

Special Council Meeting

Date: **19 October 2023**

Time: **3.30pm**

Venue: **Council Chamber, Hove Town Hall**

Members: **Councillors:** O'Quinn (Chair), Atkinson, Bagaeen, Davis, Evans, Fishleigh, Fowler, Grimshaw, Hamilton, Meadows, McNair, Robins, Sankey, Shanks, C Theobald, West, Wilkinson, Williams, Alexander, Allen, Asaduzzaman, Baghoth, Burden, Cattell, Czolak, Daniel, Earthey, Gajjar, Galvin, Goddard, Goldsmith, Helliwell, Hewitt, Hill, Hogan, Loughran, Lyons, McGregor, McLeay, Miller, Mistry, Muten, Nann, Oliveira, Pickett, Pumm, Robinson, Rowkins, Sheard, Simon, Stevens, Taylor, Thomson and Winder.

Contact: **Anthony Soyinka**
Head of Democratic Services
01273 291006
anthony.soyinka@brighton-hove.gov.uk

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Chief Executive
Hove Town Hall
Norton Road
Hove BN3 3BQ

AGENDA

Part One

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5 DECLARATIONS OF INTEREST

- (a) Disclosable pecuniary interests;
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the Monitoring Officer or Democratic Services Officer preferably before the meeting.

6 MAYOR'S COMMUNICATIONS.

To receive communications from the Mayor.

7 FREEDOM OF THE CITY

7 - 10

To consider whether to remove the honour of Freedom of the City from Aung San Suu Kyi awarded in 2011.

Contact Officer: Elizabeth Culbert

Tel: 01273 291515

8 CLOSE OF MEETING

The Mayor will move a closure motion under Procedure Rule 17 to terminate the meeting 4 hours after the beginning of the meeting (excluding any breaks/adjournments).

Note:

1. *The Mayor will put the motion to the vote and if it is carried will then:-*
 - (a) *Call on the Member who had moved the item under discussion to give their right of reply, before then putting the matter to the vote, taking into account the need to put any amendments that have been moved to the vote first;*
 - (b) *Each remaining item on the agenda that has not been dealt with will then be taken in the order they appear on the agenda and put to the vote without debate.*

The Member responsible for moving each item will be given the opportunity by the Mayor to withdraw the item or to have it voted on. If there are any amendments that have been submitted, these will be taken and voted on first in the order

that they were received.

- (c) Following completion of the outstanding items, the Mayor will then close the meeting.*
- 2. If the motion moved by the Mayor is **not carried** the meeting will continue in the normal way, with each item being moved and debated and voted on.*
- 3. Any Member will still have the opportunity to move a closure motion should they so wish. If such a motion is moved and seconded, then the same procedure as outlined above will be followed.*

Once all the remaining items have been dealt with the Mayor will close the meeting.

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The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

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- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and
- Do not re-enter the building until told that it is safe to do so

Further information

For further details and general enquiries about this meeting contact Anthony Soyinka, (01273 291006, email anthony.soyinka@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Brighton & Hove City Council

Council

Agenda Item 7

Subject: Freedom of the City

Date of meeting: 19 October 2023

Report of: Executive Director for Governance, People & Resources

Contact Officer: Name: Elizabeth Culbert
Tel: 01273 291515
Email: elizabeth.culbert@brighton-hove.gov.uk

Ward(s) affected: All

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of this report is to give the Council the opportunity to consider whether to remove the honour of Freedom of the City from Aung San Suu Kyi in 2011.

2. RECOMMENDATIONS:

- 2.1 That Council revokes the Freedom of the City of Brighton & Hove awarded to Aung San Suu Kyi.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 At a special meeting convened in 2011 full Council conferred the title of freewoman of the city on Aung San Suu Kyi, the previous president of Burma in recognition of her contribution in fighting totalitarianism and advocating for human rights and individual liberty in her country of Burma. She was a student at Sussex University.
- 3.2 Between 2016 and 2021 she was the State Counsellor of Myanmar (equivalent to a prime minister) and Minister of Foreign Affairs. Unfortunately this was a time when gross violations of human rights and what many describe as genocide was conducted against the Rohingya community in Burma. Aung San Suu Kyi did not take any steps or advocate the protection of the minority Muslim Rohingya community and some say she supported the actions of the military in carrying out the atrocities. These human rights violations continue.
- 3.3 In January 2020, the International Court of Justice decided that there was a real and imminent risk of irreparable prejudice to the rights of the Rohingya. The court also took the view that the Burmese government's efforts to remedy the situation "do not appear sufficient" to protect the Rohingya. Therefore, the court ordered the Burmese government to take "all measures within its power" to protect the Rohingya from genocidal actions. The court also instructed the Burmese government to preserve evidence and report back to the court at timely intervals about the situation.
- 3.4 Many Cities, including Oxford, The City of London Corporation, Edinburgh and Dublin have revoked the Freedom of the City awarded to

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Aung San Suu Kyi. Amnesty International withdrew her human rights award. These are only some of the examples of awards she lost.

- 3.5 In 2018 Brighton and Hove City Council considered a joint motion from the Labour & Co-operative and Green Groups which stated:

“This council resolves, in the light of continuing lack of protection of the human rights of the Rohingya people in Myanmar, many of whom are now refugees in Bangladesh, to remove at the earliest opportunity the Freedom of the City granted to Aung San Suu Kyi in 2011.”

- 3.6 A two thirds majority was required to pass the resolution to remove the Freedom of City by full Council and this threshold was not reached. The award therefore remains in place. It is some 5 years since the matter was considered and there has been no improvement in the human rights situation in Burma as it affects the Rohingya people. To continue to allow the honorary freedom of the city awarded in 2011 to remain in place risks the Council being associated, albeit indirectly, with indifference to the suffering of the Rohingya people and is inconsistent with the Councils values and anti-racist strategy. It is therefore proposed that the conferring of the Freedom of the City be reconsidered with a recommendation to revoke it. Accordingly, a further Special Meeting has been convened to consider the proposal again to remove the Freedom of the City from Aung San Suu Kyi. If passed, the freedom of the city will be revoked with immediate effect.

3.7 Statutory Process for Removal of the Freedom of the City

- 3.7.1 Section 249 (5) The Local Government Act 1972 (as amended by the Local Democracy, Economic Development and Construction Act 2009) enables the councils of cities to confer the status of honorary freeman on "(a) persons of distinction and (b) persons who have, in the opinion of the council, rendered eminent services to the local area". The Freedom of the City does not confer rights other than to attend formal Council meetings.
- 3.7.2 In the absence of express statutory provision, the process to be followed for the formal removal of the honour is the same as the one for admitting a person to be an honorary freeman/woman of the city; i.e. you need to convene a special meeting of the Council and the proposal has to be supported by two-thirds of the Members voting. We understand that this is the procedure followed by the other English local authorities who resolved to remove the title of freedom of the city.
- 3.7.3 The Council is asked to consider the recommendation and to decide whether to remove the Freedom of the City. Should there not be the required two-thirds majority in favour of removing the freedom of the City then the status quo prevails and honour will not be removed.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The recommendation gives the Council the option of removing or not removing the title.

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5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 There has been no community engagement, however the Leaders of the Political Groups in the Council were consulted about the proposal at their meeting on 6th September 2023.

6. CONCLUSION

- 6.1 That the Council is recommended to remove the honour of the Freedom of City of Brighton and Hove from Aung San Suu Kyi.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no financial implications resulting from the decision to either remove the honour or for it to remain.

Finance Officer Consulted: Nigel Manvell Date: 10.10.2023

Legal Implications:

- 7.2 Conferral of the Freedom of the City is a power that can be exercised by the City Council. The legislation is silent on the process for the removal, but an honour which can be conferred can subsequently be withdrawn if the conditions which merited the conferral are no longer met. The most appropriate procedure, which was also followed by other local authorities, is the same as the one for conferring the title of honorary freeman/woman under section 249 of the Local Government Act 1972.

Lawyer Consulted: Abraham Ghebre-Ghiorghis Date: 10.10.2023

Equalities Implications:

- 7.3 The impact of a decision to remove the Freedom of the City from Aung San Suu Kyi is felt to demonstrate the council's view that all people have an equal right to life and the ability to live without persecution.

Sustainability Implications:

- 7.4 There are no sustainability issues arising from the report.

Any Other Significant Implications:

- 7.5 There are no other significant implications arising from the report as it is not anticipated that the removal of the honour would have any direct impact on either Aung San Suu Kyi or the Rohingya people.

