

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

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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

Brighton & Hove City Council

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.

Brighton & Hove City Council

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.

