

**PE1803/A**

Scottish Government submission of 11 August 2020

Thank you for your email of 28 May 2020, seeking the Scottish Government's views on the above petition, which calls for the Scottish Parliament to urge the Scottish Government to support the right of public bodies and institutions in Scotland to debate, (and where democratically supported) to endorse and implement BDS against foreign countries and those who trade with them.

As the Committee will be aware, the application of UK government legislation to Scottish public institutions will depend upon the powers used to pass this legislation, along with the intended scope. The UK government may pass legislation which places requirements upon some Scottish public bodies in line with UK institutions, as was the case with the Modern Slavery Act 2015. We have not been made aware of the intended scope of application of the proposed UK Government legislation.

The petitioner notes the potential impact of this legislation on the ability of institutions to carry out BDS campaigns against the state of Israel. The Scottish Government does not advocate a policy of boycotting Israel. We believe that engagement with the Israeli Government provides us with an opportunity to call for a peace initiative respecting the international parameters for a two-state solution, and to put forward our concerns in the strongest possible terms. Nevertheless, the Scottish Government strongly discourages trade and investment from illegal settlements.

We have also been clear that we do not wish to mandate how Scottish public institutions, organisations or individuals approach this issue. We would, therefore, strongly encourage the UK Government to develop their legislation in a manner which restricts the scope of application, and respects the autonomy of Scottish institutions in making decisions on this issue.

I hope that you find the above information useful. Please do not hesitate to contact me if you require further information.