investment with the State of Israel. ... "The UK is clear that it does not recognise the Occupied Palestinian Territories as part of Israel, including the settlements. The UK is clear that Israeli settlements in the Occupied Palestinian Territories are illegal under international law. As set out in FCDO guidance on overseas business risk, there are clear risks related to economic and financial activities in the settlements".

*col 91* This Bill is a very substantial change to government policy that is still extant in the

discussions between the UK Government and the Government of Israel over an FTA. ... we cannot have this Bill and that statement at the same time. ...

Currently, a business choosing to invest or carry out business in the Occupied Palestinian Territories will be referred to the business risk and it can make its own judgment as to whether that risk will outweigh the benefit—or it may be liable for legal considerations. This Bill will prohibit it from making that decision, which is wrong and makes no sense for our relationship with either the Occupied Palestinian Territories or the State of Israel.

It is doubly wrong because, as many noble Lords may know, the issue is not just about the settlements. There are also outposts. The fastest growth recently has been in outposts in the Occupied Palestinian Territories. ... outposts ... are illegal under Israeli law. This Bill would prohibit anyone making a decision to invest in something which is illegal under Israeli law. ...

*col 92* Why does this Bill provide protections to the Occupied Palestinian Territories when they have not asked for that? Indeed, they have specifically asked not to have it, because it is not a protection; it is an inhibitor for the British authorities to police the current British approach of advising on risk for investments in the illegal settlement areas of the Occupied Palestinian Territories. It removes protection, and the concern about the subsection is that it removes it in perpetuity ... We might have to rely only on the element of sanctions when we have designated individuals who are settlers. That is the only time there would be the prevention of having an economic relationship with them. ...

Every six months the British consul writes to the Israeli Government seeking compensation for settler violence—compensation which seeks redress through the Israeli courts. The investment risks are real, but the Bill would prohibit any British decision-maker from taking that into consideration. ...

**Lord Collins of Highbury:** ... I find it difficult to understand how, at a moment of crisis in the Middle East, the Government have allowed Michael Gove to proceed with this reckless diplomatic and cavalier approach. How can we be a credible voice for a two-state solution when they legislate at home against their own foreign policy? ...

*col 93* Sadly, I was in the West Bank last May and I did see the outposts—not settlements; these were outposts on the top of hills above Palestinian villages. I witnessed the fire of the harvest. I witnessed the burning of the cars of the Palestinian farmers who were trying to put out the fires. When I was standing there, I also saw the IDF watching it; it did not intervene, because it said that its sole responsibility was to protect citizens of Israel. That was truly shocking. ...

There is no requirement in law for this carve-out to exist. My previous amendment, if adopted, and if we could reach agreement on it, would mean that we would not need the Israel carve-out currently in the Bill. ... we should not treat Israel differently. We should not make it have a standard different from other countries. ...

The reality is that we are moving further and further away from a two-state solution. I agree with the Foreign Secretary that we should ensure that we give hope to Palestinians. Let us not take it away from them; let us ensure that there is a pathway to a two-state solution. It means trying to reform the Palestinian Authority and give it more credibility. It means that Hamas, which wants to wipe Israel off the face of the earth, needs to be removed, but that requires time, investment and support to the Palestinian people.

Sadly, while we spend hours debating this Bill, we are not focusing on what should be our real effort: to support the diplomatic efforts. ...

*col 94* **Baroness Neville-Rolfe:** ... this amendment would remove Section 37 from the Bill so that Ministers could by secondary legislation allow public authorities to carry out their own boycott campaigns against Israel, the Occupied Palestinian Territories and the occupied Golan Heights. ... I think I should briefly repeat that this legislation has three objectives: first, to uphold the integrity of British foreign policy decided by the Cabinet collectively on advice from the FCDO and others; secondly, to enable public authorities to focus on their core functions when delivering for the public on investment and procurement

and to avoid damage to community cohesion; and, thirdly, to prevent the most divisive of these campaigns by public authorities which target Israel in particular and promote anti-Semitism in the UK.

We have seen the disturbing things happening in our universities today, with Jewish students not feeling safe, and what has happened in some local authorities in recent years. Our manifesto commitment and this Bill seek to address one aspect of the current troubles, including divestment campaigns. ...

This amendment introduced by the noble Lord, Lord Warner, would allow Ministers to negate by secondary legislation the key objective of our primary legislation. ... We have heard from the Jewish Leadership Council and the Board of Deputies of British Jews ... about how the BDS campaign singles out the world's only Jewish state for unique treatment, and we heard in the Public Bill Committee of the distress felt by the Jewish community when Israel is targeted in such a manner by public authorities that, it seems to it, in no other case attempt to pursue foreign policy. These anti-Israel BDS campaigns do very little to promote peace in the Middle East, while sowing division and distrust in the UK. ...

*col 95* The purpose of Clause 3(7) is to give Parliament the ability to scrutinise a future ministerial decision that would reverse a core objective of this legislation. Such a decision could have a very harmful effect on community cohesion while doing very little to advance peace and security in the Middle East. The amendment would allow Ministers to use secondary legislation to negate the key objectives. That would undermine parliamentary sovereignty. Should a future Government wish to allow such campaigns by public authorities, they should go through the same legislative scrutiny that this Government are going through to prevent them. ...

We should be in no doubt that preventing BDS campaigns by public authorities against Israel, the Occupied Territories and the occupied Golan Heights is a core part of the Bill. This is due to the impact that such campaigns can have in contributing to and legitimising anti-Semitism ...

However, it is important to note that nothing in the Bill changes our foreign policy in regard to these areas. We do not recognise—I emphasise this—the settlements as part of Israel. Our position is reflected in our continued support for UN Security Council Resolution 2334. ...

**Lord Purvis of Tweed:** ... It is the Government's position that the Occupied Palestinian Territories are a separate legal entity that the Government of Israel do not represent. Indeed, the UK has its own direct bilateral relationships with the representatives of the Occupied Palestinian Territories. Have they asked for the particular protections under this clause?

**Baroness Neville-Rolfe:** ... we support a negotiated settlement leading to a safe and secure Israel, living alongside a viable and sovereign Palestinian state, based on 1967 borders with agreed land swaps, Jerusalem as the shared capital of both states, and a just, fair, agreed and realistic settlement for refugees.

My noble friend Lord Ahmad updated the House earlier on Gaza. The Prime Minister has told Prime Minister Netanyahu and regional leaders that we are deeply concerned about the prospect of a military offensive in Rafah. The immediate priority must be a humanitarian pause in the fighting, which is the best route to secure the safe release of hostages and significantly step up aid to Gaza.

*col 96* **Lord Purvis of Tweed:** ... The Government do not recognise the Government of Israel to represent the Occupied Palestinian Territories in our discussions with their representatives. I ask in clear terms, since we are at the stage in this legislation where it has to be crystal clear, have the representatives of the OPTs requested the protections under the Bill in this clause?

**Baroness Neville-Rolfe:** I am clear that the Occupied Territories are separate ... but let

me reflect further. ...

... in situations of occupation, international humanitarian law expressly requires the occupier ... to the fullest extent of the means available to it, to ensure food and medical supplies for the population of the occupation territory. We expect Israel to fulfil its obligations, and for all parties to adhere to humanitarian law. ...

*col 97* Nothing in the Bill changes the Government's support for a two-state solution. We believe that open and honest discussions, rather than imposing sanctions or supporting anti-Israeli boycotts, best support our efforts to help progress towards a negotiated solution. ... But I continue to believe that it is important to retain for Parliament the ability to scrutinise a decision that would be so detrimental to community cohesion, through primary legislation and subject to full parliamentary scrutiny. ...

*Amendment 20 withdrawn.*

**Lord Willetts (Conservative):** ... the purpose of this amendment [21], which is essentially to remove universities from the scope of this legislation, arises because universities are just the most acute example of the wider problems in this legislation ... First, is there actually a problem of boycotts, disinvestment and sanctions in the higher education sector? I have still not come across any actual, real examples of any university ever trying to do what this legislation would forbid.

There are certainly lots of examples of student unions campaigning on this ... but student unions are not ... covered by this legislation. ...

The Government's argument is that this helps with community cohesion. We have heard a lot about community cohesion. I have to say that the weight placed on community cohesion in the context of boycotts and disinvestment is the exact opposite of the weight attached to those kinds of arguments when we were debating the freedom of speech legislation. ...

*col 99* ... we have now gone from community cohesion being totally irrelevant to community cohesion being the absolute argument that trumps all others. It is a legitimate consideration but does not bear the weight now being placed on it ...

*col 100* Of course, universities are places where people debate foreign policy issues. They certainly debate all these moral considerations around boycotts. Can we not be a little more relaxed, accepting that, on the very broad definition of public bodies, which is now in this legislation, there will be, in a modern, diverse civil society, a range of views? The Foreign Secretary's authority to communicate British foreign policy is not weakened by some university having a view on the morality of something happening in the Middle East. ...

*col 101* **Lord Mann:** ... My—if you like—philosophical, but also strategic and even tactical, approach has been to say to the universities that, in dealing with anti-Semitism—anti-Jewish racism—the critical thing they have to do is listen on a regular basis to their Jewish students, who are organised through Jewish societies. There are about 80 of them across the country. I speak regularly, and have recently done so, to large numbers of students at Jewish societies in universities, and I spend a lot of time listening to them on their perspectives, their fears, their ambitions and how they see themselves as being Jewish both in the country, in the city or town or sometimes rurality that they are based in, and in their university. ...

My strategy is, therefore, that when I speak to university vice-chancellors, for example, I tell them that what they have to do is to get their head round what anti-Semitism is, and how Jewish students and staff should have equality of status and what that means, and what the obstacles to that have been and are. The organising strategy is very simple: they should go and speak regularly to their Jewish students because they are organised. If there is a coherent system of organising Jewish staff members—not just academics because there are as many, certainly in some of the bigger cities, non-academic Jewish staff as there are academic staff—and an effective forum for Jewish staff, and there are some, then by all means speak to them as well. ...

*col 102* If the university leadership speaks to the Jewish student leadership, they will have a perspective on what is going on. If they do it every year, there will be a turnover of Jewish student leaders—that is inevitable in a student environment—and they will have a bit of a time series of what the issues are and how well they are doing in dealing with them.

What has been remarkable since 7 October is not how much anti-Semitism there has been in our universities but how little there has been compared with what has gone on in the United States, for example, or in Canada or Australia, as relevant comparable countries. That is because the universities are listening and talking to their Jewish students and responding, initiating and thinking through. Having a working definition of anti-Semitism as a benchmark has been invaluable in doing that and in understanding the issues. That is working.

However, there are problems ... The biggest problem ... is the ostracisation; the isolation when your so-called friends do not speak to you and the micro-aggressions that go with that. That is the worst problem that Jewish students face, and it has dramatically increased. Students are uncomfortable where they live because their flatmates are not including them in things any more because they are “Zionist” or “pro-Israel”, whatever that means—it can mean many different things.

That is the big problem, so I am looking at the Bill and asking: what does it do, if it applies to universities, to assist those students and staff? The answer is: it does nothing—zero, zilch. ... It does nothing about the academic boycotts, which is a problem. It does nothing about the isolation if, for example, someone wants to work with, say, an Israeli university but is blocked by the rest of the department from doing so. If someone wants to research in a particular way, on a thesis or in a postgraduate setting, they are discouraged from doing so. These are the real problems that come to me. It is insidious and dangerous racism.

I come back to the question, because in making law we have to look at it: what does the Bill do about that in the context of universities? The answer is nothing; there have been no successful BDS campaigns in our universities—none. I have been around long enough to have seen and experienced the origins of the campaign, not just in the last three or five years in my current role, or the 20 years I have been around Parliament, but the 40 years in which I have been in some kind of public life. For all those 40 years, there have been zero successful BDS campaigns and therefore it is not a big problem. They are unsuccessful campaigns. ...

*col 103* ... Frankly, it does not matter whether you listen to me, because if you go back to the principle that universities should listen to Jewish students, the Jewish students say that they do not want the Bill to cover universities. What are we doing if we allow that to happen? Jewish students are clear; they do not want it. It does not help them. ... There is no case in tackling anti-Semitism for universities to be included in this Bill. By definition, when the Union of Jewish Students says: “No, thank you”, they are the arbiters, the front line—the people impacted and affected. It does nothing on academic staff and academic boycotts. ...

*col 104 Lord Johnson of Marylebone (Conservative):* ... Following Second Reading, I put down a couple of Written Questions to try to get on the record from the Government some examples of instances where universities had succumbed to pressure from BDS campaigns. In her kind reply ... my noble friend the Minister said the Government were “aware that the BDS Movement has taken credit for divestments ... carried out by universities following pressure from student campaigns”. ...

Does the Minister agree that there is an important distinction between the BDS movement taking credit for something and a university actually succumbing to pressure in relation to investment and procurement decisions? Surely, they are two very different things. People claim all sorts of things but that does not necessarily make them true. ...

*col 105 Lord Verdirame (Non-affiliated):* ... paragraph 20 of the Explanatory Notes

states: “The ban in clause 1 is not intended to prohibit a higher education institution from deciding to terminate a collaboration with a foreign university on the grounds of academic freedom”.

Can the Minister say whether it follows from that that the ban is intended to prohibit a higher education institution from deciding to terminate, or not to initiate, a collaboration with a foreign university on the grounds of political or moral disapproval of foreign state conduct? ...

**Baroness Blackstone:** ... This will not help Jewish students one iota. There are many things we should be doing to ensure the safety and freedom of Jewish students in our universities, but this is of no help whatsoever. ... this will not do anything to help community cohesion, either ...

*col 106* Perhaps one of the worst things about this Bill is its gagging nature. To suggest that you cannot discuss and debate the issues that lie behind the Bill is horrendous. ... it is what tyrannies do. ...

*col 107* **Baroness Falkner of Margravine (Crossbench):** ... Lord Mann ... is absolutely right. The reports I get, when speaking to Jewish organisations about anti-Semitic incidents, are that individual students are now finding themselves friendless, when university life is meant to be the exact opposite of that. I share his despair in that regard. ...

*col 108* **Baroness Noakes:** ... It may be true that there is not much evidence of actual BDS activities by universities to date, but it is certainly true that there is a problem of anti-Semitism on campuses. It may also be true, as the noble Lord, Lord Mann, said, that it is less acute than in the United States ... but I do not think that means we should ignore it. It is clear that the accelerating protests on campuses are having a deleterious effect on Jewish students on campuses. Indeed, the Union of Jewish Students said only last week: “Jewish students are angry, they are tired, and they are hurt by the continuous torrent of antisemitic hatred on campus since October 7th”.

I am not sure that gives the Union of Jewish Students a veto on whether the Bill should go through, but it indicates that there is still a very real problem.

The current round of student protests—the encampments and related demands—do seem, as I have seen reported, to include BDS demands on the universities. As far as I am aware, none of the universities has yet succumbed and changed its policies on BDS, but at least one has given in to some other demands, such as renaming buildings and changing some other organisational arrangements, and we cannot be sure what universities will do in the longer run. The Bill would close the option of them ever implementing BDS policies and would therefore be one small step to closing that route off and helping to create an environment for Jewish students, who would be even more oppressed if the universities publicly announced BDS policies against them. ...

*col 109* **Lord Leigh of Hurley:** ... No one can forget that academia is not immune to bigotry. Let us recall that Heidelberg University in Germany was no less prestigious than any UK university in its day. In the 1920s, it was the centre of liberal thinking. A decade later, a mob of Heidelberg students burned Jewish and other so-called “corrupt” books in the Universitätsplatz. Jewish students and Jewish academics were banned, its faculty developed pseudo-academic fields such as race theory, eugenics and forced euthanasia. Heidelberg was led by administrators who lacked moral leadership—and we all know how this ended.

It cannot be right that students at universities around the world feel unprotected and threatened. Most ironically, only a few years ago, children of Jewish friends of mine were telling their parents they did not feel comfortable going to a UK university, so they applied to go to one in the United States. The appalling lack of leadership in some US universities has quite rightly led to the removal of their leadership in some famous cases. We are all watching Columbia University, apparently led by the noble Baroness, Lady Shafik, most carefully to see whether it can exhibit proper leadership against the vile intimidation and

abuse.

In the UK, we have seen many universities fail to take proper action. I will cite some alarming incidents indicative of this unsafe environment. For example, in Leeds there was the attack on a Jewish chaplain, a rabbi, the sit-in at the Parkinson building, the daubing of the Jewish student centre and the encampment outside of the student union. Apart from the absurdity of the protesters protesting against an occupation by occupying university buildings, the demonstrations themselves are misplaced—and, as at other universities, such as King's College, Cambridge, are causing huge distress to Jewish students, as has been noted.

Despite very sterling work by the noble Lord, Lord Mann, it is endemic. In Birmingham, students called for "Zionists off our campus". We know what they mean, "No Jews here"—as they did in Heidelberg. A while ago, in December 2021, City University students, among others, demanded a BDS ban. It was stopped only because the Charity Commission ruled that this was in breach of its charitable status. Interestingly, the leader of the call for BDS there, Shaima Dallali, was subsequently elected president of the National Union of Students before she was suspended for anti-Semitism. The connection between the call for BDS and anti-Semitism is staring us in the face. ...

*col 110* It is true that the UJS's previous president raised objections to the Bill, but that was before 7 October and before the heat turned up so dramatically. It certainly voted unanimously against BDS.

Most recently, we have seen student demands that Goldsmiths College rename a hall after a Palestinian, give scholarships to Palestinian students and participate in BDS. It looks like the college has agreed to all these demands without carefully considering the impact this might have—again showing absolute failure of leadership. Where does this lead? I am told today by people at Goldsmiths that there is now a movement to prohibit students entering the library unless they sign up to supporting BDS.

In my opinion, this Bill will help those in leadership positions in the above examples and at other universities. It will help them stand up to these outrageous demands by making it clear that intimidation is no longer allowed, and they have no choice but to refuse to enact BDS because the law now demands this. Universities cannot hide from their responsibilities. They should of course be focusing on their core public duty of providing quality higher education and undertaking excellent research while protecting those on campus who are currently threatened by the proponents of BDS with intimidatory anti-Semitic behaviour.

*col 111* **Baroness Chapman of Darlington (Labour):** ... I can see why, when the Government conceived this Bill, they included universities because ... there is a problem on some campuses for Jewish students and Jewish members of staff, and the atmosphere has deteriorated since October 7, in particular. There should be nobody in this Committee or anywhere else who dismisses that and thinks that there is no problem that we ought to set our minds to try to resolve because it is not right that in the name of free speech or anything else we allow that to continue. ... My point to the noble Lord, Lord Leigh, is that the calls that he mentioned, such as about the naming of lecture theatres and the awarding of scholarships to Palestinian students, are made by those doing the protests, the sit-ins and all the other activities that he talked about. He mentioned Goldsmiths specifically. I have a copy of the agreement that was reached between the senior management team at Goldsmiths and the students' organisation that I think is called Goldsmiths for Palestine. It is seven items long. Many things have been discussed, but only one section looks in any way at investment, divestment or boycotts. The rest are things that would never be within the scope of the Bill.

*col 112* I am afraid that when the noble Lord, Lord Mann, says that the Bill will not do anything about these protests, he is probably right. ...

Many of the demands being made are nothing to do with BDS any more. BDS has been around for a very long time, as we all know, but taking away universities' ability to succumb

to these campaigns—not that any of them have—will do nothing to improve safety on campuses; it could make things worse. ... Protesters feel that they are right and are acting in the interests of humanity. We can agree or disagree on how they do that and the language and methods they use. We can have a discussion about that, and perhaps we should, but the Bill will not improve the situation. ... there is a risk that it could make it worse. ...

I do not think that the theory that the Government have put forward—that if you remove a university's ability to adopt BDS, the protests somehow diminish, and that life becomes more tolerable and safer—is realistic. That is my main reason for wanting universities to be removed from the Bill. ...

*col 113 Lord Leigh of Hurley:* ... does [Baroness Chapman] agree that Goldsmiths has now agreed to take on a policy of BDS, and that if the Bill had passed, it would not have been able to succumb to intimidatory pressure so to do?

**Baroness Chapman of Darlington:** ... One of the six issues concerns BDS ... It says that the senior management team will raise concerns with the college's ethical investment fund manager; it is not saying that it will enact any divestment at this stage. ...

**Baroness Neville-Rolfe:** ... I do not think that sufficient weight has been given to the pressure on universities to engage in boycotts and divestment campaigns at this time. I am disturbed, as I am sure we all are, by the violence we have seen in the US over the past week, and the threat that that poses for the safety of students and their ability even to complete their exams. We cannot risk this in the UK and the associated intimidation of Jewish students. Sadly, we have begun to see a fresh wave of student demonstrations at our UK universities, including protest camps set up in Oxford and Cambridge, a deterioration that the noble Baroness acknowledged. These protesters have, I understand, been demanding that their universities cut financial ties with Israeli companies. ...

*col 114* ... there is a problem of anti-Semitism in universities, and we need to take this small step to head off BDS, which is a manifesto commitment ...

No noble Lord wants to inhibit the freedom of students and individual academics to express their views on the conflict in the Middle East, or, indeed, on any other difficult conflict, in a civil manner. ...

However, it is the case that universities are part of public life. They have a responsibility to deliver education for their students, and in this context the Bill strikes a reasonable balance. It bans universities from carrying out their own boycott and sanction campaigns when they are exercising their public functions of investment and procurement. It does not deal with the private acts of individual academics, nor does it interfere with the private commercial activity of university bodies. However, it is a sad fact that in 2023, the Community Security Trust recorded 182 anti-Semitic incidents in the context of the higher education sector, an increase of 203%. ...

Where student unions and pressure groups demand that universities engage in BDS campaigns, this Bill will help universities remain focused on their core public duties, rather than becoming agents for a pressure group. ...

*col 115* My noble friend Lord Willetts asked whether the Bill will prohibit universities from making a statement saying that they will act in accordance with the FCDO's business risk guidance on the Occupied Palestinian Territories. The Bill will not prohibit such a statement. The Bill does not prohibit public authorities from considering the risks of doing business with companies in any country or territory. The Bill also does not interfere with the private commercial activities of universities. These could include providing conference facilities, maintaining office spaces, and making decisions related to commercially funded research. ...

*col 116 Lord Willetts:* ... some universities have endowments and this matter will be increasingly raised in those tent cities on some of our campuses. "Will you promise that you won't invest in companies doing business with Israel?" I can see that happening as a



cause.

This is where the inclusion of the Occupied Territories gets very complicated. I may say so, it was a strategic blunder in the formulation of this legislation because, by including the Occupied Territories, where there is explicit government guidance already, “Be very careful about investing in them”, that totally muddles up the issue. So I suspect that the way all this will go is that the government concession will be on removing the Occupied Territories from the provisions. ...

*Amendment 21 withdrawn*

**To read the full transcript see**

[https://hansard.parliament.uk/lords/2024-05-07/debates/33706ACA-73C9-421D-956B-18CB6B99D6BF/EconomicActivityOfPublicBodies\(OverseasMatters\)Bill](https://hansard.parliament.uk/lords/2024-05-07/debates/33706ACA-73C9-421D-956B-18CB6B99D6BF/EconomicActivityOfPublicBodies(OverseasMatters)Bill)

*The amendments discussed above can be read at*

<https://bills.parliament.uk/publications/55382/documents/4806>

*The letter referred to above by Baroness Altmann can be read at*

<https://lawyersletter.uk/wp-content/uploads/2024/04/Gaza-letter-FIN-3-April.pdf>

*The International Court of Justice (not, as wrongly stated, International Criminal Court) initial conclusions (Order) referred to above by Baroness Altmann can be read at*

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

*The guidance 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>

*The National Action Plan referred to above by Lord Collins of Highbury can be read at*

[https://assets.publishing.service.gov.uk/media/5a815b46e5274a2e8ab538d6/Good\\_Business\\_Implementing\\_the\\_UN\\_Guiding\\_Principles\\_on\\_Business\\_and\\_Human\\_Rights\\_updated\\_May\\_2016.pdf](https://assets.publishing.service.gov.uk/media/5a815b46e5274a2e8ab538d6/Good_Business_Implementing_the_UN_Guiding_Principles_on_Business_and_Human_Rights_updated_May_2016.pdf)

*UNSCR 2334, referred to above by Lord Warner and others, can be read at*

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

*The Times article referred to above by Lord Warner can be read at*

<https://www.thetimes.co.uk/article/israel-denying-entry-aid-gaza-lord-cameron-9kpi2250l>

*The opinion of Richard Hermer KC, referred to above by Lord Wolfson of Tredegar, can be read at*

<https://www.matrixlaw.co.uk/wp-content/uploads/2023/06/EAPB-Opinion.docx>

*The ICJ Advisory Opinion referred to above by Lord Wolfson of Tredegar can be read at*

<https://www.icj-cij.org/sites/default/files/case-related/131/131-20040130-ORD-01-00-EN.pdf>

*The UK-Israel Free Trade Agreement: Strategic Approach referred to above by Lord Purvis of Tweed, can be read at*

<https://assets.publishing.service.gov.uk/media/62d5786ce90e071e798d118a/uk-israel-free-trade-agreement-the-uk-strategic-approach.pdf>

*The written answers referred to above by Lord Johnson of Marylebone can be read at*

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-27/hl3680>

and

<https://questions-statements.parliament.uk/written-questions/detail/2024-03-27/hl3681>

## House of Lords Oral Answers

### Faith Schools: Impact of Removing Admissions Cap

**Baroness Burt of Solihull (Liberal Democrat):** To ask His Majesty’s Government what assessment they have made of the impact of removing the admissions cap on state-funded

faith schools on community integration and cohesion.

**The Parliamentary Under-Secretary of State, Department for Education (Baroness Barran):** My Lords, the admissions cap has not significantly increased the diversity of intake in faith-designated free schools, and it has prevented providers such as the Catholic Church, which attracts a more diverse intake, opening new schools. All faith-designated free schools are required to demonstrate their commitment to community cohesion and how they promote fundamental British values.

**Baroness Burt of Solihull:** My Lords, this policy would increase religious discrimination in schools that the British taxpayer is paying for. Many parents will be paying for local schools from which their own children will be excluded. It will diminish diversity and inclusiveness, increase racial segregation and further disadvantage poorer families, non-religious families, and families of the “wrong” religion. It is hard to find an upside to this, so why are the Government proposing such a retrograde step when they supported the 50% cap until only a short time ago?

**Baroness Barran:** The Government do not see it as a retrograde step and I do not accept the description that the noble Baroness makes of our faith schools, which are extremely inclusive, many working with other schools in their local area, and which produce some of the best academic results in the country.

**Lord Baker of Dorking (Conservative):** My Lords, does the Minister appreciate that it has never been Tory policy to advocate 100% faith schools? No Tory Education Secretary since 1945 has advocated them. They have preferred the model of the Church of England schools, which welcome children of no faith and all faiths. Indeed, I went to such a school myself during the war; my primary school was Holy Trinity in Southport, which was a community school. It so happened that my closest friend at that school was the single Jewish boy, who was a refugee. We became very close friends. I learned from then on that Jews, Christians, Muslims and Hindus at school should all study alongside each other, play with each other, eat with each other and go home with each other as members of a multicultural society.

Does the Minister realise that, if this goes through, it will be not only Catholics but Muslims who apply for independent, free faith schools. Does she really consider that appropriate in our country at this time in our history? This is an absurd proposal and it should not feature in any way in the manifesto of the Conservative Party at the election.

**Baroness Barran:** With the greatest respect to my noble friend, I think there may be a slight misunderstanding, so it might perhaps help the House if I explain what the Government are proposing. They are proposing to make no change whatever to existing schools, faith schools and non-faith schools. The 6,700 faith schools that exist today will not be affected by what is proposed. What is proposed is a consultation on whether there should be a restriction on free schools—new schools—that are opened with a faith designation. So far, 95 such schools have opened.

**Lord Alton of Liverpool (Crossbench):** My Lords, I welcome the removing of the admissions cap and the explanation the Minister has given to the House. Will she firmly rebut the erroneous idea that these schools fail to promote integration, diversity and cohesion and confirm that they are the most ethnically diverse in the country? In England, 45.5% of their pupils are from ethnic minorities, compared with 37% in the state sector, and 50% of the pupils educated in those schools are from the most deprived backgrounds. Perhaps I may share with the noble Baroness the work of the Liverpool John Moores University’s foundation for citizenship, which I founded. We saw outstanding examples of schools promoting virtues, values, duties, responsibilities and the wider common good. The Government’s decision to build on those achievements and prevent such schools having to turn away members of their own community is to be greatly welcomed. I know that many in the country will do so.

**Baroness Barran:** I thank the noble Lord for his comments and echo his remarks about the ethnic diversity in our faith schools. I agree with him that faith schools can and do offer the very important tenets of our major religions including, of course, tolerance.

**Baroness Twycross (Labour):** My Lords, the rationale behind the proposed change to the state-funded faith schools admissions cap by the Government is in large part, as the noble Baroness has said, to increase the number of school places available. Has the department made any estimate of how many more places will be made available and when? What will the Government do to ensure that school places are established where they are needed most and for families whose children most desperately need the best start in life?

**Baroness Barran:** The number of additional places will depend on levels of basic need where there are not enough school places available. The noble Baroness well knows that in some parts of the country we have the opposite challenge at the moment. That also answers the second part of her question; it will be where there are population pressures.

I would like to take the opportunity in answering the noble Baroness's question to pick up on the second part of the consultation. If agreed, it would mean that faith schools were able to have a faith designation. I know the House agrees with me that we need to move faster to make sure there is provision for children with special educational needs and disabilities.

**The Lord Bishop of St Albans:** My Lords, Church of England schools will continue our long tradition of seeking to serve the common good and welcoming a huge diversity of people; we are glad to do that. The Minister has spoken about the huge problem of there not being enough special educational needs places. If I have understood this correctly, it means that this will be a new possibility. We in the Church of England would be keen to play our part to help with this, but one issue is the funding available for it, which makes it very difficult to offer. Alongside this announcement, what consideration have His Majesty's Government given to providing additional funding for those SEND places, which we hope can release more energy into that deprived area?

**Baroness Barran:** To be clear, and to avoid upsetting my noble friend Lord Baker one more time, the changes we are proposing in relation to special schools will not affect eligibility. Eligibility for a place in a special school will be dependent on a child's education, health and care plan. The Government fund all the capital costs associated with developing a new free school. The funding is provided through the local authority for children with an education, health and care plan.

**Baroness Berridge:** My Lords, should we not be proud that the new schools that we have opened since 2010 include Muslim, Hindu and Sikh faith-based schools, which were the first in the country, as well as additional Church of England schools? Can my noble friend the Minister confirm that, in line with previous suggestions for changing the admissions arrangements for new free schools, what is proposed is just that the admissions criteria that apply to existing Catholic schools will be the same for a new Catholic free school? There will be no change to the admissions policy for Catholic schools; it would just be the same policy across the board.

**Baroness Barran:** I am very happy to confirm that.

**Lord Storey (Liberal Democrat):** My Lords, the Minister will know that we are developing, one hopes, a successful, multicultural society, with children of different faiths and none having the opportunity to learn and work and play together. Does she not think it important that in all our faith schools there should be children of different faiths?

**Baroness Barran:** The vast majority of our faith schools have children of different faiths. It is typically only in schools for the smallest-minority faiths that one has a concentration of children of those faiths. This is a longer debate that I am happy to have with the noble Lord, but parental choice is fundamental. We are very pleased

to see the volume of activity that faith schools undertake with other faith schools of different denominations.

<https://hansard.parliament.uk/lords/2024-05-07/debates/E1059320-E441-4397-A65D-7255D0E99B34/FaithSchoolsImpactOfRemovingAdmissionsCap>

The consultation referred to above can be read at

<https://consult.education.gov.uk/faith-schools-policy-team/faith-school-designation-reforms/>

## Welsh Senedd

### Major changes to the Senedd approved

Today (Wednesday 8th May), MSs approved some of the most significant reforms to democracy in Wales since the creation of the Senedd in 1999. ...

The [Senedd Cymru \(Members and Elections\) Bill](#) increases the size of the Senedd, changes the voting system and moves to a four-yearly election cycle. ...

Current system: 60 Members in total - 40 representing constituencies and 20 representing larger regions.

System from 2026: 96 Members in total – 16 constituencies being represented by 6 Members each. ...

Current system: People choose an individual candidate at the voting booth for the constituency vote and a political party (or independent) for the regional vote.

System from 2026: Unless voting for an independent candidate, people choose a political party to vote for, with the elected representatives coming from lists decided by parties. The names of all candidates will appear on the ballot paper.

Current system: Senedd elections every 5 years.

System from 2026: Senedd elections every 4 years. ...

**To read the full press release see**

<https://senedd.wales/senedd-now/news/major-changes-to-the-senedd-approved/>

## Scottish Parliament Time for Reflection

**Rabbi Eliran Shabo (Honorary Jewish Chaplain for the Scottish Universities):** ... Two weeks ago, Jews worldwide celebrated Passover, commemorating the Exodus and the end of centuries of Israelite slavery in Egypt. The less familiar part comes the following day: the counting of the 49 days of Omer until the next Jewish festival, Shavuot, which is the celebration of receiving the Torah, the Jewish law. While this tradition appears in the Torah as a commandment from God, Rabbi Nisim from Girondi, a Torah commentator from 14th century Spain, claimed that the Israelites started to count spontaneously and anticipatorily.

This counting is quite unique. First, we count up, not down. Today, for instance, is the 14th day of counting. Secondly, we count with anticipation for law, for meaning and responsibility. Rabbi Lord Jonathan Sacks, the former chief rabbi of the United Kingdom, explained that when a nation of slaves receives freedom, they might be physically free, but they are still not a free society. In his words, “A free society requires restraint and the rule of law. There is such a thing as a constitution of liberty.”

Hence, we need to grow and develop in preparation for the next step, for receiving responsibility and understanding the meaning of our lives. In these 50 days of counting, we prepare ourselves daily; we consider how to be better and how we can improve our deeds. Indeed, you may refer to these days as “time for reflection”.

It is not a coincidence that these days of counting come at the beginning of spring—a season of renewal marked by blossoming life and the promise of abundant harvests.

Farmers anticipate the harvest, hoping that this season will be fruitful and profitable. There is a daily process of observation and growing, in nature as in ourselves. The counting of the Omer teaches us to set a positive goal and to prepare accordingly. It also teaches us that the celebration of freedom is tied to celebration of responsibility. In past generations, when freedom was taken away from our ancestors they remained free in their minds, as they already held the manifestation of it in their hearts. In conclusion, as we reflect on the significance of counting the Omer and the journey from slavery to freedom, let us remember that true liberation is not merely the absence of chains, but the embrace of responsibility and the pursuit of meaning. May this season of growth and introspection inspire us all to cultivate a society that is founded on the principles of justice, restraint and the Jewish law.

[https://www.parliament.scot/chamber-and-committees/official-report/search-what-was-said-in-parliament/meeting-of-parliament-07-05-2024?meeting=15840&iob=135228#orscontributions\\_C2583839](https://www.parliament.scot/chamber-and-committees/official-report/search-what-was-said-in-parliament/meeting-of-parliament-07-05-2024?meeting=15840&iob=135228#orscontributions_C2583839)

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## Holocaust

### Foreign, Commonwealth and Development Office

#### **Planned Roma Holocaust memorial in Newcastle: Lord Pickles' statement**

International Holocaust Memorial Alliance Chair Lord Pickles welcomed the announcement of a new memorial to commemorate the persecution of the Roma community.

Tonight, the International Holocaust Remembrance Alliance (IHRA) UK Presidency, wishes to congratulate the Roma community, on this important announcement. Roma communities deserve a memorial to call their own that remembers and mourns the persecution and genocide of Roma that took place across Europe by the Nazis and their collaborators, 80 years ago.

We look forward to the unveiling of the memorial in Newcastle when it is finally installed. It will mark an important milestone in UK history, as now a prominent site will exist for future generations to visit and learn about what happened in those darkest of times. It will also serve to deepen understanding of Roma today, the distinct Roma languages, diversity and vibrant cultures and, of course, Roma's outstanding contribution to this country.

IHRA is proud to have developed a working definition of Anti-Roma discrimination which we strongly encourage countries to adopt as a tool to help counter and address entrenched prejudices. IHRA will also soon publish recommendations for teaching and learning about the genocide of the Roma. We hope this will raise the profile of it to educational policy change-makers and will also support teachers in the classroom to teach it accurately, sensitively and to a high standard.

We commend you on this initiative and support you in the journey ahead.

<https://www.gov.uk/government/speeches/planned-roma-holocaust-memorial-in-newcastle-lord-pickles-statement>

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#### **Lety Holocaust memorial opening ceremony in Czechia: Lord Pickles' speech**

International Holocaust Remembrance Alliance Chair Lord Pickles welcomed the transformation of the former concentration camp from an industrial pig farm to a memorial.

... I can recall many a heated discussion at IHRA plenaries about the indignity of having a pig farm on a site near the mass graves of 300 people from the Roma community who had been murdered by the Nazis and collaborators.

We have to acknowledge that disregarding the site and unmarked mass graves in favour of the farm was an attempt by some to forget this dark chapter in Czechia's history. For others, it symbolized the persistence of anti-Roma sentiment in Czech society and in many parts of Europe.

Being here today at the official opening of Lety clearly shows how far the Czechia has come government has come ...

In 2019, the Museum of Romani Culture was awarded an IHRA grant to develop a concept for the exhibition for the Lety memorial. This exhibition not only covers the history of the concentration camp, but also works to prevent false assumptions on the purpose of the camp and the conditions of the victims and to counter any new denial of the genocide of the Roma as well as antigypsyism/anti-Roma discrimination. ...

I also wanted to take this opportunity to praise the Czech government for recently adopting the IHRA working definition of antigypsyism/anti-Roma discrimination. ...

**To read the full transcript see**

<https://www.gov.uk/government/speeches/lety-holocaust-memorial-opening-ceremony-in-czechia-lord-pickles-speech>

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## Israel

**See also the Lords Committee Stage debate on the Economic Activity of Public Bodies (Overseas Matters) Bill that is included in the Home Affairs section above.**

### House of Commons Oral Answers

#### War in Gaza

*col 443* **David Lammy (Labour):** To ask the Deputy Foreign Secretary to make a statement on the war in Gaza.

**The Deputy Foreign Secretary (Andrew Mitchell):** ... We want to see an end to the fighting as soon as possible. Well over six months since Hamas's terror attack against Israel, it is appalling that the hostages are still being held. Very many civilians are also dying in Gaza, and this weekend Hamas rockets killed four Israeli Defence Forces soldiers and injured others. As we have said, the fastest way to end the conflict is to secure a deal that gets the hostages out and allows for a pause in the fighting in Gaza. We must then turn that pause into a sustainable, permanent ceasefire.

Regarding the situation in Rafah, our position has been consistent. We are deeply concerned about the prospect of a military incursion, given the number of civilians who are sheltering there and the importance of that entry point for aid. Entry points for humanitarian aid, including Kerem Shalom, must be reopened quickly to allow aid in. Israel must facilitate immediate, uninterrupted humanitarian access in the south, especially the entry of fuel, and ensure the protection of civilians and safe passage for those who wish to leave Rafah. As yet, we have not seen a credible plan to protect civilians.

We are, of course, following closely the latest developments on the hostage talks. At this stage, while events are still shifting, I cannot—as the House will understand—provide a detailed running commentary. As the British Government have said, we want to see a deal agreed that would ensure the release of hostages and a pause in the fighting. A generous offer was on the table last week, proposed by Egypt and accepted by Israel. We need to see Hamas accept a viable deal and we can start building the momentum towards a permanent sustained ceasefire.

In parallel, we continue to push as hard as we can to get much-needed aid into Gaza via vital land routes, alongside sea and air, to alleviate the suffering. Israel has now committed to significant steps to increase the amount of aid getting into Gaza. We now need to see that turned into action to ensure that aid actually gets over the border, and that it is safely and properly distributed. We look to Israel to meet its commitments to flood Gaza with aid.

Ultimately, we need a long-term solution to this crisis. This means the release of all hostages; Hamas's rule dismantled; their ability to attack Israel removed; a new Palestinian Government for the west bank and Gaza; and a political horizon to a two-state solution. Israelis and Palestinians should be able to live together side by side, in peace and security. This is our goal. We will continue working tirelessly to achieve it.

*col 444* **David Lammy:** ... Ceasefire negotiations appear to be going backwards. Today the war is not just continuing, but escalating.

Labour has been clear for months that we oppose an offensive in Rafah, which risks catastrophic consequences. The United States has said that it would be a disaster, the European Union has said that the world must prevent it, and the United Nations Security Council has called for an immediate ceasefire. Benjamin Netanyahu is ignoring the warnings of Israel's allies and partners, the United Kingdom included.

So can the Minister tell me what the consequences will be? We are already seeing the consequences for civilians: airstrikes in densely packed areas; the Rafah crossing—as well as Kerem Shalom, shamelessly attacked by Hamas—now closed; aid reportedly being blocked; and northern Gaza in full-blown famine. Some 1.4 million people are sheltering in Rafah, many of them ordered to go there by the IDF in the first place. Half the children in Gaza are in Rafah. Where can they go to be safe? The French Government said yesterday that the forced displacement of any civilian population is a war crime. Does the Minister agree?

Hamas are a terrorist organisation and their cowardly tactics are reprehensible, but that does not change Israel's obligation to follow the rules of war, or the Government's obligations on arms exports, so can the Minister say why he thinks that an attack on Rafah does not present a clear risk of a serious breach of international humanitarian law? Can he also confirm whether he has received any assessment—not legal advice, but any assessment or policy advice—from Foreign, Commonwealth and Development Office officials that the threshold has already been met? Now more than ever, we need an immediate ceasefire, the release of all hostages and unimpeded aid to Gaza.

**Andrew Mitchell:** The shadow Foreign Secretary has set out in eloquent terms what is effectively the policy of the Government and the entire House. ...

The Prime Minister, the Foreign Secretary and, indeed, the entire Government have been very clear about our advice to Prime Minister Netanyahu, and I have set it out repeatedly in the House. ... Britain and our allies, through the United Nations—and I remind him that Britain was pivotal in securing Security Council resolutions 2720 and 2728—are working together to try to improve what is a terrible situation, and we will continue to do just that ...

*col 445* **Alicia Kearns (Conservative):** ... as we see the launch of the Rafah offensive, what reassurances have been received that aid access and, above all, aid workers will be protected? We cannot see the entire aid industry flee from Rafah junction, as is currently being predicted. There is speculation about Al-Mawasi as a safe zone for civilians, but there is no infrastructure in what is essentially a desert, and it was not safe on the last occasion when, as we saw, the British charity Medical Aid for Palestinians was bombed ... Finally, have we had any proof of life for those Israeli citizens who have now been held for seven months? For many, there has been no proof of life since at least Day 20. What are we doing to push for that proof of life, which families so desperately need?

**Andrew Mitchell:** My hon. Friend is entirely right to make that last point. We do

seek proof of life. The families to whom she refers are desperate for information, but that information has not been forthcoming. We are deeply concerned about the humanitarian position in Rafah. Any plan would have to respect international humanitarian law, and we have yet to see such a plan. The immediate priority, as I set out in my opening remarks, must be a humanitarian pause in the fighting. ...

**Brendan O'Hara (SNP):** A week ago from that Dispatch Box, the Minister said: "Given the number of civilians sheltering in Rafah, it is not easy to see how such an offensive could be compliant with international humanitarian law".—[[Official Report, 30 April 2024; Vol. 749, c. 141.](#)]

Despite repeated appeals for Israel not to attack Rafah, just hours after the dashed hopes of a ceasefire, that offensive is happening. Is this the breach of international humanitarian law you referred to last week, and will that breach immediately end UK sales of arms to Israel? Or is this yet another example of the UK declaring a red line only for Israel to completely ignore it without condemnation or consequence? We know how this plays out, Minister. You plead with them, they ignore you, they do what they want and you find excuses for them. A blind eye will be turned to the slaughter of tens of thousands of innocent civilians, and while the UK Government call for more aid to the survivors, they will continue to issue arms export licences. ...

**Andrew Mitchell:** ... we are working flat out in these very difficult circumstances to achieve something different, and we will continue to do so. ... I have made it clear that there would have to be a plan that respected international humanitarian law, and we have not yet seen such a plan. ...

*col 446* The Foreign Secretary announced on 9 April that the British position with regard to export licences is unchanged. We do not publish the Government's legal advice, but we always act in accordance with it. I would point out that we publish data on export licensing decisions transparently and on a quarterly basis.

**Suella Braverman (Conservative):** Yesterday I met survivors of the Nova festival massacre—people who had fought singlehandedly for hours in Israel on 7 October against brutal Hamas terrorists. We all want peace, and we all want to see the end of civilian fatalities, but sometimes countries must fight for peace. Israel has a right to defend herself and a duty to protect her people from the brutal terrorist cult of Hamas. Will the Minister confirm that the Government will maintain steadfast and resolute support for Israel as she finishes the job of eliminating Hamas from Gaza?

**Andrew Mitchell:** I am very pleased to hear that my right hon. Friend had the chance to meet those survivors yesterday, so that she can share with the House the hideous circumstances that they suffered. She makes it clear that Israel has the right of self-defence, and she set out eloquently why that is the case. But Israel must also abide by international humanitarian law.

**John McDonnell (Labour):** ... We all condemn Hamas's attack and we all want to see the hostages released, but we are on the edge of witnessing a massacre, a mass murder of innocent men, women and children at the behest of fanatical zealots in the Israeli Cabinet. We need this Government to lead an international exercise to prevent this attack now. One way to prevent it is to make it clear to Netanyahu that if it goes ahead, this Government will pursue him as a war criminal at the international courts.

**Andrew Mitchell:** ... the Government are working with their allies, with the powers in the region and through the United Nations precisely to ensure that that does not happen. ... the Foreign Secretary, the Prime Minister and other Ministers who are in close contact with the Israeli Government have made it absolutely clear what the effects of a military campaign conducted within the small confines of Rafah, where so many people are kettled, would be. ...

**Michael Ellis (Conservative):** A couple of days ago, on Holocaust Remembrance Day, an Israeli commander reminded his men that on that day 80 years ago, the Nazis led Jews to the ovens for the sole crime of being Jewish. On 7 October, at dawn on a public holiday,



Hamas and their supporters invaded Israel and murdered 1,200 more Jewish people, including children, and raped, dismembered and tortured people—and yes, they put one baby, alive, in an oven to murder it. They took dozens of hostages, and still have many in savage confinement of a medieval nature.

*col 447* Many voices put pressure on Israel to do what they believe Israel should do. Does the Minister agree that more pressure needs to be put on Hamas to do what they should do—what any civilised human being would call for—which is to release the hostages and stop attacking aid points? One such aid point was attacked at the weekend, killing four Israeli soldiers—an aid point that, by the way, British aid comes through. They are silent about that, with every focus on Israel and none on Hamas.

**Andrew Mitchell:** My right hon. and learned Friend makes an important point. ... the hostages are not an afterthought. They are at the very centre of this—there are more than 130, including women and children, and a holocaust survivor. The Government are trying to strike a balance. ...

**Margaret Hodge (Labour):** I think we all want an immediate ceasefire, and as we see the start of the destruction of Rafah and the impact that it will have on the civilian population, we are horrified. ... How optimistic is [the Minister] that a sufficient number of hostages will be released to ensure that agreement between the two sides can be reached and that Israel will then accept an immediate ceasefire?

**Andrew Mitchell:** ... I cannot give the House a running commentary on those negotiations, but I can assure her that the logic she brings to this debate does inform the Government's support for getting a resolution to those negotiations.

**Kit Malthouse (Conservative):** ... every equivocation, every hesitation and every set of diplomatic niceties has led us to this calamitous moment for the hostages, for the Palestinian people and for the interests of both peoples in the long term. On 7 April, the Foreign Secretary said that support for Israel was not unconditional. I shall ask the question in a different way: is there any red line? ...

**Andrew Mitchell:** ... no one in the House will forget that it started on 7 October with the brutal events that my right hon. and learned Friend the Member for Northampton North (Sir Michael Ellis) just described. ...

*col 448* **Richard Foord (Liberal Democrat):** The Israeli Opposition leader Yair Lapid said at the weekend: "A government that wants to return the abductees" would be "sending the teams to Cairo, not...crushing the hearts of the families."

Lapid is right, but it is not only the hearts of the hostages' families that are being crushed; it is those of the Palestinians who want nothing to do with Hamas terrorists. ... The UK rightly defends Israel from the threat of attack by Iran, but will the British Government also suspend arms exports to Israel?

**Andrew Mitchell:** ... both sides have sent teams to Cairo, and we await developments on that with a degree of hope and optimism. ... I have made it clear to the House where the Government stand on arms exports. ...

**Mark Logan (Conservative):** Members have said that the situation in Rafah needs to come to an end, but what needs to come to an end is the fighting. UNICEF has said today that Rafah is a city of children, and we should not be dancing around the issue or playing with words as though it were a game of Scrabble. We should call this what it is and call for an immediate ceasefire. Families of hostages want the fighting to end now ... The international community is demanding an immediate stop. ...

**Andrew Mitchell:** ... it is exactly the Government's policy to try to achieve that pause, which can then lead to a sustainable ceasefire. ...

**Julie Elliott (Labour):** What is the Government's plan to get aid into Gaza now that both Rafah and Kerem Shalom are inaccessible? ...

**Andrew Mitchell:** ... yesterday, Rafah and Kerem Shalom were shut with no aid able to get in. That is a matter of immense concern to the Government. ... Some 11 airdrops have been made, 10 of them by the Royal Air Force.

*col 449* **Thérèse Coffey (Conservative):** ... will [the Minister] ensure that all the resources possible are there to enable us to carry on with maritime delivery and airdrops? Does he agree that ultimately, it is in Hamas's hands to return the hostages and remove any excuse for further actions in Gaza by Israel?

**Andrew Mitchell:** We will certainly continue to boost the maritime efforts ... We will continue to do everything we can in extraordinarily difficult circumstances, as we have been, to achieve greater entry of aid into Gaza.

**Clive Betts (Labour):** The real concern now is that Netanyahu has one objective, which is to raze Gaza to the ground. ... This Government, along with all other western Governments, have told the Israelis that they must not go into Rafah. I ask the Minister once again: what are the consequences if they do? ...

**Andrew Mitchell:** ... The hon. Gentleman has outlined what Prime Minister Netanyahu is saying, but there are many different voices in Israel, as we have seen this weekend, including significant demonstrations in support of the policy of getting the hostages back. ...

**James Sunderland (Conservative):** For me, the defining feature of this appalling tragedy in Gaza is that the civilian population is trapped between the oppression of an appalling terrorist organisation and an appalling military onslaught. Given the increasing compression of that population within Rafah, in a much smaller geographical area, the need for precision, restraint and proportionality from the Israelis is ever more acute. Will the Minister please assure the House that he is doing everything possible to convince the Israelis of the need to preserve the sanctity of human life?

**Andrew Mitchell:** ... the Government have repeatedly underlined the importance of Israel abiding by international humanitarian law. ...

**Imran Hussain (Labour):** Despite the blatant disregard that we have seen for international law over the last few weeks, the international community has warned that the Israeli ground offensive in Rafah will be a red line. ...

*col 450* With Israeli troops now ready to move into the world's largest and most densely populated refugee camp, where 1.4 million people sit starving and fearful for the lives of their children, I have to ask the Minister just why he did not come to the House today to announce a strong UK response that immediately supports the International Criminal Court's war crimes investigation and immediately ends arms sales to Israel. ...

**Andrew Mitchell:** ... He sets out, in eloquent tones, the nature of the problem we face, but he must recognise that Britain, along with a large number of regional powers, the international community and the UN, is trying to stop the very position he sets out.

**Andrew Percy (Conservative):** Seven months ago today, many of us began receiving the most alarming messages from friends and/or family in Israel. By the end of that day, every red line of international law had been breached by the monstrous Palestinian terrorists who raped countless women, murdered 1,200 people and took hundreds of innocent people hostage.

Within hours, people in this country, and some pro-Palestinian activists, were on the streets cheering what happened that day. Since then, we have seen the dehumanisation of Jews through the dehumanisation of Israel. "The Protocols of the Elders of Zion" has been dusted off and every antisemitic trope has been trotted out. Some people in this House, whom we would have expected to be allies when it comes to gender-based violence, have had little or nothing to say about the horrors of that day.

Now, we hear calls for Israel to be denied the right to defend itself, while arms continue to flow to Hamas from Iran and North Korea. There is nothing kind or compassionate about that message. Will the Deputy Foreign Secretary confirm to me that any ceasefire, which we all want because we all want this tragedy to end, will include the complete removal of Hamas from governance in Gaza?

**Andrew Mitchell:** My hon. Friend is right in what he says. The rightful aim of

defeating Hamas will not be achieved by allowing a humanitarian catastrophe in Gaza, as I am sure he would agree. He mentions gender-based violence; he will recognise that the Government have supplied funding particularly to try to tackle aspects of that ... the Government make it very clear that we are absolutely opposed to antisemitism and Islamophobia in all their forms.

**col 451 Beth Winter (Labour):** Last October, the Israeli Defence Minister disgracefully described the Palestinian people as “animals”, and that is exactly how Israel has treated them, forcibly displacing men, women, and children from the north to the south of Gaza and now forcibly displacing people again, slaughtering tens of thousands of innocent civilians and creating famine conditions. Now there is the risk of a massacre. What we are witnessing this week is a clear escalation of Israel’s total disregard for civilian life and international law. We need an immediate ceasefire, but will the Minister finally agree to impose stringent sanctions on Israel, not simply on individual settlers, by ending support for its military capability in Gaza, suspending arms export licences and offering support for ICJ and ICC processes investigating Israel’s criminal actions? Where is our humanity? ...

**Andrew Mitchell:** The hon. Lady sets out in lurid terms the issues we face and the problems the entire international community is trying to address ...

**Rehman Chishti (Conservative):** ... I have written to the Foreign Secretary asking that the United Kingdom hosts an international donors conference for Palestine, as it did with the international Friends of Syria group ... I understand that the Foreign Secretary thought that it was a good idea, so where is the UK in leading the way in setting up an international donors conference for Palestine?

**Andrew Mitchell:** My hon. Friend is right to identify a political horizon that is constructive; when this ghastly fighting is over, we hope that people will lift their eyes to a political horizon. Britain is doing a lot of work to try to support that opportunity when it comes, and at that point there may well be a role for Britain in the international community to convene something of that sort.

**Chris Law (SNP):** The invasion of Rafah by the Israeli army comes alongside further discoveries of more than 390 bodies in mass graves at the al-Shifa and Nasser hospitals, with the UN confirming evidence of torture, summary executions and instances of people being buried alive and others buried with intravenous needles still in their arms. ... Given what I have just outlined, do the UK Government finally consider the invasion of Rafah to be a breach of international humanitarian law—yes or no?

**col 452 Andrew Mitchell:** Alas, such questions are not susceptible to yes or no answers. We have made absolutely clear our view about an invasion of Rafah. The full reality of the specific incidents the hon. Gentleman mentions is not clear. We need to recognise, as the British Government have made clear, that full and transparent investigations of those matters is required.

**Theresa Villiers (Conservative):** Hamas have apparently said to mediators that they do not have 33 living hostages who fall into the categories of women, children, elderly and sick. That is an appalling body blow for the relatives of those held captive in Gaza for more than 200 days. Will the Deputy Foreign Secretary take the opportunity to acknowledge Israel’s right to take military action to get those people home?

**Andrew Mitchell:** My right hon. Friend is absolutely right to focus on the awful plight of the hostages ... She is also right to make it clear that, under international law, Israel has the right to self-defence and to take proportionate action to recover hostages.

**Steve McCabe (Labour):** ... I pray that pressure from this House and elsewhere can bring this conflict to an end, but we all know that that will require agreement on an Arab-led body to maintain peace, order and security. How close are we to that agreement?

**Andrew Mitchell:** The hon. Gentleman is absolutely right to try to lift people’s eyes to the political horizon so that from this intolerable misery can come hope for the future. ... We will continue to do everything we can to plan for that, alongside trying

to resolve the desperate situation in Rafah ...

**Tobias Ellwood (Conservative):** ... Talks are not making progress, the hostages still have not been released and border crossings are closing; we are entering another dark chapter in this terrible conflict. The UN World Food Programme warns of a full-blown famine unless more aid can be delivered. ...

**Andrew Mitchell:** ... Securing the temporary pier off the coast of Gaza is a way of getting additional aid in swiftly. ... Britain is also thoroughly involved, just as it is from the air and from land, in detail in the maritime effort.

*col 453* **Afzal Khan (Labour):** The UK Government have long warned Israel that an invasion of Rafah must not happen. ... Prime Minister Netanyahu has shown once again that he is not listening to his allies or the ICJ, and that he is hellbent on turning the whole of Gaza into a graveyard. Will the UK Government urgently impose a full arms embargo on Israel ...

**Andrew Mitchell:** ... the amount of arms that Britain supplies is negligible. Equally, we operate an arms sales regime that is strictly governed by the rules that I have previously set out to the House. We act in line with the legal advice we receive, and we will continue to do so.

**Tom Hunt (Conservative):** ... I am also greatly concerned that nothing happens that gives Hamas an increased foothold in Gaza and puts them in a position to inflict more evil and misery, like that we saw on 7 October. I am also concerned that some of the proposed ceasefire agreements seem to involve releasing hundreds of Hamas terrorists and do not involve all of the hostages being released. ...

**Andrew Mitchell:** My hon. Friend is absolutely right that Hamas can have no role in Gaza in the future. Much of the work we are doing in that respect is designed to help to build up the Palestinian Authority, so that it can be involved in governing both the west bank and Gaza, as soon as the time is right.

**George Galloway (Workers Party of Britain):** ... There are 600,000 child hostages in Rafah alone. There is no proof of life from them, but millions of our people are watching on their phones today the proof of death and mutilation of many of them. The Government say they are doing everything they can, but they are not. You could now stop sending weapons to the people who are raining down this death and misery ...

**Andrew Mitchell:** ... we are pursuing long-term policies designed to tackle the evils that have been set out so clearly this afternoon in the House. ... through medical aid and the British contribution, not least through a field hospital, Britain has been careful to ensure that where we can bring medical help, particularly to children, we are doing so.

*col 454* **Bob Blackman (Conservative):** The 130-plus hostages have now been held for 214 days, in barbaric conditions, subject to rape and torture, and denied medical access from the International Red Cross. The sad reality is that Israel put a deal on the table that could have led to there being a ceasefire right now, in return for the release of some—not all—of the hostages and of Palestinian prisoners who have been convicted in courts of law. Secretary Blinken described that as an “extraordinarily generous” offer, yet Hamas refuse to accept it. ...

**Andrew Mitchell:** ... we must ensure we do everything we can to make certain that the negotiations that are taking place at the moment in Cairo make progress and are successful. ...

**Jess Phillips (Labour):** ... the Deputy Foreign Secretary has been saying to us today is that we have not seen a credible plan for evacuation from Rafah, and that there is currently an incursion into Rafah. If I add those two things up ... Israel has currently breached the rule that the UK has set. ...

**Andrew Mitchell:** ... I have made it clear that we have not seen a credible plan for military action in Rafah so far, so we are not able to judge whether it would be in accordance with international humanitarian law ...

**Geoffrey Clifton-Brown (Conservative):** ... The actions in Gaza over the weekend have only made those miles-long queues of lorries even greater. Air and sea drops are difficult. Will [the Minister] today, on behalf of the Government, appeal to our allies to allow those in those miles-long queues in Rafah to rapidly go into Gaza and relieve the suffering of the people there?

*col 455* **Andrew Mitchell:** We continually appeal for more aid getting in by road. We have made arrangements for maritime entry, and entry from the air, but getting aid in through entry points on the road system is, by miles, the best way. ...

**Sammy Wilson (DUP):** The pro-Hamas network of the press, politicians and protesters is becoming increasingly hysterical in its efforts to stop Israel pursuing those who carried out the pogrom of murder, rape, torture and hostage-taking last October. Does the Minister accept that if there is to be long-term peace in the middle east, we must continue to support Israel—in its battle against Hamas, in defending itself, and in pursuing those who cynically hide behind innocent civilians today, and tomorrow use their death as a propaganda weapon?

**Andrew Mitchell:** The right hon. Gentleman makes the point that Israel has the right to self-defence, but I am sure that he would accept that it must be exercised within international humanitarian law.

**Dawn Butler (Labour):** Minister, what does “finish the job” mean, with 40,000 people dead, many of whom are children? Is it finished when every single man, woman, child and baby is dead in Gaza? Is that what “finish the job” means? The Government said that the invasion of Rafah would not comply with international law. The Minister says that we do not supply that many arms to Israel, but if we were to stop even that supply, would it not send the message that our Government abide by, and believe in the importance of, international law?

**Andrew Mitchell:** ... although the Government do not publish the legal advice that they receive, they always act in accordance with it.

**Liz Saville Roberts (Plaid Cymru):** My constituent Emily Fares has family in Gaza. Here is her message:

“We heard from our family yesterday, half of them have now fled Rafah after threatening evacuation orders fell from the sky. When we spoke to them they did not know where they were going—they mentioned al-Mawasi, but there is no building for them to stay, it is not safe there. There are no food provisions there. There is nowhere to go to the toilet, nowhere to wash. They are now utterly destitute.”

Forced displacement is a war crime. The Minister’s Government have it in their power to set up a scheme for people desperate to join family in the UK. If not now, when?

**Andrew Mitchell:** ... That is why the Government, with as much vigour and co-operation with our allies as possible, are trying to do the things that I have set out.

**Florence Eshalomi (Labour Co-op):** The initial Israeli offence in Rafah began last night, and it has been described as “limited”. An operation is not limited if it results in the evacuation and forced displacement of around 100,000 people. An operation is not limited if it results in all crossings being closed, and humanitarian aid being completely halted. ... The Minister said that the Government are doing everything they can, but will he make it clear from the Dispatch Box that the Government do not support this offensive, and that there must be consequences under international law if it goes ahead?

*col 456* **Andrew Mitchell:** The Government have made it absolutely clear that we have yet to see a plan in respect of any military operations in Rafah, but we have always made it clear that any such plans must abide by international humanitarian law.

**Richard Burgon (Labour):** For months, the Minister has come to the Dispatch Box and told us that the Government are asking the Israeli Government to do this, or requesting that the Israeli Government do that. The harsh truth is that Israel is ignoring the UK Government, and that our Government now need to act. ... The Government must act now

by ending arms sales and suspending the trade talks ...

**Andrew Mitchell:** ... there is no magic solution. We have to persist with the arguments and the logic that are so clearly set out in United Nations Security Council resolutions 2720 and 2728, and we will continue to do so.

**Anum Qaisar (SNP):** ... It felt like it was not a red line when babies in Gaza were removed from the wombs of their dead mothers. It felt like it was not a red line when children in Gaza looked up to the sky, not knowing whether aid or bombs were going to drop on them. Now, in Rafah, displaced refugees once again face the threat of forcible transfer, and again it does not feel like this is a red line. Given that there is precedent for halting arms sales to Israel, will the UK Government finally halt those sales? ...

**Andrew Mitchell:** The case that the hon. Lady makes should encourage everyone ... to do everything they can to bring an end to this catastrophic conflict, which is causing such pain to so many.

**col 457 Khalid Mahmood (Labour):** ... I condemn Hamas, and I think all refugees on both sides should be returned, but the attack on Rafah has started. The escalation of humanitarian disaster and catastrophe continues, in contravention of international law. There has been too much hand-wringing and making of excuses. ... The case has been made for hostages to be released; what will happen when Rafah is bombed? What will happen to those Israeli hostages? ...

**Andrew Mitchell:** ... the Government have consistently sought a pause, so that the hostages can get out and aid can get in ... He started his question by pointing out that an attack had started in Rafah, but he will also know that negotiations are proceeding in Cairo, and we must hope that those negotiations are successful as quickly as possible.

**Jessica Morden (Labour):** With nowhere safe for Palestinians to go, and overcrowding in places such as al-Mawasi, I ask again: where exactly do the UK Government think Palestinians displaced from eastern Rafah should go next? ...

**Andrew Mitchell:** ... we think that there needs to be a pause in the fighting that can ... lead to a sustainable ceasefire.

**Kenny MacAskill (Alba):** Is it not time to recognise that Israel's actions are not a disproportionate response to 7 October, but in fact part of a concerted plan to make Gaza unliveable, and to extirpate the Palestinian population there, while encroaching on Palestinian territories in the occupied west bank? As a result, is it not time that we ceased arms sales, stopped being complicit in Israel's military actions, reinstated United Nations Relief and Works Agency aid, and joined other nations in condemning this dreadful genocide?

**Andrew Mitchell:** ... I do not think it is helpful to use terms such as "genocide". It is important that the House recognises that the findings of the International Court of Justice have been misrepresented in that respect. Joan Donoghue, a former president of the ICJ who was still serving at the time of the preliminary decision, stated that the ICJ "did not decide that the claim of genocide was plausible".

**Rushanara Ali (Labour):** The Minister talks about a pause; the United Nations voted for a resolution calling for a ceasefire. The Minister is now talking about looking at Israeli military plans for Gaza, when the international community has thus far made it clear that there should not be an invasion of Gaza. ... His Government have so far failed to restore UNRWA funding, which is making the matter and the misery worse. He has failed to take action to ensure that the Government support the implementation of the ICJ's provisional measures and the International Criminal Court investigation of the Occupied Palestinian Territories. ...

**col 458 Andrew Mitchell:** ... we are doing everything we can to address the dreadful situation that she has so eloquently articulated.

**Apsana Begum (Labour):** The Minister's reply on 17 April to my written question referred to wanting "to see Israel take greater care to limit its operations to military targets".

Can he confirm that he is finally aware that Israel has not limited its onslaught to military targets? Given that the Government's own licensing criteria refer to the "risk that the items might be used to...facilitate a serious violation of international humanitarian law...or serious acts of violence against women or children", how can continuing to arm Israel in its bombardment of Palestinian civilians possibly be justified?

**Andrew Mitchell:** The hon. Lady refers to a number of early incidents, which have been condemned. She will know that, in respect of each of those incidents, the Government have said that we want an independent and credible investigation and transparent conclusions, so that we know why and how those acts took place.

**Liam Byrne (Labour):** The Minister has said that the policy has not changed, but the facts on the ground have. Ordering the evacuation of 100,000 people is not a small operation; it is big one. He knows that the clear test for suspending arms sales is a clear risk of a breach of humanitarian law, but he has told the House this afternoon that he has no assurances that that breach is impossible because he has not seen a plan. Can he tell the House what advice he has given the Department for Business and Trade, and when, about its legal obligation to suspend arms sales now? ...

**Andrew Mitchell:** The position on arms sales and legal advice is clear ... we always follow carefully the legal advice, although we do not publish it, and we always act in accordance with it. ...

**Andrew Western (Labour):** Gaza is bleeding and Gaza is starving. At least 34,700 people are dead, the majority of them women and children, while a man-made famine continues to take hold. How much further do things need to escalate before this Government finally take action, restore UNRWA funding and—finally—call for an immediate ceasefire?

*col 459* **Andrew Mitchell:** ... Britain is currently in a position of not owing any money to UNRWA, we have said that we are considering the Colonna report and we are waiting for the Office of Internal Oversight Services report. ...

**Drew Hendry (SNP):** More than 14,500 children have been killed in Gaza. Is the Minister proud that the UK continues to sell arms for use in this action?

**Andrew Mitchell:** I am proud that Britain is doing everything it can and that the Government are bending every sinew to try to resolve this desperate situation ...

**Holly Lynch (Labour):** The Deputy Foreign Secretary has said that he is still waiting to see the military plans from Israel in relation to Rafah, but we are all watching the consequences of the execution of those plans, which is already under way. Part of what we have seen overnight has been the very deliberate destruction of any signage that describes the territory as Gaza, and the taking down of Palestinian flags and replacing them with Israeli flags. ...

**Andrew Mitchell:** We continue to make it clear to Israel that it should not in these circumstances be conducting military operations in Rafah until there is a proper plan that ensures it stands by its duties and responsibilities under international humanitarian law.

**Feryal Clark (Labour):** Thousands of children killed, hostages not released, Israel accused of war crimes, global outrage at Israel's conduct and Hamas very much in being—this is how not to fight a war. ...

**Andrew Mitchell:** I have made it crystal clear where the Government stand on the issue of any Rafah offensive ...

**Alistair Carmichael (Liberal Democrat):** In recent months, Israeli forces in Gaza have been responsible for the killing of aid workers, medics and journalists, including British citizens among them, and they have been responsible for the targeting of civilian infrastructure. In these circumstances, what possible basis can there be in law for continuing to supply weapons to Israel?

*col 460* **Andrew Mitchell:** The decisions on weapons licences are not made across the Floor of the House, nor are they made on the basis of emotion. They are made on the basis of the rules clearly set down. They are governed by the advice that we

receive from lawyers, and we act in accordance with that advice.

**Andrew Gwynne (Labour):** The 1.4 million displaced people kettled in the south of the Gaza strip, precisely where they were told to go, are now facing mass starvation—a humanitarian catastrophe unfolding before our eyes. The Rafah offensive cannot and must not be allowed to happen. ...

**Andrew Mitchell:** The Government have made it clear that all countries, and Israel in this conflict, must abide by international humanitarian law. The hon. Member will be well aware that there are consequences for not abiding by international humanitarian law. ...

**Gavin Newlands (SNP):** The Minister said that we have not seen a credible plan to protect civilians. That has been the case since the shameful atrocities of 7 October. Seven months on and 35,000 deaths on, we get the same lip service and the same drivel about urging Israel to follow international law, all while those on the Labour Front Bench gave them political cover. The UK shamefully continues to send arms to Israel, so if this is found to be a genocide, as I think it will be, and Netanyahu therefore a war criminal, this Government and therefore this country will be complicit, will they not?

**Andrew Mitchell:** The hon. Member uses lurid language ...

**Nadia Whittome (Labour):** ... If bombs were being dropped on [the Minister's] family and there was no safe place for them to go, I am sure that he would want Governments such as ours to use every available lever to stop the attacks and that he would rightly expect to receive protection. ...

**Andrew Mitchell:** The hon. Member is right to set out the jeopardy of the families that she describes in Rafah. ...

*col 461* **Stella Creasy (Labour Co-op):** The Minister raises concerns about misrepresentation, so let us be clear: those protesting in Israel in support of the hostages were protesting against Netanyahu and his approach in Rafah. ... Those protesters and hostage families recognise, as does this House, that military action in Rafah, the man-made famine, and the displacement of 100,000 people to a place where they are trying to put tents up in rubble, is not going to lead to the release of hostages or to the two-state solution. It will probably lead to further war crimes. ...

**Andrew Mitchell:** ... there was a plurality of views in Israel, many of which do not coincide with the views of Prime Minister Netanyahu.

**Helen Hayes (Labour):** There is nowhere safe for people in Rafah. There is no relief for people in northern Gaza who are starving as aid is being choked off again. The situation in Gaza is intolerable and there are clear breaches of international law. None of that serves the cause of peace or hastens the release of the hostages. ...

**Andrew Mitchell:** I have clarified one aspect of the ICJ interim judgment, which I hope is helpful to the House. ...

**Jim McMahon (Labour Co-op):** The Deputy Foreign Secretary knows that international law applies to all, or it matters to none. He speaks of the right of self-defence ... but what we have seen is far beyond self-defence. ...

**Andrew Mitchell:** ... There is a strong precedent for how we handle these issues ...

*col 462* **Chi Onwurah (Labour):** The consequences of Israel's Rafah offensive for the Palestinians are absolutely clear: death, destruction, starvation and disease on a scale even greater than the horrors we have already witnessed. It beggars belief that the Deputy Foreign Secretary comes to this House and cannot set out any consequences for Israel from that offensive. We are here because our constituents hold us to account for what is happening in Gaza. Why does he refuse to hold Israel to account for what is happening there?

**Andrew Mitchell:** I do not recognise the hon. Member's description on the question of accountability. ...

**Fleur Anderson (Labour):** The first thing that aid workers returning from Gaza talk about is the smell, because there are rivers of sewage in Gaza at the moment. The assault on



Rafah means displacing people from a place with very poor sanitation to a place with no sanitation and catastrophic health outcomes. Only UNWRA can provide the sanitation needs at scale to solve this. ...

**Andrew Mitchell:** I have made clear the process that the Government are going through in respect of our future commitments to UNWRA. I have also made clear that, as far as the current situation is concerned, we have fully funded and met our commitments to UNWRA ...

**Andy McDonald (Labour):** The earlier comment that Israel should get on and finish the job sent a chill through this Chamber and through the homes of millions of people in our country, because they know what that means: increased numbers of children being massacred in Rafah ... Given the evidence in the High Court that says that the UK Government have not received any legal advice on potential violations of international humanitarian law in Gaza since 29 February, can he say what confidence he has that the £13 million-worth of aerial targeting equipment licensed for sale to Israel at the end of 2022, or the £10 million-worth of military support vehicle sales approved in May last year, will not result in the death of civilians in Rafah?

**Andrew Mitchell:** ... any Member of the House who asks a question is responsible for what they say and how they say it. ... On his second point, where, with great skill, he seeks to flush out a different answer, I have nothing to add to what I have already said on the subject of arms sales.

*col 463* **Patrick Grady (SNP):** At a recent event in Glasgow, I heard the parish priest of Gaza describe the situation as almost like hell on earth. If an individual were to escape that hell in Gaza and make their way to the UK by irregular means, because there is no humanitarian visa and no safe and legal route, is it the Government's position that such a person should be deported to Rwanda?

**Andrew Mitchell:** The hon. Gentleman asks me a hypothetical question. ...

**Debbie Abrahams (Labour):** ... I see no levers that the Government are using to influence the Israeli Government's behaviour, and I see the playing with words around what our obligations are under international law in relation to our arms licensing process. As I am reading it here from the UN, if there is a "plausible risk of genocide" we should not be supplying arms to any country. ...

**Andrew Mitchell:** At the heart of the hon. Lady's question is throwing the word "genocide" across the Chamber, which I do not think is helpful. If she heard what I said earlier, I was, I hope, specifically helpful to the House, in showing why what she said about the ICJ and genocide was totally inaccurate, by quoting the former president of the ICJ.

**James Murray (Labour Co-op):** ... As we have warned for months, an Israeli offensive in Rafah would be catastrophic and it must not go ahead. ...

**Andrew Mitchell:** ... everyone wants to see a pause in the fighting, a sustainable ceasefire, aid getting in in very significant volumes and the hostages getting out. ...

**Jim Shannon (DUP):** Israel has a right to defend its people, a right to have the 135 hostages released, and a right to destroy the four Hamas battalions still operating, whose goal is to murder everyone who is of Israeli or Jewish origin. ...

*col 464* **Andrew Mitchell:** As ever, my hon. Friend accurately, in his first three points, sets out the situation. ...

**Matt Western (Labour):** Having promised that Rafah would provide safe sanctuary, they now demand that the Palestinians must leave. Having frustrated humanitarian aid, they have now seized and closed the Rafah and Kerem Shalom crossings. Having killed 100 journalists, they have now seized and closed down al-Jazeera in Gaza. On Israel's Government, the former US middle east envoy, Dennis Ross, stated today: "At a certain point, Netanyahu needs to choose Biden over Ben-Gvir, he needs to choose the hostages over Smotrich." Do the Government agree with him that we are at that moment?

**Andrew Mitchell:** We listen to everyone who comments on these matters ...

**Ruth Jones (Labour):** Everyone in the House knows that the trickling of aid into Gaza has been a stop-start affair, but it is a critical lifeline to support Palestinian civilians none the less. Today that lifeline has been cut off yet again. ...

**Andrew Mitchell:** ... as part of the Government's intensive efforts, we have tried to ensure that the volume of aid is increased, and she will have heard what the Israeli Government said about flooding Gaza with aid. We are doing everything we can to increase the flow and hold the Israeli Government to account for what they have committed themselves to doing in respect of aid entering Gaza.

**Margaret Greenwood (Labour):** ... The United Nations reports: "Cases of acute malnourishment among children continue to rise due to the unprecedented food crisis, deteriorating health, water and sanitation services, and widespread fear and stress undermining the ability of mothers to breastfeed their babies."

Aid through Rafah has been very limited, and now that route has been cut off. Does the Minister consider the cutting off of aid routes to the civilian population to be a breach of the ICJ's interim report?

*col 465* **Andrew Mitchell:** We are trying to ensure that we get aid into Gaza in a number of different ways. ... We will continue to do everything we can to intensify that approach.

**Peter Grant (SNP):** The remit of the International Criminal Court does not extend only to war criminals in the Israeli Government and in Hamas; it extends to any Government who have failed to take reasonable steps to prevent these atrocities. The Minister may be happy to hide behind the defence of "My lawyers said it was OK," but does he respect the right of UK civil servants to take their own independent legal advice on these matters, and will he give an assurance that no British civil servants will be put under any pressure to do anything if they honestly believe that it would contribute to crimes against humanity or war crimes in Gaza?

**Andrew Mitchell:** The roles and rights of British civil servants in these matters are very clearly codified, and the Government respect that absolutely. ...

**Michael Ellis:** On a point of order ...

On Friday Sir Robert Chote, the chair of the UK Statistics Authority, published a letter pointing out the uncertainties and bias relating to the casualty statistics produced by the Hamas-run Gaza Ministry of Health. Many academic statisticians have also pointed out that the Hamas figures are metronomically linear and obviously fabricated. Members on all sides have used these terrorist figures, some with careless abandon, but Sir Robert said that "it would be desirable for Ministers, Shadow Ministers and other Parliamentarians to state the source of any estimates they use in the public domain and to recognise" their limitations. Will you, Mr Deputy Speaker, advise Members to heed the urging of the UK Statistics Authority and to be highly cautious about using Hamas casualty statistics?

**Mr Deputy Speaker:** I thank the right hon. and learned Member for his point of order and for giving notice of it. As he knows, comments made by Members in the Chamber are not the responsibility of the Chair, but he has successfully put his own view on the record.

**To read the full transcript see**

<https://hansard.parliament.uk/commons/2024-05-07/debates/9A94F5AE-A16B-4060-961C-4E1AF946D531/WarInGaza>

*UNSCR 2720, referred to above by Andrew Mitchell, can be read at*  
[https://undocs.org/en/S/RES/2720\(2023\)](https://undocs.org/en/S/RES/2720(2023))

*UNSCR 2728, referred to above by Andrew Mitchell, can be read at*  
[https://undocs.org/en/S/RES/2728\(2024\)](https://undocs.org/en/S/RES/2728(2024))

*The written answer referred to above by Apsana Begum can be read at*  
<https://questions-statements.parliament.uk/written-questions/detail/2024-03-26/20795>

*The UN report referred to above by Margaret Greenwood can be read at*

<https://www.ochaopt.org/content/gaza-humanitarian-response-update-22-28-april-2024>

The ICJ interim report (Order) referred to above by Margaret Greenwood and others can be read at

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

The letter referred to above by Michael Ellis can be read at

<https://uksa.statisticsauthority.gov.uk/correspondence/letter-from-sir-robert-chote-to-sir-michael-ellis-mp-and-andrew-percy-mp-gaza-statistics/>

## House of Commons Written Answers

*The following two questions both received the same answer*

### **Visas: Gaza**

**Liz Saville Roberts (Plaid Cymru)** [24270] To ask the Secretary of State for the Home Department, pursuant to the Answer of 12 December 2023 to Question 5799 on Visas: Gaza, if he will make an updated assessment of the potential merits of establishing a family reunification visa scheme for people in Gaza.

**Liz Saville Roberts (Plaid Cymru)** [24271] To ask the Secretary of State for the Home Department, what recent assessment he has made of the adequacy of routes available to people in Gaza to join families in the UK.

**Tom Pursglove:** We keep all existing pathways in response to events under review. Our position remains that at present, there are no plans to create a new visa scheme for family members of British citizens and settled migrants affected by the security situation and the Home Office is not currently considering establishing a separate route for Palestinians to come to the UK.

Since my response of 12 December for Gaza, we have extended eligibility for consular assistance. Under our extended eligibility policy, we are assisting UK visa holders to leave Gaza if they have an immediate family member currently living in the UK and hold valid permission to enter or remain in the UK for longer than six months. Immediate family members of British citizens, and those settled in the UK, who wish to come and live in the UK, and do not have a current UK visa, can apply under one of the existing Family visa routes.

UKVI is working closely with the FCDO in supporting family members of British nationals to exit from Gaza who require a visa, signposting the necessary steps and expediting appointments at the Visa Application Centre.

Any application for a UK visa will be assessed against the requirements of the Immigration Rules and our suitability requirements. Consideration will be given to compelling, compassionate and exceptional circumstances raised and may be taken into account where certain requirements are not met.

<https://questions-statements.parliament.uk/written-questions/detail/2024-04-30/24270>

and

<https://questions-statements.parliament.uk/written-questions/detail/2024-04-30/24271>

*The answer referred to above can be read at*

<https://questions-statements.parliament.uk/written-questions/detail/2023-12-07/5799>

### **Middle East: Conflict Prevention**

**Tommy Sheppard (SNP)** [23511] To ask the Deputy Foreign Secretary, what recent discussions he has had with Cabinet colleagues on the UK's strategic, long-term approach to supporting security in the Middle East.

**Andrew Mitchell:** We condemned in the strongest terms Iran's direct attack against Israel on 13 April. The UK will continue to stand up for Israel's security as well as the security of all our regional partners and we are still working with our allies to

deescalate the situation.

<https://questions-statements.parliament.uk/written-questions/detail/2024-04-24/23511>

### **Israel: Occupied Territories**

**Layla Moran (Liberal Democrat)** [23792] To ask the Deputy Foreign Secretary, what estimate his Department has made of the value of assets and entities held in the UK by supporters and enablers of the Israeli settler movement.

**Andrew Mitchell:** The FCDO has not made such an estimate.

The Office of Financial Sanctions Implementation publishes information on assets frozen in the UK within its Annual Review. This document is available from GOV.UK.

The UK continues to take a strong stance against settler violence. On 3 May, the Foreign Secretary announced new sanctions on extremist groups and individuals for inciting and perpetrating settler violence in the West Bank. The measures impose financial restrictions on the entities and individuals, and travel restrictions on the individuals.

<https://questions-statements.parliament.uk/written-questions/detail/2024-04-25/23792>

*The most recent of the Annual Reviews referred to above can be read at*

<https://www.gov.uk/government/publications/ofsi-annual-reviews/ofsi-annual-review-2022-to-2023-strengthening-our-sanctions>

*Information about the sanctions referred to above can be read at*

<https://www.gov.uk/government/news/uk-sanctions-extremist-groups-and-individuals-for-settler-violence-in-the-west-bank>

*The following two questions both received the same answer*

### **UNRWA: Finance**

**Daisy Cooper (Liberal Democrat)** [24566] To ask the Deputy Foreign Secretary, if he will make an assessment of the implications for his policies on funding for UNRWA of the final report of the Independent Review of Mechanisms and Procedures to Ensure Adherence by UNRWA to the Humanitarian Principle of Neutrality, published on 22 April 2024.

### **Gaza: Humanitarian Situation**

**Gregory Campbell (DUP)** [24621] To ask the Deputy Foreign Secretary, if he will have discussions with the UN on steps that were taken to ensure (a) the independence of the processes for and (b) the accuracy of the findings of the Colonna report.

**Andrew Mitchell:** Allegations that UNRWA staff were involved in the events that took place on 7 October in Israel are appalling, which is why we took decisive action to pause future funding to the organisation.

The Prime Minister has been clear that the UK will set out its position on future funding to UNRWA following careful consideration of Catherine Colonna's final report, UNRWA's response and the ongoing UN Office for Internal Oversight Services investigation into these allegations.

<https://questions-statements.parliament.uk/written-questions/detail/2024-05-01/24566>

and

<https://questions-statements.parliament.uk/written-questions/detail/2024-05-02/24621>

*The Independent Review, referred to above, can be read at*

[https://www.unrwa.org/sites/default/files/content/resources/unrwa\\_independent\\_review\\_on\\_neutrality.pdf](https://www.unrwa.org/sites/default/files/content/resources/unrwa_independent_review_on_neutrality.pdf)

*UNRWA's response referred to above can be read at*

<https://www.unrwa.org/newsroom/official-statements/independent-review-unrwa-adherence-humanitarian-principle-neutrality>

### Israel and Gaza

*col 13* **The Lord Bishop of St Albans:** To ask His Majesty's Government (1) what representations they are making to the Government of Israel in light of a potential new offensive by Israeli forces, and (2) what humanitarian aid and support of essential services they plan to provide to the region.

*col 14* **The Minister of State, Foreign, Commonwealth and Development Office (Lord Ahmad of Wimbledon):** My Lords, we want an end to the fighting as soon as possible. Well over six months since Hamas's terror attack against Israel, it is appalling that hostages are still being held. Too many civilians are also dying in Gaza, and this weekend Hamas rockets killed four IDF soldiers and injured others. As we have said, the fastest way to end the conflict is to secure a deal which gets the hostages out and allows for a pause in the fighting in Gaza. It is then that we must turn that pause into a sustainable, permanent ceasefire.

Regarding the situation in Rafah, our position has been consistent. We are deeply concerned about the prospect of a military incursion, given the number of civilians sheltering there and its importance for delivering aid. It and other crossing points, including Kerem Shalom, must be reopened quickly to allow essential aid in. Israel must facilitate immediate, uninterrupted humanitarian access in the south, including for the entry of fuel, and ensure the protection of civilians and safe passage for those who wish to leave Rafah. As yet, we have not seen a credible plan to protect civilians.

We are following closely the latest developments around hostage talks ... we want a deal agreed that will ensure the release of hostages and a pause in fighting. A generous offer was on the table last week, proposed by Egypt and accepted by Israel. We need now to see Hamas also accept the viable deal so that we can start building the momentum towards a permanent, sustained ceasefire. In parallel, we will continue to push as hard as we can to get much-needed aid into Gaza via vital land routes alongside sea and air to alleviate the suffering. Israel has now committed to significant steps to increase the amount of aid getting into Gaza. We now need to see this turned into action to ensure that aid actually gets over the border and is safely and properly distributed. ...

**The Lord Bishop of St Albans:** ... What representations have His Majesty's Government made about getting more fuel, food supplies and medicines in? Are there any other avenues by which we can get aid into the country to alleviate the immediate suffering?

**Lord Ahmad of Wimbledon:** ... we are imploring Israel to ensure that the crossings that were shut are opened immediately, including in Rafah. ... the southern border on the Palestinian side is currently controlled by the IDF. My noble friend Lord Cameron had a conversation with the President of Israel this morning, and just a little while ago I also had a conversation with the chief negotiator of Qatar.

*col 15* **Lord Collins of Highbury (Labour):** ... Does the Minister not think that an attack on Rafah presents a clear risk of a serious breach of international humanitarian law? Can he confirm whether he or the Foreign Secretary have received any assessment—not legal advice, but any assessment or policy advice—from FCDO officials that the threshold has already been met? ... When will the Government resume funding to UNRWA? There is an immediate and urgent need for it.

**Lord Ahmad of Wimbledon:** On the noble Lord's second point, there were two reports set up by the Secretary-General. One—the Colonna report—has reported back; the other oversight report is being reported shortly. As the Prime Minister said, those will be reviewed. I accept the principle, as I have said repeatedly, of the important role UNRWA plays, particularly in Gaza. ... We are receiving regular information. I have already made the point about the importance of the escalation

into Rafah on a number of occasions. It needs to be immediately resolved, because there are now 600,000 children in Rafah—almost 50% of those in Rafah are children. We need to ensure their safety and security and at the moment, as I said earlier, we have not been reassured at all about any detailed plans on where these people will move. Mawasi is pretty barren land, but that is being suggested as a place where they may shelter.

**Lord Purvis of Tweed (Liberal Democrat):** My Lords, does the Minister agree that the Israeli Defense Forces advising 100,000 civilians, the majority of whom will be women and children, to move to a so-called humanitarian zone where there will be no support for food, shelter, medicine or security is a breach of international humanitarian law? Further, does he agree that, given the fact that the World Food Programme's executive director said on Sunday that there is now famine north of Gaza, for the IDF to refuse entry of UNRWA staff to provide life-saving assistance is also a breach of international humanitarian law? ... What actions will the UK Government take, as it is a fact that there is no justification for the UK to replenish licences for military equipment and arms to the Israeli Government, given the situation? What are the consequences for the warnings that have been provided by Ministers, including that of the Foreign Secretary to me on 12 March? ...

**Lord Ahmad of Wimbledon:** My Lords, on the issue of consequences for actions, we have raised a number of concerns directly with the Israeli Government. I am sure the noble Lord saw, for example, on the issue of settler violence, that specific sanctions were issued on Friday, including against key settler organisations.  
*col 16* These were a direct response. ... What is really important ... is that we should be unrelenting in ensuring that aid reaches where it should and that there is a cessation in the fighting immediately. There is a deal on the table and I assure all noble Lords that we are working strenuously on the UK side in diplomacy to make sure that it becomes something that can last and be sustainable.

**Lord Pannick (Crossbench):** My Lords, as the Minister has recognised, it is vital to remember the hostages. Does he share my disgust that, after seven months, Hamas is still holding 133 hostages—some of them elderly, some of them children, all of them detained no doubt in appalling conditions—and using them as a bargaining chip in flagrant breach of international law? Will the Government redouble their efforts to do all they can to secure the release of these unfortunate people?

**Lord Ahmad of Wimbledon:** My Lords, I give the noble Lord that assurance. I have on a number of occasions, as have the Prime Minister and my noble friend the Foreign Secretary, met directly with hostage families—sadly, I would rather I did not have to meet with them on a weekly or fortnightly basis. We give that added assurance, and have seen the real emotion gripping the streets of Tel Aviv and elsewhere. It is time to bring the hostages home, get the aid in and stop the fighting.

**Lord Clarke of Nottingham, (Conservative):** My Lords, we are very near to the prospect of aid being delivered by sea once the Americans have finished the construction of the quay that they are undertaking. Have the Government made any progress in reassuring us about the orderly and safe distribution of aid by that route when the quay is ready? What is their present position on direct British involvement ...

**Lord Ahmad of Wimbledon:** ... we are involved in all elements of that process. We were involved in the initial call for that route, and there are developments under way. On the issue of safe distribution within Gaza—that is the key component of this—we want to ensure that we do not see the tragedies repeated against those agencies working on the ground that we saw with World Central Kitchen and other UN agencies, where workers were directly in the line of fire and were killed. ...

*col 17* **Baroness Hussein-Ece (Liberal Democrat):** My Lords, the Government repeatedly said that the invasion of Rafah should not happen and that it was a red line, as did the Americans. That invasion has already started, with casualties resulting from families constantly being bombed. As my noble friend pointed out, the place where the

Israeli Government say they will evacuate 100,000 people—mostly children—to is not fit for human habitation. ... What other action can the British Government take? ... Furthermore, do the Government support the work of the ICC, the ICJ and the chief prosecutor, who is a British subject and is facing threats to himself and his family from Republican senators? I am glad that international law has been cited on this Question because the ICC is trying to uphold international law. ...

**Lord Ahmad of Wimbledon:** ... I have spoken proactively about the deep concerns. I know the lay of the land on Mawasi regarding the proposal to move. There are 1.4 million people in Rafah—the size of Westminster or thereabouts—and how to move quickly when almost 50% of them are children is why we have called for compliance. IHL has been mentioned and that is part and parcel of this. On the noble Baroness's latter point, the United Kingdom is a long-standing supporter of international courts. They act independently, and their role in the application of the rule of law is important.

**Lord Wolfson of Tredegar (Conservative):** My Lords, does my noble friend agree with me that the quickest way to get aid in is to get the hostages out, the quickest way to get the hostages out is to have a sustainable ceasefire, and the quickest way to have a sustainable ceasefire is for Hamas to agree to the generous terms which Egypt has proposed and which Israel has already agreed to?

**Lord Ahmad of Wimbledon:** My noble friend has articulated the Government's approach extremely well. ...

**Baroness Deech (Crossbench):** My Lords, on the topic of international law, will the Minister remind Egypt of its obligations under the refugee convention to accept such refugees as make their way across the border, rather than beating them back? Will he also set aside the misguided, misinformed statement by—shamefully—some former members of the Supreme Court that it was plausible that Israel was committing genocide? That allegation must be put to rest.

**Lord Ahmad of Wimbledon:** My Lords, on the second point, the Government's position is well known: genocide determination is a matter for the courts. We remind all sides, including partners, friends and allies in the region, of the importance of adhering to international humanitarian law obligations.

*col 18* **Lord Leigh of Hurley (Conservative):** My noble friend the Foreign Secretary set out five objectives ... one of which was the elimination of Hamas from Gaza. I went to Kerem Shalom twice, once before 7 October and once after. Many of the people we met before 7 October who were delivering aid to Gaza have been killed by Hamas. The people who were left told us that one of their biggest problems was distributing aid because it was being taken by Hamas before it could be distributed. Do His Majesty's Government still have the objective of the elimination of Hamas from Gaza?

**Lord Ahmad of Wimbledon:** My Lords, the Government's position has always been that we need all sides who come to the negotiating table to recognise the other side's right to exist. Therefore, we have been very clear as part of my noble friend the Foreign Secretary's conditions, and as my noble friend Lord Leigh has laid out, that Hamas can no longer be in control in Gaza.

**Baroness Northover (Liberal Democrat):** My Lords, have the UK Government seen any evidence that the Israeli authorities have put in place serious provisions to ensure that the Palestinian refugees in Gaza are being protected? ...

**Lord Ahmad of Wimbledon:** ... we have seen no credible plan as to where people would go. I assure the noble Baroness that we are pressing the Israeli authorities to ensure that their obligations in this regard are fulfilled if the full-scale Rafah operation goes ahead.

**To read the full transcript see**

<https://hansard.parliament.uk/lords/2024-05-07/debates/E56058DB-35B9-4FFA-829C-B54A516A45DC/IsraelAndGaza>

*The Catherine Colonna report, referred to above by Lord Ahmad of Wimbledon, can be read at [https://www.un.org/sites/un2.un.org/files/2024/04/unrwa\\_independent\\_review\\_on\\_neutrality.pdf](https://www.un.org/sites/un2.un.org/files/2024/04/unrwa_independent_review_on_neutrality.pdf)*

*Information about the sanctions referred to above by Lord Ahmad of Wimbledon can be read at <https://www.gov.uk/government/news/uk-sanctions-extremist-groups-and-individuals-for-settler-violence-in-the-west-bank>*

## House of Lords Written Answer

### Iran: Israel

**The Marquess of Lothian (Conservative) [HL3951]** To ask His Majesty's Government what diplomatic steps the Foreign Secretary is taking to help de-escalate hostilities between Israel and Iran in order to prevent a wider Middle East war.

**Lord Ahmad of Wimbledon:** We condemned in the strongest terms Iran's direct attack against Israel on 13 April. The UK will continue to stand up for Israel's security and the security of all our regional partners. We are working urgently with our allies to deescalate the situation.

The Foreign Secretary spoke with Iranian Foreign Minister Amir-Abdollahian on 14 April and called for Iran to take immediate action to de-escalate, including by restraining their aligned militia groups and immediately releasing the MSC Aries and her crew. Furthermore, the UK announced new sanctions on Iran on 18 April, and in coordination with the US, targeted those who have enabled Iran's destabilising regional activity.

<https://questions-statements.parliament.uk/written-questions/detail/2024-04-18/hl3951>

## UK Parliament Early Day Motion

**Patrick Grady (SNP): [733] Declaration to mark the visit of Father Gabriel Romanelli to Scotland** – That this House welcomes the joint declaration by the Archbishop of Glasgow, Most Rev William Nolan, and the Moderator of the Church of Scotland, Rt Rev Sally Foster-Fulton, issued on 26th April 2024 to mark the visit to Glasgow of Father Gabriel Romanelli, Parish Priest of the Holy Family Church in Gaza; notes that the declaration expresses solidarity with all the sons and daughters of Abraham, the peoples of Jewish, Christian, and Muslim heritage in the Holy Land, those of other faiths and none across the region, and recognises that millions of innocent people have suffered the consequences of violence and war, families and communities have been devastated, many have lost hope for a peaceful future and that men, women and children have been robbed of their innate human dignity and their right to survive; further notes that in stating enough is enough, the statement expresses hope that all may know deep peace and reconciliation in their lifetimes, supports agencies and individuals who are serving those suffering at their time of greatest need, unites with all people of good will who are campaigning for an end to this violence, resolves to never not lose hope, and prays that the hearts of people in positions of power to end this senseless violence may be turned towards compassion, and that they may have the courage and wisdom to pursue the path of justice and peace for all who call the Holy Land home.

<https://edm.parliament.uk/early-day-motion/62233>

*The Declaration referred to above can be read at*

*<https://www.churchofscotland.org.uk/news-and-events/news/articles/a-cry-for-peace-in-the-holy-land-moderator-signs-joint-statement>*



## House of Commons International Development Committee

### Humanitarian situation in Gaza: Government Response to the Committee's Second Report

<https://committees.parliament.uk/publications/44635/documents/221774/default/>

## UK Statistics Authority

### Letter from Sir Robert Chote to Sir Michael Ellis MP and Andrew Percy MP – Gaza statistics

... Thank you for your letter of 25 March regarding the UK Government's and the Opposition's use of casualty statistics produced by the Gaza Ministry of Health related to the ongoing Israel-Hamas conflict. You raised concerns about the accuracy of the figures produced by the Gaza Ministry of Health and the UK Government's reliance on these figures to calculate the provision of aid to Gaza.

As you will appreciate, it is beyond our remit and our capability to assess the accuracy of casualty statistics in an overseas conflict. Tracking the number of fatalities is challenging in any conflict and there are often inaccuracies and inconsistencies in real-time reporting. There is always the potential for numbers emerging from a conflict situation to be contested, and for there to be suspicions that they reflect a particular narrative.

Given these uncertainties and potential sources of bias, it would be desirable for Ministers, Shadow Ministers and other Parliamentarians to state the source of any estimates they use in the public domain and to recognise the limitations attached to them.

As regards determining aid provision, the Leader of the House of Commons explained in the [House of Commons on 21 March 2024](#) that the Government uses satellite imagery of building damage, information from humanitarian partners on the ground and data on living conditions as well as casualty estimates. Transparency around the information feeding into such judgements can help establish confidence in the robustness of the decisions taken; however, there are clearly obstacles to providing that for some sources in a conflict situation with lives at risk....

<https://uksa.statisticsauthority.gov.uk/correspondence/letter-from-sir-robert-chote-to-sir-michael-ellis-mp-and-andrew-percy-mp-gaza-statistics/>

## Scottish Government FoI Release

### ... United Nations Relief and Works Agency (UNRWA) funding

<https://www.gov.scot/publications/foi-202400405222/>

and

<https://tinyurl.com/np4zbvn8>

and

<https://tinyurl.com/y5xxfx54>

and

<https://tinyurl.com/2hps6k6n>

and

<https://tinyurl.com/4pzdsh3>

and

<https://tinyurl.com/295xebs8>

### Gaza: Immediate Ceasefire

*That this Assembly condemns the ongoing genocide in Gaza that has left more than 35,000 people dead, most of them women and children; further condemns the actions of Hamas on October 7, which left 1,300 people dead and many families searching for loved ones; abhors the killing of international humanitarian aid workers seeking to deliver vital supplies to the civilian population on the brink of famine; rejects plans for a ground assault on the city of Rafah, with a refugee population of more than one million Palestinians sheltering with nowhere safe to go; regrets the failure of the international community to act decisively in the interests of peace; affirms its support for a two-state solution and the immediate recognition of the state of Palestine; calls for an immediate ceasefire in the region and the release of all hostages; further calls for an end to arms sales and transfers to Israel while the genocide continues; and calls on the First Minister and deputy First Minister to write jointly to the UK Prime Minister in pursuit of these objectives. ...*

**2.45pm Matthew O'Toole (SDLP):** In every generation, there come international events of such horror and such moral import that to remain silent is impossible. The burning moral question of this age — this moment — is the plight of the people of Palestine, particularly the nearly two million people in Gaza who have suffered months of bombardment, the killing of tens of thousands of innocent people and the virtual obliteration of large parts of civilian life, including hospitals, schools and the most basic infrastructure.

The bombardment began as a response to the actions of Hamas. On 7 October, Hamas launched a series of coordinated atrocities in Israel, claiming the lives of more than 1,000 people, and took hundreds of hostages, including children and the elderly. That act was an outrage that no moral person could support and that no true supporter of the Palestinian cause could think was in the long-term best interests of the Palestinian people. ...

To say that Israel's response has been disproportionate would be a grotesque, shameful understatement. The response has been limitless, unrestrained and repeatedly and brazenly in violation not only of international law but of the most basic moral imperatives that we should all live by, including the imperative to protect innocent civilian life. ...

That has been made worse by the distortions and dissembling of Israeli Government spokespeople, up to and including the appalling Prime Minister, Benjamin Netanyahu. ... Those spokespeople have sought to shift the blame for innocent civilian deaths and to tell what amount to lies.

As we know, powerful Western allies have not just armed Israel but have too often — as they have over the past 60-plus years — sought to protect Israel from the consequences of its actions, including through the use of repeated vetoes of UN Security Council resolutions. Such actions do not just threaten the prospects for peace in the Middle East; they undermine the ability of Western democracies, which claim to support and uphold human rights, to have meaningful credibility when they talk about human rights. ...

Some people will ask why we have specifically used the word "genocide" in the text of our motion. In March, the UN special rapporteur said that she found: *"that there are reasonable grounds to believe that the threshold indicating Israel's commission of [the crime of] genocide is met"*.

In January, the International Criminal Court (ICC) said that there was a "plausible" case that Israel should take action to prevent a genocide. While it is correct to say that the court has not yet made a specific finding of genocide in a legal case, I ask Assembly Members to reflect on whether anyone could honestly and sincerely argue that they believe, in the four months since that ICC judgement was rendered, that Israel has made any serious attempts to prevent a genocide.

The definition of a "genocide" is the deliberate killing of a large number of people from a particular nation or ethnic group, with the aim of destroying that nation or group. More than 35,000 Palestinians have been killed since October, and, as we speak, 1.5 million are

sheltering in the border city of Rafah. To put those numbers into context, that is nearly the population of Northern Ireland ... sheltering, beleaguered and hungry, in one city. ... We do not know exactly when or whether Israel will begin a full-scale invasion of Rafah, but we know that, if it does, the consequences will be grave. ... It will be, as it has been repeatedly over the past months, a collective punishment. Collective punishment is specifically outlawed in international law, but that is what is being meted out to the Palestinian people. The wrongs that were committed by Hamas on 7 October — they were profoundly wrong — in no way justify, legally or morally, what has been visited on the people of Palestine since. That is why our motion uses the phrase "ongoing genocide". ... In the past seven months, as I said, 35,000 Palestinians have been killed by Israel. That is 10 times the number killed in 30 years during our conflict. Indeed, on 7 October, 1,200 or 1,300 people were killed; that is more than a third of the total number killed in our Troubles. None of us can imagine the scale of the suffering being experienced in Gaza, but we in the Chamber know that, at some point, however deep the feelings of injustice are and however real the historical sense is of a wrong that needs to be righted, violence and vengeance need to be replaced by politics and, yes, by peace.

Even if the current ceasefire proposals are accepted by Netanyahu's ultra-nationalist Government ... the people of Palestine and, indeed, those in Israel affected by the events of 7 October will live with decades of pain and trauma caused by the conflict. Young children suffering now with lost limbs and lost parents will carry their pain until the end of this century and beyond, long after all of us are gone. ...

**Emma Sheerin (Sinn Féin):** ... Words, really, are hard to find to describe what we are seeing. We are now almost desensitised to the violence. If you click on Instagram, you see a story from a friend who is updating you about their running journey and then, boom, there is another graphic picture of something that is happening in Gaza — babies on life support machines, with the hospital being bombed around them; journalists being murdered for speaking the truth; people fleeing on advice, only to be bombed again — and the next story is about a competition for a spa break or somebody who is out at the weekend. The conflict is being live-streamed ...

We know the statistics. We hear them: 35,000 people murdered; 10,000 people missing; 15,000 children killed since October; over 80,000 people injured in Gaza alone. This is just the latest phase. It has been going on for decades. Those people have been oppressed, forced to move and living in open air jails for decades, and the world has watched on. The world has endorsed it. ...

*3.00pm* We woke this morning to news of another missed opportunity: Israel has rejected another opportunity for a ceasefire. We know that that is because Israel does not want a ceasefire; Israel does not want peace. ...

There is a duty and an obligation on us to call for that, put pressure on the western Administrations who fund and support this and make people see what is right. Palestine will be free, and we in Ireland send our solidarity to the people of Gaza.

**Brian Kingston (DUP):** Every loss of innocent life is appalling, and that applies equally to innocent Israeli civilians, members of the Israel Defense Forces (IDF) and Palestinians. There can never be any defence for the loss of innocent life. ...

The International Court of Justice (ICJ) was asked by South Africa to consider whether Israel had committed genocide and did not find that to be the case. The ICJ instead ruled that Israel should follow the Geneva convention on how military actions should be conducted. ... The motion rightly condemns Hamas but then wholly fails to acknowledge that the heinous and barbaric actions of Hamas on 7 October last year, when it massacred around 1,200 people in Israel and took more than 240 people hostage, would rightly demand a response from Israel. Hamas set out to provoke that reaction through a murderous onslaught that included extreme cases of sexual violence against women and girls.

The motion affirms support for a two-state solution but fails to recognise that one actor in

the conflict, namely Hamas, will not accept a two-state solution. Hamas has, in its charter, the position that the state of Israel should not even exist. ...The motion further fails to recognise that taking civilian hostages is a war crime and is explicitly prohibited by the Geneva convention. The sponsors and supporters of the motion fail to show any cognisance of the fact that Hamas, acting in a way that is completely contrary to the Geneva convention, is using the civilian people of the Gaza Strip as human shields. That ... has been accepted and reported by media organisations around the world and is fully supported by the NATO Strategic Communications Centre of Excellence, which has stated: *"the strategic use of human shields by groups like Hamas hinges on exploiting Israel's aim to minimize civilian casualties and the sensitivity of Western public opinion."* ... While civilian deaths in Gaza are appalling and deeply regrettable, it is Hamas that is responsible for many of them, because it has no regard for the safety of the population. ...

**Paula Bradshaw (Alliance):** ... What we are witnessing is the appalling impact of civilian deaths in Gaza. It is not just beyond immoral but serves no purpose other than to create yet another generation coping with loss, grief and trauma. ...

The motion identifies the events of 7 October as the immediate starting point for the current loss and destruction and identifies the need for the release of all hostages taken on that day of terror. No one in the Chamber should line up alongside or legitimise Hamas. ...

The motion highlights that international aid workers were among those killed. ... Such a failure is not the act of a Government claiming to be operating on behalf of a democratic country. Those engaging in the indiscriminate murder of civilians, including aid workers, on that scale lost the right long ago to use the word "civilised". ...

In that context, the motion rightly refers to arms sales to those causing that suffering. ... the UK Prime Minister is operating a shameless double standard, when you compare his response to this with his response to war crimes committed by Russia ... As well as facilitating war crimes against Palestinians, he is undermining the rules-based international order ...

**Brian Kingston:** ... Does the Member think that the RAF was wrong to join in the defence of Israel when 300 rockets were fired at it from Iran and other states? ...

**Pádraig Delargy (Sinn Féin):** Last night, amid hopes of a ceasefire, we saw Israel raining bombs on 1.5 million Palestinians who had fled, in the hope of shelter, to Rafah. They had fled Israeli war crimes in Gaza City and been driven from north to south, with people being indiscriminately killed all the while. Rafah has been described as "a city of children", and it has been described as that because those children's parents have been murdered by the Israeli state. Entire families have been killed by the Israeli Government, and those children now seek refuge in tents in Rafah, where Israel continues to bomb and indiscriminately kill them.

There is an onus on all of us here to act, move heaven and earth and do anything that we can through these institutions to ensure that the genocide cannot continue ... Many of our councils have now adopted an ethical procurement policy. Many organisations have begun to look at divestment, and, in motions in councils across Ireland, we have called on Israel to desist ...

"Stop bombing children. Stop targeting hospitals. Stop forcibly starving an entire population." ... They are war crimes committed while the world watches, and blocking humanitarian aid is not defensive either. Killing humanitarian aid workers is certainly not defensive. ...

3,15pm Future generations — your children and your grandchildren — will ask you what you did when Palestinians were being indiscriminately murdered. You can stand silently today, or you can stand with them. ... Will you say that you stood with them, or will you say that you sat in silence while western Governments orchestrated and funded the killing of Palestinians? ... I call on every Member to join that call to end the violence, the apartheid, the genocide and the occupation. Ní saoirse go saoirse na Palaistíne.

*[Translation: No one is free until Palestine is free.]*

**Henry Harvey (DUP):** ... As the motion rightly refers to a ceasefire, we should acknowledge the efforts to achieve a ceasefire over recent months and the lack of interest that the terrorist organisation Hamas has had in reaching a ceasefire with Israel. On 1 November, Hamas stated that it would repeat its 7 October attack: *"time and time again until Israel is annihilated"*.

In that context, it is no wonder that Israel stated on 3 November that no ceasefire would be agreed until all hostages were released. A temporary ceasefire between Israel and Hamas-led Palestinian militant groups in the Gaza Strip took effect from 24 November to 30 November 2023. On 20 December, Israel proposed a further cessation of hostilities for a week in exchange for 40 hostages still held by Hamas. In response, Hamas declined the offer, asserting that the release of Israeli hostages would not be considered unless a ceasefire was put in place first. ...

The motion also refers to a two-state solution. For a two-state solution to be possible, both parties must be willing to adopt it. Mr Haniyeh, a senior political leader of Hamas, said that Hamas rejects ceasefire agreements by which Gaza would become Singapore, preferring to remain at war with Israel until a Palestinian state is established from the river to the sea. He recently stated: *"We will not recognize Israel, Palestine must stretch from the [Jordan] River to the [Mediterranean] Sea."*

Furthermore, Hamas, in its founding charter of 1988, which was revised in 2017, calls for the state of Israel to no longer exist. It certainly does not recognise Israel or the Jewish nation in any shape or form. ...

**Connie Egan (Alliance):** ... The grave war crimes go beyond any sense or reason in this world. I condemn the Israeli Government's depraved collective punishment of Palestinians and Hamas's grotesque attacks on 7 October. ... We must call out Israel's collective punishment of the people of Gaza. It is shameful that the UK Government facilitates the devastation by removing funding for the United Nations Relief and Works Agency (UNRWA), which is responsible for getting the essentials for survival to those in Palestine. The ongoing and horrific violations of international law have led to mass death ...

Our commitment to a two-state solution reflects our belief in the principles of self-determination, mutual recognition and peaceful coexistence. When we look at what has been allowed to occur to the Palestinian people over the last decades and months and even the past weekend, we know that something has to give. ...

**Doug Beattie (UUP):** "Only the dead have seen the end of war" is what they say. ... When you are maimed, you are maimed for life. When you are psychologically damaged, it will take years to rectify the issues. In some cases, they will never be rectified. ...

I have concerns about the motion. It seems to gloss over Hamas, which is a terrorist organisation; Hamas, which throws men off the top of buildings because they are gay; Hamas, which uses rape as a weapon of war; Hamas, which kidnaps and abuses children; Hamas, which strips out water infrastructure to create missiles to fire at Israeli cities; Hamas, which has a stated aim of the total destruction of Israel. That is not innocent Palestinians' fault.

My second point concerns the assault in Rafah. That will be devastating for the innocent Palestinians who live there. You simply cannot put a 120-millimetre, high-explosive shell from a Merkava main battle tank through a kitchen window to kill a terrorist without affecting the family in there. You simply cannot drop a tower block with a 500-lb joint direct attack munition (JDAM) and call it "proportionality". ...

My last point is about arms sales. The UK's arms sales to Israel are limited. They are very small; in fact, the vast majority of them are navigation systems for some of Israel's aircraft and radar systems. Those radar systems are needed to defend against the rockets that come in, and we now say that we want to take them away. Whether we like it or not, Israel is surrounded by hostile nations. We have all ignored Iran's malign influence in the region

through the Islamic Revolutionary Guard, Hezbollah in the Lebanon, Hamas in Gaza and the Houthis in the Yemen, all of which are linked to the Russian Federation via organisations such as the Wagner Group. ...

**3.30pm Gary Middleton (DUP):** I dedicate my short remarks to all the hostages who remain under Hamas control in Gaza.

On 6 October 2023, in Israel, many Jewish families were preparing for their special weekend holiday and religious celebrations. Many family members travelled home to be with their parents and loved ones, including many members of the security forces, who were unaware of the murderous plan that lay ahead. At 6.30 am on 7 October, Hamas terrorists launched more than 2,000 rockets into Israel in the space of just 20 minutes. Families were woken from their beds and forced to take shelter in safe rooms as the deadly terrorists reached the border to carry out their attacks on civilian neighbourhoods. The Hamas terrorists entered these very peaceful communities on a murderous rampage, going from door to door killing, raping and burning alive men, women and children.

Just a couple of weeks ago, in the kibbutz Be'eri, just a few kilometres from the Gaza border, I stood in what was left of the home of Vivian Silver. Vivian was a 74-year-old Canadian-Israeli peace activist and a women's rights activist. She worked in the kibbutz to organise programmes to help Gazans, such as with jobs training and fair pay for Gazan construction workers. When she retired, she founded Women Wage Peace and volunteered with Road to Recovery and Project Rozana to transport patients from Gaza who were travelling to Jerusalem for treatment. On that dark day of 7 October, her home was found burned and gutted when first responders arrived. With no signs of a body, it was assumed that she had been abducted. It was not until five weeks after the attack that her remains were identified through DNA. More than 100 of Vivian's neighbours were murdered that day, with many more taken hostage. Children were prised from their parents' arms, senior citizens were pulled from their beds and babies were lifted from their cribs and driven into the deep, dark depths of the Gaza Strip.

Just a short distance away, another massacre was taking place as young people were enjoying the Supernova music festival. A total of 364 innocent people were gunned down — murdered, some raped, some then burnt. Some had taken cover in bomb shelters only to have grenades thrown into the shelters by Hamas. ... In just a matter of hours, over 1,300 people were murdered and many more wounded. ... There was a ceasefire prior to 7 October 2023. Twenty thousand citizens travel daily from Gaza into Israel for work, and many friendships were built. ...

Whilst Hamas leaders siphoned off funding for their lavish lifestyles and the building of their terror tunnels, ordinary Palestinians were being deprived of basic needs that their neighbours enjoyed. Hamas must be held accountable for its actions. ...

**David Brooks (DUP):** Does the Member agree that it has been inappropriate in the past but that it would be even more grotesque in the future should parties in the Chamber choose to indulge in relationships with Hamas, see Hamas speak at their events and so on, as Sinn Féin has done in the past? ...

**Gary Middleton:** I agree ...

**Kate Nicholl (Alliance):** ... I have watched on in horror at Israel's treatment of Palestinians in Gaza and at the UK's refusal to call for a ceasefire ... we condemn Hamas as a terrorist organisation. Firing rockets, kidnapping and summary executions constitute clear war crimes and crimes against humanity. I think of all those who are being held hostage and of how terrifying that must be for them and their families.

What is happening in Gaza is not self-defence. Israel's seizure of Gaza, forced expulsion of over one million Palestinians from northern Gaza and indiscriminate bombings of civilians and civilian infrastructure is not self-defence. It is collective punishment. It constitutes a war crime, and it has to be condemned by all, as should be the broader acceleration of illegal occupation and intensification of the subjugation of Palestinians in

recent years. Consecutive right-wing Israeli Governments, especially the current Netanyahu Government, have intentionally accelerated the illegal occupation of Palestinian territory, pushed annexation and dispossession of Palestinian homes, incited hatred against Palestinians and normalised settler violence. ...

There is a problem in the media with the dehumanisation and — I think they call it — adultification of children in Gaza. What is the number? On 4 April, Save the Children reported that nearly 26,000 children — just over 2% of Gaza's child population — have been killed or injured in six months. Children are dying from starvation and disease at the highest rate that the world has ever seen — the highest rate that the world has ever seen. ...

**Cara Hunter (SDLP):** ... the scale and relentless nature of the war crimes that are being perpetrated by the Israeli Government represent such a horrific disregard for human life that we in this Chamber, I feel, are morally obliged to raise them, to ask for an end to the suffering of the Palestinian people ...

Since October last year, Israel's brutal offensive has seen the slaughter of at least 34,735 Palestinians, wounded at least an additional 72,889 people and devastated the lives of countless thousands more. ... the complete denial of aid — fuel, food and water — to the civilian population, which is struggling to survive and has nowhere to turn. ...

On 15 May 2021, the IDF levelled the al-Jalaa building in Gaza, toppling its 11 floors with just half an hour's notice. The building housed the Al Jazeera and the Associated Press offices. Little more than a year later, the IDF murdered the Al Jazeera journalist Shireen Abu Akleh in cold blood, a crime for which no one has ever been held accountable.

Just last week, a Bill was passed to end the full operations of Al Jazeera in Israel. The philosopher and holocaust survivor Hannah Arendt once said that, if you cannot say something, you are living in a tyranny. For Al Jazeera, nothing at all can now be said inside the state of Israel. The concerted and systematic targeting of the Middle East's most prominent journalistic organisation is indicative of Israel's increasingly undemocratic tendencies and highly revealing of a state that has scant regard for the rights, dignity and political aspirations of the Palestinian people.

*3.45pm* Recently, a UN representative on human rights said that Israel had violated at least three of the five acts listed under the UN genocide convention. So regular are such atrocities that the acronym WCNSF — wounded child, no surviving family — has become a medical first, unique to Gaza. Surely that compels all those with a voice to condemn the genocidal campaign by Netanyahu and his supporters. Whilst we all share the pain at the atrocities of 7 October and urge the immediate return of the hostages, it is pressing today that we in the House call for a total ceasefire and immediate recognition of the state of Palestine and plead with the international community to renew all efforts to achieve lasting peace and a two-state solution. What in God's name is divisive in asking the House to condemn war crimes, the starvation of innocent children and the bombing of hospitals, where people are injured and cannot get up out of bed to flee? ...

**Paul Frew (DUP):** ... Just as 9/11 changed everything for the US and, indeed, the world — remember that we sent troops — 7 October changed everything for the Israeli people. ...

Israel must have the right to defend itself. How it conducts the war should be tried and tested at the highest levels of court in the world ...

**Matthew O'Toole:** ... He said that everything had changed for Israel on 7 October. I acknowledged that 7 October was appalling and unjustifiable, but will he accept that the logic that he is using is, effectively, an eye for an eye, meaning that Israel can kind of do whatever it likes? The equivalent could be said for Palestinians, who could say that the actions of the last seven months have changed everything for them and therefore, by that logic, justify any response from Hamas or, indeed, any other violent actor. ...

**Paul Frew:** ... The Israeli state tells us — I have no love for the Government of Israel —

that there are two objectives. The first is to bring home the hostages who are still underneath the ground in those tunnels, and the second is to completely destroy Hamas. How can we say that we want peace in the Middle East and that we want a two-state solution when one of the greatest barriers to that two-state solution is Hamas? ...

Millions of pounds were sent into Gaza, but the Government of Gaza — Hamas — did not use it the concrete and steel to build hospitals and schools; they used it to build a network of tunnels so sophisticated that it compares to the underground network in New York. War is not the only thing that brings humanitarian crises and consequences to people; bad government does too. ...

**Justin McNulty (SDLP):** ... 100,000 Palestinians dead or injured, 70% of them women and children; and 1.4 million innocent civilians now cornered in Rafah, corralled like cattle. ...

Demonstrate your morality. End the genocide. ...

**James Allister (Traditional Unionist Voice):** ... There is no recognition of the right of Israel to defend itself even after the most horrendous events of 7 October. Is there even a recognition in the motion of the right of Israel to exist, which would have to be the starting point for any solution? Indeed, the motion does worse than not accepting the right of Israel to defend itself; it, in fact, expressly wants to deny Israel the right to defend itself. It calls for: "*an end to arms sales ... to Israel*". ...

**Matthew O'Toole:** ... the scale of what Israel has done in the past seven months goes way beyond any concept of defending oneself. ...

**James Allister:** 7 October. Not a word of rebuke for the thousands of rockets fired into Israel.

Yes, there is a call to stop arms sales to Israel, but not a word of rebuke for Hamas for bombarding Israel with rockets, night after night. There is no call in the motion for Hamas, a terrorist organisation, to give up its assaults or its dogma of dedication to the annihilation of Israel. There is no call to recognise the state of Israel. ...

*4.00pm* That partisanship was carried further in the single Sinn Féin contribution. That contribution did not manage to make any mention — not a word — of condemnation of Hamas. There was not a word of condemnation of hostage-taking. ... It should contain unbridled condemnation of Hamas. ...

**Gerry Carroll (People Before Profit Alliance):** It is important that the Assembly has a chance to discuss the urgent, pressing need for a ceasefire to be implemented to stop the Israeli killing machine. ... Rather than cosying up to states and Governments who fund the slaughter and the apartheid state, the Executive should call for a ceasefire. They should call for there to be no engagement with the apartheid state and for the expulsion of Israeli diplomats from these islands. ...

One can only imagine what it is like for Palestinians who are trying to live through probably the first live-streamed genocide of our times. Although the scale is grotesque, it is not an aberration. The violence did not begin on 7 October. There has been a 7 October every other month or so for Palestinians, who have been living under terror, occupation and apartheid since at least 1948 ...

There are a few issues with the motion that need to be mentioned before this place can hopefully call for a ceasefire. The first is that it equates the violence of those who are living under brutal occupation with those who seek to resist and push back against it. People often say, "What about peaceful protests?" Of course, that is always the preferred and usual way by which folk can and do stand against war and slaughter. However, when people tried to march peacefully for an end to Israeli occupation and violence, what happened? The Great March of Return was an attempt to do that. Palestinians with flags and banners were mowed down like dogs. Hundreds were killed, but there was no outrage from most Western states. ... Palestinians are always at the bottom of the pile, their lives do not count and their stories do not matter. They do matter, however, to the millions of



people across the world and across these islands who have marched to condemn the slaughter and to call for a ceasefire, the implementation of boycott, divestment and sanctions (BDS) and the expulsion of Israeli ambassadors.

Palestine is a litmus test for the world. ...

It is up to Palestinians to determine what their future looks like, free from assault, slaughter, massacres and occupation. It is a mistake for the motion to dictate what that should look like. In my view and that of many others, it is a mistake to impose a discredited, unworkable two-state solution on Palestinians, many of whom do not accept it for many reasons. ...

The Oslo Accords gave the green light to the extension of illegal and immoral Israeli settlements. Palestinians have every right to dismantle that apartheid system and apartheid state, and we support them in their right to do so. ... Israel has to be seen as a settler, colonial, apartheid state. ...

People need to end support for that apartheid system, that apartheid state and that brutal apartheid regime.

**Colin McGrath (SDLP):** ... We have heard that Hamas has accepted a deal negotiated by Egypt and Qatar that would allow for a 40-day ceasefire. We have heard that Israel's Prime Minister, Benjamin Netanyahu, said that the deal falls short of Israel's wants, although one has to question what wants he is looking for. Is it the future of Israel, or are his actions about holding on to power and remaining as Prime Minister?

Amidst all of that, we have heard that, following Israel's overnight strikes against Rafah, five people have been killed. That is just overnight in one event that five civilians have been killed. What would happen if that were to happen here? What if we had woken up this morning and found out that five people from here had died as a result of actions that had taken place? ... If five civilians had lost their lives, there would be an outcry from everyone. Where is the outcry for the more than 35,000 people who have died as a result of Israel's bombardment since 7 October? Where is the outcry for the 14,000 children whose lives have been taken since 7 October? Do their lives not matter? Do they not breathe the same air as the rest of us? Do they not bleed the same blood as we do? ...

We do not support the actions of Hamas: that is written clearly in the motion. We do not agree with taking hostages or hiding behind women and children or international workers to achieve your aims. We do not agree with any of that, but likewise, we do not agree with the IDF's carpet bombing of schools and hospitals to achieve its aims. ...

While the text of the motion debated today concerns what has happened since 7 October, it is important to recognise that a genocide has been happening in Palestine over the past number of years. It has been a genocide — an ethnic cleansing on an unsurpassed scale. In the past 70 years, hundreds of thousands of Palestinian people have been dispossessed of their land, property, jobs and homes. The people forced to leave their homes and families have never been able to return.

Of the nine million Palestinians worldwide, only a small number still live in Palestine. Their lives are constricted and controlled by the Israeli Government. Walls have been built to keep Palestinians out. Their water and electric supply is restricted. If they want to enter Jerusalem, they must request a special permit. If they want to avail themselves of healthcare, they often have to travel to another country to do so. ...

The deliberate killing of such a vast number of people from that nation and ethnic group, with the aim of destroying the nation, is the dictionary definition of genocide. ...

We must see recognition of the state of Palestine. Only then can the people of the Middle East begin the process of becoming neighbours. Some have referenced that we have not acknowledged that Israel has a right to exist. We clearly state that there should be a two-state solution. It is implicit that the motion includes Israel. No one is saying that Israel should not have its place. Others said that we have ignored what Hamas has done. As I said, the text of the motion is clear, and I have stated that we do not support that. ...

*4.15pm* I urge all Members to stand up for peace and for humanity, to join the call for an immediate ceasefire ...

*The Assembly divided:*

Ayes 44

Noes 26

**To read the full transcript see**

<https://aims.niassembly.gov.uk/officialreport/report.aspx?&eveDate=2024/05/07&docID=399634#4356532>

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

*The UN special rapporteur's comments referred to above by Matthew O'Toole can be read at*  
<https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session55/advance-versions/a-hrc-55-73-auv.pdf>

*Comment from the NATO Strategic Communications Centre of Excellence, referred to above by Brian Kingston, can be read at*

[https://stratcomcoe.org/pdfjs/?file=/publications/download/hamas\\_human\\_shields.pdf](https://stratcomcoe.org/pdfjs/?file=/publications/download/hamas_human_shields.pdf)

## United Nations

### **Secretary-General Urges Israel, Hamas to Reach Agreement, Stop Suffering.**

... The Secretary-General reiterates his pressing call to both the Government of Israel and the leadership of Hamas to go the extra mile needed to make an agreement come true and stop the present suffering.

The Secretary-General is deeply concerned by the indications that a large-scale military operation in Rafah may be imminent. We are already seeing movements of people — many of these are in desperate humanitarian condition and have been repeatedly displaced. They search for safety that has been so many times denied.

The Secretary-General reminds the parties that the protection of civilians is paramount in international humanitarian law.

<https://press.un.org/en/2024/sqsm22212.doc.htm>

### **Israeli forces bringing war to the West Bank, warns UN rights office**

... “The Israeli defence force (IDF) is acting as if there is an armed conflict in the West Bank,” Ajith Sunghay, head of the OHCHR Office in the Occupied Palestinian Territory, told *UN News*. ...

Last year was the deadliest ever for Palestinians in the West Bank since the UN began keeping records in 2005, and there was also a spike in violations including settler violence, excessive use of force by the IDF, demolitions and evictions. ...

Mr. Sunghay said that while global attention has been focused on Gaza, the intensity and frequency of violations increased in the West Bank.

“If we talk about the number of people killed or injured, either because of these massive incursions by the IDF into the West Bank – particularly in Tulkarem, Jenin, Nablus; sometimes into Jericho and other parts as well – that spiked up,” he said.

The number of people detained has also “spiked up massively”, reaching close to 9,000, he added.

He noted that “whatever happens in Gaza has a massive impact on the West Bank,” and vice versa, “because they're the same people”.

“We now see huge fear among the population of the West Bank, as well, on a regular basis worried about incursions, worried about raids, worried about arrest and detention, worried about settler violence and, of course, with massive significant movement restrictions, that impacts their day-to-day life.” ...

Our biggest concern is the spike in violence that we are seeing, particularly coming from very emboldened settlers. Because the attention is focused on Gaza, they feel emboldened.

There's been massive lack of accountability, or in other words, impunity for violations that have been and committed by the IDF in the West Bank, so they continue to violate or continue to attack Palestinians, Palestinian towns and villages. ...

The Israeli Defence Force is acting as if there is an armed conflict in the West Bank. ...

In the West Bank there is no armed conflict, but the nature of these operations that are being conducted by the IDF indicate that they're using massive numbers of soldiers, drones, sometimes fighter jets dropping bombs, shoulder-fired missiles - heavy weapons, in other words, which is used generally in an armed conflict, not in law enforcement. ...

In international law, the responsibility and the obligation of the occupying power is to provide protection - and that is expected of Israel, and that includes the IDF that is to provide safety and security and protect the population of the occupied territory, and that is the Palestinians.

However, what we have seen consistently, and that has increased since the 7 October, is that the IDF ends up providing security to the settlers who are actually attacking Palestinians. ...

In the past we used to see one settler attacking a herder or a Palestinian who is probably moving around, et cetera. What we have seen in 2023 and moving further into 2024 is much more organized settlers attacking in groups against Palestinian towns and villages and communities. ...

But in many cases where they have attacked the community, particularly a village or a town, we have seen shops, vehicles, houses, the entire community being burnt down ...

We have to remember one thing: the settlements over the years have expanded massively, which means settlements and settlers live extremely close or next to the Palestinian community. So, the constant chance of meeting each other or having frictions, incidents of clashes, increase. ...

One of our chief functions is to make sure that civil society space is maintained ... a couple of years ago, Israel designated with no evidence, six human rights NGOs as terrorist organizations. ...

When the 7 October attacks happened inside Israel, thousands of Gazan workers who were in the West Bank and Israel were all detained. No one knows the exact number. A number of them were then released through the Kerem Shalom crossing into Gaza. We do not have a full picture of the number who were released or of those who are still in detention.

However, those who have been detained, several of them have given us consistent accounts of being ill-treated, humiliated, sexually abused and tortured. There are many who still remain in detention.

**To read the full press release see**

<https://news.un.org/en/interview/2024/05/1149476>

## UN Office of the High Commissioner for Human Rights

### **Israel/Occupied Palestinian Territory: Rafah threat is inhumane, says UN Human Rights Chief**

UN High Commissioner for Human Rights Volker Türk on Monday warned that civilian deaths, suffering and destruction were set to increase beyond already unbearable levels following Israel's orders to Palestinians to evacuate parts of Rafah ahead of an anticipated new offensive.

"Gazans continue to be hit with bombs, disease, and even famine. And today, they have

been told that they must relocate yet again as Israeli military operations into Rafah scale up,” the High Commissioner said.

“This is inhumane. It runs contrary to the basic principles of international humanitarian and human rights laws, which have the effective protection of civilians as their overriding concern.

“Forcibly relocating hundreds of thousands from Rafah to areas which have already been flattened and where there is little shelter and virtually no access to humanitarian assistance necessary for their survival is inconceivable. ...

After more than half a year of relentless strikes by the Israeli Forces across Gaza, there is no location outside of Rafah with the infrastructure and resources to host the mass displacement of over one million people, he added.

International humanitarian law prohibits ordering the displacement of civilians for reasons related to the conflict, unless the security of civilians involved or imperative military reasons so demand, and even then subject to strict legal requirements. Failure to meet these obligations may amount to forced displacement, which is a war crime.

“Yet the experience of the past seven months shows Palestinians who remain in Rafah will continue to be at risk of death and injury, whether by indiscriminate bombing, unlawful killing, or loss of access to food, water and healthcare,” said Türk. “This must not be allowed to happen.

“Those that elect to flout international humanitarian law and international human rights law must be held to account.”

**To read the full press release see**

<https://www.ohchr.org/en/statements-and-speeches/2024/05/israeloccupied-palestinian-territory-rafa-threat-inhumane-says-un>

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### **Onslaught of violence against women and children in Gaza unacceptable: UN experts**

UN experts ... condemned the continued and systematic onslaught of violence committed against Palestinians in Gaza, with most victims being women and children over the past seven months.

“We are horrified at details emerging from mass graves recently unearthed in the Gaza Strip. Over 390 bodies have been discovered at Nasser and Al Shifa hospitals, including of women and children, with many reportedly showing signs of torture and summary executions, and potential instances of people buried alive,” the experts said.

They noted that women, girls and children overall are among those most exposed to danger in this conflict, and that as of 29 April 2024, of 34,488 Palestinians killed in Gaza, 14,500 have been children and 9,500 women. Another 77,643 have reportedly been injured, of which 75% are estimated to be female. Over 8,000 others are reported missing or under the rubble – and the experts noted that at least half of them can be assumed to be women and children. They also noted that an estimated 63 women, including 37 mothers are being killed daily and 17,000 Palestinian children are believed to have been orphaned since the war on Gaza began. ...

“The treatment of pregnant and lactating women continues to be appalling, with the direct bombardment of hospitals and deliberate denial of access to health care facilities by Israeli snipers, combined with the lack of beds and medical resources placing an estimated 50,000 pregnant Palestinian women and 20,000 new-born babies at unimaginable risk. Over 183 women per day are giving birth without pain relief, while hundreds of babies have died because of a lack of electricity to power incubators,” they said. ...

“Nothing illustrates systematic violence being inflicted on women and their children better than the story of an infant who was saved from her mother’s womb after she was killed in an Israeli attack in the Gaza Strip, and died days later in an incubator on 26 April,” the

experts said.

They were dismayed at continued reports of sexual assault and violence against women and girls, including against those detained by Israeli occupation forces. The experts said the Government of Israel has continuously failed to conduct an independent, impartial and effective investigation into the reported crimes.

“We are appalled that women are being targeted by Israel with such vicious, indiscriminate and disproportionate attacks, seemingly sparing no means to destroy their lives and deny them their fundamental human rights,” they said.

“Israel must cease all hostilities and States must end the export of all weapons immediately. These States can no longer ignore the fact that the weapons are being used to kill and maim innocent women and children. There can be no more excuses,” the experts said. ...

**To read the full press release see**

<https://www.ohchr.org/en/press-releases/2024/05/onslaught-violence-against-women-and-children-gaza-unacceptable-un-experts>

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## Other Relevant Information

### Antisemitism Policy Trust

**Conspiracy theories: A Guide for Members of Parliament and Candidates**

<https://antisemitism.org.uk/wp-content/uploads/2024/05/Conspiracy-Theory-Guide.pdf>

### Council of Europe

**Hate crimes must be unmasked, recorded and investigated, and victims supported**

Council of Europe member States should take all necessary measures and dedicate sufficient resources to prevent and combat hate crime and support its victims, in cooperation with civil society and other stakeholders. Effective, proportionate and dissuasive provisions to prevent and combat hate crime should be included in criminal law, and priority should be given to unmasking, acknowledging and recording the hate element of the crime. These are among the key points of the newly adopted Recommendation by the Committee of Ministers of the Council of Europe to the Organisation’s member States. ...

The hate element should be incorporated into the criminal law as an aggravating circumstance at sentencing, as part of the crime at the point of the criminal charge, as a constituent part of standalone criminal offences, or through a combination of these techniques. Police should be trained in recognising “bias indicators” of hate crime, including via compulsory modules in police academies.

The roles of specialist hate crime investigators within the police and of specialised hate crime prosecutors should be developed ... States should combat impunity and respond to any biased behaviour on the part of law enforcement or other criminal justice practitioners towards persons targeted by hate crime.

The Recommendation also focuses on third-party reporting, monitoring and data collection, and provides targeted recommendations concerning key actors. ...

**To read the full press release see**

<https://www.coe.int/en/web/portal/-/hate-crimes-must-be-unmasked-recorded-and-investigated-and-victims-supported>

## **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/2024-05-07/debates/92DF2C5B-9CE3-4BC6-BF60-BCB6F7951762/EconomicActivityOfPublicBodies\(OverseasMatters\)Bill](https://hansard.parliament.uk/lords/2024-05-07/debates/92DF2C5B-9CE3-4BC6-BF60-BCB6F7951762/EconomicActivityOfPublicBodies(OverseasMatters)Bill)

and

[https://hansard.parliament.uk/lords/2024-05-07/debates/33706ACA-73C9-421D-956B-18CB6B99D6BF/EconomicActivityOfPublicBodies\(OverseasMatters\)Bill](https://hansard.parliament.uk/lords/2024-05-07/debates/33706ACA-73C9-421D-956B-18CB6B99D6BF/EconomicActivityOfPublicBodies(OverseasMatters)Bill)

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

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

#### **Genocide Determination Bill**

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

#### **Genocide (Prevention and Response) Bill**

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

#### **Holocaust Memorial Bill**

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

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

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

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

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

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

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

## **Scottish Parliament**

### **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 in 7 days**

### **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/>

**Faith school designation reforms** (closing date 20 June 2024)

<https://consult.education.gov.uk/faith-schools-policy-team/faith-school-designation-reforms/>

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