

## **Submission for the Public Bill Committee on the Economic Activity of Public Bodies (Overseas Matters)**

### **Muslim Association of Britain**

**1<sup>st</sup> September 2023**

#### **1. About**

1.1. The Muslim Association of Britain (MAB) is a British Muslim grassroots organisation founded in 1997. MAB aims to empower, develop, and mobilise British Muslims to drive and create positive societal change.

#### **2. Submission Summary**

2.1. The Economic Activity of Public Bodies (Overseas Matters) Bill bans public bodies from being influenced by political or moral disapproval of foreign states' conduct when making procurement and investment decisions. In doing so, it effectively outlaws a powerful tactic of dissent and a key exercise of the right to freedom of expression, which has been used throughout history to achieve social change.

2.2. Moreover, the proposed legislation threatens the fundamental rights of British citizens, with concerns that the bill could discriminate against individuals based on their beliefs, infringing upon the right to freedom of expression.

2.3. The bill's potential long-term consequences set a dangerous precedent for suppressing dissent on a variety of global, environmental and moral issues. The right to boycott is a form of expression, and punishing those who take what they believe are ethical stances could strengthen human rights abusers abroad while diminishing freedoms at home.

2.4. This legislation will disproportionately affect British Muslims' ability to speak out against injustice worldwide, which is seen as a religious duty and obligation. It could hinder their capacity to respond swiftly to atrocities, potentially costing lives.

### 3. The submission will seek to make the following recommendations:

- 3.1. *For the committee to call for the withdrawal of the bill, citing lack of substantive evidence, jurisdiction, and far reaching political and legal consequences.*
- 3.2. *For the committee to advocate for empowering public institutions to make ethical choices regarding investments and procurement.*

### 4. Intersection of Islamophobia and anti-Palestine racism.

- 4.1. The past few years have seen an unprecedented surge in support for the Palestinian cause, with recent protest attracting tens of thousands of people in London and cities across the country.<sup>12</sup> This has also unfortunately resulted in an alarming rise of Islamophobia and use of Islamophobic troupes.
- 4.2. In May 2021, reports of Islamophobic incidents – particularly within schools – skyrocketed by 430%, as reported by TellMama – a monitoring group.<sup>3</sup> With further groups such as FOSIS – Federation of Student Islamic Societies – reporting incidents of targeting Muslim students within university and college spaces.<sup>4</sup>
- 4.3. A regular theme emerged of solidarity and activism from Muslim students – especially pertaining to Palestine – being positioned in close proximity to “extremism.” With many students and school children being referred to Prevent officers, creating a culture of fear and quelling of the expression, practice and identity of Muslim students.<sup>5</sup>
- 4.4. Moreover, the government’s insistence of framing the effort of the proposed bill as being driven by Antisemitism has allowed many actors to fuel the Islamophobic trope of Muslims being inherently Antisemitic. Communities Secretary Michael Gove and former minister Robert Jenrick have both claimed that the BDS movement is driven by Antisemitism, creating a false narrative that divesting from Israel due to human rights concerns necessarily endangers the British Jewish community. Such claims presuppose the close identification of all Jewish people with the state of Israel.
- 4.5. Such claims also ignore the countless leading Jewish groups that have spoken out in opposition to the bill.<sup>6,7</sup>

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<sup>1</sup> <https://www.middleeasteye.net/news/nakba-thousands-march-london-mark-palestine-displacement>

<sup>2</sup> <https://www.islamchannel.tv/blog-posts/britain-protests-uks-largest-ever-pro-palestine-rally>

<sup>3</sup> <https://twitter.com/TellMamaUK/status/1396865738779025411?s=20>

<sup>4</sup> <https://www.fosis.org.uk/news/targeting-of-muslim-students-in-the-education-space-on-the-issue-of-palestine/>

<sup>5</sup> <https://www.middleeasteye.net/news/israel-palestine-uk-students-punished-protests-activism>

<sup>6</sup> <https://righttoboycott.org.uk/>

<sup>7</sup> <https://www.jewishnews.co.uk/ujs-and-jewish-youth-groups-confirm-opposition-to-uk-governments-anti-bds-bill/>

- 4.6. Without a doubt, any such behaviour toward Jewish people should be wholeheartedly condemned. However, to suggest that this is the underlying motive of the BDS campaign, is the height of disingenuousness.
- 4.7. The government's own impact assessment for the Bill cites no evidence to substantiate that boycott or divestment campaigns incite hate crimes or antisemitism.<sup>8</sup> This raises serious concerns as is the main justification given for the blanket immunity given to Israel in the legislation.
- 4.8. Criticism of the state policies of any government, no matter how sharp, is not to be confused with criticism of, or bias against any religions or ethnicities of that country.

## 5. Implications of proposed bill

- 5.1. The proposed legislation has the potential to significantly impede the fundamental rights of British citizens, including the right to express solidarity with the Palestinian population and voice concerns about the British government's unwavering support for Israel. Article 10 of the 1998 Human Rights Act enshrines the principle that "everyone has the right to freedom of expression."
- 5.2. In an ironic turn of events, one would be more protected to criticise our own government than the Israeli government.
- 5.3. It is clear that the government believes in boycotts. The stance it has taken against Russia and China on human rights, whilst long overdue – is welcome. However, its continued support of Israel despite many reputable human rights organisations including Amnesty<sup>9</sup> and Human Rights Watch<sup>10</sup> finding the country guilty of crimes against humanity, displays a glaringly obvious double standard. Such a selective approach erodes the government's credibility on the global stage.
- 5.4. The long-term consequences of the proposed bill go far beyond Israel-Palestine. Many of our fellow Uyghur campaigners have warned that the proposed bill could be seen as a pathway dissent within the UK over the oppression of Uyghurs by the CCP.<sup>11</sup> This is in addition to the UK falling short in regulating imports tied to severe rights abuses such as forced labour, in contrast to our American counterparts.<sup>12</sup>

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<sup>8</sup> [https://publications.parliament.uk/pa/bills/cbill/58-03/0325/EAPB\\_IA\\_15-03-23.pdf](https://publications.parliament.uk/pa/bills/cbill/58-03/0325/EAPB_IA_15-03-23.pdf)

<sup>9</sup> <https://www.amnesty.org/en/latest/news/2022/02/israels-apartheid-against-palestinians-a-cruel-system-of-domination-and-a-crime-against-humanity/>

<sup>10</sup> <https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution>

<sup>11</sup> <https://www.thetimes.co.uk/article/uyghurs-say-anti-boycott-bill-lets-xi-off-the-hook-lzct8qdv8>

<sup>12</sup> <https://www.hrw.org/news/2022/06/20/china-us-law-against-uyghur-forced-labor-takes-effect>

5.5. It must be, therefore, considered that this bill could mark the beginning of a slippery slope toward crackdowns on freedom of expression in other areas.

5.6. The right to freedom of expression includes the right to boycott, the government's desire to punish those who take ethical stances only serves to strengthen human rights abusers abroad while diminishing freedoms at home.

## **6. Wider effect on British Muslims**

6.1. As an organisation we are proud of our track record in speaking out against injustice. Indeed, along many British Muslim communities, we are especially proud of our stance in boycotting Russia when it was committing war crimes in Syria and boycotting China for its crimes against the Uyghur people.<sup>13</sup>

6.2. In both instances, our position – and that of many British Muslim communities – came long before the government took a stance and most certainly before the government adopted sanctions and boycotts against both regimes.

6.3. This proposed legislation would have curbed our ability to campaign and call for action until the government adopted a position. We know too well that the ability to quickly respond to atrocities wherever they may take place, save lives.

## **7. Concluding remarks**

7.1. There are legitimate concerns that if this bill is enacted, it may lead to the discrimination of individuals based on their belief in the importance of holding human rights abusing regimes to account.

7.2. The Bill itself is poorly drafted, and this leaves open the possibility of unintended consequences and public bodies being unsure of their obligations. Additionally, the lack of substantial evidence raises doubts about the Bill's justification.

7.3. The conflation of Antisemitism with criticism of Israel's well documented track record of violating human rights, is dangerous, threatens to devalue the seriousness and gravity of this heinous trend, and carries the potential of serious implications that would impact, among others, Jewish communities in the UK and elsewhere.

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<sup>13</sup> <https://www.mabonline.net/uk-puts-profit-over-human-rights/> <https://www.mabonline.net/the-syrian-people-continue-to-suffer/>