

House of Lords briefing: oppose the ‘anti-boycott bill’ and support amendments 20 and 30

1. Summary

Palestine Solidarity Campaign (PSC), along with a broad coalition of over 70 civil society organisations (<https://righttoboycott.org.uk/>), are deeply concerned about government’s dangerous ‘Economic Activity of Public Bodies (Overseas Matters) bill’ (or anti-boycott bill). Boycott and divestment have long been used to campaign peacefully for progressive change in this country and around the world.

Contrary to the government’s false claim that boycott and divestment campaigns exclusively target Israel, the vast majority of such policies adopted by public bodies were those against apartheid in South Africa. Had this legislation been in place during the 1980s, it would have forced local councils and British universities to do business with that racist and criminal regime.

Although we are calling on Peers to reject the bill in its entirety, we have produced this briefing to urge you to **speak in support of amendments 20 and 30** tabled at the Committee stage. These amendments appear on the most recent marshalled [list](#) and are expected to be debated during the next two sessions to be held on Tuesday 7 May, and Tuesday 14 May.

2. Support amendments 20 and 30

The anti-boycott bill will limit the ability of public bodies to make ethical choices about spending and investment that reflect widespread public support for human rights, climate goals and international law. Amendments 20 and 30 address some of the most egregious aspects to the bill, and therefore warrant your support:

- **Amendment 30** tabled by Baroness Blower would ensure that, if passed, public bodies would still be able to make spending or investment choices that are motivated by a desire to uphold international law and obligations under international conventions to which Britain is a party, including the Genocide Convention, the Universal Declaration on Human Rights and United Nations Security Council Resolutions supported by the United Kingdom.

As the bill stands, it would compel public bodies to maintain financial ties with companies linked to violations of human rights and international law in countries around the world.

Recently over 1,100 UK lawyers, legal academics, and former members of the judiciary – including former President of the Supreme Court, Baroness Hale of Richmond – signed a legal opinion sent to the government indicating that the United Kingdom is in breach of its obligations to take active steps to prevent genocide in the Gaza Strip, for which it can be held legally responsible.

If left unamended, this bill could compel public bodies to contravene the Genocide Convention now or in the future.

- **Amendment 20** is tabled by Lord Warner and supported by Lord Collins of Highbury, Baroness Blower, and Lord Oates. It recognises the unprecedented nature of Clause 3(7) in singling out Israel alongside the ‘Occupied Palestinian Territories’ and ‘Occupied Golan Heights’, by name, as the only territories that the law permanently protects from public sector boycotts irrespective of the present or future situation on the ground. The effect of this section is to actively promote impunity for Israel’s current violence against the Palestinian people in the Gaza Strip, along with other violations of international law and well-documented discrimination against Palestinians.

As Alicia Kearns MP, Chair of the Foreign Affairs Select Committee, has pointed out, it constitutes a ‘departure’ from British foreign policy that ‘puts the UK in breach of [its] commitments under UN Security Council resolution 2334’.

In his written [submission to the House of Commons Public Bill Committee](#), Richard Hermer KC outlines that UNSCR 2334 places a legal obligation on all states to ensure they distinguish between the ‘Occupied Palestinian Territories’ and Israel, in recognition that Israeli settlements in the ‘Occupied Palestinian Territories’ constitute ‘a flagrant violation under international law’. Furthermore, he directly addresses the government’s assertion that ‘because Clause 3(7) lists the OPT as a separate entity to Israel that this somehow “distinguishes” them for the purposes of compliance’, describing this as ‘pure sophistry’ and ‘an untenable view without any legal merit.’

In addition, Clause 3(7) represents a clear break with the government’s own 2019 manifesto commitment which was not specific to any country.

Amendment 20 would remove this clause.

3. **Further reading**

For further information on the anti-boycott bill, please read:

- [Right to Boycott coalition statement and full list of civil society signatories opposed to the anti-boycott bill](#)
- [PSC’s full briefing produced for MPs](#)
- [PSC’s written evidence to the House of Commons Public Bill Committee](#)

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