



Library Note

Queen's Speech 2016: Foreign and European Affairs, International Development and Defence Day 2: 23 May 2016

The House of Lords is due to debate the Queen's Speech over four days between 19 and 25 May 2016. This briefing is one of four prepared by the House of Lords Library to cover the themes of each day of debate.

Specific legislative proposals relating to foreign policy, international development and defence have not been foreshadowed in the run-up to the Queen's Speech. In April 2016, the Government announced it no longer intended to enshrine in law the necessity of consulting Parliament on military action, legislation previously proposed by the Coalition Government in 2011.

This briefing gives an overview of the Government's priorities for foreign affairs, international development and defence as set out in strategy documents such as the *National Security Strategy and Strategic Defence and Security Review* and the UK Aid Strategy, both published in November 2015. It gives details of selected further reading (Library briefings and parliamentary committee reports from both Houses) on more specific areas of foreign, defence and development policy, including on the forthcoming EU referendum, scheduled to take place on 23 June. It also gives brief details of forthcoming defence issues, including a promised debate on the Government's plans for a new generation of nuclear submarines; a decision on women serving in ground close combat roles; and possible proposals to address the issue of "opportunistic" litigation being brought against the armed forces.

This briefing has been prepared in advance of the Queen's Speech based on Government commitments and speculative reports about what legislative proposals may be included; it does not constitute official information about the Government's intentions or provide a complete list of bills to be announced.

Available separately are further briefings for each day's debate on the Queen's Speech. For further reading or more detailed information, Members are encouraged to contact the Library's Research Desk.

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12 May 2016
LLN 2016/023

Table of Contents

- I. Foreign and European Affairs..... 1
 - 1.1 Government Priorities 1
 - 1.2 EU Referendum 3
 - 1.3 House of Lords International Relations Committee..... 4
 - 1.4 Further Reading 4
- 2. International Development..... 7
 - 2.1 UK Aid Strategy 7
 - 2.2 Humanitarian Response 8
 - 2.3 Further Reading 9
- 3. Defence..... 11
 - 3.1 Government Priorities 11
 - 3.2 Renewal of Nuclear Deterrent 12
 - 3.3 Decision on Women in Ground Close Combat Roles 13
 - 3.4 Legal Claims Against the Armed Forces 13
 - 3.5 Parliamentary Approval for Military Action 13
 - 3.6 Further Reading 14

I. Foreign and European Affairs

I.1 Government Priorities

No specific legislative proposals relating to foreign affairs have been foreshadowed in the run-up to the Queen's Speech. In November 2015, the Government published its [National Security Strategy and Strategic Defence and Security Review](#), which set out the Government's plans for delivering three "high-level, enduring and mutually supporting National Security Objectives" over the five-year period from 2015.¹ The National Security Objectives are to: protect our people; project our global influence; and promote our prosperity. Under these objectives, foreign policy, defence, development and domestic security priorities are interwoven throughout the National Security Strategy. Specific foreign policy priorities for achieving the objectives are set out in the Foreign and Commonwealth Office (FCO) single departmental plan, published in February 2016:

Protect Our People

- Reinforce the UK and international response to terrorism and extremism, including work to counter the ideology of Islamist extremism around the world. Enhance our defence and security, including through a stronger trans-Atlantic security partnership, effective deterrence and a stronger rules-based counter-proliferation system.
- Degrade Daesh in Iraq and Syria and make progress towards political settlements across the Middle East/North Africa with greater UK support to good governance in the region.
- Consular protection and crisis response.

Project Our Global Influence

- Europe: Stand up to Russia, and protect the independence of the EU's neighbours and the security of NATO allies and partners.
- Afghanistan: Sustained international and regional backing contributes to a stable government pursuing reform, better governance and peace talks.
- Africa: Partnership with key countries promotes greater stability and improves business environments in the fastest growing economies.

Promote Our Prosperity

- EU: Negotiate for a more competitive, flexible, fair and democratically legitimate European Union for the benefit of all member states, and prepare for a referendum on our EU membership by the end of 2017.

¹ HM Government, [National Security Strategy and Strategic Defence and Security Review 2015: A Secure and Prosperous United Kingdom](#), November 2015, Cm 9161, pp 11–12.

- Economic and climate diplomacy: Economic reforms in major UK markets create new opportunities for UK business, with progress towards EU-US and EU-Japan free trade agreements, and WTO agreements in key commercial sectors. Full implementation and effective follow-up to the Paris Agreement under the UN Framework Convention on Climate Change improves prospects for limiting global warming to 2 degrees.
- Asia: UK market share improves, particularly in China and India. Maintain or improve our position as a European destination for foreign direct investment (FDI) for the region's top five economies. Maintain a coherent European, and transatlantic, approach to security and stability in the region.²

Under the heading of 'Vision' in the FCO single departmental plan, the Government also pledged over the course of this parliament to:

- Maintain our special relationship with the United States, and strengthen our ties with our partners and allies in Europe and around the world as the foundation of our security and international influence.
- Strengthen our relationships with the emerging powers of Asia, Latin America and Africa to support UK prosperity and security.
- Strengthen the rules-based international order, including by reforming international institutions such as the United Nations, the Commonwealth and the European Union, better to support global prosperity and security in the 21st century, to pursue UK national interests and to protect our sovereignty.
- Project our democratic values; and support universal human rights, good governance, conflict prevention and climate-resilient development in order to strengthen the stability of the international system.
- Respond effectively to crises by maintaining a high state of crisis readiness, including preparedness for terrorist attacks.
- Ensure we have a global network with the skills and experience necessary to pursue our interest and protect our values.³

In a speech in early April 2016, Philip Hammond, the Foreign Secretary, noted that Islamist extremism, Russian aggression and EU reform remained "principal challenges" for the UK's foreign policy, but "one big challenge" he had not foreseen when giving a similar speech the previous year was the migration crisis in Europe.⁴ He assessed that: "Working out how we discharge our moral and legal obligations to genuine refugees fleeing persecution and conflict while dealing robustly with the traffickers and those who are seeking to circumvent the rules to access a better standard of living will be a major challenge for politicians across the world for many years to come".⁵

² Foreign and Commonwealth Office, [Single Departmental Plan: 2015 to 2020](#), 19 February 2016.

³ *ibid.*

⁴ Foreign and Commonwealth Office, [Foreign Secretary Speech at the Lord Mayor's Easter Banquet](#), 6 April 2016.

⁵ *ibid.*

The FCO published its annual report on human rights and democracy on 21 April 2016.⁶ The report designated 30 countries as Human Rights Priority Countries, where the FCO will prioritise its engagement for the duration of this parliament:

- Afghanistan
- Bahrain
- People’s Republic of Bangladesh
- Burma
- Burundi
- Central African Republic
- China
- Colombia
- Democratic People’s Republic of Korea
- Democratic Republic of the Congo
- Egypt
- Eritrea
- Iran
- Iraq
- The State of Israel and the Occupied Palestinian Territories
- Libya
- Republic of Maldives
- Pakistan
- Russia
- Saudi Arabia
- Somalia
- South Sudan
- Democratic Socialist Republic of Sri Lanka
- Sudan
- Syria
- Turkmenistan
- Uzbekistan
- Venezuela
- Yemen
- Zimbabwe

1.2 EU Referendum

No specific proposals for legislation on European affairs have been foreshadowed in the run-up to the Queen’s Speech. A referendum on the UK’s membership of the European Union will take place on 23 June 2016. The referendum question is: “Should the United Kingdom remain a member of the European Union or leave the European Union?”⁷ The Electoral Commission has designated ‘The In Campaign Ltd’ as the lead campaigner for the ‘remain’ outcome and ‘Vote Leave Ltd’ as the lead campaigner for the ‘leave’ outcome.⁸

The official government position is that “the UK’s national interest—the interests of every family, household, business, community, region and nation within our United Kingdom—is best served by our country remaining in a reformed EU”.⁹ However, the Prime Minister set out in a letter to ministerial colleagues in January 2016 that there would be “a special arrangement to permit individual ministers to take a different personal position from the official position of the Government”.¹⁰ Four out of the 22 full members of the current Cabinet have declared themselves in favour of leaving the EU.¹¹

At a meeting held on 18–19 February 2016, the European Council agreed on a new Settlement for the United Kingdom within the European Union, which is set out within a Decision, a Statement of Heads of State or Government, and five supporting Declarations. The European Council agreed that these arrangements would “become effective on the date that the United Kingdom informs the Secretary-General of the Council that the United Kingdom has decided to

⁶ Foreign and Commonwealth Office, [Human Rights and Democracy—The 2015 Foreign and Commonwealth Office Report](#), 21 April 2016, Cm 9245.

⁷ HM Government, [‘EU Referendum: Questions and Answers’](#), accessed 9 May 2016.

⁸ Electoral Commission, [‘Electoral Commission Designates ‘Vote Leave Ltd’ and ‘The In Campaign Ltd’ as Lead Campaigners at EU Referendum’](#), 13 April 2016.

⁹ HM Government, [‘Why the Government Believes We Should Remain’](#), accessed 29 April 2016.

¹⁰ Prime Minister’s Office, [‘Letter from the Prime Minister to Ministerial Colleagues: EU Referendum’](#), 11 January 2016.

¹¹ BBC News, [‘EU Vote: Where the Cabinet and other MPs Stand’](#), 24 March 2016.

remain a member of the European Union”.¹² Analysis of the Settlement and how it would be implemented is set out in the following documents:

- HM Government, [The Best of Both Worlds: The United Kingdom’s Special Status in a Reformed European Union](#), February 2016 (this sets out the Government’s views, which are not necessarily accepted by the pro-leave side)
- House of Commons Library, [EU Referendum: Summary and Analysis of the New Settlement for the UK in the EU](#), 8 March 2016
- House of Lords European Union Committee, [The EU Referendum and EU Reform](#), 30 March 2016, HL Paper 122 of session 2015–16

Analysis of the issues and possible timescales involved should the UK decide to leave the EU is set out in the following documents:

- HM Government, [The Process for Withdrawing from the European Union](#), February 2016, Cm 9216 (this sets out the Government’s views, which are not necessarily accepted by the pro-leave side)
- House of Commons Library, [EU Referendum: The Process of Leaving the EU](#), 8 April 2016
- House of Lords European Union Committee, [The Process of Withdrawing from the European Union](#), 4 May 2016, HL Paper 138 of session 2015–16

1.3 House of Lords International Relations Committee

From the start of the 2016–17 session, the House of Lords will establish a new international relations sessional committee, as agreed in November 2015 (subject to a review of all committees to be carried out in the 2017–18 session).¹³

1.4 Further Reading

Foreign Affairs

- House of Commons Library, [Declaring Daesh Massacres ‘Genocide’](#), 15 April 2016
- House of Commons Foreign Affairs Committee, [The FCO’s Administration and Funding of its Human Rights Work Overseas](#), 5 April 2016, HC 860 of session 2015–16
- House of Commons Foreign Affairs Committee, [The UK’s Role in the War Against ISIL Following the Cessation of Hostilities in Syria in February 2016](#), 24 March 2016, HC 683 of session 2015–16
- House of Commons Library, [UK Relations with Russia 2016](#), 21 March 2016

¹² European Council, [European Council Meeting \(18 and 19 February 2016\)—Conclusions](#), 19 February 2016.

¹³ House of Lords Liaison Committee, [An International Relations Committee](#), 29 October 2015, HL Paper 47 of session 2015–16; and [HL Hansard, 10 November 2015, cols 1935–43](#).

- House of Commons Library, [War and Peace in South Sudan: March 2016 Update](#), 14 March 2016
- House of Commons Library, [Syrian Refugees and the UK](#), 7 March 2016
- House of Commons Library, [Egypt Under Sisi](#), 26 February 2016
- House of Commons Library, [Political Reforms and Human Rights in Bahrain](#), 24 February 2016
- House of Commons Library, [Seeking a Negotiated Solution in Syria](#), 4 February 2016
- House of Commons Library, [Ukraine: Summary of Developments in 2015 and 2016](#), 18 January 2016

European Union

- House of Lords European Union Committee, [The Process of Withdrawing from the European Union](#), 4 May 2016, HL Paper 138 of session 2015–16
- House of Commons European Scrutiny Committee, [The UK Renegotiation Package](#), 3 May 2016, HC 342 of session 2015–16
- House of Commons Foreign Affairs Committee, [Implications of the Referendum on EU Membership for the UK's Role in the World](#), 26 April 2016, HC 545 of session 2015–16
- House of Commons Library, [The EU Referendum Campaign](#), 25 April 2016
- House of Commons Library, [Reading List on UK-EU Relations 2013–16: Reform, Renegotiation, Withdrawal](#), 22 April 2016
- House of Commons Library, [Referendums on the European Union](#), 22 April 2016
- House of Lords Science and Technology Committee, [EU Membership and UK Science](#), 20 April 2016, HL Paper 127 of session 2015–16
- House of Commons Environmental Audit Committee, [EU and UK Environmental Policy](#), 19 April 2016, HC 537 of session 2015–16
- House of Commons Library, [In Brief: UK-EU Economic Relations](#), 13 April 2016
- House of Commons Library, [EU Budget and the UK's Contribution](#), 12 April 2016
- House of Commons Library, [EU Referendum: The Process of Leaving the EU](#), 8 April 2016
- House of Lords European Union Committee, [The EU Referendum and EU Reform](#), 30 March 2016, HL Paper 122 of session 2015–16
- House of Commons Library, [EU Referendum: Summary and Analysis of the New Settlement for the UK in the EU](#), 8 March 2016

- House of Lords Library, [Schengen Agreement: A Short History](#), 7 March 2016
- House of Lords European Union Committee, [Europe in the World: Towards a More Effective EU Foreign and Security Strategy](#), 16 February 2016, HL Paper 97 of session 2015–16
- House of Commons Library, [EU Referendum: Impact in Key Policy Areas](#), 12 February 2016
- House of Commons Library, [Exiting the EU: UK Reform Proposals, Legal Impact and Alternatives to Membership](#), 12 February 2016

2. International Development

2.1 UK Aid Strategy

No specific legislative proposals relating to international development have been foreshadowed in the run-up to the Queen's Speech. In November 2015, the Government set out a new UK aid strategy in a joint Treasury-Department for International Development (DFID) policy paper, [UK Aid: Tackling Global Challenges in the National Interest](#). Under the International Development (Official Development Assistance Target) Act 2015, the Secretary of State has a statutory duty to ensure that the UK meets the target of spending 0.7 percent of gross national income on official development assistance each calendar year from 2015 onwards. The joint policy paper confirmed that Britain would continue to meet its targets on aid spending, but acknowledged that "aid spending has sometimes been controversial at home, because people want to know that it is squarely in the UK's national interest".¹⁴ The aid budget was reviewed as part of the 2015 Spending Review, in the aim of restructuring it to "ensure that it is spent on the great global challenges—from the root causes of mass migration and disease, to the threat of terrorism and global climate change—all of which also directly threaten British interests".¹⁵ The policy paper set out four strategic objectives that would underpin aid spending:

- **Strengthening global peace security and governance:** the Government will invest more to tackle the causes of instability, insecurity and conflict, and to tackle crime and corruption. This is fundamental to poverty reduction overseas and will also strengthen our own national security at home.
- **Strengthen resilience and response to crisis:** this includes more support for ongoing crises including that in Syria and other countries in the Middle East and North Africa region, more science and technology spend on global public health risks such as antimicrobial resistance, and support for efforts to mitigate and adapt to climate change.
- **Promoting global prosperity:** the Government will use official development assistance (ODA) to promote economic development and prosperity in the developing world. This will contribute to the reduction of poverty and also strengthen UK trade and investment opportunities around the world.
- **Tackling extreme poverty and helping the world's most vulnerable:** the Government will strive to eliminate extreme poverty by 2030, and support the world's poorest people to ensure that every person has access to basic needs, including prioritising the rights of girls and women. This will build security, stability and opportunity that will benefit us all.¹⁶

As a result of this new approach, the Government planned to allocate half of DFID's spending to fragile states and regions; increase aid spending for the Syrian crisis and the related region; and end all traditional general budget support.¹⁷

¹⁴ HM Treasury and Department for International Development, [UK Aid: Tackling Global Challenges in the National Interest](#), November 2015, Cm 9163, p 3.

¹⁵ *ibid.*

¹⁶ *ibid.*, pp 3–4.

¹⁷ *ibid.*, p 4.

In a recent report, the House of Commons International Development Committee welcomed the new UK aid strategy's focus on fragile states and regions, as "these states and regions generally face high levels of extreme poverty".¹⁸ However, the Committee expressed concerns regarding "the lack of priority given to poverty reduction within the aid strategy", the "absence of any mention of human rights in the new aid strategy", and the "need for a more considered definition of fragility than has been used in the past".¹⁹

2.2 Humanitarian Response

The House of Commons Public Accounts Committee concluded in April 2016 that DFID was "a major player in the international humanitarian system", was "well regarded by its partners" and that "many aspects of its approach to responding to crises are working well, leading to positive results".²⁰ Nevertheless, the Committee argued that DFID could "improve value for money, particularly in its response to those complex, long-running crises, such as Syria and Yemen, in which it is increasingly involved". The Committee recommended that DFID needed to "strengthen its systems for resourcing and assessing the performance of its interventions, as well as improving its oversight of partners".²¹ A consultation on updating the UK's humanitarian policy—which outlines how the UK will help build resilience to crises and respond to humanitarian need resulting from conflict and natural disasters—closed on 22 March 2016.²²

In response to the crisis in Syria, the UK has committed £2.3 billion since 2012. Thus far, £1.12 billion of this has been allocated, and £998 million had been spent as of the fourth quarter of 2015/16.²³ DFID has stated that: "Our support is reaching millions of people and has saved lives in Syria, Jordan, Lebanon, Turkey, Iraq and Egypt".²⁴ The UK is the second largest bilateral donor to Syria globally.²⁵ At the Syria Donors Conference 2016, jointly hosted by the UK in London in February, over \$11 billion in aid was pledged—\$5.8 billion for 2016 and a further \$5.4 billion for 2017–20.²⁶

The House of Commons International Development Committee has "strongly commend[ed] DFID for setting an exemplary standard in its commitment to funding humanitarian assistance to address the Syrian crisis".²⁷ The Committee commended the Government's approach of supporting refugees within the region, for three reasons: it was "more cost-effective" than resettling them in the UK; it was "in the best interests of the majority of refugees to stay closer to home"; and it was likely that more refugees could be deterred from "risking their lives" making "dangerous trips across the Mediterranean" if "sufficient funding" was made available to

¹⁸ House of Commons International Development Committee, [UK Aid: Allocation of Resources: Interim Report](#), 22 March 2016, HC 927 incorporating HC 533 of session 2015–6, p 25.

¹⁹ *ibid.*

²⁰ House of Commons Public Accounts Committee, [Department for International Development: Responding to Crises](#), 20 April 2016, HC 728 of session 2015–16, p 3.

²¹ *ibid.*

²² Department for International Development, '[DFID Humanitarian Policy Consultation](#)', 1 March 2016.

²³ Department for International Development, [Syria Crisis Response Summary](#), 29 April 2016.

²⁴ *ibid.*

²⁵ Prime Minister's Office, '[UK to Invest an Extra £1.2 Billion Supporting Syria and the Region](#)', 4 February 2016

²⁶ Department for International Development, '[Supporting Syria Conference 2016](#)', accessed 29 April 2016. The conference pledge total includes £1.2 billion pledged by the UK; this pledge is included in the £2.3 billion figure of UK commitments to date.

²⁷ House of Commons International Development Committee, [Syrian Refugee Crisis](#), 5 January 2016, HC 463 of session 2015–16, p 29.

“help humanitarian organisations support an adequate standard of living in the region”.²⁸ In this regard, the Committee was critical of “the lack of financial support from other donors”.²⁹

However, the Government has faced calls to accept more Syrian refugees in the UK, particularly recently in light of Lord Dubs’ attempt to amend the Immigration Bill to require the Government to relocate 3,000 unaccompanied refugee children to the UK from other countries in Europe. Speaking at Prime Minister’s Questions on 4 May, David Cameron reiterated the Government’s position that it was right “to stick to the principle that we should not be encouraging people to make the dangerous journey”, “to stick to the idea that we keep investing in refugee camps and in neighbouring countries” and “not to take part in the EU relocation and resettlement schemes, which have been, in my view, a failure”.³⁰ However, he promised to speed up the resettlement of child migrants in Europe with a direct family connection to the UK, and said that the Government would “do more for children who were already registered in Europe before the EU-Turkey deal”.³¹

Downing Street announced on 4 May that, in response to Lord Dubs’ revised amendment (which no longer put a figure on the number of children to be resettled), unaccompanied asylum-seeking children registered in Greece, Italy or France before 20 March—the date the EU migration agreement with Turkey came into force—would be eligible for resettlement.³² The Government would work with local authorities to determine how many children would be resettled, with the first arrivals expected before the end of 2016. The House of Commons agreed to Lord Dubs’ revised amendment on 9 May 2016.³³

2.3 Further Reading

- House of Commons International Development Committee, [The World Humanitarian Summit: Priorities for Reform](#), HC 675 of session 2015–6, 10 May 2016
- House of Commons International Development Committee, [Crisis in Yemen](#), 4 May 2016, HC 532 of session 2015–16
- House of Commons Public Accounts Committee, [Department for International Development: Responding to Crises](#), 20 April 2016, HC 728 of session 2015–16
- House of Commons International Development Committee, [UK Aid: Allocation of Resources: Interim Report](#), 22 March 2016, HC 927 of session 2015–16
- House of Commons Library, [Syrian Refugees and the UK](#), 7 March 2016
- House of Commons International Development Committee, [Ebola: Responses to a Public Health Emergency](#), 19 January 2016, HC 338 of session 2015–16

²⁸ House of Commons International Development Committee, [Syrian Refugee Crisis](#), 5 January 2016, HC 463 of session 2015–16, p 30.

²⁹ *ibid*, p 29.

³⁰ [HC Hansard, 4 May 2016, col 165.](#)

³¹ [ibid, col 168.](#)

³² Prime Minister’s Office, [‘Unaccompanied Asylum-Seeking Children to be Resettled from Europe’](#), 4 May 2016.

³³ [HC Hansard, 9 May 2016, col 507.](#)

- House of Commons International Development Committee, [Syrian Refugee Crisis](#), 5 January 2016, HC 463 of session 2015–16
- House of Commons Library, [The Sustainable Development Goals and the Post-2015 Development Agenda](#), 28 September 2015

3. Defence

3.1 Government Priorities

No specific legislative proposals relating to defence have been foreshadowed in the run-up to the Queen's Speech. As mentioned in the Foreign Affairs section of this briefing, in November 2015, the Government published its [National Security Strategy and Strategic Defence and Security Review](#) (NSS and SDSR) which set out the Government's plans for delivering three National Security Objectives over the five-year period from 2015. The National Security Objectives are: protect our people; project our global influence; and promote our prosperity. The document set the armed forces eight missions to support the delivery of the NSS—four routine missions and four crisis response missions. The routine missions are:

- Defend and contribute to the security and resilience of the UK and Overseas Territories. This includes deterring attacks; defending our airspace, territorial waters and cyber space; countering terrorism at home and abroad; supporting the UK civil authorities in strengthening resilience; and protecting our people overseas.
- Provide the nuclear deterrent.
- Contribute to improved understanding of the world through strategic intelligence and the global defence network. This includes close and enduring work with our allies and partners during peace and conflict.
- Reinforce international security and the collective capacity of our allies, partners and multilateral institutions. This includes work to help shape the international security environment, and to strengthen the rules-based international order including through conflict prevention, capacity building and counter proliferation.³⁴

The crisis response missions are:

- Support humanitarian assistance and disaster response, and conduct rescue missions.
- Conduct strike operations.
- Conduct operations to restore peace and stability.
- Conduct major combat operations if required, including under [NATO Article 5](#).³⁵

To achieve this, the SDSR outlined a new force structure, Joint Force 2025; it is intended that by 2025, “this highly capable expeditionary force of around 50,000 (compared with around 30,000 planned in Future Force 2020)” will include a maritime task group centred on a new aircraft carrier; a land division with three brigades including a new strike force; an air group of

³⁴ HM Government, [National Security Strategy and Strategic Defence and Security Review 2015: A Secure and Prosperous United Kingdom](#), November 2015, Cm 9161, pp 28–9.

³⁵ *ibid*, p 29.

combat, transport and surveillance aircraft; and a Special Forces task group.³⁶ The SDSR stated that “when the Armed Forces are not deployed at this scale, they will be able to undertake a large number of smaller-scale operations simultaneously”.

The 2015 SDSR confirmed the Government’s commitment to “meet the NATO pledge to spend two percent of our GDP on defence in every year of this Parliament”.³⁷ The House of Commons Defence Committee recently conducted an analysis of this. While it welcomed the commitment, acknowledging that it “sends an important message to all the UK’s partners and potential adversaries”, the Committee recognised that “meeting the minimum—at a lower proportion of GDP than ever before—does not mean that defence is adequately resourced, following decades of successive cuts in expenditure”.³⁸ The Committee also noted that “the NATO minimum would not have been fulfilled if UK accounting practices had not been modified, albeit in ways permitted by NATO guidelines”.³⁹ Since the inclusion of items not previously included in calculating defence expenditure, such as pensions, was “instrumental” in reaching the two percent figure, the Committee believed that “the Government can be said to have ‘shifted the goalposts’ in comparison with previous years”.⁴⁰

3.2 Renewal of Nuclear Deterrent

The UK’s nuclear deterrent—commonly referred to as Trident—consists of three main elements: four Vanguard-class submarines, which maintain continuous at-sea deterrence; the Trident II D5 ballistic missile; and the nuclear warhead. In 2007, the House of Commons voted to support the Labour Government’s decision to “take the steps necessary to maintain the UK’s minimum strategic nuclear deterrent beyond the life of the existing system”.⁴¹ ‘Successor’ is the British programme to replace the four Vanguard submarines which have provided continuous at-sea deterrence since 1992 with four new submarines that will be built in the UK.⁴² The four Successor submarines are due to be introduced from the 2030s onwards and have a lifespan of at least 30 years.

The 2010 SDSR stated that the ‘Main Gate’ investment decision, which would finalise the detailed acquisition plans, design and number of submarines, would be taken around 2016.⁴³ In the 2015 SDSR, the Government revised this approach, stating that they would: “Put in place new industrial and commercial arrangements between government and industry, moving away from a traditional single ‘Main Gate’ approach, which is not appropriate for a programme of this scale and complexity, to a staged investment programme”.⁴⁴ The Government committed in the 2015 SDSR to holding a debate in Parliament on the principle of continuous at-sea deterrence and its plans for Successor, although it did not indicate when this would take place.⁴⁵ In the debate on the SDSR, David Cameron said that “we will be moving ahead with the four

³⁶ HM Government, [National Security Strategy and Strategic Defence and Security Review 2015: A Secure and Prosperous United Kingdom](#), November 2015, Cm 9161, p 30.

³⁷ *ibid*, p 11.

³⁸ House of Commons Defence Committee, [Shifting the Goalposts? Defence Expenditure and the 2% Pledge](#), 12 April 2016, HC 494 of session 2015–16, p 32.

³⁹ *ibid*.

⁴⁰ *ibid*, p 3.

⁴¹ [HC Hansard, 14 March 2007, col 407](#).

⁴² Ministry of Defence, ‘[Successor Submarine Programme Factsheet](#)’, 20 January 2016.

⁴³ HM Government, [Securing Britain in an Age of Uncertainty: The Strategic Defence and Security Review](#), October 2010, Cm 7948, p 38.

⁴⁴ HM Government, [National Security Strategy and Strategic Defence and Security Review 2015: A Secure and Prosperous United Kingdom](#), November 2015, Cm 9161, p 36.

⁴⁵ *ibid*.

submarines and at the appropriate moment we will hold a vote in the House”.⁴⁶ In answer to a question about whether this might take place between the EU referendum and the summer recess, Michael Fallon, the Secretary of State for Defence, said he hoped to have “an early debate and vote on the principle of supporting the replacement of our four existing submarines”.⁴⁷

3.3 Decision on Women in Ground Close Combat Roles

Earl Howe, Minister of State at the Ministry of Defence, confirmed in March 2016 that a decision on whether or not women should be allowed to serve in ground close combat (GCC) roles is “expected by the middle of this year”.⁴⁸ He said that the Prime Minister and the Defence Secretary were “united in wanting to see all roles in the Armed Forces opened up to women”. In 2014, a tri-service review suggested that “Defence should adopt a positive approach” towards the question of women serving in ground close combat roles, and should “conduct a programme of physiological research to further assess the risks and mitigations to women in GCC roles”.⁴⁹

3.4 Legal Claims Against the Armed Forces

The 2015 SDSR also stated that the Government would “develop proposals to ensure that the Armed Forces can operate effectively overseas and are not subject to unjustified legal claims that undermine their ability to do their job”.⁵⁰ Penny Mordaunt, Minister for the Armed Forces, said in April 2016 that she and Dominic Raab, Parliamentary Under Secretary at the Ministry of Justice, had been working on a “comprehensive package to address the problem” of “opportunistic litigation” brought against the armed forces, and they expected “to make announcements very shortly”.⁵¹

3.5 Parliamentary Approval for Military Action

One previous proposal for legislation on a defence matter has now been withdrawn. In March 2011, William Hague (now Lord Hague of Richmond), then Foreign Secretary in the Coalition Government, said that the Government planned to “enshrine in law for the future the necessity of consulting Parliament on military action”.⁵² However, in April 2016, Michael Fallon, Secretary of State for Defence, announced that the Government had decided not to legislate on this matter:

We cannot predict the situations that the UK and its armed forces may face in future. If we were to attempt to clarify more precisely circumstances in which we would consult Parliament before taking military action, we would constrain the operational flexibility of the armed forces and prejudice the capability, effectiveness or security of those forces, or be accused of acting in bad faith if unexpected developments were to require us to act differently. This Government has demonstrated its commitment to the convention

⁴⁶ [HC Hansard, 23 November 2015, col 1057.](#)

⁴⁷ [HC Hansard, 18 April 2016, col 638.](#)

⁴⁸ [HL Hansard, 9 March 2016, col GC187.](#)

⁴⁹ Ministry of Defence, [Women in Ground Close Combat \(GCC\) Review Paper](#), 1 December 2014.

⁵⁰ HM Government, [National Security Strategy and Strategic Defence and Security Review 2015: A Secure and Prosperous United Kingdom](#), November 2015, Cm 9161, p 30.

⁵¹ [HC Hansard, 18 April 2016, col 633.](#)

⁵² [HC Hansard, 21 March 2011, col 799.](#)

by the debates it held in 2013, 2014 and 2015, and its respect for the will of Parliament on each occasion.

[...] After careful consideration, the Government has decided that it will not be codifying the convention in law or by resolution of the House in order to retain the ability of this and future governments and the armed forces to protect the security and interests of the UK in circumstances that we cannot predict, and to avoid such decisions becoming subject to legal action.

We will continue to ensure that Parliament is kept informed of significant major operations and deployments of the armed forces.⁵³

3.6 Further Reading

- Joint Committee on Human Rights, [The Government's Policy on the Use of Drones for Targeted Killing](#), HL Paper 141 of session 2015–16, 10 May 2016
- House of Commons Defence Committee, [Beyond Endurance? Military Exercises and the Duty of Care](#), 24 April 2016, HC 598 of session 2015–16
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