



Community Policy
Forum



BRIEFING

PALESTINIAN SOLIDARITY IN THE UK: PROTECTING CIVIL & POLITICAL RIGHTS

April 2024

ABBREVIATIONS

- BDS: *Boycott, Divestment, and Sanctions*
- HRA: *Human Rights Act 1998*
- ICCPR: *International Covenant on Civil and Political Rights*
- OPT: *Occupied Palestinian Territories*
- PSC: *Palestine Solidarity Campaign*
- UJS: *Union of Jewish Students*
- UN: *United Nations*



Community Policy Forum

The Community Policy Forum is an independent think-tank seeking to promote evidence-based and community-centred approaches to issues concerning Islamophobia and structural inequalities facing British Muslim communities. We attempt this through connecting policymakers with academic research and experts and through providing platforms for engagement with diverse Muslim voices on areas of contemporary importance.

www.communitypolicyforum.com

@POLICYCOMMUNITY

Introduction

In the face of an estimated 34,000 Palestinians killed in the last 6 months, almost 14,000 of them children, renewed enthusiasm for public solidarity movements has swept the UK. Since October, there have been regular marches calling for a ceasefire in Gaza, the **largest** of which was held in London on 11 November 2023 and attracted over 800,000 people, making it the biggest pro-Palestinian rally in British history. Advocacy groups have also **organised** local actions in cities and towns across the UK, including protests, vigils, fundraisers, sit-ins, and **boycotts** of companies engaged in Israeli violations of Palestinian rights.

In response to rising public criticism of the UK's continued support of the Israeli Government, including the sale of **weapons** used against Palestinian civilians, **the UK Government has escalated an existing pattern of aggressive legislative and policy developments designed to undermine political opposition.**

The public political targeting of Palestinian solidarity as uniquely threatening has primarily been undertaken on the basis of rising antisemitism since Hamas' attack on 7th October 2023. All communities must actively work together to tackle antisemitism and all forms of racism, and it is only correct that instances of antisemitism should be properly addressed. At the same time, accusations of antisemitism have also been used to suppress legitimate criticisms of the Israeli Government. It is the suppression of these criticisms of the Israeli Government with which we concern ourselves within this briefing.

For further information, read Community Policy Forum's briefing on antisemitism and Islamophobia [here](#).

Ultimately, Government efforts to stifle political opposition and legitimate criticism of any government pose a serious threat to a healthy and robust democracy, as well as raise questions about the UK's compliance with its domestic and international human rights obligations.

The trajectory of political and civil rights in the UK

While increased restrictions are being presented as a necessary response to the supposed dangers posed by current pro-Palestinian activism, they are actually a continuation of a pattern that the Government has established over the last several years. A series of bills have been passed, all of which are designed to undermine judicial scrutiny, subvert government accountability, silence political opposition, and expand executive powers, namely: the **[Police, Crime, Sentencing and Courts Act 2022](#)**, the **[Nationality and Borders Act 2022](#)**, the **[Elections Act 2022](#)**, the **[Judicial Review and Courts Act 2022](#)**, the **[Public Order Act 2023](#)**, and the **[Illegal Migration Act 2023](#)**. Meanwhile, at the time of writing, the **[Economic Activity of Public Bodies \(Overseas Matters\) Bill](#)** and the **[Safety of Rwanda \(Asylum and Immigration\) Bill](#)** are also moving through Parliament and, if passed in their current forms, will have a similarly destructive impact. This incremental undermining of democratic safeguards and the UK's human rights framework raises concerns, particularly for the freedom of expression, the right to protest, and other fundamental civil and political rights.

For more information about the current erosion of the UK's human rights protections, read Community Policy Forum's evidence to the UN Human Rights Committee [here](#).

Activating powers to disrupt Palestinian solidarity movements

Alongside this longstanding erosion of human rights and civil liberties, Government figures have consistently sought to delegitimise and vilify peaceful pro-Palestinian activism. In October, the then Home Secretary, Suella Braverman, [branded](#) pro-Palestinian rallies as "hate marches", accusing "tens of thousands of people" of "chanting for the erasure of Israel from the map". Meanwhile, Prime Minister Rishi Sunak [claimed](#), in light of protests outside MPs' homes and other protest activity, that "mob rule is replacing democratic rule" in the UK. In an [address](#) outside 10 Downing Street on 1st March 2024, Sunak alleged that extremist groups "at home [are] trying to tear us apart" – a veiled reference to organisations advocating for the Palestinian cause.

Consequently, the expansion of powers to stifle legitimate political engagement (largely embodied in recent legislation such as the Public Order Act) is being used to specifically target expressions of Palestinian solidarity. For example, in November 2023, a group of pro-Palestinian protestors were [arrested](#) under Section 1 of the Public Order Act for "locking on" after chaining themselves together and blocking the entrance to the Bristol headquarters of Israeli arms company, Elbit. To our knowledge, this was the first arrest of its kind since the Public Order Act became law last May. In another instance, a young protestor was [arrested](#) for wearing a Palestinian flag and chanting "Free Palestine" at a pro-Israel protest in Manchester in October 2023. Despite not harming or threatening to harm anyone, police said he was arrested for "breach of the peace". This came after Braverman [wrote](#) a letter to senior police officers, urging them to "consider whether chants such as: 'From the river to the sea, Palestine will be free' should be understood as an expression of a violent desire to see Israel erased from the world, and whether its use in certain contexts may amount to a racially aggravated Section 5 public order offence". She also stated in the letter that waving the Palestinian flag "may not be legitimate" and subsequently called for a "strong police presence" at pro-Palestine marches so that "communities feel protected". **By seeking to criminalise legitimate acts of protest that serve as long-standing tenets of pro-Palestinian activism, the Government is again attempting to suppress dissenting voices with which it disagrees.**

Furthermore, two days after Sunak delivered his Downing Street address, the Government's adviser on political violence, Lord Walney, [urged](#) the Government to ban MPs from engaging with organisations such as Palestinian Solidarity Campaign (PSC), Extinction Rebellion, and Just Stop Oil. In an article for *The Sun*, he echoed Braverman by asserting that PSC should "cut the hate from their marches" and describing such protests as "highly disruptive" and "the menace that is threatening our democracy". This is a gross mischaracterisation which neglects the fact that at the numerous pro-Palestine rallies that took place in London between October and December 2023, police made just 153 [arrests](#), an average of 1 arrest per 20,000 people (a lower arrest rate than the Glastonbury music festival). 117 of the 153 people were also released without charge. Prohibiting political engagement with civil society groups that resist Government policy is an actual threat to democracy, unlike protest and other such forms of political engagement as Lord Walney erroneously claims.

Additionally, the Government is attempting to restrict non-violent economic activism through the Economic Activity of Public Bodies (Overseas Matters) Bill (also known as the '[Anti-BDS Bill](#)'). The bill will

“make provision to prevent public bodies from being influenced by political or moral disapproval of foreign states when taking certain economic decisions”. In other words, it will bar local councils, universities, and other public bodies from making financial decisions based on the conduct or policy of a foreign government, including by [participating](#) in boycott, divestment, and sanctions (BDS) campaigns.

BDS [entails](#) withholding financial aid from those committing human rights abuses in order to pressure Israel to refrain from such abuses and comply with its obligations under international law. It is a legitimate form of non-violent political resistance that is [modelled](#) on the international boycott of South Africa during the latter half of the twentieth century that culminated in the collapse of Apartheid. By 1988, 162 UK local authorities were [engaged](#) in a boycott of South African goods.

The Anti-BDS Bill would [prevent](#) local authorities and other public bodies from taking procurement and investment decisions based on ethical considerations, especially in relation to Israel and the Occupied Palestinian Territories (OPT). Public bodies that are deemed by the enforcement authority to be in contravention of the regulations in the bill may be fined. Whilst the bill includes a provision allowing the Secretary of State to place exceptions on certain countries, Clause 3 states such exceptions cannot be applied to a “decision or consideration relating specifically or mainly to (a) Israel, (b) the Occupied Palestinian Territories, or (c) the Occupied Golan Heights.” It is important to note that Israel and the lands it occupies are the only exemption included within the bill. Besides conflating Israel with the OPT (under the [UN Security Council Resolution 2334](#), the UK has a duty to ensure that its dealings distinguish between Israel and the OPT), the legislation shields Israel from democratic scrutiny by singling it out as the only state exempt from sanctions or divestment campaigns. This exceptional position [defies](#) the UK’s responsibilities to uphold human rights and is particularly alarming given the International Court of Justice’s interim [ruling](#) that Israel is plausibly committing genocide in Gaza.

The Anti-BDS Bill is [opposed](#) by several Jewish and Israeli human rights organisations such as the Union of Jewish Students (UJS), which at its annual conference last year [passed](#) a motion stating: “UJS reaffirms its support for the democratic right to non-violently protest and opposes the government’s proposed Boycott Bill, which is a curtailment of that right, as well as presenting a risk to British Jewish communities and a set-back to Israeli-Palestinian peace.” **While there is an urgent need to combat antisemitism across all spheres of society, there is no evidence to suggest that outlawing BDS will help achieve this. Instead, the Government should redirect its efforts towards tackling hate crime on our streets, clamping down on hate speech in online spaces, and other strategies to protect Jewish communities and other marginalised groups.**

Securitising activism

The Government is also using the apparatus and language of counter-terror to target Palestinian advocacy. Activists have been demonised by Government officials as [“Islamist extremists”](#) and [antisemites](#) that are sowing fear among Jewish communities and seeking to divide the UK. Palestinian solidarity has also been equated with support for Hamas and terrorism, such as when Labour MP, Zarah Sultana, was [accused](#) of giving a “free pass to the terrorists” by Conservative MP, Andrew Percy, after she called for a ceasefire in the House of Commons in January 2024. Most worryingly, Rishi Sunak responded by saying: “Perhaps the honourable lady would do well to call on Hamas and the Houthis to de-escalate the situation”, which Sultana’s Labour colleague, Naz Shah, highlighted as an [“Islamophobic trope”](#) and “a new painful blow today for the Prime Minister to have said [that] to a

British Muslim in this House”.

A couple of weeks after Sunak’s 1st March address outside 10 Downing Street, the Government unveiled a new definition of ‘extremism’, the impetus for which appears to be a desire to dismantle Muslim and pro-Palestinian activism. According to both the [introduction](#) of the definition and the Government’s [press release](#), the changes have been made in response to “the pervasiveness of extremist ideologies in the aftermath of the terrorist attacks in Israel on 7 October” and a rise in antisemitic and Islamophobic hate crime in the intervening months. While this superficially appears a balanced concern, it is difficult not to take into account the Government’s long-standing hostility to addressing [Islamophobia](#) both within its ranks and across society. **With this in mind, one might be forgiven for being cynical of the Government’s motives, and in light of the aforementioned demonisation of pro-Palestinian activists, question the extent to which the new definition is in reality being pursued as a mechanism for introducing the recommendations of the Shawcross Review of PREVENT and curtailing Palestinian solidarity and Muslim political engagement, as a whole.**

Read more in our briefing, ‘The Muslim Target: Weaponising Extremism, Eroding Human Rights, and Silencing Dissent’ [here](#).

As articulated by Dr Richard McNeil-Wilson in Community Policy Forum’s [evidence](#) to the UN Human Rights Committee: “One notable point of concern, particularly in recent months, has been the securitisation of Palestinian activism, as well as activism which has sought to question the Government’s international policies. **Activists participating in pro-Palestinian and ceasefire activism, including several hundred children, have reported being subject to increased Section 7 border stops, PREVENT referrals and police questioning, under what has been [termed](#) a “crackdown on Palestinian support”.** Prior to the on-going invasion of Gaza by the Israeli military, hundreds of instances of pro-Palestinian activism were being mislabelled as [‘extremism’](#), with students subject to referral for the wearing of Palestinians emblems, such as the Palestinian national flag or the keffiyeh, or the expression of support for Palestine.” Therefore, the emotive nature of ‘security’ is being used to demonise Palestinian solidarity as uniquely dangerous, thereby justifying the restrictions on human rights and civil liberties.

The impact on human rights

The expansion and application of executive power to undermine political engagement directly infringes upon rights enshrined in the [Human Rights Act 1998](#) (HRA) and numerous international treaties such as the [International Covenant on Civil and Political Rights](#) (ICCPR).

Freedom of expression: The freedom of expression is protected by Article 10 of the HRA and Article 19 of the ICCPR. Advocacy organisations such [Prevent Watch](#) have reported a surge in PREVENT cases based on referrals of individuals expressing solidarity with the Palestinian cause since the beginning of the Israeli war on Gaza last October. This has a chilling effect on political activism in schools, universities, and workplace settings by encouraging individuals to self-censor out of fear of being labelled ‘extremist’ and getting caught up in PREVENT. Moreover, Suella Braverman’s attempts to ban waving the Palestinian flag and chanting for a free Palestine illustrates the Government’s desire to stifle pro-Palestinian advocacy and serves as yet another example of infringement upon the freedom of expression.

Freedom of association: Article 11 of the HRA and Article 21 of the ICCPR protect the right to peacefully protest, hold meetings, and to form or be part of a trade union, a political party, or any other association or voluntary group. As demonstrated throughout this briefing, the Government has repeatedly portrayed Palestinian solidarity as 'extremist' and sought to use recent legislative changes to restrict pro-Palestinian protest, including by arresting protestors under the Public Order Act, whilst the Anti-BDS Bill represents an attempt to ban actions that are widely recognised as legitimate forms of non-violent protest. Meanwhile, proposals to outlaw policymakers' engagement with Palestinian advocacy groups raises further concern for the protection of democratic rights by attempting to exclude such organisations from public life, especially in light of the Government's updated definition of 'extremism' that seemingly disproportionately targets Muslim and pro-Palestinian groups.

Protection from discrimination: Both the HRA and the ICCPR contain explicit protections against discrimination on "any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status." The suppression of Palestinian solidarity primarily impacts Palestinians and Arabs, however, the activation of structurally Islamophobic counter-terror policies also means that Muslims are unique targets in the application of the Government's efforts to suppress free expression and association. Moreover, the demonising of pro-Palestinian advocacy through the language of 'Islamism' is an implicit demonisation of any pro-Palestinian Muslim as inherently linked with terrorism and therefore a securitised threat to society. While the presence of Jewish and other non-Muslim groups at solidarity marches has been notable (and, indeed, not all Palestinians are Muslim), the framing of discourse around security and 'Islamism' invisibilises this support and directs intense scrutiny on Muslim communities in a distinct way. This framing thus exacerbates the discrimination and structural inequalities that Muslims and minoritised communities already face across society.

Conclusion

Ultimately, the attempt to suppress political opposition and criticism of the Israeli Government has not occurred in a vacuum, nor is it a process that started with 7th October. Rather, it is an escalation of the UK Government's existing pattern of aggressive legislative and policy developments designed to undermine political opposition. This attack on the freedom of expression and association poses a serious threat to a healthy and robust democracy, as well as raises questions about the UK's compliance with its domestic and international human rights obligations.

Moreover, as with the Illegal Migration Act and the Rwanda Bill, the primary target of the removal of rights protections appears to be specifically those who are the most visibly positioned within the legislation (in those cases, refugees, asylum seekers, and victims of human trafficking). However, while the justification within public discourse appears to be removing protections from the 'undeserving', it is inevitable that the erosion of human rights protections will detrimentally impact everyone in society.

In this way, the targeting of Palestinian solidarity movements as a supposed home for 'extremists', 'Islamists', and antisemites gives an illusion of the justified removal of rights from dangerous individuals bent on harming society. In reality, everyone's rights are eroded while executive power is expanded, public scrutiny is diminished, and there is little space left to hold truth to power. A dangerous precedent is being set that is in direct contradiction to the principles of a healthy democracy built upon free expression and the exchange of ideas.



Community Policy
Forum

www.communitypolicyforum.com

@POLICYCOMMUNITY