

MR. COLLES

Prime Minister.

Mr. Rifkind's answer to the Draft Notice Question in the House of Commons this afternoon.

The mood in the House this afternoon was very strongly critical of American policy in the Lebanon. This extended to both sides of the House. There was no support at all even on Conservative benches for American policy which was criticised by, amongst others, Sir Frederick Bennet, Sir Anthony Buck, Patrick Cormack, Anthony Kershaw, John Stokes, George Walden, Robert Adley and Mark Lennox-Boyd. Dennis Healey called for the withdrawal of the British contingent. The tone of much of what was said on the Government backbenches implied support for withdrawal. Mr. Rifkind was very isolated and received practically no support apart from a Liberal spokesman who hoped that before any withdrawal took place there would be consultation with other MNF contributors. Overall, it was a very uncomfortable Parliamentary occasion and the pressure is likely to increase and Mr. Biffen is likely to be closely questioned about this tomorrow.

TIM FLESHER

5 December 1983

[LORD MCCARTHY.]

What is meant by "other market forces"? If we are talking about skill differences, surely skill differences can be taken into account, if they are significant enough, in the job evaluation, if they are part of the job specification. But if the skill differences are personal they are surely covered by the Clay Cross rule. If, on the other hand, we allow general market forces, then we are allowing much wider factors to be taken into account.

What, after all, are market forces in this context? They are a difference in price, or pay, which is assumed to be due to a difference in the conditions of supply and demand. If one allows an employer merely to say it was due to market forces, and this is not examined by the tribunal, then it justifies any kind of discrimination or prejudice which is the result either of worker prejudices or employer prejudices, or both, if it is to be quite unexamined by the tribunal. But, if the tribunal tries to examine it on the basis of what the Parliamentary Secretary says, and to some extent what the noble Earl says, they may very well find that, in the short term at least, a shortage, for example, arises because there are no trained women to do this job or because there is a surplus because there are a large number of untrained, unemployed women; so they may say "Well, this is a market factor". But we all know, if we know anything about the labour market, that such shortages derive from earlier institutional or social barriers to the progress of women, their training, their appointment, their recruitment, their placement in the labour market. So behind these short-term market reasons are longer-term factors which most of us would say were at least partly sex based. Is the tribunal to be allowed to go into all of these; are they to be allowed to judge them and award accordingly? I do not think that is a practical way to look at it.

It is quite right, and I accept this, that a simple application of the like work test as developed in the *Clay Cross* case would take us further than recent European court decisions—for example, *Jenkins v. Kingsgate*. That went beyond the personal equation and suggested a commercial benefit to the employer kind of defence. But I suggest that, if that is admitted, it is not a general market defence. What is being said there is that one would need to look and see what the consequence of granting equal pay for equal value in this particular case would be for the employer's business—for example, for his pay structures, for his general structure of costs, for his industrial relations. These are internal factors which a court might be able to assess, but they are not the kind of general factors which the Parliamentary Secretary in another place says would be perfectly possible under the present regulation. Of course, they would be possible under the present regulation because it does not specify any grounds at all. It merely says you may use the defence which is used in the like work comparison, but then again you may not. So I am suggesting that the Government should, before they ask us to accept this order, modify that general passage and place in it some more objective, limited qualification.

I come to my final point, which is the question of the way in which this is generally related. We feel that this is a highly complicated and extremely difficult regulation to understand. We believe that, although

the procedures are in many ways better than they were, there remain very considerable deficiencies in the regulations. Therefore, we shall be asking the House to divide. We shall be asking the House to support our amendment. We believe that, on the first major issue left, the Government have done extremely well. We believe that, on the second major question and the third major question, they have done virtually nothing. They do not provide in terms of the EEC Equal Pay Directive for the elimination of all discrimination on grounds of sex, and they do not provide even in the terms of Article 2 a solution by judicial process. Therefore, we ask the House to reject these regulations.

Moved, as an amendment to the above Motion, at the end to insert "but that this House believes that the regulations do not adequately reflect the 1982 decision of the European Court of Justice and Article 1 of the EEC Equal Pay Directive of 1975."—(Lord McCarthy.)

The Lebanon

3.40 p.m.

Baroness Young: My Lords, with the leave of the House, I should like to repeat a Statement now being made in another place.

"On 3rd December anti-aircraft guns and missiles were fired at United States reconnaissance aircraft over Lebanon. Early on 4th December United States aircraft bombed Syrian military targets in Lebanon. Two United States aircraft were shot down. Syrian losses have been reported as two dead and 10 seriously wounded. Last night eight United States marines were killed by shell fire. United States naval vessels then opened fire in response.

"We are in close contact with other contributors to the MNF. We share the objective of helping the Lebanese Government restore stability and create conditions in which the Lebanese people can themselves sort out their differences free from outside interference.

"All the parties welcome the role of the British contingent, which has the vital task of guarding the meetings of the Cease-fire Commission. The safety of our men is kept under constant review.

"It is vital that all parties in Lebanon show restraint and work together to make further progress towards national reconciliation. The cycle of violence must be broken".

My Lords, that completes the Statement.

Lord Cledwyn of Penrhos: My Lords, we are grateful to the noble Baroness for repeating that Statement. We also sympathise with the United States on the loss of eight marines killed in the shelling outside Beirut. However, does not the noble Baroness agree that the developments of the past 48 hours, where the United States and Syrian forces have clashed in the Lebanon, constitute a significant escalation of the conflict and that that could have far-reaching implications?

We welcome the assurance in the Statement that the Government are in close contact with the other contributors to the multinational force. Can the noble

procedural rules dealing with the role of the expert.

It is now clear that the expert can be cross-examined. It is now clear that the expert can be challenged by at least one expert witness. I readily admit that, in broad terms, those parts of the procedures now comply with at least Article 2 of the EEC directive and represent a fair judicial process. But that was not all we said. We said many other things. We did not simply say that we wanted to do something about the procedures. We said that we wanted to do something about the regulations themselves. I and my noble friends will no doubt mention many of the respects in which the regulations themselves, as against the procedures (although they are not completely correct and appropriate), are still defective. In the time available to me, I wish to deal with two of the major ways in which the regulations are defective still.

The first of these I call the device of the *a priori* pre-hearing pre-hearing. That is to say, that there is in these regulations set out in Paragraph 3, to provide a new subsection (3)(b) of the Equal Pay Act 1970, a strange kind of *a priori* special check before the process begins. Indeed, it is stated there that the tribunal can dismiss a case altogether if it considers that there are no reasonable grounds.

I wish to ask three questions about that point and I hope that the noble Earl will be able to answer them when he comes to reply to this debate. How does that strange additional pre-hearing pre-hearing relate to the existing pre-hearings which are perfectly normal in industrial tribunal procedures? It is now the case that if one of the parties before an industrial tribunal on an unfair dismissal case, let us say, asks for a pre-hearing to see whether there is a *prima facie* case, then that takes place. If it turns out that the tribunal believes that no case has been made, then the tribunal's members will report on that fact.

The difference is—and this brings me to my second question—that in the case of the present pre-hearings, the appellant or the defendant, if they want to, can say that they nevertheless want to go on to a full hearing. But that does not seem to be the case with this regulation. My question is: is this strange extra pre-hearing a substitute for the existing pre-hearing, and can it result in the case being dismissed without any appeal and without any reasons being given? What is the purpose of that strange procedure if it is not to make it much more difficult for any applicant to sustain a case?

Another question I should like to ask about the *a priori* pre-hearing pre-hearing is: what evidence can be advanced at this stage? Presumably—although it was not completely clear from the speech made by the Parliamentary Secretary in another place—one cannot really at this stage discuss whether or not there is in fact equal work of equal value. That would be to prejudge the work of the expert; that is his job; that is a question of fact; that cannot be rehearsed at the pre-hearing, can it?

So maybe the employer will be able to recite his defence. He will be able to say that, even if there is subsequently proved equal work of equal value, he has a non-sexist justification. What kind of evidence will he pray in aid at that point? And is he not in fact having two bites at the cherry? Cannot he try out his

defence at this stage, at a time when the applicant has very little evidence to rebut it, and knowing very well that if he falls at this hearing he can come back subsequently if the expert decides in the applicant's favour? So why do we have this strange, weird, and, I am told by my lawyer friends, totally unprecedented *a priori* pre-hearing pre-hearing put into the regulation?

Secondly, I come to the nature of the defence, which comes up, I would remind noble Lords, in the third case. In the first case the applicant has to establish that she has a reasonable case under the new Section 2A(1)(a). Secondly, the expert has to come along and has to regard the work as of equal value and being paid less. That is the second test. Thirdly, the employer has a defence; he has to say, perhaps for the second time, that there is a difference which is not sex based. He then prays in aid a material factor defence which is not a material difference.

Now, what I want the noble Earl to tell me is how far this new subsection (3)(b) takes us beyond the existing defence in like work comparisons, which continues in the regulation and is provided in the new subsection (3)(a)? Because, as we know, the old defence to the like work comparison was narrowed significantly by the decision in the *Clay Cross* case. It was decided in that case that a material difference defence is restricted to what was called the personal equation; that is to say, it is not to include extrinsic factors, objective, measurable factors, such as length of service, level of performance, red circling arrangements and so on. Because to go further than that, said the court, would be to allow the employer to say, "I paid her less because she was willing to come for less". But, of course, if such an excuse were permitted, the Act, said the court, "would be a dead letter".

After all, those are the very reasons why there was unequal pay before the statute; they are the very circumstances in which the statute was intended to operate. The court said that if the employer was allowed to say, "I asked her to come, but for that sum, which was what she was getting in her previous job, because she was the only applicant for the job, so I had no option", then, if such an area were permitted as an excuse, the door would be wide open and every employer who wished to avoid the statute could walk straight through.

My question is, do the Government intend by the new subsection (3)(b) to allow the employer to walk straight through? If they do not, then what is the meaning of the statement made in another place by the Parliamentary Secretary to the Department of Employment about the "labour market defence"? He spoke as though the new subsection (3)(b) was to provide the employer with a very broad labour market defence. He said:

"What we have in mind are circumstances where the difference in pay is not due to personal factors between the man and the woman, but rather to skill shortages or other market forces"—

that is the significant phrase, "other market forces".

"If a man is paid more than a woman for work of equal value because his skills are in short supply"—

as the noble Earl suggested—

"that is not sexually discriminatory, provided that the reason is genuine and the employer can show that".—[Official Report, House of Commons, 20/7/83; col. 486.]

Baroness say whether this included consultations with the United States before its aircraft bombed Syrian military targets? Were we informed of this and, if so, what was the response of Her Majesty's Government? Moreover, will the noble Baroness confirm once again that the treaty governing the presence of British troops in the Lebanon permits their use only in the Beirut area? Will she assure the House that they will not be allowed to become involved in a wider conflict with Syria but rather that they would be withdrawn?

Finally, we support the plea that all parties in the Lebanon should show restraint. Does the noble Baroness agree that this is a further argument for a meeting between the leaders of the United States and Soviet Union? Will the Government use all their endeavours to bring about such a meeting?

Lord Kennet: My Lords, can the Government confirm that the greater part of Lebanon is under the military control of its two neighbours, Syria and Israel? Can they also confirm that Syrian forces are there by invitation of the Lebanese Government as members of an Arab League multinational force, albeit a shadowy one, and that the Israeli forces are there by right of invasion alone, and in defiance of United Nations resolutions?

Can the Government also confirm that the Western multinational force went by invitation to keep peace between the two sides? Now that Israel and the United States, bound together in a new alliance, have both attacked Syrian forces on the ground, what is the continuing purpose of the Western multinational force? Are the Government aware that as long as our little contingent confines itself to guarding the Cease-fire Commission it will have the country with it, but if it is allowed to be dragged behind President Reagan in an attempt to expel Syria from the Lebanon it will have the country against it?

Baroness Young: My Lords, I thank both the noble Lord, Lord Cledwyn of Penrhos, and the noble Lord, Lord Kennet, for the way they have received this Statement? To answer the first question put by Lord Cledwyn of Penrhos on consultation with the United States, I can confirm that we were informed shortly beforehand, but, as he will understand, each multinational force contributor has the right to self-defence and to decide what measures it deems to be necessary.

It might be helpful if I were to set out once again the conditions for keeping our multinational force in the Lebanon because this answers a question put by both noble Lords. I should make clear that the presence of our contribution to the multinational force helps the Lebanese Government and the army. It reassures the Beirut public and helps to restore stability and to create conditions for reconciliation, which is what we wish to see.

We believe that our forces have been welcomed by all the communities and that they have an important role in guarding cease-fire talks. Further, I think that they demonstrate our commitment to promote peace in the Lebanon which is, of course, important for wider stability in the Middle East. It is something which has been welcomed both by moderate Arabs and by Israel. The fact that the Syrians are

appreciative of our policies was made clear to my right honourable friend Mr. Luce on 4th December.

I have, of course, noted the concluding remarks of the noble Lord, Lord Kennet, and I should like to confirm what I have already indicated today, that we ourselves believe there should be a constructive dialogue with the Soviet Union and that is something we shall be continuing.

Lord Cledwyn of Penrhos: My Lords, may I pursue the point about consultation a step further in view of its importance, and in order that there may be no doubt about it? Is the noble Baroness saying that Her Majesty's Government were consulted by the United States about the proposed bombing but that the Government did not demur or object to this further escalation in the Lebanon? Is that the position? Is it also the case that the different parties to the MNF can, in fact, go off on adventures of their own without the agreement of the other parties? If so, that is a very serious statement.

Baroness Young: My Lords, the position is as I described it in my original answer to the noble Lord. We were informed by the United States shortly before it took action. But I must reiterate that each contributor has the right to self-defence and to decide what measures are necessary. In fact, in the case of the French retaliation we were not informed in advance. I can perhaps go on to confirm that there could be no possible use of the British forces unless the British Government wish them to be used in some way.

Lord Cledwyn of Penrhos: My Lords, is the noble Baroness saying that military aggression of the type involved in the bombing is self-defence in the terms of the understanding between the parties?

Baroness Young: My Lords, it is not for me to speak for the American Government in this particular matter. It was for the American Government to determine what they felt was right for their self-defence in the circumstances of the case.

Lord Mayhew: My Lords, does the noble Baroness agree that from the point of view of future peace-keeping it is essential that the European countries at least should maintain the confidence of both sides? Will the noble Baroness reaffirm that, when the United States and Israel are engaged in hostilities with Syria and the Lebanese Moslems, the position of the United Kingdom is uncommitted to either side?

Baroness Young: My Lords, as I think I have already indicated to the noble Lord, Lord Cledwyn of Penrhos, the British contingent enjoys the confidence of both sides in this particular circumstance. On the question of consultations, I can confirm that there will be a meeting of the MNF Foreign Ministers in Brussels later this week.

Lord Mishcon: My Lords, would the noble Baroness agree that there can be no peace in Lebanon until all foreign forces have withdrawn? Will she further agree that there was a pact between the Israeli and Lebanese Governments which called for a withdrawal of Israeli forces, with which the Israeli Government have

[LORD MISHCON.]
 complied, and that that pact was subject to Syria also withdrawing? Is not Syria's failure to withdraw the cause of the present unhappy situation?

Baroness Young: My Lords, I should like to confirm that we see an urgent need for the full withdrawal of all foreign forces in Lebanon. At the time we welcomed the agreement as a commitment by Israel to the full withdrawal of her forces from Lebanon. Clearly there have been difficulties about the implementation of that. We should not object to alternative arrangements which had the agreement of all parties. We recognise the Israeli concern about security for her northern border. But what we really want to see is the withdrawal of all foreign forces from Lebanon.

Baroness Gaitskell: My Lords, in the muddled situation that we have in the Lebanon, are not the true enemies the Druze and the Syrians, and is it not really these people who have to be dealt with and not the Israelis or the Americans? It is these people, with Russia, who we think are our enemies and who are our enemies.

Baroness Young: My Lords, I should rather not be drawn down the particular path that the noble Baroness, Lady Gaitskell, has outlined. We believe that the majority of Lebanese share the objectives of President Gemayel to restore Lebanese independence and secure the withdrawal of foreign troops.

Lord Gladwyn: My Lords, rightly or wrongly the newspapers are full of rumours to the effect that, profiting apparently from the illness of President Assad, the American and Israeli Governments have come to some agreement to use force to compel the evacuation of the Lebanon by the Syrian army. While I have no reason to suppose that these reports are accurate, will the noble Baroness say that, if by any chance they are, the Government will make it clear at once that they are entirely opposed to such a dangerous policy, which could very possibly lead to an armed confrontation between the two super-powers?

Baroness Young: My Lords, I should not like to speculate on any view that the press may take now or some time in the future. Any agreements or arrangements between President Reagan and Mr. Shamir are for them. In the answers that I have given to the other questions I think I have made clear what is the policy of Her Majesty's Government.

Lord Paget of Northampton: My Lords, what we are concerned about now is surely the steps taken by our leading ally to protect its own troops. Is not our interest in that respect that it should succeed in protecting its troops? Will the Government make that point clear to them, and that this is not a carping expedition?

Baroness Young: My Lords, in my answer to the first supplementary question asked on this Statement I made it clear that each contributor to the multinational force—to which the United States is a major contributor—has the right to decide on its own

self-defence and what measures it regards as necessary to achieve that end.

The Earl of Onslow: My Lords, can my noble friend possibly help us a little on this? Part of the instability of the present Lebanese Government is created by the 1943 agreement partitioning jobs between Sunni Moslems and Maronite Christians. The numbers in the population have changed very much since then. Can my noble friend confirm, or comment upon, whether any pressure has been put on President Gemayel by ourselves or, above all, by the American Government to make concessions to the Sunni Moslems, who I know feel threatened by the Maronite superiority in the present Lebanese Government?

Baroness Young: My Lords, as my noble friend Lord Onslow will be aware, there have been discussions in Geneva with President Gemayel on the future of Lebanon. We think that the majority of Lebanese share his objective of restoring Lebanon's independence and securing the withdrawal of foreign forces. There are differences between the parties over power sharing and institutional reform, but we believe that these need to be sorted out by the Lebanese themselves without outside interference. It is not for us to be involved in this. There has been some encouraging progress in the Geneva talks. Indeed, President Gemayel is to come here to see us in the near future with the object of discussing the reconvening of the reconciliation talks, which we must all hope will be successful.

Equal Pay (Amendment) Regulations 1983

3.56 p.m.

Debate resumed.

Baroness Seear: My Lords, I, too, should like to thank the noble Earl, Lord Gowrie, for introducing these regulations and for his explanation of the changes that have taken place in the procedural rules. There is no doubt that mark 3, which we have now arrived at in these regulations, is a very great improvement on mark 1 and an improvement on mark 2. In particular, we are very glad that the Government have seen fit in the procedural regulations to make it possible for plaintiffs to cross-examine the expert. The extraordinary proposal under the previous arrangement that an expert should give a report but should not be cross-examined by the tribunal was, I believe, contrary to all precedents as to the use of specialists in British tribunals or courts. So far so good, but I fear only so far.

One cannot but regret that the Government have not seen fit to withdraw these gamma 3 regulations which are again presented to us—and in my view gamma 3 is a rather generous marking for them. The complexity and inadequacy of the drafting, quite apart from the contents, alone justify a rewrite of the whole exercise. I should like to ask your Lordships to play the parlour game of writing down without consulting your neighbour what you think is meant by the new Section 2A:

"Where on a complaint or reference made to an industrial tribunal under section 2 above, a dispute arises as to whether any work is of equal value as mentioned in section 1(2)(c) above the

The Lebanon

3.31 pm

Mr. Denis Healey (Leeds, East) (*by private notice*) asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in the Lebanon.

The Minister of State, Foreign and Commonwealth Office (Mr. Malcolm Rifkind): On 3 December anti-aircraft guns and missiles were fired at United States reconnaissance aircraft over the Lebanon. Early on 4 December United States aircraft bombed Syrian military targets in Lebanon. Two United States aircraft were shot down. Syrian losses have been reported as two dead and 10 seriously wounded. Last night eight United States marines were killed by shell fire. United States naval vessels then opened fire in response.

We are in close contact with other contributors to the multinational force. We share the objective of helping the Lebanese Government restore stability and create conditions in which the Lebanese people can themselves sort out their differences free from outside interference.

All the parties welcome the role of the British contingent, which has the vital task of guarding the meetings of the Ceasefire Commission. The safety of our men is kept under constant review.

It is vital that all parties in the Lebanon show restraint and work together to make further progress towards national reconciliation. The cycle of violence must be broken.

Mr. Healey: I think the Minister must be aware that hon. Members on both sides of the House agree that the cycle of violence must be broken? However, does the hon. Gentleman agree that all justification for the presence of the multinational force in the Lebanon has disappeared now that President Reagan has formed a military axis with the Government of Israel against Syria and the Soviet Union in the middle east and intervened on a massive scale in the internal conflict in the Lebanon, while refusing a reasonable request from President Gemayel for help in revising his unequal agreement with Israel which he regards as an obstacle to the type of settlement which the hon. Gentleman said he favours?

Will the Government therefore remove the British troops forthwith from a position in which they are serving no useful purpose and are at increasing risk? Will the Minister seek the agreement of the French and Italian Governments to withdraw their forces, since the new United States middle east policy—its third this year—is totally inconsistent with the policy which the Prime Minister and other European leaders adopted at the summit conference in Venice not long ago?

Mr. Rifkind: As the right hon. Gentleman knows, the multinational force is there for peacekeeping purposes. The United States Government have said that the incidents during the past couple of days have been in self-defence under the terms of the mandate agreed when American forces went to the Lebanon.

The right hon. Gentleman has called for the withdrawal of United Kingdom forces. I remind him that all sections of the community in Lebanon not only welcomed the arrival of the British contingent, but continue to emphasise that it forms a desirable component of the

peacekeeping force. Not only do all the communities in the Lebanon welcome the continuing presence of the British force, but so do all the Governments in the region.

Mr. Healey: Is the hon. Gentleman aware that the Israeli Defence Minister, while visiting Washington to make the agreement with the American Government to which I referred, said that they had been discussing joint military action against the Syrians? In the light of that statement, how can the hon. Gentleman believe the American claim that there has been no collusion between the United States and Israel on this matter?

Mr. Rifkind: I have no details of the discussions that may have taken place earlier this week between the Israelis and the United States. The House is concerned about the developments during the past 48 hours. On Saturday, the Americans found their forces under attack. They have emphasised that their response was in self-defence in accordance with the mandate between themselves and the Lebanese Government.

Mr. Healey rose—

Mr. Speaker: Order. I think that it would be more appropriate if I asked the right hon. Member to respond at the end of questions on the statement.

Sir Frederic Bennett (Torbay): Will my hon. Friend reflect on the fact that on this occasion the concern about the situation of British forces is not limited to one side of the House? Whatever role they are or are not fulfilling—I am not referring to the conduct of our men, who are doing a splendid job—no one reading the newspapers could call it peacekeeping. In those circumstances, would it be better to have second thoughts about the role of the peacekeeping force? What is the present position of the Italians? The latest news is that they have announced that they are withdrawing their forces at the conclusion of the Geneva talks, irrespective of the outcome.

Mr. Rifkind: We all share my hon. Friend's anxiety and the primary concern of the British Government is the security and well-being of the British force. It is only if and when we come to the conclusion that British troops cannot perform a useful role that the question of their withdrawal will become relevant. I have emphasised that all the communities in the Lebanon believe that they continue to play an important role.

My right hon. and learned Friend the Foreign Secretary is in Athens at the moment with the Foreign Ministers of two of the other countries that are involved, and he will have an opportunity to discuss with them their contributions to the peacekeeping force. On Thursday there will be a meeting of the Foreign Ministers of the NATO countries, and there will be an opportunity to discuss this matter on a slightly wider front.

Mr. J. Enoch Powell (Down, South): Will the Government take steps at the earliest possible opportunity to dissociate this country from the insanity and inhumanity of American actions in the Lebanon?

Mr. Rifkind: Where actions are taken for proper reasons of self-defence we would have no hesitation in giving our support. If British troops were in danger and the need for self-defence required a response, it would be proper for the British forces to take such action.

Mr. Dennis Walters (Westbury): I fully understand the American concern for the security of its peacekeeping

force, but will the British Government exercise all the influence at their command to prevent the Americans from escalating the conflict with Syria and warn them that if a further escalation takes place we shall have to withdraw our small peacekeeping force?

Mr. Rifkind: I assure my hon. Friend that the Government consider the proper role of the multinational force to be that of peacekeeping and that we would not support the use of British or other forces in the multinational force for other than peacekeeping purposes, in accordance with the original mandate.

Mr. Ken Weetch (Ipswich): Does the Minister agree that United States neutrality in the middle east was flawed right from the start when it attempted to prop up the Gemayel regime, which was one of the factions in the civil war? Does the Minister further agree that, with the further agreement with Israel and the shelling of the Druze positions by the United States, American neutrality is now a complete travesty?

Mr. Rifkind: The Government's main concern is to ensure peace and the removal of tension from the Lebanon. We believe that the multinational force has been instrumental to a substantial degree in reducing tension in much of the Lebanon. The British contingent in particular is making an important contribution to the safety of the ceasefire mission. We believe that all members of the multinational force should concentrate their activities on that aspect.

Sir Antony Buck (Colchester, North): Is my hon. Friend aware that we are all proud of the way in which our forces are performing, as is shown by the fact that they received nothing but acclaim from all sides? However, does he recognise that both sides of the House are deeply concerned about their safety because those 100 men are in an isolated position? Can he tell us something about the back-up role of our forces in Cyprus?

Mr. Rifkind: I agree that the safety of the British troops is the Government's paramount consideration. Following incidents earlier this year, steps were taken to increase the security of the British contingent. HMS Fearless is stationed off the Lebanese coast and is a useful measure of support for the British contingent.

My hon. and learned Friend referred to Cyprus. Buccaneers are based there, and they could be used to assist the British contingent in the Lebanon if necessary.

Mr. Donald Stewart (Western Isles): Is the Minister aware that the present turmoil in the Lebanon stems from the aggression of the state of Israel and that the situation has been made worse by American unilateral aggression against Syria? Is there any point in keeping British forces in the Lebanon as a cosmetic cover for an alleged peacekeeping force?

Mr. Rifkind: Most fair-minded people will accept that the causes of the present troubles in the Lebanon are far more complex than the right hon. Gentleman suggests. The British contingent has been welcomed by the various communities in the Lebanon. There is precious little upon which all the factions can agree, but they are unanimous in their view that the British contingent is playing an important and useful role. I am sure that both sides of the House will take that fact into account.

Mr. Patrick McNair-Wilson (New Forest): As the United States Administration appear determined to use

their role in the multinational force to drive the Syrians from the Lebanon, what action is the MNF taking to remove the Israelis from the south of the country?

Mr. Rifkind: The Government could not support the use of the MNF to remove the Syrians or anyone else from the Lebanon. Its purpose is to help to keep the peace within the Lebanon. That was its original purpose and can be its only legitimate function.

Mr. Ernie Ross (Dundee, West): Does the Minister accept that the whole purpose of President Gemayel's visit to the United States was to set aside the accord forced on the Lebanese Government? Unless that accord is set aside, the conciliation talks—which the Minister says our troops are protecting—have no chance of success. Rather than launching attacks on the Lebanese people, should not President Reagan stress to the Israeli Prime Minister the need to ease the pressure on the Lebanese President?

Mr. Rifkind: The hon. Gentleman has gone slightly wider than previous comments. The British contingent is involved with the protection of the Ceasefire Commission. The communal talks in Geneva do not come under the responsibility of any part of the MNF. We hope that the talks will make further progress.

Mr. Patrick Cormack (Staffordshire, South): Is my hon. Friend aware that many of us fear that there are two American forces in the Lebanon—one as a part of the MNF and the other acting in a trigger-happy way on its own? Is my hon. Friend entirely satisfied that the level of consultation between the American and British Governments is sufficiently close?

Mr. Rifkind: It is appropriate that the MNF is answerable to the national Governments who sent it there, in with full consultation with the Lebanese Government. The British Government are in consultation with the American Government, but it is important to remember that in operational matters the situation in the Lebanon moves quickly from hour to hour, as well as from day to day.

Mr. Russell Johnston (Inverness, Nairn and Lochaber): In the current difficult position, will the Minister assure us that if the Government finally contemplate withdrawal of the British contingent—which many of us fear they will have to do—they will not do so without having the fullest consultation with our Community partners, the French and Italians?

Mr. Rifkind: The hon. Gentleman is correct to emphasise that unilateral action would be harmful to the interests that hon. Members wish to protect. There will be a continuing opportunity for the closest discussions, not only with the Americans, but with the Italians and the French.

Sir Anthony Kershaw (Stroud): Will my hon. Friend bear in mind that, while it is always desirable to march in step with the Americans, British troops are in the Lebanon to help the Lebanese and no one else?

Mr. Rifkind: My hon. Friend is absolutely right. The British troops have two specific functions—to help protect the Ceasefire Commission and to take part in reconnaissance in Greater Beirut. Those are the specific functions allocated to them, and it is right and proper that they should concentrate on them.

Mr. Andrew Faulds (Warley, East): Will the Minister ask the Foreign Secretary to make it clear to the United States that taking sides and then seeking revenge in the complex Lebanese situation, and establishing a strategic arrangement with Israel and stockpiling material in Israel, are recipes for disaster, not only for Syria and the Lebanon, but in the long-term, for America and Israel as well?

Mr. Rifkind: I have no doubt that for any member of the MNF to take sides or to seek revenge would be a gross and serious mistake. I must emphasise that the United States Government have stated categorically that their action during the weekends was in self-defence, arising from attacks on their forces.

Mr. John Stokes (Halesowen and Stourbridge): Is my hon. Friend aware that those of us who have wholeheartedly supported the United States in Europe, and are close friends of the alliance with America look with horror at the American bombing in the Lebanon? Can my hon. Friend and his colleagues in the Foreign Office urge upon the American State Department that it must give up the Israeli alliance—which is disastrous for Israel, the Middle East and the world—and try, by sensible diplomacy, to detach Syria from the Russian influence?

Mr. Rifkind: We naturally share the concern about any loss of life as a result of actions by any of the parties in the dispute. I agree that the best way to make progress in an issue as difficult, complex and tense as that in the Middle East is by diplomatic means, not by military action.

Mr. Tam Dalyell (Linlithgow): I wish to ask a straightforward question of fact. At what point in time did British Ministers first learn of the American air strike? Was it before, or after, the event?

Mr. Rifkind: The United Kingdom was informed shortly before the initial intervention by the United States.

Mr. George Walden (Buckingham): I agree that insufficient tribute has been paid to the achievements of the British troops guarding the Ceasefire Commission. Does my hon. Friend recognise that there are genuine concerns on both sides of the House about their present and future safety? Will he tell us more about their specific functions. What proportion of the 100 troops guarding the Ceasefire Commission, and what proportion are doing other things?

Mr. Rifkind: As I said earlier, the British contingent has two main functions—the protection of the Ceasefire Commission and reconnaissance in Greater Beirut. I cannot give specific figures, but I shall ensure that my hon. Friend receives information about the numbers involved in each of the tasks.

Mr. John Cartwright (Woolwich): Does the Minister accept that the cycle of violence will not be broken if retaliation is constantly followed by counter-retaliation, and if peace keeping is used as an excuse for playing an active and enthusiastic role in the hostilities? Will the Government now try to bring to bear some collective European influence to bear on the United States to counter the obviously dangerous influence of Israel?

Mr. Rifkind: I agree with the hon. Gentleman that a policy of retaliation followed by counter-retaliation would be negative and harmful to the prospects in the Lebanon.

We have specifically encouraged all parties in the Lebanon to eschew violence as a means of solving the problem and to concentrate on diplomatic means gradually to achieve a greater degree of consensus among the various communities which would lead to the withdrawal of foreign forces.

Mr. Robert Adley (Christchurch): Is there not a sickening inevitability about American policy in the Middle East in the run up to yet another American presidential election? Is my hon. Friend aware that many Conservative Members fear that the British contingent in the Lebanon is being used to add a cloak of respectability to American policy, which many of us regard as dangerous and stupid? Will my hon. Friend note the strong views expressed by Conservatives as well as Opposition members?

Mr. Rifkind: I am aware of the strong concern on both sides of the House about the physical safety and role of the British contingent in the MNF. I emphasise that the United States and other countries in the MNF must have their sole objective the restoration and preservation of peace in the Lebanon. Anything that is conducive to the achievement of that objective should have the support of the whole House.

Several Hon. Members rose—

Mr. Speaker: Order. As the House knows, private notice questions are an extension of Question Time, but I sense the mood of the House that this is a matter of considerable interest and importance. Therefore, I propose to call those hon. Members who have been rising to ask questions, but I ask them to have regard to the business that is to follow.

Mr. Martin Flannery (Sheffield, Hillsborough): Is it not a fact that both sides of the House are deeply worried about the situation, and will the Minister reflect that in his answers? Is it not clear to the whole world that the role of the Americans in the Lebanon is interventionist and intimidatory, and that the presence of Gemayel and Shamir in Washington makes many of us think that an attack on Syria by the Americans is now imminent? Is there not a danger of bringing the other major power into this situation? Is it not clear that that is what we are all frightened of?

Mr. Rifkind: The hon. Gentleman is justified in saying that there is real concern and worry on both sides of the House—and, indeed, throughout the middle east and the world—about what is happening in the Lebanon. It is a tense and difficult situation. Not only the British Government but all the parties involved in the Lebanon must take into account, in considering any action or responses, whether their actions are likely to increase or reduce tension. We should all seek to concentrate our activities and initiatives on aspects of policy that will reduce rather than increase tension in the area.

Mr. Mark Lennox-Boyd (Morecambe and Lunesdale): Will my hon. Friend reassure those of us who are worried about the presence of British troops in the Lebanon that the criticisms voiced by some leading Lebanese politicians about the American retaliatory action will not be extended and get worse and thus undermine the whole credibility of the multinational force?

Mr. Rifkind: I agree with my hon. Friend that the presence of the multinational force in the Lebanon can

arise only in the context where the Lebanese Government themselves want it to continue to play an important role in peacekeeping in their country. It is very much in accordance with the wishes of the Lebanese Government and the various communities in the Lebanon that the United Kingdom is at present involved in that country. Clearly, if their wishes were to change significantly that would have a profound effect on the utility of any United Kingdom contribution.

Mr. D. N. Campbell-Savours (Workington): If the British Government were informed before the American attack took place, were we asked for our views, did we object, and did a conversation take place between the Foreign Secretary and his American counterpart?

Mr. Rifkind: The information was received by the United Kingdom on the Military network very shortly before the action commenced.

Mr. Michael Latham (Rutland and Melton): Does it remain our diplomatic objective to bring about the removal of all foreign forces from the Lebanon? If so, how can there be any talk of abrogating the 17 May agreement?

Mr. Rifkind: It remains our objective to have all foreign troops removed from the Lebanon, and we are willing to give continuing support to any measures that may play a part in contributing to the achievement of that objective.

Mr. Jack Straw (Blackburn): May we take it from the answers that the Minister gave to my hon. Friends the Members for Linlithgow (Mr. Dalyell) and for Workington (Mr. Campbell-Savours) that we were informed only a few minutes—by the sound of it—before the attack took place, and that the Americans once again treated their principal ally with contempt and failed to consult us in any way? As our men were bound to be militarily at greater risk from any further American escalation is it not outrageous that the Americans did not consult us and allow enough time for us to express our view?

Mr. Rifkind: The hon. Gentleman's question is fundamentally absurd, because the various forces in the multinational force have an inherent right of self-defence, and that right is specifically mentioned in the mandate. When the forces of any member state in the multinational force exercise that right, it is an operational matter. The situation in the Lebanon changes from day to day and from hour to hour. If the American forces are used for proper means of self-defence, that is an operational matter which it is for the American forces and authorities themselves to determine.

Mr. Tony Marlow (Northampton, North): My hon. Friend makes a lot of the statements of the United States Government and their purported motives. May we deal instead with the realities? Can my hon. Friend tell the House how we can detach ourselves from the mistaken and dangerous policies of the United States, the anti-Arab policies of the United States, in the region, without at the same time endangering the fabric of the NATO Alliance?

Mr. Rifkind: My hon. Friend should appreciate that Her Majesty's Government will support American policy when it is in accordance with our own views about the proper way of resolving international problems. [Interruption.] We share the United States' desire for

peace in the middle east. The particular manner in which that should be advanced has to be considered on its merits in each case. We shall take into account British interests in the British perspective and if that coincides with the American perspective we shall give that policy our full support. If it does not coincide, we shall not support it.

Mr. Dick Douglas (Dunfermline, West): Further to the Minister's last answer, do the Government share the phobia of the United States Government that the Syrians are the agents of the Soviet Union in the Lebanon? Or, notwithstanding the presence of Soviet advisers and arms in Syria, do we take the view that Syria is performing a policy in the Lebanon to suit its own national interests? If it is the latter, and if we want to distance ourselves from the United States, is it not better that we intimate, albeit in harmony with our European Colleagues, that it is our intention to withdraw our support from the international peacekeeping force?

Mr. Rifkind: There is no doubt that the Syrian Government receive an enormous amount of material and logistic support from the Soviet Union. I assume that the Syrian Government will apply their interpretation of Syrian interests in pursuit of their policies, as would most Governments. My answer to the hon. Gentleman's final question is that I have said before that the presence of the British contingent is welcomed by all sections of the community in the Lebanon. It is welcomed by the Syrian Government and by other Governments in the region, and anyone who is interested in genuine peacekeeping in the Lebanon has to take that into account.

Mr. Patrick Nicholls (Teignbridge): Does my hon. Friend accept that even those of us who had considerable sympathy with the Americans when they found that an unarmed reconnaissance plane was being fired on feel that, nevertheless, the action that was taken marks an escalation, and that there must inevitably be greater pessimism that the peacekeeping force will not be able to keep the peace? Does he further accept that an early and immediate decision may therefore have to be made to pull out our contingent? Can my hon. Friend assure us that if that happens, sooner rather than later, that decision will be speedily made?

Mr. Rifkind: We would not welcome any escalation of tension in the Lebanon. We are in constant contact with the other member Governments in the multinational force. If it were ever believed that the British contingent in the multinational force could no longer perform the role for which it was sent to the Lebanon, our withdrawal would of course become a prime objective of British policy.

Mr. Kevin Barron (Rother Valley): As it is likely that the escalation will carry on in the Lebanon, what will the British Government's reaction be if our troops suffer loss of life similar to that of the Americans in the past four days?

Mr. Rifkind: The hon. Gentleman is right to draw attention to the heavy loss of life that the Americans have suffered, not just in the past four days, but in the past few weeks. Clearly we are all anxious to ensure that the security of the small British contingent is of a kind to guarantee their physical safety, in so far as that is possible.

Mr. Mark Fisher (Stoke-on-Trent, Central): The Minister has mentioned American self-defence four times. Will he tell us how he can describe the actions of the

[Mr. Mark Fisher]

United States air force, its bombings and its raids, as self-defence? Does he not accept, after this series of questions, that hon. Members on both sides of the House do not see the American action as self-defence?

Mr. Rifkind: The United States Government have emphasised clearly and unequivocally that their action over the weekend was—[*Interruption.*] It is not my job to explain—[*Interruption.*]

Mr. Speaker: Order. The Minister is attempting to reply.

Mr. Rifkind: If the hon. Gentleman is asking me about the explanation that the Americans have given—[*Interruption.*] I should be grateful if the hon. Gentleman would allow me to answer in my own way if he wants me to outline the explanation that the Americans gave of why they reacted as they did at the weekend. The American Government's view is that it was self-defence following the attacks on their aircraft.

The precise details of what took place over the weekend are matters that the American Government themselves have taken into account. When we are considering the proper means to ensure the defence of our troops, we shall take into account those actions that are thought to be necessary to ensure their physical safety. The American Government have taken into account the factors which they believe are essential for the security of their men. It is for them to explain and justify to the world whether that is a proper course of action.

Mr. Healey: Does the right hon. Gentleman recognise that the view that the United States has embarked on a catastrophic course in the Lebanon is now held unanimously? Not one right hon. or hon. Member has expressed a different view in the last half hour. That view is widely held in Europe, by a large body in Israel, and even in the United States. In the light of the United States' failure once again to consult its major ally and to give Britain any opportunity to express a political view on military action which was bound to have a direct consequence on the safety of British troops in the Lebanon, the Minister's defence of American action is profoundly repugnant to hon. Members on both sides and all too reminiscent of the Government's initial reaction to the invasion of Grenada. Will the Government now abandon their doormat diplomacy, stand up for British interests and protect British lives?

Mr. Rifkind: I am glad that the right hon. Gentleman has got that off his chest. Any self-respecting Government, when taking into account the needs to protect the physical safety and well-being of their troops, will apply the criterion that a measure of self-defence is necessary. That is exactly the approach that this Government will apply and we should not expect any other Government to apply a different criterion.

Greenham Common

4.3 pm

Mr. Roland Boyes (Houghton and Washington): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 10, for the purpose of discussing a specific and important matter that should have urgent consideration, namely, "the success of women this weekend in penetrating the cruise missile base at Greenham common."

The matter is important because it demonstrates once again the terrible threat that the installation of cruise missiles poses, first, because we can be the subject of early strike by our enemies. The magnificent, courageous, self-sacrificing women at Greenham common have brought to our attention a further reason for concern—that missiles or missile aids cannot be protected all the time and could fall into the hands of our enemies. By that I do not mean the present Government because they have declared a lack of interest. That was confirmed by a Ministry of Defence spokesman at the weekend who, in the *Sunday Telegraph*, had the audacity to say:

"All we know is we arrested the women at the place as stated. They could have roamed around the base, we just do not know." On one of the towers someone had painted the important notice "Greenham women are everywhere".

The matter is specific because it relates directly to events this weekend at the Greenham common cruise missile base. The matter is urgent because events this weekend demonstrate the failure of the Secretary of State's policies. It is urgent because it demonstrates how wrong it is arrogantly to ignore the opinions of the British people as shown in opinion polls. It demonstrates how wrong it is to believe that the military can defend such bases 24 hours a day, 365 days a year. The matter is urgent because the Secretary of State should resign since he is completely ignoring our wishes. The Secretary of State's incompetence is putting our lives in jeopardy. He should order U.S. commanders to collect their forces and missiles together and get the hell out of Britain.

Mr. Speaker: The hon. Member for Houghton and Washington (Mr. Boyes) asks leave to move the Adjournment of the House under Standing Order No. 10 to discuss a specific and important matter that he thinks should have urgent attention, namely, "security at Greenham common."

I have listened carefully to the hon. Member, but I regret that I do not consider that the matter that he has raised is appropriate for discussion under Standing Order No. 10 and therefore I cannot submit his application to the House.

OCCUPIERS' LIABILITY BILL [*Lords*]

Ordered,

That, the Occupiers' Liability Bill [*Lords*] be referred to a Second Reading Committee.—[*Mr. Donald Thompson.*]

MERCHANT SHIPPING (MISCELLANEOUS PROVISIONS) BILL [*Lords*]

Ordered,

That, the Merchant Shipping (Miscellaneous Provisions) Bill [*Lords*] be referred to a Second Reading Committee.—[*Mr. Donald Thompson.*]

[LORD MCCARTHY.]

What is meant by "other market forces"? If we are talking about skill differences, surely skill differences can be taken into account, if they are significant enough, in the job evaluation, if they are part of the job specification. But if the skill differences are personal they are surely covered by the Clay Cross rule. If, on the other hand, we allow general market forces, then we are allowing much wider factors to be taken into account.

What, after all, are market forces in this context? They are a difference in price, or pay, which is assumed to be due to a difference in the conditions of supply and demand. If one allows an employer merely to say it was due to market forces, and this is not examined by the tribunal, then it justifies any kind of discrimination or prejudice which is the result either of worker prejudices or employer prejudices, or both, if it is to be quite unexamined by the tribunal. But, if the tribunal tries to examine it on the basis of what the Parliamentary Secretary says, and to some extent what the noble Earl says, they may very well find that, in the short term at least, a shortage, for example, arises because there are no trained women to do this job or because there is a surplus because there are a large number of untrained, unemployed women; so they may say "Well, this is a market factor". But we all know, if we know anything about the labour market, that such shortages derive from earlier institutional or social barriers to the progress of women, their training, their appointment, their recruitment, their placement in the labour market. So behind these short-term market reasons are longer-term factors which most of us would say were at least partly sex based. Is the tribunal to be allowed to go into all of these; are they to be allowed to judge them and award accordingly? I do not think that is a practical way to look at it.

It is quite right, and I accept this, that a simple application of the like work test as developed in the *Clay Cross* case would take us further than recent European court decisions—for example, *Jenkins v. Kingsgate*. That went beyond the personal equation and suggested a commercial benefit to the employer kind of defence. But I suggest that, if that is admitted, it is not a general market defence. What is being said there is that one would need to look and see what the consequence of granting equal pay for equal value in this particular case would be for the employer's business—for example, for his pay structures, for his general structure of costs, for his industrial relations. These are internal factors which a court might be able to assess, but they are not the kind of general factors which the Parliamentary Secretary in another place says would be perfectly possible under the present regulation. Of course, they would be possible under the present regulation because it does not specify any grounds at all. It merely says you may use the defence which is used in the like work comparison, but then again you may not. So I am suggesting that the Government should, before they ask us to accept this order, modify that general passage and place in it some more objective, limited qualification.

I come to my final point, which is the question of the way in which this is generally related. We feel that this is a highly complicated and extremely difficult regulation to understand. We believe that, although

the procedures are in many ways better than they were, there remain very considerable deficiencies in the regulations. Therefore, we shall be asking the House to divide. We shall be asking the House to support our amendment. We believe that, on the first major issue left, the Government have done extremely well. We believe that, on the second major question and the third major question, they have done virtually nothing. They do not provide in terms of the EEC Equal Pay Directive for the elimination of all discrimination on grounds of sex, and they do not provide even in the terms of Article 2 a solution by judicial process. Therefore, we ask the House to reject these regulations.

Moved, as an amendment to the above Motion, at the end to insert "but that this House believes that the regulations do not adequately reflect the 1982 decision of the European Court of Justice and Article 1 of the EEC Equal Pay Directive of 1975."—(Lord McCarthy.)

The Lebanon

3.40 p.m.

Baroness Young: My Lords, with the leave of the House, I should like to repeat a Statement now being made in another place.

"On 3rd December anti-aircraft guns and missiles were fired at United States reconnaissance aircraft over Lebanon. Early on 4th December United States aircraft bombed Syrian military targets in Lebanon. Two United States aircraft were shot down. Syrian losses have been reported as two dead and 10 seriously wounded. Last night eight United States marines were killed by shell fire. United States naval vessels then opened fire in response.

"We are in close contact with other contributors to the MNF. We share the objective of helping the Lebanese Government restore stability and create conditions in which the Lebanese people can themselves sort out their differences free from outside interference.

"All the parties welcome the role of the British contingent, which has the vital task of guarding the meetings of the Cease-fire Commission. The safety of our men is kept under constant review.

"It is vital that all parties in Lebanon show restraint and work together to make further progress towards national reconciliation. The cycle of violence must be broken".

My Lords, that completes the Statement.

Lord Cledwyn of Penrhos: My Lords, we are grateful to the noble Baroness for repeating that Statement. We also sympathise with the United States on the loss of eight marines killed in the shelling outside Beirut. However, does not the noble Baroness agree that the developments of the past 48 hours, where the United States and Syrian forces have clashed in the Lebanon, constitute a significant escalation of the conflict and that that could have far-reaching implications?

We welcome the assurance in the Statement that the Government are in close contact with the other contributors to the multinational force. Can the noble

procedural rules dealing with the role of the expert.

It is now clear that the expert can be cross-examined. It is now clear that the expert can be challenged by at least one expert witness. I readily admit that, in broad terms, those parts of the procedures now comply with at least Article 2 of the EEC directive and represent a fair judicial process. But that was not all we said. We said many other things. We did not simply say that we wanted to do something about the procedures. We said that we wanted to do something about the regulations themselves. I and my noble friends will no doubt mention many of the respects in which the regulations themselves, as against the procedures (although they are not completely correct and appropriate), are still defective. In the time available to me, I wish to deal with two of the major ways in which the regulations are defective still.

The first of these I call the device of the *a priori* pre-hearing pre-hearing. That is to say, that there is in these regulations set out in Paragraph 3, to provide a new subsection (3)(b) of the Equal Pay Act 1970, a strange kind of *a priori* special check before the process begins. Indeed, it is stated there that the tribunal can dismiss a case altogether if it considers that there are no reasonable grounds.

I wish to ask three questions about that point and I hope that the noble Earl will be able to answer them when he comes to reply to this debate. How does that strange additional pre-hearing pre-hearing relate to the existing pre-hearings which are perfectly normal in industrial tribunal procedures? It is now the case that if one of the parties before an industrial tribunal on an unfair dismissal case, let us say, asks for a pre-hearing to see whether there is a *prima facie* case, then that takes place. If it turns out that the tribunal believes that no case has been made, then the tribunal's members will report on that fact.

The difference is—and this brings me to my second question—that in the case of the present pre-hearings, the appellant or the defendant, if they want to, can say that they nevertheless want to go on to a full hearing. But that does not seem to be the case with this regulation. My question is: is this strange extra pre-hearing a substitute for the existing pre-hearing, and can it result in the case being dismissed without any appeal and without any reasons being given? What is the purpose of that strange procedure if it is not to make it much more difficult for any applicant to sustain a case?

Another question I should like to ask about the *a priori* pre-hearing pre-hearing is: what evidence can be advanced at this stage? Presumably—although it was not completely clear from the speech made by the Parliamentary Secretary in another place—one cannot really at this stage discuss whether or not there is in fact equal work of equal value. That would be to prejudge the work of the expert; that is his job; that is a question of fact; that cannot be rehearsed at the pre-hearing, can it?

So maybe the employer will be able to recite his defence. He will be able to say that, even if there is subsequently proved equal work of equal value, he has a non-sexist justification. What kind of evidence will he pray in aid at that point? And is he not in fact having two bites at the cherry? Cannot he try out his

defence at this stage, at a time when the applicant has very little evidence to rebut it, and knowing very well that if he falls at this hearing he can come back subsequently if the expert decides in the applicant's favour? So why do we have this strange, weird, and, I am told by my lawyer friends, totally unprecedented *a priori* pre-hearing pre-hearing put into the regulation?

Secondly, I come to the nature of the defence, which comes up, I would remind noble Lords, in the third case. In the first case the applicant has to establish that she has a reasonable case under the new Section 2A(1)(a). Secondly, the expert has to come along and has to regard the work as of equal value and being paid less. That is the second test. Thirdly, the employer has a defence; he has to say, perhaps for the second time, that there is a difference which is not sex based. He then prays in aid a material factor defence which is not a material difference.

Now, what I want the noble Earl to tell me is how far this new subsection (3)(b) takes us beyond the existing defence in like work comparisons, which continues in the regulation and is provided in the new subsection (3)(a)? Because, as we know, the old defence to the like work comparison was narrowed significantly by the decision in the *Clay Cross* case. It was decided in that case that a material difference defence is restricted to what was called the personal equation; that is to say, it is not to include extrinsic factors, objective, measurable factors, such as length of service, level of performance, red circling arrangements and so on. Because to go further than that, said the court, would be to allow the employer to say, "I paid her less because she was willing to come for less". But, of course, if such an excuse were permitted, the Act, said the court, "would be a dead letter".

After all, those are the very reasons why there was unequal pay before the statute; they are the very circumstances in which the statute was intended to operate. The court said that if the employer was allowed to say, "I asked her to come, but for that sum, which was what she was getting in her previous job, because she was the only applicant for the job, so I had no option", then, if such an area were permitted as an excuse, the door would be wide open and every employer who wished to avoid the statute could walk straight through.

My question is, do the Government intend by the new subsection (3)(b) to allow the employer to walk straight through? If they do not, then what is the meaning of the statement made in another place by the Parliamentary Secretary to the Department of Employment about the "labour market defence"? He spoke as though the new subsection (3)(b) was to provide the employer with a very broad labour market defence. He said:

"What we have in mind are circumstances where the difference in pay is not due to personal factors between the man and the woman, but rather to skill shortages or other market forces"—

that is the significant phrase, "other market forces".

"If a man is paid more than a woman for work of equal value because his skills are in short supply"—

as the noble Earl suggested—

"that is not sexually discriminatory, provided that the reason is genuine and the employer can show that".—[Official Report, House of Commons, 20/7/83; col. 486.]

Baroness say whether this included consultations with the United States before its aircraft bombed Syrian military targets? Were we informed of this and, if so, what was the response of Her Majesty's Government? Moreover, will the noble Baroness confirm once again that the treaty governing the presence of British troops in the Lebanon permits their use only in the Beirut area? Will she assure the House that they will not be allowed to become involved in a wider conflict with Syria but rather that they would be withdrawn?

Finally, we support the plea that all parties in the Lebanon should show restraint. Does the noble Baroness agree that this is a further argument for a meeting between the leaders of the United States and Soviet Union? Will the Government use all their endeavours to bring about such a meeting?

Lord Kennet: My Lords, can the Government confirm that the greater part of Lebanon is under the military control of its two neighbours, Syria and Israel? Can they also confirm that Syrian forces are there by invitation of the Lebanese Government as members of an Arab League multinational force, albeit a shadowy one, and that the Israeli forces are there by right of invasion alone, and in defiance of United Nations resolutions?

Can the Government also confirm that the Western multinational force went by invitation to keep peace between the two sides? Now that Israel and the United States, bound together in a new alliance, have both attacked Syrian forces on the ground, what is the continuing purpose of the Western multinational force? Are the Government aware that as long as our little contingent confines itself to guarding the Cease-fire Commission it will have the country with it, but if it is allowed to be dragged behind President Reagan in an attempt to expel Syria from the Lebanon it will have the country against it?

Baroness Young: My Lords, I thank both the noble Lord, Lord Cledwyn of Penrhos, and the noble Lord, Lord Kennet, for the way they have received this Statement? To answer the first question put by Lord Cledwyn of Penrhos on consultation with the United States, I can confirm that we were informed shortly beforehand, but, as he will understand, each multinational force contributor has the right to self-defence and to decide what measures it deems to be necessary.

It might be helpful if I were to set out once again the conditions for keeping our multinational force in the Lebanon because this answers a question put by both noble Lords. I should make clear that the presence of our contribution to the multinational force helps the Lebanese Government and the army. It reassures the Beirut public and helps to restore stability and to create conditions for reconciliation, which is what we wish to see.

We believe that our forces have been welcomed by all the communities and that they have an important role in guarding cease-fire talks. Further, I think that they demonstrate our commitment to promote peace in the Lebanon which is, of course, important for wider stability in the Middle East. It is something which has been welcomed both by moderate Arabs and by Israel. The fact that the Syrians are

appreciative of our policies was made clear to my right honourable friend Mr. Luce on 4th December.

I have, of course, noted the concluding remarks of the noble Lord, Lord Kennet, and I should like to confirm what I have already indicated today, that we ourselves believe there should be a constructive dialogue with the Soviet Union and that is something we shall be continuing.

Lord Cledwyn of Penrhos: My Lords, may I pursue the point about consultation a step further in view of its importance, and in order that there may be no doubt about it? Is the noble Baroness saying that Her Majesty's Government were consulted by the United States about the proposed bombing but that the Government did not demur or object to this further escalation in the Lebanon? Is that the position? Is it also the case that the different parties to the MNF can, in fact, go off on adventures of their own without the agreement of the other parties? If so, that is a very serious statement.

Baroness Young: My Lords, the position is as I described it in my original answer to the noble Lord. We were informed by the United States shortly before it took action. But I must reiterate that each contributor has the right to self-defence and to decide what measures are necessary. In fact, in the case of the French retaliation we were not informed in advance. I can perhaps go on to confirm that there could be no possible use of the British forces unless the British Government wish them to be used in some way.

Lord Cledwyn of Penrhos: My Lords, is the noble Baroness saying that military aggression of the type involved in the bombing is self-defence in the terms of the understanding between the parties?

Baroness Young: My Lords, it is not for me to speak for the American Government in this particular matter. It was for the American Government to determine what they felt was right for their self-defence in the circumstances of the case.

Lord Mayhew: My Lords, does the noble Baroness agree that from the point of view of future peace-keeping it is essential that the European countries at least should maintain the confidence of both sides? Will the noble Baroness reaffirm that, when the United States and Israel are engaged in hostilities with Syria and the Lebanese Moslems, the position of the United Kingdom is uncommitted to either side?

Baroness Young: My Lords, as I think I have already indicated to the noble Lord, Lord Cledwyn of Penrhos, the British contingent enjoys the confidence of both sides in this particular circumstance. On the question of consultations, I can confirm that there will be a meeting of the MNF Foreign Ministers in Brussels later this week.

Lord Mishcon: My Lords, would the noble Baroness agree that there can be no peace in Lebanon until all foreign forces have withdrawn? Will she further agree that there was a pact between the Israeli and Lebanese Governments which called for a withdrawal of Israeli forces, with which the Israeli Government have

[LORD MISHCON.]

complied, and that that pact was subject to Syria also withdrawing? Is not Syria's failure to withdraw the cause of the present unhappy situation?

Baroness Young: My Lords, I should like to confirm that we see an urgent need for the full withdrawal of all foreign forces in Lebanon. At the time we welcomed the agreement as a commitment by Israel to the full withdrawal of her forces from Lebanon. Clearly there have been difficulties about the implementation of that. We should not object to alternative arrangements which had the agreement of all parties. We recognise the Israeli concern about security for her northern border. But what we really want to see is the withdrawal of all foreign forces from Lebanon.

Baroness Gaitskell: My Lords, in the muddled situation that we have in the Lebanon, are not the true enemies the Druze and the Syrians, and is it not really these people who have to be dealt with and not the Israelis or the Americans? It is these people, with Russia, who we think are our enemies and who are our enemies.

Baroness Young: My Lords, I should rather not be drawn down the particular path that the noble Baroness, Lady Gaitskell, has outlined. We believe that the majority of Lebanese share the objectives of President Gemayel to restore Lebanese independence and secure the withdrawal of foreign troops.

Lord Gladwyn: My Lords, rightly or wrongly the newspapers are full of rumours to the effect that, profiting apparently from the illness of President Assad, the American and Israeli Governments have come to some agreement to use force to compel the evacuation of the Lebanon by the Syrian army. While I have no reason to suppose that these reports are accurate, will the noble Baroness say that, if by any chance they are, the Government will make it clear at once that they are entirely opposed to such a dangerous policy, which could very possibly lead to an armed confrontation between the two super-powers?

Baroness Young: My Lords, I should not like to speculate on any view that the press may take now or some time in the future. Any agreements or arrangements between President Reagan and Mr. Shamir are for them. In the answers that I have given to the other questions I think I have made clear what is the policy of Her Majesty's Government.

Lord Paget of Northampton: My Lords, what we are concerned about now is surely the steps taken by our leading ally to protect its own troops. Is not our interest in that respect that it should succeed in protecting its troops? Will the Government make that point clear to them, and that this is not a carping expedition?

Baroness Young: My Lords, in my answer to the first supplementary question asked on this Statement I made it clear that each contributor to the multinational force—to which the United States is a major contributor—has the right to decide on its own

self-defence and what measures it regards as necessary to achieve that end.

The Earl of Onslow: My Lords, can my noble friend possibly help us a little on this? Part of the instability of the present Lebanese Government is created by the 1943 agreement partitioning jobs between Sunni Moslems and Maronite Christians. The numbers in the population have changed very much since then. Can my noble friend confirm, or comment upon, whether any pressure has been put on President Gemayel by ourselves or, above all, by the American Government to make concessions to the Sunni Moslems, who I know feel threatened by the Maronite superiority in the present Lebanese Government?

Baroness Young: My Lords, as my noble friend Lord Onslow will be aware, there have been discussions in Geneva with President Gemayel on the future of Lebanon. We think that the majority of Lebanese share his objective of restoring Lebanon's independence and securing the withdrawal of foreign forces. There are differences between the parties over power sharing and institutional reform, but we believe that these need to be sorted out by the Lebanese themselves without outside interference. It is not for us to be involved in this. There has been some encouraging progress in the Geneva talks. Indeed, President Gemayel is to come here to see us in the near future with the object of discussing the reconvening of the reconciliation talks, which we must all hope will be successful.

Equal Pay (Amendment) Regulations 1983

3.56 p.m.

Debate resumed.

Baroness Seear: My Lords, I, too, should like to thank the noble Earl, Lord Gowrie, for introducing these regulations and for his explanation of the changes that have taken place in the procedural rules. There is no doubt that mark 3, which we have now arrived at in these regulations, is a very great improvement on mark 1 and an improvement on mark 2. In particular, we are very glad that the Government have seen fit in the procedural regulations to make it possible for plaintiffs to cross-examine the expert. The extraordinary proposal under the previous arrangement that an expert should give a report but should not be cross-examined by the tribunal was, I believe, contrary to all precedents as to the use of specialists in British tribunals or courts. So far so good, but I fear only so far.

One cannot but regret that the Government have not seen fit to withdraw these gamma 3 regulations which are again presented to us—and in my view gamma 3 is a rather generous marking for them. The complexity and inadequacy of the drafting, quite apart from the contents, alone justify a rewrite of the whole exercise. I should like to ask your Lordships to play the parlour game of writing down without consulting your neighbour what you think is meant by the new Section 2A:

"Where on a complaint or reference made to an industrial tribunal under section 2 above, a dispute arises as to whether any work is of equal value as mentioned in section 1(2)(c) above the

The Lebanon

3.31 pm

Mr. Denis Healey (Leeds, East) (*by private notice*) asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in the Lebanon.

The Minister of State, Foreign and Commonwealth Office (Mr. Malcolm Rifkind): On 3 December anti-aircraft guns and missiles were fired at United States reconnaissance aircraft over the Lebanon. Early on 4 December United States aircraft bombed Syrian military targets in Lebanon. Two United States aircraft were shot down. Syrian losses have been reported as two dead and 10 seriously wounded. Last night eight United States marines were killed by shell fire. United States naval vessels then opened fire in response.

We are in close contact with other contributors to the multinational force. We share the objective of helping the Lebanese Government restore stability and create conditions in which the Lebanese people can themselves sort out their differences free from outside interference.

All the parties welcome the role of the British contingent, which has the vital task of guarding the meetings of the Ceasefire Commission. The safety of our men is kept under constant review.

It is vital that all parties in the Lebanon show restraint and work together to make further progress towards national reconciliation. The cycle of violence must be broken.

Mr. Healey: I think the Minister must be aware that hon. Members on both sides of the House agree that the cycle of violence must be broken? However, does the hon. Gentleman agree that all justification for the presence of the multinational force in the Lebanon has disappeared now that President Reagan has formed a military axis with the Government of Israel against Syria and the Soviet Union in the middle east and intervened on a massive scale in the internal conflict in the Lebanon, while refusing a reasonable request from President Gemayel for help in revising his unequal agreement with Israel which he regards as an obstacle to the type of settlement which the hon. Gentleman said he favours?

Will the Government therefore remove the British troops forthwith from a position in which they are serving no useful purpose and are at increasing risk? Will the Minister seek the agreement of the French and Italian Governments to withdraw their forces, since the new United States middle east policy—its third this year—is totally inconsistent with the policy which the Prime Minister and other European leaders adopted at the summit conference in Venice not long ago?

Mr. Rifkind: As the right hon. Gentleman knows, the multinational force is there for peacekeeping purposes. The United States Government have said that the incidents during the past couple of days have been in self-defence under the terms of the mandate agreed when American forces went to the Lebanon.

The right hon. Gentleman has called for the withdrawal of United Kingdom forces. I remind him that all sections of the community in Lebanon not only welcomed the arrival of the British contingent, but continue to emphasise that it forms a desirable component of the

peacekeeping force. Not only do all the communities in the Lebanon welcome the continuing presence of the British force, but so do all the Governments in the region.

Mr. Healey: Is the hon. Gentleman aware that the Israeli Defence Minister, while visiting Washington to make the agreement with the American Government to which I referred, said that they had been discussing joint military action against the Syrians? In the light of that statement, how can the hon. Gentleman believe the American claim that there has been no collusion between the United States and Israel on this matter?

Mr. Rifkind: I have no details of the discussions that may have taken place earlier this week between the Israelis and the United States. The House is concerned about the developments during the past 48 hours. On Saturday, the Americans found their forces under attack. They have emphasised that their response was in self-defence in accordance with the mandate between themselves and the Lebanese Government.

Mr. Healey rose—

Mr. Speaker: Order. I think that it would be more appropriate if I asked the right hon. Member to respond at the end of questions on the statement.

Sir Frederic Bennett (Torbay): Will my hon. Friend reflect on the fact that on this occasion the concern about the situation of British forces is not limited to one side of the House? Whatever role they are or are not fulfilling—I am not referring to the conduct of our men, who are doing a splendid job—no one reading the newspapers could call it peacekeeping. In those circumstances, would it be better to have second thoughts about the role of the peacekeeping force? What is the present position of the Italians? The latest news is that they have announced that they are withdrawing their forces at the conclusion of the Geneva talks, irrespective of the outcome.

Mr. Rifkind: We all share my hon. Friend's anxiety and the primary concern of the British Government is the security and well-being of the British force. It is only if and when we come to the conclusion that British troops cannot perform a useful role that the question of their withdrawal will become relevant. I have emphasised that all the communities in the Lebanon believe that they continue to play an important role.

My right hon. and learned Friend the Foreign Secretary is in Athens at the moment with the Foreign Ministers of two of the other countries that are involved, and he will have an opportunity to discuss with them their contributions to the peacekeeping force. On Thursday there will be a meeting of the Foreign Ministers of the NATO countries, and there will be an opportunity to discuss this matter on a slightly wider front.

Mr. J. Enoch Powell (Down, South): Will the Government take steps at the earliest possible opportunity to dissociate this country from the insanity and inhumanity of American actions in the Lebanon?

Mr. Rifkind: Where actions are taken for proper reasons of self-defence we would have no hesitation in giving our support. If British troops were in danger and the need for self-defence required a response, it would be proper for the British forces to take such action.

Mr. Dennis Walters (Westbury): I fully understand the American concern for the security of its peacekeeping

force, but will the British Government exercise all the influence at their command to prevent the Americans from escalating the conflict with Syria and warn them that if a further escalation takes place we shall have to withdraw our small peacekeeping force?

Mr. Rifkind: I assure my hon. Friend that the Government consider the proper role of the multinational force to be that of peacekeeping and that we would not support the use of British or other forces in the multinational force for other than peacekeeping purposes, in accordance with the original mandate.

Mr. Ken Weetch (Ipswich): Does the Minister agree that United States neutrality in the middle east was flawed right from the start when it attempted to prop up the Gemayel regime, which was one of the factions in the civil war? Does the Minister further agree that, with the further agreement with Israel and the shelling of the Druze positions by the United States, American neutrality is now a complete travesty?

Mr. Rifkind: The Government's main concern is to ensure peace and the removal of tension from the Lebanon. We believe that the multinational force has been instrumental to a substantial degree in reducing tension in much of the Lebanon. The British contingent in particular is making an important contribution to the safety of the ceasefire mission. We believe that all members of the multinational force should concentrate their activities on that aspect.

Sir Antony Buck (Colchester, North): Is my hon. Friend aware that we are all proud of the way in which our forces are performing, as is shown by the fact that they received nothing but acclaim from all sides? However, does he recognise that both sides of the House are deeply concerned about their safety because those 100 men are in an isolated position? Can he tell us something about the back-up role of our forces in Cyprus?

Mr. Rifkind: I agree that the safety of the British troops is the Government's paramount consideration. Following incidents earlier this year, steps were taken to increase the security of the British contingent. HMS Fearless is stationed off the Lebanese coast and is a useful measure of support for the British contingent.

My hon. and learned Friend referred to Cyprus. Buccaneers are based there, and they could be used to assist the British contingent in the Lebanon if necessary.

Mr. Donald Stewart (Western Isles): Is the Minister aware that the present turmoil in the Lebanon stems from the aggression of the state of Israel and that the situation has been made worse by American unilateral aggression against Syria? Is there any point in keeping British forces in the Lebanon as a cosmetic cover for an alleged peacekeeping force?

Mr. Rifkind: Most fair-minded people will accept that the causes of the present troubles in the Lebanon are far more complex than the right hon. Gentleman suggests. The British contingent has been welcomed by the various communities in the Lebanon. There is precious little upon which all the factions can agree, but they are unanimous in their view that the British contingent is playing an important and useful role. I am sure that both sides of the House will take that fact into account.

Mr. Patrick McNair-Wilson (New Forest): As the United States Administration appear determined to use

their role in the multinational force to drive the Syrians from the Lebanon, what action is the MNF taking to remove the Israelis from the south of the country?

Mr. Rifkind: The Government could not support the use of the MNF to remove the Syrians or anyone else from the Lebanon. Its purpose is to help to keep the peace within the Lebanon. That was its original purpose and can be its only legitimate function.

Mr. Ernie Ross (Dundee, West): Does the Minister accept that the whole purpose of President Gemayel's visit to the United States was to set aside the accord forced on the Lebanese Government? Unless that accord is set aside, the conciliation talks—which the Minister says our troops are protecting—have no chance of success. Rather than launching attacks on the Lebanese people, should not President Reagan stress to the Israeli Prime Minister the need to ease the pressure on the Lebanese President?

Mr. Rifkind: The hon. Gentleman has gone slightly wider than previous comments. The British contingent is involved with the protection of the Ceasefire Commission. The communal talks in Geneva do not come under the responsibility of any part of the MNF. We hope that the talks will make further progress.

Mr. Patrick Cormack (Staffordshire, South): Is my hon. Friend aware that many of us fear that there are two American forces in the Lebanon—one as a part of the MNF and the other acting in a trigger-happy way on its own? Is my hon. Friend entirely satisfied that the level of consultation between the American and British Governments is sufficiently close?

Mr. Rifkind: It is appropriate that the MNF is answerable to the national Governments who sent it there, in with full consultation with the Lebanese Government. The British Government are in consultation with the American Government, but it is important to remember that in operational matters the situation in the Lebanon moves quickly from hour to hour, as well as from day to day.

Mr. Russell Johnston (Inverness, Nairn and Lochaber): In the current difficult position, will the Minister assure us that if the Government finally contemplate withdrawal of the British contingent—which many of us fear they will have to do—they will not do so without having the fullest consultation with our Community partners, the French and Italians?

Mr. Rifkind: The hon. Gentleman is correct to emphasise that unilateral action would be harmful to the interests that hon. Members wish to protect. There will be a continuing opportunity for the closest discussions, not only with the Americans, but with the Italians and the French.

Sir Anthony Kershaw (Stroud): Will my hon. Friend bear in mind that, while it is always desirable to march in step with the Americans, British troops are in the Lebanon to help the Lebanese and no one else?

Mr. Rifkind: My hon. Friend is absolutely right. The British troops have two specific functions—to help protect the Ceasefire Commission and to take part in reconnaissance in Greater Beirut. Those are the specific functions allocated to them, and it is right and proper that they should concentrate on them.

Mr. Andrew Faulds (Warley, East): Will the Minister ask the Foreign Secretary to make it clear to the United States that taking sides and then seeking revenge in the complex Lebanese situation, and establishing a strategic arrangement with Israel and stockpiling material in Israel, are recipes for disaster, not only for Syria and the Lebanon, but in the long-term, for America and Israel as well?

Mr. Rifkind: I have no doubt that for any member of the MNF to take sides or to seek revenge would be a gross and serious mistake. I must emphasise that the United States Government have stated categorically that their action during the weekends was in self-defence, arising from attacks on their forces.

Mr. John Stokes (Halesowen and Stourbridge): Is my hon. Friend aware that those of us who have wholeheartedly supported the United States in Europe, and are close friends of the alliance with America look with horror at the American bombing in the Lebanon? Can my hon. Friend and his colleagues in the Foreign Office urge upon the American State Department that it must give up the Israeli alliance—which is disastrous for Israel, the Middle East and the world—and try, by sensible diplomacy, to detach Syria from the Russian influence?

Mr. Rifkind: We naturally share the concern about any loss of life as a result of actions by any of the parties in the dispute. I agree that the best way to make progress in an issue as difficult, complex and tense as that in the Middle East is by diplomatic means, not by military action.

Mr. Tam Dalyell (Linlithgow): I wish to ask a straightforward question of fact. At what point in time did British Ministers first learn of the American air strike? Was it before, or after, the event?

Mr. Rifkind: The United Kingdom was informed shortly before the initial intervention by the United States.

Mr. George Walden (Buckingham): I agree that insufficient tribute has been paid to the achievements of the British troops guarding the Ceasefire Commission. Does my hon. Friend recognise that there are genuine concerns on both sides of the House about their present and future safety? Will he tell us more about their specific functions. What proportion of the 100 troops guarding the Ceasefire Commission, and what proportion are doing other things?

Mr. Rifkind: As I said earlier, the British contingent has two main functions—the protection of the Ceasefire Commission and reconnaissance in Greater Beirut. I cannot give specific figures, but I shall ensure that my hon. Friend receives information about the numbers involved in each of the tasks.

Mr. John Cartwright (Woolwich): Does the Minister accept that the cycle of violence will not be broken if retaliation is constantly followed by counter-retaliation, and if peace keeping is used as an excuse for playing an active and enthusiastic role in the hostilities? Will the Government now try to bring to bear some collective European influence to bear on the United States to counter the obviously dangerous influence of Israel?

Mr. Rifkind: I agree with the hon. Gentleman that a policy of retaliation followed by counter-retaliation would be negative and harmful to the prospects in the Lebanon.

We have specifically encouraged all parties in the Lebanon to eschew violence as a means of solving the problem and to concentrate on diplomatic means gradually to achieve a greater degree of consensus among the various communities which would lead to the withdrawal of foreign forces.

Mr. Robert Adley (Christchurch): Is there not a sickening inevitability about American policy in the Middle East in the run up to yet another American presidential election? Is my hon. Friend aware that many Conservative Members fear that the British contingent in the Lebanon is being used to add a cloak of respectability to American policy, which many of us regard as dangerous and stupid? Will my hon. Friend note the strong views expressed by Conservatives as well as Opposition members?

Mr. Rifkind: I am aware of the strong concern on both sides of the House about the physical safety and role of the British contingent in the MNF. I emphasise that the United States and other countries in the MNF must have their sole objective the restoration and preservation of peace in the Lebanon. Anything that is conducive to the achievement of that objective should have the support of the whole House.

Several Hon. Members rose—

Mr. Speaker: Order. As the House knows, private notice questions are an extension of Question Time, but I sense the mood of the House that this is a matter of considerable interest and importance. Therefore, I propose to call those hon. Members who have been rising to ask questions, but I ask them to have regard to the business that is to follow.

Mr. Martin Flannery (Sheffield, Hillsborough): Is it not a fact that both sides of the House are deeply worried about the situation, and will the Minister reflect that in his answers? Is it not clear to the whole world that the role of the Americans in the Lebanon is interventionist and intimidatory, and that the presence of Gemayel and Shamir in Washington makes many of us think that an attack on Syria by the Americans is now imminent? Is there not a danger of bringing the other major power into this situation? Is it not clear that that is what we are all frightened of?

Mr. Rifkind: The hon. Gentleman is justified in saying that there is real concern and worry on both sides of the House—and, indeed, throughout the middle east and the world—about what is happening in the Lebanon. It is a tense and difficult situation. Not only the British Government but all the parties involved in the Lebanon must take into account, in considering any action or responses, whether their actions are likely to increase or reduce tension. We should all seek to concentrate our activities and initiatives on aspects of policy that will reduce rather than increase tension in the area.

Mr. Mark Lennox-Boyd (Morecambe and Lunesdale): Will my hon. Friend reassure those of us who are worried about the presence of British troops in the Lebanon that the criticisms voiced by some leading Lebanese politicians about the American retaliatory action will not be extended and get worse and thus undermine the whole credibility of the multinational force?

Mr. Rifkind: I agree with my hon. Friend that the presence of the multinational force in the Lebanon can

arise only in the context where the Lebanese Government themselves want it to continue to play an important role in peacekeeping in their country. It is very much in accordance with the wishes of the Lebanese Government and the various communities in the Lebanon that the United Kingdom is at present involved in that country. Clearly, if their wishes were to change significantly that would have a profound effect on the utility of any United Kingdom contribution.

Mr. D. N. Campbell-Savours (Workington): If the British Government were informed before the American attack took place, were we asked for our views, did we object, and did a conversation take place between the Foreign Secretary and his American counterpart?

Mr. Rifkind: The information was received by the United Kingdom on the Military network very shortly before the action commenced.

Mr. Michael Latham (Rutland and Melton): Does it remain our diplomatic objective to bring about the removal of all foreign forces from the Lebanon? If so, how can there be any talk of abrogating the 17 May agreement?

Mr. Rifkind: It remains our objective to have all foreign troops removed from the Lebanon, and we are willing to give continuing support to any measures that may play a part in contributing to the achievement of that objective.

Mr. Jack Straw (Blackburn): May we take it from the answers that the Minister gave to my hon. Friends the Members for Linlithgow (Mr. Dalyell) and for Workington (Mr. Campbell-Savours) that we were informed only a few minutes—by the sound of it—before the attack took place, and that the Americans once again treated their principal ally with contempt and failed to consult us in any way? As our men were bound to be militarily at greater risk from any further American escalation is it not outrageous that the Americans did not consult us and allow enough time for us to express our view?

Mr. Rifkind: The hon. Gentleman's question is fundamentally absurd, because the various forces in the multinational force have an inherent right of self-defence, and that right is specifically mentioned in the mandate. When the forces of any member state in the multinational force exercise that right, it is an operational matter. The situation in the Lebanon changes from day to day and from hour to hour. If the American forces are used for proper means of self-defence, that is an operational matter which it is for the American forces and authorities themselves to determine.

Mr. Tony Marlow (Northampton, North): My hon. Friend makes a lot of the statements of the United States Government and their purported motives. May we deal instead with the realities? Can my hon. Friend tell the House how we can detach ourselves from the mistaken and dangerous policies of the United States, the anti-Arab policies of the United States, in the region, without at the same time endangering the fabric of the NATO Alliance?

Mr. Rifkind: My hon. Friend should appreciate that Her Majesty's Government will support American policy when it is in accordance with our own views about the proper way of resolving international problems. [Interruption.] We share the United States' desire for

peace in the middle east. The particular manner in which that should be advanced has to be considered on its merits in each case. We shall take into account British interests in the British perspective and if that coincides with the American perspective we shall give that policy our full support. If it does not coincide, we shall not support it.

Mr. Dick Douglas (Dunfermline, West): Further to the Minister's last answer, do the Government share the phobia of the United States Government that the Syrians are the agents of the Soviet Union in the Lebanon? Or, notwithstanding the presence of Soviet advisers and arms in Syria, do we take the view that Syria is performing a policy in the Lebanon to suit its own national interests? If it is the latter, and if we want to distance ourselves from the United States, is it not better that we intimate, albeit in harmony with our European Colleagues, that it is our intention to withdraw our support from the international peacekeeping force?

Mr. Rifkind: There is no doubt that the Syrian Government receive an enormous amount of material and logistic support from the Soviet Union. I assume that the Syrian Government will apply their interpretation of Syrian interests in pursuit of their policies, as would most Governments. My answer to the hon. Gentleman's final question is that I have said before that the presence of the British contingent is welcomed by all sections of the community in the Lebanon. It is welcomed by the Syrian Government and by other Governments in the region, and anyone who is interested in genuine peacekeeping in the Lebanon has to take that into account.

Mr. Patrick Nicholls (Teignbridge): Does my hon. Friend accept that even those of us who had considerable sympathy with the Americans when they found that an unarmed reconnaissance plane was being fired on feel that, nevertheless, the action that was taken marks an escalation, and that there must inevitably be greater pessimism that the peacekeeping force will not be able to keep the peace? Does he further accept that an early and immediate decision may therefore have to be made to pull out our contingent? Can my hon. Friend assure us that if that happens, sooner rather than later, that decision will be speedily made?

Mr. Rifkind: We would not welcome any escalation of tension in the Lebanon. We are in constant contact with the other member Governments in the multinational force. If it were ever believed that the British contingent in the multinational force could no longer perform the role for which it was sent to the Lebanon, our withdrawal would of course become a prime objective of British policy.

Mr. Kevin Barron (Rother Valley): As it is likely that the escalation will carry on in the Lebanon, what will the British Government's reaction be if our troops suffer loss of life similar to that of the Americans in the past four days?

Mr. Rifkind: The hon. Gentleman is right to draw attention to the heavy loss of life that the Americans have suffered, not just in the past four days, but in the past few weeks. Clearly we are all anxious to ensure that the security of the small British contingent is of a kind to guarantee their physical safety, in so far as that is possible.

Mr. Mark Fisher (Stoke-on-Trent, Central): The Minister has mentioned American self-defence four times. Will he tell us how he can describe the actions of the

[Mr. Mark Fisher]

United States air force, its bombings and its raids, as self-defence? Does he not accept, after this series of questions, that hon. Members on both sides of the House do not see the American action as self-defence?

Mr. Rifkind: The United States Government have emphasised clearly and unequivocally that their action over the weekend was—[*Interruption.*] It is not my job to explain—[*Interruption.*]

Mr. Speaker: Order. The Minister is attempting to reply.

Mr. Rifkind: If the hon. Gentleman is asking me about the explanation that the Americans have given—[*Interruption.*] I should be grateful if the hon. Gentleman would allow me to answer in my own way if he wants me to outline the explanation that the Americans gave of why they reacted as they did at the weekend. The American Government's view is that it was self-defence following the attacks on their aircraft.

The precise details of what took place over the weekend are matters that the American Government themselves have taken into account. When we are considering the proper means to ensure the defence of our troops, we shall take into account those actions that are thought to be necessary to ensure their physical safety. The American Government have taken into account the factors which they believe are essential for the security of their men. It is for them to explain and justify to the world whether that is a proper course of action.

Mr. Healey: Does the right hon. Gentleman recognise that the view that the United States has embarked on a catastrophic course in the Lebanon is now held unanimously? Not one right hon. or hon. Member has expressed a different view in the last half hour. That view is widely held in Europe, by a large body in Israel, and even in the United States. In the light of the United States' failure once again to consult its major ally and to give Britain any opportunity to express a political view on military action which was bound to have a direct consequence on the safety of British troops in the Lebanon, the Minister's defence of American action is profoundly repugnant to hon. Members on both sides and all too reminiscent of the Government's initial reaction to the invasion of Grenada. Will the Government now abandon their doormat diplomacy, stand up for British interests and protect British lives?

Mr. Rifkind: I am glad that the right hon. Gentleman has got that off his chest. Any self-respecting Government, when taking into account the needs to protect the physical safety and well-being of their troops, will apply the criterion that a measure of self-defence is necessary. That is exactly the approach that this Government will apply and we should not expect any other Government to apply a different criterion.

Greenham Common

4.3 pm

Mr. Roland Boyes (Houghton and Washington): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 10, for the purpose of discussing a specific and important matter that should have urgent consideration, namely, "the success of women this weekend in penetrating the cruise missile base at Greenham common."

The matter is important because it demonstrates once again the terrible threat that the installation of cruise missiles poses, first, because we can be the subject of early strike by our enemies. The magnificent, courageous, self-sacrificing women at Greenham common have brought to our attention a further reason for concern—that missiles or missile aids cannot be protected all the time and could fall into the hands of our enemies. By that I do not mean the present Government because they have declared a lack of interest. That was confirmed by a Ministry of Defence spokesman at the weekend who, in the *Sunday Telegraph*, had the audacity to say:

"All we know is we arrested the women at the place as stated. They could have roamed around the base, we just do not know." On one of the towers someone had painted the important notice "Greenham women are everywhere".

The matter is specific because it relates directly to events this weekend at the Greenham common cruise missile base. The matter is urgent because events this weekend demonstrate the failure of the Secretary of State's policies. It is urgent because it demonstrates how wrong it is arrogantly to ignore the opinions of the British people as shown in opinion polls. It demonstrates how wrong it is to believe that the military can defend such bases 24 hours a day, 365 days a year. The matter is urgent because the Secretary of State should resign since he is completely ignoring our wishes. The Secretary of State's incompetence is putting our lives in jeopardy. He should order U.S. commanders to collect their forces and missiles together and get the hell out of Britain.

Mr. Speaker: The hon. Member for Houghton and Washington (Mr. Boyes) asks leave to move the Adjournment of the House under Standing Order No. 10 to discuss a specific and important matter that he thinks should have urgent attention, namely, "security at Greenham common."

I have listened carefully to the hon. Member, but I regret that I do not consider that the matter that he has raised is appropriate for discussion under Standing Order No. 10 and therefore I cannot submit his application to the House.

OCCUPIERS' LIABILITY BILL [*Lords*]

Ordered,

That, the Occupiers' Liability Bill [*Lords*] be referred to a Second Reading Committee.—[*Mr. Donald Thompson.*]

MERCHANT SHIPPING (MISCELLANEOUS PROVISIONS) BILL [*Lords*]

Ordered,

That, the Merchant Shipping (Miscellaneous Provisions) Bill [*Lords*] be referred to a Second Reading Committee.—[*Mr. Donald Thompson.*]