

International Development Committee

Oral evidence: Crisis in Yemen, HC 532

Wednesday 27 January 2016

Ordered by the House of Commons to be published on 27 January 2016.

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Members present: Stephen Twigg (Chair); Fiona Bruce; Dr Lisa Cameron; Mrs Helen Grant; Wendy Morton; Albert Owen

Questions 1-62

Witnesses: **Julien Harneis**, Head of UNICEF Yemen, **Josephine Hutton**, Regional Programme Manager, Middle East, Oxfam, **Grant Pritchard**, Director of Advocacy, Media and Communications on Yemen, Save the Children, and **Roy Isbister**, Head of Arms Unit, Saferworld, gave evidence.

Q1 Chair: Good afternoon, everyone, and welcome to this evidence session on Yemen for the International Development Committee. Can I welcome our first panel of four expert witnesses? This is clearly a very important subject. We have four fantastic witnesses with us now and we have an hour with you. I am going to have to be very strict that at two o'clock we will finish this part of the evidence session, because we then have the Ministers and we want to be able to put our questions to them, including hopefully some based on evidence that you give us during this oral session. In some of our questions, it will make sense for each of you to give an answer, but sometimes we will have questions directly to perhaps one or two of you.

Let me start off with a general question, and please all feel free to answer it, although I am particularly keen to hear from Grant and Julien, because I understand that you have recently been in Yemen, so your reflections will be especially helpful. Can you describe the current situation on the ground and what that means for the practicalities of delivering aid? Perhaps we could just go across so, Grant, could you go first. Introduce yourselves and say where you are from when you answer. Thank you.

Grant Pritchard: I am Grant Pritchard. I am the Director of Advocacy for Save the Children in Yemen.

Julien Harneis: Julien Harneis, the representative of UNICEF in Yemen.

Josephine Hutton: Josephine Hutton. I am the Regional Programme Manager, Middle East, for Oxfam.

Roy Isbister: I am Roy Isbister and I lead the Arms Unit in Saferworld.

Grant Pritchard: If I may, I will just give a quick overview of the humanitarian situation on the ground that we currently face in Yemen. It is the largest humanitarian crisis globally, at the moment. Politically, 10 months on since the escalation in violence, little has changed on the political level. There is a distinct lack of progress towards a permanent ceasefire and an inclusive peace agreement. Before March and the escalation in violence in March, people tend to forget that there was a humanitarian crisis going on but, 10 months on, that has exacerbated.

We currently have 82% of the population in need of some sort of humanitarian assistance in the country, which equates to about 21.2 million people in need, and that includes nearly 10 million children. Of those 10 million children, nearly 8 million are food-insecure, i.e. they do not have enough to eat on a daily basis. Seven million are without basic healthcare and 2 million are not attending school. On top of that, we have nearly 1.5 million children who are acutely malnourished, and that represents a significant increase since March 2015.

From a more grassroots perspective, and from a Save the Children perspective, we are responding to the humanitarian crisis in nine governorates through six thematic areas, including things like nutrition, food security, health and so forth, and protection. We have reached around about 0.5 million people so far. That is since April. We hope to further that or increase that number of beneficiaries to around 700,000 in 2016, but that obviously is subject to funding. As I said, the conflict is a protection crisis. Of the 3,000 or so civilians who have been killed so far, 750 or thereabouts are innocent children and the majority of those deaths have been a result of the Saudi-led airstrikes on the country. I will leave it there.

Chair: Thank you. We are certainly going to come back to a number of those issues, including the impact of the Saudi airstrikes. Thanks, Grant. Julien.

Julien Harneis: Good morning. I am the representative based in Sana'a. I was in Sana'a on Sunday, having been in Yemen for three years, and I was in Taiz city last Thursday, just to give you the background of where I was coming from.

Chair: Can you say a bit about Taiz?

Julien Harneis: Yes, certainly. I will say a couple of words about grave violations against children and then talk more about the delivery of assistance in the country. We have recorded 1,933 children who have been killed or injured during the last year, and we can talk more about the causes of that later. 762 children have been recruited, which is a vast underestimate, because it is difficult to verify recruitment of children to armed groups. 88 schools have been attacked, destroyed, damaged or used, and we estimate that 10,000 children under five who would not otherwise have fallen ill will die as an indirect consequence of the conflict, from issues like measles, diarrhoea, etc. The indirect consequences of the conflict are far worse than the bombs and bullets.

Now, in terms of delivery of assistance, we have offices across the country and our staff are across the country. I will break it down into three different elements: supplies; working with local partners; and monitoring and supervision. We have been able to deliver supplies across the country into all areas of Yemen since the upsurge in the fighting in March, be it in the east in Mukalla in Hadhramaut, in the north in Sa'dah, in Aden, in Taiz city—there is no location where we are not able to physically deliver

humanitarian supplies and assistance. Similarly, with our local partners and local organisations we are working in all areas, including Taiz.

The difficulty for us is not so much partners or moving the supplies; it is the physical presence of UNICEF staff to be able to get into the more difficult areas. Without that, it is very difficult to ensure that the appropriate assistance is being delivered—that what we are giving is what the population actually requires—and that proper fiduciary risk is dealt with.

I will talk a little bit about Taiz. We went in on Thursday. We currently have programmes in Taiz city. We are delivering 65,000 litres of water a day from 30 water points. We have delivered nutrition supplies and health supplies. We are educating 3,000 children in temporary schools because obviously, as a result of the fighting, many schools have been closed and many teachers have fled. We are able to deliver assistance into Taiz. When we drove in, I saw hundreds of civilians walking in and out of Taiz city, including the movement of supplies across the no man's land, which is about 300 metres from the last Houthi checkpoint to the first resistance checkpoint, food being wheelbarrowed in and other supplies being carried into the city. There is access to supplies.

There are restrictions. The restrictions are principally on supplies that would be used for treating the war-wounded. Now, it is a violation of international humanitarian law to prevent that, but that is the main area of sensitivity. Beyond that, with appropriate negotiations and discussions with local partners and the local de facto authorities, we are able to get things in. Obviously being in Taiz is miserable. It is the second-highest location for the killing and maiming of children in the country. There are only three health facilities out of 22 that are functioning and all three hospitals have been heavily damaged in shelling. It is difficult, but assistance is being delivered by us and others.

Q2 Chair: Is sufficient food getting into Taiz?

Julien Harneis: When I was there, I saw WFP's food distributions that were delivered outside of the enclave. Beneficiaries came out. People came out of the city through the checkpoints to pick up the food and then were taking it back into the city. It has to be said that, for food, that was the first time I am aware of a significant delivery into the city, but for other supplies we have been doing that for many months.

Josephine Hutton: The conditions that they have described are essentially what we are experiencing as well. The greatest risks being experienced by the population, apart from the protection concerns and safety, remain access to basic services, access to health services particularly, and access to food. This is the area that is one of the greatest concerns. You can try to provide some area provision of support to populations but, if food and access to food remain the biggest issue that most populations have, the rest of what you are trying to do will have limited impact.

Even though there has been a slight easing in recent weeks, in terms of goods getting into the country, most of our teams on the ground—we have about 240 staff working in the country, and about 25 to 30 of those are international staff, in multiple areas—are saying that they are not seeing significant change in terms of markets and availability of goods.

In large cities, yes, but certainly not for displaced populations, who are highly vulnerable. That is a major concern.

Water has always been a primary crisis issue for Yemen. It is not getting any better; it is getting worse. There is huge dependency on water trucking and the cost of water trucking, which is obviously not a sustainable solution. In terms of the kinds of interventions we need to look at, we need to be trying to focus more on the more structured provision of water in key areas, because that is obviously the number one public health concern. These are the key areas. I will not add more to them, because we do not have a lot of time. I can talk a little more later, if you are interested, about the access and challenges to delivery.

Chair: Yes, that is certainly one of the issues that we want to explore later. Thank you very much, Josephine. Roy.

Roy Isbister: All I would add is that all sides of the conflict are responsible for significant serious violations of the international humanitarian law, through the use of conventional arms. I hope that we can come back to the UK's role in that.

Chair: That is our next question, so yes. Thank you very much indeed. What we have now are six areas that we wish to cover, of which that is the first. Fiona is going to lead this part.

Q3 Fiona Bruce: With reference to unimpeded passage of humanitarian relief for civilians in need, have humanitarian access law and UN Resolution 2216 been observed in Yemen? What are your views on this?

Roy Isbister: The evidence that has been gathered is suggesting that there are serious, significant violations of international humanitarian law, which are taking place on all sides. Our particular interest in that is the role that the UK Government play. We are not for a moment suggesting that the UK Government are in any way supporting the Houthi and allies in terms of arms supplies, but the scale of material support for the Saudis and coalition is extremely large.

The scale is incredible. In the last six months, we have seen close to £3 billion-worth of arms licences granted for exports to Saudi Arabia, of which the vast majority are for planes and for bombs to be delivered from those planes. UK equipment makes up a significant proportion of the Saudi capability. The Royal Saudi Air Force has more UK-sourced planes than the Royal Air Force does, so the use of UK equipment has to be significant.

We would see the defence that is presented by the UK Government for why it is acceptable to grant those licences as fundamentally not credible. The UK system works on the basis of risk. You only transfer arms if you are confident that there is not a risk of serious violations of IHL. We have seen evidence produced from various sources that these violations are widespread. Human Rights Watch and Amnesty International between them have documented over 60 cases, using GPS co-ordinates, using photographs and so on and so forth. The UN Panel of Experts today has come out and said that they have documented 119 cases of clear violations of international humanitarian law.

I was stunned last week to see that the UK had licensed £1 billion of bombs to Saudi Arabia. The idea that that fits with the UK system I find frankly incredible. It is very

important to note that the UK defence that we have heard from Ministers is frequently that there is no deliberate targeting of civilian objects. We, along with Amnesty International, commissioned Matrix Chambers to provide a legal opinion on this. They were very clear that the international law point is not deliberate targeting; it is indiscriminate targeting. There is a very clear case for indiscriminate targeting, so we have very major concerns about this.

Q4 Chair: Roy, on the £1 billion worth, what period does that cover?

Roy Isbister: That is for the period of three months from July to September. That is all following the beginning of the conflict. Also, before this information was out, Matrix Chambers was saying that, from May onwards, it was clear from licences already granted that the UK was in breach of their obligations under UK law, the EU common position and the arms trade treaty. This is all subsequent to that point in time.

Q5 Fiona Bruce: What does the rest of the panel think the greatest challenges are to the rapid scale-up of the humanitarian response that is clearly needed?

Josephine Hutton: I can go briefly. For us as Oxfam, it is one of the most insecure countries we work in. It is well beyond our normal risk threshold for multiple factors. The biggest issues relate to access. We have to negotiate our access and movement very regularly and in very difficult circumstances, and often we are not given permission to travel to key areas. For many weeks, for instance, our senior staff are not able to travel to key areas. Regarding safety on a daily basis, we can try to mitigate many of the risks in an insecure country. We have risks in many countries, but the risk of airstrikes and the risks of being caught in crossfire are almost impossible to mitigate. We have had to make very key operational decisions to take those risks on board.

In terms of negotiation, for us it is also about the questioning that we receive. With the exposure that we have, there are not very many humanitarian agencies with large numbers in country. A lot of communities in which we work are very desperate, and our staff face daily threats, targeting, questioning and raising of issues of why there are not more agencies, why there is not more assistance and why Oxfam cannot do more. We are doing the best we can, but it is a very difficult context.

Q6 Fiona Bruce: Is this from all parties in the conflict?

Josephine Hutton: Yes. We are primarily working in the north, but we have had 10 security incidents in the last six weeks alone of staff reporting being threatened a lot, in the field, at field level. This is very difficult. Populations are obviously keen and they are receptive, but they are incredibly frustrated and fairly desperate. We cannot share the profile and the risk with multiple agencies, as we normally would.

There are also criticisms raised—and our staff face this a lot as well—about perceptions of bias among the international agencies for where assistance is being provided. Access, again, becomes the biggest issue because, for instance, there are huge needs in Aden and the surrounding areas, but access is almost impossible. You can get some through; there

are agencies that have managed, but it is very difficult. Again, there is a perception that the humanitarian sector is perhaps not balanced in its assistance and seen to be tied to the political whims of various parties or not. This is a very difficult challenge for our staff to face on a daily basis.

Chair: This is fantastic; both Roy and Josephine have said things that a number of us are going to follow up in later questions, so thank you for that.

Julien Harneis: On the point of scaling up, the challenge in Yemen is that you have 25 million people who cannot get out of the country. They are completely locked in. All the borders are closed. If you try to leave by sea, there is a fair chance that you will be hit by an airstrike. Oman's border is closed. Saudi Arabia's border is closed.

The economy has imploded. Imports have increased to about 60% of those pre-war, but Yemen was a country that depended heavily on remittances from abroad. The economy is disappearing. Even if you have stuff in shops, who can afford it? Who can afford to pay for health services? In that context, the needs of the population become so vast that no humanitarian organisation or group of humanitarian organisations can ever hope to cover this situation. So long as the country is cut off in this way, as long as there is this conflict, we cannot aspire to meet the needs.

It is difficult, but it is possible to deliver and work across the country. One has to be careful. One of the important elements in Yemen that I find fascinating is the neutrality of the health, education and other social services. Although there are Ministers in Riyadh, if you talk to health workers and education people in government, they say, "We are technocrats." They sound a bit like British civil servants. "We are technocrats; we are not political. We are here to deliver assistance to the population, irrespective of who the political leaders are." I have seen health workers who work across lines of conflict. I have seen education workers cross into Taiz city in order to deliver education.

The education system, the social system and the health system are very fragile. If it is destroyed through this conflict, you will be looking at long-term destruction of the society that will lead into further disease, years after the war is completed. It is very important that, when we look at how we scale up, one of the aspects should be support to encourage the neutral social services to do the job. By "encourage", I mean finance them, because they can deliver anywhere. Keep that going, because we will need it in the future.

Grant Pritchard: Really to echo what others have said: obviously, security remains a real challenge in-country. We have seen growing evidence in the past few weeks at least, particularly in the north of the country, of a shrinking humanitarian space. Authorities are demanding things like staff lists, particularly where those members of staff are from and whether they are from the south or the north, and beneficiary lists—where we have been providing assistance, to whom and so forth. Also, as has been said before, there is harassment of staff and insistence on logos on vehicles. In a highly insecure environment, it is not the best idea to be advertising your presence in hostile areas. There are daily notifications of movements so, if we want to go and do food distribution, we have to inform the authorities and get prior authority to do that, on a daily basis.

These kinds of challenges just add to the bureaucracy, I suppose. They also cost money—money that should be going to our beneficiaries rather than elsewhere—and just make what is already an extremely challenging context that bit more challenging.

Q7 Dr Cameron: I wanted to focus on the needs of children in Yemen. They are particularly vulnerable parties to the crisis. Mr Harneis, you told the UN recently that “The children of Yemen need urgent help and they need it now.” Given the myriad difficulties that children face, what are the urgent priorities that DFID should and could address?

Julien Harneis: First, I should say that the support of DFID has been absolutely essential to maintaining a very large nutrition programme in Yemen and other services, WASH and health. Without that, we would not have been able to provide the significant scale of assistance that we are providing today. DFID has been very understanding about the difficulties of implementation.

The main issue goes back to my previous point, which is particularly the health system. The health system is kind of just about working. There are about 80% of health centres that are still functioning and opening, but how many health staff actually go in? Even if you could go in, what services will you get? Most health centres sell their medicines. You will get free nutrition assistance, principally thanks to DFID. You will get vaccination but, beyond that, the assistance to the population is very limited. Our main focus should be to ensure that the health system is supported and strengthened across the country, and that should be done in collaboration with all actors, with INGOs, with local authorities and with donors. As I mentioned earlier, far more children will die because of disease than will because of bombs and bullets. It is the long-term destruction of the health system that will affect us for 10 to 20 years.

If you look at west Africa, one of the contributing factors to the Ebola pandemic was the destruction of the health system in the previous civil wars in that region and our not doing enough to ensure local government systems continued to function and were reinforced. That is, to my mind, the key priority.

Grant Pritchard: From Save the Children’s perspective, there are two areas. One is child protection and one is education. Both are significantly underfunded. Both are extremely important. On child protection, there are things like psychosocial support for traumatised children. Ten months on, relentless airstrikes, ground fighting and so forth have an impact on children. That would be one, and the provision of child-friendly spaces and safe spaces where children can go, recount their experiences and so forth. In any crisis and response, it is hugely beneficial.

On education, I said in the opening remarks that we still have 2 million children out of school. Save the Children went into schools and talked to IDP children a week or two ago, in Sana’a. They expressed the obvious desire to return to their hometowns and go back to their home schools, but it was also clear from the interviews that we conducted that many of these children are super-traumatised. While they have a strong desire for peace and so forth, from talking to the teachers as well there was a genuine feeling that children had shown a great deal more violent tendencies as a consequence of that trauma, both in terms of fighting with other children but also with teachers, which frankly in Yemen is quite unheard of. Education and child protection would be the two key areas that DFID should support.

Josephine Hutton: Briefly, to echo what Julien said as well, the support by DFID has been really profound and fundamental. Many other donor countries do not have the level of

engagement, interest, analysis and awareness. At times, this has meant lots of engagement on providing information, because there is no presence on the ground, but we accept that is a key part of our relationship.

From Oxfam's perspective, I guess the key focus for us would be on the continued provision of water and being able to provide and continuing to fund key programmes that provide water, especially to the most vulnerable and displaced populations. Given the context of Yemen, this is an ongoing thing for us. Water trucking is very expensive and difficult, but there is no way to get around it in Yemen. Investing in infrastructure, of which a lot has been destroyed, is really fundamental. Working with local water authorities is something that we have been doing to maintain their ability to continue to try to provide water to urban populations particularly.

For us, there is the provision of cash to enable populations to procure their own food, rather than relying on food distribution. We all recognise that is probably not the answer for Yemen, but the ability to procure food has been somewhat limited. The markets are easing a little bit. We understand that there are concerns about the level of risk in cash-based programming, but we are implementing it. We are very grateful for the support from DFID to do that, but it is a drop in the ocean for us.

One of the greatest threats that some of our staff have faced is determining criteria to try to target those most in need, particularly those with young children, children with health issues and female-headed households. Working with populations to agree on those criteria and accept them has been a huge security challenge for our staff, because the populations do not want to have targeting. They feel that everybody is in need and everybody is desperate, so it has been a very long negotiation in some communities. Obviously we are expecting and hoping for significant expansion of support from the UK Government for Yemen to enable us to reach greater populations in need.

Q8 Albert Owen: Julien, you commented, and I understand why you said it, about the number of deaths by disease, which is far worse than those from bullets and bombs. The UN has described the impact on civilians as "brutal". Have you and the rest of the panel had evidence or experience of cluster munitions being used in populated areas, and schools and hospitals being targeted?

Julien Harneis: I think you are referring to Roy's point about the £1 billion-worth of munitions. I have seen a fair bit of it landing in our neighbourhood so, yes, we are obviously very well aware of that. We see that its use is indiscriminate. On the positive side, if we look at the last three quarters of last year, the second quarter was absolutely ghastly. Over 600 children were killed or injured in the second quarter of last year. In the third and fourth quarters, that significantly reduced. I should say that 62% of the killings and maimings are caused by the Saudi-led coalition. We saw a significant reduction towards the end of last year, which made us hopeful that it was possible for the armed forces that are involved in this to improve their targeting, so that civilians do not die as a result of this. However, the last weeks make us worry that there may be another spike in deaths.

We see that, in certain areas, the way that the bombing is being conducted, irrespective of whether it is a cluster munition or a conventional bomb, is almost guaranteed to lead to civilian deaths. Regarding the size of the munitions they drop, my office, or where we

sleep at night, is kilometres away from where these bombs are dropped in urban areas, and the whole building shakes. We are talking three or four kilometres away. These are huge bombs dropped into a city of millions of people.

Then there is a sort of double-tap. They will drop a bomb. Ambulance and health workers will rush to assist the victims, and then they will drop another bomb two hours later and blow up the ambulance crew. It happened last week. A friend of mine, a journalist, was killed in a similar way 10 days ago. He was out for *Voice of America*, filming a bomb that had gone off in a civilian area with this crew. The bomb had been dropped the previous day. There was nothing left, just a crater. The next day, while he is there, another bomb gets dropped, again in a predominantly civilian area.

Albert Owen: That is targeted; that is not indiscriminate. That is targeted.

Julien Harneis: When there is no military target left because it has been blown to smithereens, I wonder what they are targeting. They bombed Sana'a for 10 months without stop. I wonder what is left to blow up. They are going after policemen. I do not believe that there is deliberate targeting of civilians, but the way that the bombs are dropped in civilian areas leads to the deaths of civilians. If we look at the bombing in Sa'dah, all the way through the last 10 months the deaths of children and the injury of children have been consistent. About 20% of the killing and maiming of children incurs in Saada governorate. The way that it happens over and over again gives a pattern of indiscriminate attack.

Q9 Albert Owen: I have got the picture, but I would like to ask other members of the panel, please, if they believe that hospitals and schools are being deliberately targeted and that cluster munitions are being used.

Roy Isbister: Maybe I can speak to that. Julien can speak far more eloquently than I can, from having experience on the ground. On the cluster side of things, I have seen comments from Government Ministers talking about alleged use of cluster munitions. Again, these have been very carefully documented uses by very respected human rights organisations. In other contexts, the Government will cite their reports. Human Rights Watch and Amnesty will be cited in Syria; they have been cited in Libya and Sudan in support of the Government position. Here, they are referred to as not good enough to be considered evidence compared with a reassurance from the Saudis, one of the belligerents to the conflict, that there are no violations of international humanitarian law. I have no doubt, on the basis of the evidence that has been produced by partner organisations, that cluster munitions are being used.

This also points to another issue that is very worrying. That is the notion of the independent investigation of alleged violations. The Dutch led a call to the Human Rights Council for an independent investigation. The UN Panel of Experts has just called for the same kind of thing to happen. Saudi Arabia led the opposition to that notion of independence and argued that any investigation should be led by the recognised Yemeni Government. The UK supported the Saudi position in that.

Albert Owen: I think that is something we will ask the Ministers when they come in. Grant, what has been your experience on the ground and can you respond to my initial question of whether you think hospitals, schools and civilians were being deliberately targeted?

Grant Pritchard: The statistics speak for themselves. 207 civilian structures, like schools, medical facilities, mosques and so forth, have been damaged or destroyed since the escalation of violence. According to OCHA, 4,500 civilians have been killed or injured as a consequence of airstrikes and also shelling from the ground. Save the Children has been advocating for an end to the use of explosive weapons in populated areas, which is a real concern and has a massive impact in terms of casualty lists.

There seems to be growing evidence—although this is perhaps slightly speculative—from looking at various reports and so forth, that, at least from a Saudi-led coalition perspective, as Julien has noted, there are not many military targets left. There now seems to be more of a concerted effort to go after senior Houthi and GPC leaders and their residences in populated areas, particularly in Sana’a, which obviously has an impact from a civilian perspective. They are using explosive weapons against these particular structures, buildings, private homes and so forth, and obviously there is collateral damage from that. Obviously I am not privy to this information, but I agree or concur that it is indiscriminate, in my view.

Roy Isbister: Can I just make one more point that is very specific to this? I have only found one really strong reference to the notion of deliberate targeting, which is in a US Government document, which I have here and can pass on to the Committee. It states, “The ongoing conflict in Yemen has included airstrikes that have shockingly targeted cultural heritage, monuments, sites and museums.” That is a US Government document that I will forward to you.

Q10 Albert Owen: For the record, can you give us the name of that document?

Roy Isbister: Yes, it is about the preparation, production, distribution and promotion of an “Emergency Red List of Yemeni Cultural Objects at Risk”. I return to the fundamental point of international humanitarian law. Deliberate targeting is clearly a breach of international humanitarian law, but indiscriminate targeting is a breach of international law too.

Chair: The UN Panel of Experts report that has been leaked today says, “The Panel documented that the coalition had conducted airstrikes targeting civilians and civilian objects,” so the UN Panel of Experts is making that allegation.

Josephine Hutton: Just briefly, I would confirm everything they have said. There are enough examples. We have seen examples. Oxfam has had its own warehouse affected. MSF has reported four incidents now, just in the last few months. It is pretty hard to try to brush over that and say that the targeting of a hospital was done accidentally. There are many examples of warehouses, schools, etc., that have been raised. You cannot get past that fact.

The targeting in urban areas is something that is incredibly confronting. You have lived through it much more than me, but I was in Sana’a a couple of months ago. To feel just the proximity in an incredibly dense urban area of very large munitions exploding is something I have not experienced anywhere else in my career. To walk out in the morning and see piles of hot shrapnel sitting in front of our house in the neighbourhood, because they have been bombing primarily political targets in the neighbourhood, is something quite extraordinary to realise. If it is coming that close to where I am in a neighbourhood that is being targeted on the perimeter, what is the impact on the wider civilian

population? It is impossible to avoid civilian impacts. Whether it is targeted or indiscriminate, it is happening in both cases.

Roy Isbister: There is the case that, on two occasions, the Saudis have announced that they are targeting a complete municipal area, which again is in breach of international humanitarian law.

Chair: We are going to run out of time for other questions if people keep coming back in.

Julien Harneis: I should add that the Houthis are also doing indiscriminate shelling in the south.

Q11 Mrs Grant: What you are saying about what is happening in populated areas is very concerning. Is there anything, in your opinion, or any more that the UK Government can do to protect civilians and to ensure that all parties act within the norms of humanitarian law? That is to everyone.

Chair: It is not for everyone to answer, because we do not have time. Does someone want to try to answer?

Roy Isbister: From my perspective, it is very quick: stop supplying arms that might be used in the Yemen conflict to any of the parties to the conflict.

Chair: Does everyone agree with what answer?

Julien Harneis: And more precise targeting and less use of heavy munitions in civilian areas, going after judges and political figures. It needs to be more discriminate—and it can be.

Q12 Mrs Grant: I have just one follow-up as well. What would you like to see in terms of investigating reports of alleged violations of international humanitarian law?

Grant Pritchard: I would just add to the previous question that more vocal and public condemnation of these alleged incidents would be good, from a UK Government perspective. Save the Children has been advocating for the establishment of an independent monitoring body, an international body to be established, to look into past, present and presumably future potential or alleged IHL violations. We continue to do that.

Roy Isbister: A properly independent investigation, as originally proposed by the Dutch Government.

Josephine Hutton: We would agree, and it is one of the great disappointments that that resolution did go up and the UK Government did not support it. That was a great opportunity to agree on an independent investigation, which did not happen. We would reiterate calling on all parties to cease providing munitions to those who are directly involved in perpetuating the conflict is really the only answer. That is fundamental. It is one of the great paradoxes that we face, which you are all aware of: the UK Government has this incredibly responsible role in terms of the aid side, and yet their role in terms of provision and support, which has become clearer and clearer as the weeks have gone on, in perpetuating the conflict is an incoherence that does not bear out. We are calling for a focus on that.

Q13 Chair: Josephine, you have just said what is in my next question, which is the paradox at the heart of British policy: the aid on the one hand, and the arms on the other. In an earlier answer, Josephine, you talked about the risk of a bias being perceived on the ground and the impact that that might have on the ability to deliver aid. Can you say a little bit more about that? I will ask some of your colleagues to come in on that as well.

Josephine Hutton: Sure. The paradox is a fairly profound one, certainly for us, because we have had a long relationship with the UK Government in Yemen. We have worked collaboratively together for a very long time as Oxfam. We have been working in Yemen for 32 years, so that is a very long relationship. We are now in a situation where one of our primary areas of advocacy is to ask the UK Government to stop working with the Saudis, to stop providing weapons and to support investigation, and yet we are well aware that we are implementing with funds from the UK Government.

We have not faced it as a direct threat at this point. I will say that honestly, but our staff have raised continuously that it has been raised with them by members of the population. They are perhaps more those who are the well-educated elite, who can ask these questions, who can read wider websites than the average person we may be accessing. They read the newspapers. They can see the statements coming out in this country being made by Ministers, so it is a very difficult line for us to tread. We have to constantly explain that our position is impartial: to try to assist those most in need and those who are most vulnerable. In a place such as Yemen, people are very politically motivated and, when things are desperate and when people are choosing measures to try to influence the outcome of the conflict or the direction, they will ask hard questions and they have started asking them of us, maybe not directly at a headquarters level but more to our staff themselves, who face the greatest risk in the field.

It is something we are constantly monitoring. We make decisions about our ability to scale up or work in other areas. These are the questions we raise all the time. We have certainly discussed with Houthi leadership what they are aware of. They have not yet raised with us very direct concerns. I suspect they may be playing a very careful hand, because they also need the agencies that are working in the areas where they are operating, but from my perspective, as a senior manager responsible for the whole operation, I have to keep a very close eye on it: things that are written, things that are said and questions that are asked.

Grant Pritchard: I would echo what Josephine has said. Particularly in the north, we have found that there is interest in our funding sources. It is at a lower level. It has not been raised at the Houthi-leadership level, but it remains a concern and something we keep a close eye on. Obviously there are risks to our staff, our operations and so forth. I should say that we obviously take money from DFID—it is why we are here today—but also from other sources such as the US Government. We have recently scaled up our response in Sa'dah, and so far, so good. There are no issues to report. Recently, in the last day or two, we did a large pharmaceutical distribution there.

Josephine Hutton: Briefly, one of the questions we are asked regularly, just echoing what Grant has said, is on funding sources. The primary questions we face are: are you funded by the Saudi Government or any Gulf countries, or are you funded by the US Government? We are not yet asked so much about the UK Government, although it has

come up. It has not yet elicited a significant response, but they are interested in who is supporting our operation, so it is just something to watch.

Roy Isbister: Can I mention a different kind of incoherence, intra-HMG incoherence, and that is the role of DFID in the export-licensing process? To my mind, the exports to Saudi, which might be used in Yemen, of all UK arms exports are those that are having the most impact on development, and yet DFID has no formal role. It is excluded from any formal role in giving an opinion on those arms exports, because the arms exports are to Saudi, which is a non-ODA-eligible country, so DFID has no say. Also, DFID only has a say in the context of the recipient country and not where those arms might end up or how those arms might end up being used. To me, that is a fundamental problem. It is easy enough to address, but it is something that should be looked at.

Q14 Fiona Bruce: Julien, I would like to just go back to ask you to give us a little more information about the situation on the ground in Taiz. The reason for that is that one of the questions we want to ask the Ministers is what further help can be given to address the humanitarian needs of the people in Taiz. Last week, we heard from the Yemeni diaspora, and they told us that the situation was akin to Madaya. The siege of Taiz was so bad that civilians had effectively been cut off from aid and medicines for months. Where there was food, it was very inadequate, in terms of the amounts per family, whatever the size of the family. I just wanted you to perhaps augment what you said, because the impression I had earlier from you—and please correct me if am wrong—was that it was not quite as desperate as the impression we were given from the diaspora representatives last week.

Julien Harneis: I do not want to minimise the suffering of a population that has been bombed for the last eight months and seen their city, the most educated city in the country, being decimated. I cannot compare it with Madaya, because I have not been to Madaya, but I saw in Taiz, in the enclave, shops that were open selling tomatoes, fruit and vegetables, shops selling food, and I saw hundreds of people moving back and forth, in and out of the city, carrying supplies and assistance.

Q15 Fiona Bruce: Did you see restrictions as they came back of the amounts they were carrying?

Julien Harneis: I did not see any restrictions. I assume that they are searched at the checkpoints and that not all items can be carried in. I also know that we have been delivering assistance in Taiz city for seven or eight months now, and many of my colleagues come from that city, so we are very well connected to it. There are some restrictions, without doubt. It is a place that is constantly being bombed and fought over, but to say that it is completely closed off is just wrong.

Q16 Fiona Bruce: Do you or any of the other panel members have any comparison with other cities? Again we were told that there were other cities that were also in severely difficult situations.

Julien Harneis: Taiz is the location, at this time, where there are the greatest restrictions. The other parts of the country are either difficult to get to or there is insecurity from al-Qaeda, Daesh or the risk of bombing. Even in al-Qaeda areas, we are able to deliver assistance, so Taiz would be the most difficult place to get into, but it is possible.

Q17 Fiona Bruce: If there was more funding for aid, even though you say you could not possibly help the entire 25 million people, you could get it through to the people who need it.

Julien Harneis: Yes, absolutely. The other thing about Taiz that one needs to bear in mind is that the population of Taiz city is not in Taiz city anymore. They have not been waiting around to get shot at. There is four, five or maybe six times the population of Taiz city outside of the enclave, in the governorate of Taiz and the governorate of Ibb, which is 100 kilometres away. We can assist the population. We need to do much more for the displaced in those areas.

What is very impressive about Ibb city is that the local religious leaders there have signed an agreement between themselves that peace will be maintained in Ibb, so that it can be a place where civilian populations can move to and receive assistance in a safer environment. Ibb remains more or less untouched through this conflict. There is not enough focus on the displaced, and the living conditions of the displaced are appalling. In Ibb city, I have seen classrooms that have been taken over by displaced people, in which 40 people are living in a room half the size of this. The head height is also a bit less. This is in a functioning school. You have a girl's school where half the classroom is occupied by 40 people. We need to do much more for the displaced of Taiz city.

Fiona Bruce: Again you could reach those people if you were given the provision.

Julien Harneis: Yes.

Q18 Mrs Grant: I suspect I know what your answer is going to be, all of you having mentioned it before, but what is the single most important thing you believe the UK Government can do at this stage of the conflict?

Chair: Thanks, Helen. I am going to give you a minute each to answer that.

Grant Pritchard: We have touched on many of them anyway, but it is a more vocal approach to condemnation of IHL violations. I would say that a focus on specific areas like the use of explosive weapons in populated areas is important. The establishment of an independent international commission to look into IHL violations would be key. Prioritise funding, particularly around child protection and education. It is not to say that DFID has not been extremely generous, and others have said this already, but we would like to see them take more of a leadership role in galvanising donor support internationally. Last year, the UN fund was just 54% funded, I think, so it would be good if DFID could take a leading role and get more donor interest, in terms of the humanitarian response.

Julien Harneis: The UK Government should use their influence on all parties to stop indiscriminate airstrikes by the coalition and shelling by the Houthi and Saleh loyalists, in Yemen in general, but particularly with great focus on the governorates of Saada, on the city of Taiz and the city of Sana'a, where the majority of children have been killed or injured.

The other issue goes back to the support to those brave government health workers and education staff, who are continuing to deliver assistance in appalling conditions, crossing lines in a neutral fashion. They require encouragement, and when I say "encouragement" I mean financial support, to be able to continue their work and to keep those important

social services and also things like the Social Welfare Fund functioning during this conflict but also in the years afterwards.

Josephine Hutton: I would echo what they have said. For us, it is about breaking the paradox of the UK Government's role in continuing to provide arms exports, which perpetuate the conflict. We would call on all parties to stop providing weapons to all the parties that are involved in the conflict and the UK to take a leadership role in that.

For us, it is also about the role that the UK Government can take in promoting an inclusive peace process. We know that it is a long way down the line. We can try to be optimistic. It is going to be a very long process. It is critical to try to make sure that it does not make the mistakes of the past, and includes women, civil society and the parties that are most affected by the conflict but will need to take it forward at a local level.

I would also add raising the profile of the crisis. We all know that Yemen is one of the least understood of our most desperate humanitarian crises. We are very grateful that the UK Government takes such an interesting role, and hope to continue to see the kind of work that they have done, asking for side meetings at key UN events, pushing with other donors and other governments. People just do not understand and do not have an interest in what is going on in Yemen. This is the challenge we face with many governments we try to influence, so continuing to take that role to pressurise, to push and be committed for the long term, in terms of trying to rebuild Yemen support, will be critical.

Roy Isbister: I am going to sound a bit like a broken record, but I work on conventional arms. There is something you can do now, before this hour ends. The UK could announce that it was suspending all licences to Saudi and that arms already licensed would not be delivered, if they have not been delivered yet. Of the £1 billion of bombs in the third quarter of 2015, most of those have not been delivered yet. It is a lot of work to make those bombs. That could happen this second.

If we can expand slightly on that, the UK could then use its influence with EU partners. There are other EU states—France, Spain, Italy and the Czech Republic—that are all significant suppliers of arms to Saudi. To go farther afield, there is Canada and even the US. Use their influence to try to get others to behave similarly and then, to expand slightly on that again, move to support an independent investigation into the conduct of the war so far, so we know what has happened.

Q19 Mrs Grant: Can I just ask if there is evidence, and I am sure you have probably seen it, that the arms that are being licensed and used by the Saudis are coming from here or are they coming from elsewhere? Are they the same ones?

Roy Isbister: They are coming from here and from elsewhere, and we have evidence from the Foreign Secretary himself that the UK arms are being used. The Foreign Secretary is on record as saying that UK arms are being used by Saudi in Yemen.

Chair: Can I thank all four of you very much indeed? We have covered a lot of ground in just under an hour. You are very welcome to stay. We are going to have the Ministers and you can rest assured that we will be putting points that you have put to us directly to the Ministers. If you do wish to stay, there may not be room behind you, but there are seats at

the side here that you are very welcome to take. Thank you very much indeed for your evidence here today, all four of you. Thank you.

Examination of Witnesses

Witnesses: **Rt Hon Desmond Swayne MP**, Minister of State for International Development, **Juliette John**, Head of DFID Yemen, Department for International Development, **Tobias Ellwood MP**, Parliamentary Under-Secretary of State for the Foreign and Commonwealth Office, and **Nicholas Alton**, Deputy Head of Arabian Peninsula and Iran, Foreign and Commonwealth Office, gave evidence.

Chair: Can I welcome the Ministers and their officials? Thank you very much indeed for joining us this afternoon. We have 55 minutes for this session, because a number of Members of the Committee have other commitments at 3pm, if that can be borne in mind as we go through the questions. Typically the questions are directed at one or other department, but sometimes clearly both of you will want to respond. I am going to ask Lisa if she could lead off with a question.

Q20 Dr Cameron: Thank you. The first question is to Minister Swayne. We have heard today that the situation on the ground is very bleak. I am aware that 71% are unemployed, schools have been closed for six months and there has been no electricity for six months in Taiz. Airstrikes are hitting clinics and civilian targets. There is serious malnutrition, particularly among children, and high infant mortality. What is your assessment of how serious the humanitarian situation is in Yemen?

Mr Swayne: It is as you have described it and that is serious. It is a Level 3 emergency and it is essential, therefore, that we pursue primarily a peace process and we bend every effort to that; secondly, that we increase the volume of commercial shipping that can get to the country, because Yemen relies almost wholly on imported food and fuel; thirdly, that we secure proper lawful humanitarian access for the agencies to deliver aid; and finally, that we secure resources from the international community. We have doubled our aid ourselves. The Secretary of State announced a further £10 million just recently. We have doubled our own aid in the last year. We need to do more lobbying and agitating at the international level. The Secretary of State held a side event, notwithstanding the very busy agenda at the UN General Assembly in September, which raised a further £85 million from other donors.

Q21 Dr Cameron: There are 12.2 million people in need of humanitarian assistance in Syria, compared with 21.2 million in Yemen. However, DFID has pledged over £1.1 billion to Syria and only £85 million to Yemen. The UN humanitarian response plan for Yemen is only 56% funded. Is enough funding being directed towards Yemen, given the scale of the humanitarian situation there, and what more feasibly can the Government do?

Mr Swayne: Clearly not enough is being provided. That is why we have been agitating for other donors to provide more. I would not say that we have provided “only £85 million”. We have provided £85 million, which is proportionate to what is capable of being spent by our partners at the moment, given the difficulties of access.

You make an unfair comparison: £1.1 billion for a crisis that is proceeding now into its fifth year against one that is in its first. Secondly, with respect to Syria, access to the populations in need is much greater—4 million people are lodged in camps in surrounding countries, to which we have absolute access with which to make humanitarian provision. That is simply not the case, as we have heard from the evidence given. Access is very difficult. The ability to get in there and effectively spend money is very much more difficult. As to the comparison made of the situations, they are both Level 3 emergencies. This year, 8,000 casualties is a horrible figure. There were 8,000 civilian casualties in Yemen, but where are we in Syria? At 450,000 and counting.

Q22 Dr Cameron: Given your response, does that suggest that you foresee a scaling-up of efforts in Yemen, as time progresses and if a greater peace process can be established and easier access obtained?

Mr Swayne: Even now, we have a series of meetings beginning next month working on the recovery and reconstruction of Yemen. We will have a multi-year offer that we will announce in due course. The department is even now working through its budgets. There is a huge level of need and we will have to address it.

Q23 Dr Cameron: As you will be aware, Yemen has been called the forgotten war. The profile of the humanitarian crisis in Yemen has been relatively low, given the situation. What can the UK Government do to raise the profile of this conflict internationally and particularly with other donors?

Mr Swayne: I hope that this Committee has a role in raising its profile. It may be a forgotten war, but it has not been forgotten by us—as I say, £85 million. We have just increased it by another £10 million. The Secretary of State, as I say, held a side meeting at the UN General Assembly to secure more funding. Last June and July, the Secretary of State for Foreign and Commonwealth Affairs and the Secretary of State for DFID lobbied international partners to secure more. I was in the Gulf last week, principally because of the Syria conference on 4 June, but with every interlocutor with whom I engaged I raised the need for more on Yemen.

Q24 Dr Cameron: Will you be making sure that the UK has a leadership role in terms of improving international recognition of this conflict?

Mr Swayne: We have that and we certainly want to maintain that. We are the fourth largest donor but in terms of the leadership that we have taken with the UN verification and inspection mechanism for shipping, the agitation that we have done in the UN and in the region, we have much more of a leadership role than the mere fourth, in terms of the amount that we have donated.

Q25 Wendy Morton: Just to come back very briefly, Minister, can you clarify that point you made about the link between scaling up and access to the areas of need? Am I right in thinking that there is a direct link, in the sense that you would be willing to consider putting in more aid if there was better access on the ground and if there was the ability to distribute?

Mr Swayne: Yes, and because of the huge danger that we have heard our partners on the ground are incurring. Look at what has happened to Médecins Sans Frontières and the number of staff that they have lost, who have been killed. These things clearly have an impact on what we could do. If there were a peace process, we could do more on education. At the moment, we are concentrating not wholly but almost exclusively on life preservation.

Q26 Fiona Bruce: The head of UNICEF Yemen has just given us evidence that, if there were more humanitarian provision, they could reach areas. There is access that they can obtain. DFID does work there through the NGOs but, as I understand, it does not have any staff on the ground in Yemen. They have been removed from Yemen for some time. Would there be any consideration to returning staff there, so that you could have an on-the-ground view, as we have had from the head of UNICEF here?

Mr Swayne: I would return staff there when it is safe to do so but, even before this crisis, our staff were effectively trapped in Sana'a. We have done the monitoring of our programmes largely through independent third parties to ensure that our money is being spent properly, because of the inability to get out. I am confident that the UN is putting more staff into the region, which is helpful. I am very pleased that the UN Humanitarian Co-ordinator, Jamie McGoldrick, visited Taiz last week. I came across him in Nepal and agitated for him to be moved to the Yemen, so I am very pleased that he has been. I think that he will have a very fundamental effect on the operation.

Fiona Bruce: At the moment, there are no moves to replace in-country staff in Yemen.

Mr Swayne: We work extensively through partners and we do so because of the access that they have, including the local partner, the Social Fund for Development, which has had a great reach. We are very satisfied with their approach. Clearly if there were a peace process, if there were a ceasefire being observed, a great deal more relief could be delivered. There has been relief delivered to Taiz, but the problem is the distribution of it. Now, the UN is wrestling with how to achieve a proper distribution of what has got into Taiz but, while people are being blown to smithereens, it makes life very difficult.

Q27 Fiona Bruce: Just to close, what the head of UNICEF has just said to us is that, if there were more aid provided, they could distribute it now.

Mr Swayne: I am confident that, if there was not a warzone to operate in, a lot more could be done.

Juliette John: DFID staff will return as soon as the UK embassy reopens, but that is part of a broader consideration of staff security. We were there until February last year, and we have local Yemeni staff as well, who were there a bit beyond that, who are now mostly out of the country. UNICEF is also our biggest programme, as part of the £85 million, so they already receive a significant amount of funding from us.

Chair: We are going to move now to the issue of UK military support to Saudi Arabia, where there will be questions for both Ministers. I am going to ask Albert to ask the first question.

Q28 Albert Owen: Good afternoon, Ministers and staff. Evidence to this Committee has been overwhelming that the UK support for the Saudi-led coalition is undermining

DFID's humanitarian efforts. How would you respond to that? We have had evidence from Oxfam and others to say that some branches of the UK Government are fuelling the conflict through supporting arms exports.

Mr Swayne: Is that for me?

Albert Owen: Mr Swayne, that is for you to begin with.

Mr Swayne: The United Kingdom is not a party to this conflict. We are not at war. We support the restoration of the lawful government of the Yemen. Now, I have found that my support for that principle has given me a level of access with which I am able to agitate for greater humanitarian access and relief and greater provision to make shipping available—

Albert Owen: With respect, that is not the question.

Mr Swayne: —and indeed the observation of humanitarian law.

Albert Owen: Sure, but that is not the question. The question is, and it is coming from evidence we are receiving from third parties: is your work being undermined by the fact that we are exporting arms to Saudi Arabia? It is a simple question.

Mr Swayne: There is no evidence that I have that that is the case.

Albert Owen: There is no evidence of that.

Mr Swayne: There is no evidence available to me.

Albert Owen: All the evidence we are hearing from people on the ground to the opposite is completely false, in your opinion.

Mr Swayne: I reject it.

Q29 Albert Owen: The Foreign Secretary has a different opinion from you and maybe the Minister would be able to talk a little later.

Mr Ellwood: I think you need to express what the Foreign Secretary's opinion is, before you take that further.

Q30 Albert Owen: Before I do that, on the DFID thing—and I am sure there are questions for you coming up—are you consulted on licences to Saudi Arabia and is there a coherent policy in Government by which you, as a DFID minister or your Secretary of State, comes to a conclusion that this is Government policy and we agree that these export licences go ahead?

Mr Swayne: As the Prime Minister said today, we have the most rigorous export licensing regime in the world. Now, where an export licence concerns a developing country supported by DFID, DFID has a formal role in the determination of that licence. That is not the case in this. There is this notion that somehow the United Kingdom Government consists of branches that do not consult each other. If I have an opinion, I am quite capable of passing it on.

Q31 Albert Owen: You are very comfortable with the fact that Saudi Arabia is bombing these areas that we are sending aid to and that those arms are being supplied by the United Kingdom, yes or no?

Mr Swayne: The problem for the delivery of aid in Yemen is that there is a war on. We are not a party to the war. We are the leading advocate of negotiations for an end to that war.

Albert Owen: I am perfectly clear that we are not involved in military action, but we are supplying the Saudis with the armaments that are killing people in this country, to which we are sending in aid for humanitarian reasons.

Mr Swayne: That is an allegation, and all allegations that international law have been breached should be properly investigated, as the Prime Minister said would be done today.

Q32 Chair: Minister, you are not suggesting that British arms are not being used by the Saudi-led coalition, are you?

Mr Swayne: The question was rather more pejoratively put—that British arms were blowing people to smithereens and killing them.

Chair: I think you heard most of the evidence session earlier. All of the witnesses we had said that British arms are being used by the Saudi-led coalition in Yemen.

Mr Swayne: I do not have the expertise to be able to judge whether they have the expertise to be able to establish that those are facts.

Chair: Considering the number of weapons that were sold just in three months of last year, it would be a bit odd if the Saudis were not using them.

Mr Swayne: These are things that should be properly investigated.

Chair: We will return to that.

Q33 Mrs Grant: Can I just come in? Just going back to this aspect of consultation, I can see that this situation does not quite apply in terms of the consolidated criterion 8, where there is an obligation for BIS to consult DFID. Leaving that aside and in view of the sheer number and amount of arms being licensed, going to criteria, and the amount of money and effort that DFID is putting into Yemen, have you been consulted by any other department, be it BIS or the Foreign Office, on the fact that this is happening?

Mr Swayne: I have not been consulted, because I would not expect to be consulted.

Mrs Grant: What about your Secretary of State or the department?

Mr Swayne: Were I to wish to be consulted, I am confident that I could make my opinions known.

Q34 Mrs Grant: Has the Secretary of State or any other Minister in the department been consulted?

Mr Swayne: I cannot speak for the Secretary of State. I can only speak for myself.

Albert Owen: You are speaking for the department.

Mr Swayne: I have not been consulted and I would not expect to have been.

Chair: Let me give Mr Ellwood a chance to respond to the question.

Mr Ellwood: Desmond is doing really well.

Q35 Chair: We heard this in the previous oral evidence panel and also we have received written evidence on this, so you will be aware that Matrix Chambers has recently published a legal opinion that concludes that the UK Government is breaching national and international law by supplying arms for use by Saudi Arabia in attacks against civilians. Can you tell us what the Government's assessment of these allegations is and what your response is to that legal opinion?

Mr Ellwood: Firstly, let us take a step back, because we are diving into the weeds here on a specific aspect of what is happening with the munitions. I would say that, if we did not support, on a general basis, the Saudi-led coalition to legitimately and with UN authority support President Hadi, the consequence of that would be a humanitarian disaster far greater than what has already been articulated by Minister Swayne.

Q36 Chair: Are you saying you have no concerns about the tactics that the Saudi-led coalition is using in Yemen?

Mr Ellwood: Chairman, you are putting words into my mouth there. We have concerns. I returned from Saudi Arabia yesterday morning and we raised a number of issues and encouraged Saudi Arabia to make sure that they follow the same process that we must follow when we are operating in theatres of war. They can legitimately conduct an air campaign but, in the hundreds of sorties that take place every single month, when there are occasions that an incident does take place, it should be investigated appropriately and thoroughly. That is what must happen and that is what we have said to the Saudi Arabians as well.

I will make it very clear that this allows us to then be able to look at the equipment that is being used and being sold. As Minister Swayne has already said, we have one of the most robust arms export regimes in the world and we can say that, as the current situation stands, we are satisfied that there has not been a breach of those licences.

Chair: That is your response to the legal opinion from Matrix Chambers.

Mr Ellwood: I have not specifically seen that from Matrix Chambers, but we have to bear in mind the various processes and investigations that need to take place in order for that to happen. Absolutely, I will take a look at that. You also heard the response in Prime Minister's Questions, as has been mentioned already, regarding making sure that absolutely we consider these. We will look at any aspect of intelligence that comes through.

Not to gloss over at all the seriousness of every single allegation and piece of evidence that is put in front of us, which must absolutely be considered, but we are dealing with, on the one side, a Saudi-led coalition, which if we are honest is not as articulate from a communications perspective as we would like them to be. We want them to be open and transparent about what is going on, and they recognise that. On the flip side, we are dealing with a terrorist organisation from the north, the Houthi regime, which is as good as Daesh, to put it in context, in getting its media out.

When for example noise about the Iranian embassy came out across the media, we sent the local employed staff down the road to look at the Iranian embassy to see what exactly had happened. You can imagine the sensitivities just after what had happened at the beginning of the new year between Iran and Saudi Arabia. It turns out that the embassy had not been struck whatsoever.

I do not doubt the seriousness of any of the concerns that have been raised, not least with the hits on Médecins Sans Frontières places as well, but the information that needs to be gathered and the intelligence that needs to be placed there for us to be able to recognise the situation is detailed indeed. This is a dynamic war that is now going on, where the Houthis deliberately come in and use hospitals. They deliberately come in and use school locations. They deliberately use those places knowing that there is possible retaliation that they can then film or they can then ensure plays to their hands. We need, and are encouraging Saudi Arabia, to make sure that they are very transparent with their processes, as with that awful incident in Kunduz in northern Afghanistan. A horrific error took place, but the hand must go up when a mistake has been made, so that processes and the conduct of war can be followed.

Q37 Chair: Minister, we are talking about something a bit more serious than mistakes being made, in these instances in Yemen. You will have seen the UN Panel of Experts' report, which has been leaked to the *Guardian* newspaper. It says, "The panel documented that the coalition had conducted airstrikes targeting civilians and civilian objects, in violation of international humanitarian law, and that these targets included camps for internally displaced persons and refugees, civilian gatherings including weddings, civilian vehicles including buses, residential areas, medical facilities, schools, mosques, markets, factories and food storage warehouses." It adds that the UN Panel documented 119 coalition sorties relating to violations of international humanitarian law. That is a bit more serious than a mistake, surely.

Mr Ellwood: Again, you are putting words into my mouth. I am not just saying that this is a mistake and we gloss over it.

Chair: You drew a parallel with a US attack in Afghanistan, implying that this could be compared to that.

Mr Ellwood: Firstly, this is a leaked report. I understand that this report is not even officially in the public domain yet. As the Prime Minister said, we will very much look at this report and look at the details of this. Was this mosque occupied at the time and who by? How was it actually being used and why was it then targeted? These are the details that absolutely need to be investigated with a report put in.

We would like to see a greater emphasis placed on the method, the approach, in making sure that investigations are concluded as efficiently as possible. We are encouraging and working with the Saudi Arabians on that front. I make it very clear: we do not wish to divert from, dismiss or indeed somehow apologise, in any sense at all, for what is happening there. This is a horrible war and, until the war itself ends, we are not going to get the peace, the ceasefire and the talks in Geneva to commence in the steps that we want in order to provide the environment that will then allow the humanitarian aid that is so desperately needed to come in.

Chair: Thank you, and we will certainly return to those issues of the political process in a moment.

Q38 Mrs Grant: With the greatest of respect here, there has been so much talk by the Minister here that I am not sure whether you have answered the question that I am going to ask or not, but I will try to keep it simple. Notwithstanding international legal obligations,

consolidated criteria—you have covered that; fine—have you or the Foreign Secretary been consulted by BIS on the extent and detail of the amount of arms that are being sent or licensed to Saudi Arabia and that may be used in Yemen?

Mr Ellwood: Of course we have. To answer your question directly, I am sorry, but you are being naïve if you think that Britain cannot sell weapon systems to allies. We are legitimately allowed to do that. Saudi Arabia is allowed to defend itself. Under the UN Security Council Resolution, the coalition—not just Saudi Arabia, but the Emirates, Jordan and so forth—is allowed to participate in a coalition to support the legitimate Government of Yemen. We must not forget that. Yes, there are details in the manner in which this war is being conducted that we must scrutinise. I do not doubt that at all, but the right for Saudi Arabia and other countries to come to the defence of Yemen we very much support. Therefore, of course we are aware.

Q39 Mrs Grant: Minister, can I just interject? Are you aware that, in the three months between July and September, £1 billion worth of licences were granted to sell arms to Saudi Arabia?

Mr Ellwood: I am not sure where you are taking this. Of course we are aware.

Mrs Grant: You said you were aware. Were you aware of that fact—three months, £1 billion?

Mr Ellwood: We are aware right across the board. We do not just accidentally sell these things on eBay and suddenly it comes up that there is a sale or not. Every single arms sale across the world is scrutinised—every single arms sale—no matter what it is, whether it be a paperweight or a Typhoon, whether it be a Hellfire missile or indeed a Chinook. Every nut and bolt is scrutinised, and comes across my desk and indeed the Foreign Secretary's desk and through BIS as well. Of course we are aware, but as to making some judgment about the scale of what is being sold and questioning that, it is how the equipment is used that is the question, not so much the amount that has been sold.

Q40 Chair: Exactly, and on that arms trade law is very clear that it is not allowed to transfer weapons if there is a clear risk of violations of international humanitarian law. Every time it comes back to this issue, where the overwhelming evidence that has been taken by this Committee is that there is that violation being committed by the Saudi-led forces, with weapons including those supplied by the United Kingdom. Therefore, there is a serious question about whether we are in breach.

Mr Ellwood: On the number of cases that we have been made aware of through the media, and indeed some NGOs have provided information and so forth as well, we have encouraged and indeed made sure that Saudi Arabians are aware of the process that they must follow to do their investigations, along with the Yemeni authorities, to describe exactly what happened in this case.

I have to say, as I said before, there are many cases, and I have seen the evidence, where it has been an artillery shell that has caused the damage, not an aircraft. That artillery shell could have come from anywhere, including from the Houthis themselves. The level of scrutiny of intelligence that we get here is very important to make sure that it is accurate. That is what we must confirm ourselves, before we then say that there has been a breach of this, that or the other.

Q41 Albert Owen: We are not making judgments at this moment in time, Minister. We are asking questions and taking evidence, and we are taking evidence from a wide range of bodies, including the international humanitarian community. We are not making judgments; we are asking these very important questions. Both you and Minister Swayne were in agreement that we need to investigate, and I am quoting you, Mr Swayne: “We need to investigate these things properly and ensure that they are properly investigated.” That is what we are doing; that is what we are trying to resolve.

You will be aware that Britain and the US blocked a draft resolution tabled by the Government of Netherlands in the Human Rights Council. We were in Brussels yesterday and spoke to some colleagues there, and to Save the Children and others. Why then, if we want to get to the bottom of this, is the United Kingdom blocking an investigation that would be independent and come to their own conclusions and report on the violations of international humanitarian law in Yemen? Why, on the one hand, are you calling for this independent inquiry and, on the other hand, blocking it?

Mr Ellwood: Let me just answer the piece on the Human Rights Council. It was not the case of supporting one text or another. What resulted were in fact negotiations that took place, and there was an agreement that was reached on a single text that we then supported. That text makes very clear that the Office of the High Commissioner on Human Rights will work with the Government of Yemen on this process. It was not the case that there was no consensus; there was consensus reached on this and we supported that.

Albert Owen: It is just the wording on the resolution that you had difficulty supporting. Is that what you are saying?

Mr Ellwood: I am saying that we ended up with a consensus, which is what you need in these situations.

Albert Owen: What is the consensus? What is going to come out of this motion?

Mr Ellwood: The Dutch voted for it. This allows the actual Office of the High Commissioner, along with Yemen, to move this forward.

Nicholas Alton: The High Commissioner will make a report on his conclusions at the next Human Rights Council session in March.

Q42 Albert Owen: Britain wants to have an independent inquiry into this, yes or no?

Mr Ellwood: As I say, we have agreed this text. We have agreed the process that that should be.

Albert Owen: You have an advantage over me; I have not read the text. I am asking a simple question: do you as the UK Government support an independent inquiry into these allegations?

Mr Ellwood: We currently support what has been agreed.

Q43 Chair: Are you confident that it is independent, when one of the parties of the investigation is the one against which there are allegations, i.e. the Government of Yemen? This is an independent investigation being conducted, I think you said, with the Government of Yemen.

Mr Ellwood: This is following standard protocols. This is what happens in other theatres as well. As I say, this has been agreed and this is what we then support.

Q44 Albert Owen: The Dutch one you threw out. Why? Why did you not agree with the Dutch draft resolutions?

Mr Ellwood: It was not thrown out. I am repeating myself now.

Albert Owen: You are repeating yourself, but you have just responded to the Chair.

Mr Ellwood: We ended up with a consensus that then involves the combined work of the High Commissioner, as well as the Government of Yemen. It must include the Government of Yemen. It is absolutely important that that happens.

Nicholas Alton: The Dutch were one of the ones that signed up to that consensus resolution in the end, through a process of negotiation. The Dutch were part of that consensus.

Albert Owen: You are happy with its independence, even though Yemen is on it.

Mr Ellwood: We are content with the result, yes.

Albert Owen: They could give evidence, could they not? They do not have to sit on it and come up with and help draft a report.

Mr Ellwood: As I say, we are content with the status quo.

Q45 Chair: Albert mentioned that the Committee had been in Brussels this week visiting European institutions. We were told that there is still discussion going on, on achieving a common European position. The suggestion that was put to us was that the UK and France are in a minority of two in preventing a strongly worded common European position. Are you able to tell the Committee about that?

Mr Ellwood: This is an EU position.

Chair: Yes.

Mr Ellwood: I am afraid I am not privy to those particular discussions.

Chair: If you cannot, could the Minister for Europe write to us on that after the Committee?

Mr Ellwood: Absolutely, he can do. From a British perspective, I have been leading on this. I have conversations with President Hadi on a regular basis and indeed with other players from this perspective. We helped fund the UN envoy's work as well, in order to bring those various parties together.

I use this opportunity, if I may, just to explain the complexity of the country that we are dealing with. It is not simply President Hadi supported by the coalition against the Houthis themselves. It is far more complicated than that, with the number of tribes that you have in the country—the Bakil, the Hashid tribe and Khawlan tribes. Underneath that, there are over 100 different sub-tribes, each with their own loyalties as well. Indeed, looking back at the history itself, the sense of nation state has been absent. There has never really been a sense of nation state, even going back into the Ottoman times, when we used the port of Aden on our way to supply India.

We need to look at this in this context and recognise that, if you go to the port of Mukalla in the east, it is solely run by al-Qaeda, and Daesh has now moved into the areas around the conurbation of the port of Aden. The Governor of Aden was killed not by Houthis but by another terrorist operation that is taking advantage of the vacuum of power in order for that franchise to develop in that area as well. That is the complex nature in which we find ourselves. As I say, it is not simply what is a minority of the population that has moved in from the northwest, over Sana'a, and is pushing down, causing horrific forms of humanitarian catastrophe. It is a wider challenge that we face.

Q46 Wendy Morton: Moving on a little bit, this is a question for Minister Swayne. Early on during this evidence session, you set out what you saw as the priorities for DFID, and one of those was the peace process. Clearly it is a top strategic priority: supporting political talks to return to an inclusive political process. What does this mean in practice?

Mr Swayne: In practice, it has meant providing officials as support when talks take place. It includes ensuring that delegations reflect the presence of non-elites and particularly women. It involves a huge amount of diplomacy, simply in urging the combatants to engage in a peace process when they still believe that they might win it on the battlefield. Is there anything else that I should add in terms of the logistics of what supporting a peace process means?

Juliette John: The only final thing I would add is that we are funding the UN special envoy's office, through the cross-Whitehall Conflict, Stability and Security Fund, with technical expertise on particular subjects, so we are also supportive financially.

Q47 Wendy Morton: Just following on from that, alongside that, are you working with the FCO in terms of diplomacy or do you leave diplomacy entirely to the FCO?

Mr Swayne: No, absolutely not. It is one Her Majesty's Government. If a Minister is going to Saudi, Kuwait or the UAE, I of course make the case for them to have a greater provision of aid but, equally, I make the diplomatic points about the need to engage in the peace process. I make the diplomatic points about the need to observe international law and for greater access, in exactly the way that I expect Mr Ellwood, when he makes his diplomatic pitch, to speak on aid matters and demand a greater contribution.

Wendy Morton: That leads me on to Minister Ellwood. Do you wish to add anything to that?

Mr Ellwood: No, my honourable friend has summed things up perfectly. There is not a division between the two. We work extremely closely. Mr Swayne is my neighbour down in Dorset way and we are able to speak about these matters. We began, as has been mentioned by a number of people, about this thing labelled as a forgotten war. This is a tragedy; there is no doubt about it, but I underline and repeat what Mr Swayne has said—that we, as Britain, and indeed our allies if we encourage them, will do everything we can to make sure what is happening here is recognised.

This is not just from a humanitarian perspective. Those trained for the *Charlie Hebdo* attack, I understand, came from Yemen. Those in the printer cartridge attack that was going to take place on one of the airlines came from Yemen. There are a series of attacks that have taken place from al-Qaeda based in Yemen. They are the most well-organised

and well-funded parts of al-Qaeda, and that is glossed over in all these discussions, because of the wider challenges that we face.

Yes, we have this big conference on Syria that is taking place and that is all good news. There is work that you are doing here and I can absolutely emphasise that there is work that we are doing behind the scenes. At the UN General Assembly, I chaired the Friends of Yemen meeting, which we co-chair with the Saudi Arabians, to make sure that people do not forget what is actually going on here. We do that at our peril, because this will be the crisis that haunts us. More people will then bleed into extremism, because they have given up on the West helping to secure peace and proper governance.

Q48 Mrs Grant: What has been the impact of the crisis on women and girls?

Mr Swayne: Women and girls tend to suffer rather more on the front line, because of their lack of a more obvious voice. We have already heard of the circumstances for children, the extent of malnutrition and the lack of education. That is why we have made a point of ensuring that the voices of women are represented on delegations. We have put significant effort into that. What more can I say about the specific effort to address the needs of women and girls?

Juliette John: Through all our programmes there is a specific focus on showing that the different needs of men, women, boys and girls are addressed. For example, we are specifically supporting pregnant women and lactating mothers through our nutrition programme. As the Minister says, women and girls have been worst affected.

Q49 Mrs Grant: I know that DFID has done some excellent work all around the world, in relation to women and girls. It is a matter very close to the heart of the Secretary of State, but what is your view of what role they could play, in terms of finding some sort of sustainable peace in this very difficult area?

Mr Swayne: That is the importance of getting them represented in peace negotiations and as part of delegations. The fact is that instances of violence against women have increased and the situation is clearly undesirable. Strangely enough, even among the centrally managed programmes, Marie Stopes is still providing family planning and maternity healthcare services in Yemen.

Q50 Albert Owen: Minister, you mentioned earlier on the money that is being given to Yemen to help it out. The UK has a good record. Between 2011 and 2014, almost £250 million was spent on reconstruction, and political and economic reforms. Now that we have this catastrophe, post the conflict, are you confident that we can refocus on the economic and political reforms that the Government set out on in 2011 to 2014, and will there be extra resources to do that?

Mr Swayne: We clearly had to refocus. A huge amount of effort had been put into technical assistance to financial ministries and the banks, and a political outreach. That will basically have to start again, although we have continued to concentrate on at a political level the preservation of institutions like the Bank of Yemen, and ensuring that banking services are still available in Yemen, and indeed the preservation of the Social Fund for Development. The continuation of these institutions is vital for the reconstruction effort. We begin the focus on reconstruction and recovery in the meetings

that we have already organised with the Government of Yemen, the donor community and others, beginning next month.

Am I confident that there will be sufficient resources to rebuild Yemen? It depends very much on the state that we find it in afterwards. These things generally take, after a war of this sort, about 30 years.

Albert Owen: I appreciate that. I am saying that the whole focus is not just on humanitarian. You do have a long-term plan for the economy.

Mr Swayne: We have to develop a long-term plan. The lessons are clearly that the earlier you do that, the better. We have focused on life preservation. We need to start refocusing on education. We have done quite a bit of education. I think 240,000 children have been put in schools through the Social Development Fund, and we have some work at the moment on rebuilding schools and getting children back into schools, but it is very much niche. The main effort has been nutrition, water, food and medical supplies, and you are quite right; we have to refocus.

Mr Ellwood: If I may add to that, in my talks in meeting some of the Yemeni Ministers in Riyadh a couple of days ago, we discussed what the big-ticket event is that could assist the country. There is no doubt, speaking on the logistical distribution of humanitarian aid, it cannot all go through the port of Aden. It takes too long to get up through the mountains and across the terrain, so the port of Hudaydah is absolutely critical, not just for humanitarian support coming in. Cranes have been damaged there, but still not enough ships are being allowed entry, despite the UN monitoring an approval scheme. Also what was made clear to me, as much as we do not see Yemen as an oil exporter—in fact it is a net importer of fuel, per se—there is an ability and the pipes are still working, I understand, to export oil and gas should the port of Hudaydah be reopened.

That will be helpful on two fronts. Firstly, it gives a sense of pride and a sense of direction that, yes, things are heading in the right way and that economically they can become more stable, but it also allows the funding to be able to come in as well. It will be crude oil that will go out—that could be exported. I emphasised this in all the conversations I had with the Saudi Arabians to say that this needs to be a priority. The liberation of this port area, however that is done, whether it is through agreements or a local ceasefire, is critical from the humanitarian and the economic sides.

Q51 Albert Owen: On that, you spoke about your discussions with Saudi about the current situation. Post conflict, are you also talking to the Gulf states that are our allies in the region about reconstruction?

Mr Ellwood: There are talks taking place and there will be a huge amount of effort by the GCC nations to look at what can be done. We have been doing some private discussions and calculations of what needs to be done. It is difficult because, when you go back to the national dialogue agreement, there was a structure there for a six-province setup. The Houthis designed it and of course they then breached that. Much of this hinges on the forthcoming Geneva talks, which I hope will then be the parameters, the building blocks. Absolutely, once the governance structures are then agreed, the stabilisation can come in. That window is small, as we know. Unless you get in and provide that support to the actual populations, they themselves will lose faith, and that is where extremists can then come in and recruit.

Q52 Fiona Bruce: Thank you very much, Minister. Turning back to Minister Swayne on that very point, what is the UK Government doing or what can the UK Government do to support the private sector in Yemen? We heard from the diaspora last week it has virtually ground to a halt. Over 70% of companies shut down. A similar number of employees are now out of work and there is a risk of young people in particular being attracted to extremist groups, Daesh and al-Qaeda, simply to bring some money into their family homes. Can anything be done at all?

Mr Swayne: Yes, it is an enormous problem. The economy shrunk, according to the IMF and the World Bank, by 28.9% last year. It is important that markets work for there to be a private sector. Returning to earlier conversations we have had with this Committee, cash in people's pockets is important in getting those markets and the private sector working. Also, I believe that the Social Fund for Development, which we support, is critical in this process in providing large-scale public works jobs. Last year, they provided 500,000 man-days of those jobs, with our support. Their target for the next two years is 2 million man-days, again in public works jobs, which will give people something to do. It will put money in their pockets, which will have knock-on effects for the private sector.

Another key deliverable for the private sector is that the banking system survives. We are working with the British Bankers' Association and an organisation that rejoices in the title the Action Group on Cross Border Remittances to ensure that continues. Regional banks and international banks are still operating, particularly Chinese, but all these things are important for the survival of a functioning private sector.

Q53 Fiona Bruce: May I turn back to the question I touched on earlier? The UN representative here earlier this afternoon said in evidence, "Without DFID's help, we would not have been able to supply the assistance we have to date." He acknowledged, as I think the Committee does, that DFID's work in Yemen is certainly among the most generous globally, but it is still only £85 million compared with £1.1 billion in Syria. Minister, you have said in previous debates in Westminster Hall that the reason has been the inability to deliver that aid in Yemen. Would you at least agree to this Committee today to have a look at the evidence we received earlier from the UN representative, which your official said was one of your chief contact points in the region? In light of the fact he is saying that access is possible, could you revisit the aid the UK is providing into Yemen?

Mr Swayne: We revisited it only in the last couple of days with a further £10 million. The United Kingdom did not come to this recently. We have been in Yemen for the long term and before this crisis, and we did expect, given their level of poverty, to be expending money there. However, we never expected to be spending such vast sums of money in the rest of the region. We are now spending huge sums in what were middle-income countries, which we never expected. That places an enormous strain on the development budget, notwithstanding that it is a growing development budget. Yes, of course I want to spend more to provide more relief in Yemen in a desperate situation, which is a Level 3 emergency, but I do not have a bottomless bag.

Q54 Fiona Bruce: We absolutely accept that but, if I am right in quoting another witness from this afternoon, they said that this is currently the largest humanitarian crisis globally, with up to 22 million people facing potentially serious food shortages. Minister

Ellwood put it very well, when he said that we do not want to look back in the future and say that we missed this.

Mr Swayne: I agree, but I am not going to get into the misery Olympics of whether it is worse in Syria in Madaya, or in Taiz, and all the rest. It is all pretty awful.

Q55 Fiona Bruce: Absolutely, but all I am asking, Minister, is if greater access is possible than perhaps has been appreciated to date, would you revisit this?

Mr Swayne: We will certainly, and we will certainly ensure that we get others to raise their game as well. It is not always a question of what more Britain can do; it is often a question of what more Britain can do to get other people to do things. The Secretary of State was so successful in her meeting at UNGA at September, when she managed to get another £85 million. Given that we are spending £85 million, it is effectively doubling the pot by getting others to contribute.

Q56 Wendy Morton: Just to come back on that very last point, what more can the UK Government realistically do to encourage more of the international community to do more in Yemen? There is a limit to what each country can do. You gave us one example.

Mr Swayne: The agenda that we launch next month with a series of meetings on the reconstruction of Yemen will start to focus the mind. Later this year, there will inevitably have to be some replenishing of the UN appeal, and we will be announcing our own expenditure for the forward years. All this will provide opportunities for us to bang on the table and say, “Right, this is what we’re doing. What are you offering?”

Q57 Chair: We have five more minutes and I want to take us back to the earlier discussion on the Human Rights Council and put a further question to Minister Ellwood. The evidence we took from Oxfam was that, when the Dutch draft was replaced, as we discussed earlier, with a Saudi-sponsored text, there was no reference to an independent international fact-finding mission in the new text. The panel that we heard from earlier told us unanimously that they felt there was a real need for an independent investigation. Is it the British Government’s view that they are simply wrong or is it the British Government’s view that what we have is an independent investigation?

Mr Ellwood: Nicholas may want to add something to that. I can only repeat what I said before—that a consensus text was agreed, which states very clearly where the High Commissioner would work in relation to Yemen.

Chair: It was to support a process that had already started, under the auspices of the Yemeni Government, as I understand it.

Mr Ellwood: Yes, and at the heart of this is the fact that there are some events that have taken place, which are in the public domain, that need to be looked at. We need to ensure that process is in place. One of the reasons I went to Saudi Arabia was to ensure that, whenever an incident takes place, we follow the normal protocols that we followed and continue to follow elsewhere as well. If those systems are not robust enough—if they are deemed not to be appropriate—then, yes, you can look at other aspects, in the way that you can realise the same information. From where we stand at the moment, first on the export licensing systems and the robust nature in which we scrutinise how these weapons

systems are utilised and in what context, we are content at this stage. Do you want to add something?

Nicholas Alton: Our push has been to work with the Saudis, for example, for them to conduct thorough and conclusive investigations into these incidents. For example, they announced an investigation into an incident in December on a MSF building in Taiz.

Chair: It is quite hard to argue it is an independent investigation into Saudi abuses if it is the Saudis doing it.

Nicholas Alton: We would say that, whether it is independent or not, the most effective way of conducting these kinds of investigations, we believe, is for the Saudis to start that process themselves.

Chair: It is not independent. Let us be honest; it is not independent. The position of the panel earlier that there should be an independent one is one the British Government reject.

Mr Ellwood: Again, we are going around in circles on this particular one. We look at all the evidence that comes into us. We made it very clear that we share this with the Saudi Arabians. We want them to have the robust processes that are in place.

Q58 Chair: Are you confident they have got those robust processes in place?

Mr Ellwood: The trouble is the lexicon that is being used now. I made it clear; I used the Iranian embassy incident of one example of a breach of human rights and so forth that turned out not to be the case. On this side of any answers or any reports that come out from any investigations, we need to be clear that we encourage these investigations to take place, but we cannot label them from a legal perspective with the language that you are using.

Q59 Albert Owen: I do not mean to go around in circles. I am just not clear. We were told in Brussels that the Dutch had put forward a motion for an international independent inquiry. Both of you then said in your responses that the Dutch now agree to a Saudi version of that. Is that what you are saying?

Mr Ellwood: Is it a general inquiry that you are now seeking yourselves?

Q60 Albert Owen: It is not us; the international community and the Dutch had put forward the idea of having an independent international inquiry into potential violations in Yemen, predominantly by the Saudis. There was a Saudi version that you have talked about. Are you now saying that the Dutch agreed to the Saudis leading on this?

Mr Ellwood: I do not know the details of the particular thing. I can certainly look into it and write to you.

Albert Owen: It would be useful.

Mr Ellwood: The position we are in is that we want every single incident to be investigated thoroughly and for information to be shared. When mistakes or errors have been made, or it is deemed that an attack has taken place, in a dynamic situation, that has led to collateral damage, we want that process to be followed.

Albert Owen: I understand what you want, but the international community wants something more than that. It wants an independent inquiry into it. The Dutch were leading on it and you said you had a counter-proposal to the Dutch, which they have now agreed to. That was my understanding.

Nicholas Alton: In the September Human Rights Council, there was a discussion that went on and, in the end, a single text was agreed by all parties, including the Dutch and others.

Mr Ellwood: They signed up to it.

Q61 Albert Owen: Why has this just come to our attention, Chair? I thought it was more recent than that.

Chair: They said this when we were in Brussels yesterday. It was last September.

Nicholas Alton: Last September was the process of a Yemeni-led investigation supported by assistance from the Office of the High Commissioner on Human Rights, and they will report back in March with their findings.

Q62 Chair: Clearly that is different from what the Dutch originally proposed and, in the nature of the diplomacy of these sorts of events, presumably the Dutch fell in behind an alternative because they did not have the numbers to get their more far-reaching proposal through. It clearly is not an independent inquiry, is it?

Nicholas Alton: That was the process that was agreed by the end of that session.

Chair: It is clearly not an independent inquiry, is it?

Mr Ellwood: We are satisfied with the consensus that was reached, and that is important.

Chair: On that rather unsatisfactory note, we have run out of time, but thank you very much indeed for your evidence to us today. Thank you, Ministers. Thank you to the officials as well.