

Vol. 832
No. 213



Thursday
21 September 2023

PARLIAMENTARY DEBATES
(HANSARD)

HOUSE OF LORDS

OFFICIAL REPORT

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The following abbreviations are used to show a Member's party affiliation:

Abbreviation	Party/Group
CB	Cross Bench
Con	Conservative
DUP	Democratic Unionist Party
GP	Green Party
Ind Lab	Independent Labour
Ind SD	Independent Social Democrat
Ind UU	Independent Ulster Unionist
Lab	Labour
Lab Co-op	Labour and Co-operative Party
LD	Liberal Democrat
Non-afl	Non-affiliated
PC	Plaid Cymru
UUP	Ulster Unionist Party

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House of Lords

Thursday 21 September 2023

11 am

Prayers—read by the Lord Bishop of Chichester.

Housebuilding Question

11.07 am

Asked by Lord Snape

To ask His Majesty's Government what steps they are taking to ensure that local authorities in England have sufficient resources to meet planned house building targets.

Lord Evans of Rainow (Con): My Lords, the Government are committed to our ambition of delivering 300,000 homes a year. To ensure that local authorities have sufficient resources, we have laid regulations to increase planning fees by 35% for major applications and 25% for other applications. Subject to parliamentary approval, this fee increase will come into force before the end of the year. We have also developed a planning capacity and capability programme to support local authorities to address specific resourcing challenges.

Lord Snape (Lab): I thank the Minister for that reply and welcome him to the Dispatch Box on what I understand is his first occasion answering Questions. Does he accept that statistics gathered jointly this month by Close Brothers Property Finance, the Home Builders Federation and Travis Perkins show that over 90% of respondents stated that delays in securing local planning permission and lack of resources in LA planning departments are the major barriers to building and development? Will he reconsider plans to ring-fence funds for planning improvement, as well as reinstating new housing targets, which are surely both essential to house our growing population and to help more people on to the housing ladder?

Lord Evans of Rainow (Con): My Lords, I take this opportunity to pay tribute to the noble Lord for his public service over many years as a councillor in Bredbury, a Member of Parliament in the West Midlands and, indeed, chair of Stockport County Football Club back in the day. I accept that it is vital that local planning authorities have the resources they need to provide an effective planning service. We did consult on a proposal to ring-fence the fee increase, and I recognise that it is strongly supported. However, we are not taking ring-fencing forward as it would overly restrict the local authorities. In relation to housing targets, the Secretary of State's Written Ministerial Statement published on 6 December 2022 confirmed that the standard method of assessing local housing need will be retained. National planning policy continues to expect local authorities to follow the standard method to make sufficient provision for housing and

identify the sites that will deliver much-needed homes to meet the needs of our communities across the United Kingdom.

Lord Young of Cookham (Con): My Lords, the noble Lord, Lord Snape, rightly refers to the resources that planning departments need to draw up their local plan, but they also need the political will to deliver this. Last week the Housing Minister rightly rebuked Spelthorne Borough Council, which is under independent control, for not updating its plan for 14 years and failing to meet housing need. Will the Government take equally robust action against any council, of whatever colour, if it fails to meet the ambitions the Government have aspired to of 300,000 homes a year?

Lord Evans of Rainow (Con): My noble friend and former Chief Whip is exactly right. He is a formidable campaigner on issues of home building. I pay tribute to my right honourable friend the Minister for Housing, who is absolutely right; the current Spelthorne local plan is nearly 15 years old, meaning that the policies in it will not be up to date. Withdrawing the plan from examination could lead only to significant further delay and additional expense while a new plan is prepared. Local authorities are more at risk from appeals and speculative planning applications being successful if they do not have a local plan setting out an up-to-date housing requirement, as the presumption in favour of sustainable development applies. Intervening in this plan will accelerate plan production, given that the current plan is submitted and an examination will ensure that an up-to-date plan is in place sooner, therefore preventing speculative developments taking place. Local plans should be reviewed every five years. The good people of Spelthorne should expect better from their local politicians of all colours.

Lord Best (CB): My Lords, the Government are absolutely right to try to put more resources into the hands of local planning authorities, because that is what they desperately need to process all the applications. But with house prices falling and interest rates rising, a lot of big housebuilders are pulling back and reducing their output. They are selling off some of their big sites. Is this not the perfect moment, while prices are falling, to get a really big programme of social housing on the go? Let us have a real go at it now.

Lord Evans of Rainow (Con): I agree with the noble Lord. Our £11.5 billion affordable homes programme will deliver thousands of new homes across the country, and a large number of these will be for social rent. Local authorities have a key role to play in increasing the supply of social housing; in 2021-22 they delivered nearly 800,000 affordable homes, which represented 13% of the overall affordable housing delivery and the highest recorded number of local authority completions since 1991-92.

Baroness Taylor of Stevenage (Lab): My Lords, I welcome the noble Lord, Lord Evans, to the ever-growing DLUHC team in your Lordships' House. I grew up in a council house, so I know from personal experience

[BARONESS TAYLOR OF STEVENAGE]

that social housing should be treated as a national asset to be proud of, to invest in, to protect and to maintain. But local authorities have had little support under this Government to replenish our stock—the Minister outlined how much but it does not go very far. As over 1 million people are still stuck on social housing waiting lists, will the Government now look again at social housing policy and help local authorities to build more safe, secure houses?

Lord Evans of Rainow (Con): I too was born and bred for 25 years of my early life in a council house. Local authorities do a good job, but the noble Baroness is absolutely right that there is more to do. The Government have done a good job on affordable housing, but local authorities of all colours could do a lot more on affordable housing and social housing in particular. The council housing that I was brought up in was of very high quality and is still there today. The communities that it develops are long-standing, and we need to maintain them.

Lord Stunell (LD): My Lords, I welcome the Minister to his new role. Many local authorities and local planning authorities are in dire financial straits at the moment. Indeed, the Secretary of State has put a commissioner in to deal with the specific case of Birmingham City Council. In that case, the Secretary of State is setting the budget priorities of that local planning authority. What directive has been given to the commissioner by the Secretary of State to make sure that the priority of planning and housing development approvals in Birmingham proceeds at a smart pace in a timely and professional way?

Lord Evans of Rainow (Con): I am grateful to the noble Lord for his question on Birmingham and for the service that he gave to Hazel Grove over many years. I do not have a specific answer to his Birmingham City Council question because it is too recent and I do not have it in my pack, but I will write to him.

Baroness Manzoor (Con): My Lords, as my noble friend the Minister will know, SME builders are having a difficult time and are being priced out of the market because of high interest rates and difficulty borrowing money and getting funding in the first place. Can he say exactly what is being done to support these builders? Without them, England would be worse off.

Lord Evans of Rainow (Con): My noble friend is exactly right. SME builders bring some welcome colour and difference to housing design throughout the country, and it is very important that we have those independent SME builders. The Government are committed to supporting SME housebuilders: last year we launched the levelling-up home building fund, which is providing £1.5 billion of development finances to SMEs and builders to support them to build more homes. The Levelling-up and Regeneration Bill is making changes to support SMEs, making the planning process faster and more predictable so that they can plan ahead.

Baroness Butler-Sloss (CB): My Lords, why do the Government not require solar panels on all new buildings, particularly new houses and social housing? I ought to declare an interest: I put solar panels on my house in Devon in 2009.

Lord Evans of Rainow (Con): The noble and learned Baroness is absolutely right to point that out. There is currently no obligation on housebuilders in new developments but, as she rightly says, an increasing number of individuals are putting solar panels on to their own properties, as she has done. There is no specific requirement for all new housebuilding, but that does not prevent individual initiatives.

Lord Berkeley (Lab): My Lords, is the Minister aware that your Lordships' Built Environment Committee, of which I have the honour of being a member, is publishing a report today on the very Question asked by my noble friend? Will he guarantee to read the report in full? I think he will find that some of the comments and conclusions we have come to are slightly different from some of the responses he has given this morning.

Lord Evans of Rainow (Con): I am most grateful to the noble Lord. I will not guarantee that I will read all of the report, but I guarantee that I will read the report if he wishes to send me a copy. I will then report back to the department.

Armed Forces: Troop Levels *Question*

11.17 am

Asked by Baroness Anderson of Stoke-on-Trent

To ask His Majesty's Government what assessment they have made of current and expected future troop levels of the UK armed forces in relation to fulfilling their NATO obligations.

The Minister of State, Ministry of Defence (Baroness Goldie) (Con): My Lords, defence is committed to remaining a leading contributor to NATO. Our approach and force development are aligned to NATO's strategic concept and force requirements. We have committed almost all our Armed Forces to NATO in our strongest ever contribution. We will continue to offer NATO the full spectrum of defence capabilities, including our continuous at-sea nuclear deterrent and our cutting-edge cyber and space capabilities, as well as our conventional Armed Forces.

Baroness Anderson of Stoke-on-Trent (Lab): My Lords, I refer the House to my interest as an honorary captain of the Royal Navy as set out in the register. I thank the Minister for her Answer, but the Armed Forces' Pay Review Body states there are currently 40 delivery pinch points: the Army has 12, the naval service has 12, and the RAF reported none, but UK Strategic Command has 16. The situation is even worse when considering sustainability pinch points

related to future military objectives. Simply put, we do not have enough of the right people in the right places. Given our enhanced NATO commitment and the current geopolitical outlook in the Indo-Pacific, is the Minister really convinced that our recruitment and retention policies are working?

Baroness Goldie (Con): I pay tribute to the noble Baroness's support of the Royal Navy; it is a very welcome contribution. We know anecdotally that the pay increase awarded to the Armed Forces has been very positively received. The noble Baroness referred to recruitment, and I am not denying that it is a challenge: we are living in a very competitive job market. The Armed Forces are conscious of that. We have been reviewing the recruitment campaigns with very recent effect, and the new version of these campaigns is out now or going out imminently. We are also very clear that addressing pay and recruitment in themselves are not enough, and that is why we are looking at how we can better meld the job offer—the overall package to recruit applicants—to reflect better what life is like now in the workplace, hence the Haythornthwaite review, which is a very interesting and positive contribution to what we might be doing. The MoD is embracing its principal recommendations already.

Lord Robathan (Con): Does my noble friend not understand that one of the problems with serving in the Armed Forces at the moment is a perception that they are in part of a declining industry? This is not a new thing, but we are actually declining the Armed Forces at the moment by shrinking them. This is completely nuts. Does my noble friend consider that perhaps the new Secretary of State may take a look at this and say, “Well, with a war going on in Europe, it may be time to revisit the so-called refresh: we need troops; we need sailors, we need airmen, and we need to get them soon”? If you have a sense that the Armed Forces are going forward, then people will stay because they feel they are doing something worth while.

Baroness Goldie (Con): With the greatest respect, I slightly disagree with my noble friend and wish to disabuse him of the idea that there is some decline going on; there is not. In fact, the example that the UK has set globally in respect of our support for Ukraine has been universally admired. That is dependent on not just military donations, but also on the NATO support which we are able to provide. As my noble friend will be aware, we are playing our role in these NATO contributions, for example through JEF and EFP—now important both in the Baltic and the Balkans. But our concentration is on whole force, and that is how we have to look at the modern threat and the modern areas of conflict.

Baroness Smith of Newnham (LD): My Lords, the Question on the Order Paper is very much about troop numbers, not the wider defence offer. Could the Minister tell us whether 72,000 regulars really is sufficient? Should we not go back to at least 80,000? What is the whole force offer—is there a commitment to increasing the number of reserves, because we have not really seen that either?

Baroness Goldie (Con): When I refer to “whole force”, I am referring to the holistic contribution to our capability from our three Armed Forces and all our other ancillary areas of support. I think the mindset now has to be not of the size of any one individual service, because that is not how we are amalgamating and deploying the capability. That is not how we are now aligning with NATO and fitting into the new modernised, transformed NATO. For example, if you take troops in particular, and Future Soldier 2021, we have an Army force of 73,000 regulars and 30,100 reservists. We are satisfied that these, in conjunction with the investments we are making in armed capabilities, deep effects and sub-threshold capabilities, do enable the UK to continue to force generate and modernise an expeditionary land force, for example, as NATO demands.

Lord Sahota (Lab): My Lords, as has been raised from time to time by various newspapers and by some Sikh historians, given the fact that Sikhs have served diligently in the British Army in both world wars and have proven their loyalty and valour, and given that there is a large Sikh community in the UK, there is talk that the British Army may create a Sikh regiment in the future. Does the Minister know anything about that?

Baroness Goldie (Con): First, I do pay tribute to the very distinguished contributions that Sikhs have made in our British military history. In relation to the Armed Forces across the piece, we are blessed with—indeed, the Armed Forces are enhanced by—having members from many faith backgrounds. Our objective within MoD is absolutely to deliver proper inclusivity, because what all these representations from different faiths have in common is that they swear allegiance to the monarch and to uphold the safety and security of our country. That is a very strong bond that unites them all. We approach this on a holistic base: we take with pleasure all those who wish to contribute to our Armed Forces' endeavour and, yes, we are very proud to have contributions from all the faith communities.

Earl Attlee (Con): My Lords, we know that NATO is modernising its structures. How are we responding to this and updating our own structures?

Baroness Goldie (Con): My noble friend is quite correct that NATO has been on a journey of modernisation and transformation, and I think it is a very important journey. The combination of the new NATO force model, the defence investment pledge that was agreed at Vilnius and the NATO political guidance for 2023, in which the UK was a leading influence, represent a modernised, more muscular NATO, to which the UK pledges a full spectrum of capabilities. That includes nuclear, offensive cyber, special forces and space capabilities. For example, the UK was the first ally to offer offensive cyber capabilities to NATO.

Lord Reid of Cardowan (Lab): My Lords, like the men and women of the Armed Forces, the Minister has a great can-do attitude, which I admire. But is it

[LORD REID OF CARDOWAN]

not plain to any observer of events that there is a chronic discord between our foreign policy ambitions and the operational capability of our Armed Forces? We know that we have the smallest Army since the Napoleonic period. We have a tiny fleet. We have a shortage of aircraft, to the extent that we have an aircraft carrier that has only eight planes on it in its operations. Is it not time to have a genuine strategic defence review, in an attempt to bring our ambitions into line with our operational capability? Otherwise, we will just delude ourselves, as well as trying to delude others.

Baroness Goldie (Con): Well, I am not in the business of delusion, and I hope noble Lords will accept that. I think the integrated review, and then the integrated review refresh, followed by the defence Command Paper refresh, do actually align what our strategic policy objectives in terms of our foreign policy are, and the defence Command Paper refresh begins to fill out how MoD will support these objectives. We actually have two aircraft carriers which are the envy of many other global powers. When we put our F35s on to them, contrary to popular perception, what we put on to the aircraft carriers is the aircraft capability we need for the deployment the carrier is on. I said earlier that the capability in MoD may be just about unrecognisable to many people who were familiar with a different format. But to take the platitude that is often trotted out that we have the smallest Army since Napoleon, well, no wonder—in the time of Napoleon and Wellington, we sent thousands of people to the front line to be slaughtered or injured. Now, with technology, we thankfully do not have to do that. Future Soldier encompasses that very different vision and concept for how a modern military operates.

Cost of Living: Food Waste

Question

11.27 am

Asked by **Baroness Walmsley**

To ask His Majesty's Government what assessment they have made of the impact of the abandonment of mandatory food waste reporting on the cost of living.

Lord Harlech (Con): My Lords, I declare my farming and land management interests, as set out in the register. This Government are committed to reducing the amount of food we waste. Measuring food waste can lead to action to reduce it, and result in cost savings. However, whether such efficiencies would be passed to consumers is unclear, and within the purview of businesses themselves. It would cost an estimated £26,000 on average for a large company to start measuring food waste. These costs could be passed on to customers.

Baroness Walmsley (LD): My Lords, food is wasted and yet people go hungry. The Government's target to reduce food waste by 50% by 2030 cannot be achieved without data. Despite 80% of respondents to the consultation being in favour of mandatory reporting, the Government have decided to scrap it, saying it would

add cost, as the Minister has just said. But 99% of companies that invest in reducing food waste actually benefit economically. Will the Government therefore give themselves the best chance of achieving their own target, and increase redistribution of surplus food to people who need it, by implementing mandatory reporting of food waste, to include the whole supply chain and medium-sized companies, not just a few big ones?

Lord Harlech (Con): My Lords, nobody wants to see good food go to waste. It harms our environment and is bad for business. The UK is an international leader on tackling food waste; we are committed to meeting the target in UN sustainable development goal 12.3, which seeks to halve global food waste at consumer and retail levels by 2030. For unavoidable food waste, the Government's Environment Act will introduce a requirement for all local authorities and businesses in England to arrange for the collection of food waste for recycling. This will ensure that food waste can be treated through aerobic digestion or composting, delivering significant carbon savings over sending food waste to landfill.

Lord Deben (Con): Food waste is a big contribution to climate change. If you do not measure things, you do not do anything about it. A company that measures its food waste is much more likely to reduce its waste. Its cost of measuring will come out of its savings in food waste measurement. At the moment, the only companies that measure are those that are doing something about it. By excluding other companies and getting rid of the mandatory arrangements, the Government have made sure that companies that are not doing anything about it do not measure it and therefore do not know and will not do anything about it.

Lord Harlech (Con): My Lords, I have to disagree with my noble friend and the leading question posed by the noble Baroness earlier. We believe that the best way for companies to reduce food waste is the voluntary method we have set out in the road map. The surplus food and drink waste hierarchy is a priority scale for the use, recovery and disposal of surplus food and drink waste. At the top of the hierarchy is prevention, followed by redistribution to people in need, then animal feed, recycling in aerobic digestion plant and composting, followed by recovery of energy from waste plants. The least preferred options are disposal—for example, incineration—without energy recovery, and landfill.

Lord Watts (Lab): My Lords, the Minister says that the Government decided not to ask for that data because of the cost. Can he tell the House what the cost would have been?

Lord Harlech (Con): My Lords, I think I said in my opening Answer that it would cost an estimated £26,000 on average for a large company to start measuring food waste.

Lord Sherbourne of Didsbury (Con): My Lords, is it not welcome that so many companies are ending putting the sell-by date on food, which became a kind of tyranny for consumers who felt they had to throw

away food when they thought it was past its sell-by date, when in fact it was completely fresh? Is this not a forward and positive step?

Lord Harlech (Con): My Lords, I quite agree with my noble friend. This is all part of rethinking how we buy and use food. It is incumbent on all of us to buy what we need and use what we buy. This will help us drive down food waste and reduce cost for businesses and individual households.

Baroness D'Souza (CB): My Lords, I wonder whether the House will permit me to bring up an ancient gripe to do with the redistribution of surplus food from Parliament itself. I have been going at this for many years, talking to the catering department. There have been many objections, one of which is whether it would have to bear legal responsibility should some of the food be in any way imperfect. I found a wonderful organisation, whose name temporarily escapes me but begins with F, which is prepared to collect food at a convenient point, take legal responsibility and redistribute it, but I have had nothing back from the catering department. I wonder whether the Minister would be kind enough to take this back to the department and get back to me on why it is not possible to redistribute perfectly good food from this House and the other Chamber?

Lord Harlech (Con): My Lords, the noble Baroness is absolutely right, in that redistribution is a vital part of reducing food waste. Since 2015, overall levels of redistribution have increased threefold—worth in excess of £1.3 billion and more than 1 billion meals. I will take this back to the department to discuss what we can do with the catering service.

Baroness Hayman of Ullock (Lab): My Lords, the Minister talked about the cost to business, but the Government's impact assessment found that a very small reduction in food waste—just 0.25%—is enough to balance the cost of the mandatory reporting scheme and that a 1% reduction would save food businesses at least £24 million every year: significant cost savings that could help offset the substantial prices that consumers have faced over the past year and a half. Why do the Government continue to insist that this scheme, which is almost universally wanted, would introduce extra costs when those who would be subject to it say it would be good for business?

Lord Harlech (Con): My Lords, I think the noble Baroness stated the answer in her question. It makes good business sense for businesses to reduce their food waste and their costs, as that it is better for their bottom line, but we are not going to do something at the time of a cost of living crisis which could incur additional cost for consumers.

Baroness Bakewell of Hardington Mandeville (LD): My Lords, food is a necessity of life, not a luxury. For those struggling to feed their families, food waste, whether at the farm gate or on the supermarket shelf, is unacceptable. If the Government do not know the level of food waste, how will they ensure that food poverty is not increasing and that edible food is not going to landfill?

Lord Harlech (Con): My Lords, I sense we are going over the same ground a bit here, and I can only reiterate what I have said already. It makes good sense for businesses to reduce their food waste. However, the overwhelming amount of food waste in this country, 70%, comes from individual households. Therefore, it is about education and helping individual households and consumers to buy what they need, use what they buy and waste as little as possible.

Lord Kamall (Con): My Lords, if companies are saying that they believe that monitoring food waste is a good thing and they are making money from reducing food waste, why not just have a levy on companies to pay for that monitoring so we can all be happy?

Lord Harlech (Con): Levying sounds like something for the Treasury to think about.

Baroness Bennett of Manor Castle (GP): For the assistance of the House, I believe the noble Baroness, Lady D'Souza, was probably talking about FairShare. I hope the Minister is aware of the letter sent this week to the CEOs of the six largest supermarkets by #getfairaboutfarming. One of the requests in that letter is relevant to this Question as it asks supermarkets to buy what they have committed to buy. Farmers suffer major economic loss and a huge amount of food is wasted because supermarkets order food and then refuse to take it and put it on the shelves, so it rots in the fields. Are the Government going to force supermarkets to get fairer with farmers and with all the benefits of cutting food waste?

Lord Harlech (Con): I take the noble Baroness's point. As I said in my declaration of interests, I come from a farming background, so I think it is essential for farmers, many of whom are, in effect, small producers, to get a fair price for what they produce.

Lord Brooke of Alverthorpe (Lab): My Lords, when did the Government last advise the population that they should reduce their waste, and which Minister said it?

Lord Harlech (Con): My Lords, this is an ongoing public information campaign. Advertisements are placed in supermarkets, online and on social media. We are not in the business of mandating or telling people how much or how little to buy. We are in the business of advising people so that they save money and buy what they need for their households.

Sustainable Development Goals Summit *Question*

11.38 am

Asked by Lord McConnell of Glenscorrodale

To ask His Majesty's Government what action they intend to take following the Sustainable Development Goals Summit 2023 of the United Nations General Assembly.

Lord Mott (Con): My Lords, speaking at the UN SDG summit on Tuesday, the Deputy Prime Minister affirmed on the global stage the UK's strong commitment to the sustainable development goals and the actions needed to deliver them by 2030. The UK's forthcoming international development White Paper will set out our vision for global development that delivers on the sustainable development goals of poverty reduction, economic growth and tackling climate change. It will build on our commitments outlined in the international development strategy and integrated review refresh.

Lord McConnell of Glenscorrodale (Lab): I thank the Minister for that Answer. In 2005, when the millennium development goals were off-track and falling behind, then Prime Minister Tony Blair convened the G8 at Gleneagles in order to get the millennium development goals back on track and to ensure that the wider global community committed to action to deliver them. In 2015, then Prime Minister David Cameron chaired the group that wrote and set up the sustainable development goals and put them to the General Assembly for approval. In 2023, Prime Minister Sunak has decided not even to attend, and I think that has shamed the United Kingdom globally at an important time, half way towards 2030. However, the UK agreed the declaration at the assembly on Tuesday which called for accelerated action on climate change. Why did the Prime Minister take his foot off the accelerator yesterday and put his foot on the brake?

Lord Mott (Con): I thank the noble Lord for that question and pay tribute to him for his work as co-chair of the APPG on the United Nations Global Goals for Sustainable Development. It is not uncommon for Prime Ministers not always to attend this particular summit. In the last 20 years there have been eight separate occasions when the British Prime Minister has not attended. We sent a high-level delegation, led by the Deputy Prime Minister, and a number of members of the Government, particularly from the FCDO. On the noble Lord's point about climate change, since 2011, UK international climate finance investments have helped 95 million people to cope with the effects of climate change, provided 58 million people with improved access to clean energy, reduced or avoided 60 million tonnes of greenhouse gas emissions and leveraged £5.2 billion of private finance.

Lord Howell of Guildford (Con): Does my noble friend agree that, while these goals and targets are splendid, there is the small matter of what the UN can do to improve its effectiveness in seeing that they come about? Does he agree with President Zelensky, who remarks that, with Russia about to become chair of the Security Council, the UN in its present form is proving relatively toothless? Is it not time for those who see this, including the British Government, to speak up more clearly about how the much-needed reform of the UN can be brought about so that it is more effective in dealing with today's problems, not just security problems?

Lord Mott (Con): My noble friend makes an important point. It would be wrong for me to stand here today and go into too much detail on the question that

he has asked, but I will certainly take it back to the department and ensure that he gets a full answer.

Lord Collins of Highbury (Lab): I think the noble Lord, Lord Howell, is absolutely wrong: the SDGs are not the responsibility of the United Nations but the responsibility of every country, every citizen and every private company. They are universal in nature. What my noble friend was trying to highlight is that political leadership is required. The political declaration that was agreed at the high-level political forum committed to targeted measures to eradicate poverty, but we have 745 million more people facing hunger than when the SDGs were agreed, so we are off target. We need political commitment. Can the Minister explain how the recent announcement of easing access to development finance meets the aspirations within the SDGs? We need more political leadership.

Lord Mott (Con): I agree with the noble Lord, Lord Collins of Highbury, about the need for everyone to take ownership and work in partnership. The word "partnership" has certainly come up in the last few weeks in your Lordships' House. With regard to the need to press on and leadership, the Prime Minister was recently at the G20 where he talked to international colleagues and partners, and he continues to do so. If I may focus on food security and our humanitarian response for a second, the UK will invest over £370 million in global food security this year, including £130 million in the World Food Programme, and over £17 million of this funding will help to improve the effective use of fertiliser and increase food production in vulnerable countries.

Lord Purvis of Tweed (LD): My Lords, unlike France, which is now meeting its 0.7% commitment and expanding support across all 17 of the SDG targets, the UK is cutting across all 17, including over half of its commitment to water and sanitary health, women's and girls' support, and hunger relief. Is our economy far worse than that of France, meaning that we cannot afford it, or is that a political choice by the Conservative Government?

Lord Mott (Con): The noble Lord makes a powerful point. The one thing I would say in response is that we have continued to honour our commitments. We have helped educate more than 8 million of the world's most vulnerable girls since 2015, and hosted the 2022 Preventing Sexual Violence Initiative Conference, to end conflict-related sexual violence. Our international women and girls strategy commits to at least 80% of the FCDO's bilateral aid programmes focusing on gender equality by 2030, which is vital for delivering the SDGs.

Baroness Hayman (CB): My Lords, returning to the point made by the noble Lord, Lord McConnell of Glenscorrodale, yesterday the Prime Minister rowed back—not, he assured us, on the targets, but on the actions that would help us to achieve those targets. However, from New York the message was very clear, and we were party to it, that no country had done enough and every country had to do more. What effect will this have on our international standing as a leader on climate change?

Lord Mott (Con): It was clear from the Prime Minister's announcement yesterday, and from my noble friend Lord Callanan at this Dispatch Box at Questions yesterday, that the Government remain committed. With regard to our international standing, our record speaks for itself. We are investing \$200 million in hydro-power across Africa with Norway, providing enough clean energy to meet the energy needs equivalent to over 3 million people. The new Just Energy Transition Partnerships will mobilise \$20 billion and \$15.5 billion of financing to Indonesia and Vietnam respectively to help them move away from fossil fuel dependency while protecting communities and livelihoods.

Baroness Altmann (Con): My Lords, with the indulgence of the House, I would like to move us back to sustainable development within the UK, which is an important issue if we are to have global leadership. Does my noble friend agree that we need to encourage more domestic pension fund money to be invested in these areas? Will he take back to his department, as well as liaising with the Treasury about this, the fact that, currently, many pension funds that would want to invest in UK sustainable projects, such as wind farms, solar farms and alternative energy or infrastructure, are being hampered by the crisis that has developed in the investment trust market, whereby many of the funds seem to have been unable to raise any finance? I hope my noble friend will look into that issue with urgency.

Lord Mott (Con): I thank my noble friend for her question. I will continue the trend that I started earlier: when I do not understand or do not have complete information about a question, I will take it back to the department. I think I will take her question back to the department and to the Treasury to ensure that she gets a full response in a timely fashion.

Baroness Hayman (CB): My Lords, I apologise for not declaring my interests when I spoke.

Nagorno-Karabakh *Private Notice Question*

11.48 am

Asked by The Lord Bishop of Chichester

To ask His Majesty's Government what representations have been made to the government of the Republic of Azerbaijan concerning the military action against Nagorno-Karabakh.

The Earl of Courtown (Con): My Lords, Tuesday brought devastating news of the resumption of armed conflict in Nagorno-Karabakh. The Government urge Azerbaijan to cease military action and return to peaceful dialogue. Violence is never the answer. Yesterday details emerged of a ceasefire. We call on parties to respect this and encourage Baku to continue talks with the local population on a settlement that protects the security of all and enables the humanitarian needs of residents to be met.

The Lord Bishop of Chichester: I thank the Minister for his response. Although we welcome the news of a ceasefire, we are still uncertain as to the intentions of Azerbaijan's involvement in this area. We are also aware of evidence that many Armenian civilians appear to have taken refuge in Khojaly Airport, including over 1,000 children. This attack on the independence of a people who have an often-overlooked history of devastating bloodshed will traumatised a future generation. The provision of their safety and right to land and independence is now an urgent priority.

The events in Nagorno-Karabakh might be described as ethnic cleansing. Will the Minister ensure that the Foreign Office understands that this is also a matter of religion and faith, risking the danger of further martyrdom for a people and a Church already familiar with that experience, and touching the congregations of many Armenian Christians domiciled here in the United Kingdom?

The Earl of Courtown (Con): My Lords, I could not agree more with the right reverend Prelate. As he is aware, the situation is unclear at present. That is why we are pushing so hard for talks and a lasting peace. He also mentioned the relationship to faith. I will of course make that clear to my noble friend Lord Ahmad, who is at the United Nations.

Lord Anderson of Swansea (Lab): My Lords, Azerbaijan appears to be adding to the territorial gains it made after its victory in the 2020 war against Armenia. In the view of the Government, will the ceasefire—brokered by Russia after the failure of the US and EU in this regard—hold? Will the claims of Azerbaijan that it will now seek the integration of Armenian nationals be likely to be resolved? Will the Government urge the Azeri Government to seek the reconciliation of all groups in Nagorno-Karabakh?

The Earl of Courtown (Con): The noble Lord mentions reconciliation and is quite right on that issue. There have to be talks between the parties, a lasting peace, a cease of violence, and humanitarian access. The points he makes are well made.

Lord Purvis of Tweed (LD): My Lords, I associate myself with the noble Earl's words regarding the further tragic deaths just this week. Will he agree that part of the UK's assistance could be in technical support for peacebuilding work? There is likely to be further huge movement of individuals. There is uncertainty as to who will be the guarantors of the security and there is confusion over the role of Russia and the former peacekeepers. The UK can play an important role in this, so I hope we are offering that.

The Earl of Courtown (Con): The noble Lord makes some good points. As he is aware, Russian peacekeepers are there, but Azerbaijan's ability to conduct a military operation in full sight of them shows how committed Moscow is to peace and security in this area. This is an ongoing situation and the position is unclear, but we are making every effort to make representations. As I said earlier, my noble friend Lord Ahmad is at the

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UN. There is a UN Security Council meeting later today, where he will make these points. Later in the week, he has meetings with Foreign Ministers from that area, particularly the Foreign Minister of Azerbaijan.

Baroness Cox (CB): My Lords, I was in Armenia and at the border of Nagorno-Karabakh last week. I would like briefly to raise three concerns from personal experience. First, Azerbaijan has trapped the Armenians of Nagorno-Karabakh inside the region for many months; it has blockaded the so-called Lachin corridor, which is the only road from Armenia into Nagorno-Karabakh. Not only that but it has prevented food and medical supplies entering, and people have started dying of starvation. Secondly, in recent military offensives Azerbaijan has targeted civilians. Civilians have been killed, including a child, and many have been wounded. That is a very serious violation of human rights and may be a crime against humanity. Thirdly, I witnessed Azerbaijan's invasion of Armenia. I was in Armenia and saw Azeri settlements on Armenian hillsides. A few kilometres from Goris, there is an Azeri settlement which is visible from the town.

I ask the Minister if he will be able to raise with appropriate sources the suffering inflicted by Azerbaijan on the Armenian people and the potential crimes against humanity. I also ask if he will respond appropriately to the need of the Armenian people for protection against the infliction of military offences and crimes against humanity in Nagorno-Karabakh.

The Earl of Courtown (Con): It is always good to hear the experiences of the noble Baroness. The points she makes are well founded and there are many concerns. It is particularly right and proper that my noble friend Lord Ahmad is at the UN this week; as noble Lords know, he is the Human Rights Minister. The noble Baroness also mentioned the Lachin corridor which, as she correctly said, was used for fuel and goods to be taken into the area and is now closed; it has been closed since December. There are considerable humanitarian problems faced by the population there now.

Lord Collins of Highbury (Lab): My Lords, on that point, France called for the meeting of the Security Council under Article 35, which will take place this afternoon, to address this escalation. Can the Minister outline how we at the United Nations will support a negotiated solution through the OSCE Minsk Group at today's briefing? How exactly is the United Kingdom supporting efforts for the permanent lifting of the blockade of the Lachin corridor?

The Earl of Courtown (Con): The noble Lord makes some very good points. As he pointed out, the French, the EU and US have been hugely busy over the last few days on this. The US and EU have been large actors over the last year in facilitating meetings between the different parties. This is a difficult issue but, as I said earlier, at the OSCE yesterday and at the Security Council later today my noble friend will be making those points. Once he returns from the UN I will ask him if he could inform the noble Lord of any progress.

Lord McInnes of Kilwinning (Con): My Lords, I thank my noble friend for his comprehensive record of the actions that the UK is going to be taking this afternoon. Could I add to his list of requests to my noble friend Lord Ahmad that he press on him the urgency of action on this issue, to alleviate the concerns of people on the ground? The situation is really determined by demography. As we speak, thousands of ethnic Armenians are leaving Nagorno-Karabakh to Russia, which will then upset the balance within the region.

The Earl of Courtown (Con): My noble friend Lord McInnes is quite right. The important things here, as I said earlier, are to end hostilities, commit to talks with the Armenian people in Nagorno-Karabakh, stop acts of violence and ensure that humanitarian access is brought to this area.

Lord Reid of Cardowan (Lab): My Lords, can the Minister pay particular attention to the constructive proposals and suggestions of the noble Lord, Lord Purvis? The problems in Nagorno-Karabakh are intractable and have gone on for many years: I remember visiting the front between Azerbaijan and Armenia as far back as the 1990s. But there have been other intractable problems in the world, not least in places like Colombia and Northern Ireland, where we have particular expertise—that is an 800 year-old problem. Have the Government already offered, or do they intend to offer, some practical assistance to the process of reconciliation? It may be too early for that but it is never too early to make the offer, because there is a reservoir of experience and talent in this country arising out of the Northern Ireland peace process. Of course there is no template that can just be moved on to Nagorno-Karabakh but, nevertheless, the essential elements of that and the Colombian and other reconciliation processes mean that we are in a position to offer constructive assistance.

The Earl of Courtown (Con): As the noble Lord said, if we can get reconciliation between the parties, we will go a long way towards resolving some of this crisis. He commented on the process and, as I said, our position at the moment is that the US, the EU and France are taking the lead for a number of reasons, as he will be aware. But we will of course be there to offer any aid we can, and it will be interesting to hear what my noble friend Lord Ahmad has managed to achieve at the UN.

Lord Howell of Guildford (Con): Let us remember that one more intractable problem is the existence in Baku of thousands of displaced Azerbaijanis from the original struggle. They have lost their lands and are living in extreme poverty and difficulty and, understandably, are putting on pressure to get back and reclaim their properties. That is one more angle that is important for our Ministers to remember at the United Nations. Also, of course, Azerbaijan has been a good and supportive friend of the United Kingdom and vice versa, and it is important in the overall geopolitics of the region. We should bear that in mind as well. There is injustice and justice on both sides; that is why the problem is intractable.

The Earl of Courtown (Con): There is not a great deal more that I can add to what my noble friend said. I agree.

Lord Alton of Liverpool (CB): My Lords, notwithstanding the noble Earl's answers, is he aware of reports only this morning, from Stepanakert, the capital Nagorno-Karabakh, that street fighting is still going on despite the ceasefire announced yesterday? Does he not agree with the points being made across the House that verification of these things is pretty crucial? Have we set in motion the sending of diplomats or observers to see for ourselves what has been happening in the Lachin corridor and now in Nagorno-Karabakh? As the noble Lords, Lord Collins and Lord Purvis, asked, at the United Nations Security Council later today, will we reinforce the call not for Russian peacekeepers—the noble Earl mentioned their inadequacy—but for an international peacekeeping mission and a mandate to require that to be established?

The Earl of Courtown (Con): My Lords, the noble Lord mentioned the ceasefire. I had a call on this half an hour ago from the department and, as I understand the situation, we feel that the ceasefire is holding at the moment, and we hope it continues to do so. He mentioned other factors, which are all really important in the whole scale of things. I will of course bear them in mind and make sure that the department is aware of them.

Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2023

Local Elections (Northern Ireland) Order 2023

Representation of the People and Recall Petition (Northern Ireland) (Amendment) Regulations 2023

Motions to Approve

12.04 pm

Moved by Lord Mott

That the draft Regulations and Order laid before the House on 6 July and 4 September be approved.

Relevant documents: 47th and 51st Reports from Secondary Legislation Scrutiny Committee. Considered in Grand Committee on 19 September.

Motions agreed.

Misuse of Drugs Act 1971 (Amendment) Order 2023

Motion to Approve

12.04 pm

Moved by Lord Davies of Gower

That the draft Order laid before the House on 5 September be approved.

Relevant document: 51st Report from the Secondary Legislation Scrutiny Committee (special attention drawn to the instrument). Considered in Grand Committee on 19 September.

Motion agreed.

Levelling-up and Regeneration Bill

Third Reading

Relevant documents: 24th, 39th and 41st Reports from the Delegated Powers Committee. Scottish, Welsh and Northern Ireland Legislative Consent sought.

12.05 pm

Motion

Moved by Earl Howe

That the Bill be now read a third time.

The Lord Privy Seal (Lord True) (Con): My Lords, I have it in command from His Majesty the King and His Royal Highness the Prince of Wales to acquaint the House that they, having been informed of the purport of the Levelling-up and Regeneration Bill, have consented to place their interests, so far as they are affected by the Bill, at the disposal of Parliament for the purposes of the Bill.

Earl Howe (Con): My Lords, before we begin Third Reading, I will make a statement on legislative consent. A small number of the provisions in the Levelling-up and Regeneration Bill apply to England and Wales, and a number also apply to Scotland and/or Northern Ireland. There are, as a consequence, provisions in the Bill that engage the legislative consent process in the Scottish Parliament, Senedd Cymru and the Northern Ireland Assembly. Throughout the preparation and passage of the Bill, we have worked closely with each of the devolved Administrations, and I pay tribute to officials and Ministers in Scotland, Wales and Northern Ireland for their constructive engagement and support.

I am pleased to report that the Welsh Government have issued legislative consent support for the Bill in principle. They will hold their legislative consent vote in the Senedd in October. We will continue to engage the Scottish Government to endeavour to reach an agreement so that they are able to recommend that legislative consent be given by the Scottish Parliament.

Due to the continued absence of the Northern Ireland Assembly and Executive, a legislative consent Motion cannot, in that case, be secured. I reassure noble Lords that the Government will continue to engage with officials from the Northern Ireland Civil Service, as well as the Northern Ireland Executive once it is sitting.

With the leave of the House, on behalf of my noble friend Lady Scott of Bybrook and at her request, I beg to move that the Bill be now read a third time.

Clause 157: Power to specify environmental outcomes**Amendment 1****Moved by Earl Howe**

1: Clause 157, page 183, line 14, at end insert “(including, amongst other things, the protection of chalk streams from abstraction and pollution)”

Member’s explanatory statement

This amendment fulfils an undertaking made at Report stage and clarifies that the definition of “environmental protection” includes the protection of chalk streams from abstraction and pollution.

Earl Howe (Con): My Lords, I will also speak to the other amendments in the name of my noble friend Lady Scott of Bybrook. On Report, my noble friend Lord Trenchard tabled an amendment on chalk streams that highlighted their special status and the passion across the House for protecting these habitats further. Although we supported the intent of the amendment, we needed to fix some technical issues within the drafting. We committed to bring forward an amendment at Third Reading to provide clarity and reassurance on chalk streams in the context of environmental outcomes reports.

Therefore, Amendments 1 and 2 would include chalk streams in the definitions of “environmental protection” and “natural environment”. This means that, when setting the outcomes that will drive the new regime, the Government can ensure the protection of chalk streams, including from the effects of physical damage, abstraction and pollution. I thank my noble friend for working with us on this amendment to improve the health of England’s chalk streams.

Following the Government’s statement during the previous stage of the Bill, I am bringing forward Amendment 9, which relates to national parks and areas of outstanding natural beauty, collectively known as “protected landscapes”. This amendment addresses the issues raised on Report by my noble friend Lord Randall of Uxbridge. It will enhance protected landscape management plans and bolster the contribution of partners to help deliver them, ensuring better outcomes for people and nature. As home to some of our most iconic and beautiful places, protected landscapes are crucial delivery partners that are at the heart of our work to unleash rural prosperity and create a network of beautiful and nature-rich spaces that can be enjoyed by all parts of society.

We have made technical drafting amendments to ensure that the amendment operates correctly in practice. This includes amending the individual Acts to strengthen the duty on relevant authorities to contribute to delivery of the purposes of protected landscapes and creating a power to make regulations. The Secretary of State now has the power to bring forward these regulations, and the Government are committed to doing so in a timely manner. I know this is an issue dear to many noble Lords, including my noble friend Lord Randall, who has worked tirelessly on this matter. As such, I hope that noble Lords will lend support to this amendment.

I turn to Amendments 3, 4, 10, 11 and 16 to 54. As noble Lords will recall, this House was not content to accept government Amendments 247YY and 247YYA on Report, which related to nutrients. It is therefore

necessary for the Government to reverse any amendments that were consequential on Amendments 247YY and 247YYA, and to fill legislative gaps that have arisen due to Amendments 247YY and 247YYA not being agreed to. This includes amendments which will provide a clear link between new Section 96G of the Water Industry Act, which enables water companies to take a catchment-permitting approach when upgrading wastewater treatment works, and new Regulations 85A, 85B and 110A in the habitats regulations, which direct local planning authorities to assume that the proposed upgrades are certain for the purpose of planning decisions.

The Government have also tabled minor and technical Amendments 10 and 11. Clause 256 of the Bill changes all references to “retained direct EU legislation” in this Bill to “assimilated direct legislation” in line with Section 5 of the retained EU law Act, as that Bill received Royal Assent during the passage of the Levelling-up and Regeneration Bill. One of these references was to the draft amendments concerning nutrient neutrality that were defeated by a vote in the House of Lords on 13 September. This amendment removes the reference.

Noble Lords will recall that we agreed amendments on Report in the name of my noble friend Lord Moylan, in relation to a road user charging scheme in London. The effect will be to enable London borough councils that are meeting their air quality standards and objectives under the Environment Act 1995, or have an approved plan to do so, to opt out of certain road user charging schemes proposed by Transport for London. This is a focused, sensible and proportionate rebalancing of mayoral powers with borough interests in the capital.

This group of government amendments is minor and technical in nature, but they are important none the less. The collective effect of Amendments 5, 7 and 8 is to clarify the eligibility of relevant London borough councils seeking to opt out of certain future road user charging schemes. They improve the drafting by ensuring that the provisions cover each case that could arise in relation to a London borough council. For example, where a council was eligible when it first gave notice but subsequently became ineligible on account of the introduction of an air quality management area, it will have the opportunity to submit an alternative plan during the opt-out period, thereby opening up the opportunity to become potentially eligible again. The collective effect of Amendments 13 and 14 is to correct the extent of Clause 253 so that it extends to England, Wales and Scotland, reflecting the extent of the Greater London Authority Act 1999, which it amends. The concept of application is distinct from that of extent—and these provisions will, of course, in practice apply only to London.

Lastly, Amendment 6 will ensure consistency in the language used and avoid any potential misunderstanding that opt-out notices can be given outside of the defined 10-week opt-out period. I beg to move.

The Earl of Caithness (Con): My Lords, first, I ask my noble friend to send our best wishes to our noble friend Lady Scott of Bybrook. Secondly, I thank him very much for honouring the commitment made by the noble Lord, Lord Benyon, with regard to Amendments 1 and 2 on chalk streams, on behalf of my noble friend

Lord Trenchard, who apologises for not being here himself. We are particularly grateful that this has happened, and I am equally grateful that nutrient neutrality is as it was. On the one hand, the Government were going to protect chalk streams but, on the other hand, they were going to increase pollution. So, I think that chalk streams have a better chance now and I am grateful to my noble friend.

12.15 pm

Lord Randall of Uxbridge (Con): My Lords, I want to thank the Government and in particular my noble friend Lord Howe, the Minister. It is an interesting symmetry that he is the one proposing the amendment on areas of outstanding natural beauty in national parks, as my forebears came from the Chilterns—although I have a feeling that we were more tenant farmers than anything else. So we share a common love of these areas.

I give grateful thanks that this has been a cross-party campaign, with a lot of help from Wildlife and Countryside Link—and, of course, the Glover review. I pay particular tribute to the noble Baronesses, Lady Jones of Whitchurch and Lady Willis of Summertown, for helping me by moving some of the amendments earlier, when I was still ill, and I thank the Government for seeing sense on this. There is more to do on preserving our wonderful landscapes—we will be talking about protection of SSSIs in more depth whenever I get the opportunity. But I am going to stick there and thank the Government, and everybody else, very much indeed for making this happen.

Baroness Jones of Whitchurch (Lab): My Lords, first, I remind noble Lords of my interest in the South Downs National Park. I add my welcome to that of the noble Lord, Lord Randall, for government Amendment 9, which fulfils the commitment that was made on Report to take the rather weak phraseology of public bodies “having regard to”, which we knew in practice was not working, to a much stronger phraseology—that public bodies should “further the interests and statutory purposes” of national parks. It sounds technical, but it makes a big difference in practice. The fact that that is linked to management plans and the targets and so on really helps make sure that those processes will work in tandem and will be in force.

Of course, the new government amendment changes the wording that we had in our amendment on Report, which said that the Secretary of State “must” make regulations—and now we have the normal government fall-back phrase of “may” make regulations. I take it in good heart from the Minister that the government intent is here, and we do not need to worry too much about “must” being replaced by “may”. I hope that the Government’s intent is properly made in good faith.

The Minister talked about the timing of the regulations and doing this in a timely manner—and that could hide a thousand sins. So I shall not be the first person to push him a little bit and say, “What is this timely manner? Can we expect something this side of Christmas, or will it drift on beyond that?” Any further light he could shed on that would be much appreciated.

The noble Lord, Lord Randall, made reference to the Glover review. There are other issues that are outstanding from that review. I hope that the Minister

can give some commitment to continuing to look again at those recommendations and find ways in which to roll out those recommendations so that we have a complete picture and substance from Glover, which, as the noble Lord, Lord Randall, said, was widely praised across all parties.

There continues to be a weakness in legislation relating to national parks, in terms of their power of competence, which prevents national parks operating outside their borders. This matters, because national parks increasingly operate in partnerships across wider landscapes than their own borders. The current legislation prevents many of the opportunities that they would have to work in broader partnerships and to take up opportunities.

To take one example of that, in the South Downs we are leading on the development of the green finance initiative, but the legal limits on our scope and powers prevent us providing green finance support to our neighbouring areas of outstanding natural beauty. There is a problem with the terminology and phraseology of the current legislation. I do not suppose that the Minister will feel able to give any commitments on this now, but I hope that he will continue the dialogue to look at ways to address this. Everybody would accept that more—and broader—partnerships, particularly in terms of the local landscape review, would be really effective.

In the meantime, I very much welcome Amendment 9 and I am pleased to support it.

Baroness Bakewell of Hardington Mandeville (LD): My Lords, I also thank the Minister for his introductory comments. Amendments 1 and 2 on chalk streams are to be welcomed and I thank the noble Viscount, Lord Trenchard, for his work on this and for pursuing it to make absolutely certain that the Government saw its importance. I am sure that if my late noble friend Lord Chidgey were here, he would also welcome this, as he was a great champion of chalk streams.

The amendments on national parks give security to protected landscapes and assist those who run them in ensuring that they are preserved for generations to enjoy. I support the comments of the noble Baroness, Lady Jones of Whitchurch, on national parks not being able to work outside their boundaries. I hope that the Government will look at this and perhaps reconsider.

Amendments 3, 10, 11 and 16 to 24 on the nutrients issue are all consequential tidying-up amendments, but they are to be welcomed. I thank the Minister and the Government for their work on this and for what seems a sensible way forward.

Earl Howe (Con): My Lords, I am grateful to all noble Lords for their welcome for these amendments. I note the comments of the noble Baroness, Lady Jones of Whitchurch, in particular. On the specific question that she asked about the meaning of “in a timely manner”, I fear I cannot go much further than that except to express the Government’s full intention to bring these provisions into operation as soon as we are ready to do so and as soon as the regulations have been drafted. If there is anything further that I can tell her, having received further advice, I will of course write to her.

The Lord Bishop of Chichester: My Lords, before the debate concludes, I speak briefly on behalf of my right reverend friend the Bishop of Bristol to record thanks to the noble Baroness, Lady Scott of Bybrook, for all the constructive work that is represented in this Bill and to assure the noble Baroness—

The Deputy Speaker (Lord Russell of Liverpool) (CB): I think the right time to speak is at the next stage of the business when we move that the Bill do now pass and have valedictory comments.

Amendment 1 agreed.

Amendment 2

Moved by Earl Howe

2: Clause 157, page 183, line 23, at end insert “(including, amongst other things, chalk streams)”

Member’s explanatory statement

This amendment fulfils an undertaking made at Report stage and clarifies that the definition of “natural environment” includes chalk streams.

Amendment 2 agreed.

Clause 173: Nutrient pollution standards to apply to certain sewage disposal works

Amendment 3

Moved by Earl Howe

3: Clause 173, page 206, line 9, at end insert—

“(iv) where a direction relating to the plant and the related nutrient pollution standard is made or revoked under regulation 85C or 110B of the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) (disapplication of assumption that the plant will meet the standard on and after the upgrade date or applicable date), that fact and the date on which the direction or revocation takes effect;”

Member’s explanatory statement

This amendment reinstates the requirement on the Secretary of State to maintain and publish online a document including the dates on which any direction or revocation made under the Conservation of Habitats and Species Regulations 2017 and relating to a particular plant takes effect. The requirement was removed at Report stage in connection with other amendments that were not agreed.

Amendment 3 agreed.

Clause 174: Planning: assessments of effects on certain sites

Amendment 4

Moved by Earl Howe

4: Clause 174, page 211, line 4, leave out from the first “to” to end of line 6 and insert “require certain assumptions to be made in certain circumstances about nutrient pollution standards (see section 173).”

Member’s explanatory statement

This amendment reinstates the wording in Clause 174 introducing Schedule 16, which was amended at Report stage in connection with other amendments that were not agreed.

Amendment 4 agreed.

Clause 253: Road user charging schemes in London

Amendments 5 to 8

Moved by Earl Howe

5: Clause 253, page 295, line 30, leave out from “that” to “and” in line 31 and insert “is an ineligible council (whether or not that council was an ineligible council at the time the opt-out notice was given)”

Member’s explanatory statement

This amendment amends Clause 253 (road user charging schemes in London), which enables London borough councils to opt out from certain road user charging schemes, to improve the drafting by ensuring that the provisions cover each case which could arise in relation to a London borough council.

6: Clause 253, page 295, line 39, after “given” insert “within the opt-out period”

Member’s explanatory statement

This amendment makes a minor change to Clause 253 (road user charging schemes in London) to improve the drafting by ensuring consistency in the language used.

7: Clause 253, page 295, line 42, leave out from “that” to end of line 43 and insert “is an ineligible council (whether or not that council was an ineligible council at the time the opt-out notice was given)—”

Member’s explanatory statement

This amendment amends Clause 253 (road user charging schemes in London), which enables London borough councils to opt out from certain road user charging schemes, to improve the drafting by ensuring that the provisions cover each case which could arise in relation to a London borough council.

8: Clause 253, page 296, line 4, leave out from “plan” to end of line 6 and insert “and the plan has been rejected under that paragraph, and”

Member’s explanatory statement

This amendment is consequential on the amendment in the Minister’s name to Clause 253, page 295, line 42 (road user charging schemes in London).

Amendments 5 to 8 agreed.

Amendment 9

Moved by Earl Howe

9: After Clause 253, insert the following new Clause—

“Protected landscapes

- (1) The National Parks and Access to the Countryside Act 1949 is amended in accordance with subsections (2) and (3).
- (2) In section 4A (application of Part 2 of Act to Wales), after subsection (2) insert—
 - “(3) Subsection (1) does not apply in relation to section 11A(1A) or (1B) (duty to further statutory purposes of National Parks in England).”
- (3) In section 11A (duty to have regard to purposes of National Parks)—
 - (a) in the heading, for “to have regard” substitute “in relation”;
 - (b) after subsection (1), insert—

“(1A) In exercising or performing any functions in relation to, or so as to affect, land in any National Park in England, a relevant authority other than a devolved Welsh authority must seek to further the purposes specified in section 5(1) and if it appears that there is a conflict between those purposes, must attach greater weight to the purpose of

conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.

(1B) In exercising or performing any functions in relation to, or so as to affect, land in any National Park in England, a devolved Welsh authority must have regard to the purposes specified in section 5(1) and if it appears that there is a conflict between those purposes, must attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.”;

(c) in subsection (2), after “Park”, in the first place it occurs, insert “in Wales”;

(d) after that subsection, insert—

“(2A) The Secretary of State may by regulations make provision about how a relevant authority is to comply with the duty under subsection (1A) (including provision about things that the authority may, must or must not do to comply with the duty).”

(e) after subsection (5), insert—

“(5A) In this section, “devolved Welsh authority” has the same meaning as in the Government of Wales Act 2006 (see, in particular, section 157A of that Act).”

(4) After section 66 of the Environment Act 1995 (national park management plans), insert—

“66A National Park Management Plans (England): further provision

(1) The Secretary of State may by regulations make provision—

(a) requiring a National Park Management Plan for a park in England to contribute to the meeting of any target set under Chapter 1 of Part 1 of the Environment Act 2021;

(b) setting out how such a Management Plan must contribute to the meeting of such targets;

(c) setting out how such a Management Plan must further the purposes specified in section 5(1) of the National Parks and Access to the Countryside Act 1949.

(2) The Secretary of State may by regulations make provision—

(a) requiring a relevant authority other than a devolved Welsh authority to contribute to the preparation, implementation or review of a National Park Management Plan for a park in England;

(b) setting out how such a relevant authority may or must do so.

(4) In this section—

“devolved Welsh authority” has the same meaning as in the Government of Wales Act 2006 (see, in particular, section 157A of that Act);

“relevant authority” has the same meaning as in section 11A of the National Parks and Access to the Countryside Act 1949.

66B Regulations under section 66A: procedure etc

(1) The power to make regulations under section 66A—

(a) is exercisable by statutory instrument;

(b) includes power to make different provision for different purposes or different areas;

(c) includes power to make incidental, supplementary, consequential, transitional, transitory or saving provision.

(2) A statutory instrument containing regulations under section 66A is subject to annulment in pursuance of a resolution of either House of Parliament.”

(5) The Countryside and Rights of Way Act 2000 is amended in accordance with subsections (6) to (10).

(6) In section 85 (general duty of public bodies etc)—

(a) before subsection (1), insert—

“(A1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

(A2) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a devolved Welsh authority must have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.”;

(b) in subsection (1), after “beauty”, in the first place it occurs, insert “in Wales”;

(c) after that subsection, insert—

“(1A) The Secretary of State may by regulations make provision about how a relevant authority is to comply with the duty under subsection (A1) (including provision about things that the authority may, must or must not do to comply with the duty).”

(d) in subsection (3), after “(2)—” insert—

““devolved Welsh authority” has the same meaning as in the Government of Wales Act 2006 (see, in particular, section 157A of that Act);”.

(7) In section 87 (general purposes and powers)—

(a) before subsection (1) insert—

“(A1) It is the duty of a conservation board established in relation to an area in England, in the exercise of their functions, to seek to further—

(a) the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty, and

(b) the purpose of increasing the understanding and enjoyment by the public of the special qualities of the area of outstanding natural beauty,

but if it appears to the board that there is a conflict between those purposes, they are to attach greater weight to the purpose mentioned in paragraph (a).”;

(b) in subsection (1), after “board”, in the first place it occurs, insert “established in relation to an area in Wales”;

(c) in subsection (2), for the words from “while” to “(1)” substitute “whilst fulfilling their duties under subsection (A1) or (1) (as the case may be)”.

(8) In section 90 (supplementary provisions relating to management plans), after subsection (2) insert—

“(2A) The Secretary of State may by regulations make provision—

(a) requiring a plan under section 89 relating to an area of outstanding natural beauty in England to contribute to the meeting of any target set under Chapter 1 of Part 1 of the Environment Act 2021;

(b) setting out how such a plan must contribute to the meeting of such targets;

(c) setting out how a plan under section 89 relating to an area of outstanding natural beauty in England must further the purpose of conserving and enhancing the natural beauty of that area.”

(9) After that section insert—

“90A Duty of public bodies etc in relation to management plans

(1) The Secretary of State may by regulations make provision—

(a) requiring a relevant authority other than a devolved Welsh authority to contribute to the preparation, implementation or review of a plan under section 89 relating to an area of outstanding natural beauty in England;

(b) setting out how such a relevant authority may or must do so.

(2) In this section—

“devolved Welsh authority” has the same meaning as in the Government of Wales Act 2006 (see, in particular, section 157A of that Act);

“relevant authority” has the same meaning as in section 85.”

(10) After section 91 insert—

“91A Regulations under Part 4

(1) A power to make regulations under this Part—

(a) is exercisable by statutory instrument;

(b) includes power to make different provision for different purposes or different areas;

(c) includes power to make consequential, incidental, supplementary, transitional, transitory or saving provision.

(2) Regulations under this Part are to be made by statutory instrument.

(3) A statutory instrument containing regulations under this Part is subject to annulment in pursuance of a resolution of either House of Parliament.”

(11) The Norfolk and Suffolk Broads Act 1988 is amended in accordance with subsections (12) to (15).

(12) In section 3 (the Broads Plan), after subsection (6) insert—

“(7) The Secretary of State may by regulations make provision—

(a) requiring the Broads Plan to contribute to the meeting of any target set under Chapter 1 of Part 1 of the Environment Act 2021;

(b) setting out how the Broads Plan must contribute to the meeting of such targets;

(c) setting out how the Broads Plan must further the purposes mentioned in subsection (8).

(8) The purposes are the purposes of—

(a) conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads;

(b) promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public; and

(c) protecting the interests of navigation.”

(13) In section 17A (general duty of public bodies etc)—

(a) in subsection (1), for “shall have regard to” substitute “must seek to further”;

(b) after that subsection insert—

“(1A) The Secretary of State may by regulations make provision about how a relevant authority is to comply with the duty under subsection (1) (including provision about things that the authority may, must or must not do to comply with the duty).”

(14) After that section insert—

“17B Duty of public bodies etc to contribute to the Broads Plan

(1) The Secretary of State may by regulations make provision—

(a) requiring a relevant authority other than a devolved Welsh authority to contribute to the implementation or review of the Broads Plan;

(b) setting out how such a relevant authority may or must do so.

(2) In this section—

“devolved Welsh authority” has the same meaning as in the Government of Wales Act 2006 (see, in particular, section 157A of that Act);

“relevant authority” has the same meaning as in section 17A.”

(15) In section 24 (orders and byelaws)—

(a) in the heading, after “orders” insert “, regulations”;

(b) in subsection (1), after “orders” insert “or regulations”;

(c) in subsection (3), after “orders” insert “, regulations”.”

Member’s explanatory statement

This amendment has been tabled following an undertaking given at Report stage and confers a power to require management plans relating to National Parks and AONB in England and the Broads to contribute to meeting targets under the Environment Act 2021, and to furthering the purposes of the protected landscapes. The clause also confers a power to require certain public bodies to contribute to preparing, implementing and reviewing such plans. The clause strengthens the duty on certain public authorities when carrying out functions in relation to these landscapes to seek to further the statutory purposes and confers a power to make provision as to how they should do this.

Amendment 9 agreed.

Clause 256: Amendments of references to “retained direct EU legislation”

Amendments 10 and 11

Moved by Earl Howe

10: Clause 256, page 300, line 24, leave out “the following provisions” and insert “section 171(3)(e)”

Member’s explanatory statement

This amendment is consequential on the amendment made to Clause 256 at line 26 on page 300.

11: Clause 256, page 300, line 26, leave out paragraphs (a) and (b)

Member’s explanatory statement

This amendment tidies up Clause 256 to remove reference to a provision that was not agreed to at Report stage.

Amendments 10 and 11 agreed.

Clause 262: Extent

Amendments 12 to 14

Moved by Earl Howe

12: Clause 262, page 304, line 8, after “246” insert “and (Protected landscapes)”

Member’s explanatory statement

This amendment provides that new Clause (Protected landscapes), tabled in the Minister’s name and to be inserted after Clause 253, extends to England and Wales only.

13: Clause 262, page 304, line 9, leave out “and 253”

Member’s explanatory statement

This amendment is consequential on the amendment in the Minister’s name correcting the extent of section 253 (road user charging schemes).

14: Clause 262, page 304, line 10, at end insert—

“(c) section 253 extends to England and Wales and Scotland.”

Member’s explanatory statement

This amendment corrects the extent of section 253 (road user charging schemes in London) to improve the drafting so that it extends to England and Wales and Scotland so that it reflects the extent of the Greater London Authority Act 1999, which it amends.

Amendments 12 to 14 agreed.

Clause 263: Commencement and transitional provision*Amendment 15**Moved by Earl Howe*

15: Clause 263, page 306, line 4, after “246” insert “and (Protected landscapes)”

Member’s explanatory statement

This amendment provides that new Clause (Protected landscapes), tabled in the Minister’s name and to be inserted after Clause 253, comes into force 2 months after Royal Assent.

Amendment 15 agreed.

Schedule 16: Amendments of the Conservation of Habitats and Species Regulations 2017: assumptions about nutrient pollution standards*Amendments 16 to 54**Moved by Earl Howe*

16: Schedule 16, page 479, line 9, leave out sub-paragraph (e) and insert—

“(e) the decision is made—

- (i) where the plant is a non-catchment permitting area plant, before the upgrade date, or
- (ii) where the plant is a catchment permitting area plant, before the applicable date.”

Member’s explanatory statement

This amendment, which is consequential on amendments agreed at Report stage, amends the provision to be inserted into the Conservation of Habitats and Species Regulations 2017 by Schedule 16 so that provision functions in relation to catchment permitting areas.

17: Schedule 16, page 479, line 12, after “(1)(d)(i)” insert “and (e)(i)”

Member’s explanatory statement

This amendment is consequential on the amendment to Schedule 16 at page 479, line 9.

18: Schedule 16, page 479, line 15, after “(1)(d)(ii)” insert “and (e)(i)”

Member’s explanatory statement

This amendment is consequential on the amendment to Schedule 16 at page 479, line 9.

19: Schedule 16, page 479, line 17, at end insert—

“(c) in a case within paragraph (1)(d)(i) and (e)(ii), that the plant will meet the nitrogen nutrient pollution standard on and after the applicable date;

(d) in a case within paragraph (1)(d)(ii) and (e)(ii), that the plant will meet the phosphorus nutrient pollution standard on and after the applicable date.”

Member’s explanatory statement

This amendment is consequential on the amendment to Schedule 16 at page 479, line 9.

20: Schedule 16, page 479, line 23, after “plant” insert “that is a non-catchment permitting area plant”

Member’s explanatory statement

This amendment, which is consequential on amendments agreed at Report stage, amends the provision to be inserted into the Conservation of Habitats and Species Regulations 2017 by Schedule 16 so that provision functions in relation to catchment permitting areas.

21: Schedule 16, page 480, line 32, leave out sub-paragraph (d) and insert—

“(d) the decision is made—

- (i) where the plant is a non-catchment permitting area plant, before the upgrade date, or
- (ii) where the plant is a catchment permitting area plant, before the applicable date.”

Member’s explanatory statement

This amendment, which is consequential on amendments agreed at Report stage, amends the provision to be inserted into the Conservation of Habitats and Species Regulations 2017 by Schedule 16 so that provision functions in relation to catchment permitting areas.

22: Schedule 16, page 480, line 35, after “(1)(c)(i)” insert “and (d)(i)”

Member’s explanatory statement

This amendment is consequential on the amendment to Schedule 16 at page 480, line 32.

23: Schedule 16, page 480, line 38, after “(1)(c)(ii)” insert “and (d)(i)”

Member’s explanatory statement

This amendment is consequential on the amendment to Schedule 16 at page 480, line 32.

24: Schedule 16, page 480, line 40, at end insert—

“(c) in a case within paragraph (1)(c)(i) and (d)(ii), that the plant will meet the nitrogen nutrient pollution standard on and after the applicable date;

(d) in a case within paragraph (1)(c)(ii) and (d)(ii), that the plant will meet the phosphorus nutrient pollution standard on and after the applicable date.”

Member’s explanatory statement

This amendment is consequential on the amendment to Schedule 16 at page 480, line 32.

25: Schedule 16, page 481, line 5, after “plant” insert “that is a non-catchment permitting area plant”

Member’s explanatory statement

This amendment, which is consequential on amendments agreed at Report stage, amends the provision to be inserted into the Conservation of Habitats and Species Regulations 2017 by Schedule 16 so that provision functions in relation to catchment permitting areas.

26: Schedule 16, page 481, line 11, leave out from “satisfied” to end of line 12 and insert “—

(a) where the plant is a non-catchment permitting area plant, that the plant will not be able to meet the standard by the upgrade date;

(b) where the plant is a catchment permitting area plant—

(i) that the plant will not be able to meet the standard by the applicable date, or

(ii) that the first effect described in paragraph (3A) will, on the applicable date, be more significant than the second effect described in that paragraph.”

Member’s explanatory statement

This amendment, which is consequential on amendments agreed at Report stage, amends the provision to be inserted into the Conservation of Habitats and Species Regulations 2017 by Schedule 16 so that provision functions in relation to catchment permitting areas.

27: Schedule 16, page 481, line 14, leave out from “satisfied” to end of line 15 and insert “—

(a) where the plant is a non-catchment permitting area plant, that the plant will meet the standard by the upgrade date;

(b) where the plant is a catchment permitting area plant—

(i) that the plant will meet the standard by the applicable date, or

- (ii) that the first effect described in paragraph (3A) will, on the applicable date, be the same or less significant than the second effect described in that paragraph.”

Member’s explanatory statement

This amendment, which is consequential on amendments agreed at Report stage, amends the provision to be inserted into the Conservation of Habitats and Species Regulations 2017 by Schedule 16 so that provision functions in relation to catchment permitting areas.

28: Schedule 16, page 481, line 15, at end insert—

“(3A) For the purposes of paragraphs (2)(b) and (3)(b)—

- (a) the “first effect” is the overall effect on the habitats site associated with the catchment permitting area of nutrients in treated effluent discharged by all plants that discharge into the area;
- (b) the “second effect” is the overall effect on the site of nutrients in treated effluent that would be discharged by all plants that discharge into the area if—
- (i) the upgrade date that applied to nutrient significant plants that discharge into the area was the same as the applicable date,
- (ii) the standard concentration (of nutrients) applied to those nutrient significant plants, and
- (iii) those nutrient significant plants were (on that basis) meeting the nutrient pollution standard on the applicable date.”

Member’s explanatory statement

This amendment defines terms used in the amendments to Schedule 16 at page 481, lines 11 and 14.

29: Schedule 16, page 481, line 18, leave out from “regard” to end of line 19 and insert “—

- (a) where the plant is a non-catchment permitting area plant, to when the plant can be expected to meet the standard;
- (b) where the plant is a catchment permitting area plant, to when—
- (i) the plant can be expected to meet the standard, and
- (ii) the sewerage undertaker for the plant can be expected to be in compliance with conditions in the environmental permit for the plant imposed in pursuance of section 96G(3)(b) of the Water Industry Act 1991.”

Member’s explanatory statement

This amendment, which is consequential on amendments agreed at Report stage, amends the provision to be inserted into the Conservation of Habitats and Species Regulations 2017 by Schedule 16 so that provision functions in relation to catchment permitting areas.

30: Schedule 16, page 482, line 11, at end insert—

““catchment permitting area”;
“environmental permit”;
“habitats site”;

Member’s explanatory statement

This amendment is consequential on various other amendments to Schedule 16.

31: Schedule 16, page 482, line 14, at end insert—

““nutrient significant plant”;

Member’s explanatory statement

This amendment is consequential on the amendment to Schedule 16 at page 481, line 15.

32: Schedule 16, page 482, line 17, at end insert—

““sensitive catchment area”;

Member’s explanatory statement

This amendment is consequential on various other amendments to Schedule 16.

33: Schedule 16, page 482, line 18, at end insert—

““standard concentration”;

Member’s explanatory statement

This amendment is consequential on the amendment to Schedule 16 at page 481, line 15.

34: Schedule 16, page 482, line 20, at end insert—

“(1A) In regulations 85A to 85C and this regulation—

“catchment permitting area plant” means a nutrient significant plant that discharges (or will discharge) treated effluent into a catchment permitting area;

“non-catchment permitting area plant” means a nutrient significant plant that discharges (or will discharge) treated effluent into a sensitive catchment area other than a catchment permitting area.”

Member’s explanatory statement

This amendment defines terms used in various other amendments to Schedule 16.

35: Schedule 16, page 482, line 22, after “plant,” insert “which is a non-catchment permitting area plant and”

Member’s explanatory statement

This amendment, which is consequential on amendments agreed at Report stage, amends the provision to be inserted into the Conservation of Habitats and Species Regulations 2017 by Schedule 16 so that provision functions in relation to catchment permitting areas.

36: Schedule 16, page 482, line 28, leave out “96F(1) or (2)” and insert “96F(1)(a)(i) or (2)(a)(i), under section 96C(6)(e) or 96D(5) or by virtue of regulations made under section 96D(11)”

Member’s explanatory statement

This amendment is consequential on amendments agreed at Report stage to Clause 173.

37: Schedule 16, page 482, line 29, at end insert—

“(3) For the purposes of regulations 85A to 85C, the “applicable date”, in relation to a catchment permitting area, is to be determined in accordance with section 96G(6)(a) of the Water Industry Act 1991.

(4) For the purposes of regulation 85C(3A)—

(a) a habitats site is “associated” with a catchment permitting area if water released into the area would drain into the site;

(b) “nutrients”—

(i) in relation to an area designated under section 96C(2) of the Water Industry Act 1991, means nutrients comprising nitrogen or compounds of nitrogen;

(ii) in relation to an area designated under section 96C(3) of that Act, means nutrients comprising phosphorus or compounds of phosphorus.”

Member’s explanatory statement

This amendment defines terms used in various other amendments to Schedule 16.

38: Schedule 16, page 483, line 19, leave out sub-paragraph (d) and insert—

“(d) the decision is made—

(i) where the plant is a non-catchment permitting area plant, before the upgrade date, or

(ii) where the plant is a catchment permitting area plant, before the applicable date.”

Member’s explanatory statement

This amendment, which is consequential on amendments agreed at Report stage, amends the provision to be inserted into the Conservation of Habitats and Species Regulations 2017 by Schedule 16 so that provision functions in relation to catchment permitting areas.

39: Schedule 16, page 483, line 21, after “(1)(c)(i)” insert “and (d)(i)”

Member's explanatory statement

This amendment is consequential on the amendment to Schedule 16 at page 483, line 19.

40: Schedule 16, page 483, line 24, after "(1)(c)(ii)" insert "and (d)(i)"

Member's explanatory statement

This amendment is consequential on the amendment to Schedule 16 at page 483, line 19.

41: Schedule 16, page 483, line 26, at end insert—

"(c) in a case within paragraph (1)(c)(i) and (d)(ii), that the plant will meet the nitrogen nutrient pollution standard on and after the applicable date;

(d) in a case within paragraph (1)(c)(ii) and (d)(ii), that the plant will meet the phosphorus nutrient pollution standard on and after the applicable date."

Member's explanatory statement

This amendment is consequential on the amendment to Schedule 16 at page 483, line 19.

42: Schedule 16, page 483, line 32, after "plant" insert "that is a non-catchment permitting area plant"

Member's explanatory statement

This amendment, which is consequential on amendments agreed at Report stage, amends the provision to be inserted into the Conservation of Habitats and Species Regulations 2017 by Schedule 16 so that provision functions in relation to catchment permitting areas.

43: Schedule 16, page 484, line 11, leave out from "satisfied" to end of line 12 and insert "—

(a) where the plant is a non-catchment permitting area plant, that the plant will not be able to meet the standard by the upgrade date;

(b) where the plant is a catchment permitting area plant—

(i) that the plant will not be able to meet the standard by the applicable date, or

(ii) that the first effect described in paragraph (3A) will, on the applicable date, be more significant than the second effect described in that paragraph."

Member's explanatory statement

This amendment, which is consequential on amendments agreed at Report stage, amends the provision to be inserted into the Conservation of Habitats and Species Regulations 2017 by Schedule 16 so that provision functions in relation to catchment permitting areas.

44: Schedule 16, page 484, line 14, leave out from "satisfied" to end of line 15 and insert "—

(a) where the plant is a non-catchment permitting area plant, that the plant will meet the standard by the upgrade date;

(b) where the plant is a catchment permitting area plant—

(i) that the plant will meet the standard by the applicable date, or

(ii) that the first effect described in paragraph (3A) will, on the applicable date, be the same or less significant than the second effect described in that paragraph."

Member's explanatory statement

This amendment, which is consequential on amendments agreed at Report stage, amends the provision to be inserted into the Conservation of Habitats and Species Regulations 2017 by Schedule 16 so that provision functions in relation to catchment permitting areas.

45: Schedule 16, page 484, line 15, at end insert—

"(3A) For the purposes of paragraphs (2)(b) and (3)(b)—

(a) the "first effect" is the overall effect on the habitats site associated with the catchment permitting area of nutrients in treated effluent discharged by all plants that discharge into the area;

(b) the "second effect" is the overall effect on the site of nutrients in treated effluent that would be discharged by all plants that discharge into the area if—

(i) the upgrade date that applied to nutrient significant plants that discharge into the area was the same as the applicable date,

(ii) the standard concentration (of nutrients) applied to those nutrient significant plants, and

(iii) those nutrient significant plants were (on that basis) meeting the nutrient pollution standard on the applicable date."

Member's explanatory statement

This amendment defines terms used in the amendments to Schedule 16 at page 484, lines 11 and 14.

46: Schedule 16, page 484, line 18, leave out from "regard" to end of line 19 and insert "—

(a) where the plant is a non-catchment permitting area plant, to when the plant can be expected to meet the standard;

(b) where the plant is a catchment permitting area plant, to when—

(i) the plant can be expected to meet the standard, and

(ii) the sewerage undertaker for the plant can be expected to be in compliance with conditions in the environmental permit for the plant imposed in pursuance of section 96G(3)(b) of the Water Industry Act 1991."

Member's explanatory statement

This amendment, which is consequential on amendments agreed at Report stage, amends the provision to be inserted into the Conservation of Habitats and Species Regulations 2017 by Schedule 16 so that provision functions in relation to catchment permitting areas.

47: Schedule 16, page 485, line 11, at end insert—

"“catchment permitting area”;

“environmental permit”;

“habitats site”;

Member's explanatory statement

This amendment is consequential on various other amendments to Schedule 16.

48: Schedule 16, page 485, line 14, at end insert—

"“nutrient significant plant”;

Member's explanatory statement

This amendment is consequential on the amendment to Schedule 16 at page 484, line 15.

49: Schedule 16, page 485, line 17, at end insert—

"“sensitive catchment area”;

Member's explanatory statement

This amendment is consequential on various other amendments to Schedule 16.

50: Schedule 16, page 485, line 18, at end insert—

"“standard concentration”;

Member's explanatory statement

This amendment is consequential on the amendment to Schedule 16 at page 484, line 15.

51: Schedule 16, page 485, line 20, at end insert—

"(1A) In regulations 110A and 110B and this regulation—

“catchment permitting area plant” means a nutrient significant plant that discharges (or will discharge) treated effluent into a catchment permitting area;

“non-catchment permitting area plant” means a nutrient significant plant that discharges (or will discharge) treated effluent into a sensitive catchment area other than a catchment permitting area."

Member's explanatory statement

This amendment defines terms used in various other amendments to Schedule 16.

52: Schedule 16, page 485, line 21, after “plant,” insert “which is a non-catchment permitting area plant and”

Member's explanatory statement

This amendment, which is consequential on amendments agreed at Report stage, amends the provision to be inserted into the Conservation of Habitats and Species Regulations 2017 by Schedule 16 so that provision functions in relation to catchment permitting areas.

53: Schedule 16, page 485, line 28, leave out “96F(1) or (2)” and insert “96F(1)(a)(i) or (2)(a)(i), under section 96C(6)(e) or 96D(5) or by virtue of regulations made under section 96D(11)”

Member's explanatory statement

This amendment is consequential on amendments agreed at Report stage to Clause 173.

54: Schedule 16, page 485, line 29, at end insert—

“(3) For the purposes of regulations 110A and 110B, the “applicable date”, in relation to a catchment permitting area, is to be determined in accordance with section 96G(6)(a) of the Water Industry Act 1991.

(4) For the purposes of regulation 110B(3A)—

(a) a habitats site is “associated” with a catchment permitting area if water released into the area would drain into the site;

(b) “nutrients”—

(i) in relation to an area designated under section 96C(2) of the Water Industry Act 1991, means nutrients comprising nitrogen or compounds of nitrogen;

(ii) in relation to an area designated under section 96C(3) of that Act, means nutrients comprising phosphorus or compounds of phosphorus.”

Member's explanatory statement

This amendment defines terms used in various other amendments to Schedule 16.

Amendments 16 to 54 agreed.

In the Title

Amendment 55

Moved by Earl Howe

55: In the Title, after “London;” insert “about National Parks, areas of outstanding natural beauty and the Broads;”

Member's explanatory statement

This amendment amends the long title to reflect the new Clause (Protected landscapes) tabled in the Minister's name and to be inserted after Clause 253.

Amendment 55 agreed.

Motion

Moved by Earl Howe

That the Bill do now pass.

12.24 pm

Earl Howe (Con): My Lords, in begging to move that the Bill do now pass, I extend my thanks to all noble Lords who have contributed to a very detailed and proper scrutiny of this Bill. It is not possible for me to thank everyone individually, for which I hope I will be forgiven, but there are a few people I would like to mention specifically.

First, I am sure that the whole House will recognise and wish to thank my noble friend Lady Scott of Bybrook for the extraordinary amount of time and effort she has dedicated to the passage of this Bill, both inside and outside the Chamber. Her hard work and dedication have been an example to us all. It is equally appropriate for me to express gratitude to Opposition Peers, most notably the noble Baronesses, Lady Hayman of Ullock and Lady Taylor of Stevenage, on the Labour Front Bench and, for the Liberal Democrats, the noble Baroness, Lady Pinnock, and the noble Lord, Lord Stunell, in their turn. My noble friend Lady Scott and I are grateful to them all for the fairness and good nature of our engagement and debate throughout the Bill's passage. That far-off halcyon time when the levelling-up Bill did not figure in their weekly workload must seem an aeon ago.

I also thank those on the Back Benches for their many constructive contributions, in particular my noble friends Lord Moylan, Lord Randall of Uxbridge, Lord Lansley, Lord Young of Cookham, Lord Lucas, Lord Caithness and Lord Trenchard, as well as the noble Baronesses, Lady Young of Old Scone, Lady Jones of Whitchurch, Lady Randerson, Lady Bakewell of Hardington Mandeville, Lady Jones of Moulsecroomb, Lady Bennett of Manor Castle and Lady Hayman, and the noble Lords, Lord Berkeley, Lord Hunt of Kings Heath, Lord Shipley, Lord Crisp, Lord Best, Lord Lytton and Lord Carrington—and there have been many others.

The House of Lords Public Bill Office, the House clerks and the Office of the Parliamentary Counsel also have my admiration and gratitude for their extraordinary hard work. Last, but certainly not least, I pay tribute to all the members of the Bill team. If ever there was a Bill team deserving of our fulsome thanks, it is this one. The team officials in DLUHC are those I principally have in mind, but many others from departments across government have made an invaluable contribution to the delivery of this Bill. Again, on my noble friend's behalf and my own, I thank them all for their immense hard work, patience and professionalism over these many months.

This Bill creates the foundations and tools necessary to address entrenched geographic disparities across the UK. It is designed to ensure that this Government and future Governments set clear, long-term objectives for levelling up and can be held to account for its progress. The Bill devolves powers to all areas in England where there is demand for it, empowering local leaders to regenerate their towns and cities and restore pride in places. It also strengthens protections for the environment, making sure that the delivery of better environmental outcomes is at the heart of planning decision-making. I hope that we can all wish it a fair wind. I beg to move.

Lord Young of Cookham (Con): My Lords, may I say on behalf of the whole House that my noble friend Lord Howe has also borne some of the burden of getting the Bill through? No one can say “No” more politely than my noble friend, as he has had to do to a large number of my amendments.

The only point I really want to make is this: I have done 49 years in Parliament and I have never known a Bill quite like this one. I wonder whether my noble

friend can tell the House whether any lessons have been learned from the passage of this Bill—which I think has now taken 24 days in your Lordships' House—against the background of yesterday when we were told that there will be yet another planning Bill to deal with infrastructure. I express the hope that the next Bill on planning is a little shorter than the one that is about to pass.

Earl Howe (Con): My noble friend Lord Young can be assured that there will be an exercise to derive those lessons that we think are appropriate from the passage of this Bill. In many ways, I am sure noble Lords would agree that the House has done its work extremely well by its thorough examination of this lengthy measure. However, there may be issues that we can all agree should become the focus of future legislation of a similar kind. I am grateful to my noble friend for raising that question.

12.30 pm

The Lord Bishop of Chichester: My Lords, I apologise for my misplaced enthusiasm in wanting to add to these thanks. I shall speak briefly on behalf of my right reverend friend the Bishop of Bristol to record her thanks to the noble Baroness, Lady Scott of Bybrook, for all the constructive work that is represented in the Bill and to assure the noble Baroness of our continued prayers for her recovery.

In particular, my right reverend friend wanted to note the widespread welcome for clarification on the question of local authorities being permitted to offer financial support to church buildings, including parish churches. I know that the Catholic Bishops' Conference of England and Wales and the Methodist Church, which backed an amendment on this topic tabled by my right reverend friend, are also grateful that this grey area in the law has been taken up by the Government. It has been heartening to have the cross-party support of the noble Lords, Lord Cormack and Lord Best, especially, and of the noble Baroness, Lady Andrews, for this measure.

Local communities need physical, warm and safe space for many forms of social activities that build community and social cohesion. Worship is just one more example of this, and that in itself prompts the use of church buildings for wider purposes. The clarification of financial support for this from local authorities is helpful to us in England. However, I note that the issue of similar clarification remains of acute concern to churches in Wales, and I hope that the Minister will encourage His Majesty's Government to bring the matter to the attention of the Welsh Government, with a view to bringing forward an equivalent legislative amendment as soon as possible.

Lord Stunell (LD): My Lords, I am happy to take part in this debate simply because it is the last debate on the Bill in this House, at least until after the Conference Recess: we have had 16 days in Committee, eight days on Report and more than 1,000 amendments, skilfully disguised by the suffixes of letters. The noble Earl himself mentioned Amendment 247YYA as an example of how we have these invisible numbers. The Government have of course been a big contributor to

the number of amendments, including 55 today. I do not object to those 55; they are a very sensible step forward to improve the Bill even further. Even so, I do not know if it is a record but the Government had, I think, four separate amendments to the Long Title of the Bill, which perhaps emphasises the point that the noble Lord, Lord Young of Cookham, made about the process.

Whatever our criticisms of the Bill, though, it leaves this House much better than it arrived, and I want to thank a wide range of people for helping that to be the case, not least the ministerial team. I add my thanks to the noble Baroness, Lady Scott of Bybrook, for her work in leading the ministerial team, and to the noble Earl and some other Ministers who stepped in at short notice, including the noble Baroness, Lady Swinburne, just last week. In my contact with the officials in the department, they were always polite, considerate and helpful. Catherine Canning last week was a very good and able representative of the Minister's point of view in our discussions. So, whatever the criticisms of the Bill and the form in which it is now, I just say to the noble Earl that I hope that the ministerial team will work with their colleagues in the subsequent write-rounds and encourage them to the maximum extent possible to accept all of your Lordships' valuable amendments in the other place, so that they can reduce the amount of ping-pong to the absolute minimum and we can keep the famous table tennis ball on the other side of the net.

I do not want to omit from my thanks the work there has been co-operatively between noble Lords in the Labour Party and ourselves, but also with our Cross-Bench friends and indeed with some of our friends on the Conservative Benches as well. Collectively, we have shown that it is possible to scrutinise thoroughly, to improve legislation and to produce an outcome that we can take some pride in—perhaps muted pride in some parts but, nevertheless, it is a step forward.

Behind the scenes, in our case I have the amazing and redoubtable Sarah Pughe, who has done a fantastic job supporting colleagues here in the Chamber with her drafting skills and her knowledge of parliamentary procedures. So, the Bill goes back to the Commons. I hope that when it comes back to us, it will be as near as possible the same document that we are sending to them.

The Earl of Lytton (CB): My Lords, as it is not customary for anyone on these Benches to speak on their behalf, I just add thanks on my own behalf, which I hope will be shared by colleagues, to the Minister, particularly for his appreciation of the contribution made from these Benches. Of course, I send my best wishes to the noble Baroness, Lady Scott of Bybrook. Her courtesy throughout has been outstanding and her tenacity to be admired, and I add my best wishes for her restoration to good health as soon as possible. I add my thanks to the Bill team, even if we did not agree on quite a number of points, and to our clerks. I particularly thank the noble Earl's colleague, the noble Lord, Lord Parkinson of Whitley Bay, for the way in which he responded to the question of building preservation notices, to the CLA, of which I am a member, and Historic Houses for their valuable input on that.

[THE EARL OF LYTTON]

On the other matter of interest to me, namely building safety remediation, I am of course sorry that I could not persuade the Government or your Lordships to support a different way forward, but I owe a tremendous debt of gratitude to people outside—they know who they are and I will not mention them by name, but they have dedicated their time free and without any benefit to themselves to assist me with their comments and their critique. I also thank the many other experts, and professional and trade bodies, who were willing to share their thoughts with me.

I particularly express thanks to Amanda Walker, a leaseholder, for her courage in coming forward with her story, and the hundreds of other leaseholders who wrote to me with theirs. I thank Jake Fisher for his online petition, which gained 50,000 signatures in 25 days. My focus throughout has been on them and getting fair treatment for affected leaseholders generally, even if my approach has not always been fully understood or appreciated. I do not intend to give up trying.

Finally, I am most grateful for the support across the House for the general principle sitting behind the fact that we all, I think, believe that leaseholders should not pay for construction defects for which they are blameless. There is clearly a lot more work to be done, but I am enormously grateful for the general acceptance across the House of that principle.

Baroness Hayman of Ullock (Lab): My Lords, I start by thanking the noble Earl for his very kind comments around the constructive work that we have all been doing together. I send our very best wishes to the noble Baroness, Lady Scott of Bybrook, who has been a remarkable workhorse on the Bill. Her door has always been open to us for any discussion and I thank her very much for that. Alongside her, a number of people need to be given a Levelling-up and Regeneration Bill endurance award, because it really has felt a bit like that at times: we have been ploughing through this since January. So, I thank her and the noble Earl, Lord Howe, but also the noble Baroness, Lady Bloomfield. People seem to have forgotten—we have been going on for so long—that she did an enormous amount of work in the early stages of the Bill, so we want to pass our thanks to her as well. We also thank the noble Baroness, Lady Swinburne, and all the visiting Ministers who have come in and talked to the different areas of their expertise.

We have done extremely constructive Cross-Bench work with the Government, noble Lords on the Government Benches, Cross-Benchers and our Liberal Democrat colleagues, particularly the noble Baroness, Lady Pinnock. It is very good to have been able to work so constructively on the, unusually, many different issues in this Bill that we have had to discuss, tackle and understand. On that note, I also thank all the organisations and NGOs that have provided so much information, time and support to us in understanding some of the more complex areas. I have a whole book of all their different names, which would take too long to go through—if you took part, we are very grateful; thank you for making the Bill better than when it arrived here.

Many Back-Benchers worked incredibly hard on this and we should be very grateful to them. I particularly thank my noble friend Lady Taylor of Stevenage, who has been the most tremendous support to me all the way through. I could not have done it without her help. I also thank our team; Ben Wood in our office has worked incredibly hard and tirelessly on this Bill, through recess and weekends. We have asked so much of him and he has always delivered everything. My final thank you is to the doorkeepers, who have sat through a few late nights with us on this and have always kept a smile.

There are quite a number of outstanding issues that we will come back to after the Recess, on which this House believes that the Bill could be improved. I hope that, ahead of ping-pong, when we revisit these issues, the Government will continue to work constructively with those of us in this House who believe they are important to improve the Bill. Our door is always open. We look forward to hearing from the Government on some of those issues.

12.42 pm

Bill passed and returned to the Commons with amendments.

Ukraine

Motion to Take Note

12.43 pm

Moved by Baroness Goldie

That this House takes note of the situation in Ukraine.

The Minister of State, Ministry of Defence (Baroness Goldie) (Con): My Lords, I welcome this opportunity to have a comprehensive discussion on the current situation in Ukraine. I think many of your Lordships have felt that this has been a long time coming—perhaps this morning a very long time coming. It gives me enormous pleasure that we are all here. I know that many noble Lords, not least the noble Lord, Lord Robertson of Port Ellen, have been persistent in their efforts to secure this debate and I very much look forward to their thoughts on where we are going, what we and our allies need to be thinking about and what the future looks like.

My noble friend Lord Ahmad cannot be with us today because he is in New York supporting our position at the United Nations General Assembly, so I shall also close the debate. His absence is a loss to the Chamber, but he and I not only are good friends but share the same views on many of the challenges we shall discuss today.

To recap, as this House will know, Mr Putin's so-called special military operation began on 24 February 2022. He aimed to remove the legitimate regime in Kyiv, subjugate the entire country and impose a pro-Kremlin puppet Government. Russia's military commanders hoped this operation would conclude successfully within 72 hours; 574 days have since passed, and Mr Putin has failed to achieve any of his objectives.

I hope this whole House will pause and share a moment to praise the indomitable spirit of the Ukrainian armed forces and Ukraine's population in the face of such brutality. The strain on their physical and mental health is acute but, despite this, Ukrainians remain resilient, optimistic and focused on victory. They launched their long-anticipated summer offensive in June. They have faced formidable opposition but, despite the invaders' heavily fortified positions, they have relentlessly pressed forward, overcoming mines, artillery and drones. They have shown that Russia can be defeated with agile and enduring military support.

From the Benches of this House, none of us can have any notion of what the fighting must be like on the front line. The Ukrainians have shown amazing tenacity and immense courage in overcoming conditions more akin to the trenches of the Western Front in the First World War. As President Zelensky referred to in one of his recent nightly addresses, Ukraine is fighting World War I with drones. Tactically, it is slow going, but strategically it is evident that Russia is losing.

The Ukrainian offensive is inflicting serious pressure on Russia's military. It is undermining Russian control and weakening morale in the Russian ranks. The Ukrainians have made steady progress against formidably defended Russian positions. We know this from intelligence sources and credible open-source domestic Russian debate. The Ukrainians are showing that Ukraine has the capability to defeat the Russian invasion, if we continue to provide it with the support to do so. As we have kept saying from the beginning, the Kremlin has achieved none of its military strategic objectives. At the last count, Russia has suffered well over 200,000 casualties, of whom we believe 60,000 have been killed, and more than 10,000 of its armoured vehicles have been destroyed. Russia is under pressure and its morale is weakening.

We should be very clear: Russia could end this madness tomorrow. All it has to do is withdraw its forces. But Mr Putin would rather kill and maim civilians in pursuit of his vainglorious and futile quest. He knows that his military cannot win on the battlefield, so he is just trying to inflict the maximum amount of pain on innocent civilians. It is the mentality of a gangster. Recently, Russia conducted some extremely irresponsible attacks on the Danube ports—the first attacks within hundreds of metres of NATO's border. We are closely monitoring reports of Russian drone fragments landing in Romania and are in close contact with our Romanian and other NATO allies.

Meanwhile, in another desperate attempt to distract from its failures, this month the Kremlin orchestrated regional sham elections in the Ukrainian oblasts of Donetsk, Luhansk, Kherson, Zaporizhzhia and Crimea. I am sure the House will agree that this is a craven exercise in meaningless, blustering posture. As the Foreign Secretary pointed out, you cannot hold so-called elections in someone else's country. I am afraid we can draw only one conclusion from Russia's shameless behaviour. While Ukraine and its allies are vigorously seeking a diplomatic solution to the war—convening 42 states in Jeddah in July to discuss principles for peace—Russia is interested in neither finding a path to peace nor maintaining the stability of the world beyond.

On the contrary, the Kremlin would rather go begging for more weapons from its profoundly questionable fellow travellers, Iran and North Korea. We continue to urge Russia to stop this illegal war. The international community remains united behind Ukraine, with 29 countries signing a joint declaration pledging to negotiate long-term security commitments with Ukraine to help sustain its ability to defend itself.

The United Kingdom continues to stand united with Ukraine in the face of Russia's naked and unprovoked aggression. The terms of any peace need to be right if it is to last, and we continue to support President Zelensky's sound principles for a just and lasting peace. That peace depends on vanquishing the invader. Ours has been a pivotal contribution, second only to the United States.

Last year, we sent £2.3 billion in military support to Ukraine. This included hundreds of thousands of artillery rounds, air defence, anti-tank missiles and uncrewed aerial systems. As the first nation to send our tanks and Storm Shadow missiles, we helped to galvanise the international response. This July, at the NATO summit in Vilnius, the Prime Minister reinforced these efforts with a new tranche of support that included thousands of additional rounds for Challenger 2 tanks, more than 70 combat and logistic vehicles, a £50 million support package for equipment repair and the establishment of a new military rehabilitation centre. On top of this, we have seen increased contributions to the International Fund for Ukraine. To date, £782 million has been pledged and 10 contracts, worth £198 million, placed to assist Ukraine in critical areas such as air defence, electronic warfare, intelligence, surveillance and reconnaissance. The first deliveries arrived this summer.

Alongside weapons, we are the only country training the Ukrainian quartet of soldiers, sailors, aviators and marines. We have put more than 25,000 Ukrainian personnel through their paces since the start of the war and are on track to train up to 30,000 by the end of 2023. Nearly 1,000 Ukrainian marines have returned home after being trained by the Royal Marine and Army Commandos during a six-month UK programme. Meanwhile, the Royal Navy is training Ukrainian minesweeping crews, and we have commenced basic flying training for up to 20 Ukrainian pilots, which supports the recent decision by Denmark and the Netherlands to donate F16 jets.

However, defence is only one part of a whole-of-Government response to Ukraine. Helping that brave nation to meet its fiscal and humanitarian needs is as significant as giving it tanks and ammunition. The human cost of the war unleashed by Mr Putin is unimaginable. More than 17 million Ukrainians are in need right now, so the UK Government have committed £347 million of humanitarian support to Ukraine and the region since the full-scale invasion, making us one of the largest bilateral donors. We have also committed almost £130 million to rebuild Ukraine's energy infrastructure, provided generators and hybrid solar units for hospitals, and funding so that Ukraine can make vital repairs. We recently announced support for the supply of fuel for Ukraine's nuclear power plants, and, with winter just around the corner for the second time, we are now working to ensure that Ukraine will be prepared.

[BARONESS GOLDIE]

As noble Lords will be aware, the ramifications of Russia's illegal activities are not confined to Ukraine; they have wider consequences. Between Russia withdrawing from the Black Sea grain initiative in July and the end of August, Russian strikes damaged or destroyed at least 18 port facilities, including warehouses, silos and grain elevators, primarily around the Danube river ports of IZMAIL and RENI. Declassified intelligence shows the Russian military attempted to target a cargo ship in the Black Sea with multiple missiles at the end of August. These are the tactics of an aggressor that knows its military cannot win on the battlefield, and so it looks for desperate ways to inflict pain on civilians. To deter Russian attacks on cargo vessels, the Prime Minister has announced a comprehensive MoD intelligence, surveillance and reconnaissance capability operation in the Black Sea. It goes without saying that we urge Russia to immediately cease these abhorrent attacks and re-join the grain initiative.

Sanctions are also critical in frustrating Russian attempts to prosecute war and hinder its efforts at resupply. We have worked with our EU and G7 partners to inflict the deepest and most far-reaching package of sanctions ever imposed on a major economy. These sanctions are debilitating Russia's economy and degrading funding for Mr Putin's war. We estimate they have deprived Mr Putin's regime of more than \$400 billion, or roughly four-years' worth of Russia's post-invasion defence spending. The UK alone has sanctioned over 1,800 individuals and entities under the Russian sanctions regime, of which 1,600 were sanctioned since the full-scale invasion began, including 29 banks with global assets worth £1 trillion, 129 oligarchs with a combined net worth of over £145 billion, and over £20 billion-worth of UK-Russia trade. In July, we introduced legislation to reinforce our approach by enabling sanctions to remain in place until Russia pays for the damage it has caused in Ukraine.

This brings me to the importance of holding Russia to account for its actions. International law must be upheld, and infractions must be punished. Not only is the war in clear violation of the United Nations charter but the Prosecutor General's Office of Ukraine has recorded more than 100,000 incidents of alleged war crimes, including murder, rape, torture and the deportation of children. Similarly, United Nations investigators and agencies are gathering evidence that shows that serious international crimes have been committed. Allegations of war crimes must be fully and fairly investigated by independent legal mechanisms. That is why, since the start of the war, we have provided £2 million in additional contributions to the International Criminal Court to increase its ability to collect evidence and support survivors. Together with the EU and the United States, we have established an Atrocity Crimes Advisory Group to support Ukraine's own investigations and prosecutions.

Finally, Ukraine must be enabled to regenerate and recover from war, and its citizens given the means to rebuild their lives in peace. In its latest joint assessment, the World Bank calculated its total recovery and reconstruction needs at a staggering \$411 billion, with \$14 billion required for priority reconstruction and recovery investments in 2023. That is why, in the

summer, the UK convened a recovery conference, attended by more than 1,000 public and private sector decision-makers, representing 59 states, 32 international organisations, over 500 businesses and 130 civil society organisations. Not only did the event raise more than \$60 billion towards the reconstruction, including a new €50 billion EU facility, a further \$3 billion of UK guarantees to World Bank lending and UK support of up to £240 million for humanitarian and early recovery assistance this year, but it allowed us to mobilise 600 companies, collectively worth more than \$5.2 trillion, to sign up to the Ukraine Business Compact, signalling their intention to support the country's recovery.

Once more, winter is inexorably approaching in Ukraine, and once again the resolve of the West will continue to be tested. Sadly, we judge that Mr Putin could well attempt to target Ukraine's energy infrastructure as the weather gets colder. Vladimir Putin hopes that the world will come to accept his crimes, but the stain of his illegal deeds will never be erased. Earlier this month, the leaders of the G20 summit sent a message to Russia: all states must refrain from the threat or use of force to seek territorial acquisition. Those nations were clear. The only possible peace is one that is just, lasting and compatible with the United Nations charter. Russia is isolated and must withdraw.

In the meantime, the United Kingdom will continue to stand by Ukraine for as long as it takes. Its brave armed forces are doing much more than merely defending Ukraine's right to exist as a sovereign and democratic country. They are defending the right of us all to live in freedom, and they need all the help they can get: help to fight, help to win, help to rebuild their lives, and help to protect their country so that they need never fear the jackboot of illegal invasion again. I beg to move.

12.59 pm

Baroness Smith of Basildon (Lab): My Lords, I thank the Minister for her introduction to the debate. She apologised for the noble Lord, Lord Ahmad, not being here, but noble Lords know her personal commitment to this issue and her speech showed this. We have waited a long time for this debate, as I am sure my noble friend Lord Robertson will say, but it is a welcome opportunity to discuss some of the most serious issues facing us today.

I also place on record my thanks to the Ministry of Defence for the Privy Council briefings which I and others have been provided with. I have attended a number of these and they have been very informative; I am very grateful for the opportunity.

In the week that President Zelensky was in New York addressing fellow world leaders seeking to galvanise support—though the Foreign Secretary, not the Prime Minister, was there—it is worth reminding ourselves that it is now 18 months since Putin's illegal invasion of Ukraine. The world has witnessed persistent resolve and patriotism, not just from the Ukraine President, whom we have all come to admire greatly, but also constantly from the Ukrainian people. When homes have been destroyed, they have stood up and fought. When their lives have been uprooted, they have stood up and fought. When they have lost friends and family,

they have stood up and fought. Their bravery has been inspiring in the face of some of the dreadful atrocities that we have seen reported.

As much as this remains a story of courage and resilience that we admire hugely, I do not want us to romanticise that in any way at all. The scale of human tragedy and suffering is enormous. They have lost their homes, communities and loved ones. For so many, their lives will never be the same. Indeed, since the start of this invasion, the UN has recorded nearly 9,000 civilian deaths and a further 15,000 civilian injuries. The number of military deaths is almost impossible to calculate but must be hundreds of thousands. Nearly 6 million people have been internally displaced; nearly 8 million have been forced to flee to neighbouring countries such as Moldova and Poland. Others have had to go further afield—often, as we have seen in our own country, facing very difficult circumstances despite the families who have welcomed them.

It is right that, since the war began, there has been absolutely no wavering in our determination to confront Russia's aggression and to pursue Putin's crimes. As a country, as a Parliament and in your Lordships' House, we remain constant and consistent in our support. That £2.3 billion of military support to Ukraine continues, both directly and alongside our NATO allies. At the same time, we must do all we can to shore up and maintain global support beyond NATO. Our efforts must be focused not just on the immediate military action but also on the reconstruction, as the noble Baroness referred to towards the end of her comments. Sanctions continue to limit Russia's capabilities, and they will always have the full support of these Benches. I am sure the Minister will agree that we should continue to examine what more can be done and to strengthen the monitoring of compliance with sanctions. We welcome that the Government is working with the EU to explore the repurposing of frozen assets. I appreciate that there are legal challenges. It would be helpful if the Minister was able to provide an update on the Government's response to those.

We know that sanctions can be a powerful and effective mechanism to hold the Putin regime to account, but they need to be implemented as part of a broader strategy in our relationship with Russia. For example, energy security underlines the importance of identifying risks in our own economy and infrastructure, but it also presents opportunities for reconstructing Ukraine, as illustrated by the G7+ clean energy partnership agreed in June. Three months later to the very day, is the Minister able to provide an update on the implementation of that partnership? I am particularly interested in how we have engaged with the private sector on reconstruction.

Are the Government considering a change to a more strategic response to our backing for Ukraine? All the individual announcements made are welcome, but does she think that it is worth considering the case for setting out a full action plan for military, economic and diplomatic support? That would help to give Ukraine confidence in a sustained stream of future supplies and support. Given the escalating pace of the war, if such an approach were taken, it could send an even stronger message to Putin that this support is unwavering and universal and that things will get worse, not better, for Russia.

Putin's offensive following the winter stalemate in effect made little ground. We saw the months-long siege of Bakhmut; the town suffered, yet it is of little strategic value to the Russians, despite their intentions to take all of Donbas by March. Ukraine's counter-offensive, which properly began in June, has faced similar difficulties. Stiff resistance, hardened Russian defensive positions, air superiority and minefields have led to very heavy losses. Ukrainian forces have made significant, if limited, advances, and this slow and steady progress is likely, at least for the foreseeable future, to be the pattern of this war. The support being given must be tailored to this reality to help the offensive.

The British Armed Forces training programmes for Ukrainian forces in the UK is a first-rate example of the type of backing that can really make a difference. We continue to welcome this and the additional support from our allies. Working in this way and assisting Ukraine in defending itself avoids depleting stockpiles and is more likely to succeed in ensuring sustained resolve from all parties. I know the Minister is aware of this issue, but have the Government also considered a new strategy, in collaboration with our NATO allies, to ensure that parts of our defence industry and MoD procurement are on an urgent operational footing? This would both support Ukraine for the long term and help rebuild UK stocks for any future conflict.

Finally, I emphasise that Labour's commitment to NATO is unshakeable. I am pleased that the noble Lord, Lord Robertson, a former secretary-general of NATO, which we in the Labour Party are very proud of, is here to contribute today. We share those values of democracy, freedom and peace; they are embedded in the founding treaty. Article 5 is the cornerstone of Labour's commitment to Britain's security. However, we remain concerned that the delays and MoD mismanagement in vital defence contracts such as Ajax armoured vehicles, E7 Wedgetail surveillance planes and a modern warfighting division undermine our UK capability to fulfil our full NATO obligations.

While NATO is boosting the size of its high readiness force from 40,000 to 300,000 following Putin's invasion of Ukraine, UK Ministers plan to cut another 10,000 troops from the British Army, leaving it the smallest it has been since the Napoleonic era. That is in addition to the hollowing out that has already taken place across the Armed Forces over the last 13 years. This Government have cut our Armed Forces by over 40,000 troops. One in five ships have been removed from the Royal Navy—if the noble Lord, Lord West, was here, I am sure he would have further information on that. More than 200 aircraft have been taken out of RAF service in the last five years alone. Worryingly, satisfaction with service life has plunged to almost 40%. Given what we ask of our Armed Forces, they deserve better. A Labour Government will apply a NATO test to major defence programmes in Government to ensure our NATO commitments are fulfilled in full. Can the Minister inform your Lordships' House today on how the Government will ensure that these obligations to our allies, in a time of European war and heightened security risk, will be met?

This is a period of uncertainty and instability and, ultimately, as a state we have a duty to rise to meet it, for our citizens but also for our allies. The Government

[BARONESS SMITH OF BASILDON]

have done this in the short term with the support provided for Ukraine, and have had, and will continue to have, our support throughout. But the longer-term management, whether looking forward or back, has not matched that. That leaves us in danger of not being able to meet our NATO obligations or our own expectations. In the context of Ukraine, this just is not enough.

The list of speakers for today's debate shows expertise, experience and commitment from across the House, and I am confident we will all benefit and learn a lot from today's contributions. Because the House of Commons is not sitting, today's debate is being broadcast live on the parliament channel. That is not a frivolous point. I genuinely believe that these speeches and the Minister's response are important for examining serious issues and for making our commitment to Ukraine public. They deserve a wider audience than those of us here in the Chamber.

I also hope that today's proceedings and the contributions being made today will also be covered by the BBC. This is the last parliamentary debate to be covered by the veteran broadcaster, Mark D'Arcy, before his retirement. The role of the media, particularly those that have reported from bombed cities and the front line in this war, has been crucial in explaining the issues and showing us all the impact on the people of Ukraine. President Zelensky has broadcast direct into our homes and risen masterfully to a challenge that he could never have expected.

We all look forward to today's debate and I look forward to the Minister's response at the end.

1.10 pm

Baroness Harris of Richmond (LD) [V]: My Lords, I too thank the Minister for her introduction to the debate and the noble Baroness, Lady Smith, for her powerful speech.

"Please, keep reporting the facts and not the propaganda." So said Olena, staying in Ukraine, determined to support and fight for her homeland despite the awful privations Ukrainians have experienced in the past 19 months of this dreadful, illegal war perpetrated on them by a Russian leader who is out of control. Still they fight on, determined to win back the areas stolen from them by force.

In June 2022, I first met Ukrainians. I was contacted by a local doctor who had opened his home to a young family fleeing the horrors of war. He had organised a barbecue and invited friends and colleagues to bring their Ukrainian refugees together, so that they could meet up again, socialise and try to bring some sense of humanity, normality and friendship to their shattered lives. I was struck by the fact that they were almost all women and children, with just two teenage boys among them. Their husbands, fathers and brothers had stayed behind to fight, and of course no one knew then—as we do not know now—how the course of the war would unfold.

The women stood quietly together in that beautiful, peaceful Yorkshire Dales garden on a warm and sunny afternoon. The children played quietly together, all the time watching their mothers. I talked to them about their experiences through an interpreter; most of them

then had little English. None could speak about their families left behind without tears pouring down their faces. They hugged each other in mutual support, given comfort in the knowledge that each was enduring the same pain.

One of the sponsors told me that, earlier, their Ukrainian family had been out walking in the countryside when a gun went off—not an unusual sound in the farming communities around there. Both the mother and her young child had thrown themselves immediately to the ground, fearing the worst. We can only imagine the horrors that they must have witnessed in their home country to cause that reaction.

The UN has recognised that women, children and the marginalised in society are significantly more affected by such humanitarian crises and need a targeted response based on their pre-existing vulnerabilities. All over the world, where there is conflict, disabled people, women and children, LGBTI people and ethnic minorities are significantly more affected by war.

We have seen how neighbouring countries have come together to offer humanitarian aid to the hundreds of thousands—indeed millions—of refugees fleeing Ukraine. I am proud that, here in the UK, we have given wide support to many of them, as we heard from the Minister. I meet regularly with a group of Ukrainian women in Richmond, and I am always humbled by their dignity, resourcefulness and bravery. Their children have integrated quickly and easily into local schools and speak English with a slight Yorkshire accent. But we must not forget that their menfolk are still fighting on the front line and that we must continue to support them too.

In the comment and analysis section of the *Observer* on 16 September, the headline was "Now is No Time to Reduce Support for Ukraine". It went on to warn of the cooling of that support in the US, especially from the Republicans, citing a CNN poll that indicated that "51% of Americans believe the US has ... done enough", while only 48% feel that it should do more. Military aid is beginning to slow, and I wonder how we expect Ukraine to win a war against a huge army with vast arrays of lethal hardware if we do not provide it with even better equipment. We have the means, and so do European countries and the US, to help it achieve its freedom from this aggressor.

A Georgian refugee living in Sweden told a friend of mine that wealthy Russians are buying up properties in neighbouring countries such as Armenia and Georgia as second homes, because they believe that, after Ukraine is annexed, other countries will be too, and that they will then have lovely holiday homes. They refuse to speak the native language in those countries and will speak only Russian in the shops, restaurants, town halls, et cetera. That makes the local people feel marginalised in their own country, and the Russians are pushing up property prices beyond the reach of the local population. That is what happens when you allow the Russians into your land. Of course, the same thing is happening here—maybe not to the same extent, but we must beware.

The same *Observer* article said:

"Those in the west who believed at the outset that this war could somehow be contained or ringfenced, and sought to keep their distance and limit involvement, must surely see now how

wrong they were. Like a cancer, the conflict ineluctably metastasises around the globe. How much more avoidable suffering and divisiveness must there be, how much more institutional damage and international destabilisation, before the world finally realises that this is not just about Ukraine—it's about everyone?"

In conclusion, when our Ukrainian friends eventually return to their own country, as many will, they will need our continued help and support as they rebuild their lives and their shattered country. I ask the Minister, as I was not able to hear her opening speech clearly, whether she would repeat the steps that are presently in place, here and now, to help in that reconstruction. We are working closely alongside other nations that are helping Ukraine; will she undertake to keep the House informed of progress in that area? This war will, sadly, drag on and on unless we provide the means for the Ukraine military to stop it. If not, we are talking about instability in the western world for as long as we exist. Ukraine's fight is our fight.

1.18 pm

Lord Stirrup (CB): My Lords, I too welcome this overdue opportunity to continue the debate on the courses and potential consequences of Russia's illegal invasion of Ukraine and of the horrific war that has been raging there for over a year and a half.

It is clear that Ukraine has made some progress in pushing back the invading forces over recent months, but it is also clear that the conflict is nowhere near over. As I said in our debate on 9 February,

"offensive action to retake and hold ground is a very different proposition from mounting a defence against the kind of uncoordinated and poorly led attack that we saw from Russian forces last summer".—[*Official Report*, 9/2/23; col. 1364.]

The ability to manoeuvre sizeable units with concentrated firepower, to clear obstacles, both natural and manmade, and to co-ordinate different force elements are all significant challenges to any military, particularly in the absence of air superiority. Of course, the offensive forces need extensive logistical support, technical capabilities and, crucially, significant weapons stocks.

Meanwhile, both sides in this war have learned important tactical lessons from their respective successes and failures. Both sides have demonstrated their resolve to sustain their military efforts over the long term and both sides have reasons to hope for a successful outcome. In the case of Ukraine, sustained financial and logistic support from the West, combined with local innovation, adaptability and enormous courage, have shown the world that Russia is hard pressed just to sustain its illegal gains to date, let alone increase them. But the very things that have benefited Ukraine have also, paradoxically, given the Russian leadership reasons for hope. Their calculus is that a protracted campaign will become increasingly unpopular in the West and that the political will to sustain the financial and materiel costs will erode over time, with a consequent weakening of Ukraine's military ability to resist. Putin no doubt believes that a Republican—not just a Trump but any Republican—victory in next year's American election could be very helpful in that regard.

All of this underlines the importance of a Western strategy for the support of Ukraine over the long term and, in particular, of Europe developing a sufficiently robust military and industrial capacity to underpin such support. This means substantially increased

investment within Europe. Such investment has been talked about in a number of countries, but in many ways, it has not yet materialised. It will, of course, be difficult to deliver in the current economic circumstances, but a failure to deliver it will have far worse consequences, so we must sustain the pressure and set an example in this regard.

There are, I know, some that cling to the hope that an early political settlement can be reached in Ukraine and that this will obviate the need for such a long-term commitment. There are many who hope that such a settlement will then enable a return to the status quo ante bellum—that life can somehow return to normal. They are all of them deceived. They are deceived because it is not just a matter of bringing an end to the fighting. That in itself seems far off and will be difficult to achieve, but even when that moment does come, we will still be faced with a Russia that bears responsibility for a mountain of war crimes—a mountain that grows in size with every day. The consequences of this and of our responses to the situation will be profound.

During the 20th century, the international community went to great lengths to restrict, as far as possible, the suffering and destruction that are the inevitable consequences of war. In particular, the development of the law of armed conflict and international humanitarian law has imposed certain important constraints on competence. The use of force must be justified by the doctrine of military necessity. Attacks must never be directed against civilians. Unintended civilian harm must always be proportional to the anticipated military advantage, and appropriate care must be taken to spare the civilian population as much as is feasible.

It is certainly true that such requirements have and are still being ignored in some parts of the world, but until now, the major powers have held fast to the law and have in many cases taken or acquiesced to punitive action against transgressors. It is quite clear, however, that in Ukraine, Russia has made no attempt to comply with any of these legal requirements. Indeed, quite the contrary: it has made a bonfire of the rules. It is engaged in the deliberate and wholesale destruction of civilian infrastructure. It has employed methodical violence against large numbers of Ukrainian non-combatants. It has arbitrarily detained and in many instances executed civilians. It has tortured and raped civilians. It has abducted and in many cases tortured a great many Ukrainian children. There are at least 20,000 documented cases of abduction, and some Russian officials put the number as high as 700,000. The truth is probably somewhere between the two, but wherever it lies, it represents an appalling situation. These are all war crimes. They are not just down to the actions of a few rogue individuals; they are state-endorsed crimes that are being committed on an industrial scale.

In March this year, the International Criminal Court issued an arrest warrant for Vladimir Putin on charges of the abduction of children—the first time such action has ever been taken against a Head of State of a UN P5 nation. Yet there is no prospect of Putin or any of his henchmen appearing in court. Russia has quite deliberately and unashamedly flouted the law of armed conflict in just about every respect. If its actions

[LORD STIRRUP]

in this regard are, over time, allowed to pass unsanctioned, then the civilised world's attempts to contain many of the worst effects of conflict will be in tatters.

President Zelensky has claimed that Ukraine is fighting not just to protect itself but to lessen the risks of illegal aggression elsewhere. He is of course right. That is one of the many powerful reasons why we must support his country in its struggle. But we must also accept, in dealing with a post-conflict Russia, that we will be fighting for the survival of the legal constraints on armed conflict. A failure in that struggle would signal a return to unrestrained savagery in warfare; that surely cannot be an acceptable outcome. There is, alas, no realistic prospect of prosecuting Putin and his accomplices, but the international community simply cannot resume its relations with him as if nothing had happened. It must accept at last that it is dealing not with a normal Government but, as I publicly asserted nine years ago, with a gangster regime—a regime that will tell any lie, betray any promise, and commit any crime in pursuit of what it sees as its interest. The West must respond accordingly. It must impose an appropriate cost on Russia.

That will inevitably have long-term consequences for international relations. There can be no return to the status quo ante bellum. I ask the Minister to confirm that the Government will continue the efforts that have already begun to document and publicise Russia's abhorrent actions. I further ask what efforts they are making to encourage a long-term international strategy, most particularly amongst our European neighbours, to hold Russia to account for its many and manifold crimes. What consideration have they given to the long-term foreign policy and security consequences of such action?

The conflict in Ukraine has much further to run, but Ukraine will be successful if we hold our nerve and steel ourselves for the long haul. European nations, in particular, must up their efforts in security terms. So far, they have talked a good game; they now have to deliver. I do not exclude the UK from that stricture. Importantly, we must decide how to confront Russia over its heinous and premeditated crimes in Ukraine and what consequences that will have for European security in the years ahead. We have a responsibility not just to ourselves but to future generations to ensure the survival of the legal safeguards that our predecessors set on conflict, which were won only after untold bloodshed and are crucial if we are not to see a widespread return to such suffering.

1.28 pm

Lord Robertson of Port Ellen (Lab): My Lords, I thank the Government and the Minister for providing this debate. It has been a long time coming, but it is welcome none the less, and I congratulate her on the strong statement she has made this morning, and my noble friend, Lady Smith, and the noble and gallant Lord, Lord Stirrup, on their powerful speeches. It is right that a conflict such as this, which we are involved in, should be debated regularly in this House and Parliament.

If we, as a country, had been invaded by Russia, or indeed by any other country, we would be discussing it every day. If it was our Armed Forces battling for

national survival, we would be bending every sinew to throw out the invader. We would have factories turning out ammunition, using every single weapon at our disposal, rallying every part of society, just in the same way that the Ukrainians are doing just now. We would make the sacrifices, pay the price, mobilise our people—all our strengths and all our military might. We have done it before, and we would do it again. We would defend our land, our territorial integrity, our borders, our people, and we would do it with tenacity and with national unity. It almost goes without saying. But we need, of course, to remember this: the Ukrainians are not simply fighting for themselves alone. They are fighting for us as well.

The aggression of Russia, and the gross violation of the United Nations charter, as the Deputy Prime Minister of this country said at the United Nations today, by a permanent member of the United Nations Security Council itself, is a threat to our way of life as well, and to our values, our right to live in a world of safety and security, and our territorial integrity. That is why we stand with the people of Ukraine and why we need to do much more, in our own interests as well as theirs.

Maybe on occasion we have lost sight of the stakes that are involved in this conflict. They are mighty. If Putin wins and destroys Ukraine, and makes even part of that country a colony of the Russian Federation, we lose as well. Why is that? First, the new rules of the world would be rewritten by the authoritarians—the Russians, the Chinese, the North Koreans and the Iranians. That would assuredly make for a very dark and uncomfortable world to live in. Secondly, as we know, Putin would not stop at Ukraine. Moldova, Kazakhstan and Armenia—which is already under attack, as we speak—would all feel the cold wind of an enervated Russian Federation and elite. A world where borders can be changed by military means at the whim of a single paranoid authoritarian would be a very chaotic world indeed.

It is true, of course, and worth putting on the positive side of this terrible calamity, that Putin grossly underestimated the unity of the western Europeans, whom he thought were fragmented and weak-willed. He saw some evidence of that in our weak response to the invasion of Crimea and in the shambolic exit from Afghanistan, but he then underestimated the link between the United States and Europe, which has been welded firm. He underestimated the attractions of NATO, with Finland newly in and Sweden on the brink of membership. His fictional so-called threat has multiplied. More than anything, he seriously underestimated the tenacity, grit, spirit and sheer determination of his fellow Slavs in Ukraine to defend and repel the naked aggression of their neighbouring state.

At the same time, we should not underestimate Vladimir Putin or the small group around him who tell him what he wants to hear. We should not underestimate his capacity for limitless cruelty against the Ukrainians, given the dreadful war crimes already committed, as outlined by the noble and gallant Lord, Lord Stirrup, and the forced abduction of children—for which the admirable International Criminal Court has now indicted him. We should not underestimate the pain that he is willing to inflict on his own people to

pursue his grim vanity project, or his willingness to bear the huge, long-term damage to the Russian economy of an unnecessary war and the serious effects that sanctions are having on that economy. Hundreds and thousands of the young—the brightest and best of Russia—have left the country; it is a country weakened as a consequence.

We should not underestimate Vladimir Putin's willingness to subordinate Russia to the Chinese and now, bizarrely, the North Koreans, as he takes risks such as opening the Northern Sea Route in the Arctic to soft-skinned tankers of oil, as he has done in recent days. We must not underestimate the enormous propaganda exercise that is being undertaken by the Kremlin, which uses disinformation, espionage, RT television, Sputnik radio and YouTube channels, all designed to undermine western support and encourage the global South countries to bend to it. It is already having an effect on European opinion. According to a recent opinion poll, up to 70% of Hungarians, Romanians and Bulgarians think that providing weapons to Ukraine provokes Russia and drags their own countries closer to the war.

We should not underestimate the efforts that Putin is making to win this conflict, dodging sanctions and smuggling in the components to create accurate missiles. I am told that Russia is producing 200 tanks and 2 million artillery shells a year—twice as many as it was producing before the conflict. Apparently, that exceeds western production by a factor of seven. Russian artillery shells cost \$600 a piece, compared with \$5,000 in the West—a lesson that we need to take on board. We should not underestimate his capacity for evil, because short of using nuclear weapons, which I think is unthinkable even for him, that capacity for evil may be boundless.

It was one man who took the decision to invade, and it will take one man to decide that enough is enough. One might seriously ask whether that is possible? It is a fair question, but we should always remember that, in 1989, when the Soviet Union decided that it was not winning in Afghanistan and that it was costing it lives and money, it simply folded its tents and came home. There were no off-ramps and no face-savers; it simply came home. Only a few weeks ago, President Xi Jinping of China ended his draconian lockdown without giving any notice to the population. At the same time, the Supreme Leader of Iran released thousands of women prisoners from jail. In both cases, the authoritarians could see that the ground was moving under them. Personal survival matters to them much more than saving face.

That is why it is imperative that Vladimir Putin gets the same message. He will get it by the West standing firm and resolute, with western leaders regularly and loudly telling their people what is at stake and why sacrifices are in their own personal interests and in our nation's interest. As the noble and gallant Lord, Lord Stirrup, has said, it is therefore crucial that we supply the Ukrainians with all the weapons and ammunition that they need and when they need them. The delay in sending long-range missiles and artillery shells has hurt the counter-offensive, expectations for which were probably unrealistically high. With the Russians digging deep World War I-type trenches and

sowing multi-level minefields, it was never going to be easy to recover the poisoned territory that they had taken. However, as we have seen in the past few days, it is not impossible, and progress is being made.

I say again that we need to guard against the fear and apprehension of escalation that we see in so many leaderships in Europe. Instead of the West being nervous of Russian escalation—something it has maxed-out already—we need to breed in the military hierarchy in Moscow the worry that, if they overdo what is being done in Ukraine, then an actual rather than a fictitious war with NATO might be the result; a war that they know they could only lose.

I saw a lot of the Russian military in my time, including being asked, after my time in NATO, to address the military chiefs club of the Russian Federation, an organisation of retired high-ranking officers. My impression was that they are very patriotic and conservative. The motherland is all important and, in the end, they are not prepared to risk it for a failing Putinesque adventure, especially one which has been so spectacularly unsuccessful, wasteful and humiliating.

The rebellion by Yevgeny Prigozhin showed the fraud of the war's justification, which he called out, and the inner tensions in the authoritarian glasshouse. Only by ramping up our political pressure and maintaining targeting on Putin himself will the edifice crack and will the military, which has supported him until now, cavil at the damage that he is doing.

Sir Basil Liddell Hart, the greatest strategist of the Second World War, once memorably said that

“the issue of battle is usually decided in the minds of the opposing commanders, not in the bodies of their men”.

It was a salutary reminder that more than Prigozhin have doubts about this war. They need, with our united front, to notify Vladimir Putin that, just as in Afghanistan, the time to go home is now. It is our solemn duty to stand with those who are fighting for us in Ukraine. I quote President Zelensky:

“Human morality must win this war”.

The Ukrainians need to win, they must win, they have to win and we must ensure that they do win.

1.41 pm

Lord Hannay of Chiswick (CB): My Lords, it is a great privilege to follow two speakers with whom I am in such complete agreement, and who have stated the reasons for supporting Ukraine so eloquently. I begin by declaring an interest because your Lordships' European Affairs Committee has just begun a new inquiry into the implications of everything that is happening in Ukraine on the UK's relationship with the European Union. I am not speaking on behalf of that committee, as we have only just begun our report, but I assure the House that what is said in this debate will be a valuable contribution to what we are putting our minds to between now and the end of the year.

The debate we held in this House the day after Russia launched its war of aggression against Ukraine in February 2022 was a memorable one. It was memorable because it demonstrated from the outset that there were going to be no party divisions in this country in our response to that aggression and our support for Ukraine. It was memorable too because that unity was

[LORD HANNAY OF CHISWICK]

based on a clear-eyed recognition that Russia's aggression was not only a contravention of international rules as fundamental as those in the UN charter and the 1990 Paris accords on European security, but because it would directly threaten our own security should Russia succeed in its attempt to overthrow the Ukrainian state. Those fundamentals remain as true today as they were then, and the Government and opposition parties deserve credit for standing by them and taking effective action to sustain them.

What has changed since our debate on the first day after the aggression began is the realisation of Ukraine's remarkable resilience and success in repelling an onslaught from apparently superior military capabilities. This is all the more reason to stand firm now, even if the costs in both military and economic terms are inevitably painful—even more so in human terms for the Ukrainians.

Part of our response has been the array of sanctions on exports to and imports from Russia. We must recognise that, with Russia showing no signs of relenting in its aggression, these sanctions will be needed for the foreseeable future, and should be progressively strengthened in both their scope and, most particularly, their implementation. We need a more structured framework for co-operation in these tasks with the European Union and its member states, whose actions on sanctions have far exceeded what might previously have been expected. I hope, in replying, that the Minister will be less reticent about the need for such a framework, such as we have already with the United States.

We also need to co-operate with the EU and its member states in the planning and first stages of Ukraine's reconstruction. One conference, welcome though it was, is not enough. The European Union, within the ambit of negotiating Ukraine's accession, which I believe will be decided at the end of this year, will inevitably be the largest donor in civil terms—I am not talking about military support. It is only in our interest to work closely with it and to avoid any scope for being played off against each other.

We also need to find ways of giving effect to our commitment in the NATO summit communiqué last July for non-EU members of NATO—we are one of those—to contribute positively to the strengthening of EU defence and security policies. Our score on that is pretty skimpy so far: a bid to join the mobility partnership and only after the US and Canada have already done so. Is there not more in the pipeline, or are we content for EU-NATO co-operation to proceed without our direct involvement? I think that would be a mistake.

While we need to recognise that we have so far been less successful than we might have hoped in enlisting what is now known as the global South in support of sanctions and reconstruction, we must not accept that shortfall as inevitable or irremediable. The hard fact is that there are many countries in Africa, Asia and Latin America which are put at risk by Putin riding roughshod over the UN charter and which will be even more at risk if Russia succeeds in its aggression. We should not be too hesitant about explaining those points, although we should do so in polite and non-aggressive terms. I suggest that we also need to recognise that, if we are to list more countries in the global

South, more attention must be paid to and action taken on the priorities of those countries, most particularly on climate change, health, the handling of debt and the supply of essential foodstuffs.

It is not the time now, while the war is still raging, to address decisively Ukraine's bid to join NATO, but we will need to in due course. Talk of separate, non-NATO security guarantees does not seem terribly convincing, given that their deterrent effect will inevitably be less than that of NATO membership. So, when the time comes—and it will come one day, but not now—we should be ready to give a positive response to Ukraine's bid.

So much for some of the diplomatic challenges we face in this new Cold War which Russia triggered by its aggression. It could well last as long as the previous one, and we should be prepared for that. What we cannot afford to do is flinch from the prospect because it will bring some unwelcome military and economic burdens.

1.49 pm

The Lord Bishop of Chichester: My Lords, I, too, am grateful to the noble Baroness, Lady Goldie, for introducing this debate and for the time that it gives us to rehearse the serious moral issues confronting us as a result of the conflict in Ukraine. Following the noble Lord, Lord Hannay, I echo my appreciation for the stirring comments from the noble and gallant Lord, Lord Stirrup, reminding us with great clarity of the issue of war crimes in this conflict, and the noble Lord, Lord Robertson, for reminding us how high the moral stakes are for us all.

I wish to place on record the importance of the ecclesial and religious dimensions of the political and military conflict in Ukraine, and the historic importance that religion has for the people of that land as the gateway of Christianity in the Orthodox tradition for this whole stretch of northern Europe, from the Baltic to the Black Sea.

The Ukrainian Orthodox Church has taken steps to assert its independence from the Russian Orthodox Church, and such actions should not be taken at face value. Short of applying for what it would term autocephaly, which is not within the Ukrainian Orthodox Church's gift, there is little more that it can do to distance itself from the Russian Orthodox Church and its influence—which, at times, is malign, as an extension of Putin's will.

At a time when Ukraine faces such an existential crisis and needs a response that meets all levels of its social and political life, criticism of the Ukrainian Orthodox Church—there has been some—can create unnecessary societal divisions, which can, arguably, weaken the morale that sustains Ukraine's war effort.

At the same time, my Lords, we should be aware of the extent to which Russia has suppressed the religious freedom of Ukrainian citizens in occupied Ukraine with growing intensity since the war started last February. The US State Department's report earlier this year on religious freedom noted:

“In the first six months of the war, at least 20 religious figures were reported killed and another 15 kidnapped, and nearly 500 places of worship and religious facilities”

were “damaged, destroyed, or looted”—and the bombing of Odesa Cathedral has reinforced those shocking statistics.

This chilling aspect of the conflict in Ukraine points to a cultural cost of the conflict that will live on in the spiritual life of that nation, which goes so deep. In short, we should recognise that the weaponising of culture and religion is also the move of a morally degenerate aggressor.

Therefore, aid for the rebuilding of cultural and religious heritage and identity will be an important contribution to building a peaceful recovery for all that gives Ukrainian people the dignity, courage and faith that have moved the hearts of the international community.

1.52 pm

Lord Harrington of Watford (Con): My Lords, I too thank my noble friend the Minister for securing this debate, and I pay tribute to the contributions of my predecessors. I cannot opine in any way comparable to them on matters of defence, foreign policy or the geopolitical and strategic matters that have been mentioned today—I would not pretend to, nor detain your Lordships’ time on that.

I would like to briefly note the aspect that I dealt with as the Minister for Refugees, however, dealing with the Ukrainian problems. Prior to Putin’s illegal invasion of Ukraine, my only knowledge of the subject was that one of my grandparents stemmed from Ukraine. Had he not fled another evil Russian, the Tsar, at the time, I probably would not be here today, or at least not in this form. I could say that I am grateful to Tsar Nicholas for what he did, I suppose, because I have had the privilege and honour to be brought up in this country.

More seriously, my involvement in the refugee situation with Ukraine came about, to be honest with your Lordships, not because of a great love of me by the former Prime Minister Boris Johnson, who had taken the whip off me two years prior to that for disagreeing, but because I had some experience of dealing with refugees with the Syrian refugee programme, which I did when David Cameron was Prime Minister. I was grateful to Boris Johnson to be called on to do this job and help in this situation, and place that on record.

At the time, I went to Poland and various places surrounding Ukraine, to actually see what was happening on site with the refugees. The experiences I had will remain with me for the rest of my life. I saw stations perhaps the size of Waterloo in London, where every train coming in was full of young women and children—people who three or four days prior to that had been living a perfectly normal life like anyone else does. They were literally packed with one wheeled suitcase; the kids maybe had a toy to cuddle, but if you did not know the situation you would think it was just people on a weekend’s holiday or something like that. There were vast numbers of people. As I say, on the surface the appearance was very much that it could have been anywhere, in any street or any town, but beneath that surface there was shock and horror.

The other thing that struck me—noting that my late father was in the Army in 1940; perhaps his parents would have been lucky to receive a postcard every

three months—was that these women were predominantly on the phone, live, to their husbands and fathers who were fighting. I know that is quite obvious in this technological age, but I did not think of it in refugee terms. It of course has many good aspects—they knew who was safe and what was happening. However, when that phone went dead, which I saw a number of times, it was not just that they did not have a good signal; fear spread throughout that carriage and station. That is probably the life of refugees in the modern world—with mobile phones but barely the clothes they stand up in.

I shall not detain your Lordships very long, but I would like to talk about the Homes for Ukraine scheme. We were faced with the prospect of the former Prime Minister saying, in very good faith to his good friend Volodymyr Zelensky, as he put it to me, that we would take an uncapped number of refugees into this country. At the time, however, not much thought had gone into delivering a resettlement mechanism for them.

With the Syrian crisis, which was equally tragic in many ways, if not more so, we had sourced from a humanitarian point of view which families we wished to bring over here, based on the grounds of vulnerability, which the UNHCR did for us. Before they arrived, we pre-settled them into accommodation; we knew exactly where they were going, and which council and which flat they were going to go into. In this case, this was uncapped; we were not going to be able to select people on the grounds of vulnerability—they were all vulnerable, but in Syria we were able to look at medical and other traumatic cases.

The Homes for Ukraine scheme came out of trying to think laterally about another way to settle refugees, because without going into the asylum stories and everything else, there was no capacity in hotels or other ways to do it. The call to arms to the Great British public was absolutely phenomenal. We had about 210,000 people—admittedly, just registering on a database, but they did it—within two weeks of announcing it. The system itself had to be worked out; the visa system was totally unsuitable for this volume of refugees because it was based on a comparatively small number of visas. For example, why would we have a visa centre in Poland that opened more than one or two days a week? Before the war, there was no need for it. Getting the visas down from the chaos that there was—weeks of not hearing anything—to a reasonable 48 hours was at first a feat of volunteers from the rest of the Civil Service. At peak, we had a thousand people on special laptops processing visas. Fortunately, within a few weeks it became automated, on an app-based system, which helped tremendously.

Then there is the question of people who volunteer their homes. Are they real people? Are they criminals and paedophiles? Are they people who perhaps think it might be good for a few days but have not really thought about the consequences? I have always said with refugee policy that it brings out the best of people and the worst of people. The best of people are the people who work for NGOs, who offer to help in dangerous situations, voluntarily or not paid very much, and people in religious or other civil groups in the recipient country, but the worst of people are traffickers, pimps, child molesters and financial scammers.

[LORD HARRINGTON OF WATFORD]

It is just a fact that all over the world that is the case with refugees. So we had to make sure that each property was properly inspected and that the hosts were not just doing it for money, cramming people into a small area or worse than that.

This is the upshot. The most recent figure published by the Home Office on the Homes for Ukraine scheme is that there have been 133,000 arrivals and 54,000 people have come under a very extended family reunion scheme. I think that is very good. I think it is the biggest movement of people into the UK since the Second World War. I am not saying it is perfect. There are a lot of faults, and various adaptations to the policy are needed for the future.

At first, we had the intention of not taking unaccompanied children, largely at the time because we did not have the facilities for them and because the Ukrainian Government did not want them moved away from countries nearby. I am very grateful to the noble Lord, Lord Dubs, who is with us here today. He pushed, kicked and cajoled me in the nicest and most gentlemanly way to do what I wanted to do in the first place, using him as an excuse. We came up with a compromise that was acceptable to the Ukrainian Government, and I hope that some children's lives have been greatly enhanced as a result. The reality is that the Ukrainian Government had very mixed feelings about refugees. They were grateful for what we and other countries had done, but on the other hand they did not want to lose their population. They did not want them resettling in another country. These things are never very black and white.

My fear for the future is that the system of opening communities to refugees is forgotten about. When Ukraine is off the headlines and a large number of people have been settled, and hopefully many of them will move on or have moved on to employment, education and all the other things, the next crisis will happen in the world. It will happen. If it is not Syria or Afghanistan, it will be somewhere else. I want this to be a permanent mechanism to bring refugees into this country. That does not mean that there will be hundreds of thousands of volunteers all the time, but I believe a lot of people will do it and would be on a standing register. A lot of churches, synagogues and other groups will organise groups of their members, congregants et cetera to be on standby for this sort of thing. I ask the Minister—I know it is not exactly her field, but she covers so many things for the Government, particularly today—to pass on the message that this should be a standing system for welcoming refugees into people's homes. I hope those lessons are learned and that when the Ukrainian crisis is over, which of course I hope is very soon, they are not forgotten.

2.03 pm

Baroness Kennedy of The Shaws (Lab): My Lords, if anything ever speaks to the value of this House, it is when you hear a debate such as this, the breadth of expertise and the power of the contributions made. I pay tribute to everyone who has spoken so far. I will make specific reference to the noble and gallant Lord, Lord Stirrup, because he raised the matters that have

been a large part of my work over the last year: war crimes and the crimes that have been committed in Ukraine.

Shortly after the invasion, President Zelensky was in touch with different leading lawyers and tried to create a task force that would get to work on the crimes being committed. Noble Lords will remember that at a very early stage, within a very short time of Russian forces entering Ukraine, we were seeing civilians being shot dead in the most grievous circumstances and horrific invasions of domestic homes, and we received evidence of sexual assault and the abuse of women and children.

I have been involved in the issue of legal accountability for the invasion and war crimes along with many distinguished lawyers from here in Britain such as Amal Clooney and the noble and learned Lord, Lord Neuberger, a whole succession of King's Counsel, and lawyers from the United States and Europe. The point that the noble and gallant Lord, Lord Stirrup, made about the monstrous abuse of the rule of law, abuses of human rights and the dismissal of the Geneva conventions and the rules of war is shocking beyond belief in many ways.

I will not detain the House by reciting and repeating many of the things that it has heard about the mountain of war crimes that have taken place—crimes that we somehow thought the rules would contain. That is why I so often stand up and remind the House that we ourselves have to be seen to be maintaining and respecting international law, because it is important that we can speak from that moral position when we come to address the greater horrors that are sometimes committed around the world. We can do that only if we can speak from the high ground of having respected international law on other fronts.

I want to talk about the challenges presented by this war. As many noble Lords know, I work with the International Bar Association; I am the director of its Human Rights Institute, and we work on the rule of law and human rights globally. One subject that we have been addressing is that, if there are to be trials for war crimes, they have to be conducted in a way that abides by the rules of due process and fair trial. That is very hard in war situations. Already in Ukraine there are trials of Russians taking place, and one wants to be supportive of the idea that those trying those cases are well versed and well inducted into international law and the requisite standards that must be complied with.

I pay tribute to the Attorney-General and one of our own judges, Judge Howard Morrison, who sat on the International Criminal Court but who has been involved in Ukraine on behalf of the United Kingdom, helping with the training of judges and inducting them into the standards of trial that there would be for war crimes. There is also the business of training prosecutors and defence lawyers. We must have defence lawyers who are willing to act in these cases, persuade them that that is an essential part of the process and help with the training of those lawyers, and the International Bar Association has been involved in that. The assessment and independent reviewing of those trials are also important—having a presence in the court to make sure that people are able to present a

defence if they have one, and that the case is conducted in a fair and just way. Many of these issues are exercising lawyers just now.

The noble and gallant Lord, Lord Stirrup, spoke about the importance of law in war. He said that this was a crime from the outset, and it was. It is a crime against the UN charter to invade another sovereign country in the way that Russia did. It was a crime of aggression. Efforts have been made, and we have still not concluded those efforts, to secure an international tribunal created by countries that recognise that this crime has taken place. At some stage there has to be a preparedness to bring Russia and Putin to account in a tribunal for that crime, in the same way as Nuremberg. That was created in an ad hoc way but was being prepared long before the end of the war, so we have to make sure that we have in place the right tribunal to try Russia for that initial grievous crime from which everything else has flowed.

One of the areas I have particularly been working on are the crimes which have involved sexual violence against women and children, but also against young men, and the abduction of children. I want this House to know that, before warrants were issued by the International Criminal Court, evidence was being accrued. It was so alarming that, here in the United Kingdom, we placed the woman who is the head of the Russian commission on children, who was very active and behind much of the strategy of taking children into Russia, on a sanctions list some months before the warrants were issued by the International Criminal Court. Therefore, Britain was alert to all of this and took important steps to sanction her.

Evidence has built up which shows that this crime is having a huge impact on the morale of families inside Ukraine. The noble Lord, Lord Harrington, spoke about the ways in which things have changed because of modern technology and how people on the front line can now be in touch with their families and give them reassurances—or the opposite—about what is going on. The effect on the morale of those on the front line, who know that their children have been taken, the lives of their families have been disrupted, and they might never be able to bring them back home, is huge; the effect on an army is huge. That was one of the reasons why there was such alacrity in getting those warrants issued—to show that there was not a passive response to what was taking place regarding the children.

I finally want to raise before the House—I ask this of the noble Baroness—the need for an international strategy and a much closer alliance across Europe on how we hold Russia to account for its crimes. This work has to be done with speed, and now. Has there been any headway in collaborating with other European countries and in conversations with the United States about the creation of a tribunal, as in Nuremberg, for the crime which we now recognise as a crime against peace—the crime of aggression?

The other really pressing issue is money. We have the frozen assets of oligarchs; their yachts are sitting, rotting in harbours in the Mediterranean. However, even if you collected all that—together with all the houses and mansions in Belgravia owned by oligarchs, which are currently in a frozen stasis—it will probably never be enough to deal with the horrors that need

compensating, and the rebuilding of Ukraine. One is going to have to look at the money in banks—the state assets in the Bank of England, the United States banking system and the European banking system.

It will mean looking at our own state immunity legislation. Other countries will have to do the same if we want to be able to seize any of those assets or to force Russia to part with them in order to reconstruct the nation they have been reducing to rubble. Pain has been caused to so many people and lives have been lost. How do you reconstruct that and deal with the emotional damage, never mind the physical damage? There is a large issue here about how we deal with those assets. Legal ingenuity has been going into this, but we have to indicate a willingness to look at our own law and how we will reform it to seize those assets and put them towards the defence of Ukraine and its reconstruction.

2.14 pm

Lord Owen (Ind SD): My Lords, the noble Baroness has made a very eloquent speech about the tragedies and the obscene abuses of the laws of war, such that we have not seen for decades. It was impressive that that was supported so strongly by the noble and gallant Lord, Lord Stirrup. For a military leader to spend as much time as he did on that grotesque situation and the necessity to do something about it was very important.

However, we must not be complacent about the mechanisms in front of us. It is easy to look back on the former Yugoslavia and see the number of people serving in prison—some criminals are in British prisons at this moment—but we had a specific international criminal court to deal with crimes in Yugoslavia, set up by agreement of the Security Council. We have no chance whatever of getting a similar legal structure to deal with the crimes of this war. We should be realistic about that, but we should try our hardest to establish some new mechanism.

We should never forget that we are talking about the second invasion of Ukraine. There was a first invasion, in relation to which we performed lamentably. Once again, we must recognise that appeasement never works. Now that we face this situation, we in Europe must not equivocate about it—and I am proud of how the British Government have responded. However, the facts are that, without President Biden's leadership and the massive contribution that has been made, NATO would not have been able to do what it has done. The Secretary-General of NATO, Stoltenberg, has done a sterling job, as have many others. We have, quite rightly, transformed a defensive alliance, saying that, when a friendly country—not a member of NATO—is attacked, we have the right to supply it with arms to defend itself. I think I am right in saying that we have never done that before in NATO. This is an important new power that we have taken, and it is wholly legitimate.

How have we done in terms of the rest of the world? The best definition of what we must achieve was provided in July by the G7 leaders of Britain, Canada, Germany, France, Italy, Japan and the United States. In their strong statement, they affirmed their “unwavering commitment to the strategic objective of a free, independent, democratic, and sovereign Ukraine ... capable of defending itself and deterring future aggression”.

[LORD OWEN]

I stress those last words. That is the task in front of us.

The Russian military is now rallying, as it so often does and as it did in the Second World War, as we all remember. It is rallying with the support of China and, most recently, of North Korea, and it also has Iran. That is a formidable combination; do not let any of us underestimate how it can be, and is being, mobilised.

One thing needs to be said about China. It is pretty clear that it has made President Putin recognise that he will not be able to resort to tactical nuclear weapons in this war. I profoundly hope that this decision is not changed in any way by China and that it stems from a profound belief that there can be no nuclear war. In favour of that being the right interpretation of China, at least it can be said that it is spending substantial sums of money on its own conventional forces. Of course, it has the capacity to use nuclear weapons too. Let us hope that China, this new power—it is a new power, and it is almost right to call it a superpower—will use its power in an intelligent way. When we debate China on many other aspects of this, we should show a little bit more realism about what China is and what it could become.

With elections coming in the United States, I believe that it is of paramount importance that the average American voter believes that Europe has responded fully and totally and made a commitment through NATO that is almost as much as we possibly can. I do not think that we are there yet, but I attach great importance to it. The American military has always been understanding about Europe's contribution. It wanted more from Europe and it wanted more money, but it believes that we, and some of the key countries, such as France and others, have been ready. Germany has never responded sufficiently in the eyes of an American looking at its contribution. I pay tribute to Chancellor Scholz, in very difficult circumstances, because that has changed remarkably. It is vital that that change continues and is backed by real financial resources and real weapons, commitment and numbers of German military ready to fight.

One other thing that is most important when we look at China is that it understands that this country was deeply affronted when President Xi tore up the treaty over Hong Kong signed by Deng Xiaoping and Margaret Thatcher. It was a massive blow to international authority and devastating that a country emerging as a great country and a great superpower should have acted in that way.

What else can be done in the short term? Britain must step up its own commitment. A lot of it will come not so much in money, though it will eventually have to be paid for, but in taking very valuable weaponry—first, in the first few weeks, in dealing with tanks, and now more recently with the readiness to supply the long-range Storm Shadow missiles, which have been very effective. Each and every member of NATO, particularly the European members, will be watched very carefully, because the debate inside the United States is where this issue is going to be resolved. It is no good trying to escape it. We have to make sure that opinion is shifted in favour of what is happening in the response to Russia, China, North Korea and Iran.

This is a huge commitment, which cannot be undertaken by the United States, even with all its power, on its own. It is a fact that a substantial number of American

people do not yet understand the challenge and the threat. It is not getting through to decent, average United States people that there will have to be a major response. The American military must go out and campaign that Europe is responding. There are too many people in America who believe that we have not paid our fair whack for defence in NATO, and they are right. It is important that that understanding is changed; if it is not changed, we run a serious risk of a response from the United States that will not be sufficient to deal with the global challenges that it faces.

I will say this: I am very pleased that this country has understood that one way of explaining to the American people that we are paying our full whack and responding is through our having made an adjustment—not a major one, but a small contribution. We have, in effect, gone back east of Suez and accepted that there is a threat and a challenge in the Pacific. The United States should not be facing that purely and simply by itself. It will not be a very large commitment, but the impact of seeing a British aircraft carrier in Pacific waters, supported by escort vessels from the United States, Australia and New Zealand, matters to American public opinion. They then feel that we understand their security concerns. Many of them are more concerned about China than about what is happening in Ukraine. That is the reality—look at the opinion polls in the United States. We are still important movers of opinion.

I must declare an interest in that I am married to an American, but it has given me an understanding over many years of my life that America can do the right thing. There is inherently in the American people a capacity to do the right thing; they have done it in two world wars—though both times a little too late. This will predominantly be their war. We are helping them, and will help them right across the globe, where the horrors of the actions that we have seen in Ukraine will undoubtedly be reproduced. It is in that sense that we in this House see, as someone has already mentioned, that the cross-party nature of the contribution is very real.

I am glad that the noble Lord, Lord Harrington, spoke about what has been done for refugees and the refugee movement. I have seen in Wiltshire—around our house and among our friends, and among anybody who has ever helped the refugees, right across the classes, trades and skills—an amazing response to try to help Ukrainian refugees. The spirit is there in this country, the spirit is growing in Europe, and the spirit will come in the United States. Until it does, we face formidable adversaries, and we should not for any moment underestimate them.

2.28 pm

Lord Alderdice (LD): My Lords, there are some debates in your Lordships' House that are of particular solemnity and consequence. This is one such debate. In exercising the privilege of participating in it, I draw the attention of the House to my interest as the executive chairman of the Changing Character of War Centre at Pembroke College, Oxford.

The problem in Ukraine is not new. I recall reflecting in this House, on 28 May 2015, on how we merely wrung our hands over Crimea and worried about the initial events in Ukraine but did not do much to

address either the problem of Russian aggression or the extension of EU influence and ambition as far as Ukraine was concerned. I suggested that, if we did not find a way to engage more with Russia, we should be prepared for that region to be critical in the triggering of a future global conflict. It is clear that we were not adequately prepared for the current war. We did not do enough to persuade Russia about the consequences—the sufficiently robust consequences—that there would be if there were aggression in Ukraine. We did not persuade him that there would be a significant western military response. We could have done much more.

Now that we are effectively at war, I have some doubts as to whether we have prepared sufficient resources. I ask the Minister to let the House know whether we, and indeed Europe as a whole, are yet in a position to provide Ukraine the weapons and ammunition it needs, since we clearly did not have those when the war started. If Donald Trump is re-elected, as the noble Lord, Lord Owen, warned us, we may not be able to be confident that the US will continue to be a dependable ally and umbrella for European defence.

On the kinds of resources needed by Ukraine, I observe that despite the expectations in advance, this has been a remarkably old-style, conventional war. There have been hybrid elements, but much less impact from cyberwar than was predicted, for instance. To date, there has also been less of an air war than might have been expected, although that may change with the arrival of F-16s. This has been a much more traditional artillery war, with the major technical advance being the appearance of drones. Old-style defences of trenches and mines mean that whoever is defending territory is almost persistently retaining the upper hand. In the first stage, the Ukrainians were successfully defending against Russian attacks. Now it is the Russians who are defending conquered territory, which they have extensively mined and where they can transparently see the Ukrainian approach. It cruelly resembles Verdun and the Somme, the battles of World War I.

For the present, this looks to be a more traditional war of attrition than the kind of war that Europeans and Americans might have expected, with mobile manoeuvring offensives. I wonder if NATO's approach and the training that NATO has been providing to our Ukrainian allies may have needed considerable adaptation. Can the Minister give us any indication of how far the NATO military approach and plans, and indeed the training we have been giving, have had to adapt to the realities on the ground in this war?

It is not just a question of military resources and tactics, vital as these are. On 16 October 2019, I drew the attention of the House to another observation: that overwhelming physical and military force is no longer of itself effective in wars. The United States and its allies have involved themselves in a whole series of wars, from Vietnam through Afghanistan, Iraq, Libya and Syria, and none has had a successful outcome, despite all the resources made available. In fact,

“All have made the situation worse”.—[*Official Report*, 16/10/19; col. 114.]

As we reflect on another war, this time in Ukraine, we should think about whether our assumptions about war are borne out by the evidence now available to us.

Speaking on 16 August 2021, President Biden identified what he believed to be the key factor in Afghanistan:

“We spent over a trillion dollars. We trained and equipped an Afghan military force of some 300,000 strong—incredibly well equipped—a force larger in size than the militaries of many of our NATO allies. We gave them every tool they could need. We paid their salaries, provided for the maintenance of their air force ... What we could not provide them was the will to fight”.

A previous US President, Barack Obama, was of the same view as his director of national intelligence at the time:

“We underestimated the Viet Cong ... we underestimated ISIL and overestimated the fighting capability of the Iraqi army ... It boils down to predicting the will to fight, which is an imponderable”.

But Presidents Biden and Obama were wrong: the will to fight is not an imponderable; it is, in fact, as some of my academic colleagues have shown, a measurable phenomenon, and it is as likely to be as critical in the outcome of this war now as in the other conflicts I have mentioned. Can the Minister tell us how far we have been measuring—not just hoping about, but measuring and assessing—the will to fight of the two sides in this war? The outcome remains uncertain but, despite Russia's military, economic and numerical superiority, the Ukrainians have to date shown remarkable resistance. Their will to fight will be crucial: are we assessing their will to fight? It will also be crucial whether the will to fight remains on the Russian side or is lacking: are we assessing that?

Does Europe have the resources? Does NATO have the right tactics and strategy? Are we assessing the will to fight? Finally, the Minister said that it could all be ended simply by the withdrawal of Mr Putin, but it is not just that. As has been pointed out, there are the enormous and horrendous crimes against humanity, exemplified by the ICC indictment against him. There is also the reconstruction of Ukraine, and foreign policy and substantial change beyond Europe. Have His Majesty's Government stressed that the problem is no longer just Russia? As the noble Lord, Lord Owen, pointed out, there are other countries that do not necessarily share our view of this situation.

After the last two great and terrible global conflicts, the international architecture had to be refashioned. Can the United Nations survive without major reconstruction after this conflict? Are His Majesty's Government looking at the substantial, long-term global and political consequences of this terrible war? As the noble and gallant Lord, Lord Stirrup, said, it will not be possible just to return to the status quo ante bellum. The time will come, if it has not already, when we will have to address the enormity of the geopolitical as well as human consequences of this terrible, spreading war, the ultimate outcomes of which we cannot yet know.

2.36 pm

Lord Alton of Liverpool (CB): My Lords, two recurring themes in this hugely important debate have been accountability and the changing landscape of international institutions and their response to these events. Before I make my contribution on those themes, in parenthesis, I ask the Minister to touch on the munitions and armaments that this country has rightly gifted to Ukraine, as raised by the noble Lords, Lord Owen and

[LORD ALTON OF LIVERPOOL]

Lord Alderdice. The replenishment of those gifts has not been referred to so far, although it was raised in the debate in your Lordships' House on the report of the International Relations and Defence Committee. This is a hugely important question and I look forward to hearing from her about it.

Earlier, my noble and gallant friend said that there must be accountability for a gangster regime's unrestrained savagery. As we debate today, functionaries and diplomats are meeting in New York for the United Nations General Assembly, but even the best of them must be shrugging their shoulders in despair at their own irrelevance, perhaps privately agreeing with the conclusion of a *Wall Street Journal* editorial on Tuesday that

"the truth about today's world order lies in the rubble of Bakhmut".

Undoubtedly, the failure of the UN to prevent the Kremlin's visceral brutality and thwart its arms deals with countries such as Iran and North Korea—enabled by Russia's veto in the Security Council with Chinese support—has left its credibility in tatters. Even its one significant achievement, brokering a deal to keep grain flowing from Ukraine, was jettisoned by Putin in July. Can the Minister, who referred to this in her opening remarks, enlarge on that and tell us what the current position is on those crucial supplies to countries where famine is no infrequent visitor?

Just as President Zelensky's courage and refusal to buckle has forced the West to reassess its failures to see the danger lurking in its own backyard, so perhaps that remarkable man—who also addressed the General Assembly this week—might wake us and those acquiescent nations up to the dangers posed by an unravelling world order. In his remarks in New York, President Zelensky said that Russia has weaponised food, fossil fuels and nuclear energy and warned about "shady dealings" to try to concoct a deal legitimising Russia's illegal seizure of the territories of a sovereign state.

He warned:

"Evil cannot be trusted—ask Prigozhin".

But he also insisted:

"For the first time in modern history we have a real chance to end the aggression on the terms of the nation which was attacked", telling the UN's smaller states:

"This is a real chance for every nation to ensure that aggression against your state, if it happens ... will end not because your land will be divided and you will be forced to submit to military or political pressure, but because your territory and sovereignty will be fully restored".

These are questions which go right to heart of the issues of the world order and the rule of law that we have been debating.

I have some specific questions for the Minister, of which I have given her notice. During his remarks this week, Mr Zelensky referred to the plight of the kidnapped tens of thousands of Ukrainian children, referred to by my noble and gallant friend. President Zelensky said it must be stopped and asked:

"What will happen to them? ... This is clearly a genocide".

From the early months of the war, we have heard disturbing stories of Ukrainian children being abducted and taken to Russia and being subjected to accelerated illegal adoptions there. In August, at a UN Security Council session, Kateryna Rashevskya, a legal expert at

the Regional Center for Human Rights, reported that Russian Federation agents had taken at least 19,546 children to Russia from Ukraine since 18 February 2022. Among other violations, Russian Federation citizenship is imposed on them, and they are forbidden to speak and learn the Ukrainian language or preserve their Ukrainian identity.

This is not the first time Russia has targeted children. Similar practices were deployed in 2014 with the so-called "Train of Hope". The international community failed to address those crimes in 2014, and President Zelensky is right to demand that we do not do the same again. On 17 March, a pre-trial chamber of the International Criminal Court issued warrants of arrest for Vladimir Putin and Maria Lvova-Belova

"for the war crime of unlawful deportation of population and that of unlawful transfer of population from occupied areas of Ukraine to the Russian Federation".

"War crimes"—not a rhetorical device but an indictment. The International Criminal Court goes further, saying:

"There are reasonable grounds to believe that Mr. Putin and Ms. Lvova-Belova bear individual criminal responsibility for these crimes".

This week Mr. Zelensky said:

"Never before the mass kidnapping and deportation would become a part of the government policy. Not until now. We know the names of tens of thousands of children and have evidence on hundreds of thousands of others kidnapped by Russia in the occupied territories of Ukraine and later deported. ... We are trying to get children back home but time goes by. What will happen to them? Those children in Russia are taught to hate Ukraine, and all ties with their families are broken ... This is clearly a genocide. When hatred is weaponized against one nation, it never stops there".

What can the Minister tell us about how this case can be progressed, and what more can be done to assist Ukraine's children, especially those from orphanages and children who have who have been abducted to Russia to be subjected to illegal adoptions there? What practical assistance is being offered to Ukraine in this respect? Is there a clear strategy about how best to assist Ukraine in ensuring that Ukrainian children are reunited with their families and carers?

When the Minister replies, I hope she will also say a word or two about an issue raised by the noble Baroness, Lady Kennedy of The Shaws. The issue is sexual violence in Ukraine, where the evidence of rape and sexual violence in Putin's war is growing as every day passes. Has the Minister seen the report published by the Organization for Security and Co-operation in Europe and the Office for Democratic Institutions and Human Rights, which provides graphic and harrowing details which I will not repeat to the House? If the Minister has seen the report, how are we responding?

How will those responsible be brought to justice? What practical assistance is the Government offering to victims and survivors of CRSV in Ukraine? How much of our own budget is assigned for this purpose and what is the progress in delivering this assistance? In this same search for accountability, can the Minister also say what progress has been made in establishing an ad hoc tribunal for the crime of aggression, referred to by the noble Baroness, Lady Kennedy, especially now that a mechanism to collect the evidence of the crime of aggression is up and running in the Hague?

How is the UK supporting the work of the International Centre for the Prosecution of the Crime of Aggression against Ukraine, but also the work of Eurojust, now that the UK is out of the EU and Eurojust?

The noble Lord, Lord Harrington, referred to Ukrainian refugees. I pay tribute to the Government for the way in which they have helped to organise the great response that the noble Lord, Lord Owen, also touched on. That took the work of the then Minister dealing with this, the noble Lord, Lord Harrington, and others who have followed, and there are around 163,000 people who have been helped. What have we been doing to collect and preserve evidence of Putin's crimes from refugees who have arrived in the UK under the Homes for Ukraine scheme? It is an issue I have raised previously on several occasions in the House and in correspondence with Ministers. Testimonies of war crimes must be meticulously collected and preserved for the day the perpetrators face their Nuremberg moment. Men have allegedly been found shot dead with their hands bound. Mass graves are said to contain the bodies of dozens of civilians. Such butchery must carry consequences. Olaf Scholz was right to describe it as "terrible and horrifying". Emmanuel Macron described the evidence from Bucha as "unbearable" and said that the Russian authorities will have to answer for these crimes.

Even in advance of that Nuremberg moment, what are we doing now to amend our law, especially the International Criminal Court Act, to ensure that those responsible for international crimes and who are not UK citizens or residents can be prosecuted by British courts—as has happened in Germany and was underlined by Amal Clooney's recent success on Yazidi genocide when she took a case to the German courts? How are we intending to work with the Register of Damage for Ukraine, which was established in May at the Council of Europe summit in Reykjavik? This is an issue I raised during the course of the economic crime Bill. I thank the Government for having accepted the all-party amendment which I moved at that time. The noble Lord, Lord Sharpe of Epsom, helpfully responded to the amendment with a promise of secondary legislation this autumn to address the issue of sanctions evasion, including confiscating proceeds of sanctions evasion and repurposing them in Ukraine's reconstruction. What progress has been made on this and how and when will the confiscated proceeds be used to pay for the damage claimed through the register?

Finally, on Tuesday, President Biden told the General Assembly that the world needs to

"stand up to naked aggression"

and that no country is safe if world leaders allow any country to be "carved up". He rightly asserted that Russia alone bears responsibility for this terrible war, in which an estimated 500,000 troops have been killed or wounded. US and European support for Ukraine has been crucial for its survival, but it must be intensified if Ukraine is to prevail. As the noble Lord, Lord Owen, said, in the US, Republicans especially must withstand the Trumpian message of abandonment. In the US, there needs to be a strong, bipartisan message that, if you want to stop China from invading Taiwan, the best message to send Xi Jinping is to see Putin defeated.

In Europe, Ukraine's fight is undoubtedly our fight as well. The noble Lord, Lord Owen, said that appeasement never pays. Winston Churchill once said, "If you feed the crocodiles, one day the crocodiles will come and feed on you".

2.49 pm

Lord Arbuthnot of Edrom (Con): My Lords, the noble Baroness, Lady Kennedy, mentioned the variety of topics that had been covered in this vital debate. Of course, she was right, but so often we come back to the horror of Russia's behaviour, as the noble Lord, Lord Alton, just has, in relation to the children and to Bucha.

I will cover another aspect of Russia's crimes. In doing so, I declare my interests as set out in the register, particularly as a member of the advisory board of the Electric Infrastructure Security Council in the United States. One of the major features of the war in Ukraine has been the relentless attacks by Russia on Ukraine's electricity infrastructure. It is a new facet of war, of which every country needs to take note. As the noble Lord, Lord Owen, reminded us, those attacks began not in 2022 but earlier: with the invasion of Crimea. On 23 December 2015, Russia hacked the power grid in two western oblasts of Ukraine, which resulted in power outages for about 230,000 consumers for between one and six hours. This was carried out by a Russian advanced persistent threat group known as Sandworm, which the USA has identified as Unit 74455 of Russia's military intelligence agency, the GRU.

It is thought to have been the first publicly acknowledged successful cyberattack on a power grid. Very fortunately, the Ukrainian power distribution companies had a very effective set of firewall and system logs that allowed them to reconstruct events. That is perhaps unusual for any corporate network. We have to ask ourselves whether our own critical national infrastructure has such robust logging capabilities.

The 2015 hacking was carefully planned. It began with spear phishing attacks in 2014, targeting IT staff and using vulnerabilities in Microsoft Word. It then involved mapping the whole of the network and getting access to the Windows domain controllers and the uninterruptible power supply. They hijacked virtual private networks and got control of the supervisory control and data acquisition system—SCADA—that gives access to the power grid, allowing the attackers to rewrite the grid's software so that it could not be recovered. Then they carried out telephone denial-of-service attacks on the customer call centres to prevent customers calling in to report the outage. In military terms, it was a combined arms attack of great force.

In 2016, Russia did it again through an automated attack using malware called Industroyer. As in 2015, Ukrainians regained control within a few hours by reverting to manual operations. In 2022, Russia launched cyberattacks called Industroyer 2 on the electricity system, alongside its full-scale military attacks. But on this occasion the Russian hackers tried not only to turn off the power but to destroy the computers the Ukrainians use to control their grid, making it impossible to bring power back online using those computers. With Russian soldiers nearby, it was harder to send out a truck to bring back a substation online. Nevertheless,

[LORD ARBUTHNOT OF EDROM]

by this time, Ukraine had had the advantage not only of repelling the Russian military advances but of having spent eight years repelling Russian cyberattacks. As in so many things, Ukraine had become better at it than Russia.

But in October last year, Russia began to launch missiles against the physical power infrastructure of Ukraine. This is a contravention of international humanitarian law and of Additional Protocol 1 to the Geneva conventions. Somehow, Ukraine managed to keep the grid from collapsing. It did that through scheduled power outages in some cities and towns, so that consumers were disconnected for predictable four-hour blocks three times a day, giving electrical engineering crews time to make repairs.

Ukraine set up “points of invincibility”, often tents, with generators where you could get a cup of tea or recharge your telephone. Also, Ukraine has joined the European power grid. This was meant to happen in 2023 under an agreement made in 2017. Under that agreement Ukraine, with the agreement of Russia, was going to disconnect from the Russian supply for a few days in mid-February 2022 to prove that it could operate autonomously. Within hours of Ukraine temporarily disconnecting from the Russian supply, Russia invaded. Luckily, Ukraine had suspected that something like that might happen, had secretly moved their main control room to an undisclosed place in the West and were able to join the European grid on 16 March 2022, a year and a half ahead of schedule. This is only a partial answer to the issue because the price of European electricity is higher than Ukraine can afford without help.

By December last year, about half of Ukraine’s power generation had been destroyed. Recovering that capacity will be a key part of rebuilding Ukraine. It will require equipment that is already in high demand. An international attempt to find large autotransformers to replace those destroyed by Russia sadly produced only a few, two of which are still moving slowly through Poland and are expected to arrive in the early autumn of this year. Ukraine’s current objective is to have 68% of the energy sector back online this month, up from 51% in early August, but it will not be easy. Russia tries to hit substations as soon as they are repaired, so Ukraine is working to build protective structures over them. It may well be that the lull in current attacks on the power grid is caused by Putin stockpiling ammunition to hit it again this winter.

We can be proud of what the UK has done to help Ukraine during this most terrible of times. We have been providing training for Ukrainian soldiers which, clearly, they have found extremely valuable. But the time is coming when the boot will be on the other foot. It will be the Ukrainians who will have the most recent experience of war fighting and the greatest knowledge of how our enemies are likely to behave. We must be open to learning from them. One of the greatest areas of their expertise and of their, and our, vulnerability, is the war now being carried out in the power sector. All the technology on which we are completely dependent runs on electricity. We neglect its vulnerability at our peril.

2.58 pm

Lord Anderson of Swansea (Lab): My Lords, I commend the debate in the other place on 11 September. Sometimes I detect a certain air of superiority here against the House of Commons, but it was a debate of high quality informed by a number of parliamentarians who had recently visited Ukraine, been on the front line and spoken to Ukrainian soldiers who, perhaps surprisingly, had a certain respect for the readiness of the Russian military to stay in their positions. It is well worth looking at that debate.

Yesterday, today and tomorrow—the war in Ukraine has lasted only 574 days. I am glad that the Minister counted them for us. Yet already there has been a profound change, obviously in Ukraine itself, in Europe and, in my judgment, in geopolitics.

I was present in Ukraine in November 2021 before the war broke out. I was the only UK parliamentarian at a conference in Odesa. I was impressed by a vibrant city; young people; a café culture; architecture of high quality and a city that could easily slide into western Europe unnoticed. A little later—just before the invasion—I was at NATO in Brussels where I spoke to senior officials and our own representatives, and was told that if there were a Russian invasion, which there was just a few days later, they expected Ukraine to fold and Kyiv to be reached within a few days. It did not happen because of what I think the noble Lord, Lord Alderdice, called the will to fight of the people of Ukraine. Perhaps we underestimate too often the role of morale—I think the noble Lord, Lord Owen, spoke about Vietnam and Afghanistan—in warfare and concentrate just on weaponry.

Traditionally, we thought of Ukraine almost as two countries: the east versus the west; Catholic and Orthodox; Russophone against the Ukrainian speakers. One result of the illegal invasion is that a new unity has been forged in what is, to adapt Yaroslavsky, the “grand patriotic war of the people of Ukraine”. Putin has forged that new national unity—another of the miscalculations which he has made.

As mentioned in earlier speeches, we see in Ukraine today a remarkable resilience, as well as the production of drones and the adaptation of civilian instruments. Serious shortcomings have been revealed in the Russian military, and internal strains were shown by the abortive revolt. Russia is also desperately seeking manpower assistance from Cuba and weaponry armaments from North Korea and Iran. The delays in the western supply have been important: think of the debate over the supply of main battle tanks and the current debate over the supply of sophisticated fighter aircraft. The Netherlands and Denmark are now at last supplying F16s, but these delays have clearly impeded the counter-offensive. The pause has allowed the Russians to build what appear to be pretty effective defences.

One of the distressing features of the conflict—I think the noble Lord, Lord Hannay, dwelt on this—has been the response of the global south, as seen in the United Nations General Assembly resolutions and the BRICS meeting. There has been a wish by some to have a certain neutrality between the aggressor and those aggressed. India is close to neutrality; the response of Commonwealth countries has been very distressing.

The Commonwealth has, in effect, been irrelevant as a force for good in the world politically. What is our FCDO doing to tell those countries that are reluctant for a number of reasons—anti-colonialism, investment in them by China and Russia—the facts about the aggressor, and has there been any success with that? I note the weak paragraphs in the G20 communiqué, which is very sad. Equally, it seems unlikely that the nature of the current offensive will achieve its aim of closing the land bridge between Russia and Crimea.

What of the lasting changes? Now during the course of the conflict, we see only through a glass darkly, but some trends can be discerned quite clearly. There is a deepening polarisation in the world between those in the western democratic orbit and in the Russian-Chinese authoritarian orbit, unwilling to accept the rules-based international order. Part of the challenge for the West is to get closer to those in the middle who have not yet declared themselves definitively and to talk about global implications of the invasion. At its meeting on 24 August, BRICS would not have issued the invitations, as it did, to six countries to join by the beginning of next year, were it not for the invasion.

I turn to Europe itself, which has been profoundly changed by the conflict. For NATO, it has emerged much stronger and is not brain-dead. It would be useful to have the government perspective on the current position of Sweden, for example. The Turkish President has said that he will submit a proposition to their Assembly by the beginning of next month. Now, a new obstacle has possibly emerged in Hungary, a spoiler both in the European Union and in NATO—I speak as someone who has lived in Hungary as a diplomat and been decorated by the Government of Hungary for my contribution to bilateral relations. How do the Government read the position of Hungary? What concessions do they expect? How far will they go in their attempt to gain concessions? It is true that the Hungarians buy all their aircraft from Sweden, yet they have this position currently. Will they yield immediately when Turkey concedes?

Another factor is that NATO will be strong enough next spring to hold a major military exercise, its grandest since the end of the Cold War, and bring in a number of peripheral nations in doing so. The best way for us in Europe to allay the fears of US critics is through burden sharing. At the moment, only eight of the 31 NATO countries spend 2% of their wealth on defence; even Sweden will rise to 2% by next year. The conflict underlines the fact that our US allies are by far the most important NATO country, now spending \$110 billion on Ukraine. We in Europe need to counter the propaganda in the US, knowing that Putin is playing for time in the hope of a Trump victory.

The European Union is also likely to be profoundly affected by the conflict, both in deepening and widening. We see the increasing integration in areas such as energy and defence and an accelerating of the process for Ukraine, which applied for membership in February 2022, was granted candidate status shortly after that and, we hope, will begin negotiations next year, along with the western Balkans, with the first accession assumed by 2030. That poses the question for us: where do we now focus, as we look ahead?

I have one final reflection. I understand the reluctance of the Government to discuss the endgame, with all the current uncertainties, but all conflicts ultimately end in deals. There is some evidence that President Zelensky is moving from a maximalist position, step by step, preparing his public opinion for compromise. Perhaps the Government could comment on that.

Of course, we must stick with our Ukrainian allies, who are defending our interests so bravely, even if we do not grant them an absolute veto over acceptance. But we should be open to discussion, and to various options on the future of Ukraine, including how to hold Russia to account for its war crimes, for the killing of civilians and, as the noble Lord, Lord Alton, has said, for the abduction of those children.

3.10 pm

Baroness Falkner of Margravine (CB): My Lords, it is instructive that the philosopher John Gray's new book is called *The New Leviathans: Thoughts After Liberalism*. The reference, of course, is to Thomas Hobbes describing the breakdown of society into anarchy in the 17th century. In Chapter 13, Hobbes tells us:

“During the time men live without a common power to keep them all in awe, they are in that condition which is called war; and such a war as is of every man against every man”.

The passage ends with a description of the condition that ensues, leading to, as he puts it,

“continual fear and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short”.

Russia and China are our modern leviathans, and it is here in the West—the liberal, democratic, freedom-loving, life-improving, rights-respecting West—that we have to secure for all today that common power, whether you call it democracy, the rule of law, or, more simply, the best human condition that man can obtain while living within society.

I turn to the here and now. It is five months short of 10 years since we saw the invasion of Crimea by Russia in February 2014. That was a signal of a tale foretold: the invasion of a sovereign state, not as an act of self-defence or humanitarian intervention but as a naked power grab. It was little different from those earlier acts of aggression which eventually led to the adoption of the UN Charter and its clear, unambiguous wording in Article 2.4 that:

“All Members shall refrain ... from the threat or use of force against the territorial integrity ... of any State”.

But in 2014, we did little. A few sanctions surely signalled a frown on the face, but as I said in a debate that April:

“Should that situation be accepted unchallenged, it presages similar attempts across the world. There will be few countries with minority populations across borders which cannot but worry”—*[Official Report, 3/4/2014; col. GC 310]*

about their own integrity.

We are seeing actual wars, proxy wars, wars fought by militias and wars funded by the extraction of natural resources, or simply aggression on the part of large and dominant neighbours. Those threaten more states than just Ukraine and involve despotic dictators. Russia is in good company with China, North Korea and Iran, among others. The consequences which have flowed from Crimea, and the road which started in Sevastopol, may well lead to Taipei.

[BARONESS FALKNER OF MARGRAVINE]

Ukraine has experienced much support in the UK, and we should be proud of playing our part, but warm words, albeit with some limited hardware, are not sufficient of themselves to sustain Ukraine in what will be a long-drawn-out war. We see the implications of nervousness in the US about an open cheque book. We ourselves know what every household in the country has learned: that foreign events hit our daily lives through the cost of living and energy shortages. However, the sacrifices we make currently will appear as minor if we allow Russia to prevail in its aggression.

Asia is slowly awakening to the triad of threats that it faces. In witness to the warning from the US for months about a North Korea-Russia deal, last week's visit by Kim Jong-un cannot have been a surprise to anyone who is observing these events. Now, whether it is artillery shells from North Korea, or, more threateningly, ballistic missiles from Russia flowing south, perhaps advanced arms, military know-how or, as is speculated in some circles, co-operation on building nuclear submarines, pacts between the two are being forged as we speak. As the *Economist* described it, we have a convocation of "desperate despots", impervious to our sanctions regime, including our long-standing ones against North Korea, if Russia becomes the main sanctions breaker, which seems to be its intention with regard to North Korea and Iran.

My question—my exhortation—to the Minister is simply this: to what extent are His Majesty's Government preparing for a long-drawn-out conventional conflict? To what extent are our own arms stockpiles and our defence manufacturers capable of ramping up production? Are we putting them on alert to do so, and to what extent? I acknowledge we have a good record in Ukraine. Are we preparing to ramp up our own military preparedness, including by a realistic increase of GDP, which surely must reach 3% given the dangers that we face?

I want to end on a personal note. I read international relations at the London School of Economics under two brilliant thinkers of war and peace. The first was Philip Windsor, who made us understand the theory of détente at the height of the Cold War when we needed to see through the fog. The second was Christopher Coker, who recently passed away. He was one of the finest strategic thinkers of our generation. In reading his obituary in the *Times* yesterday, I was reminded of Professor Coker's warning against our easy assumption that increasing globalisation and trading with each other would make war between the US and China unlikely. He told us that we are unwise to presume that leaders such as Putin and Xi make rational choices. Rather, they frame them in a narrative of national purpose, with us, the West, as the new imperialists. The lens that they deploy mobilises against us. The question for us, then, is whether our confidence in our values of prosperity, liberty and autonomy will be sufficient for us to defend those values with the tenacity that will be required. Ukraine gives us a powerful lesson in this regard.

3.19 pm

Lord Cormack (Con): My Lords, it is a pleasure to follow the noble Baroness. She made some extremely perceptive comments, particularly at the end of her

speech. I hope the Minister will be able to answer the questions that she put, because they are entirely relevant.

In his speech, the noble Lord, Lord Hannay, talked about the first time we debated Ukraine, the very day after the brutal invasion began. Although we have not debated Ukraine as often as we should—that is no criticism of the Minister; I am grateful to her for what she has done to make today's debate possible—whenever we have touched on the subject, one theme above all others has sounded through most speeches: Ukraine must not be allowed to go under. That point was made powerfully today by the noble and gallant Lord, Lord Stirrup, the noble Lord, Lord Robertson of Port Ellen, and others.

It was brought home to me this week by two experiences. First, there was an interesting programme on the television the other night by the brave and excellent journalist Katya Adler. She reported from Estonia, the tiniest of the Baltic states and the most vulnerable; from Finland, with its 800-plus-mile border with Russia; and from Norway, up in the far north near Murmansk. She interviewed local people, and what came over was how concerned and indeed fearful so many people were about what was going on, as well as the consciousness that those in Ukraine were fighting their cause. It is our cause too.

It was brought home to me further when I met yesterday a Bosnian friend. I was much involved in the debates on Bosnia in the other place in the early 1990s, and I met this friend then. He brought home to me in our conversation yesterday just how vulnerable the Balkan states are, Bosnia-Herzegovina in particular, with Republika Srpska, and with Russia influencing and agitating within Serbia. This really could become a European conflagration, and it truly is essential that we do not see Ukraine go under.

In his speech, the noble Lord, Lord Robertson, made an important point: Putin underestimated President Zelensky and the Ukrainians, but—a point also made by the noble and gallant Lord, Lord Stirrup—we must not underestimate the malevolent power of Putin. That is crucial. We could be in this for a long time.

This is happening at a time of some real concern, as has been touched on by colleagues, particularly by the noble Lord, Lord Owen, who was himself an excellent Foreign Secretary and who understands these things better than most of us. As we look across the Atlantic, we must recognise that without the enormous generosity of our American friends, who have saved Europe twice in the last century or more, we would probably not be where we are now, gently cheering on a Ukrainian offensive. It could conceivably all have been over. We have to look at that—again, a number of colleagues have touched on this—in the context of what could happen in the United States in a little over a year. It would be a profound worry for NATO, to put it extremely mildly, if President Trump were re-elected. American participation in NATO could not be guaranteed and neither could the generosity of the United States, but it is vital that it should be.

I am very proud of what this country has done and is doing. I pay tribute to Ministers and others, and particularly to Ben Wallace, the recently departed Secretary of State for Defence, who has not been mentioned in this debate but who deserves a mention

and hearty thanks for what he has done. Although I am proud of what we are doing, quite rightly filling the arsenals of Ukraine, I am troubled that we are leaving our own worryingly bare. That was a theme that ran through the debate on defence a couple of weeks ago. We have to recognise how crucially important it is that we are properly equipped. It was mentioned earlier that we have not had a smaller Army since the middle of the 18th century. The world has changed a bit since then.

We do not have the firepower that we really ought to have. I do not know whether colleagues noticed this, but I saw a report in the *Times* yesterday about one of our great aircraft carriers, which is almost bereft of aircraft. That is not terribly encouraging. It is very important—this point was made time and again in the defence debate—that we give the highest priority to what should be the highest priority of any Government: the defence of the realm. I know that my noble friend Lady Goldie is aware of how crucial this is, but there is genuine anxiety, particularly among those in the know. I happened to quite casually bump into a very senior general earlier today who told me how very disturbed he was. Although we are very proud of what we have done—we are very proud of having that recovery conference in June—we are facing, when this war finally comes to an end, the need for another Marshall Plan. Trillions will be involved in the rebuilding.

We have to remember too, that Ukraine has not only lost a lot of modern buildings; much of its heritage and patrimony has been destroyed. The right reverend Prelate the Bishop of Chichester touched on this when he talked about the cathedral in Odessa. A nation is rooted in the history of its buildings—ours certainly is. Think of this country without Westminster Abbey or the building in which we meet. Both of them are so symbolic and mean so much to people throughout the country and indeed the world. Ukraine has lost a lot. Many of its libraries and museums have been looted. All these things will be on the agenda when we come to reconstruction.

It is all very well saying that we must make Russia pay, but how? Yes, we can sequester oligarchs' assets, and we should, but we cannot physically make Putin sign a cheque. We have to be very conscious that the burden will fall upon the NATO nations—the United States in particular but our country too—to try to restore, through the generous sharing of expertise. We have many wonderful experts in historic buildings in Historic England, for instance, and they could help. But we have to do that and provide the money, or a lot of it, with our allies in order to do so.

There are some fine initiatives. I hope the House will forgive me if I say that I am particularly proud of one in which my elder son is involved. He has been responsible for creating the system of twinning Ukrainian, British and other universities. That has given enormous encouragement to Ukrainian rector, vice-chancellors and so on, but it only scratches the surface. When, as we devoutly hope and pray, the bombs and drones stop and the devastation is truly assessed, there will be so much to do.

I come back to the point that we will be able to do this only if we ourselves are completely securely defended. So the bottom line is defence, and I make no apology for ending on a serious plea to my noble friend to do

all she can to ensure that the Government recognise that we have to get to 3% and beyond very quickly, and to encourage our NATO allies to do likewise. This will be a long haul, but, at the end of the day, Ukraine, which is standing up for democratic values, is an ally that must not be allowed to face the prospect of defeat, which would lead to annihilation.

3.32 pm

Lord Risby (Con): My Lords, all of us are aware of the scale of destructive landmine activity by the Russians—literally creating killing fields—which has impacted the Ukrainian fight-back. I pay heartfelt tribute to the way Ukraine has undertaken de-mining most professionally. Many take enormous personal risks to do this, not least led by two British organisations.

Your Lordships have rightly dealt with the necessity of securing an environment in which Ukraine can victoriously return to normality. This is essential for the Ukrainian people to live in a free, democratic and prosperous state within internationally recognised borders. The Ukraine Recovery Conference, held here in June and cohosted by ourselves and Ukraine, laid down a clear foundation. Some 500 global businesses from 42 countries had already signed the Ukraine business compact, and priority sectors included energy, technology, infrastructure and finance. I note the further initiatives taken by our Government.

But I believe that we are now at a stage to move to building on these admirable objectives, while making it plain that Russia must fully contribute to the reconstruction of Ukraine. In Ukraine, many schools, hospitals, universities, homes, roads, railways, water systems and ports will need to be rebuilt. The planning and construction time needed for these large-scale projects, including their funding, designing, regulatory requirements and building, could take years. Thus, setting a clear road map and timeframe now for Ukraine's recovery will make potential investors in the country's renewal and redevelopment more confident in the future. Without a clear plan for how Ukraine can be rebuilt, private sector funding may be out of reach, jeopardising recovery.

I would therefore like to explore the critical matter of commercial insurance, an increasing demand among businesses which wish to invest in the country. At the June conference, the war risk insurance framework was launched. The European Bank for Reconstruction and Development announced a pilot war risk insurance scheme among other positive announcements, but policy development and implementation remain work in progress.

Apart from the immense security pressures, let us examine the economic situation in the country—a budget deficit of \$40 billion, now essentially being covered by the USA, European countries, the IMF and others. Unemployment inevitably remains high with diminished tax revenues. But by generating revenue through a stronger domestic economy, Ukraine will become less reliant on external financial support. Western investors moving early can help to shape the kind of economy Ukraine should have after the war, with higher standards of good governance.

An absolute key to making Ukraine investible is a sufficiently viable wartime insurance programme for investors. The French are planning an insurance

[LORD RISBY]

programme for French investors under the auspices of BPI, their public bank for investment: up to 90% of the amount of any investment, with ultimate decisions made by the French Government. I believe that we, with our exceptional credibility and reputation in Ukraine and our highly professional financial sector, could take the lead on this, also encouraging greater collaboration between the private insurance sector and G7 countries. The present situation in Ukraine calls for a multilateral public-private solution approach. I encourage my noble friend the Minister to give real consideration to this insurance matter, given the foundations laid at the June renewal conference.

My noble friend will be aware of the lessons we have learned in recent years about the secure supply of critical minerals. My understanding is that Ukraine's potential in the field of mining—with of course critical minerals in particular, as well as energy and agriculture—will be included at a critical minerals partnership meeting to be held in London. Will my noble friend confirm that this meeting will take place?

If Ukraine's own regulatory and policy frameworks improve, the country's energy production potential can be further deployed. According to the International Energy Agency, Ukraine has substantial renewable energy potential, including significant biomass resources and waste management possibilities, largely untapped. Furthermore, Ukraine holds gigantic gas reserves, the second highest in Europe. Before the war started, Kyiv developed a reputation for high-level technology capabilities. I welcome the TechBridge agreed between ourselves and Ukraine.

To conclude, the moment is coming when real incentives for investing in the country are needed, but with assurance that war risk cover can be introduced to bring this about.

3.38 pm

The Earl of Oxford and Asquith (CB): My Lords, I want to make just two points in this debate, one of a military nature and the other political. First, while I have no intention of trying to play the armchair general—and, as we all know, war plays tricks on predictions and predictors—none the less, the focus of the war in Ukraine looks to be on the point of change. The Ukrainians appear to have modified their plans and have decided to concentrate or consolidate their forces in the town of Tokmak, in the second line of Russian defences and a critical logistic hub for the Russian Army in Ukraine. If the Ukrainians can take and control Tokmak, they can establish a pivotal position of blockade over the land bridge from Russia to Crimea, which implies a longer term waiting game for Ukraine and should give the Russian general staff some pause for thought.

In that event, it is conceivable that a stalemate of some kind could ensue after another four to six months of this war and, sooner than we think, some kind of halt could be called to the fighting—or at least some conclusion to widespread fighting would perhaps be a more accurate description. There is no evidence that either side would be ready to call this an armistice. Indeed, the Ukrainians have a long tradition of insurgency, and I doubt very much that hostilities would entirely cease, but a persistent war of attrition it may not be.

What would remain static would be a kind of Korean solution, leaving Russia in possession of 15% to 20% of occupied Ukrainian territory. That would be an unhappy, unsatisfactory solution for Ukraine but, without air cover, it is doubtful that the Ukrainians can continue offensively much further. Without air cover, the speculative scenario that I have just outlined is more plausible than a tangible or convincing Ukrainian victory. If we truly advocate victory, Ukraine must have the means.

At the same time, there is now an increasing debate among Ukraine's allies on the importance of rehabilitating or "reincorporating" Ukrainian army recruits into civilian life, with a target of spring 2024 now stated by the United States. That might indicate the current direction of thought among the allies. Clearly no one wants 200,000 armed soldiers on the loose in Ukraine and, while there is no doubting the bravery and inventive skills of the Ukrainian armed forces during this conflict, it is an open secret that there is deep disaffection between the military and the country's political leadership. Who knows? Maybe the present Administration will seize what they can in the time left to them, or maybe some will be caught up in the same cloud of chicanery that attended the end of Karzai's regime in Afghanistan.

My second point is that we must prepare for the possibility of considerable turmoil within Ukraine when and if hostilities cease. Naturally, we must abide by our commitments to assist the reconstruction of the country and the security of the people as a whole, but we have connived at and allowed certain practices to go on for too long and certain political illusions to prevail among ourselves. There will come a reckoning within Ukraine that will not be pretty, and one which, at the moment, our own electorates are not prepared for.

3.42 pm

Lord Balfre (Con): My Lords, we seem to have hit the realistic point here. I start by agreeing completely with the previous speaker that there will be a reckoning. I made several visits to Ukraine between 2000 and 2016, the time at which it basically started to fall to pieces.

We forget; we talk about Ukraine as though it were an historic country, but the borders have changed three times in the past 100 years. They changed after Versailles, when part of Ukraine which was in the Austro-Hungarian Empire came out of it when Poland was created and the borders were set. They changed again in 1945 when, as a result of the Ribbentrop-Molotov pact, the Russians took part of Poland into Russian territory. At the end of the war, Churchill did a deal with Stalin not to give it back, so the western borders of Ukraine embraced what was part of Poland. To compensate, Churchill agreed that Poland would get some of Germany. The eastern part of Germany was therefore taken into Poland, and the dispute over what we call the Oder-Neisse line carried on until the days of Willy Brandt. Even today, within the AfD—the extreme right-wing party—there is still talk about the lost territories.

Let us not pretend that the boundaries have been very stable, because of course finally Crimea became part of Ukraine only when Khrushchev, the ex-secretary-general of the Ukrainian Communist Party before he became leader of the USSR, gave Crimea to Ukraine

as a present. All this was done because no one could see that there would ever be an end to the USSR: Stalin did not and Khrushchev did not. This is what we are up against.

When I first went to Ukraine, someone I christened “Authoritarian Grandpa” was in charge, Leonid Kuchma. He had a pretty good idea about how to run Ukraine: it was to keep it on a pretty short lead, restrict the freedoms overall, and give just enough play for the west and the east to live together. That carried on through the first 10 or 12 years of this century but then, after 2004 and the so-called revolution, the United States in particular and the EU spent years destabilising Ukraine. There is no doubt about it whatever, and if the papers are ever released it will be seen that that was what was going on. By 2014, Putin lost his temper. He also lost his sense of judgment, incidentally, because the way he took Crimea was absolutely illegal and wrong, but none the less he did it.

Between then and the outbreak of the war, there was constant tension between Russia and Ukraine and, frankly, we did little to help. We had the Minsk accords; we had France and Germany supposedly trying to broker a deal, but it was never adhered to and there was never much attempt to make it happen. Part of the reason for the whole problem in Ukraine was, first, the way we reacted. The end of Ukraine really came when Viktor Yanukovich was chased out after the second revolution. From then on, there was really no hope, because Yanukovich represented the east. He was based in Donetsk. I met his party members in Donetsk: they thought that he was their great god. He was not. But in the west, he had no support whatever. There, it was Tymoshenko and the rest of the elite who were in charge, so the country was really breaking up before one’s eyes. Indeed, I decided not to go back after witnessing a local election in Dnipro that was so badly run that I thought, “This country is beyond help”.

Anyway, that is where we are and that is how we ended up in the position today. There is no doubt whatever that Putin committed an illegal act; there is no doubt that he should not have invaded Ukraine; there is also no doubt that he felt at his wits’ end, but he made an amazing misjudgment. God knows what his secret service told him, but it is quite clear that he totally misjudged the strength of Ukraine.

We are now, let us remind ourselves, in a proxy war. The noble Lord, Lord Robertson, reminded us of how the Russians left Afghanistan. He could have reminded us of how the Americans left Afghanistan. It might be worth remembering that we are fighting a proxy war in Ukraine. The United States is contributing probably 80%, certainly 70%, of all the help being given; meanwhile, Europe squabbles. We have given some assistance—Britain has given more than anyone else in Europe—but I heard this morning on my Brussels newscast that Warsaw has decided to end military aid to Ukraine because of the dispute over grain. Hungary is very chary of doing anything useful, because there is still a Hungarian minority there. When Ukraine had a Government, they spent the years between 2017 and 2020 trying to eliminate the teaching of Hungarian in the school system of Ukraine’s Hungarian region. That does not endear you to the country you are living in. There has been a lot of tension ever since.

Where do we go from here? The noble Earl, Lord Oxford and Asquith, made the very good point that we must look beyond where we are. Our priority should be the defence of those countries that are in NATO. To do that, we have an end to the war in Ukraine, because we have to get the Russians back to the table and a Helsinki-type agreement on how far they can go. If we do not and end up in a stalemate, they will next start threatening the Baltics, which are NATO countries. I would not have gone quite as far with the expansion of NATO or the EU, but we have done it, and that is where we owe our first responsibility. We should be looking at and talking to those countries—looking at how we strengthen the NATO presence in Estonia, Lithuania and Latvia, give support along the long Finnish border and make them feel that they are a secure part of our family.

The last thing we should be thinking of is bringing Ukraine, Georgia or anyone else into NATO. We should be thinking about how we get a ceasefire, how we get the Russians to the table and how we defend the NATO countries that we are already committed to.

3.53 pm

Lord Skidelsky (CB): My Lords, I thank the Government for giving this all too rare opportunity to discuss the most fateful foreign policy issue of our day. I see that I have been bracketed with one or two other notable troublemakers; I am very happy to be speaking after the noble Lord, Lord Balfe.

I feel more isolated in this House when I speak on foreign policy than on any other subject, despite my strong feeling that what I am saying urgently needs to be said. I was one of a handful of Peers who opposed NATO’s bombing of Serbia in 1999 and the invasion of Iraq in 2003. The three main parties supported both policies. I managed to avoid speaking about Afghanistan in this House, though not writing an article in the *Guardian* headed “Seven pointless years in Afghanistan”, in which I argued that a negotiated settlement with the Taliban was the only way to bring an unwinnable war to an end. I clearly have an excellent track record in what my noble friend Lord Owen calls appeasement.

Before staking out my distinctive position on Ukraine, let me emphasise one point on which I think we are all agreed: that Russia’s invasion of Ukraine on 24 February 2022 was an act of aggression against an independent state contrary to the UN charter and fully deserving of the condemnation it received in this country and around the world. I would go further and say that it was worse than a crime; it was a blunder, since it achieved the exact reverse of what Putin intended, alienating Ukraine irretrievably from Russia. As I said a year ago, you do not call Ukrainians your brothers and then try to bomb them into submission. That is common ground.

Where I deviate from the consensus is in rejecting the possibility of a Ukrainian military victory at the present level of economic and military deployment. This leaves three alternatives: economic and military escalation, a long stalemate—a period of frozen war—or negotiations to end the war as quickly as possible. I favour the last. Supporters of the present policy are committed to the first option, a complete defeat of

[LORD SKIDELSKY]

Russia, which means escalation, or they are resigned to a continuation of the present position. Let us be clear about this: driving the Russians out of all the territory lost since 2014, plus reparations for all the damage they have caused, is Zelensky's war aim, and it is the stated objective of our Government as well. They are very cagey about it if one asks what the end game or the condition for ending is, but it is clear what it is. As James Cleverly stated on 23 August:

"Be in no doubt, the UK and the international community will never recognise Russia's illegal annexation of Crimea, or any Ukrainian territory, and will stand with you for as long as it takes".

That is the Government's official position.

Complete victory, in this sense, is the key to what all supporters of the present policy want—such as the Nuremberg court, suggested by the noble Baroness, Lady Kennedy, which depended, as she knows, on the complete defeat and occupation of Germany—reparations by Russia for its aggression and, of course, regime change in Russia and an end to the Putin system. Short of a complete defeat of Russia, I do not see how any of these goals of holding Russia to account can be achieved. They are the necessary premise of the policy, and it is not surprising that this is the official policy. A lot of the moral force behind it depends on viewing the Russian action in Ukraine as unprovoked—"brutal and unprovoked aggression" is the commonly used term. Yet, how can you take the notion of unprovoked aggression seriously? As the noble Lord, Lord Owen, and I noted in a co-signed letter published in the *Financial Times* soon after the outbreak of the war, Russian hostility to NATO expansion has been constant since 1991. We wrote:

"NATO Governments have rightly said they are willing to address Russia's security concerns, but then say in the same breath that Russia has no legitimate security concerns because NATO is a purely defensive alliance".

This has been the contradiction at the heart of Western policy on Russia and, in my view, eventually provoked a Russian response.

To say that the Russian attack was provoked is not to say it was justified; that is an important distinction for clear thinking about peace prospects. The only point I make is that a careful look at the background to the war is needed to judge the scale of Putin's ambition, to judge whether he is a Hitler—an increasingly common comparison—and therefore what a justifiable endgame might be like.

There is evidence that our Government have not only endorsed President Zelensky's war aims but helped define them. There is so much that we do not know about this and so much misinformation on both sides. I agree that there is much more misinformation on the other side than on our side, but there is a hell of a lot of misinformation on our side as well. Is it true, for example, that on a visit to Kyiv in April 2022, Boris Johnson strongly advised Zelensky not to sign any peace agreement, assuring him of continuing western support, come what may? I do not know, but it has been widely said that it aborted what were then promising peace negotiations.

Behind the Government's reluctance even to whisper the language of peace is their failure to recognise the extent of Ukraine's victory. Ukraine has fought for its

independence and won, much as Finland did in 1939-40, although Finland's independence did come at the cost of some territory. If we could think of the Ukrainian achievement in these terms, we would be much less hung up on defining victory in terms of the reconquest of every inch of territory it has lost since 2014.

Apart from these general considerations, the war aims espoused by our Government are unachievable. Ukraine is not in a position to fight the kind of war it can win. Its overhyped counteroffensive has stalled, and most military experts believe that inconclusive trench warfare will be the order of the day for months to come. In those circumstances, there will be a strong temptation on our side to break the stalemate by progressive scaling up of warfare. Escalation has already started. At his meeting with Zelensky at Chequers in July, our Prime Minister confirmed that we have provided Ukraine with long-range cruise missiles and attack drones with a range of 200 kilometres. The longer the war goes on in its stalemated form, the greater the temptation to supply Ukraine with longer-range weaponry that could hit targets deep inside Russia and involve NATO military forces in direct attacks on Russian military positions.

I and others have warned about the danger of nuclear escalation. We all hope that China's veto on the use of nuclear weapons will be binding on Russia, but it would be very imprudent to expect it to hold in the event that the Russians face a catastrophic military defeat or failure on the ground as a result of NATO support for Ukraine. An important contribution by the defence analyst Charles Knight argues that the Ukraine war presents a greater nuclear risk than the Cuban missile crisis, calling for careful rationality and restraint by Russia and the United States. Can the Minister assure us that the Government have not broken off all contact with Russia's leaders and that behind official policy façades and smokescreens, Putin and other Russian leaders know that there are feasible endgames that avoid either total Russian defeat and humiliation or inexorable progress to Armageddon?

My dream is of a congress of London to bring peace to Ukraine as the Congress of Berlin pacified the Balkans in 1878, but we await our Disraeli.

4.04 pm

Earl Attlee (Con): My Lords, the beauty of speaking late is that all the heavy lifting has been done; I needed only to listen carefully to the speeches from some very senior noble Lords, and I agree with what they said. Overall, I am very supportive of everything that His Majesty's Government have done, and I echo the support of Ben Wallace, who did a fabulous job when he was Secretary of State. If we have alternative views in this House, it would be quite fun to have them earlier on the speakers' list so that we can respond better to them.

I am grateful to my noble friend the Minister for initiating this debate, and so soon after a major general defence debate. The first issue that I am obliged to raise, yet again, is the one of "Peter". That is not his real name but the one I have adhered to throughout these debates, initially for reasons of security and latterly for consistency. Your Lordships will recall that

Peter runs a small business that, among other things, was exporting armoured fighting vehicles to Ukraine. Those vehicles are used both offensively and, more often, to provide protected mobility around the battlefield; they are frequently used for casualty evacuation. Peter has around £3 million-worth of equipment ready to be exported to Ukraine under an export licence granted by His Majesty's Government, but he was de-banked by a major high street bank at the start of the year. The relevant bank was helpful to me by extending the closure date to March and agreed to continue the provision of banking services on receipt of a letter from a Treasury Minister asking it to relax the money laundering regulations in a specific way.

Unfortunately, Ministers have been unable to undertake such an action. At the time, it seemed to me that the bank was being allowed to determine UK defence and security policy. Ministers also indicated several times in debates that they regard the complete integrity of the money laundering regulations as more important than facilitating the export of armoured fighting vehicles to Ukraine. One wonders what the officials in the Russian embassy are sending back to the Kremlin on our determination that Ukraine is not defeated.

I am ashamed that, despite working on this problem since January, I have made little progress with the original problem, although I have found that it was the tip of an iceberg. The shame arises from the fact that I know the avoidable loss of life of Ukrainian soldiers and civilians is being caused by my ineffectiveness. It is unfortunate that the print media have chosen not to run the story of me directly holding Ministers responsible for that avoidable loss of life, despite being briefed in writing. Perhaps I am still in the editors' sin-bin for successfully having the temerity to suggest that newspapers should be properly regulated in accordance with Leveson and without the involvement of any politicians. I thought that I would be forgiven when I secured an amendment to the then Counter-Terrorism and Border Security Bill to prevent journalists being accidentally arrested at the border, but maybe not.

It became apparent to me that these problems were much wider than just Peter and were adversely affecting much of the UK defence industry—although it was very reluctant to put its head above the parapet. The same high street bank's name came up regularly. I ran several amendments to the then Financial Services and Markets Bill dealing with what we now know as de-banking—and I stress that this was before the Farage scandal. Unfortunately, I received very little support from members of the Opposition Front Bench—so ably led by the noble Baroness, Lady Smith of Basildon, who opened the debate for the Opposition—despite my briefing them in writing.

Fortunately, my noble friend Lady Goldie agreed to a meeting with me and the MoD to discuss these matters. She immediately grasped the significance of the problem with regard to the wider defence industry and passed it on to the Minister for Defence Procurement and other Ministers. That is why the media and the City Minister are now openly talking about the matter. Shortly after this, the Farage scandal unfolded. During discussions with the relevant high street bank, it was made clear to me that its problem was an unacceptable regulatory risk due to the money laundering regulations

and dealing with Ukrainian businessmen. Reviewing our debates in the Chamber, it is obvious that I believed the bank.

Since those discussions, we have had the Farage scandal, in which the chief executive officer of another high street bank lied to a senior journalist and divulged Mr Farage's personal banking information without proper authority. In the light of these events, it is reasonable for me to consider the possibility that the bank's problem was not money laundering. Clearly, it could have negotiated extra bank charges to cover the cost of any extra due diligence. Rather, was it the bank's ESG agenda, which we have seen adversely affect other SMEs supplying the MoD directly? Perhaps the bank recognised, correctly, that I would not be able to persuade Ministers to relax the money laundering regulations. In the light of what we now know about the banking industry's ESG agenda, the behaviour of one bank's CEO and the possibility that I might have been misled, will my noble friend the Minister ask the appropriate Treasury Ministers to review their decisions not to relax the money laundering regulations in the way that I have suggested, in order that Peter can export to Ukraine the armoured fighting vehicles which are so desperately needed?

Some time ago, my heart sank when one of David Cameron's advisers confidently stated that we no longer needed armoured brigades with their expensive armoured battle groups. Boris Johnson said much the same thing about main battle tanks. In the reserves, I was a military logistician, not a teeth arms man. However, I know that a competently led, properly equipped, dug-in infantry battalion is usually extremely difficult to defeat without using heavy armoured battle groups. The noble Lord, Lord Alderdice, touched on this. Any attempt to attack dismounted, or with only light vehicles, is likely to result in very high casualty rates. This is exactly what we are seeing in Ukraine on both sides, with some other complications—such as both sides having access to very effective ISTAR. No wonder President Zelensky is so keen on acquiring equipment for armoured battle groups, particularly MBTs, which the UK was in the lead on.

It is important to understand that a reality of war is that an attack by a NATO armoured battle group is a terrifying industrial process. Of course, defensive positions will be sited to take advantage of natural features and obstacles—natural and constructed—and the like. However, defenders will also use anti-tank mines, and this is happening in Ukraine on a very large scale. Unfortunately, we are reading that courageous Ukrainian sappers are manually detecting and disposing of mines in order to facilitate attacks. This is far too slow and dangerous—my noble friend Lord Risby touched on this; I feared that he was going to make my speech for me. It is not clear to me how the Ukrainian forces can hope to prevail without being able to deal with the minefields on an industrial scale. The British Army uses a system called Python, a rocket-launched tow rope filled with about 1.5 tonnes of plastic explosive. When detonated, it will neutralise 90% of mines over a length of 200 metres and a width of 7 metres. Also available are Trojan armoured engineer vehicles, which, among other things, have a mine plough to push any remaining mines to one side. Sadly, this is a very low-population equipment, which means that we cannot release it to the Ukrainians.

[EARL ATTLEE]

The good news is that we have world-class defence engineering companies, such as Pearson, which lead on mine plough technology. The Python system, although clever, does not appear to be difficult to produce. What are we doing to help the Ukrainians in this crucial area of industrial mine clearance?

4.15 pm

Baroness Smith of Newnham (LD): My Lords, this has been a very welcome debate and, like other noble Lords, I thank the noble Baroness, Lady Goldie, for bringing it. I am very glad that I do not have to respond from the Government Front Bench, but I note that it is currently 4.15 pm and the Order Paper suggests that the House is expected to rise at 7 pm. That suggests an awfully long time for the Front Benches to wind, but I assume that the noble Baroness, Lady Goldie, does not intend to spend a couple of hours responding for the Government.

That is a frivolous way of starting a very serious speech, because the Liberal Democrat Benches, like the Labour Benches and the majority of contributors from the Cross Benches, are committed in our strong support for what His Majesty's Government have been doing on the war in Ukraine and in the support that the United Kingdom has given Ukraine since February 2022. There is a significant degree of unanimity, but there are also many questions and issues that remain unanswered. In this sort of debate, by the time somebody on the opposition Benches is winding, one might expect that everything has been said but not everyone has said it. Just as the noble Earl, Lord Attlee, thought that the noble Lord, Lord Risby, was going to make his speech for him, by now everybody might have said the things that I was intending to say, but there are several points that I want to raise that either have not been discussed or were touched on only briefly. There are a range of themes that we need to think about, as a House and as a country.

In previous debates on the situation in Ukraine, we have talked a lot about the detail of what is happening, and that has been touched on today, but there are many more issues that we need to think about, including the geopolitics of the region and broader thinking about the NATO alliance. The assumption in most of the contributions today has been that NATO is united in supporting Ukraine but we might be slightly worried about where the United States is going. However, I want to pick up on a theme that was briefly touched on by the noble Lord, Lord Balfe, and that is the situation in Poland. I want to talk about Ukraine, Russia and NATO but also a little bit more about the emerging order, on which there are many questions we need to address.

The opening point is that from these Benches we support His Majesty's Government. There is no space for appeasement. Regarding the idea that we try to summon Vladimir Putin to the table, it is not the right time to do that and it is not our war; it is for Ukraine to defend itself, with our support and that of our NATO allies.

We have already heard from the noble Lord, Lord Robertson of Port Ellen, and others that opinion in the United States is somewhat shaky. So far, the

NATO support for Ukraine has been led by the United States, with President Biden in office. American citizens need to be persuaded that there is a reason to continue supporting Ukraine. Public opinion polls matter, and I therefore ask what assessment the Government have made of support for Ukraine from the United States, in particular from a change in government—not just a return to the Trump Administration but to another Republican President of the United States. Will we see continued support for Ukraine and the leadership that has been present so far, or are we likely to see more isolationism or a tilt to the Pacific? These questions are hugely important.

The importance of this issue was highlighted two years ago with the American withdrawal from Afghanistan—the noble Lord, Lord Balfe, mentioned this and the earlier Russian withdrawal from Afghanistan. If there was a lesson from the withdrawal two years ago, it was that, once the United States pledges to withdraw from somewhere, the rest of NATO follows. In many ways, that empowered Putin to feel that he could maybe take action against Ukraine.

We need a solid and united NATO. His Majesty's Government have been saying and doing the right things, but we need all our NATO partners to be on the same page working together. We have seen that so far, but what conversations are we having to ensure that all our NATO partners are on board?

The United States has been mentioned by others. One country that I think has not been mentioned today is Turkey, a long-standing, European, non-EU member of NATO, one that has in the past procured weapons from Russia, has perhaps sought to placate Russia in some ways, and has not necessarily always abided by sanctions against Russia but has played an important role in negotiations on grain. What conversations are we having bilaterally with Turkey to make sure that it is wholly on board with NATO commitments?

Sticking with the question of grain, what we have seen just today is Poland making the extraordinary announcement that it will stop exporting arms to Ukraine over the grain situation. Several east central European countries have perhaps looked a little shaky in their support for Ukraine, but the one country that initially seemed rock solid in its support was Poland. Indeed, it called for Ukraine to be fast-tracked into the European Union, if I recall correctly. Yet now it is saying that it will not continue arms exports. If NATO fragments, what future is there for supporting Ukraine? We really need to shore up that alliance.

Beyond that, however, we need to do rather more in ensuring that there is Commonwealth support. I think that my namesake, the noble Baroness, Lady Smith of Basildon, mentioned the Commonwealth—she is looking in my direction, and I hope that I noted that correctly. But it is vital that we talk to our Commonwealth partners and allies to make sure that, as far as possible, we are all able to support Ukraine, even if this is a European war and does not necessarily impact the rest of the globe directly. We need to be very aware that, if the West has supported Ukraine very clearly, other parts of the globe have not necessarily seen that it is so important to support a country within Europe. The shift to a more authoritarian world is impacting Europe

but also parts of the Commonwealth. We need to be able to have open dialogue and try to persuade our Commonwealth partners of the importance of what is happening in Ukraine for sovereignty and independence.

Within Europe, there are a couple of areas that we need to be thinking about a little more. The noble Lord, Lord Robertson of Port Ellen, mentioned Nagorno-Karabakh. The noble Lords, Lord Cormack and Lord Owen, mentioned Bosnia-Herzegovina. These are areas with significant Russian influence. Ukraine is not an isolated case; it is the case where Russia has invaded, but we need to be very aware that Russia has its tentacles in parts of the Balkans, in Nagorno-Karabakh and the Armenia-Azeri conflict, and indeed in parts of Africa. The situation is fluid and dangerous. What work are His Majesty's Government doing to ensure that the western Balkans are stabilised? What are they doing to look at previously frozen conflicts, such as that in Nagorno-Karabakh? These are all areas that could potentially come back to haunt us.

Finally, there are two areas on which I think we would welcome His Majesty's Government giving a few more comments. One is the future support for Ukraine. As the noble Lord, Lord Cormack, said, Ben Wallace, when he was Secretary of State for Defence, was extremely powerful in his support for Ukraine. We should all pay him a debt of gratitude, as the House has done on several occasions. What is the position of the current Secretary of State? He seems to be silent on the question of Ukraine, so a little bit of reassurance on the current position would be very welcome.

Beyond that, what are the views of His Majesty's Government on dealing with Russia and war crimes? Although the House was almost united in its views, there were one or two voices at the end that had slightly different positions on how this war should end. However, we should all be speaking with one voice to say that it is absolutely vital that war crimes be tackled and that the perpetrators, including Vladimir Putin, be held to account. Do His Majesty's Government agree?

4.26 pm

Baroness Anderson of Stoke-on-Trent (Lab): My Lords, as this debate took place, many noble Lords, friends and colleagues were paying tribute to the remarkable life of the noble Lord, Lord Ramsbotham. I think it is incredibly appropriate, given what we are discussing today, that we remember him.

I refer your Lordships' House to my register of interests, including my role as an honorary captain in the Royal Navy. This has been an incredibly important debate and it is a privilege to be able to participate in it. I especially thank the noble and gallant Lord, Lord Stirrup, and my noble friend Lord Robertson for their truly remarkable contributions.

I will start by restating the words of my noble friend and Leader, the noble Baroness, Lady Smith of Basildon. As one of the founding signatories, the Labour Party's commitment to NATO is unshakeable. We share the values of democracy, freedom and peace that are embedded in its founding treaty, and Article 5 is the cornerstone of Labour's commitment to Britain's security. As speaker after speaker has made clear, in

the last 18 months we have seen how incredibly important the NATO alliance is, as a force for global security and as a key plank of our own national security.

It has been one year, six months, two weeks and five days since Russia invaded Ukraine for the second time in a decade: one year, six months, two weeks and five days of horror, brutality and fear for the people of Ukraine. Their resilience and determination in the face of such a brutal onslaught is inspirational and their courage is a testament to the will of their people. As the noble Baroness, Lady Harris, reminded us, we must never forget the personal toll this war is taking as the people of Ukraine mourn their dead and treat their wounded.

The right reverend Prelate the Bishop of Chichester rightly reminded us of the wider emotional and cultural attacks the people of Ukraine are facing every day. As the noble Lord, Lord Harrington, reminded us, too many Ukrainian citizens have been displaced and are now spread throughout Europe, including in the UK, looking on in horror at what is happening to their friends and families.

We are rightly humbled by the courage and resilience of Ukraine's brave defenders. But we have been reminded again and again that the Ukrainian fight is our fight. As the noble Lord, Lord Cormack, outlined, it is also the fight of Finland, Norway and Estonia. It is the fight of all of us, so we have a duty and a responsibility to support them to victory.

The noble Lord, Lord Owen, reminded us that we must not forget that Russia's physical aggression against Ukraine began not in 2022 but in 2014.

The comments made by the noble Baroness, Lady Falkner, reminded me of a meeting I chaired when I was a Member of the other place. I had the privilege of meeting retired Ukrainian generals who had been recommissioned as Russia and its little green men invaded Crimea—one of the first outings of the Wagner Group, which should have been proscribed earlier than last week. I asked our Ukrainian friends whether they believed that Russia's behaviour could incite another European land war—another world war. Their reply was stark and has stuck with me. They nonchalantly stated that the UK was already at war, we just had not noticed yet.

As this war continues, the people of Ukraine need to be reminded daily that we have not just noticed but stand with them, that their struggle is our struggle and that our commitment remains as solid today as it was in February 2022. As the noble and gallant Lord, Lord Stirrup, emphasised, every day it becomes clearer that Putin must be defeated in Ukraine, and time is of the essence. Every day that the Russian military is able to bring in reinforcements, the job of the Ukrainians becomes more difficult, making it harder for them to advance, a point made well by the noble Earl, Lord Oxford and Asquith.

The overview of 20th-century Ukrainian history given by the noble Lord, Lord Balfe, reminds us that Britain must stand four-square behind modern-day Ukraine, strengthening its hand on the battlefield, supporting relief and reconstruction, maintaining western unity, isolating Putin and undermining Russia's war effort. This is the only path to victory and ultimate

[BARONESS ANDERSON OF STOKE-ON-TRENT]
 peace. The NATO Vilnius summit prior to the Summer Recess underscored the strength of feeling across our diplomatic and military alliances and that we must continue to provide the economic, military, humanitarian and diplomatic support that Ukraine needs until this war is won.

As the noble Lord, Lord Hannay, stated, there is more to be done, especially when we consider reconstruction, so let us touch on what we are doing. As ever, our Armed Forces are playing their part. Since June last year, the UK has trained more than 17,000 armed forces of Ukraine personnel, with help from allies. The RAF has transported hundreds of thousands of pieces of lethal and non-lethal aid. Of course, my service—the senior service—has played its part too, with the Royal Navy providing significant logistical and training support. We thank each and every one of them for their service.

We have heard many calls for additional support for Ukraine. The Ukraine military require a medium-term commitment. They need to know what they have and when they will have it, so that they can make informed decisions on the battleground. The Government should therefore please stop making ad hoc individual announcements and set out a full 2023-24 action plan for military, economic and diplomatic support, to help give Ukraine confidence in a sustained stream of future supplies. As my noble friend Lady Smith of Basildon said, and the noble Lord, Lord Alton, reiterated, building on the defence Command Paper, we need immediately to ramp up our domestic defence industry to an urgent operational footing in order to meet our Ukrainian commitments and to ensure that our own military has the supplies it needs to meet its current and future commitments.

As the noble Lord, Lord Alderdice, highlighted, the war so far as been more conventional in nature than expected, so it is excellent that we expect to train 37,000 troops this year and next as part of Operation Interflex. Can the Minister update your Lordships' House on the progress of this training?

However, this has been a hybrid war, with new and different technologies, which the noble Lord, Lord Arbuthnot, rightly focused on. We must also explore what additional help we can provide with regard to different types of warfare and to mine clearance, which was raised by the noble Earl, Lord Attlee, and the noble Lord, Lord Risby. Unity is key. Can the Minister update your Lordships' House on any discussions His Majesty's Government have had regarding this week's announcement from Poland about ceasing military aid?

We also need to make it clear to Putin and the people of Russia that, unless he ends his aggression, things will get worse, not better, for Russia and Russian oligarchs. Prior to the Summer Recess, Labour brought a Motion before the other place that would have brought about the sequestration, seizure and repurposing of Russian state assets for the purpose of rebuilding Ukraine. The UK's allies are making meaningful strides in developing legislation that would begin the process of seizing and repurposing Russian state assets. For a year, the Government have indicated that they are, in principle, supportive of seizing Russian state assets to

fund the reconstruction of Ukraine. We are yet to see concrete proposals. Can the Minister update the House on current thinking?

We must never again allow London to act as an ecosystem of lawyers, accountants, company formation agents and others who have facilitated the very people behind the Russian regime and are ultimately aiding and abetting Putin's egregious and illegal war. While we recognise and support the current sanctions regime against individuals and Russian assets, it seems that there is still more that we could do in concert with our allies. Can the Minister update the House on current discussions about a new phase of sanctions?

We must also look to the future and ensure that those who have acted with so much aggression will be subject to international law. I thank my noble friend Lady Kennedy of The Shaws, both for her excellent contribution and for the work that she is doing to make sure that justice will be done. Since March, Labour has been calling for a special international tribunal to prosecute Putin and members of his armed forces for crimes of aggression. The EU backs the plan, as do the Ukrainian Government, so now it is time for our Government to work with our international allies to put that in place.

I shall finish on President Zelensky, who addressed the UN General Assembly yesterday. He stated:

"Weaponisation must be restrained, war crimes must be punished, deported people must come back home, and the occupier must return to their own land. We must be united to make it, and we will".

We stand with Zelensky and the people of Ukraine against Putin.

4.36 pm

Baroness Goldie (Con): My Lords, first of all, I say to the noble Baroness, Lady Smith of Newnham, that I have already changed my flight home twice and am now trying to change it for the third time, so she will have my full co-operation in being as concise as possible. When the noble Baroness was speaking, I noticed approval, agreement and approbation from the Labour Front Bench and elsewhere in the Chamber.

I welcome the noble Baroness, Lady Anderson of Stoke-on-Trent, to her place on the Opposition Front Bench. I think this is my first encounter with her, and I certainly look forward to our future engagements. She will probably stay around, though I do not know whether or not I will—we will see.

I thank all contributors for stimulating such a useful discussion. We have had one of the best debates that I have ever heard in this House. It has been constructive, comprehensive, well-informed and thought-provoking. Topics have ranged widely, from the prosecution of the war itself to the lessons that the UK may have learned from that war, humanitarian issues, the International Criminal Court, the role of the United Nations, sanctions and, importantly, the rebuilding of Ukraine. While defence is indeed playing a leading role in supporting Ukraine in defending its sovereignty, we are but one pillar of a cohesive HMG response to this international security crisis.

Without further ado, I want to address some of the issues that have been raised and some of the questions that have been asked. I sensed that these tended to

group around five general themes: the constancy and consistency of support, frequently articulated from across the Chamber; the regime of sanctions and its impact; international law, and the question of whether it had been breached, compliance and enforcement; the critical issue of rebuilding Ukraine; and then of course our own defence capability, our relationship with NATO and our other global relationships.

On the first issue, the constancy and consistency of support, I was grateful to the noble Baroness, Lady Smith of Basildon, for the clarion call in her introductory remarks about that cohesion of support. That is so important; it goes across parties and across Parliament, and that is a powerful message that has reached far beyond Westminster and the United Kingdom. Others who equally recognised that spoke with great authority. The phrase from the noble and gallant Lord, Lord Stirrup, was, “We must not let up”, which is absolutely correct, while the noble Lord, Lord Robertson of Port Ellen, eloquently examined what is at stake. We absolutely know what is at stake, as he most articulately explained.

I also listened to the wise words of the noble Lords, Lord Hannay and Lord Owen. The noble Lord, Lord Owen, said that appeasement never works—I think that would get a voice of unanimity across this Chamber. Echoing these sentiments were my noble friend Lord Cormack and the right reverend Prelate the Bishop of Chichester, who apologised to me because he had to leave. He gave us another facet of what this support is about: the very important role of the Ukrainian Orthodox Church and the specific challenges confronting it.

My noble friend Lord Harrington of Watford, in discussing this broader theme, raised the position of refugees. I thank him for his very effective endeavours in supporting refugees. He raised the Homes for Ukraine programme, which is another element of our support. I undertake to pass on his eloquent plea about how we approach refugees in the future. It is very much a Home Office responsibility, but I have noted the comment and I shall take that away.

By way of general commentary, the noble Lord, Lord Owen, gave a fascinating and illuminating overview of international influences. The noble Baroness, Lady Smith of Newnham, powerfully reaffirmed that. She specifically asked about United States support and what might lie ahead in terms of their elections and our elections. The United States’ support for Ukraine has been pivotal; there is no two ways about that. I cannot be drawn on hypotheses of elections, either here or anywhere else, but what I can say is that the UK has a global audience. We know that because people consult us and want to know what we think. We are listened to. We use every conduit at our disposal to encourage, influence and galvanise global allies. That includes dialogue with Turkey.

The noble Baroness, Lady Smith, also asked about Poland, which was featured in the news today. Poland has been a great partner in supporting Ukraine. The Polish Prime Minister, Mr Morawiecki, has said that Poland will maintain its military hub in Rzeszów in agreement with the Americans and NATO. We hope that the two sides can resolve their difficulties. Our priority is to keep the alliance together and support Ukraine to victory. We remain in very close touch with

Poland on support to Ukraine. We will certainly use every facility available to us to try to provide support, wisdom and common sense.

The noble Lord, Lord Anderson of Swansea, raised the important issue of the will of the Ukrainian people to resist the invasion. I suggest that that will is best supported and reaffirmed by the very support we are giving, not just as a United Kingdom but in partnership with so many of our allies in NATO and otherwise. That is the strongest message we can send to the people of Ukraine. They are not doing this on their own; they absolutely enjoy global support. It is not just a rhetorical or hypothetical support; it is absolutely rooted in practical donations, contributions and help.

The noble Lord, Lord Anderson of Swansea, also asked what His Majesty’s Government doing to tell reluctant countries to condemn the war. We continue to engage all partners in making the case for condemning Russia’s illegal invasion and stressing our commitment to Ukraine. Supporting Ukraine remains our top foreign policy priority. I wish to reaffirm that to the Chamber.

A slightly different note was struck by the noble Lord, Lord Skidelsky. I repeat the observation I made in my opening speech that Russia can end this war tomorrow—it can. Peace must be on Ukrainian terms. There is just no other way to deal with it. I did endeavour to digest and understand the noble Lord’s analysis and assertions and, with the greatest of respect, found I was in disagreement with the main thrust of his contribution. What are we doing here today? We are discussing a naked, illegal, aggressive invasion by one country against a peaceful sovereign state. We are discussing the infliction of appalling brutality on an innocent civilian population. We are discussing the commission of war crimes and individual crimes of murder, rape, torture and the deportation of children. If it is Putin against Ukraine, I know whose side I am on.

The next theme was sanctions, various aspects of which were raised particularly by the noble Baroness, Lady Smith of Basildon, and the noble Lord, Lord Robertson of Port Ellen. We are doing everything we can to make sure that the regime is far-reaching and has teeth. Non-compliance with UK sanctions is a serious offence punishable through large financial penalties or criminal prosecution. In fact, just in August this year, a UK company was fined £1 million in relation to the unlicensed trade of goods in breach of Russia sanctions. We are conscious of the need to give that all the teeth we can.

The noble Baroness, Lady Kennedy, specifically asked about asset seizure. Some 75 days ago, the House passed a Motion relating to the Government bringing forward a Bill to seize and repurpose Russian state-owned assets. There are 15 days to go. We are pursuing this policy at pace and want to ensure that any new legislation implemented is safe, robust and compliant with the rule of law—that is of paramount importance. Both she and I have experienced situations of making in haste and repenting at leisure. We have to get the technical component right.

The noble Lord, Lord Robertson of Port Ellen, asked what sanctions are actually doing to the Russian economy and manufacturing base. My understanding is that Russia has not managed to produce new equipment in sufficient quantities. The focus is now on the

[BARONESS GOLDIE]

modernisation of older Soviet-era equipment, including large numbers of T-62 tanks, which first entered service in 1961.

There is no doubt that defeats and military setbacks have taken a huge toll on the Russian war machine. As I said in my opening speech, we know that from intelligence and circulating domestic Russian media sources. The lack of armoured vehicles at the 9 May Victory Day parade supports reports suggesting that nearly half of Russia's tanks have been lost in the first 16 months of the war. Research also suggests that Russia has resorted to buying back previously exported parts to help its refurbishment drive. The Russian machine is being affected by this, as is its economy, which is taking a hit. We understand that over 60% of Mr Putin's war chest's foreign reserves, worth £275 billion, have been immobilised—that gives some measure of what is happening.

One or two questions were asked about money laundering. We are passing legislation to respond to the current and emerging threat by creating a more agile and robust anti-money laundering system, making it easier to identify money laundering quickly and ensuring that resources are prioritised against the highest-value threats. Progress is being made on that, and it will follow the strengthening of the money laundering regulations last year.

My noble friend Lord Attlee was specifically interested in environmental, social and governance issues and their application—or misapplication. I reassure him that the MoD and the Treasury are working together to see what Government can do. This is a serious issue that, a year or 18 months ago, a lot of people were not aware of and had not heard of. Now it is impossible to speak to anyone without finding someone who has been the victim of this and been discriminated against by a lending institution for reasons that seem absolutely unjustified and unclear.

There is nothing contradictory between environmental, social and governance principles and the defence industry. On the contrary, strong national defence, including our nuclear deterrent, is a prerequisite for the freedoms, including all the social liberties, that we take for granted. Given the aspirations that investors and financial services companies seek to address using ESG considerations, there should be a complementary relationship, not a jarring antipathetic one.

The noble Lord, Lord Hannay, raised the important question of global and international engagement and co-ordination in relation to sanctions. We have regular co-ordination with the United States and the EU and G7 partners. It is that co-ordination that has enabled us to impose the biggest package of economic pressure on a major economy in recent memory. Our co-ordination with the EU consists of regular engagement at all levels with EU institutions as well as member states. That covers all stages of sanctions design and implementation and allows for effective sharing of information and evidence as well as co-ordinated designations, enforcement and anti-circumvention activity. We have seen the results of that close co-operation. Following UK diplomatic outreach delivered in partnership with the EU and the United States to address circumvention,

several third countries have asked for the introduction of specific measures to reduce the risk of sanctioned goods reaching Russia—so there is co-operation there.

The next broad theme was this whole area of international law, whether that is compliance with international law or breach of international law consequences. The noble and gallant Lord, Lord Stirrup, rightly lambasted the conduct of Putin and Russia for “flouting” international law. I absolutely agree—that is certainly what it looks like to me. He said that we should document and publish Russia's crimes, and that Russia must be held to account. I absolutely subscribe to that view.

The noble Baroness, Lady Kennedy, spoke with great authority, saying that trials must be fair and must abide by due process. She rightly identified the importance of training prosecution and defence lawyers, with which I entirely agree. The noble Lord, Lord Anderson of Swansea, said that people must be held to account and seen to be held to account, and I absolutely agree.

The Chamber will be aware that we are supporting the work of the Office of the Prosecutor and the International Criminal Court to ensure that allegations of war crimes are fully and fairly investigated with independent, effective and robust legal mechanisms. We have provided £2 million in additional contributions to the ICC.

The noble Lord, Lord Alton, raised a very important issue in relation to children in Ukraine. Certainly, when we witness some of the heart-breaking footage that is emerging from Ukraine on just how these children are being affected, and the awful cases of deportation of children, it really is chilling. The UK has contributed €150,000 to the Council of Europe's Ukraine action plan. We have provided humanitarian funding to UNICEF of £20 million, to the United Nations High Commissioner for Refugees of £25 million, and the International Federation of Red Cross and Red Crescent Societies of £15 million to support people—and that includes children in need in Ukraine and the countries hosting refugees in the surrounding region.

The noble Baroness, Lady Kennedy, asked what progress had been made in establishing the ad hoc tribunal for the crime of aggression, especially now that the mechanism to collect the evidence of the crime of aggression is up and running in The Hague. We are fully committed to holding Russia to account for its actions; we have joined the core group established by Ukraine to shape thinking on how to ensure that criminal accountability for Russia's aggression against Ukraine is achieved.

To answer the noble Baroness, Lady Kennedy, and the noble Lord, Lord Alton, who raised the further issue of assistance to victims and survivors of sexual violence in conflict, I can say that we are providing personnel from the Preventing Sexual Violence in Conflict Initiative. We have a team of experts to support capacity building among prosecutors and the police, as well as to support victims, including women and children.

The noble Baroness, Lady Kennedy, and the noble Lord, Lord Alton, also asked about supporting the work of the International Centre for Prosecution of the Crime of Aggression against Ukraine and the work of Eurojust, now that the UK is out of the EU and Eurojust. I am pleased to say that the UK is a

member of Eurojust—we are still in it, and we are an active participant in the European network for investigation and prosecution of genocide, crimes against humanity and war crimes, the genocide network. We are assisting its work through the supply of open-source intelligence, which in turn is used to inform investigations by the ICC and national jurisdictions. There is a permanent UK Eurojust representative as well as a police war crimes liaison officer in The Hague, so we are involved.

The next theme to emerge was the important one of rebuilding Ukraine, which was raised by a number of contributors, including the noble Baronesses, Lady Smith of Basildon and Lady Harris of Richmond—who spoke very movingly of her direct engagement with stoical but very hard-pressed Ukrainians—the noble and gallant Lord, Lord Stirrup, and my noble friend Lord Arbuthnot. My noble friend referred to the weaponising of civilian infrastructure and the specific and pernicious character and consequences of such attacks. He is absolutely right.

We are supporting the development of the EU and Government of Ukraine plan for reforms. These are the reforms that will accompany the EU's €50 billion facility for financial support to Ukraine for 2024 to 2027. I hope that will garner the support of all international donors to drive continued momentum and reforms. It is an important precursor to getting into the nitty-gritty of what we can provide to help with rebuilding.

I described in my speech exactly what happened at the Ukraine Recovery Conference so, in the interests of time, I will not repeat that. The noble Baroness, Lady Harris of Richmond, wanted to know more about that, but perhaps she can pick that up from *Hansard*. The important thing is how that conference became, in itself, a galvaniser and dynamic to generate further activity and interest. That will have a powerful ripple effect.

The noble Earl, Lord Oxford and Asquith, and my noble friend Lord Balfe are correct that neither we nor anyone else knows what lies ahead—but we have to plan. I make no apology for standing at this Dispatch Box and saying that the UK Government are planning—as are many of our allies and partners—which is absolutely the correct thing to do, in my opinion. We are supporting the Government of Ukraine in the development of their Ukraine plan, which will set out a single, ambitious set of reforms endorsed by all international donors.

My noble friend Lord Risby explored some critical issues that in my opinion are essential to creating a foundation for Ukraine's economic recovery. He raised in particular the London conference that announced the war risk insurance framework to help expand commercial insurance coverage. This may sound terribly technical, but it is absolutely critical if there is to be any meaningful, actual rebuild of infrastructure and regeneration of the country. The United Kingdom has announced a £20 million contribution to the Multilateral Investment Guarantee Agency. We also support the European Bank for Reconstruction and Development's pilot insurance initiative. We continue to work with international partners to identify solutions to commercial insurance coverage in Ukraine, including co-ordinating via the Multi-agency Donor Coordination Platform.

I am interested in this and shall make further inquiries to see whether I can elicit more information, in which case I shall write to my noble friend and place that letter in the Library.

There is something else written on the back of my paper—I do not know who raised this, so we will just ignore it. Let us get on with the many thrilling things to come.

The noble Lord, Lord Alton, asked what the UK is doing with regard to issues of food insecurity. We are stepping up support for long-term solutions to that. We are investing in UK science and technology to develop climate-smart agricultural technology. We continue to support global programmes that invest in smallholder, agricultural and value chains. All that is leading to important work. Our total investment in two of the programmes is £186 million. I see that, in November, we are hosting a global food security—I thought my notes said “swimsuit”, but it is in fact “summit”. Yes, we are hosting a global food security summit with the Bill and Melinda Gates Foundation to galvanise action to tackle hunger and malnutrition. So there is active work going on in that area.

That takes me to the final theme, which was MoD munitions supply, industry and Armed Forces numbers, raised by a number of noble Lords, including the noble Baroness, Lady Smith of Basildon, the noble and gallant Lord, Lord Stirrup, and the noble Lord, Lord Robertson of Port Ellen. The noble Baroness, Lady Smith, asked particularly about NATO. The noble Lord, Lord Owen, eloquently emphasised the overarching importance of NATO. On NATO, I was able to give some pretty significant detail earlier in response to a question from the noble Baroness, Lady Anderson. We are doing a lot. NATO is now a revamped, modernised, informed organisation and our pivotal contributions arise out of what we offer NATO. We are now making the biggest contribution we have ever made to NATO, which includes building on the NATO new model, the defence investment pledge at Vilnius and the political guidance published by NATO in 2023, to which we were a leading contributor. We are certainly very much a leading European presence in NATO.

I also thank those of a neutral or no political affiliation for their acknowledgment of the Government's endeavours. I particularly thank my noble friend Lord Cormack and the noble Baroness, Lady Smith, for their kind remarks about Ben Wallace. The noble Lord, Lord Alderdice, asked about resources. These fall into two categories: immediate military support and ongoing humanitarian and rebuilding support, now and for the future. I have outlined what we are doing there. There is a very extensive list of what we have given in military support. The easiest thing might be if I simply summarise that and send a letter to the noble Lord.

In relation to our Armed Forces, as I have said before in this Chamber—the noble Baroness, Lady Smith, raised it—we are now dealing with a capability that transcends the three Services and embraces the cyber and space domains, so we are approaching how we deal with conflict and threat in a very different manner. I can reassure the Chamber that we are absolutely honouring our contribution to NATO and we continue to be a very important contributor.

[BARONESS GOLDIE]

On munitions, which someone raised, we are continuing to work not just with our own industry partners but with NATO. The UK's position is not unique with regard to industrial capacity and stockpile replenishment; we are driving thinking on solutions to this issue, but we continue, in the United Kingdom, to maintain operational levels for our own safety purposes. My noble friend Lord Attlee asked about demining. I have significant information I can give him: I will write to him, and that letter will be put in the Library.

Finally, the noble Baroness, Lady Anderson of Stoke on Trent, asked me about the training programme. We have trained more than 23,500 Ukrainian troops to date. We will have trained up to 30,000 by the end of the year and, in addition, we are training 20 pilots in basic air operations and have completed the training of some Marines for Ukraine as well.

This debate has been illuminating and helpful. The Government have been very clear that we must continue doing all we can to support Ukraine. I detect that that is echoed across the Chamber. Mr Putin must be defeated. That is the only route to Ukrainian and global security. Debates like this, as the noble Baroness, Lady Smith of Basildon, and the noble Lord, Lord Hannay, rightly observed, are important because they allow us to state publicly our joint determination, across parties and across Parliament, to stand side by side with Ukraine for as long as it takes. They are fighting for their

country, but they are on the front line of freedom. That is why the UK Government continue to support them on every front, through lethal and non-lethal aid, through economic sanctions and support for the prosecution of Russian war crimes, through galvanising the international community to send more weapons and through encouraging allies to raise money for reconstruction—by using our collective, diplomatic and international pressure to bring the aggressor back to the table. In the end, the conflict can be resolved only through a negotiated settlement, a settlement whose parameters will be set by Ukraine itself and that will begin with Russia withdrawing from all Ukrainian territory.

As winter approaches, alongside our international partners, we must show that our support for Ukraine is iron-cast and unflagging. This illegal campaign embarked on by President Putin cannot win. Eighteen months on, he is losing tactically and strategically. We must do all we can to help Ukrainians turn Putin's current losses into ultimate defeat, so that they can finally succeed in winning back their country, reclaiming total sovereignty of their borders and rebuilding their lives, safe at last from any future aggression. The calibre of this debate has been such that I am sure it has facilitated the attainment of these objectives.

Motion agreed.

House adjourned at 5.05 pm.