



DEBATE PACK

Number CDP-2018-0117, 9 May 2018

Compensation for victims of Libyan-sponsored IRA terrorism

Commons Chamber, Thursday 10 May 2018

A Backbench Business debate on Compensation for victims of Libyan-sponsored IRA terrorism is scheduled for Thursday 10 May 2018. The Member leading the debate is Laurence Robertson MP.

The subject for this debate was determined by the [Backbench Business Committee](#). The motion is:

That this House calls on the Government to take steps to obtain the required international authority to use a proportion of the assets of the Libyan Government that were frozen in the UK to compensate the relatives of people murdered and injured as a result of Libyan-sponsored IRA terrorism and to fund community support programmes in areas affected by that terrorism.

The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

Compiler: Sarah Pepin
Subject specialist: Joanna
Dawson (Terrorism)

Contents

1.	Background	2
2.	News and blogs	4
3.	Parliamentary Business	6
3.1	Debates	6
3.2	Parliamentary Questions	6
4.	Organisations and further reading	10

1. Background

During the 1970s, 80s and 90s, several terrorist attacks carried out by the IRA were facilitated by the supply of weapons from the Gaddafi regime in Libya, including the explosive Semtex. For a number of years victims of these attacks have been seeking compensation from the Libyan authorities, thus far without success.

In 2008 the US Government passed the Libyan Claims Resolution Act as part of a political agreement aimed at normalising diplomatic relations with Libya. Under this agreement Libya paid a sum of money to the US Government in settlement of pending legal claims relating to Libya's support for international terrorist attacks, in return for which the victims were prevented from pursuing individual claims against Libya in the US courts. The Foreign Claims Settlement Commission, part of the US Department of Justice, then determined the awards to be paid to US victims.

In July 2015 the Northern Ireland Affairs Committee launched an inquiry into the role of the UK Government in seeking compensation for UK victims of Libyan sponsored IRA attacks.

The Committee published its report, [*HM Government support for UK victims of IRA attacks that used Gaddafi-supplied Semtex and weapons*](#), in May 2017. It concluded that the UK Government had missed a number of opportunities to secure compensation for victims, and recommended that the next Government should enter into direct negotiations with the Libyan authorities to seek a compensation deal. In the event that successful negotiations proved unlikely in the short or medium term, the Committee recommended that the Government should establish and finance a reparations fund ahead of the outcome of such negotiations.

The Government [responded](#) in September 2017, stating that it did not consider a reparation fund to be a viable option, and that it considered compensation claims to be private matters for which the FCO provides facilitation to victims to engage with the Libyan authorities.

In May 2016 Lord Emsley introduced the [*Asset Freezing \(Compensation\) Bill*](#). The Bill sought to enable the Government to use the frozen assets of persons involved in supplying terrorist organisations in the UK in order to compensate victims of those organisations.

A similar Bill was reintroduced following the 2017 general election and had its [second reading](#) in October of that year.

Responding to the second reading debate for the Government, Lord Ahmad explained that the Bill would place the Government in breach of its obligations under international law, but committed to continue raising the issue with the Libyan Administration.

The Bill completed its passage in the House of Lords and was introduced to the House of Commons in February 2018. It is due to have second reading on 15 June.

2. News and blogs

Belfast Telegraph

[Government failed to help IRA victims: campaigner](#)

9 May 2018

Libyan Express

[UUP ex-leader urges UK government to take over Libya frozen assets to compensate Gaddafi-inflicted victims](#)

17 March 2018

Ulster Unionist Party

[Lord Empey's Libyan compensation Bill passes final stage in House of Lords](#)

7 February 2018

Independent

[New hope for Libyan-supplied IRA victims' compensation after anger over Boris Johnson's block on fund](#)

2 February 2018

Belfast Telegraph

[Progress made in compensation move for Gaddafi-IRA victims](#)

25 January 2018

BBC News

[Libya-IRA reparations fund call rejected](#)

15 September 2017

Irish Times

[British approach on Libya-linked IRA terror inquiry 'hypocritical'](#)

15 September 2017

The Times of Israel

[Victims of Libyan sponsored terrorism failed by successive governments](#)

Steve Nimmons 3 May 2017

BBC news

[Libyan-sponsored terrorism: IRA victims 'let down' by UK governments](#)

2 May 2017

Guardian

[Compensation for IRA victims wasn't set aside in Libya talks, says Straw](#)

26 October 2016

Telegraph

[Outrage as human rights laws used to block compensation to terror victims of IRA attacks funded by Gaddafi](#)

10 June 2016

DUP

[DUP MPs restate support for victims of Libyan sponsored IRA terrorism](#)

23 February 2016

3. Parliamentary Business

3.1 Debates

[UK Victims of IRA Attacks: Gaddafi-supplied Semtex and Weapons](#)

HC Deb 14 December 2017 c239-60WH

[Asset Freezing \(Compensation\) Bill \[HL\]](#)

Second Reading

HL Deb 27 October 2017 c1075-90

[Libya](#)

HC Deb 26 October 2016 c107-30WH

[Victims of Libyan-sponsored IRA Terrorism: Compensation](#)

HC Deb 13 September 2016 c283-307WH

[Canary Wharf Bombing: Compensation](#)

HC Deb 23 February 2016 c26-35WH

3.2 Parliamentary Questions

[Topical Questions](#)

Asked by: James Cartlidge

The shadow Chancellor mentioned frozen Syrian assets. There has been a long-running cross-party campaign to unfreeze frozen Libyan assets so that that money can be spent compensating the victims of Libyan-sponsored IRA terrorism. Will my right hon. Friend look at that again? Is he aware that it would require a UN resolution? Is that the case with Syria's assets, and does he think that all the members of the UN Security Council would be in favour of such a move?

Answered by: Philip Hammond | Treasury

My hon. Friend tempts me down a complex route. I will look at that again; I am familiar with the issue from my time as Foreign Secretary. The decision that Ministers have to make around the freezing of assets is a quasi-judicial one, and it has to be made very carefully in the light

of the specific facts. There are great complexities in Libya, where in some cases competing authorities are claiming ownership of assets.

HC Deb 17 April 2018 c183-4

[Libya: Compensation](#)

Asked by: Andrew Rosindell

To ask the Secretary of State for Foreign and Commonwealth Affairs, what recent steps his Department has taken to persuade the Libyan government to issue compensation for UK victims of Libyan-sponsored IRA terrorism.

Answered by: Tobias Ellwood | Foreign and Commonwealth Office

The UK Government takes the needs of victims of terrorism in the UK very seriously and is sympathetic to their attempts to seek redress. The current instability in Libya has delayed further discussions with the authorities on the resolution of legacy issues. We have made clear to the Libyan authorities that resolution of legacy issues remain a priority for us. Mr Ellwood raised the issue with Prime Minister Serraj when he met him in Tunis last November. We also raised it with Foreign Minister Siala during the visit to Libya by the former Foreign Secretary, my Rt Hon. Friend the Member for Runnymede and Weybridge (Mr Hammond) earlier this year. In July, Mr Ellwood wrote to the Government of National Accord (GNA) seeking an update on legacy issues, but we do not anticipate a swift response given the current challenges facing the GNA.

18 October 2016 | Written question | 47645

[Libya: Terrorism](#)

Asked by: Gregory Campbell

To ask the Secretary of State for Foreign and Commonwealth Affairs, what representations he has made to Libyan authorities on the reparations for victims of Libyan-sponsored terrorism in the UK.

Answered by: Alistair Burt | Foreign and Commonwealth Office

We continue to encourage the Libyan authorities to engage constructively with victims of Qadhafi-sponsored IRA terrorism and their representatives. The Foreign Secretary raised this issue with Prime Minister Serraj and Foreign Minister Siala during his visits to Tripoli in May and August of this year. I met with victims last week to understand their concerns in more detail, and will continue to raise this issue with the Libyan authorities as a priority.

16 October 2017 | Written question | 107268

[Libya: Terrorism](#)

Asked by: Meg Hillier

To ask the Secretary of State for Foreign and Commonwealth Affairs, what recent progress has been made on securing compensation for the victims of Libyan-sponsored IRA bombings.

Answered by: Tobias Ellwood | Foreign and Commonwealth Office

The Foreign Secretary most recently raised the issue of compensation for victims of IRA terrorism during his meeting with Libyan Prime Minister Serraj on 31 October. The Government will continue to press this issue at every opportunity. However, the current instability in Libya means that there is unlikely to be a swift resolution of legacy issues.

Eligible UK victims of terrorism can apply for compensation under the domestic criminal injuries compensation scheme.

7 December 2016 | Written question | 56018

[Libya: Terrorism](#)

Asked by: Lady Hermon

To ask the Secretary of State for Foreign and Commonwealth Affairs, whether his Department has sought recent legal advice in relation to the espousal of compensation claims by the UK victims of Libyan-sponsored IRA terrorism.

Answered by: Tobias Ellwood | Foreign and Commonwealth Office

The UK Government position remains that it is not able to negotiate with the Libyan Government on individual compensation claims, as these are not government-to-government claims. These are private matters best pursued directly with the Libyan authorities. The FCO does provide facilitation support to campaign groups, where it has been requested and is appropriate.

24 November 2016 | Written question | 54395

[Terrorism: Northern Ireland](#)

Asked by: Jim Shannon

To ask the Secretary of State for Northern Ireland, if she will make representations to Rt Hon Tony Blair to request that he accede to requests from the Northern Ireland Affairs Committee to give oral evidence on compensation for victims of IRA violence.

Answered by: Theresa Villiers | Northern Ireland Office

As I set out in my speech on 11 February, this Government condemns terrorism. We take very seriously the needs of victims of terrorism who, it is important to remember, suffered the most as a result of the Northern Ireland troubles. My Department has assisted the Northern

Ireland Affairs Committee in its call for evidence on the issue of Libyan-sponsored IRA terrorism. The Government has every sympathy for the victims of these appalling atrocities. I would of course encourage anyone who can help the Committee with its work to do so.

22 February 2016 | Written question | 26768

4. Organisations and further reading

[Asset Freezing \(Compensation\) Bill \[HL\]: Briefing for Lords Stages](#), Lords Library note LLN-2017-0061, 15 September 2017

[British engagement with Libya](#), Commons Library debate pack CDP-2016-0188, 20 October 2016

[Compensation for victims of Libyan-sponsored IRA terrorism](#), Commons Library debate pack CDP-2016-0162, 8 September 2016

Northern Ireland Affairs Committee, [HM Government support for UK victims of IRA attacks that used Gaddafi-supplied Semtex and weapons: Government Response to the Committee's Fourth Report of Session 2016–17](#), HC 331, 15 September 2017

Northern Ireland Affairs Committee, [HM Government support for UK victims of IRA attacks that used Gaddafi-supplied Semtex and weapons](#), HC 49, 2 May 2017

Foreign Affairs Committee, [Libya: Examination of intervention and collapse and the UK's future policy options: Government Response to the Committee's Third Report of Session 2016–17](#), HC 834, 25 November 2016

Foreign Affairs Committee, [Libya: Examination of intervention and collapse and the UK's future policy options](#), HC 119, 14 September 2016

About the Library

The House of Commons Library research service provides MPs and their staff with the impartial briefing and evidence base they need to do their work in scrutinising Government, proposing legislation, and supporting constituents.

As well as providing MPs with a confidential service we publish open briefing papers, which are available on the Parliament website.

Every effort is made to ensure that the information contained in these publically available research briefings is correct at the time of publication. Readers should be aware however that briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

If you have any comments on our briefings please email papers@parliament.uk. Authors are available to discuss the content of this briefing only with Members and their staff.

If you have any general questions about the work of the House of Commons you can email hcinfo@parliament.uk.

Disclaimer

This information is provided to Members of Parliament in support of their parliamentary duties. It is a general briefing only and should not be relied on as a substitute for specific advice. The House of Commons or the author(s) shall not be liable for any errors or omissions, or for any loss or damage of any kind arising from its use, and may remove, vary or amend any information at any time without prior notice.

The House of Commons accepts no responsibility for any references or links to, or the content of, information maintained by third parties. This information is provided subject to the [conditions of the Open Parliament Licence](#).