



Select Committee on the European Union

Security and Justice Sub-Committee

Corrected oral evidence: Future UK-EU collaboration on international development and foreign policy

Tuesday 19 January 2021

10 am

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Members present: Lord Ricketts (The Chair); Lord Anderson of Ipswich; Lord Anderson of Swansea; Lord Arbuthnot of Edrom; Lord Dholakia; Baroness Finn; Baroness Goudie; Baroness Hamwee; Lord Kirkhope of Harrogate; Lord Lexden; Lord Polak; Baroness Primarolo; Lord Rowlands.

Evidence Session No. 1

Virtual Proceeding

Questions 1 - 26

Witnesses

I: The Lord Ahmad of Wimbledon, Minister for South Asia and the Commonwealth, Foreign, Commonwealth and Development Office; Giles Portman, EU Director, Foreign, Commonwealth and Development Office and Department for International Development; Lisa Maguire, Head of Sanctions Unit and Deputy Director Multilateral, Foreign, Commonwealth and Development Office and Department for International Development.

USE OF THE TRANSCRIPT

1. This is a corrected transcript of evidence taken in public and webcast on www.parliamentlive.tv.

Examination of witnesses

The Lord Ahmad of Wimbledon, Giles Portman and Lisa Maguire.

Q1 The Chair: A warm welcome to the Lords EU Security and Justice Sub-Committee. We are delighted to have today for our evidence session Lord Ahmad, the Minister of State in the Foreign, Commonwealth and Development Office, as I have now learned to call it. It is an evidence session on future EU-UK co-operation on foreign policy and international development. The meeting is public and is being transcribed, and we will of course send the Minister a copy afterwards for the correction of any errors.

Minister, I understand that you would like to commence with a short opening statement, so I invite you to do that and perhaps also to introduce the FCDO officials with you this morning.

Lord Ahmad of Wimbledon: Thank you, Lord Ricketts. Good morning, everyone. First, thank you for inviting me and for the opportunity to discuss the work of the FCDO, particularly in the context of a post-Brexit Britain and our relationship with the European Union and the world.

Before I go any further, as Lord Ricketts has said I am joined today by two senior officials from the Foreign, Commonwealth and Development Office. Giles Portman was appointed EU director at the FCDO in January 2020. He was involved very much with many of the UK-EU negotiations, and I am sure he will have some valuable insights in that respect. I am also delighted to be joined by Lisa Maguire, who is head of the Sanctions Unit and deputy director of multilateral policy at the FCDO. She has been in that position since February 2020. Both officials come with a strong background in work across the FCDO, as it now is, and we look forward to the session this morning.

Thank you for allowing me to say a few words to kick off our deliberations and evidence session this morning. Looking forward to 2021, after the challenges we have had in 2020, those on the committee who know me perhaps will have a wry smile on their faces when I say that I always look at things with a great deal of optimism, hope and positivity. As we look to 2021, with the presidencies of the G7 and the COP 26, we truly believe that it provides a huge opportunity to put global Britain at the centre of the world stage. We will of course showcase our leadership on the biggest global challenges as we drive international ambition to combat climate change.

COP 26 is in November, but I assure all members of the committee that a lot of work has been done over 2020, notwithstanding the challenges of the Covid-19 pandemic. As many of you will know from the [*Inaudible*.] Foreign Secretary, we have continued to have the issue of girls' education at the heart of the work we do, particularly from a development perspective, and to ensure that every girl has a right to an education.

As the Minister responsible for multilateral policy and human rights, we will also focus on championing democracies and freedoms, and address issues of conflict and instability and, importantly, the global recovery from Covid-19. Indeed, much of our work in this respect has already been highlighted in recent months. Our foreign policy will be underpinned by our values, including the promotion and protection of fundamental human rights and upholding the rules-based international system.

As the Prime Minister said in the House of Commons on 30 December—and I found no better quote than this—on our departure from the European Union and the end of the transitional period, “We are going to become a friendly neighbour—the best friend and ally the EU could have—working hand-in-glove whenever our values and interests coincide while fulfilling the sovereign wish of the British people to live under their own laws, made by their own elected Parliament”.

We have agreed with the EU that we shall co-operate on current and emerging global issues of common interest, including co-ordinating positions and, importantly, maintaining dialogue in multilateral organisations. We do not need to be overly institutionalised, in our view, through formal arrangements or a treaty network to allow us to continue working with the EU closely on both development and foreign policy issues. Our longstanding relationships with key European states and those inside and outside the EU—as many of you will know, Norway became a member of the UN Security Council on 1 January—will also continue and deepen.

European allies are key to achieving our foreign policy. This includes, for example—some of you, including the Chair, will know this very well—working very closely in the context of the E3 with France and Germany. Good examples in recent years have been in particular on the issues with Iran, which we have debated in the Chamber on a number of occasions, and the preservation of the JCPOA.

There has been a lot of focus on the UK hosting COP 26, but as you will all know we are also doing this formally. We are co-hosts alongside Italy for this important meeting. While we have to take difficult decisions—and I am sure we may come on to that on our ODA—we still remain one of the world’s largest donors in this respect. We have all doubled down on the issues where we can make the greatest difference for our citizens, our partners and the UN’s sustainable development goals.

The conclusions of the integrated review and the creation of the Foreign, Commonwealth and Development Office will also help us to deliver this particular vision. I have seen it directly as a Minister who served first as a Foreign Office Minister, then a joint Minister and now as an FCDO Minister. I truly believe that the bringing together of our diplomatic and development expertise and equity allows us now to promote even more effectively the interests of British citizens and safeguard the UK’s security and defend our values, but also achieve the objectives of reducing poverty and tackling global changes with key international partners.

A final word on our armed forces. We will also see the benefits of life outside the European Union. Our once in a generation military modernisation programme, as

you will know, has brought an extra investment of £24.1 billion over the next four years. That will allow the United Kingdom to further develop our capabilities, collaborate with partners as a fully independent nation and participate fully in NATO, NATO being the leader needing European allies within NATO.

With those words, Lord Ricketts, over to you. I look forward to the session this morning.

Q2 The Chair: Thank you very much indeed, Minister. Perhaps I could cut straight to the chase on UK-EU foreign policy co-operation. The committee is very interested to know why the UK declined to negotiate any structured arrangement for co-operation with the EU. You said that we did not need an overly formalised arrangement, and I am sure that is right, but the EU was, I think, very open to the idea of having a structured relationship, as it does with many other third countries—countries with which we perhaps have the greatest overlap in foreign policy interests. There would not have been any commitment on our side if it had been a consultative framework, yet the Government declined that. I would be very interested to know why that was the conclusion reached.

Lord Ahmad of Wimbledon: Thank you. Right from the outset I will say that we will continue to work very closely with our European Union allies and member states, as we did before. As you have rightly articulated, it was our view that we do not need an institutional framework with the EU to achieve this. As Minister for the UN, I know all too well that we already work closely with our EU partners—previously, we worked closely with Germany and Belgium, as well as France. Being a permanent member at the Security Council, we work very closely with them, and, while within the context of the EU and the transitional period that we were part of, we very much committed to working with, and continue to work with, the EU in this regard.

On your point about why we do not feel that a consultative framework is necessary, if we cast our net further afield, we work very closely with our closest ally, the United States, and other key allies such as Australia and Canada on a number of key issues currently impacting the world. One practical example is the situation in Xinjiang in China and issues of human rights, which is very much part of my portfolio. Another good example is media freedom, again in the context of standing up for our values and shared values.

It is our strong view that we do not need a framework or a formalised structure. We enjoy good strong relationships with our allies across the world, and we believe that will also be the case in the context of the European Union. We believe that that allows us greater flexibility, but at the same time, as I said in my opening remarks, we will align ourselves fully and work through key partnerships that have been shown to give us results, including the strong relationship that we enjoy through the E3 working.

The Chair: I understand that, but a regular consultative dialogue with the 27 would not preclude in any way close relations with the US, Australia or other allies. Having a regular date in the diary for a consultative meeting with all 27 would also be much

more efficient than having to go around each capital separately. It would not commit us to any particular outcome. It still seems to me to be a less efficient outcome to have to do all our relations with EU countries bilaterally rather than ever seeing them collectively.

Lord Ahmad of Wimbledon: Just on that point, though, I tend to have a different perspective. There will be occasions, as I have already alluded to, when there will be bilateral engagement—we have a good relationship with the likes of Germany and France—and opportunities for collective engagement.

On the need to have a formalised framework within that, as issues and areas arise—again, I refer to my own brief of joint working on human rights—we will engage with the appropriate individuals and responsible officials within the context of the EU to align ourselves with what they are doing. We will hear about those and, where possible and where necessary, we will work together and very closely.

I can see the point you are making about regular meetings, Lord Ricketts. I am sure that in time, as our new relationship emerges, there may be areas where we explore closer working partnerships, as I do in any brief. If I may, I will reflect anecdotally on a personal level. I do not have a formalised arrangement when I work with all-party parliamentary groups, but in terms of one's own way of working, to co-ordinate activities on key issues there are regular briefings and sessions without overly formalised structures. I use that as a practical example.

As our new relationship with the EU emerges, I think there is a real willingness on both sides—you saw that in the statements of the Commission President and the Prime Minister—to work collaboratively together. Like all good allies, I am sure there will be relationships that will be formalised in some shape or form, with Ministers working on the co-ordination of particular issues.

I am sure we will come on to talking about sanctions, for example, but taking that as a practical issue, just as a headline, I do feel that my own view on this has been very clear: that when it comes to our sanctions policy, for example, while we will work independently, the effectiveness of sanctions policy is in how we work closely with allies, including the EU. We have worked very effectively with other allies without the need for formalised arrangements or working. A good example, of course, is working with the United States, Australia and Canada, as I have already said.

Q3 Lord Kirkhope of Harrogate: Lord Ahmad, I think codification is always be a bit of a bugbear, a bit of a problem and a bit restrictive, but the United States Department of State's statement on its foreign policy says simply that it is aiming for a more secure democratic and prosperous world. It is quite simple. On the other hand, the EU, through its Council and the EEA, talks of preserving peace, strengthening international security, promoting international co-operation, and developing democracy through the rule of law and respect for human rights and fundamental freedoms.

Does the United Kingdom have such codification? You have made some very

important and comprehensive remarks about where we stand on foreign policy, but do we have a simple statement of our aims that meet those of the European Union or the United States? Where exactly do they fit? In our future arrangements with the European Union, however we deal with those, will we be using some codified basis for the discussions that we might have with it?

Lord Ahmad of Wimbledon: Both your statements, in the context of US foreign policy and EU vision, totally reflect our own working. As I have already said, we will continue to work very closely and co-operate very closely with our allies, including EU member states, in facing the challenges that are ahead. We will co-operate closely with the EU and all member states on tackling shared foreign policy challenges and threats on international development, including issues of humanitarian aid.

I fully accept the point that having left particular structures does not mean that we will not work very closely on the important issue of multilateral alignment on security. We of course remain very much a primary, a key, member of NATO, which we believe is the cornerstone of our security and defence. We already work very closely with a host of partner nations from across Europe and the world through group partnerships.

In terms of codified statements, I think we will find that if our ambition is to be a global Britain, developing and strengthening our relationships, both in terms of foreign policy and, of course, standing up for our values, means the protection and strengthening of human rights globally, while also working with our allies on important issues such as the rule of law and security and peace around the world. They will continue to be reflected in the relationships we have.

I am sure that in time, as the new FCDO settles into its new ways of working—we have just been through a merger—any mission statement will certainly be reflective of what we see coming out of the integrated review. I am sure that will reflect the particular values that you yourself have articulated, whether that is within the context of the US or the EU.

What you said about where we are, my response and our agreement on where we stand underlines a point of key alignment: that when it comes to defending these values around the world, it demonstrates, without the need for formal structures, how closely we are aligned. We will continue to work very closely with the EU, among other allies around the world.

Lord Kirkhope of Harrogate: That is reassuring, in a way. Having spent a lot of my career in the European Union, I sometimes get the impression—I may be wrong—that our moves away from a codified situation into a much more general and much broader approach to foreign policy seems almost inevitably to exclude, as opposed to include, our relationships with our neighbours in Europe.

I am a bit worried about that. I do not ask for any special deals for Europe—I make that point. But I do think it is important to ask why we are quite so nervous about

this, bearing in mind the principles which the European Union stands for—we clearly stand for the same principles—and indeed which the United States stands for. I am not quite sure whether that is the wrong way of interpreting this, but it does worry me a bit.

Lord Ahmad of Wimbledon: I would not say that we are nervous in any sense. We have seen the process of the transitional period come to an end. Obviously there were challenging negotiations; it was not a quiet Christmas for me or for others, I can assure you. Nevertheless, as this new relationship evolves, I think we will see a real ambition emerge on both sides not just to make it work but to develop a strong way of working. As I said, we do not believe, nor was it our view, that we needed some kind of treaty context for this, but I take on board your point of view that, with such a close alignment of values, the co-ordination across a lot of our work will continue.

It is early days at the moment. We are at the end of the transitional period, but I can give you examples of close working on issues of military co-operation, defence and security—I have already quoted some practical issues to do with human rights. There are, for example, the missions through the UN. Another practical example of close working is the co-operation across the Sahel, where the French are very much in the lead when it comes to co-operation. Rather than recreate an alternative engagement, we are working hand in glove with the French to make sure that their equities on the ground are strengthened through British support.

I have been at the Foreign Office for three years or so now, and I have certainly seen how that force for good, which is often cited by the Foreign Secretary, and rightly so, is an example of how we can further strengthen our co-operation and work in our new relationship with the EU, because it is geographically across many areas and will continue to be our closest ally. As the Prime Minister said, we want to be the best ally and friend to the EU.

Q4 Lord Polak: Good morning, Minister. I should say at the beginning that some of us are pleased that we can now follow our own foreign policy. You mentioned in your opening remarks that the UK is seeking to develop its collaboration on foreign policy with France and Germany, and as per the E3 co-operation on Iran or voting at the UN—as you, Minister, are aware—there are times when, I believe, we are more at one with Canada and Australia. Is that sort of assessment correct when it comes to collaboration with France and Germany?

Lord Ahmad of Wimbledon: You and I have discussed this extensively. If I was to be asked who I perceive to be our strongest allies, I could now base my view not just on perception or what I read or see, but on my own workings. Undoubtedly, we worked very closely with the outgoing Administration in the US on a range of important priorities on which we were aligned. There were times of difference. You mentioned, as I did, the JCPOA, where we had a different perspective but at the same time appreciated the view that an important ally such as the US took on this important matter.

Coming back to your first point, the independence of our foreign policy now means that we, as the United Kingdom, will very much look to see where our views, our equities, our values are best aligned. I am sure there will be occasions in the future when we see even closer co-operation, working with the United States and other partners that are not European, but equally I expect there will be occasions, with the likes of Germany, France and indeed other allies—I gave the practical example of working closely with Italy on COP 26—when there will be shared priorities as we see how we can move forward.

I will give you a practical example of collaboration beyond the JCPOA—with Germany, for example—on an issue that I know you have spoken on with great passion and principle: the situation in Xinjiang in China. As you know, the United Kingdom has been very much at the forefront in that regard, be it at the Human Rights Council or within other framework workings of the UN. It was also encouraging to see through joint working that the UN Third Committee statement, which saw a notable increase from a previous statement, was delivered by Germany. That comes through close co-operation and close working.

This comes back to my earlier point to Lord Ricketts. It did not need the formality of partnerships at the time. If I were to be asked, “What works when it comes to foreign policy and development policy?”, I would say relationships, and I hope that others will agree from their own insights and experience. It is the relationships that you have and the ability to be able to talk. People often say, “You’re travelling here, you’re travelling there. It’s a glorious life you lead”. I assure you that it is a challenging life. You are in and out. You see the odd palm tree whizzing past you, but you do not go there for a holiday. It is pure work, but what works through those visits is the relationships that you forge.

That means that in the most challenging situation you do not need the formality of a treaty. What matters is the relations you have, both as countries but also, importantly, as Ministers with other colleagues, which unlocks sometimes the most challenging issues. I think that what Britain outside the European Union will demonstrate is our ability to do just that.

We have already done so with the likes of Australia and Canada, for example, and as many of you will know we are seeking partner status within the context of ASEAN. There are important relationships to be further strengthened beyond the European Union—not to the detriment, because the European Union will remain an important part of our working—so huge opportunities now lie beyond just working with our key allies across Europe.

Q5 Lord Polak: Minister, I am grateful for that. I totally support the position on the informal relationship, which I think is right, and that relationships are the way forward.

I have two specific short examples that I would like you to help me with. First, the EU Parliament, in October 2020, called for discussions with Iran on regional issues and destabilisation, which of course the E3 JCPOA has not done. What has the FCDO

said about this approach to expanding dialogue with Iran to include destabilising activities?

The second is sanctions policy, so Lisa might be able to help on this, too. I raised this in the House last week. It appears that Hamas, the terror organisation, in its entirety is no longer subject to Treasury financial sanctions because it was part of an EU list. Of course, that dropped off from 1 January. I did not notice that Hamas had changed its activities in the first few weeks of January. Should Hamas not be finding itself subject to Treasury financial sanctions?

Lord Ahmad of Wimbledon: Thank you for that, Lord Polak. Very quickly on the issue of the EU Parliament, in a way you have answered the question for me. Given that we are not part of the European Union, certainly our view of our relationship with Iran is very clear. We have seen further pressures, and, while it is far from a perfect arrangement, the JCPOA continues, at least in a formal way, to prevent, we hope, Iran obtaining nuclear weapons. At the same time, I fully accept that the JCPOA has been extremely limited. We have seen time after time Iran stepping over the line and breaking the workings of the JCPOA, and we will continue to press Iran on that.

Iran needs to take a long hard look at itself in terms of its place in the world and what it is seeking to achieve. If it wants to be recognised and to develop partnerships, it needs to adhere to the workings, and indeed the recognition, of the rules and regulations of the JCPOA. It needs to stop its influences in other parts of the Middle East, which are destabilising. We have been consistent and clear on that and will continue to be so, whether independently at times or through key partners, and we look forward to forging a strong relationship with the new Biden administration, ensuring that those messages are delivered very clearly to Iran.

On the issue of EU sanctions and so on, before I bring Lisa in I would just say this. There is a whole raft of EU sanctions that may not have come to everyone's attention. It most certainly did mine, because basically we rolled them over. A whole raft of sanctions were literally just signed over, so there was no gap between the sanctions the end of the transitional period and our new independent sanctions. That was a very clear statement that we made. I think there were 34 altogether. About 10% of sanctions were not rolled over, and that was based purely on a tidying-up exercise. Certain things or certain individuals may no longer be around. There was an additional element of ensuring that the thresholds of UK law were also met.

On the specific point about Hamas, we stand very strongly on that and recognise absolutely the role Hamas has played again in destabilising the Middle East. The sanctions on organisations like Hamas are implemented in a way to ensure that we can limit their activities, but I will bring Lisa in at this point, too.

Lisa Maguire: Thanks, Minister. Just to clarify, Hamas, including the Izz ad-Din al-Qassam brigades, remains proscribed under the Counter-Terrorism (International Sanctions) (EU Exit) Regulations 2019, so under UK sanctions.

The Chair: We come on to a more detailed session of questions on sanctions towards the end but, Lord Polak, I think that covers that for the moment.

Lord Polak: Yes, thank you.

The Chair: Could I turn to Lord Anderson of Swansea, who is joining us on the phone?

Q6 **Lord Anderson of Swansea:** Minister, good morning. Building on what Lord Polak said about the JCPOA, is it now the policy of the Government to seek to co-operate more generally on a bilateral basis rather than with the EU as a whole?

Lord Ahmad of Wimbledon: I think the JCPOA showed the importance of that. We took a different view from the United States, and on that part we worked very closely with the E3 [*Inaudible.*]. That [*Inaudible.*] the fact of going forward with the JCPOA or indeed other issues. As I said right at the start of the meeting, I think it now gives us an opportunity to have an independent foreign policy. In that way, we can work with partners where our equity and our interests align. There will be occasions when we work very closely with partners on particular issues. There will be other occasions when we work very closely with the likes of the United States, and at times different views occur.

Notwithstanding the JCPOA example, we [*Inaudible.*] ally, which is the US, but equally we work closely with the likes of Germany and France to ensure that, in the absence of JCPOA, there is no formal [*Inaudible.*] ambition [*Inaudible.*] many failings and limitations of the JCPOA that that was the right view at that time. On all matters, we will certainly look at building alliances, further strengthening partnerships [*Inaudible.*] and whether we are dealing with issues of [*Inaudible.*]

There is undoubtedly, when we bring a certain issue to the fore, strength in the ability to get likeminded partners but also a broader range of countries involved on an agreed position and working through the G7 presidency. We are members of NATO and continue to engage with European partners, both inside and outside the EU, through institutions such as the OSCE and the Council of Europe, where members and [*Inaudible.*] of the Commonwealth. We are P5 members of the UN Security Council.

All these provide opportunities for us [*Inaudible.*] very strongly to take a leadership role and to build alliances that are issue-led on issues impacting the world. Whether it is climate change, addressing conflict, building peace, working closely with allies from across the world, I think that huge opportunities lie ahead.

Q7 **Lord Anderson of Swansea:** Minister, during the Brexit negotiations, we tried to bypass Michel Barnier and go directly to France and to Germany, and we were rebuffed. Is there any likelihood that if we try to bypass the High Commissioner, we shall be rebuffed again?

Lord Ahmad of Wimbledon: I am not going to comment on negotiations where I was not present. I think what was demonstrable at the end of the transitional

period in the Commission President's statement and the Prime Minister's statement was a real recognition of the role negotiators played in this from our side, and I pay tribute to my good friend Lord Frost, and Michel Barnier from the European Commission side.

There are times when discussions happen to get certain issues over the line. As I said, I was not a party to those negotiations, so it would be inappropriate for me to speculate on what has been heard and commented on. The important thing to take from the discussions and negotiation—and, indeed, from the agreement that was reached—is the incredible work of both negotiators in achieving what at times was felt by many not to be possible. So I fully acknowledge the role that our negotiator, Lord Frost, and his team played, but equally I acknowledge the role that Michel Barnier played in ensuring that the agreement was reached.

Q8 Lord Anderson of Swansea: Minister, in the case of the JCPOA, we were of course part of the European Union at the time. Is there any precedent for a third party, a third country, which now we are, having a direct and bilateral relationship with individual member states in foreign policy?

Lord Ahmad of Wimbledon: Certainly there were issues that were explored, such as defence, but in our view a third-party case did not provide us with the manner of working that we would engage in.

When it comes to issues of foreign policy, as I said to Lord Ricketts at the start of the meeting there is no formal structure per se, but the United Kingdom, because of who and what we are and the influence we bring through our leadership in various international organisations, as I have already articulated, lends itself, both from a European Union perspective looking at the UK and [*Inaudible.*] the EU to strong relationships. On all matters of foreign policy, there will be issues, be they thematic or country focused, on which we will work very closely with our EU partners in this respect. I reiterate the point that was [*Inaudible.*] the formality of structure to allow us to do that.

Lord Anderson of Swansea: Minister, I recall that on occasion, when we have tried to deal with just a few of the member states, this has run into difficulties with the other members, who feel neglected and not part of it. Do you recognise this as a problem?

Lord Ahmad of Wimbledon: No. I can give you my own insights. I have often in previous years worked closely with some of the EU partners in a smaller group, not in the context so much of a collective EU position, although we had a strong relationship.

Lord Anderson of Swansea: Within the EU?

Lord Ahmad of Wimbledon: Yes, within the EU bilaterally, and I have not felt any pushback or had a member state within the EU come to me and say, "Minister, why did you do this?" or "Why did you do that?" Not at all. On the contrary, we have focused on working with both the EU as a collective, but also bilaterally with a

number of countries on important issues [*Inaudible.*] I certainly found co-operation [*Inaudible.*]

The Chair: Minister, your sound is sometimes breaking up. I do not know whether it is possible to get a bit nearer to your microphone. The sound quality is variable. I do not know if it is possible to move the microphone towards you.

Lord Ahmad of Wimbledon: I am not often accused, Lord Ricketts, of not being heard. I think that is slightly better. Is it better? Can you hear me still?

Q9 **The Chair:** Yes, I think that is better. Thank you. One question from me that does touch on structure, but not EU structure, is President Macron's proposal for a European security council, which I think he envisaged as being outside EU structures and more informal, and therefore it being possible for the UK to join with other foreign policy-minded European countries in what he called a European security council. Have the Government assessed that idea? Do HMG have a position on it, because it might provide a more informal mechanism for consulting a group of countries rather than the more formalised EU mechanism?

Lord Ahmad of Wimbledon: I have not been involved in that personally. What I would say—Giles may also have a comment on this, and you, Lord Ricketts, will know this from your own involvement in our relationship particularly with France—is that we already engage regularly with France and a number of other European countries, such as Poland, on issues. During the call for this we explored not just security and diplomacy but technology, and there are other areas on which leaders of both countries, accompanied by senior Ministers, have met to see how we can encourage closer co-operation. I am sure that those kinds of engagements will continue.

My own view on such a process is to ask what end objective is being sought and whether it is to create an alternative to the UN Security Council. We fully stand behind the performance of the Security Council in terms of its membership, and I certainly take the view—I hope I speak with a degree of authority as the Minister for the UN—that, for all its challenges, the UN Security Council works because it allows all countries to engage in such a manner that people do not stop talking.

Even where we have had issues with countries that pose challenges for us and have had strong disagreements or differences with particular countries in recent years, for example with the likes of Russia, our formal engagement with the Security Council at the UN and our informal engagement in the margins continues.

I want to reserve my views on a European security council. I am yet to see the whole workings of the proposal, but we are very mindful of the need not to duplicate or suggest an alternative, because what makes the UN Security Council work is the fact that it has a global perspective, and when it comes to resolving conflicts you can have reasonable perspectives feeding into that. For the major challenges that will face the world, it is important that the UN Security Council is not just sustained but further strengthened.

Giles, you may have a perspective on that, bearing in mind that you were also focused thematically on security matters during the negotiation.

Giles Portman: Yes. Thank you, Minister. Good morning. I think you have said it all. This is a proposal that the French have floated several times over the last year to 18 months, so absolutely we have taken good note of it. We have thought about it, we are interested in it, but there are a lot of questions and little detail. As the Minister says, there is a big question about the relationship with the UN Security Council and how a European security council would fit in with or complement the workings of the European Council. From our point of view, it would have to be outside those structures, but there is still the question of how it would interact with them and how it would prepare European opinion that was then discussed further between member states.

There is the question, which Lord Anderson raised, about how EU member states that were not part of it would still buy into the principle. There is a lot of detail to be explored, and we are interested in further detail from France. We are interested in the discussion, but there is a lot more detail to come first.

The Chair: Thank you. From my experience of dealing with the French foreign policy machine, they quite like throwing out general ideas without fleshing out the detail and then seeing how they develop. I would certainly hope that we stay interested in how that develops. I do not think they would see it at all as a substitute for the UN Security Council. Being a permanent member of that is one of the great glories of French foreign policy. I would have thought that they saw it as a more informal way of working with those who want to be active in foreign policy in Europe, but thank you for your responses on that. I hope the Government will at least keep an eye on how that develops.

Q10 **Baroness Goudie:** Good morning, Minister. How are you?

Lord Ahmad of Wimbledon: Very well, thank you.

Baroness Goudie: It is good to see you. The last International Development Secretary told us that the United Kingdom was willing to co-operate with the EU on aid projects on an ad hoc basis. How will this work in practice? First, there is the whole question of crisis issues. Those are coming towards us very fast. There is the work that we are doing with Gavi, and the long-term co-operation on projects where we are working side by side. How we can have a genuine partnership, both working together and not duplicating work, as all funds and all staff are important? What will the mechanism be? Will it just be ad hoc, or, further to what Lord Ricketts said earlier, could we also have some formal regular meetings on these issues?

Lord Ahmad of Wimbledon: Thank you for that question. It is important to recognise that the EU-UK trade co-operation agreement is very broad. In terms of the specifics of international development, while that was not a major part of what was agreed, I think the co-operation agreement affirms our mutual commitment to its democratic principles and to important issues of rule of law and human rights and the fight against climate change. There are also provisions for co-operation on

global issues such as peace and security and sustainable development, and for co-ordination in multilateral fora.

On that final point, I fully accept that the example I referred to earlier was while we were still in the transitional period, when we, Germany, France, Belgium, and indeed Poland were all on the Security Council. However, despite the fact that they were all members of the EU and we were not and whatever went on in meetings that we were not in, despite there being no formal structures Ministers readily convened and engaged in bilateral dialogues or worked with—as they would see it—the four EU members plus one other key European member, which was the United Kingdom. It worked well. I attended several meetings in Brussels as well as in New York, which reflected the real strength of co-operation on key issues.

Within the context of international development, one thing that has been agreed is that we will continue to contribute to EU programmes under the current commitments that we have made. That will scale down up to 2027, particularly with regard to ODA contributions, but we will continue to co-operate with the EU where it makes absolute sense to do so, so we will continue to co-operate beyond our institutions through our relationships with key European Union member states and, in that context, with key development owners. I believe that that will continue to deepen and become broader.

I think it is for us as well as our European colleagues to see how we best take projects forward. Undoubtedly there will be occasions when having a joint approach to alleviating a particular pressure in a particular country, such as humanitarian corridors, will work best when we are working with our equities fully aligned. I am sure that will be demonstrable in the work that we are doing on current conflicts and on the current challenges that we are facing. As I said earlier, COP 26 provides a very good practical example of work on important issues relating to the SDGs and particularly relating to the NDCs. We are talking to various countries around the world, and we are working very closely with Italy as a co-host. I fully expect that these kinds of joint initiatives will continue in the context of development.

If I may, I will take a step back and add this from my personal perspective. The Covid-19 pandemic illustrated to me an undoubtedly important point: that when it comes to the crunch, what matters is how people come together, and I think that was a strength in what we saw with Gavi. I fully accept that there are certain concerns about COVAX, but I was really taken by the commitment that we saw countries coming forward to make, not just in the context of Europe but more broadly. I thought it showed the strength of co-operation. It did not suddenly need great lobbying in that respect, but it did need the UK at the heart of helping co-ordination.

Specifically, on development programmes, the mechanism will be determined by which country has what strength in which part of the world, and I think the United Kingdom will come in and fully focus.

I will mention a governance issue. The creation of the FCDO now empowers our high commissioners and ambassadors in country, and that will be reflected in how we work more closely with key partners on development programmes in different parts of the world.

Baroness Goudie: Thank you, Minister. The FCDO is excellent at keeping the gender lens on everything. This is not necessarily happening with one or two other departments and one or two other countries, and I hope that you will continue to keep the pressure on for that.

Lord Ahmad of Wimbledon: I always listen to your wise words with great attention.

Q11 **Baroness Finn:** Good morning, Minister. I completely endorse what Lady Goudie has just said about keeping the focus on girls, and you are doing great work in the FCDO in that area.

My question concerns the impact of leaving the EU, specifically on the operation of NGOs. When I sat on the former External Affairs Sub-Committee before it was taken over by this current committee, the then Secretary of State wrote that leaving the EU would only have a moderate impact on the operation of NGOs. However, several witnesses contradicted this assessment, saying that there would be a significant impact.

Essentially my question in this regard is twofold. What evidence did the Government use, and, more importantly, what is the situation now, particularly with the department being subsumed within the Foreign Office? Given that there will be some impact, moderate or significant, what steps will the Government be able to take to mitigate that impact on the operation of NGOs and to cause the least disruption?

Lord Ahmad of Wimbledon: Thank you for that. My perspective, and it is our perspective, is that it was not the Foreign Office subsuming the Department for International Development. If I could put that into context, as you will know I worked as Minister of State at what was the Foreign Office. Then I was double-hatted and became joint Minister. Nothing has pleased me more in my ministerial capacity—

I am having a small technical challenge. My computer has come up with the famous line, “We are about to restart your computer in 14 minutes”, so I am not quite sure what has happened there. If I disappear momentarily, I assure you that I will return very quickly.

The Chair: We will wait patiently for you, Minister. It is good to see that the FCDO IT is as good as it always was.

Baroness Finn: If I may, I correct the “subsuming”. Sorry for that.

Lord Ahmad of Wimbledon: Not at all. I know what your perspective is.

In all reality, the workings, in the context of both diplomacy and development, have been strengthened, as I said to Baroness Goudie, whether on the ground or for me as Minister and for officials.

On the specific issue of the NGOs, I will write to the committee on the evidence base, if I may. But on the particular live issue—if I can put it that way—of NGOs and their concerns, we have regular engagement with all our key NGO partners. We have round tables with them as Ministers, and that is continuing. We also have direct bilateral and regular engagements with international and key NGOs such as the ICRC. We work very closely with them, and that is continuing.

I will give an example of how we can be wider in our scope. One of the real strengths I have seen around the world is that of faith NGOs working in the field and in different parts of the world. One of the new innovations with the creation of FCDO that I brought forward is the NGO round table, and we will have a second NGO faith round table as well.

I say all of this to give you an insight into how fully we recognise the phenomenal role that NGOs play as delivery partners for us when it comes to development. In this regard, we want to engage directly and regularly with them, and at a highest level—with Ministers. We have regular engagement now, for example with human rights NGOs, and there is a human rights advisory group that meets with the Foreign Secretary and me. As I said, we are the development NGO-specific project. We have regular engagement with them.

I fully understand and have sought to address the concerns about our place in the world, the recent announcements about ODA, and about the concerns that NGOs have expressed, which I also recognise. We are seeking, of course, to mitigate those concerns by engaging directly with them. If there are specific concerns at the NGOs that you are aware of that have been raised directly with you, please do forward them on to me and we will try to deal with them and to mitigate some of those concerns.

With any change—and I have been through a few mergers in my professional life—as the dust settles, the ways of working become clearer, and decision-making concerns are also much clearer to the key partners. As the FCDO settles down, I think we will see some of those concerns about working being mitigated quite quickly.

Baroness Finn: Thank you so much for that. I am sure the whole committee will appreciate the offer to engage on specific concerns and to keep an open door policy, because that will be incredibly helpful as we navigate the different landscape.

It always comes down to funding issues. Will the Government be prepared to bridge any long-term funding shortfall, should that be the case?

Lord Ahmad of Wimbledon: For transparency, I should declare that I am currently also acting as the Minister responsible for finance, so we are currently going through our ODA review, and the conclusions of that and the implications for our key priorities and programmes will be reached in the coming weeks.

As to specific operation issues, I want to be very clear that, of course we support programmes and projects, but my view is that our job as government is not there to fully fund NGOs' governance and workings. NGOs should be able to operate independently in that respect. Where the role of government is very clear, in my view, is that on key programmes, in which NGOs perform a phenomenal role, we support them in their engagement on programmes. That said, I also recognise that many NGOs are currently struggling. Of course we want to keep the support of key partners. As I said, our support for NGOs is rightly primarily focused on programme funding, rather than funding the whole NGO itself.

Q12 Lord Anderson of Ipswich: Good morning, Minister. Sustainable development is a priority for both the UK and the EU. Is this one of the areas where there is a case for co-ordinating policy with the EU, or is it an area where we can just as well set and achieve our own goals independently?

Lord Ahmad of Wimbledon: I think it is a mixture of both, Lord Anderson. To take you back to recent history, last week we had visit—unfortunately, it was a virtual visit in the end, given the current conditions—from the UN Secretary-General. He was accompanied by our chair, Mark Lowcock, who of course is a Brit, and Amina Mohammed, the Deputy Secretary-General, who runs and is responsible for the delivery of the SDGs.

I subsequently I had a very constructive meeting with the Deputy Secretary-General on the very issue of the SDGs and the delivery. I think in the current context there was a concern that, with the pandemic, the deliverables under the SDGs and the ambitions and aspirations that had been set may falter, because, with their situations, countries are understandably so focused on the pandemic.

We have certainly given our commitment to re-engage through all UN mechanisms, and I am sure that we will, whether it is in our continuing discussions with a collective EU or indeed with key member states within the EU. For example, I said earlier that there are two new European members of the Security Council. One is Ireland and the other is Norway; one is a member of the EU, one not. We have already engaged proactively with these key countries, directly through me as well as through our new ambassador, on issues of their priorities and, importantly, on the SDGs.

Frankly speaking, on SDGs their aim is global. If we are going to achieve the ambition of the SDGs and deliver on them, and I think the climate change goals are demonstrable, it needs collective global ambition as well as action. Certainly that is where our focus is.

Q13 Lord Anderson of Ipswich: Coming on to climate, you briefly mentioned COP 26 in

Glasgow this autumn. Do you see advantages or disadvantages as we approach the summit in having decoupled ourselves from the EU approach, and how would you characterise them, if so?

Lord Ahmad of Wimbledon: Again, I will share with you the fact that, with the formation of the new Government under Prime Minister Boris Johnson, this has been a key priority for the past year. We have all—and when I say “we” I mean Ministers across the FCDO, as well as other Ministers from BEIS, particularly when Alok Sharma had his dual role—been working non-stop with countries across the world on our own patch. I am Minister for South Asia, and in each engagement the issue of the NDCs specifically has been raised. Other action and collective action that has been taken is also raised consistently, because we want to take actions and to deliver our ambition at the COP 26. I do not think that our not being a member of the EU detracts from that, because we are working very closely with them.

I will give you a practical example. I had an engagement with the Caribbean nations, and we chose to engage with them—or they chose to engage with us—through the vehicle of CARICOM. It was a very productive meeting. Countries were still coming forward their own views, particularly on NDCs and the targets and their ambitions, but they also chose to engage in that particular format. Our view when it comes to planning for COP 26 is that we will engage bilaterally with individual countries and collectively with countries as and where necessary, because, coming back to my earlier point, what is required is global action in this regard.

Just as a side note to all of this, we are greatly encouraged, as I am sure you are, Lord Anderson, by the commitment of the incoming Biden Administration to the Paris accord, which we greatly welcome.

Q14 **Baroness Hamwee:** Good morning, Minister. I hope we do not get cut off in the middle of this.

Lord Ahmad of Wimbledon: I will give you a countdown update. My machine still says 4 minutes 49 seconds. I assure you I will be very diligent in logging back on. No IT wizard has appeared yet, but please carry on.

Baroness Hamwee: If you think you should log off and log on again before we get into this next question, please see do so. I am rather usurping the Chair’s position here.

The Chair: Perhaps it would be sensible, Minister, to suspend the session for a few moments to allow you or your team to log you off and log you back on again, rather than have you disappear in mid-sentence. Shall we call a very short suspension and resume in a few minutes as soon as you are back with us?

Lord Ahmad of Wimbledon: Thank you very much. I will join you again shortly.

The Chair: Thank you. I will ask all other members to stay on the line, please.

The committee suspended and then resumed.

The Chair: We are back in the Lords EU Security and Justice Sub-Committee. This is an evidence session with Lord Ahmad, Minister of State in the Foreign, Commonwealth and Development Office, and we were just about to hear a question from Baroness Hamwee.

Q15 Baroness Hamwee: Good morning, Minister. Well done for defeating the technology. You can add another hat to all those ranged behind you.

I come back to the aid budget. I do not need to remind you of the concern about and criticism of the decision to cut the aid budget from 0.7% to 0.5% of GDP, and at a time when the overall GDP has reduced, for reasons we all know. What is your assessment of the impact of this on poverty alleviation generally?

Lord Ahmad of Wimbledon: First, the decision was not taken lightly. As I have said from the outset, we will still be one of the largest donors, with over £10 billion allocated in 2021 to fight poverty as well as other important issues such as climate change, and we will continue to work on important priorities, including the sustainable development goals.

A major focus on this during 2021 will of course be the challenge posed by the Covid-19 pandemic as we recover from that. Again, in that regard, notwithstanding the ODA announcement that was made, we have been very much at the forefront of supporting international efforts, be it through Gavi on existing vaccines for other issues or fighting the Covid-19 pandemic through the COVAX facility.

On the specifics of how this will translate, as I said earlier in responding to Baroness Finn, we are currently going through the exercise of deciding ODA prioritisation, but I can assure you that alleviating poverty and addressing important issues of humanitarian support and famine are very much part of our focus, as has been demonstrated by the fact that we have appointed the first envoy on humanitarian crisis and famine, Nick Dyer, to help us to co-ordinate and focus our activities.

We are currently going through the process of deciding the key programmes for 2021, but I can assure you that the issues of fighting poverty, humanitarian support and ensuring that we avert famines remain very much high priorities in the refocused ODA. I accept that it will be less than it would have been had we not made the cut. That is obvious; it is a cut and it is what it is. It will be a challenge for us, but that said, I think we will work constructively and strategically to make sure that the impact is mitigated as best as possible.

Q16 Baroness Hamwee: You have talked about engagement with key NGO partners. I am sure you will not disagree that small NGOs can very often produce an awful lot of bangs for relatively few bucks. Are you also engaged with small NGOs, micro NGOs even? Their fundraising from the public has of course been affected by what has been going on. They are not getting support through the furlough scheme, I understand, and they are not eligible to apply for the existing charity support package. But I have to say that I am looking at something that was written two months ago. It may have changed.

The work that they do on the ground, which is not crisis work necessarily, is helping to prevent communities getting into crisis and is very important. I suppose what this amounts to is whether, if you are not engaged with the network of small international development charities, you would be prepared to be. Can I send you some information about that, if that would be helpful?

Lord Ahmad of Wimbledon: Of course. First, on your point about sending information, as I have said before, please do send that through to me and we will look to see how best we can try to mitigate the impact. I fully accept the principle. It is an unprecedented situation, and I fully the point you made that sometimes you can get a very effective NGO that may be small in stature or governance or whatever but very niche and effective in the outcomes it delivers. As we go through our ODA review with the key partners we are engaging with, that is exactly the kind of leverage we want to see. While there is less, how can we still make it as effective as possible?

I cannot comment on specific issues for NGOs. I fully recognise that many NGOs are finding themselves in a challenging situation, and we will seek to see how best we can support them through programmes. One thing that the creation of the FCDO has allowed us to do is not so much to do with the ODA announcement but to evaluate effectively our relationships with the NGOs and to see how best we can strengthen both communication and engagement. That is certainly an area, as I illustrated in an earlier answer, that we are looking at quite specifically.

On specific information on NGOs, please do send it into me and I will certainly review it.

The Chair: Minister, as we come towards the end of this session—we thank you for your stamina in answering so many questions—we have a sequence of questions on sanctions policy. We have already taken evidence as a committee from some experts in this field, and I turn to Baroness Primarolo first.

Q17 Baroness Primarolo: Good morning, Minister. Thank you very much for your time this morning. I have a few questions about sanctions policy.

Earlier in our session today in response to Lord Ricketts, you said, and I think I wrote it down correctly, “The effectiveness of sanctions policy will be reflected in how we work with our partners”. The Foreign Secretary, you will be very pleased to hear, confirmed to the committee in November that international co-operation will remain at the heart of our sanctions policy. Clearly sanctions policy cannot work on the basis of an ad hoc or informal arrangement every so often when there is a coalition of the willing. Could you explain to us how that will work in practice?

Lord Ahmad of Wimbledon: Thank you. I think this is the first time that we are formally engaging with each other in your Lordships’ House, albeit virtually. It is always a bit worrying for a Minister when you are quoted back and the next line is, “And the Foreign Secretary said”, but the fact that they are aligned means that there is a deep sigh of relief, although perhaps I did not show it as much.

In all seriousness, I have articulated this. I took the SAMLA Bill through the House, and undoubtedly for me—I am talking in practical terms—if there is a sanction on an individual or a group in Europe and that sanction is not in the UK or vice versa, of course there is a practical problem, among other things, that we need to face up to.

What are we doing? First, I will share some practical insights with you. The EU Commissioner responsible for human rights and I, as the Human Rights and Sanctions Minister, had quite extensive discussions. As you know, we were on the forefront of the global human rights sanctions regimes, and the EU, as recently as the end of last year, followed through. Our teams, notwithstanding the negotiations that are going on, continue to engage very readily. I, as Minister, pick up very regularly with the commissioner as well.

On the specifics and how we are working in this respect, while our independent sanctions policies are driven by our foreign policies, we will work with the EU and international partners. We have been working with them very closely recently, and we did not need a formal framework because of our bilateral relationships with the likes of the US and Canada. We work very closely with them.

To reassure you, we are engaging bilaterally, for example with the French development agency and Ministry for Europe and European Affairs on sanctions implementation and humanitarian issues. This ensures that we are co-ordinated, and we will also seek further opportunities for international co-operation in this respect.

I hear what you say about good governance and the need to regularly review. I think sanctions are evolving in the way they work in practical terms. We have found no challenge in the absence of a formal sanctions framework, working with the US or Canada or Australia. I envisage that it will be much the same when it comes to our co-ordination, be it bilaterally with key European nations such as France, as I have already said, and collectively with the EU.

In terms of how regular those meetings become, as Human Rights Minister I can give you some practical insights because these things are evolving. I will be engaging with the EU Commissioner on important issues on a regular basis. We have not set up anything formal per se, but as I do with other key Ministers around the world, I will engage with them periodically, if nothing else to call and care, to understand some of the issues that are on the agenda and to give early insight into what has been planned.

On the question whether those need formal structures, in my experience with the US and Canada, as I said, whenever we have needed to co-ordinate our actions that has not required the formality of structures. What it has required is the strength of the relationship, and I think that exists with the EU.

Q18 **Baroness Primarolo:** Thank you, Minister. That is very helpful. As you pointed out, the EU, since December, is now mirroring our human rights-based sanctions policy. The UK played I think a very important role as a leader of sanctions policy within the

European Union and then as a bridge into other partners to get that very important wider response.

Is it an objective to carry on trying to influence European Union sanctions policy? If so, it will need a bit more than an informal structure, will it not, to deliver that objective?

Lord Ahmad of Wimbledon: Where I agree with you is that you need dialogue to ensure that there is co-ordination. If there is a particular sanctions policy, or a particular element of sanctions policy, that we are seeking to impose on a particular organisation or a particular group of individuals, we will certainly be co-ordinating and giving early insight into what the EU may be planning, and vice versa, as we have done with other key partners. Doing that and having dialogue and discussion about that is a positive.

As I said earlier, my experience to date has not demonstrated the need to have the formality of structures. It is about the strength of the relationship, and that, to my mind, is already established. Importantly, it is also driven by the strength of the relationship that you have with key individuals and with the Commissioner concerned looking at this, we enjoy a strong relationship.

It is important to say this about the absence of formalities. As I am sure you have experienced in your own time and the insight you have from the work you have done, yes, there is sometimes the formality of meetings, which provide a framework for the formal statements that may be made, but a lot of the work that is then achieved is either in the margins of meetings or through follow-up engagement that may take place. They sometimes do not have the same formality of the formal structures, but certainly in my experience they deliver much greater dividends.

The short answer is that while we have no plans to have formal structures with the European Union when it comes to sanctions policy per se, based on our own experience, I think that what will evolve over time will be regular dialogue as the European Union and the UK consider future sanctions designations. It is only sensible when it comes to your allies, whether it is the US, Canada or indeed the EU that we co-ordinate in this respect. My personal view and experience of this is that they work effectively when they are co-ordinated, and I stand by that.

Q19 Baroness Primarolo: Thank you. If I could move away from the EU as a partner, you referred again, very rightly, to the work with the United Nations, and with the UN Security Council, and the importance of it providing a global view. Obviously that is really important, because the UK acting on its own would not have the power to impact on large countries like Russia and China, for example.

I am sorry to quote you again, but perhaps you did speculate—let me not suggest that it was a commitment to policy—that there could be a role for strengthening the work of the UN and the Security Council in these important areas of sanctions. Could you give us any further information on how you would see that delivering? This is all about interacting with partners and building the network you described that strengthens sanctions. I am thinking particularly of financial sanctions.

Lord Ahmad of Wimbledon: As you all know, within the UN those structures already exist, and we co-ordinate, as do other member states, to fulfil our obligations on UN-specific sanctions. That works very well. I think that the United Kingdom is a very strong country, but I endorse your point that, on important issues, whether it is sanctions policy or broader human rights concerns, evidence has shown that we get real return, particularly when we are dealing with larger countries about which there may be those concerns, when we work in tandem with other key allies and partners.

You will have seen that in previous designations that we have made—going back to the global human rights sanctions regime specifically. The Magnitsky sanctions, as they have come to be known, were driven by the concerns about Russia. It was right that we took actions, and they were taken in a co-ordinated fashion. On the UN-specific question, there is a framework that we work to, and these designations are made in a very structured way and are reflective of the obligations of the UN members.

If I may, I will bring in Lisa on this side to see if she wants to add anything.

Lisa Maguire: Thanks, Minister. To pick up the points you are making, the UK has a key role in putting forward designations to the UN Security Council sanctions committees when we are talking about different regimes. We can also harness our expertise and capability, which we do as a permanent member, when it comes to the design, implementation and enforcement of those regimes.

There is also a point to make here about improving the functioning and operation of the Panel of Experts and the Sanctions Committees. As we are all aware, those sanctions have global reach because of Chapter VII obligations.

Baroness Primarolo: Thank you, Lisa. Perhaps I should leave it there, because I know others want to follow up. I am struggling to see now and before December. It sounds like a good way forward for what has changed from sanctions policy.

Lord Ahmad of Wimbledon: Of course, within the UN context, as Lisa said, there is very close working. I will add just one thing, if I may. It is about the relationships. There have been times—and I am sure you have experience of this—when there has been a block with regard to a particular issue, individual or organisation, even within the UN context, and what unlocks it, if I can put it that way, is the relationships.

Q20 **Lord Lexden:** Could we return for a moment to the EU? How do you see EU sanctions policy evolving in the future, and how would we seek to influence that evolution, assuming of course that you think we would wish to do so?

Lord Ahmad of Wimbledon: Thank you, Lord Lexden. On your second point first, I think it is about working together. Some would argue that we have now left the EU, so we have lost influence or the ability to influence the EU. I do not subscribe to that view.

We and the EU share many common values, as I said right at the start of this session. As I illustrated in my previous answer on this, we led the way, and in the build-up to the global human rights sanctions regime within the EU, that was part of a deliverable. I talked to the Australians about whether they would do this—for example, I spoke to the Australian Foreign Minister about their view on strengthening their approach to this—and I dealt with our EU partners in the same fashion.

Of course I was very pleased that we worked very closely with them. I think the sharing of experiences is vital. We certainly shared our insights both at ministerial level and, importantly, at official level to help them to strengthen their approach to bring forward a regime, which they subsequently did.

Frankly speaking, I think that will continue. I often say to both friends and others who challenge me that we are intrinsically tied to Europe geographically, culturally and in many other ways. This is coming from someone who has parents of Indian heritage and is married to someone brought up in Australia with Pakistani heritage. That is also vital. I feel very European, if I may say, within that identity, because we are geographically and intrinsically linked. Our values, systems and strength in standing up for human rights and the sanctions element are, to my mind, as Human Rights Minister, the key components.

The current Foreign Secretary, Dominic Raab, has been a strong advocate for recent policy, particularly on the global human rights sanctions regime, and you may remember that even when I was on the back benches I spoke of the importance of human rights. I think that gives us a very effective tool not only for calling out human rights abuses but for acting on them. We are preventing people from travelling and from having access to finance, and that influence and those values hopefully reflect what the EU desires from its regime.

I may well be shown to be wrong, and I will stand corrected if I am, but my experience of dealing with the US on this issue, and with Canada, which has these structures, is that the human rights regime in place has shown that we did not need formal engagement, but when designations required it, because of the nature and strength of the partnership it was co-ordinated very effectively. I believe that will prevail within the EU. Of course, we will have regular discussions with them in which to raise concerns, as I am sure they will with us.

Lord Lexden: Many thanks. I think there are others who would like to come in now.

Q21 **Lord Dholakia:** Thank you, Minister. Nice to see you on the other side of the screen.

Lord Ahmad of Wimbledon: My wife is from Australia, as I said. You are appearing down under on my screen. I do not know if that is everyone else's experience.

Lord Dholakia: My question would be in the right manner. A number of our expert witnesses have told us that in order to influence EU sanctions policy the UK should seek to maintain strong bilateral relationship with member states such as Germany and France. In your conversation this morning, you have already indicated that you

continue to have this particular bilateral relationship. The world knows that we are out of Europe at the moment. Would a formal structural relationship on sanctions between the EU and the UK not be more effective than the bilateral approach that you are talking about?

Lord Ahmad of Wimbledon: Thank you, Lord Dholakia. If I may say, on a lighter note, I do not think we are out of Europe. I think Europe is broader than just the European Union and it is not just us. I am sure I speak for other countries such as Norway, which would also subscribe to that fact.

On your point about formal structures, I am not dismissing this in any shape or form. As I said, the global human rights regimes are new regimes that have been brought forward. What I can judge and then share my experience with you about is that we do not have such formal structures with the US and Canada, which are the only other countries that have a formal global human rights sanctions regime. That has not taken away our ability to co-ordinate action in this respect. If there are things that are required, of course we will look at them, but I am judging by the experience that I have. In practical terms, not having formal structures frameworks for that has not been limiting, because we engage with our key partners on a range of key priorities, and sanctions will be one of them.

When the need arises in planning for future designations, as we do with Canada and the US, we will look to co-ordinate with the EU. What I am yet to be convinced of is the need for formal structures in that respect, because certainly our experience with our other key allies has shown that there has been no need for such structures to exist.

The Chair: Minister, two other members of the committee want to ask supplementary questions on sanctions. In fact, both are Lord Andersons, so could we have Lord Anderson of Swansea first, on the telephone, and then Lord Anderson of Ipswich?

Q22 Lord Anderson of Swansea: Good morning again. On the point about unity of strength, you have stressed the need for co-operation with the European Union on sanctions, and I question whether there is any value at all in independence in terms of a sanctions policy. I am thinking, for example, of the way in which countries can be picked off by the sanctioned country, as Australia has been by China. What benefit, if any, was there to us in going in advance of the pack on Belarus?

Lord Ahmad of Wimbledon: I would say that it is an issue of leadership. I think we pride ourselves on demonstrating leadership. It should not just be waiting for other countries to act. On the issue of Belarus specifically, you would have heard me say on a number of occasions that media freedom is a key priority, and we demonstrated that in the continuing dire situation in Belarus. We were on the front foot in acting in this regard, and we saw other countries, including EU countries, follow the statement that we made.

On sanctions specifically, there will be occasions where countries evaluate their national interests and point of view. The application of sanctions will be an

independent decision. However, I stand by the principle that sanctions are most effective when they are applied consistently and across the piece with key allies and partners, as we have done previously with our key partners, including Australia, which you mentioned.

Lord Anderson of Swansea: Belarus was easy for us. It was fairly costless, because frankly Belarus is of relatively little importance to us. Do you recognise the temptation in sanctions policy of being strong on the weak and weak on the strong?

Lord Ahmad of Wimbledon: What I would say on sanctions policy and applying sanctions is that we now have the ability to decide the UK's position and to make an independent assessment of a particular group or individual to ensure that we can be more effective. The important challenge is the application of an action that we might take as a discipline to a sovereign state and whether it is within the context of the EU or our other key partners for them to follow suit.

Of course there will be considerations. I hear what you say: that applying sanctions policies to particular situations will be less challenging in particular situations and designations. But that is an evaluation that we make, and designations of particular regimes allow even individuals to take up a particular case and appeal such sanctions. I think we value the fact that we have our independent autonomy driving forward, but I accept the point you are making—

Lord Anderson of Swansea: I am sorry, Minister, you are getting very indistinct.

The Chair: Lord Anderson, I think it probably helps audibility if you mute your phone. I think for some reason with your phone open it is interfering with the Minister's reply. Minister, do carry on, and then the other Lord Anderson has a question.

Lord Ahmad of Wimbledon: Yes, of course. I was going to conclude by saying that I accept that certain situations present bigger challenges for us in terms of the imposition of sanctions, and it therefore becomes equally important that we co-ordinate our actions with our key allies, be it the United States, Canada or the European Union.

Q23 Lord Anderson of Ipswich: You spoke earlier, Minister, about the rolling over of EU sanctions. The EU operates sanctions regimes to deal with those who are thought to have misappropriated assets in Egypt, Tunisia and Ukraine. The UK has chosen not to list any of the 60 or so individuals who are on those lists. From the outside that looks more like a policy decision than just a tidying-up exercise. Can you tell us the reason why that decision was taken?

Lord Ahmad of Wimbledon: As I said earlier, Lord Anderson, there are a number of reasons. It was not just tidying. I mentioned that it allowed us, for example, to work with a nation on individuals who have passed away, so there was no point in rolling those over. However, there are different legal thresholds, and that was the test that was applied that would still be permissible under our own law to allow for those to continue.

As an aside before I bring in Lisa, if I may, I would add that on the wider point about corruption issues and so on, we are already looking at broadening our sanctions governance regime, and work is under way at the FCDO to see how later this year we can bring forward a widening of the designations that we apply, or when we make designations specifically with regard to issues of corruption. We will be working within international frameworks, particularly the UN guidance, in that respect. I just add that for your information. Lisa.

Lisa Maguire: Thank you, Minister. To clarify, we have a misappropriations regime and our autonomous sanctions. We looked through all the designations and checked that they met the criteria under SAMLA. Just to clarify, the UK is now taking on sanctions litigation risk, so we need to make sure that all the designations meet the legal tests under SAMLA of reasonable grounds to suspect, and meet the designation criteria in the regulations—that designating the person would be appropriate with regards to regimes’ practices and the significant likely effects on the designated person.

We carried across, I think, three of the Ukraine misappropriations into the Russia regime and three into the human rights regime. You are correct that not all those designations under the EU misappropriations regime were carried into the UK one.

Lord Anderson of Ipswich: Does that mean that they will not be, or that the position of the other 57 or so is still under review?

Lisa Maguire: They did not meet the legal tests under SAMLA.

Q24 **Lord Anderson of Ipswich:** Since you mentioned the legal test under SAMLA, may I also ask the Minister a question about terrorist sanctions, which I used to review in my capacity as independent reviewer? What do you think the practical consequences will be of the repeal of the Terrorist Asset-Freezing etc. Act 2010 and its replacement by SAMLA? I am conscious that surprisingly little use was made of the old statute, as I used to report regularly, and that the legal threshold for designation under SAMLA is now lower.

Lord Ahmad of Wimbledon: Your final point I fully accept. I think that the threshold that we have to apply has to reflect what is in SAMLA. In terms of the practicalities, I think there will be various tools available to us in SAMLA and, as I said, we will also look more broadly, beyond terrorist sanctions, with the global human rights sanctions regime on the broader use of human rights.

On the specifics of the legal position, we can certainly provide the committee with our perspective on how we will move this regime forward under the new SAMLA requirements. However, speaking as someone who is very familiar with your work, Lord Anderson, it is fair to say that on the whole issue of looking at terrorism in its broader sense and at legislation specifically, I will not challenge the statement you made on thresholds, because I think you are entirely right in that respect.

However, we are looking at the full range of our application of our sanctions through SAMLA, and of course the widening of this now through global human

rights sanctions provides us with instruments to tackle issues quite specific to a broader range of human rights and not just issues of terrorism.

I think there is a debate to be had, and I am sure we will have it, about the sanctioning of terrorists. That said, we stand very strong through the various mechanisms, including proscription, that remain available to us, to ensure that we have a full suite of actions available to us as a Government, and we will act and act decisively in that respect.

If I may say so, I look forward to a more bilateral discussion with your good self to gain further insights into this. With the permission of the Chair, I would say to you, Lord Anderson, and to everyone in the evidence session that we are moving into a new era of working when it comes to the issues of sanctions, the new independent sanctions application through the UK and many of the issues we have touched on. I think certain things will evolve over time. Ultimately for a sanction to be most effective we want to stop that individual or group doing what they are doing because we believe them to be damaging to our interests and to the interests of others. That is where I think the structures will evolve, and partnership working in this respect will be further strengthened. Time shall tell how this all evolves, but I am fully confident that it will strengthen our work in this respect.

The Chair: Thank you, Minister. We have two final questions, and thank you again for your patience in responding on such a broad canvas. The first is from Lord Arbuthnot.

Q25 Lord Arbuthnot of Edrom: Minister, thank you very much for your evidence this morning, which has been extremely good. I have a question about China and the EU. Given the Chinese treatment of the Uighur Muslims, of Hong Kong activists, of India, of Taiwan, of the South China Sea Islands, is the UK happy with the EU negotiations with China? What influence are we able to bring to bear on those negotiations now that we have left the EU?

Lord Ahmad of Wimbledon: First, on your point on China, later today—as soon as I am out of this session—I have prep time for the repeat of the Foreign Secretary's statement on the actions we have taken in relation to China's actions in Xinjiang. I think we stand very strong on the issue of the Uighurs specifically. You mentioned Hong Kong. As a Government, we have taken quite specific action in support of the position of the people of Hong Kong and for the Uighur community specifically.

In terms of our influence, I think we have seen—and I alluded to it earlier—that we continue to work very closely with key partners, including European partners. That was demonstrated by the fact that, between the Human Rights Council meeting and the UN Third Committee last year, we saw an increase from about 27 members supporting the UK position on the Uighurs and in Hong Kong to I believe 39. A number of European countries aligned themselves with the UK position. I believe we will continue, notwithstanding our departure from the European Union, to have that important leadership and then to lend ourselves to influencing other European Union member states.

On the issue of the EU deal with China, that is very much a matter for the European Union. One thing I would say on the British position when it comes to China—I have said this from the Dispatch Box and I repeat it again—is that our relationship with China is a strategic one. I fully accept that. It is an important one, and when we look at issues, particularly climate change and COP 26, the ambitions, which we alluded to earlier in the evidence session, cannot be achieved if the likes of China are not striving and supporting the ambition that the global community is setting. We need to ensure that China stays very much on board and focused on delivery on these important issues.

Equally importantly, we need to stand up. I believe that we have done this. I am proud of the position we have taken particularly in regard to the Uighurs and Hong Kong, and we will continue to exert that level of influence on partners across the world, including the EU.

Q26 The Chair: Minister, our last question is from Lord Rowlands, who is also on the telephone. Lord Rowlands, I might ask that you perhaps put your question and then mute yourself again. It will help us to hear the Minister's reply. Over to you, Lord Rowlands. I think we have lost Lord Rowlands.

We may have given you notice of his question. I think he was particularly interested to know where things stand on the Lugano Convention and the implications of that for civil and family law. It is something we took evidence of from Lord Keen while he was still a Minister. Although it was not part of the EU negotiations, I know that it is a particular interest of Lord Rowlands. I do not know whether Lisa or Giles could give us any sense of where things stand on UK adherence to the Lugano Convention.

Lord Ahmad of Wimbledon: I will bring in Giles at this point, if I may.

The Chair: Of course.

Giles Portman: If I may, Minister and Chair, we would have to revert to you on that point. I was not involved with the negotiations. I am aware that some contacts and discussions have taken place, but I would not want to mislead you on them, as it is not in my remit.

The Chair: That would be very kind. Thank you very much indeed. Minister, I think that brings us to the end of the session. We are very grateful to you for comprehensive answers on a very wide range of subjects. We know you have other duties in the House coming up this afternoon, so on behalf of the whole committee many thanks to you, also to Giles and Lisa for being part of our session today. I declare the meeting closed.