



HOUSE OF LORDS

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The Select Committee on Sexual Violence in Conflict

Inquiry on

SEXUAL VIOLENCE IN CONFLICT

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Questions 139 - 146

TUESDAY 8 DECEMBER 2015

2.20 pm

Witness: Sir Simon McDonald

USE OF THE TRANSCRIPT

This is a corrected transcript of evidence taken in public and webcast on
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Members present

Baroness Nicholson of Winterbourne (Chairman)
 Bishop of Derby
 Baroness Goudie
 Lord Hannay of Chiswick
 Baroness Hodgson of Abinger
 Baroness Hussein-Ece
 Baroness Kinnock of Holyhead
 Baroness Warsi
 Lord Williams of Elvel
 Baroness Young of Hornsey

Examination of Witness

Sir Simon McDonald, Permanent Under-Secretary and Head of the Diplomatic Service, Foreign and Commonwealth Office

The Chairman: Good afternoon, Sir Simon, and thank you very much for joining us. I briefly remind you that this is a formal evidence-taking session, and we will send you a transcript to correct if you find anything that has gone astray. I think you already know the interests of the Members of the Committee. If there is any new interest, I am sure that Members will announce it, but I think that that is unlikely.

We will go straight into the questions. I call Baroness Goudie.

Q139 Baroness Goudie: I have a question on the follow-up to when you gave evidence to the Foreign Affairs Select Committee. Then, Lord Faulks, the Minister in the Lords, was in denial that human rights had been downgraded by the Government. I was unable to ask a supplementary question, because it was during the part of Question Time when you cannot come back.

Would you tell the Committee where you see the priorities of human rights and where you see PSVI at present and running up to the next couple of years? I will ask Baroness Anelay this question as a supplementary. We have the conference of donors coming up early next year and various other conferences that Britain is taking the lead on. If we are taking the lead on these issues, where does it now stand in the Foreign Office and in the Government more generally, because the Foreign Office is one of the most senior departments?

Sir Simon McDonald: Thank you, Baroness. Of course, I gave evidence before the House of Commons Select Committee, and we discussed the whole remit of the Foreign Office. The context was in the middle of a spending round when we were modelling cuts of 25% and 40%, so I felt that metaphorically I had my arm up my back and had to describe the FCO's top priorities. With our top priorities, by the way that we distribute our efforts, you can see what is most on the Government's mind right now. Prosperity has more resource than human rights, but human rights are a priority of the Foreign Office. We have 240 full-time equivalents in the FCO network who are doing that work. That probably equates to 1,000 people, because the 240 full-time equivalents include parts of officers overseas. In London,

we have the human rights and democracy department, which has 29.5 full-time equivalents. We have the PSVI team of seven within the conflict department. Human rights and PSVI remain priorities for the Foreign Office, but the question I was trying to answer compared it with the prosperity agenda. Right now, with about 2,900 people in the network, including UKTI, which is principally working on prosperity, that is why I ordered them as I did.

Baroness Goudie: That explains it to us very clearly. We wanted to be sure today that this is at the top of the agenda, along with the prosperity agenda. I know that some of the people in the embassies are also working on this when they can help out.

Q140 The Chairman: Sir Simon, a question from me. We are now through the spending review, which must have been a very difficult process, and it looks as though you have more or less kept an even keel. I think we all hope so.

Sir Simon McDonald: Yes, Chairman, although we are in that difficult stage before we have actually received the settlement letter from the Treasury. The indications are that we have about flat cash for this spending round.

Lord Hannay of Chiswick: So actually, you are down, Sir Simon?

Sir Simon McDonald: I think, Lord Hannay, that it is actually a slight increase when you look at the ODA plus the non-ODA money. Non-ODA is flat cash, ODA is going up slightly, so the total budget will increase over the four years.

The Chairman: Yes, we read the complex discussion that you had on the ODA, and so on and so forth, in the House of Commons Committee. It would be enormously difficult, I suggest, on soft power internationally, which is very large at the moment—congratulations—if human rights were seen to be downgraded. With the spending review, and pending receipt of the settlement letter, are you comfortable that PSVI, which is our particular focus here as one of the human rights, will still be fully, properly or adequately funded? Will it, as Baroness Goudie already said, receive a top priority in your in-tray?

Sir Simon McDonald: Yes, Chairman. Although we do not have the detail, we know that the various funds from which we take money for PSVI projects will increase. The Conflict, Stability and Security Fund will increase to £1.3 billion per year. The detailed discussion about how we divide that is yet to start, but I am confident that PSVI will remain a priority for this cross-departmental fund. As you know, we have spent £29 million since 2012, and that order of magnitude of funding will continue.

The Chairman: Just a quick, small additional comment before I call supplementary questions from Members such as Baroness Hussein-Ece. PSVI seems to me to be a bit of a floating balloon because of the way it was introduced. Will you be able to peg it down departmentally in some way, or will it continue to float?

Sir Simon McDonald: There are two parts to my answer. The first is that later this afternoon you are seeing Baroness Anelay, who is the Prime Minister's Special Representative for PSVI. She was nominated in June and is the focal point across the Government for all this work. My second point is that PSVI is a project across Government. The Stabilisation Unit is the focal point. Although it sits in the Foreign Office, it is a cross-departmental unit with the MoD and DfID. Its head, who is also coming this afternoon, is a colleague from DfID.

Baroness Hussein-Ece: Sir Simon, thank you very much for confirming that human rights in conflict remain a priority. My question follows on from that of the Chairman. Do you feel,

then, that PSVI is sufficiently embedded within the Foreign Office and seen as a mainstream priority rather than an add-on that has to be thought about later?

Sir Simon McDonald: I do feel that it feels like a mainstreamed priority. The fact that the United Kingdom staged the conference in June 2014 was a signal to the UK, as well as internationally, that the Government of the United Kingdom is closely associated with this initiative. I would say that the conference that we had last year is one of the few that continue to reverberate. There are many international meetings, as Members of the Committee will know. There are not so many that are still discussed 18 months after they happen, but our conference last year is in that small category.

Q141 Bishop of Derby: You have been talking about the priority and the amount of money. I want to ask about the style of spending of the budget in this area. Clearly, preventing sexual violence means tackling attitudes and behaviour in communities and society, and that is a long-haul operation. A lot of funding, as you know, is targeted for specific, project-based activities. Do you have any thoughts about whether, if we are really going to get under the skin of this, we can look to you to help to promote funding arrangements that are sustainable for that long-haul task?

Sir Simon McDonald: We agree, Bishop, that annual funding has been an obstacle. In this CSSF, there will be mechanisms for multiannual funding, so I expect that projects in this Parliament will be multiannual and address the problem which you correctly identify.

Bishop of Derby: That is encouraging.

Q142 Baroness Kinnock of Holyhead: Thank you for coming in to share your expertise with us. In the Strategic Defence and Security Review, the section on PSVI is quite short and lacks detail on what is intended. It talks about taking women's rights into account as part of counterextremism work. I do not know about others here, but I am not clear exactly what that might mean. Would you argue against the securitisation of women's rights, because that, to me, is what is suggested in this paragraph? If that is the case, it does not bode well for women's security or women's rights.

Sir Simon McDonald: Baroness, I would say that the SDSR was our strategy, so it aims to be a shorter rather than a longer document. It is to provide guidance through this Parliament, so the Committee should not be alarmed that it is a relatively short paragraph.

I do think that security is an aspect of PSVI. "In conflict" is in the title of the initiative, so I do not think we can divorce that.

Baroness Kinnock of Holyhead: The words were "as part of counterextremism".

Sir Simon McDonald: I answered the bit about securitisation. Security is a fundamental part of the challenge. As part of counterextremism, women's rights are very important, as extremism often flourishes where women's rights are least regarded. Again, I do not think there is any contradiction in that.

Q143 Lord Hannay of Chiswick: Could you look, now, at the UK Team of Experts, which seems to us an important component of PSVI? I think our understanding is that requests for funding for deployments of the Team of Experts can come from a number of different sources: for example, from the FCO itself, from the Conflict, Stability and Security Fund, from DfID or even from a foreign government. What is lacking, for us, is whether the Team of

Experts can identify its own priorities, or whether it is purely reactive. Does it simply sit there waiting to be asked by someone else to do something, or is it proactive? If so, what is the chain of command for pursuing that form of proactivity?

Sir Simon McDonald: As you identify, Lord Hannay, the projects come in from different sources, but this is a resource recruited centrally by the Stabilisation Unit. It advertises. At the moment, we have 74 experts on the books, each of whom comes with identified expertise that is known to the department. I think you are right that the plans are developed elsewhere, but they are developed in the knowledge of the skills of our experts. I agree that perhaps it would be better to involve them earlier in the process. I think there is scope for that, from what I have learnt in recent days about how the Team of Experts works. They have been deployed 65 times. The process of review is continuing, and early assessment is that they have been effective deployments. I think we are making good use of this team.

Lord Hannay of Chiswick: I follow all that. So who determines the priorities, assuming that the unit gets more suggestions or requests for its activity than it can cope with? Who actually decides that the Yazidis in northern Iraq are more important than someone somewhere else in the world?

Sir Simon McDonald: My understanding is that it is the head of the Stabilisation Unit, under ministerial direction.

Lord Hannay of Chiswick: Which Minister?

Sir Simon McDonald: Baroness Anelay.

The Chairman: Sir Simon, how do counterextremism and PSVI fit together? Have you made a connection—I am sure you must have done—with the Home Office and the specialist unit in Scotland Yard? As a follow-on comment from that, I still feel a little concerned that PSVI, which we would see as an extremely important section of human rights, is floating between departments. Is there no way in which you could peg it down?

Sir Simon McDonald: To answer the last question first, it is one of the strong points in how we deal with this, in our view, that it is cross-departmental. It comes together in one unit, the Stabilisation Unit, and the PSVI people that we have in the conflict department in the Foreign Office. The Foreign Office draws in the resource from across Whitehall. Generally, when we work closely with colleagues in other departments, there is a better result, so I do not think that we want to change that.

At the same time, it is very important that we have Baroness Anelay at the top of this Initiative. She is the only Prime Minister's Special Representative for anything. This was a clear signal from the Prime Minister in June of his attachment to this agenda. It is quite a broad agenda that touches legitimately on others, including counterextremism, but it is brought together in the FCO under Baroness Anelay's leadership.

The Chairman: How do you incorporate PSVI into the prosperity agenda, which is highly laudable and a top priority, given that an integral part of the prosperity work must be the complexities of corporate social responsibility and the long-term businesses in areas of conflict? Are you fitting that together or offering it to those who are key in the prosperity agenda?

Sir Simon McDonald: I agree, Chairman, that this is part of our long-term prosperity agenda, because, again, it is provably the case that where women are economically active, where

they are integrated into the economy of a country, it does better. This is a long-term, slow-burning aspect. I could not personally point to a project that had delivered this in the short term, but it is absolutely part of the long-term philosophy and justification.

The Chairman: Thank you. I think that Baroness Young has a comment.

Q144 Baroness Young of Hornsey: Thank you, yes. Good afternoon. I would like to come back to Baroness Kinnock's question to get a bit more clarification. I want to understand precisely what you are saying. I see it as potentially problematic if women's rights are linked to countering extremism. That seems to me to be saying that women's rights is a means to an end rather than an end in and of itself. Surely that would influence the way in which spending on particular initiatives is deployed. To me, women's rights are part of a human right, which should not necessarily be linked to another agenda which is about combating extremism.

Sir Simon McDonald: Women's rights are an end in themselves, and that is clearly stated and understood, but it is also the case that, separately and unthreateningly to that fact, when we are analysing extremism in the world, we find that countries and territories where it is a problem also have a problem with women's rights, the status of women in those communities. So, legitimately, we are tackling that as well. Addressing women's rights can have a positive result for more than just the women themselves—for their communities and what else is happening in them.

Baroness Young of Hornsey: I suppose, then, that it is a question of emphasis, is it not? If you are going to prioritise a project or an initiative that is primarily concerned with combating extremism and then think, "We can infuse that with a bit of women's rights", that is a question of emphasis.

Sir Simon McDonald: But I hope, Baroness, that it is a way to leverage more money out of the system, because that is another set of projects where this agenda is relevant—central—to our success.

Q145 Baroness Hodgson of Abinger: You have said that it is still a priority in the Foreign Office. Where does it sit in embassies across the world? Is there any way in which the Committee could help with this by our recommendations? I am certainly very concerned that, having put so much into getting PSVI up and rolling, it continues its work in years to come. There is a long way to go to address these issues, and it would be a terrible shame if things were to roll back.

Sir Simon McDonald: I agree. The effort is not uniform across the world. I was in west Africa recently, and there is more emphasis on PSVI work in Africa than in most parts of Europe. We have a lot of projects in the Middle East, on the Syrian border and in eastern Iraq. We have a lot of projects in central Africa, in the DRC and around Somalia.

We prioritise our efforts around the globe, and I think that is a legitimate response to what is still a relatively constrained resource. I think the Committee's report will be an extra stimulus to the Government, a reminder of wider interest in this agenda, and will ensure that it remains a priority of the FCO and Government as a whole.

Baroness Hodgson of Abinger: Can I ask a supplementary? Many countries where there is no conflict signed up at the UNGA meeting. Do you, through the embassies, encourage those countries also to work on PSVI?

Sir Simon McDonald: We do. In the brief, which I have not memorised, there are lots of examples in other countries—such as the Balkans—where governments who made pledges at the conference last year have followed them up. From memory, we have done that in Bosnia. It is around the world, but not evenly around the world; we tailor our effort to local circumstances.

Lord Hannay of Chiswick: But is not the reality in the real world that we are actually going backwards on PSVI? The events that have taken place in eastern Syria and northern Iraq since PSVI launched are horrendous and do not have any very close similarity to anything that has taken place in recent decades. Surely what we were missing in response to an earlier question was any specific recognition in the Strategic Review for the next five years that we are having to push the stone uphill again, not simply trotting off after it as it goes gently downhill in the right direction.

Sir Simon McDonald: It is true that it is a difficult agenda. It is true that there are some very bloody conflicts happening right now. You mention the Syrian conflict. I think this is the first time that there have been people in countries around Syria receiving women fleeing from Syria and taking their testimony with PSVI in mind, so that something can happen later. That is a positive development. The war is dreadful, but testimony has been taken.

Lord Hannay of Chiswick: And where are you going to prosecute people?

Lord Williams of Elvel: Have these projects in Syria and Iraq succeeded in identifying somebody who is patently criminal in this respect?

Sir Simon McDonald: My understanding is that they are gathering the evidence but, as we all know, the conflict still continues, so it is at the evidence stage rather than the prosecution stage. But that comes; we have seen that in other conflicts. It was years after Bosnia stabilised that convictions started in The Hague.

Lord Hannay of Chiswick: But in that case, an international tribunal was set up by the Security Council, which had jurisdiction. Nobody has jurisdiction here.

Sir Simon McDonald: We have the International Criminal Court.

Lord Hannay of Chiswick: The International Criminal Court does not have jurisdiction in either Syria or Iraq, as you know.

Sir Simon McDonald: The International Criminal Court is a standing institution that was not there in earlier conflicts and has been successfully used in some—not in all, as you point out—but it is an option of the UN to have a tailored reaction to the conflict now in Syria. I am not making an announcement or prejudging, but by gathering evidence you keep your options open. By gathering evidence, it is better than it was before.

Lord Hannay of Chiswick: But we have been given evidence from legal experts that Iraq, for example, even if it did not accept the full jurisdiction of the International Criminal Court, could ask it to be active and have jurisdiction in the context of what is going on in the north-west of the country. Are the British Government doing anything about that? That is in Article 12.3 of the Rome statute. Are you pressing the Iraqis to go down that road?

Sir Simon McDonald: Lord Hannay, I do not know as I sit here; I will find out. It seems on the face of it a good idea. I will pursue it.

Lord Williams of Elvel: Can I press this question a little further? Are you confident that in the course of time there will be prosecutions as result of all your efforts in Iraq and Syria?

Sir Simon McDonald: That is the intention.

Q146 Baroness Warsi: I have two short questions. Thank you very much for coming in to give evidence. First, you may well have to write to us on this, but how was the £29 million figure to which you referred split between 2014 and 2015?

Sir Simon McDonald: I will have to write to you, but I can tell you that that figure does not include the expenses of the conference: it is £29 million on PSVI projects themselves.

Baroness Warsi: The second question is: do you feel that there is a conflict between the Home Office and the Foreign Office in the way they view and respond to sexual violence in conflict?

Sir Simon McDonald: No.

Baroness Warsi: Do you feel, therefore, that our asylum policy towards women seeking refugee status who have been subjected to sexual violence in conflict is consistent with our commitments given in the protocols and documents that we signed as part of the conference?

Sir Simon McDonald: I feel that that is beyond my competence, Baroness.

Baroness Warsi: If I may just come back to you, Sir Simon, you said that there was no conflict between the two.

Sir Simon McDonald: One word is not a sufficiently long answer. We work very closely with the Home Office. Although it is not formally part of the Stabilisation Unit, there are many fora in which we come across our Home Office colleagues. I believe they are part of the cross-Government effort on this agenda. For the detailed cross-application to asylum policy, I repeat that I do not think I am qualified to comment.

The Chairman: Sir Simon, you have given us an enormous amount of information and all your energy and fruitfulness. Thank you very much. I hope that you will be able to see the situation of women post-conflict who have been physically abused as a building block in the stabilisation of an area subsequent to conflict—thinking particularly of Syria, say. If you do not bring women in, as we have heard from other witnesses, a country is unlikely to be rebuilt very efficiently or well. I hope you will take that thinking away with you about the outcomes of conflict and the outcomes for victims. If we cannot find a method of bringing them back inside, it will be hard to rebuild families, villages, communities, tribes and cities. I hope that the Foreign Office will think of that. Congratulations on the enormous amount of work the Foreign Office does on a very slender income. We very much hope that PSVI will be a star in your agenda in the coming few years. We think that it is a very important initiative that the Foreign Office has created and it should carry on.

Sir Simon McDonald: I agree, Chairman. Thank you very much.

The Chairman: Thank you for coming.