



Backbench Business Committee

Transcript of meeting

Tuesday 12 April 2016

Representations made before the Backbench Business Committee on Tuesday 12 April 2016

Members present; Ian Mearns (Chair), Bob Blackman, Kevin Foster, Mr Philip Hollobone, Mr David Nuttall and Jess Phillips.

Fiona Bruce, Jim Shannon, Ian Blackford and Sir Edward Leigh; Ian Blackford and Mhairi Black made representations.

Questions 1-11

Fiona Bruce, Jim Shannon, Ian Blackford and Sir Edward Leigh made representations.

Q1 Chair: Good afternoon, and welcome to the Backbench Business Committee. This afternoon we have two sets of applications to consider. The first one is headed up by Fiona Bruce. Over to you, Fiona.

Fiona Bruce: Thank you very much, Mr Chairman. I am applying for a debate on a substantive motion, which I would like to seek a vote for, so I would ask that it is in the Chamber. The subject is: “That this House believes that Christians, Yazidis, and other ethnic and religious minorities in Iraq and Syria are suffering Genocide at the hands of Daesh.”

If I can give some background, the UN convention on genocide makes it clear that genocide is the systematic killing of people, or harming of them, because they are part of a recognisable group. It specifies certain actions—killing, forcible transfer, causing mental harm, preventing births; and as we speak a number of religious minorities are suffering horrendous atrocities of this nature at the hands of Daesh in Syria and Iraq. I know I do not need to remind Members, but may I just list some of them: mass murders, torture, kidnapping for ransom, sexual enslavement, systematic rape, forced conversion, forced marriages, children being beheaded in front of their families for refusal to convert, and crucifixions. Can anyone seriously doubt these actions are genocidal?

In the very recent past a number of other parliamentary and international bodies have declared this to be a genocide, including the US, the European Parliament and the Council of Europe. Why is it important that we should have a vote and that we as the UK Parliament should make a decision as to whether we agree with this view? Making such a decision would bring into play a series of mechanisms, including referral to the UN Security Council, which can strengthen the response of the international community to challenge Daesh. It would mean that those who are participating in this would know that they will one day face justice and the full weight of genocide law. When the time comes, it means that they could be tried before the International Criminal Court.

If I may also add, I called a debate on this subject in Westminster Hall on 22 March. I asked for the subject of that debate to be “Genocide under Daesh” against these minorities. In fact the Table Office retitled it “Persecution” rather than genocide, but the Minister responding, who was Tobias Ellwood, the Parliamentary Under-Secretary of State, said, “I...encourage a further, wider debate with a vote in the House to continue the process.” He said it several times, and he said, “it is for the Backbench Business Committee to make such a judgment. Any debate would be an indication of the...spirit of Parliament...of what we would like ... members of the UN Security Council to discuss. It could lead to recommendations for action, perhaps through the international criminal courts or any number of other avenues.”

Q2 Chair: Thank you very much. That does put a question straight into my head, though. When you have got a Government Minister saying that this should be debated in the House, and should be voted on, surely the Government should actually bring forward the debate in their own time?

Fiona Bruce: Well, it should, but unfortunately there have been debates in the House of Lords on this and it would appear that the Government have resisted the vote on this.

Q3 Chair: But a Government Minister disagrees with them.

Fiona Bruce: Individually, yes, and I think that has been the case in the Lords.

Q4 Chair: Welcome back, Jim—it’s been a long time.

Jim Shannon: It was suggested to me that I should become a member of this Committee—I was asked by my party to become a member of this Committee—but I said, “If I did, I couldn’t ask for debates.” So that’s why I didn’t.

Chair: The one thing I would say, Jim, is you go down as one of the best attenders, including the members of the Committee.

Jim Shannon: I am just here to support Fiona in her request. Tobias Ellwood, the Minister, said to us afterwards at the bottom of the steps of Westminster Hall that we should do that, so we were very much egged on by his encouragement to do that. He did indicate that there had been other debates in the House of Lords, so it was important that we took every opportunity we could to highlight this issue.

I am the chair of the APPG on freedom of religious belief—that is those with Christian beliefs, those with other beliefs and those with no belief. Our job is to speak out on behalf of people

right across the whole of the world. One thing that has become very clear from our Pakistan inquiry and our contacts with Open Doors, Christian Solidarity Worldwide, Barnabas Fund and Release International—all of those groups have told us about these issues—is that between the year past and the year to come, 100,000 Christians will be killed because of their faith. There is a genocide directed towards them. Two hundred million will be persecuted because of their faith, and 2 billion will live in what is called an endangered neighbourhood. Those are some of the facts; that is why this debate is so important. We are aware, through the discussions we have had in the APPG on the Yazidis and other religious and ethnic minorities, that there definitely is a debate that needs to be had.

The importance of this debate cannot be underlined enough. I have absolutely no doubt that a lot of Members will wish to attend. If it is possible to have a three-hour slot, that will be more preferable because of the participation. I understand that some 30 Members have indicated that they wish to be part of this. It is an important issue. In this House, we need to be the voice for the voiceless. For the hundreds of millions who haven't got a voice in many parts of the world, let us be that voice here.

Ian Blackford: “The voice for the voiceless”—that’s certainly something that Jim has tried to be. That’s just an aside. One thing I would like to stress is that this has very broad cross-party support. Members from six parties have signed this request for a debate. In total, 30 Members have signed it, so there is a lot of support for it. There is a need to have a debate like this on the Floor of the House. There’s also some urgency with it. I agree with what Jim said: preferably, we want a three-hour debate, but I notice that there is an opportunity for a 90-minute debate on 20 April. There is some urgency in addressing these issues, for the reasons that Fiona and Jim set out.

Sir Edward Leigh: I apologise for being late; I got the room wrong. I just want to say that I think it’s very important that we have a substantive motion, because we want to put the Government under pressure on this. I don’t see any point in having a general debate. The Government have this line that it’s for the courts to decide, but other countries have done this. In America, Secretary Kerry has decreed that it is genocide. If we can have a substantive motion, large numbers of people can pile in and vote for it to put real pressure on the Government. I think it could be quite an important debate.

Mr Nuttall: On the question of the motion, I entirely accept your submission about the need to have a votable motion on the Floor of the House. Could I gently suggest that it would be preferable—certainly from my point of view—if there were a time limit suggested after the words “calls upon Her Majesty’s Government to make a referral”? It could say “to make a referral within the next X days”, or “immediately make a referral”. At the moment, it seems to me to be open-ended. It could be passed, and they could say, “Well, we’re working on it. It’s being thought about. We’re having a committee meeting. We’re going to set up a sub-committee to look into it,” and nothing will ever happen. If this matter is urgent and you want it referred, the motion would carry more weight and be more useful to you if it included a time. It is entirely a matter for you, of course, but it seems to me that it would be helpful to the cause—which I support, but that is beside the point—if there were a time limit on there.

Chair: I will give you that to ponder on.

Q5 Kevin Foster: You might be aware that I asked a question on this point at Foreign Office questions, and the response from the Government pretty much indicated that they were not planning to bring a motion of their own. Does your motion replicate any motions from elsewhere? The point I made on the Floor of the House was that, in 1942, we saw genocide going on in Europe; we could not prosecute anyone at the time, because it was being perpetrated by the Nazi regime, but we made a

declaration and then a pledge that we would do something about it after hostilities ceased. Does this motion replicate one from elsewhere, as that motion did at the time?

Fiona Bruce: I believe that it largely replicates the motion that has been passed by the other Government authorities that I referred to. As to the exact wording, I am not sure. I believe that the US Senate passed its motion 393 votes to none.

Q6 Kevin Foster: That would have to be the lower House; there are only 100 Senators.

Fiona Bruce: This particular wording, or a similar wording, has been debated in the Lords. It went through a debate but, as I say, unfortunately it did not quite secure a majority.

Sir Edward Leigh: Did you say 300? It must be the House of Representatives, because there are only 100 Senators.

Fiona Bruce: Yes, sorry: the House of Representatives, 393 to none. But as to the exact wording of any historic vote, I could not say.

Q7 Kevin Foster: I think I was more focused on this motion. The power of the 1942 statement was that about 20 Governments made it at exactly the same time in their capitals. Obviously, if there is an international version of this going round, it would make sense for us to be voting for something that is not just a British motion on its own but is replicated elsewhere.

Fiona Bruce: I believe it would be in line with the decisions that have been made in other Parliaments.

Jim Shannon: The wording may be slightly different, but the core thrust is the same as what we are doing here.

Q8 Bob Blackman: One of the issues here is not only the timing of the debate—90 minutes or three hours—but when it would be held. You have 30 speakers, potentially: in a 90-minute debate, allowing for Front Benchers and whoever introduces it to have a say, they are going to get about two minutes each, at best—and that is assuming that everyone keeps to two minutes.

The other issue is that it is presumably only the Government who are likely to oppose this motion, on the technicality of whether this should be classified as genocide. I cannot think of any MP who is going to stand up and say “Well, actually I think that what Daesh is doing is not genocide.” I cannot see that happening. Are we going to get an imbalanced debate on this? Is it more important to you, therefore, to get the motion through and voted upon, not with 30 speakers but with maybe three or four?

Fiona Bruce: You have hit the nail on the head, Mr Blackman. We want to win this vote, and I am concerned that if it is held on a Thursday afternoon, for example, and the Government decide to oppose it, the numbers will not be there to secure a successful vote. Their argument might be that only a state can pronounce on a genocide, which we disagree with because we believe it meets the definition in the UN convention; or that a genocide cannot be committed by a non-state actor, which I would argue against on the basis that we are already at war—we have declared that there is a war against a non-state actor, IS. It would be a technicality that the Government would argue on. I hope

there would not be a repeat of the technicalities argued in the Lords, when this was slipped into an immigration debate. Many of the peers agreed with the broader principle and said that, if it had not been for the fact that it was in an Immigration Bill and there were technical reasons why they could not support it, they would have done so. I would rather have a shorter debate on a Wednesday, when more Members are likely to be here who are perhaps not subject to direction from the Government. Does that make sense?

Q9 Bob Blackman: The other consideration, which I will just suggest gently, is that we are approaching the anniversary of the commemoration of the genocide in the former republic of Yugoslavia. It might be quite appropriate to hold such a debate around that sort of timeframe, given what we saw happened in the former republic of Yugoslavia, to put some comparators in to strengthen your case. But it is your application. I am just thinking what might be more appropriate.

Fiona Bruce: I take the point. I think there is also the point that many people in this country now say that we missed declaring the genocide in Rwanda and we have lived to be held to account internationally for that. I don't want the same to happen again. But I repeat my point. I very much want the opportunity for a clear, strong vote, and that to me is as important as anything. If the Committee can see a way that we could have the debate held in the main Chamber on a day when we are going to have a substantial number of Back Benchers here, as well as Government Members, I would be very grateful.

Q10 Chair: In terms of finessing the wording of the motion, could you just do that by communicating with Mr Hennessy, please?

Fiona Bruce: Yes, I can resubmit this now. It has all 30 names on as well.

Chair: We will, of course, be considering your application. Thank you very much indeed for that.

Ian Blackford and Mhairi Black made representations.

Q11 Chair: Good afternoon, Ian. I think we have just seen your good-looking twin brother.

Ian Blackford: Indeed.

Chair: This is an application about uprating of pensions for UK pensioners living overseas.

Ian Blackford: Yes, indeed. I think you have all seen the motion, which is in front of you. The issue here is a relatively straightforward one. There are 1.24 million UK pensioners living overseas and 560,000 of those don't get an annual uprating of their pension.

There was a motion, which was submitted as early-day motion 1235 just a few weeks ago, praying that the social security benefits uprating regulations that affect frozen pensions be annulled. To date, this has been signed by 96 Members across the House, from eight parties, including the governing party.

I would contend that the uprating regulations that deprive overseas pensioners of the uprating adjustment to their state pensions have been forced through the House without a full debate. The decision to freeze pensions for a further year came into effect in early April when the House was on recess. I believe the House should have the opportunity to debate this matter, which, as I have mentioned, leaves 560,000 UK pensioners facing hardship, as well as acting to discourage many UK citizens living in the UK to return to their country of origin, as many wish to do in their retirement.

There is no consistency as to how overseas British pensioners are treated. Due to historical bilateral deals, pensioners living in many countries do get an uprated pension, for example in the US, which leads to the situation that if you live in the US Virgin Islands you get a full pension, but if you live in the British Virgin Islands your pension will be frozen. The Government argue that pensions are uprated to those living in countries where the UK has a social security agreement. The UK does not need an agreement with any country to pay a pension.

Let me give one short example of an individual affected. Abhik Bonnerjee, now 73, moved from India to Glasgow in 1960. He worked in the UK for 38 years, in shipbuilding, steel and the food industry. He owned an Indian restaurant for six years. Abhik returned to India in 1997 and reached the state pension retirement age in 2008, when he was paid £87.30 a week. Having made all the required NI contributions, if Abhik had still lived in the UK today, he would get £155. The decline in his real terms income has left Abhik concerned about losing his home and he may now move back to the UK.

There are also implications for the upcoming EU referendum. There are 400,000 UK pensioners living in EU countries, so there is the issue of how they would be affected by any Brexit deal. So I think this is a timely moment to be debating this. It is an issue that does have broad party support. As I said, there are eight parties that supported this through the early-day motion and have supported the motion that we have put forward to you as well.

Chair: Thank you. Mhairi?

Mhairi Black: I would just like to support everything that Ian has said there. First of all, there is a logical argument behind it, as Ian has just said, with the upcoming EU referendum, which makes it quite timely. There is also a moral argument in that these people have paid in as much as has been asked of them in the UK. They have contributed to our society and to our economy and now that they have moved away, we are suddenly ripping them off at the last hurdle. I also think there is the political will, given the fact that this has not been properly debated yet, and there is such cross-party support—from eight parties, I believe, and there are 96 signatures. When you take those three points into account, there is a clear mandate for what I think would be a good debate to have.

Chair: Thank you. Comments and questions, please? No one? In that case, thank you very much for your application. We will consider that in due course. Thank you very much indeed. That concludes the formal business of the Backbench Business Committee. We will now go into private session.

