

4<sup>th</sup> September 2023

## **Implications of Economic Activity of Public Bodies (Overseas Matters) Bill for Wales**

Dear MS

We are writing to you concerning the UK government's 'Economic Activity of Public Bodies (Overseas Matters) Bill' and, in particular, the potential implications of the bill for Wales and the existing devolution settlement.

[The Economic Activity of Public Bodies \(Overseas Matters\) Bill](#) will limit the ability of public authorities to make ethical choices about spending and investment. It will prevent public bodies, like local councils or universities, as well as the Welsh Government, from cutting ties with companies engaged in human rights abuses or environmental destruction committed in a foreign country.

If the bill becomes law we are concerned that it will have significant implications for public bodies in Wales, as well as Welsh Government, including undermining Welsh legislation recently enacted through the [Social Partnerships and Public Procurement Act](#), implications for delivery of the [Economic Contract](#) and potentially weakening action to eradicate unlawful and unethical employment practices in Welsh public sector supply chains through the [Code of Practice: Ethical Employment in Supply Chains](#). In addition, we are concerned that the bill will have far reaching effects on other areas of devolved competence including delivery of the Wellbeing of Future Generations (Wales) Act 2015, the Environment (Wales) Act 2016 and will also be contrary to ambitions in Wales to bring forward legislation to strengthen human rights.

Given its potential impact on areas of devolved competence including local government, higher education and public sector procurement, this bill could represent a significant act of overreach by Westminster and encroachment onto the powers of the Welsh Government and Senedd. As civil society organisations, we urge Members of the Senedd to voice concerns about the implications of this bill for Wales and to push for a Legislative Consent Memorandum on the bill under Standing Order (SO) 29.

Our organisations are gravely concerned that this law could curtail the progress Wales is making against deforestation, decarbonisation, pollution and the exploitation of children and workers, in its supply chains. In addition, clauses in the bill pose a threat to freedom of speech effectively preventing local representatives from explaining their position to the electorate. Clause 4(1) of the bill forbids all those subject to the proposed new law from even stating on a public platform or a hustings

event, that they would support taking a decision to ethically divest if it were legal for them to do so.

Boycott and divestment campaigns provide a peaceful way for people to push for justice and have been used by social movements across the world to pressure regimes, institutions, or companies to change abusive, discriminatory, or illegal practices. Wales has a proud history of support for these progressive movements, for example the famous refusal of renowned poet and abolitionist, Iolo Morganwg, to stock sugar produced on slave plantations in his shop in Cowbridge during the late eighteenth century.

More recently, Wales is rightly proud of the role it played in the worldwide Anti-Apartheid Movement, and was commended by Nelson Mandela when he received the Freedom of the City of Cardiff in 1998.

*‘The knowledge that local authorities all over Wales were banning apartheid products from canteens and schools - and that the universities, the Welsh Rugby Union, and the choirs had cut their links - was a great inspiration to us in our struggle.’*

A key part of that successful campaign was the imposition of economic sanctions (refusing investment and procurement from South Africa) by local authorities in Wales. This would have been illegal under the Economic Activity of Public Bodies (Overseas Matters) Bill currently before the House of Commons.

We hope that you will use your influence as Members of the Senedd to speak out against this damaging legislation and urge your party colleagues at Westminster to do the same. We would be very grateful for the opportunity to discuss this matter further with you.

Yours sincerely

Stuart Penny Wales Representative, Amnesty International UK	The Most Reverend Andrew John Archbishop of Wales and Bishop of Bangor
Barbara Davies-Quy Deputy Director Size of Wales	The Right Reverend Gregory Cameron Bishop of St Asaph
Susie Ventris-Field Chief Executive Welsh Centre for International Affairs	The Right Reverend Cherry Vann Bishop of Monmouth
Brian Jones Vice-Chair CND Cymru	The Right Reverend John Lomas Bishop of Swansea and Brecon
	The Right Reverend Mary Stallard Bishop of Llandaff
	The Church in Wales

<p>Alicja Zalesinska Chief Executive Tai Pawb</p> <p>Andrew Sully Head of Christian Aid Wales</p> <p>Carolyn Sansom &amp; Jane Harries Co-clerks Crynwyr Cymru - Quakers in Wales</p> <p>Paul Glaze Chief Executive Council for Wales of Voluntary Youth Services</p> <p>Sarah Rees Head of Oxfam Cymru</p> <p>Haf Elgar Director Friends of the Earth Cymru</p> <p>Dr Abdul-Azim Ahmed Secretary General Muslim Council of Wales</p>	<p>Parch. Jeff Williams Llywydd/Moderator Undeb yr Annibynwyr Cymraeg (Union of Welsh Independents)</p> <p>Catherine Fookes Director Women's Equality Network (WEN) Wales</p> <p>Betty Hunter on behalf of PSC Branches in Wales</p> <p>Revd Gethin Rhys Policy Officer Cytûn (Churches together in Wales)</p> <p>Karen Whitfield Co-Director Wales Environment Link</p> <p>Chris Atherton Company Secretary United Reformed Church National Synod of Wales</p>
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