



HOUSE OF COMMONS

Foreign Affairs Committee

Oral evidence: The Wagner Group and beyond: proxy Private Military Companies, HC 167

Monday 6 February 2023

Ordered by the House of Commons to be published on 6 February 2023.

[Watch the meeting](#)

Members present: Alicia Kearns (Chair); Saqib Bhatti; Sir Chris Bryant; Liam Byrne; Robert Courts; Dave Doogan; Drew Hendry; Bob Seely; Henry Smith; and Royston Smith.

Questions 108 to 282

Witnesses

I: Leo Docherty MP, Parliamentary Under-Secretary of State at the Foreign, Commonwealth and Development Office; Ben Fender OBE, Director, Eastern Europe and Central Asia at the Foreign, Commonwealth and Development Office; and Hazel Cameron, Head of the Human Rights Department at the Foreign, Commonwealth and Development Office.



Examination of witnesses

Witnesses: Leo Docherty, Ben Fender and Hazel Cameron.

Q108 **Chair:** Welcome to this session of the Foreign Affairs Committee, which is part of our inquiry into the Wagner Group and beyond, looking at proxy private military companies. We are pleased to have two guests with us from the Defence Committee, given the reach-over.

Minister, thank you for your time. As you know, we have been doing a lot of work on this. I am really interested in your assessment of where our Government have effectively countered the influence of the Wagner Group, whether that is limiting their activities on the ground, preventing the opening of new centres, the closure of centres, or discouraging new military agreements.

Leo Docherty: Thank you so much, Chair. I will, please, ask my two colleagues to introduce themselves before I give that reply—I think you know Ben Fender, but for the benefit of others.

Ben Fender: I am Ben Fender, the director for Eastern Europe and Central Asia in the Foreign Office.

Hazel Cameron: I am Hazel Cameron, the head of the human rights department in the FCDO.

Leo Docherty: Thank you for the question, Chair. I would go with three main pillars in that regard. First, everything we are doing to deliver lethal aid and support for the Ukrainian military is of course front and centre of our effort to counter the use of this proxy military group in Ukraine, which has seen Wagner become much more of a challenger conventional unit, as it were. We have to see that front and centre. Their main theatre of operations is in Ukraine; everything we do in terms of provision of lethal aid helps our Ukrainian friends counter that.

Attendant to that, everything we do with regard to our sanctions legislation constrains their ability to utilise their assets and travel. I am sure colleagues know that Yevgeny Prigozhin was sanctioned under the Libya legislation in 2020, and Wagner itself was sanctioned in March last year. That framework constrains their ability to utilise their assets and travel.

More broadly, because we have to see this as a regional and international contest, operationally and in terms of values, there is the work we do with partner states on things like nation building and investing in institutions in regions such as the Western Balkans, the Caucasus, Central Asia and, most importantly, Africa, because that is a particular area of interest for Wagner. All that global nation building that the Foreign Office does is critical to the ability of often fragile states to build their own capacity so that they are not subject to the business model of a Wagner-type group,



HOUSE OF COMMONS

which is to exploit natural resources, to exploit weak Governments and to seek out that kind of opportunity.

In my view, those are broadly the three pillars that we are operating under: military, sanctions, and state building. I don't know, Ben, whether you want to make any additional comments.

Ben Fender: One thing to bear in mind is that although Wagner is present in quite a range of countries and we track that very closely, it is actually rooted in a rather limited number of countries. That is because, I think, we have had some success, diplomatically and by other means, in discouraging it from taking root.

Certainly if you look at West Africa, for example, you find a lot of Governments in that region are very concerned by what they see Wagner doing in somewhere like Mali. You see Wagner having largely left places like Mozambique. Frankly, that is not purely down to us, but I like to think that our diplomacy and our efforts have contributed to it.

Q109 **Chair:** Those three pillars are all about limiting, I think, whereas we obviously want to measure effect, and an effect would be meaningfully dissuading people. Apart from in Mozambique, it doesn't look like we are achieving our goals.

Whether you are looking at other parts of Africa or at the Western Balkans, it feels like they are embedding more, becoming combatants more, doing more conventional groundwork and spreading further and further around the world. So, apart from in Mozambique, can we measure any meaningful effect other than limiting their access to resources?

Leo Docherty: I think it is easy to overstate their success. We seek to measure their impact through intelligence and a lot of open-source monitoring. Clearly, colleagues will know about opportunities that they have utilised successfully in terms of natural resource in the Central African Republic and so on.

I am not challenging your characterisation of the landscape, but at the same time I think it is easy to overstate their growing impact. Clearly, while they have had some small, in the grand scheme of things, but significant success in Ukraine, that has been on a very localised basis. Also, we have to see their involvement there as a function of wholesale state failure when it comes to the Russian military.

Clearly, it is important; we are gravely concerned about it, because they are very definitely a global force for bad and instability, but at the same time, we mustn't assign them too much success. Some of their experience in Africa—in Sudan and other places—illustrates the fact that, where they have had a go at building a resource-based business model, they have had some success, but it is not overwhelming. Ben, do you agree with that broad assessment?

Ben Fender: Yes, certainly, Minister. The one thing I would add is that while we don't have a very granular understanding of the numbers of their



HOUSE OF COMMONS

personnel in Africa, in broad handfults it doesn't look as if it is growing—it is certainly not growing fast. When they moved into Mali, they did so largely by drawing down the force that they had in CAR. Again, that suggests that there is a degree of success but we are not looking at a runaway business model in Africa, although I certainly take the point that they are present in many more countries than we would wish, and they have a particularly nefarious effect in a small number of those, including both Mali and CAR.

Q110 Chair: Indeed, and obviously, while the effect may be limited, the fact that the doors are being opened to them is of grave concern. On that point, what diplomatic levers are available—not just to us, because we can't counter them on our own, but what diplomatic levers do you see countries using successfully? What are we using? Essentially, what tools do we think we have in the box to deter people from engaging in relationships with Wagner?

Leo Docherty: That is a really good question. There is a range of ongoing work with nations that want to build their institutions when it comes to defence, security, democracy and greater trading relations. That is the offer that we make.

In the case of the Western Balkans, in somewhere like Bosnia, we are seeking to help them build their institutions, grow their economy and develop their defence and security so that they are a secure, successful nation. We must be confident and quite upbeat about the offer that we make. That is the same across much of Africa and other regions. It is that sort of three-pillared approach, executed by not just the Foreign Office but the range of British military. The British military is often a very successful agent of institutional state building and improvement.

Q111 Bob Seely: You both talked about a broad assessment—indeed, it was broad. You said that Wagner are a global force for bad but one shouldn't overstate the case, and then you said that they had a degree of success but not much success. I just want to narrow it down a bit. Is it true to say that the only country they have entered and haven't had any success in, and have effectively been kicked out of, is Mozambique? Is it correct that they are still embedded in the other countries they have entered?

Leo Docherty: I think they are present in all the countries mentioned, but not Mozambique.

Ben Fender: I think they have not gained a proper foothold in a wider range of countries than that. I gather Madagascar would be one. There is quite a large number of countries where they have opened an office or had a small presence, but I would need to look into it to give you a proper list.

Q112 Bob Seely: But the only country they have so far failed in—whatever business model they have got, whether it is training or raw material extraction—is Mozambique. They are no longer there because their relationship with the Mozambicans fell down. Is that correct?



HOUSE OF COMMONS

Ben Fender: It may not be the only one. It is certainly true about Mozambique. My point is that they have failed to prosper in a wider range of countries.

Q113 **Bob Seely:** Are you judging them by countries where they are deeply embedded, countries where they have a relationship but are not particularly embedded, and Mozambique, where they have tried, failed and pulled out?

Ben Fender: I think that is broadly right, yes.

Bob Seely: Thank you.

Chair: Given that the organisation has existed since 2014, you can understand why the Committee is frustrated that there is only one country where we can suggest that there has been any success in peeling back their meaningful ability to have effect on the ground. Dave, I know you want to push further into that.

Q114 **Dave Doogan:** You said “gravely concerned”, Minister. I assume you are speaking for the Department and other relevant Departments when it comes to the Wagner Group. How does the Government delineate between the Treasury, the FCDO and the MOD on the responsibility to respond to this or that element of Wagner’s operations? It is important for us to understand that the Government has the ability to look at this in a joined-up way. Recent events indicate that it is perhaps not quite so joined up.

Leo Docherty: That is a great question, because joined up is what we want to be. It is the Russia unit that brings that cross-Whitehall effect into being. Of course, when it comes to particular sanctions or financial elements, it will be the Treasury, but the Russia unit is the mechanism by which the Government achieves a joined-up policy on this.

Q115 **Dave Doogan:** The problem with Wagner is that it is novel, in terms of its business model. How has the Government resourced the policy around Wagner and any interventions the UK can make at a state level to confound or obstruct their business model from taking hold in various countries? We have spoken about Mozambique, but in general how have you resourced that?

Leo Docherty: We have had a lot of people surging into this element of the Department.

Q116 **Dave Doogan:** What sort of numbers are we talking about, Minister?

Leo Docherty: I am not sure it is helpful to specify numbers, because of course a lot of civil servants might be involved in more than one thing.

Q117 **Dave Doogan:** But if it is a surge, it would be good to know what that surge looks like, feels like and costs.

Leo Docherty: I think we can say with confidence that there are more people looking at this as part of a very defined effort over the last year—to



HOUSE OF COMMONS

surge resource into a very considerable ramping up of our efforts around Ukraine and wider issues.

Q118 **Dave Doogan:** Is that across FCDO and Defence and—

Leo Docherty: Absolutely—across Whitehall.

Q119 **Dave Doogan:** Getting back to Mali, where the UK withdrew peacekeeping forces last November, how did Defence co-ordinate that action and decision with FCDO, and what counsel did FCDO provide to Defence about the ramifications of that decision?

Leo Docherty: I will let Ben answer that, because I think he was probably much more involved in that than I was. Ben, do you want to deal with that?

Ben Fender: Forgive me; I was not particularly involved in that process, which was largely between our Africa directorate and the Ministry of Defence.

Q120 **Chair:** The human rights directorate would have been asked to comment on this, as would the new conflict centre. I do not know what advice came through your Department at the time.

Leo Docherty: Hazel, did you see anything on the Mali policy with regards to the MOD?

Hazel Cameron: No, I'm afraid I did not. It predated my arrival in the Department.

Leo Docherty: I was in the MOD at that time, but as veterans Minister.

Q121 **Dave Doogan:** So, "It was none of us; it was their fault."

Leo Docherty: Well, it happened before us.

Q122 **Chair:** Forgive me, Dave. I would have hoped that Defence Ministers would have had a write-in specifically on this. They would have been part of any write-around and any discussions about this—about who we are going to replace it with and DI assessments of Wagner.

Leo Docherty: Absolutely, but my colleague, the Minister for the Armed Forces, made several visits to Mali with that specific hat on, rather than me as veterans Minister.

Q123 **Dave Doogan:** What is your understanding, as a former Defence Minister, of the reasons for the UK's withdrawal from that theatre?

Leo Docherty: From Mali? I think it is to do with strategic priorities. We cannot be everywhere; we have to be where the most pressing interests and threats are.

Q124 **Dave Doogan:** Where did we redeploy to?

Leo Docherty: At that point, our Ukraine effort became much more important.



Dave Doogan: But we are not in Ukraine.

Leo Docherty: No, but there is a massive institutional effort at supporting our effort there. I think you will agree with that.

Q125 **Dave Doogan:** From your understanding of the Department and how these things work, Mr Fender, is it your understanding that the FCDO would definitely have been consulted on the withdrawal from Mali, and that it would have given the MOD advice on what follows from that?

Ben Fender: Yes, it was a very extensive process of cross-Government decisions. On Wagner specifically, there may not be a Wagner unit, but we are well joined up. Just last week—nothing to do with this hearing—I had two separate meetings that convened the Russia parts of the Foreign Office, the Africa parts, the human rights parts and the sanctions parts to deal with different aspects of Wagner. Day to day, Government are coming together to look at Wagner as a problem, because we think it is a growing issue.

Q126 **Dave Doogan:** Finally, as an extension of that, the MOD has a framework for how it identifies the risks from private military organisations. Do the Foreign Office and Foreign Office diplomats routinely feed into the intelligence that allows Defence to make assessments around these organisations?

Leo Docherty: Yes.

Q127 **Dave Doogan:** And when you provide that information, what is the esteem with which it is received? Does Defence pretty much make up its own mind, or is your advice treated as really important?

Leo Docherty: Of course, we would never comment on how our intelligence works or on intelligence matters, but I am sure that any part of the Government receiving advice from the Foreign Office would—if they had ever met any of our diplomats—treat it with a great deal of respect and credibility.

Q128 **Dave Doogan:** Finally, I am glad that there is not a Wagner unit—I think that that would be unduly to flatter Wagner—but do you think it might be prudent, certainly given recent events in terms of internal Government co-ordination, for there to be a private military organisation unit that might want to tighten these things up in future?

Leo Docherty: I am confident that we have a joined-up cross-Whitehall mechanism for ensuring the best possible execution of our policy. I think we are match fit, and the last year has shown that.

Ben Fender: One could go down a rabbit hole on definitions, but we are a little cautious about calling it that. Wagner as an organisation is *sui generis*, but we see it as very closely aligned to the Russian state. It is a label that people use to call it a private military company, but what we are talking about is irregular forces that are really quite closely linked to the Russian state, which is why we feel it works to treat this as—the lead is in



HOUSE OF COMMONS

the cross-Government Russia unit, and a lot of the effort that we put into it is drawn from our wider Russia and Ukraine effort.

Q129 **Chair:** Can I push you on that, Ben? Is it a Russian state actor or is it a Russian cut-out? The distinction is very different when it comes to where we go forward in terms of proscription, activity, and who we hold responsible and culpable for their actions. You are suggesting it is a Russian state actor, from your comments a moment ago.

Ben Fender: It is a little more blurred than that. As I am sure you know, in theory, private military companies are not allowed under the Russian constitution, yet this is an organisation that appears to be recruiting convicts from Russian prisons, apparently with the promise of being able to give them pardons at the end of a period of service. It is clearly associated.

Yevgeny Prigozhin is someone whose ties with Putin appear to be personal, but at the same time, he appears to have some kind of direction, and at the same time he appears to be a businessman. The more you look at this, the less easy it is to see it as a conventional cut-out or as purely under Russian command and control, or as a private institution. It is somewhere in the middle of all of that.

Chair: I suspect Drew might take us back to that later, given the work around proscribing it. If the Government are considering proscribing it, they have to be clear exactly what it is to enable that proscription to take place. Bob, do you want to come in before I go to Chris?

Q130 **Bob Seely:** For clarity, there is a cross-Government Russia unit, as we know. The people who are in the cross-Government Russia unit are the same people who are looking at Wagner. There is not another group looking at Wagner. Wagner is being looked at by your folks in the FCDO and elsewhere who are part of the cross-Government Russia unit. Is that correct?

Ben Fender: The lead lies in the cross-Government Russia unit, which convenes people from human rights, Africa, and the multilateral people who look at policy on private military companies, and so on.

Q131 **Bob Seely:** Are you convening a slightly different crowd to look at private military contractors and Prigozhin and Wagner, as you would for other elements of Russia? Or are these people all engaged in other themes related to Russia?

Ben Fender: They are engaged in other things connected with Russia as well.

Q132 **Chair:** So you look at Wagner solely through whatever geographical area a desk officer looks at, rather than having even one person that has Wagner analysis, intelligence tracking and political assessment in their job title in the Foreign Office. I understand DI does have people with Wagner in their titles, but, again, please correct me if I am wrong. You say you look at it through a geographical lens, not through a specific threat lens.



HOUSE OF COMMONS

Ben Fender: That is true, but we have people who spend a considerable period of their time dealing with Wagner.

Chair: We might come back to that. Chris, you're next.

Q133 **Sir Chris Bryant:** Can I chase down a little more the Russia unit? It sounds like it is a meeting of people who have responsibilities for matters relating to Russia in various different Departments. Is that what it is?

Leo Docherty: It is not a meeting. It is a group of experts that advise the Government to best achieve our policy.

Q134 **Sir Chris Bryant:** And their job is solely to work in that unit?

Ben Fender: Yes.

Q135 **Sir Chris Bryant:** Who is the sponsoring Department?

Ben Fender: The cross-Government Russia unit has people from different Government Departments in it, physically. It is physically located in the Foreign Office and it reports to Tom Drew as the cross-Government SRO for Russia policy.

Q136 **Sir Chris Bryant:** How many full-time equivalent staff are working in it? You can write to us, if you want. Minister, you said you were very confident—"we can say with confidence it is a great deal bigger than it was"—so presumably you know how big it was and how big it is now.

Leo Docherty: Yes; I just question whether it is useful to make that information public.

Q137 **Sir Chris Bryant:** Well, maybe you could write to us and we can decide.

Leo Docherty: Okay, we'll write to you.

Q138 **Bob Seely:** When you say "experts", they are civil servants. They may be very expert in their field, but they are not "experts". Roughly how many of the people working in the cross-Government Russia unit—presumably on Wagner—are experts borrowed from academia, the MOD or elsewhere, or soldiers, and how many are civil servants?

Leo Docherty: I would challenge the characterisation in your question, frankly. It is perfectly feasible to be a civil servant as well as an expert.

Q139 **Chair:** I think Bob is asking if there has been a surge from places external to the civil service.

Leo Docherty: Oh, you mean how many recruited over the last year from outside?

Q140 **Bob Seely:** You can have expertise and not necessarily be an expert, so my point was that while these civil servants may have expertise, they may not be external experts in the same way that you borrow somebody from the Changing Character of War Centre at Oxford, who has spent 20 years studying private military contractors. To what extent are these folk civil servants who may or may not have expertise, and to what extent are



HOUSE OF COMMONS

they external experts who are brought in to advise on specific things? That is my question.

Leo Docherty: You do not necessarily have to employ these people to take advantage of their expertise, but I will let Ben answer that.

Ben Fender: As it happens, the Foreign Office's eastern research group, which is our research analysts who cover Russia and Ukraine, have just brought in someone from academia for a year, who is an expert on the Russian military industrial complex and also Wagner. So yes, we are drawing on external expertise for that.

Q141 **Sir Chris Bryant:** Whatever you can write to us with would be great, just to fill us in so that we know.

Leo Docherty: Very pleased to do that.

Q142 **Sir Chris Bryant:** If there is stuff that you want us to know and you don't think we should publish, we can abide by that.

Leo Docherty: Very happy to do that.

Q143 **Sir Chris Bryant:** Mr Fender, I think you said Wagner is a "coming issue". I have been sitting on this Committee for quite a few years now, and I remember rowing with previous Ministers, about eight Ministers ago, about Wagner in Syria and its relationship with the Russians. My worry is you are only saying it is a coming issue now. Do you want to tidy that up a bit?

Ben Fender: Obviously, as the Minister said, we have had a long-standing concern about Africa. What is relatively new is the way in which Wagner is being used in this war in Ukraine. Clearly, Wagner has been in Ukraine for eight years, but it is a significant component of the Russian military effort there, on one of the most live parts of the front around Soledar and Bakhmut. So, of course, for that reason, if nothing else, it is even more front and centre than it has been.

Q144 **Sir Chris Bryant:** Some of it was the same in Syria, wasn't it, because we were facing issues about whether, if we attacked Wagner operatives, we were attacking the Russians? I don't think these are new issues at all. They have been around for several years. The reason I am asking this is because I want to find out how you make sure you are ahead of the curve, rather than behind the curve, on this.

Ben Fender: Forgive me; I wasn't around for that period in Syria. I guess all I can say is that we take the issues in Ukraine very seriously. As we have seen Wagner grow in Ukraine, it is becoming even more clear to us that this is an important problem that we need to grasp in Ukraine.

Q145 **Sir Chris Bryant:** You are worrying me more each time you reply. Both you and the Minister have now said, "Well, I wasn't around when—" Surely there is some kind of corporate memory. Surely the Government is the Government, and you have to be able to prepare before you come to session like this to be able to answer questions like that. How can you say, "Well, it all happened before I was here"? Minister, how do you make



HOUSE OF COMMONS

sure you have that corporate memory?

Leo Docherty: To be fair to Ben, he was pointing out the fact that he wasn't in the Department at that stage, but, of course, the whole point of the Foreign Office is that we have a core of institutional continuity and good institutional memory, and that is informing our Ukraine policy.

Q146 **Sir Chris Bryant:** So what did we learn from Wagner in Syria?

Leo Docherty: By and large, the lesson of Syria is that hard power matters.

Q147 **Chair:** To give you continuity, the word "Wagner" very rarely came up in the Foreign Office when I was working on Syria at that time. It was not recognised that Wagner was sufficiently of threat. That is what Khodorkovsky said when he gave evidence to our Committee as well—that HMG fail to recognise Wagner explicitly enough when they are working in geographical areas.

Q148 **Sir Chris Bryant:** So then the question is: are you really confident that the relationship between the MOD, the Treasury and the FCDO is able to inform the sanctions team as to what needs to happen?

Leo Docherty: There is definitely a joined-up mechanism that brings all those Departments together to execute this policy.

Q149 **Sir Chris Bryant:** Let us move on to sanctions for a moment—on individuals, and then I will come on to organisations. Can you explain to me why we have sanctioned many fewer people related to Wagner than the US or the EU?

Leo Docherty: It is done on a case-by-case basis, but I would not identify a particular theme in terms of the numbers.

Q150 **Sir Chris Bryant:** At the moment, in general, we are sanctioning about 20% of the number of people who are presently sanctioned by the United States of America.

Leo Docherty: They are larger countries.

Q151 **Sir Chris Bryant:** Sorry?

Leo Docherty: I don't know—it may be due to them having larger economies.

Q152 **Sir Chris Bryant:** I will not enable you to dig further into that. At the moment, for instance, we have sanctioned six individuals in relation to Wagner—all of which you just referred to in relation to Syria rather than Ukraine—whereas the US has sanctioned 22 individuals. I just do not understand why those other 16 names are not on the British list, especially since we deliberately wrote legislation earlier last year so that we could automatically sanction somebody who had already been sanctioned by the US.

Leo Docherty: I am happy to try to get an answer on those 22 you mention. Ben, do you want to comment?



HOUSE OF COMMONS

Ben Fender: In scale and breadth terms, as you will know, we are doing very well across most measures by comparison with the EU and US.

Q153 **Sir Chris Bryant:** No, we are not—we're really not. We are a long way behind. Every time the Government trot this out, it infuriates me because it is simply and patently untrue. We do not sanction as many as other countries, and with most of the people we are sanctioning at the moment, we are sanctioning them because they have already been sanctioned by the US and EU, using our legislation that allows us to do that.

The EU has sanctioned—as members of the Wagner Group—Denis Yurievich Kharitonov, Sergey Vladimirovich Shcherbakov, Stanislav Yevgenyevich Dychko, Valeriy Nikolaevich Zakharov, all of whom are engaged in activities in Ukraine at the moment. Why haven't we? That is a conscious decision by us not to do so, because everybody else you have automatically taken off the EU list.

Leo Docherty: I will gladly check those specific names and write to you.

Q154 **Sir Chris Bryant:** Thanks. Can we move on to organisations? The UK has sanctioned and done asset freezes for four organisations since March 2022. Has the Wagner Group any assets to freeze in the UK?

Ben Fender: I am not aware, but that is not to say the answer is no.

Q155 **Sir Chris Bryant:** Shouldn't we be aware of whether it has? My anxiety is that if we do not know whether there are assets worth freezing, we have no means of knowing whether our asset freezes are being successful.

Leo Docherty: None significant is my understanding.

Q156 **Sir Chris Bryant:** How confident are you of that?

Leo Docherty: I am confident in that statement.

Q157 **Sir Chris Bryant:** The US has sanctioned 25 organisations, including some more just a couple of weeks ago. Is there a reason why we have not imposed asset freezes on those organisations?

Leo Docherty: I imagine they are under consideration. Obviously, we don't speculate on future sanctions. Without seeing that list, it is not for us to make a judgment, but we will no doubt be considering them.

Q158 **Sir Chris Bryant:** You see, I wonder whether you will. That is the nub of my question, really. If you are not focused enough on this and not asking on a weekly basis, somewhere in the system, "Are we freezing the assets of the right people to be able to close down everything that Wagner want to be able to do?", we are going to miss things, aren't we?

Leo Docherty: We work with our allies. If you have a list there that you think we should be seeing, I imagine that that list will be considered by our sanctions team.

Q159 **Sir Chris Bryant:** Could you write to us again? We will happily send you the list, but—



Leo Docherty: We are very happy to write, yes.

Q160 **Sir Chris Bryant:** It is just that it feels like we go round and round this circle, and I have no confidence in the UK sanctions regime. Ministers come out and say, "It's all going wonderfully because there are lots of names," but it is about whether people's assets are actually being frozen.

Can I ask you about a policy suggestion? Some have suggested that we could make it a criminal offence, if you are a sanctioned individual or a sanctioned organisation under an asset freeze, not to declare all your assets in the UK. That would mean, obviously, by definition, that if assets were found, they would not belong to that person and therefore could be seized. Would you support such a move?

Leo Docherty: It sounds like we should consider it, certainly.

Q161 **Chair:** A final follow-up: to Chris's point about tracking sanctions effectively, what assessment have you made of the extent to which Wagner is helping circumvent and evade sanctions that have been put in place by HMG?

Leo Docherty: I have no specific knowledge of that. Ben, do you want to comment?

Ben Fender: I don't have any evidence of that.

Leo Docherty: No—no knowledge.

Q162 **Chair:** No knowledge of it. Is that because we have not asked the question, because we are not tracking it, or because we genuinely have had no evidence submitted to us yet?

Leo Docherty: I don't specifically know about that. I am sure that the Department is tracking that, but I don't have any particular knowledge of it.

Chair: I look forward to the Committee providing such evidence to you, and I hope that we will respond with strength to it.

Q163 **Liam Byrne:** Minister, as you will know, the Treasury issued waivers to sanctions that allowed Prigozhin to fly his lawyers to St Petersburg to perfect a case to sue Eliot Higgins in an English court because Eliot Higgins had revealed Prigozhin's role at the head of the Wagner Group and Prigozhin wanted to undermine that story, because he felt it had led to sanctions being imposed. Do you want to take this opportunity to apologise to Mr Higgins for His Majesty's Government having issued that sanctions waiver, leading to him being sued in an English court?

Leo Docherty: All I will say, because this is actually a Treasury lead, is that, given recent cases, the Treasury Ministers are considering this approach and considering whether or not change is possible. Clearly, the approach taken by the Treasury's Office of Financial Sanctions Implementation was taken for constitutional reasons, but following the case that you mentioned, I think it is right to say that we are certainly considering this approach—the Government are considering this approach.



HOUSE OF COMMONS

Q164 **Liam Byrne:** Do you want to take this opportunity to apologise to Mr Higgins on behalf of the Government?

Leo Docherty: I don't think it is useful for me to comment on the specific case; I think it is useful for me to make a comment about our general approach, which I have done.

Q165 **Liam Byrne:** Mr Higgins had to spend £67,000 on his legal defence. Prigozhin spent £102,000—money that he has not coughed up yet. Will there be compensation available to Eliot Higgins because of the cost he incurred because of a sanctions waiver issued by His Majesty's Government?

Leo Docherty: I cannot comment one way or another, frankly.

Q166 **Liam Byrne:** When the Exchequer Secretary came to the House to explain what was going on, he said that there was a delegated authority framework that meant that officials took the decisions on sanctions waivers. Did the Foreign Office sign off on that framework?

Leo Docherty: I can't say. I simply don't know the answer to that question.

Q167 **Liam Byrne:** You said earlier that you were completely joined up across Government and the Foreign Office was the home of the Russia unit. You can't tell us whether you signed off on the—

Leo Docherty: I can check. Clearly, it is extremely likely that we did, but I would have to check. I would not have confidence answering now.

Q168 **Liam Byrne:** But it does seem fundamental to the effectiveness of our sanctions regime, for which the Foreign Office is responsible. Would you agree?

Leo Docherty: Being joined up is something that we want to achieve, yes.

Q169 **Liam Byrne:** Do you think that the sanctions waiver regime is something that the Foreign Office should take an interest in?

Leo Docherty: Well, we absolutely do, and I think that that has been reflected in my remarks.

Q170 **Liam Byrne:** How do your Department and you monitor what sanctions waivers officials are issuing?

Leo Docherty: That would be through communication between Departments.

Q171 **Liam Byrne:** How do you personally monitor that?

Leo Docherty: Advice would be given to me by officials.

Q172 **Liam Byrne:** On sanctions waivers?

Leo Docherty: Yes. I would hope so.

Q173 **Liam Byrne:** How many bits of advice have come to you about sanctions



HOUSE OF COMMONS

waivers?

Leo Docherty: About sanctions waivers, none specifically.

Q174 **Liam Byrne:** How do you think that officials and Ministers ended up on such different pages about what waivers should be issued to which Russian warlords?

Leo Docherty: Having not been involved in those decisions, it would be speculation for me to answer, which I do not think would be very useful.

Q175 **Liam Byrne:** What are we—you—going to do now to ensure that there is a political grip on decisions about sanctions waivers in general, and sanctions waivers for Russian warlords in particular?

Leo Docherty: As I said, Treasury Ministers are considering that. As part of that consideration, we will identify how that might be achieved.

Q176 **Liam Byrne:** What are you asking the Treasury for in that review?

Leo Docherty: To consider exactly how the balance of our constitutional obligations might be fulfilled, while also keeping the utility of our foreign policy in mind, frankly.

Q177 **Liam Byrne:** When you refer to the constitutional position, do you mean the guidance on financial sanctions?

Leo Docherty: Quite simply, I mean everyone's right to legal representation.

Q178 **Liam Byrne:** You will no doubt know paragraph 6.6.1 of that guidance, which says that there is not a general right to access the UK legal system and, specifically, that, "where sanctions prohibit specific actions...you need to carefully consider whether your advice and support for the client is helping them comply with sanctions or is participating in or facilitating a breach."

Mr Prigozhin's lawyers sent emails saying that their intention was to undermine Eliot Higgins and Bellingcat, because they saw his reporting as responsible for the sanctions implemented against Mr Prigozhin. That was a legal action deliberately aimed at undermining the sanctions that the Treasury had recommended. There was no general right to use the English legal system as a legal weapon against Eliot Higgins. I am not quite sure what the constitutional position is that needs revising.

Leo Docherty: That is an interesting point. I think that will be taken into account when the Treasury reviews this.

Q179 **Liam Byrne:** That is already the Treasury's guidance; it was clearly breached by a Crown servant who reports to a Minister of the Crown.

Leo Docherty: Yes. I think as Treasury Ministers consider that case and the general approach, the point you make is entirely relevant.

Q180 **Liam Byrne:** But your Department is responsible for sanctions. What therefore are you asking Treasury for in this review?



Leo Docherty: It is not a review; it is a consideration. What we will do is consider whether it should be more joined up and whether or not there is an argument for getting the balance right. The reference you draw to that document is entirely relevant.

Q181 **Liam Byrne:** What do you think went wrong here?

Leo Docherty: I could not usefully comment.

Q182 **Dave Doogan:** It is a shame you cannot comment, Minister. You told me earlier, before Mr Byrne went through that whole timeline, that you were quite confident that Government had a joined-up approach to this. It cannot just be Ministers; it has to be the bureaucracy as well. A civil servant got blamed for that decision in the UQ, statement or whatever it was last week.

Many of us on the Back Benches feel that it is inconceivable that someone would have the power to make that decision, yet not know who Yevgeny Prigozhin was, and have to go up the line for some ministerial oversight. I would argue that that demonstrates that it is not a tight organisation and that there is not sufficient grip on the issue. Would you not agree?

Leo Docherty: No, I would not, because if you look at our policy for countering Putin's Russia in Ukraine—

Dave Doogan: That is a different thing.

Leo Docherty: The point I would make is that it is a joined-up operation across Departments. This case is a cause for reconsideration, and I think we will reflect and work with Treasury colleagues to consider what might have been done differently. But our response is joined up, by and large.

Q183 **Dave Doogan:** On this narrow and specific transaction of Government about these sanctions, it was not joined up, but you have said that it is joined up.

Leo Docherty: It is joined up.

Dave Doogan: It's demonstrably not.

Leo Docherty: We will consider whether or not there should have been a different outcome to this particular case.

Q184 **Dave Doogan:** Is there any dubiety about that?

Leo Docherty: We will consider that, but I think it is fair to say that the Government is joined up in its institutional response to the challenge of deterring and countering Russian aggression in Ukraine.

Q185 **Bob Seely:** You said that everyone has the right to legal representation. Do you recognise the difference between the right to legal representation and the right to use the law to aggressively pursue journalists and others in what are known as SLAPP cases? Effectively, these use the law to silence your opponents. Do you recognise a difference, or do you think the right to legal representation is the same as the right to pursue



HOUSE OF COMMONS

journalists and others through the courts in order to bankrupt them and silence them?

Leo Docherty: Of course I recognise the difference. I referred to the right to legal representation to give context to the approach that was probably applied by OFSI at the outset of this individual case.

Q186 **Bob Seely:** So you are saying that they allowed Prigozhin to use the law because they were assuming he had the right to legal representation.

Leo Docherty: I didn't say that.

Q187 **Bob Seely:** So what are you saying?

Leo Docherty: The context is our constitutional convention that everyone has the right to representation. That is what I said.

Q188 **Bob Seely:** Why does that apply in this case, when he was not facing a criminal investigation himself but was using the law to aggressively pursue his enemies?

Leo Docherty: I cannot usefully comment about this particular case, because I was not the decision maker. I have already said that Treasury Ministers will consider this approach.

Q189 **Bob Seely:** But you are defending the actions of the Government on the grounds that everyone has the right to legal representation. What Liam, David and I have asked is, do you recognise a difference between legal representation in this case—

Leo Docherty: You are mischaracterising my words. I said the approach was informed by our constitutional convention that everyone has the right to representation. I did not make any specific reference to this case, and I want to be very clear on that. What I did say is that Treasury colleagues will consider whether this sort of case should be handled differently.

Q190 **Liam Byrne:** Sorry to flog this, but do you recognise that the convention on the right of legal representation is not an unfettered right?

Leo Docherty: Of course I recognise that.

Q191 **Liam Byrne:** Because there are constraints, someone has to make a judgment, and the judgment in this case, we are told, was by a civil servant, although we have yet to learn as to whether it went to a special adviser in the Department, and we still do not know whether a Treasury Minister signed it off.

Leo Docherty: That is exactly correct, and I think the consideration is on whether or not that judgment was correct. That will be the specific focus of the consideration, so you have correctly characterised that.

Q192 **Bob Seely:** What do you think, Minister? Do you think it was correct?

Leo Docherty: Well, it is not for me to say.

Bob Seely: But you are a Minister. Do you have an opinion?



HOUSE OF COMMONS

Leo Docherty: It's not for me to say.

Bob Seely: You have no opinion. Okay.

Chair: What I would say is that we as a Committee are aghast at the treatment of Eliot Higgins, and we want to put on the record that we never want to see such shameful practices again. I, as a former civil servant—politicians are often attacked for criticising civil servants—am frankly appalled that any civil servant at any grade would see that name and not think it had to go to a special adviser at minimum, if not to a Minister, so there are many more questions that this Committee will want to follow. I think we would like to make that very clear.

Leo Docherty: Noted.

Q193 **Saqib Bhatti:** Minister, moving on to the Wagner Group's operations in Ukraine, the UK is actively supporting accountability for Russian war crimes—there is great public support for that. Are you pursuing or supporting investigations into war crimes by the Wagner Group at the moment?

Leo Docherty: That is a really good question. Accountability is a wrap around for the pillars I mentioned earlier. We take this very seriously. We have put resources and political energy into empowering Ukrainians to gather this sort of evidence. Hazel, I am sure, will want to come in on this.

We have also put resources into the ICC, and we have joined the core group of nations that are looking at an additional, hybrid tribunal system that can hold people to account. Apart from anything else, I think accountability is a key deterrent to ongoing aggression from Putin's regime.

This is something we take very seriously. We have put money and energy into empowering people to gather this evidence on the ground. Last week I was in Copenhagen with Sir Howard Morrison discussing the structure that the core group might put in place to cover crimes that the ICC cannot handle. Clearly, that is a work in progress. Our Ukrainian friends are very keen that we progress that with them. It has got to be done right, and it might take many years, but we are entirely determined that accountability takes place.

Q194 **Saqib Bhatti:** Sorry, I am not clear on that. Are we actively pursuing or supporting any investigations into Wagner war crimes at the moment?

Leo Docherty: Yes, we are. We are putting money into the ACA, for example. We are putting money and effort into evidence gathering on the ground. Hazel, do you want to expand on that?

Hazel Cameron: Thank you. Just to clarify, I will expand a little bit on the two main avenues of accountability that we are pursuing. The first is Ukrainian domestic prosecutions. Ukraine has a well-functioning prosecution and judicial system that we are supporting with partners. With the United States and the EU, we established the Atrocity Crimes Advisory



HOUSE OF COMMONS

Group, which is the way in which we co-ordinate our support to the Ukrainian domestic system. We have put £2.5 million into that. We are doing things such as funding mobile evidence-gathering teams and providing training in international humanitarian law to the Ukrainian judiciary. That is the domestic angle.

We are also looking closely at our support to the International Criminal Court. We are supporting it with extra money; we have given an extra £1 million to the court, to help support it deal with the cases. We are supporting Karim Khan KC, who is the prosecutor of the court, in the normal way we would as a state party to the Rome statute.

Q195 **Saqib Bhatti:** Is that all related to Ukraine?

Hazel Cameron: The Atrocity Crimes Advisory Group is specific to Ukraine. With what we are doing in respect to the ICC, that depends on what you mean. The financial support we give is for the court.

Q196 **Saqib Bhatti:** What I am trying to get at is, are we pursuing Wagner's operations in other countries, in terms of war crimes it may be involved in outside Ukraine?

Hazel Cameron: Not specifically. As Dave Doogan said, regarding accountability, a lot of what the Wagner Group is accused of, and is alleged to have done, falls within the standard jurisdiction of a domestic court, or an international court, such as the ICC. We do not create a new work strand for that. We need to reinforce what we have.

Q197 **Saqib Bhatti:** Minister, is the Group's involvement in Ukraine, and the war crimes that are being committed, a sign of poor discipline, or is it a reflection of orders from the top—especially in light of what Ben said earlier?

Leo Docherty: I think it is a sign of wholesale institutional failure on the part of Putin's military. That is why Wagner has had the opportunity to play. I think it is reflective of its nature, as a group of criminals—often quite literally—who have been gathered together.

I think your question is correct in the sense that it probably does indicate a culture and a direction from very senior leadership of organised brutality, which is, in their view, designed to be a sort of force multiplier—mistakenly, of course. Some of the reports we have had about Wagner brutality do indicate that it is organised and deliberately designed as an attempt to create fear, basically.

Q198 **Saqib Bhatti:** How much do you consider that this is down to Prigozhin's reported political ambitions, either to be a hard-man alternative to Putin or to show Putin his strength? I recognise the sensitivity of that question, so I am sure the Chair will offer to sit in private at the end of this sitting to answer that in a bit more detail.

Leo Docherty: Of course, the political future for Russia and the arrangements they make to have themselves represented is a matter for the Russians themselves. It is not a matter for me. But I think it is right to



HOUSE OF COMMONS

say that Prigozhin is an extremely well-organised, brutal, ruthless and destabilising force, frankly. That makes it very unpredictable.

Q199 **Saqib Bhatti:** I have one final question for Ben. Earlier, you talked about Wagner being a growing or coming issue. It doesn't yet seem clear to me that we are escalating Wagner's status in the light of its unique business model. When does it become big enough for us to go after the Group in terms of what it is doing in other countries, as well as in Ukraine?

Ben Fender: As the Minister has set out, we have taken steps in recent years to sanction Prigozhin and the Wagner Group. We are progressively taking the steps that we can. We are, of course, concerned, given the scale of its activities in Ukraine, that the organisation and its networks may globally be becoming a bit more powerful.

We are stepping up what we are doing inside Government on this. We have, frankly, much more activity inside Government aimed at understanding Wagner and trying to take steps against it than we did six months ago. That would be my personal perception of it.

Q200 **Saqib Bhatti:** Could you just elaborate on how exactly you are doing that, in a bit more detail?

Ben Fender: You mentioned, for example, discussions on sanctions. Today, I had a call with my G7 opposite numbers, and the need to do more to accelerate sanctions on Wagner was one of the topics we covered. That is the first time in the six months I have done this job that that has happened. That, I think, is a good thing. It reflects the fact that we see this as a very live issue.

As Hazel said, human rights violations is an area where we are stepping up our support precisely because we know that groups such as Wagner are using crimes against civilians as a tool in what they are doing. Again, we are in a better place and spending more time and focus on accountability now than we were a few months ago, and that, too, is a good thing.

Bob Seely: Very briefly, Ben, you say that you are aiming to take steps and planning to sanction, but we haven't yet proscribed it as a terror group. Wagner is currently not proscribed in any way, shape or form. I just want to check where we are with this and make sure I haven't missed something. You are looking at sanctions and proscribing as a terror group—

Chair: Bob, I think Drew is going to go into that in detail later.

Bob Seely: Okay, thank you. We will come on to that later.

Q201 **Chair:** Very quickly, before we move on from accountability, Minister, you mentioned years, there. Can I just confirm that it isn't the Foreign Office's intent that we should wait until there is some sort of settlement, freeze or cessation in hostilities before that commences? Also, specifically on sexual war crimes, surely the UK should be leading in that space, given the PSVI. I hear very little about what we are doing on a far more



HOUSE OF COMMONS

difficult crime to track and prove evidence of. What exactly are we doing to collect accountability evidence?

Leo Docherty: That's a good question. I referred to "years" because I think it may be a process that takes many years. If you look at the previous rough equivalents, this is a process—delivering justice and holding people accountable—that, obviously, we would want to start urgently. We are working with our Ukrainian allies and the core group—G7 nations and others—to get to a point where we can crack on, but it will, of course, take years to complete.

I will maybe let Hazel expand on this, but the Deputy Prime Minister is holding a conference in March, and we are confident, on the back of our PSVI conference that we held at the end of last year, that we have some good thought leadership on the sexual violence front, to ensure that, whatever structure gets set up—whether hybrid or whatever—there is a strong mechanism that recognises that as a particular issue, in terms of the operational brutalisation of people in Ukraine. Hazel, do you want to comment on that?

Hazel Cameron: Thank you. Just to pick up on your point about PSVI, one of the things that we are funding with our £2.5 million to the Atrocity Crimes Advisory Group is the deployment of British experts on the collection of evidence for such crimes, and on how to interview witnesses—particularly children—appropriately, in order to be able to get the evidence and get it once only.

Q202 **Drew Hendry:** Minister, I think it is fair to conclude, from your evidence, that what you describe as a joined-up, cross-Whitehall mechanism is quite important to you. You have also said that it is important to be joined up, and that the Government finds it important to be joined up in its institutional response.

Another institution is the United Nations. Almost a year ago, in April 2022, the then Prime Minister, Boris Johnson, stated that he would "study" the proposals for the UK to join the UN mercenary convention. Is the Government still considering that? Has it ruled it out? Why is it taking so long, and what are the—

Leo Docherty: If I am honest—Ben may want to comment more on this—I think that our judgment is that it does not seem that there is terrific utility in it.

Q203 **Drew Hendry:** What is that based on? My question was—you started to answer before I had finished—

Leo Docherty: Please finish.

Drew Hendry: What are the pros and cons of that UN convention, specifically? I take it that you have given it due diligence, from what you are saying.

Leo Docherty: My understanding is that it is not judged to be particularly useful, just because if nations are not signed up to it, or can veto it, there



HOUSE OF COMMONS

is no point—we may pass something that sounds good, but if other nations do not pay any heed, then it makes no difference. So, I think we question its utility. Am I right in saying that, Ben?

Ben Fender: I think that our concern has been that the UN convention is not in a form that would be enforceable in UK courts, or of a workable basis for regulation here. I gather the issue is around how it defines “mercenary”, and the difficulties that we would have in applying that. I must say that I am not an expert on the details, but I think that that broad outline is the reason that we have not become a party to it.

Q204 **Drew Hendry:** Can I therefore ask where that advice has come from? If you are not an expert, and you are assuming that is the reason, where has the definitive advice come from to say that it is not worth signing up to?

Leo Docherty: It will be from our team in the UN, but if you are keen to get a more granular—Hazel, sorry, please—

Hazel Cameron: I just wanted to add one point. As Ben said, we are not party to that particular convention. However, we are party to the additional protocol to the Geneva conventions, including article 47, which sets out various provisions about mercenaries. So, we have that.

Q205 **Drew Hendry:** Given that it was a prime ministerial statement that the UN convention would be considered, hasn’t anybody found it worthy of coming back to tell us that you do not feel it is worthy of doing, and explain that?

Leo Docherty: I will happily get you the detail on that. My understanding is that it wasn’t judged useful, but we will happily write to you.

Q206 **Drew Hendry:** Basically, the answer that I am getting—excuse me if I am just pushing this a wee bit, but I just want to be clear—is that you are not entirely sure, but you believe that this wasn’t going to be useful and you’re going to go away and get some detail for us, to understand what the mechanism was that this went through. Is that correct?

Leo Docherty: Yes.

Drew Hendry: Okay. I may return to this later, Chairman. Thank you.

Q207 **Sir Chris Bryant:** So, as I understand it, you’re not keen on joining it because not enough people have joined it.

Leo Docherty: I think it’s one of those things that, if other nations can disregard it, where is the utility? I think that is the central question and I think that there is no answer to that. That is why we question its utility.

Q208 **Sir Chris Bryant:** Have any of you read it?

Ben Fender: Forgive me—I think that the principal ground is that we don’t think that the terms of the convention are ones that would be enforceable.

Q209 **Sir Chris Bryant:** So what improvements to the convention would you



like?

Ben Fender: As I understand it, the challenges are around how it defines mercenaries.

Q210 **Sir Chris Bryant:** What is the British proposal for improving it?

Leo Docherty: I don't think there is one really. Hazel?

Hazel Cameron: If I may say so, what Ben highlighted as one of the issues about the workability in our system of that convention is that there is a cumulative list of criteria, including motivation, which must be fulfilled in order for someone to be classified as a mercenary. As I said, we do have the additional protocol to the Geneva conventions, which does include a provision on mercenaries, setting out a much more limited list. It also includes the provision, for instance, that they are not entitled to prisoner of war combatant status, albeit that they must be treated humanely.

So, there is some international framework; we implement that. And I don't think we believe that the current convention is workable.

Q211 **Sir Chris Bryant:** There are 46 countries that are signatories to the convention. As I understand it, you obviously think that they are wrong, or you think that the set of arrangements that there are between the protocol and the convention are inadequate. So what is the British proposal to make for adequate provision in this area?

Leo Docherty: I am not sure we have got a proposal, because I think we don't judge it useful, basically. I think that with 37 out of the 193 UN member states having signed it, we judge it not useful.

Q212 **Sir Chris Bryant:** So do you think then that the present arrangement in relation to how mercenaries are treated in law internationally is adequate to deal with, for instance, the Wagner Group?

Leo Docherty: What we question is whether or not changing this would actually be a tool to pursue the Wagner Group, and our judgment is no.

Q213 **Sir Chris Bryant:** Could you just answer my question? Do you think that the present set of legal arrangements internationally are adequate for dealing with mercenaries, because the last few years have shown that they are patently not adequate and you are not happy with the convention or with the protocol? So you would have thought that by now the UK would have wanted to come up with a proposal for reform; that is what we did when we weren't happy about cluster munitions.

Leo Docherty: I think we judge it not a useful vehicle. So...

Q214 **Sir Chris Bryant:** Have you read it, Minister?

Leo Docherty: I have read the briefing on it.

Q215 **Sir Chris Bryant:** But you have not read the convention?

Leo Docherty: I've read the briefing on it.



HOUSE OF COMMONS

Sir Chris Bryant: Right.

Q216 **Chair:** It might be helpful if you could write to us and exactly—

Leo Docherty: I will write to you and check.

Q217 **Robert Courts:** I wanted to ask about wider consequences for UK diplomacy. We have seen, for example in places like the Central African Republic and Mali where the Wagner Group has had a wider influence, that that has had severe consequences for French relations with those countries. What are you doing to make sure that we maintain strong relationships with those countries, first off?

Leo Docherty: That is about our core business, in terms of maintaining diplomatic relations and deepening our commercial links with countries, and deepening our security and defence relationships with allied nations, and to help particularly more fragile nations to build their state institutions across the board. And often in Africa, that is developmental.

Our judgment is that, despite the agility that actors like Russia and China have, because of their lack of democratic constraints, our offer to these nations that are building their institutions is: "If you partner with the UK or other western nations, you get a partnership of integrity, in which you can genuinely build your economy and develop your institutions in a way that is sustainable." That is our core business, and we are the diplomatic component of that.

Q218 **Robert Courts:** Yes, but as you say, Minister, that is your core business—that is what you do in normal circumstances; that is business as usual—but the point I am making is that when the Wagner Group are engaged, the dynamic changes. We have seen that massive change, where the French have been involved and seen significant damage to their relationships. What extra are you doing? Forgive me, but what you were telling me sounded like what you normally do. What extra are you doing in cases where Wagner are engaged?

Leo Docherty: In which particular country?

Robert Courts: I gave you two examples: Central African Republic and Mali—but answer it more broadly. What analysis have you seen of the effect on British diplomacy in the Sahel?

Leo Docherty: Ben, do you want to take the Sahel?

Ben Fender: First, we call out abuses by Wagner and are really clear that Wagner have a negative effect on the security of Mali. We are working with regional countries and states—ECOWAS as a group, and many of those countries, have been very clear that they think Wagner have had a very bad effect on Mali. We have certainly had that sort of conversation with countries like Ghana, for example, which see Wagner in several parts of their region and want to think about how to respond.

Q219 **Robert Courts:** Mr Fender, you are answering a different question. I was not asking whether you point out that the impact of Wagner is bad for



HOUSE OF COMMONS

those countries—of course it is, and of course you will say that to them. What impact are Wagner having on our diplomatic links? What assessment have you made of that? If Wagner are engaged, does that make for no difference to our diplomatic links?

Ben Fender: In the case of the CAR, we do not have an embassy there and we have had a fairly minimal relationship with it. I think you can see that Wagner have had a clear effect on our ability to partner with the Government of Mali.

Q220 **Robert Courts:** What are you doing about it?

Ben Fender: Forgive me, but I am the Director for Eastern Europe—Ukraine—rather than for Africa.

Leo Docherty: In Mali, we had a difficult deployment, and that is no longer the case. We had to prioritise resource, so clearly we will still be diplomatically engaged and seek to work with allies, but institutionally our main effort in countering Wagner is in Ukraine, because that is where they are mainly involved.

Q221 **Robert Courts:** It does not sound as if you have a way of maintaining diplomatic relationships where Wagner are engaged elsewhere in the world.

Leo Docherty: Their presence does not exclude diplomatic and/or military involvement otherwise.

Q222 **Robert Courts:** The French have found that that has had a major impact; you have not.

Leo Docherty: We are all competing. Of course, that has an effect, but I am saying that it does not utterly diminish our ability to deploy our diplomatic and/or military institutions.

Q223 **Saqib Bhatti:** Minister, I want to follow up on that line of questioning a little more, but a bit more broadly. Since Wagner Group's involvement in Ukraine, what has been the Foreign Office's assessment of Russia's influence in the world, and what has that done for the reputation of Wagner across the world? What is the Foreign Office assessment?

Leo Docherty: Since their decisive involvement in Ukraine, they can no longer enjoy the agility that they had. They can no longer enjoy the grey zone that they had when they were not self-declared, as they are now. It is now clear that they are deployed as a proxy force and Prigozhin is running them. That was not the case before.

Before Putin's invasion of Ukraine, part of their opportunity—part of their unique characteristic—was a sort of deniability, if you know what I mean. That is no longer the case. Ultimately, that diminishes their business model, because states that hereafter engage with Wagner know that they are, to a certain extent, engaging with Putin's regime in a way that was not the case prior to his invasion of Ukraine.



HOUSE OF COMMONS

Secondly, the remarkable and quite horrific level of brutality that they have shown, although they may have intended it for their own perverse and perverted logical reasons, undoubtedly diminishes their global reputation as the kind of people that a nation might want to work with. Their appalling and obvious brutality, which they themselves celebrate, diminishes their status, their deniability and their brand, and therefore their utility and attractiveness as a partner. On both those counts, they are significantly diminished. There is also the fact that, through the sanctions regime, they are less free and less able to move around the world and travel. That is significant as well.

Ben Fender: It is very bad for the reputation of Russian armed forces that they have to rely on a group such as Wagner in Ukraine. It is a source of great frustration to Russian generals that they have got this force operating next to them. Russia has tried to cultivate an image of its armed forces, and frankly the use of this group and the way it behaves has undermined that. It has proved very damaging to Russia's reputation.

Q224 **Chair:** How is Putin managing that threat to his reputation in terms of Prigozhin being seen to be more effective than his own generals? That said, we would all question whether Wagner are as effective as they want to be. What meaningful steps do you see him trying to take to isolate Prigozhin, to manage that or to maintain the fact that he is in control of Prigozhin?

Ben Fender: We are a bit in the zone of speculation here. What I think we see is a degree of competition between Wagner and the regular armed forces. Both are eager to be liberating—as they see it—Ukraine's territory. I think Putin uses that rivalry and competition. He probably feels that he has a direct relationship with Prigozhin. This is all in the zone of speculation, but I am not sure he would see a particular problem with what is going on. He is also not in the space of condemning the sort of brutality that we see from Wagner forces.

Chair: We will come to Bob, but I would challenge you on speculation, given that much diplomacy is done in the shadows, and that we have a responsibility to have a state of mind assessment of characters such as Prigozhin and Putin and how they interplay with each other. I would hope that there is a lot of speculation within the Foreign Office about this, particularly within defence intelligence about exactly where it is going.

Q225 **Bob Seely:** I have a couple of follow-up questions. You talked about the great frustration of the Russian military. Where do you get your evidence for that? Is it from looking at open sources? Obviously, you will be getting DI and other forms of intelligence. Are you confident that that great frustration assessment is accurate?

Ben Fender: We are pretty confident in that assessment, yes.

Q226 **Bob Seely:** Is that because they are prioritised for supplies? Is it because they have more political clout? Is it because they are seen to be more effective and ruthless? What is the source of Russian military frustration at Wagner, and what do you think is their primary frustration?



HOUSE OF COMMONS

Ben Fender: I think the Russian military see them as an irregular force with which they deal, but over which they have perhaps limited control, and that is the source of frustration.

Q227 **Bob Seely:** So it is the fact that they can set operational priorities for their stretch of the frontline, or their theatre or element of the theatre, in a way that the Russian military command cannot control. Is that what you are saying? It is an interesting point—a very believable one—but it is different from being prioritised over supplies, having more political clout, having greater media attention and so on. You think it is because there is a part of the line that the Russian regular command cannot control.

Ben Fender: I am not sure I have seen evidence that Wagner is being prioritised for supplies. One of the things we do see about Wagner is a brazen disregard for the value of the life of some people who work for it, and it may be that the Russian armed forces, who also often have a high disregard for the lives and welfare of those members of the military—

Q228 **Bob Seely:** You are making a moral judgment from your end there. I mean, I hear what you are saying, but I am not sure there is hugely high regard for human life in either of those two institutions.

Ben Fender: Certainly not.

Bob Seely: Are you saying that the Russian military look at Wagner and think, “God, it’s really awful, the way they’re throwing away the lives of their servicemen”?

Ben Fender: It is possible that one of the things that Vladimir Putin uses Wagner for is to have a force whose casualties are more deniable and more obscurable than casualties for the regular armed forces.

Q229 **Bob Seely:** That is a different argument from saying that there is an element of the theatre of operations that the Russian command therefore cannot control.

Ben Fender: Over which it has imperfect control. It is a different point, yes.

Q230 **Bob Seely:** But for the Russian military, the critical element here is that they cannot tell Wagner what to do on the battlefield. You are saying that that is the primary cause of their frustration, in your opinion, or the collective opinion of the FCO.

Ben Fender: I think one of the sources of their frustration is that it is imperfect control, because it is highly linked to the Russian military effort, but it is outside those formal command and control structures.

Q231 **Bob Seely:** Just one final question: you see no evidence of Wagner having priority access to supplies?

Ben Fender: I have not myself seen that, no.

Q232 **Robert Courts:** Minister, with regard to the Wagner Group, if we do not get this right and we do not tackle it adequately, do you think there is



HOUSE OF COMMONS

likely to be a proliferation of groups like this, and that we are going to see this PMC phenomenon happening elsewhere in the world?

Leo Docherty: That is a really good question. Broadly, if we do not turn up and work with allies, often in the fields of military institution-building, developmental support, diplomatic support and commercial interaction—if we do not show up and stay active—then certainly, proxies of this nature do see an opportunity.

I think their business model has been much diminished by the last year, because their advantage prior to Putin's invasion of Ukraine was that deniability, which was put to terrifically good use in places like Libya, for example. Their model is diminished in the last year, but still potent, because they have an agility free from the normal constraints we have, and some nations may want to exploit their natural resources or repress their own people through using a force that can deploy no questions asked, frankly, and rapidly. They are diminished in terms of them being visible, but we must treat it very seriously as a destabilising threat.

Q233 **Robert Courts:** Are there any other Russia-linked PMCs that are operating, or you think may be operating, that we ought to be keeping an eye on?

Leo Docherty: RMB¹ is one that I know of.

Q234 **Robert Courts:** What about Belarus? Is that credible? Do you attach credibility to reports that Belarus are training people with a similar operating model?

Leo Docherty: It is certainly credible.

Q235 **Chair:** RMB²? Who are they? Apologies for my ignorance.

Leo Docherty: It is a group we have sanctioned.

Chair: But who are they? What is their name? Where do they operate?

Leo Docherty: I have only seen scant detail. Other than their name, I don't know, but I will write to you with a fuller answer.

Chair: Ideally, if we are going to reference organisations, it would be good to know who they are if they are being raised as evidence in the Committee.

Q236 **Drew Hendry:** Minister, you said earlier that, in terms of deterring recruitment and impacting on the legal status, you have ruled out or more or less dismissed the UN convention route for reasons that you are going to clarify with us. I understand from your evidence that you treat Wagner through—I think I am quoting correctly—a geographical lens. We know that Russia has repeatedly denied links to Wagner. The question is:

¹ Note by witness: When saying "the RMB" I misspoke. I was referring to meant to refer to the "RSB" Group.

² The witness has since clarified that he was referring to the "RSB" Group.



HOUSE OF COMMONS

what are the risks, diplomatic or otherwise, of proscribing the Wagner Group as a terrorist organisation?

Leo Docherty: I am not going to comment on the risks, because that would require me to explain our methodology and I wouldn't do that. I won't speculate as to future proscriptions.

Q237 **Drew Hendry:** But you must have an ability to explain that in general terms. It is an obvious and open situation. It is not a secret that the Wagner Group exists or that they are doing what they are doing. You must have an ability to at least express it in general terms.

Leo Docherty: That would draw me into speculation as to the pros and cons of a proscription, and therefore our methodology, which I will not be drawn into.

Q238 **Drew Hendry:** Why wouldn't you be drawn into that?

Leo Docherty: Because it wouldn't be helpful for us to reveal our methodology.

Q239 **Drew Hendry:** Who are you concerned about upsetting or having a problem with?

Leo Docherty: I think it would undermine the utility of our approach if I were to lay out our doctrine of how we consider these issues.

Q240 **Drew Hendry:** Okay. Following your logic, then, what is the utility of your approach?

Leo Docherty: To not speculate on future proscriptions.

Q241 **Drew Hendry:** Okay. Have you considered limiting the potential diplomatic fall-out of these issues? Are you willing to answer anything at all on the Wagner Group being proscribed?

Leo Docherty: I am very cautious about being drawn into speculation, frankly. Hazel, did you want to come in?

Hazel Cameron: It is a decision for the Home Secretary, ultimately, whether or not to proscribe under the relevant legislation. In general, we do not comment on the process and methodology according to which those decisions are taken, although of course we are working with the Home Office in order to take all due considerations into account.

Q242 **Drew Hendry:** Given that you won't give us a comment today, can you answer the core question of whether you have considered the diplomatic risks or otherwise of proscribing this organisation as terrorist?

Leo Docherty: We always keep all—

Q243 **Drew Hendry:** Has a body of work been undertaken on this?

Leo Docherty: It would not be useful for me to reveal the extent to which we are doing that. Clearly, we work on these issues on a daily basis. The Home Office has always—



HOUSE OF COMMONS

Q244 **Drew Hendry:** I understand what you have said. I do not necessarily agree that we should not be able to hear about that, but I am asking about a body of work. Has a body of work been undertaken on this issue?

Leo Docherty: It is a question for the Home Office. Clearly, we keep all these things under review. I won't be drawn into speculation about the parameters, the timescales or what work we have or have not done. It just wouldn't be helpful.

Q245 **Drew Hendry:** I am not asking you to answer any of those questions. Surely you know this. You have mentioned very often the cross-Whitehall approach that you have to these issues. All I am asking you to do—you must be aware of this, if that is true—is to tell me whether a body of work been carried out on this.

Leo Docherty: That is a question for the Home Office.

Q246 **Chair:** If I may, I will push back on the point on which we were having a conversation earlier, Ben, about whether or not it is a part—a cut-out, a formal part—of the Russian state.

The Russian Government consistently denies any links with the Wagner Group, so that would hopefully—ostensibly—make it clear that it is a commercial entity, and therefore we could sanction it. It has its own foundation, which is what the US has recently sanctioned. Do you want to revisit the earlier comments about whether it is a state entity cut-out or a separate commercial entity that is sometimes brought on board to be helpful and which may or may not share the goals of the Russian Government during that time period?

Ben Fender: It is true that the Russian Government has sometimes denied links to this organisation, but that doesn't mean that what the Russian Government says is true. Wagner was obviously created not just by Yevgeny Prigozhin, but by Dmitry Utkin, who was a colonel in the GRU, at least very shortly prior to his helping to create Wagner. From our point of view, this is an organisation that is associated with, even if it is not part of, the Russian state.

Q247 **Chair:** Therefore, there is nothing preventing us from proscribing, should we wish to do so, in terms of the formal status of the organisation? That is not asking you whether we should or shouldn't; I am just saying that, should the Government decide to, there are no legal implications to prevent us from doing so with regard to the structure of the organisation.

Ben Fender: Again, I am afraid I have to refer to the Minister's answer, which is that it is ultimately for the Home Office to decide whether the statutory test is met.

Q248 **Chair:** However, of course, we would expect the Foreign Office to be involved in all discussions in the Cabinet Office briefing rooms about that.

Ben Fender: We would be.

Q249 **Chair:** Therefore, this would be, hopefully, a position we could quickly come to agreement on, given Friday's reports that we are on the verge of



HOUSE OF COMMONS

proscribing it. Briefly on the subject of sanctioning or proscribing, what is our policy as a Foreign Office on proscribing political parties?

Ben Fender: If they meet the statutory test and the Home Secretary is satisfied that it is necessary and proportionate to proscribe them, I imagine they could be proscribed, but I am afraid I am not the—

Q250 **Chair:** And sanctions, which do sit with the Foreign Office? Would we sanction political parties?

Ben Fender: I am trying to think of an example where we have done so. Forgive me, I would need to come back to you on that. Apologies.

Chair: The reason I am asking is that I would ideally like it to be ruled out that we absolutely could, so it would be great if the Minister wrote to us. A number of us believe that United Russia, Putin's political party, is long due being sanctioned, but I will ask you to write to me—not about United Russia, because I don't want to receive a bland letter saying that we do not comment on sanctions policy, but specifically on the fact that there is no legal reason in our legislation to prevent us from sanctioning a political organisation.

Q251 **Bob Seely:** I just want to understand, Ben. The Home Office is going to make a decision on this, but would you agree that it does not have corporate knowledge of Wagner in the way that you and Government agencies under the FCDO's wing will do? Are you going to be able to answer my question as to whether you have been asked to have an opinion on Wagner for the process of proscribing it as a terror group or the process of sanctioning senior individuals within it? You must have been asked, and you must be having a discussion with the Home Office if the Home Office is the decision-making body. Would you accept that point, Ben?

Leo Docherty: Let me answer that on behalf of Ben. As I have said, this is a joined-up approach. We will always give our view, and it will be a discussion. That is how it should be.

Q252 **Bob Seely:** You have been asked. You have an opinion, do you? Do you have an opinion?

Leo Docherty: The Foreign Office will always be part of a cross-departmental discussion for all those sorts of decisions, which is of course led by the Home Office, but I won't speculate about—

Q253 **Bob Seely:** It is not speculating. I am asking a straightforward question that you seem to be completely unable to answer. It is just a question about whether there is corporate opinion, and whether you have been shown that corporate opinion with the Home Office.

Leo Docherty: There is a great deal of—*[Interruption.]* Well, I am giving you the right answer, which is that there is a great deal of cross-departmental liaison with these sorts of things. That is how it should be.

Chair: Henry, do you want to take us to the Western Balkans?
[Laughter.]



Q254 **Henry Smith:** Minister, we have heard how the Wagner Group has been very active in the Sahel. In terms of the Western Balkans, what action has been taken by the FCDO and HM Government more broadly to ensure that the Wagner Group does not gain a foothold there?

Leo Docherty: We work with our friends in the Western Balkans to build their institutions. We make strong representations and maintain good relations with our allies and the leaders in all the capitals. We are energetically engaged in state building on a number of different levels right across the region. It is a contested space and contested region, so we have got to show up and be counted. That is why we are putting money and people into helping those young countries stabilise and normalise.

For example, we have people in KFOR in Kosovo. That is where the push back lies against opportunities that organisations like Wagner might seek out. It is about helping all of these countries, but particularly the more fragile ones such as Kosovo, North Macedonia and Bosnia. The answer is to build stronger institutions, with stronger defence, and more democratic and more prosperous nations. That is what we are actively engaged in.

Q255 **Henry Smith:** You recently mentioned monitoring reports of Wagner activity in Serbia and north Kosovo. What has that monitoring established?

Leo Docherty: We have not seen any hard evidence. We have heard these reports, but we do not see any hard evidence of there being a Wagner presence. My understanding is that there was a miscommunication about a new office being opened. In the final analysis, that was referring to an office that you know was opened in St. Petersburg, so we do not see any evidence of an institutional, formal presence but of course individual links are important to consider between persons in Kosovo and Serbia, and indeed Russia. That is something that we are monitoring, but we do not see hard evidence of an institutional presence in the Balkans.

Q256 **Henry Smith:** More broadly with regard to Western Balkan policy from the UK, do you think it is time that we had a comprehensive review of that, particularly how we work with our international partners? For example, recently the High Representative introduced some controversial electoral reforms, and view of those was different in different capitals—London, Washington, Brussels and so on.

Leo Docherty: My understanding is that they were beneficial because they expedited an outcome that was beneficial for the stability that followed the election. I say that principally because I have liaised with Lord Peach, our envoy, and I was with him this morning.

I think we have got the right approach. I think we have got to have strategic patience coupled with an urgency to get on the ground and help the institutions develop. It will not be easy, because of reasons of history, but at the core of our approach is patient institution building and



normalisation of relations. I think that is basically the right recipe. I do not necessarily see a different recipe that would unlock quicker results.

Q257 Henry Smith: You do not think that there is a need for a review of British policy towards the Western Balkans. I take it from that, you feel that international partners are working in concert and working well.

Leo Docherty: There is a strong case to be made that we should re-energise our focus on the Balkans. It has only become more important since last year.

The ripples of instability that have come out of Ukraine into the Balkans—indeed, into the Caucasus and Central Asia—are significant, so I think it is more important than ever before that we continue to inject an increasing amount of energy into helping the leaders who want to succeed in building their countries into responsible, democratic young nations. We need to double down on that, and that will take a massive effort not only from the UK but from European and EU partners, and from the US. I think we have the right policy, but we probably need to be more urgent and determined in executing it.

Q258 Henry Smith: Given that we are clear about the nefarious policies of Beijing and Moscow towards the Western Balkans, could the response of the UK and our democratic allies in the West be more robust?

Leo Docherty: I think we have to out-compete them. We have to present a better offer and a better future for the Western Balkan nations. At the core of our offer, we need to have integrity. When it comes to things like energy generation, the Russians and Chinese might turn up to build a coal-powered power station, but that is not in the long-term interests of these young nations.

I think that our offer should make for a deeper security relationship—a Euro-Atlantic security relationship—or greater business links, which is very important to somewhere like North Macedonia, where we have huge commercial involvement, very successfully employing hundreds of local people. Our offer has integrity, but we will have to continue advancing it with a lot of energy, because the alternatives can be quicker and cheaper, but in the long term our offer is more sustainable.

Q259 Chair: On that topic, at Foreign Office questions last week, I raised with you the issue of Milorad Dodik and the fact that he had been able to raise £350 million on the London stock exchange. I am gravely concerned that an ethno-nationalist is raising the funds he wants on our stock exchange while being sanctioned. Is that a question about whether there is a serious fault in our sanctions system? Potentially, it was sanctions circumnavigation. He was able to raise those funds only in the UK, and not on any other stock exchange. Will the Foreign Office look into that?

Leo Docherty: Yes. I think I have committed to write to you, Madam Chair, and I certainly will. I take that very seriously. We will get an answer from the Financial Conduct Authority.

Q260 Chair: Thank you. We will now move into quick fire on your brief,



HOUSE OF COMMONS

Minister, before we wrap up for the day. We will keep questions and topics short, and try to get through as many as we can.

A number of us are gravely concerned about what is happening in the Lachin corridor and about the lack of interest. Where do you see the UK playing a role?

Leo Docherty: We are urging both sides, and I think we have a good relationship with both sides. I spoke to the Azerbaijani Foreign Minister this morning, and I spoke to the Armenian one last week. We are urging both sides to get back to negotiations and to reopen the Lachin corridor urgently, so that—apart from anything else—more humanitarian aid can pass through, and to allow the free movement of civilians. I urged that when I spoke to the Azerbaijani Foreign Minister this morning.

Interestingly, as I said, I think that the ripple effect from the Ukraine war is having an impact on the strategic judgments that the parties to this conflict are making. I will be pushing for a resumption of talks when I visit Azerbaijan in two weeks' time.

Q261 **Chair:** Moving to Kosovo, you kindly confirmed that the UK objects to the creation of a Serb enclave in Kosovo, and yet France and Germany are determined to go ahead with that ethno-territorial ambition. How strong are our objections, and how are we making them known?

Leo Docherty: We are communicating that to our allies. We have very strong objections, because it would undermine everything that Bosnia is about, and I will be making that clear when I visit Sarajevo on Monday.

Q262 **Chair:** The former President of Georgia is reportedly being poisoned in a Georgian prison, currently, and we are gravely concerned. Zelensky has called for his release and for him to receive urgent medical assistance. What are the UK Government doing specifically on this case?

Leo Docherty: We are making representations. I spoke to my counterpart from Georgia about this two weeks ago, and we continue to advocate for us to receive an update and, if required, for him to receive treatment.

Q263 **Chair:** Thank you. All of us on the Committee, and those joining us from the Defence Committee, send our enormous sympathies to all those in Turkey and Syria for the abhorrent, heartbreaking loss of life following the two earthquakes.

I am gravely concerned that for President Assad and his buddy Putin, this is an opportunity to take advantage of the situation and double down on attacking the moderate opposition, further cut off humanitarian aid and make advantages on the ground—not least when he has turned Syria into a drug den, which will hit the UK's shores in the next 18 months. What are we doing to make clear representations to the Assad regime that any attempt to make the most of this opportunity will see repercussions?

Leo Docherty: Of course, we are still in the very early stages of this tragedy. Our priority will be the expedition of the humanitarian aid you



HOUSE OF COMMONS

refer to but, in tandem with that, we will be making it very clear and ensure that it does not adversely turn out to be to his advantage.

Q264 **Liam Byrne:** I want to just wrap this up on Wagner Group and legal costs. You could not tell us what you were doing to stop the Treasury licensing any more sanction waivers to bad guys to sue people, but have any other waivers been given to individuals who have been sanctioned for their links to the Wagner Group?

Leo Docherty: Not to my knowledge.

Q265 **Liam Byrne:** Okay. Can you tell us if any other sanction waivers have been issued to leadership of the Wagner Group to sue any other journalists?

Leo Docherty: I should certainly hope not.

Q266 **Liam Byrne:** Did you sign off on the cross-Government write-round when the Treasury, on 28 October 2022, decided that it would issue a general licence to people under sanctions for legal costs, which meant that they no longer had to apply for a specific licence?

Leo Docherty: I am not aware of that, no. It may have been a different Minister, but I would have to double check.

Q267 **Sir Chris Bryant:** First, I want to ask about Vladimir Kara-Murza. I think you have met with Yevgenia?

Leo Docherty: Yes.

Q268 **Sir Chris Bryant:** Obviously he has a British passport. What are we doing to try to ensure that, apart from anything else, his life is protected?

Leo Docherty: Dame Deborah Bronnert, our ambassador, continues to seek access and make representations on his behalf, and officials attend all the attendant legal proceedings. It is clearly a very difficult situation, but our diplomatic team will continue to try their best.

Q269 **Sir Chris Bryant:** I hope the best will be good enough. I am trying to encourage you to do everything you possibly can, because he is one of the bravest people I have ever met in my life.

On the EU and performing artists: when Lord Frost appeared before us, he guaranteed he would sort out the issue with visas for British performing artists wanting to perform in every country in Europe and being able to tour from one country to another. I gather we have sorted it out now with 17 individual countries for just single visit ones, not touring throughout Europe, unless you can update me on changes.

Leo Docherty: I have no further update, but I am happy to write to you about performing artists.

Q270 **Sir Chris Bryant:** It is taking a long time. It is one of our key industries, so it would be really good if we were able to get that sorted.

Leo Docherty: I will check.



Q271 **Sir Chris Bryant:** How are you doing on the Gibraltar treaty?

Leo Docherty: Negotiations are progressing.

Q272 **Sir Chris Bryant:** That is since December 2021.

Leo Docherty: If it was easy we would have done it already. They are progressing, and both sides continue to make progress. We are conscious that we need to get it wrapped up as soon as possible.

Q273 **Sir Chris Bryant:** On the ECHR, I don't expect you to hold forth on whether we should or should not join—or stay, rather—although feel free if you want to. Is it your understanding that if we were to leave the convention and the Court, it would mean that we would leave the Council of Europe—because all Council of Europe members are members of the ECHR—or not?

Leo Docherty: That might seem like a rational thing to say. I could not possibly accept your invitation to speculate about what the outcome might be. It is entirely hypothetical and therefore not useful for me to speculate.

Sir Chris Bryant: There are only two other countries that have stepped down that route: Russia and Belarus. Does that not worry you?

Leo Docherty: It is not my bailiwick. It is not useful for me to speculate. Thank you for the invitation, but happy not to speculate.

Q274 **Dave Doogan:** How do you think today's evidence has gone?

Leo Docherty: It was a good opportunity to show that we have got an energetic policy that supports Ukrainians liberating their country, and that we are out in the world competing and working with allies to maintain and improve our international standing on global security. As an opportunity to reinforce that, I have been very pleased to be here.

Q275 **Dave Doogan:** There is special accommodation for Gibraltar, which voted to remain. There is special accommodation for Northern Ireland, which voted to remain. There is no special accommodation for Scotland, which also voted to remain. How does that work?

Leo Docherty: I don't think I can usefully comment on what is an irrelevant political point, so I won't comment.

Dave Doogan: That will do for me—thanks very much.

Q276 **Chair:** What is your assessment of the current stability of Moldova? It is having a lot of energy blackouts because its energy is tied to Ukraine. It is seeing high numbers of people and arms smuggling. Its President has reached out to ask for help. What options are we looking at in terms of supporting Moldova?

Leo Docherty: That is a really good question. We are very much aware of Moldova's fragile status. Its leadership is determined to deliver its best for the country. I have met with Maia Sandu and Andrei Popescu in Chişinău. We are seeking to help them improve their institutions. We have run projects on cybersecurity and anti-corruption.



HOUSE OF COMMONS

I was also pleased to attend the Moldova Support Platform in Paris at the end of last year, which sought to lay out a road map of support from Western nations. You rightly mentioned the fact that it is the energy constraint that Moldova finds so debilitating, with 100% of its energy supplies coming via Transnistria, from Russia—including its electricity. We will do everything that we can to empower it to deliver more robust institutions. If it is going to prosper, that is how.

Q277 Chair: I have quick question on Ukraine before I turn to Chris. I think we are all gravely concerned about what the impact on the ground of the mass mobilisation that Putin has embarked on will be. However, we are also expecting an increase in hostilities between now and when tanks arrive, on the basis that Putin will recognise that he wants to make progress. It would be very helpful to have your assessment on what will happen over the next six months.

One of the Ukrainian families who lived with me has returned already. The other family who live with me are also looking to return because of how concerned they are. What do you see as the outlook over the next six months, both pre-tank and then when the mass mobilisation is complete on the ground by May?

Leo Docherty: I think the last year teaches us that it is best to always plan for the worst and hope for the best. The remarkable operational and tactical agility of the Ukrainians has been exactly that. But we have to temper expectations. We have to have strategic patience and resolve—long-term resolve. Let us hope that there is some sort of breakthrough, but we must be very cautious. As I said, we must hope for the best and plan for the worst.

Ben Fender: The Russians are obviously throwing a great deal of resource, both scarce materiel and people, at trying to make some progress. Putin feels that the war has gone very badly for him over the last six months, so we are seeing that pressure around Bakhmut and Soledar, as well as up towards Vuhledar.

I think our assessment is that that tempo of operation and loss is not ultimately sustainable by the Russians, and I think we have a good deal of confidence in Ukraine's military strategy and the really very large quantities of military aid that Ukraine is getting. The US appropriation at the end of last year and the latest drawdowns have been really on a very large scale, and of course we are also doing our bit to step up. So I think we will see some of this Russian pressure in the very short term, but I think we have a good deal of confidence in Ukraine's military strategy—as you say, as some of this equipment starts to become fully effective.

Q278 Chair: I have a quick follow-up question on that. Obviously, the effect that we have been trying to achieve is to close off Ukrainian airspace to Russia. But we are still seeing, obviously, a significant amount of pressure coming from there. What assessment do you make of how successful we are actually being in terms of the primary effect that we are trying to achieve?



Ben Fender: Obviously, the primary focus is really on helping the Ukrainians retake territory. We have done a good job at accelerating their air defence capability as part of that. We continue to see pretty high levels of interception by the Ukrainians of incoming Russian missiles and drones. The Russians are exerting a great deal of effort, but they have not yet got to the point where they have really been able to do truly catastrophic damage to the energy grid. It has been a very serious effect, but there is incredible resilience on the part of the Ukrainians, including in repairing that. So air defence continues to be a very high priority. It is really good to see the US, Germany and others contributing Patriot batteries, which I think will make a really significant difference in the months to come.

Q279 **Bob Seely:** I just have a very quick question on that point, Ben. How likely do you assess a second mobilisation to be? I ask that because there are now rumours that the Russians or Putin may order a closure of Russia's borders in early March. That may just be speculation without foundation, but if it is true—it is what Russians are saying at the moment—does it imply to you the potential for a second mobilisation?

Ben Fender: We see, as you do, a lot of speculation about this, but we are not aware of any decisions. I would have thought—I would hope—that Putin would look carefully at the kind of public response there was to his first mobilisation, which was actually to bring out an awful lot of popular Russian scepticism and opposition to the war. On whether or not it will happen, frankly we don't know with certainty.

Q280 **Dave Doogan:** Minister or Mr Fender—I don't mind which one answers—it makes a lot of us feel better, sometimes, to tell ourselves that the Russian population in general terms are disengaged from the war; that it is not being done in their name; and that they are not behind this in any way, shape or form. I made the mistake of mentioning that view to a Ukrainian recently, and I was left in no doubt that that is not the way they see it. What is the British Government view on how much responsibility or otherwise the general population in Russia have to take now, after a year of this?

Leo Docherty: That is a great question. Ben, do you want to—

Ben Fender: In terms of Russian opinion, there is, in our estimation, a small number who are enthusiastic about the war, a number who are against, and a mass who are sceptical, cynical, but essentially in the middle on it. What we try to do through our communications, through our attempts to tell the truth about the war and bring the real truth of the war home to the Russian people, is, obviously, to make sure that that number becomes opposed to the war. In terms of culpability, that is, in the end, a political question, I guess. Ultimately, it's one man, and one man only, who is truly responsible for Russia's policy towards Ukraine.

Dave Doogan: Have you a view, Minister?

Leo Docherty: I think Putin didn't factor into his planning the fact that we are now firmly in the digital age, when everyone has a smartphone. You will have seen the remarkable imagery from the mobilised men, of



HOUSE OF COMMONS

varying ages, practically livestreaming their experiences. I think that that has had more of an impact than was within Putin's calculus. We must never underestimate the potency of the militaristic patriotism that he is seeking to exploit and foment, but I think he reckoned without TikTok and Telegram, and that has cost him a great deal.

Q281 **Chair:** I am sure the Minister, however, would not encourage MPs or even citizens to have TikTok.

Leo Docherty: We don't—we're firmly against TikTok.

Sir Chris Bryant: You can watch Matt Hancock ironing a shirt on TikTok, apparently.

Chair: I think Lee Anderson got there first, but yes—that's a discussion for another day.

Q282 **Sir Chris Bryant:** You'd never know, to look—anyway. You will recall that in our report "Moscow's Gold", we asked the Government to publish its investigation into tier 1 visas—its full review. The Government did publish something, but it didn't publish the review; it published very edited highlights. One of the key things we were trying to establish from that, when the previous Chair was in office, before he became a Minister, was which countries were most problematic. Can you enlighten us on that single fact? The report says that it is all very worrying and we should not have done it, but it does not say which countries were the most problematic.

Leo Docherty: It may not say that for a reason, but let me see whether I can write to you with detail on that, Sir Chris.

Sir Chris Bryant: That would be great; thank you.

Chair: In that case, Minister—at just a minute over the time—thank you ever so much for your time. Ben and Hazel, thank you both ever so much for your time. I bring to a close this session of the Foreign Affairs Committee.