

THURSDAY 17 MARCH 2016

Members present

Baroness Coussins

Lord Dubs

Lord Horam

Earl of Oxford and Asquith

Lord Stirrup

Baroness Suttie

Lord Triesman

Lord Tugendhat (Chairman)

Examination of Witness

Mr Richard Lindsay, Head of Security Policy Department, Defence and International Security Directorate, Foreign and Commonwealth Office

Q54 The Chairman: Mr Lindsay, thank you for coming back to this Committee. You know the form perfectly well. You were going to be the second act, as it were, of our play today, but the admiral we were going to have before has had to go off on a mission of some sort. So you are the only one, which means that some of the questions we might have put to the admiral we will inject into your questions, as well as the ones we sent to you in advance. I do not think you will have any great difficulty. As you know, this is a formal session. It is being recorded and all the rest of it—but you know all about that.

Can I kick off? We have heard that a military presence in the central Mediterranean has not acted as a deterrent to either the smugglers or the migrants. In fact, a comparison between the first two months of 2015 and 2016 shows that the number of migrants crossing the sea has increased and that, basically, the naval presence has been a lifesaving operation rather than a deterrent operation. I wonder if you could comment on that.

Mr Richard Lindsay: Thank you. I would just like to say that I am not an admiral or a military person, so my answers will be those of an official rather than a military officer—but I will do my best. The Operation Commander of Operation Sophia has, as I said when I came to the last evidence session, assessed that there has been a deterrent effect from the operation. The deterrent effect is against the smuggling networks so that they can no longer operate with impunity. There has been some tangible effect. The outputs or achievements are that 80 smuggling vessels so far have been destroyed, over 50 suspected smugglers have been arrested and nearly 9,000 migrants have been rescued to date. But of course you are right that a lot of that is about search and rescue.

Operation Sophia is also continuing to build up its understanding of the smugglers, their networks and how they operate, to support its operations and activity in the later phases of the operation, which we will no doubt talk about shortly. As I have indicated, Phases 2B and 3 are about more assertive action to tackle the smugglers' networks within Libyan territorial waters and ashore. That depends on the Government of National Accord in Libya, which has this week been established and recognised. So we are hopeful that we will be able to move to the more assertive bits of the operation that are likely to be most effective in achieving the mission, which is to tackle the networks.

I would also like to say that Operation Sophia is only one part of a comprehensive approach that the Prime Minister has set out to tackle the migration crisis. That includes operating in source countries to try to remove the incentives and indeed the drivers for migrants to leave their countries, all along the route to the activity at Europe's borders.

Lord Horam: Why did the European Union decide to deploy a CSDP mission rather than extend the FRONTEX arrangements that it had already? What do you think it gained from that?

Mr Richard Lindsay: This goes back to the point about the CSDP having the role to try to tackle the smugglers' networks. The FRONTEX operation's activity is designed to protect the EU's borders, and it is doing a good job in that. Operation Triton around the Italian border is achieving that within FRONTEX. Operation Sophia is a different operation. CSDP has the military tools, which FRONTEX does not, to tackle the smuggling networks—and, at this stage, it can use its intelligence, surveillance and reconnaissance assets to gain the information required so that we know where the smugglers are working and have the intelligence to be able to target them, when the political permissions permit.

Q55 Lord Dubs: It seems that the refugee and migration crisis is likely to be a long-term phenomenon. I think that there is general agreement on that, and maybe you would care to comment. Is a crisis management operation with a renewable one-year mandate an appropriate response? How long can you see Operation Sophia operating and being in place?

Mr Richard Lindsay: Operation Sophia is part of the EU's overall approach and we set it up deliberately with a one-year mandate in order to ensure that we have proper accountability for the CSDP operations, in common with our normal practice, and indeed to ensure that we have proper parliamentary scrutiny—we go through the committees to ensure that CSDP operations have that. They are always time-bound and they will always report back to the Political and Security Committee, where we can approve them, and change and steer the direction of the operations as they progress and if necessary adjust their mandate.

As we have seen and continue to see, the phenomenon of migration is changing rapidly, and I would agree with you that this is likely to be a phenomenon of significant length. So we need to be flexible and to adjust. The mandate comes up for renewal in the summer and we will look at it then. We will start the work shortly to look at what sort of mandate it should be renewed under and where it goes.

There are ideas already about how it could change and adjust. One of the ideas put forward by the Operation Commander has been that it should get into doing work around capacity-building for the Libyan coastguard and navy. We are waiting to see a proper proposal on that, but it sounds like something we could consider in a positive light because we need to adapt to a changing situation, and, as the political situation changes in Libya, we need to be ready to adjust.

Lord Dubs: I understand the argument for flexibility in a changing situation; that is very persuasive. One point you made is that it would improve parliamentary scrutiny to have a one-year operation. I question that a little bit.

Mr Richard Lindsay: The point I was making is that, with every CSDP operation that we get into, we have an obligation, which we take very seriously, to make sure that our Parliament has proper scrutiny over CSDP operations. We take that very seriously and we will report back to the Scrutiny Committees on proposals that are being negotiated within the EU. That holds us and the EU to account, which is an important element.

Q56 Baroness Coussins: One of the criticisms that we have heard about the resourcing of Operation Sophia is that the vessels being used are equipped with very sophisticated technology, which might be completely disproportionate to or even unsuitable for the tasks of tracking down rubber dinghies and wooden fishing boats, and rescuing migrants and refugees. Would you agree that there is some validity in that criticism, and do you think there is an argument for using commercial vehicles for search and rescue tasks instead?

Mr Richard Lindsay: If the operation was intended solely to be a search and rescue operation, I would agree with you entirely that we would have the wrong capabilities. But we have the capabilities there because of the mission, which is to try to break the smuggling networks. In order to do that, we need to have the intelligence, surveillance and reconnaissance capabilities that these high-end vessels and aircraft provide us with.

When asking the first question, the Chairman said that it had primarily been about search and rescue to date, and a lot of search and rescue activities have taken place. That is where we have ended up; that is not our aspiration. To move towards the more active work to tackle the networks, we need that intelligence picture and we need the capabilities that those military assets have on board.

You asked also about commercial vessels. They certainly play a role. Indeed, some are playing a role in search and rescue and in humanitarian work, but they are not appropriate for tackling the business model. The business model is challenging. It is in an environment where you need to have executive action approved, which is why we needed a UN Security Council resolution to approve this first part, and we would need a Libyan government invitation to do the follow-on phases.

Q57 Earl of Oxford and Asquith: Following on from what you and Lord Tugendhat have been saying on the deterrence issue, we have heard from a number of witnesses that, in its present stage on the international waters, Phase 1 of Operation Sophia is in some ways an incentive and an attraction to some of the smugglers, who are saying to the refugees and migrants, "We will take you half way and the European navy will take you the rest of the way". So Phase 2 is, as you have indicated, where we will really move into the deterrent stage, if we get permission for it, with all those caveats.

As we have heard, the Libyan coast is very extensive and at the moment Operation Sophia is not up to that, which is understandable. You have been talking about building the capacity of the Libyan coastguard. How in practice do you think that we would effectively build up that deterrence element in Phase 2B?

Mr Richard Lindsay: The idea is not to patrol the whole of the Libyan coastline; the idea is to identify the launch points used by the smuggling networks and to be at those points to tackle them. That is achievable only with the sophisticated intelligence picture I referred to in my previous answer. We would do that, ideally, in conjunction with whatever Libyan authorities are available to work with on the ground and in the littoral area. We would know, as a result of our intelligence picture, where to focus our efforts.

If we moved to Phase 2B, we would need to have a subsequent force generation conference and force generation exercise to look at what different or additional assets we might require. We would go back to Member States to look at that. I cannot give you more details on that at the moment because that is clearly a military planning exercise. As I said in response to an earlier question, the networks and the patterns adapt and change in a very rapid way, which is why we need to be ready to adapt quickly.

Q58 The Chairman: When you say they adapt, which we quite understand, obviously the routes that people choose change. To what extent do you think the composition of the people coming in on the different routes changes, in terms of their country of origin?

Mr Richard Lindsay: The countries of origin over the previous year have been largely African countries, with migrants coming though on the Mediterranean route. On the Aegean route, they have been primarily—nearly 50%—Syrians, with a large number of Afghans within that as well. There have been some Syrians over the previous year in the central Mediterranean route. That has tailed off significantly, but they have always been small numbers. That is not statistically significant. We have not seen the nationalities of those on the routes changing significantly.

The Chairman: What was in the back of my mind was that the people coming up through the Balkans from Syria and Afghanistan are fleeing from war and the effects of war. I wondered to what extent one could distinguish that from people coming up through Libya who are, to a greater extent, economic migrants. Now, I recognise that Eritrea is in a very terrible state, but Nigeria is after all the richest country in Africa—or in black Africa anyway. So to what extent can one make that distinction?

Mr Richard Lindsay: You have the statistics, I imagine. The last ones from the UN were that Nigeria was 17%, Gambia 13%, Guinea 10%, Senegal 9% and Morocco 9% of the total coming across the central Mediterranean route. It would be wrong for me to make judgments on what the drivers are for those migrants to be coming. This is why we need to have what the Prime Minister has regularly called for: a sophisticated, joined-up and comprehensive approach that looks at every stage of their journey, starting off with the work that we are doing in the source countries, to ensure that the economic opportunities for them, as much as the risks that they might be under in a war-torn country, are there. This is why the Department for International Development is very closely involved in the work on our comprehensive migration strategy. I am not the expert on that detail, so I will stop there.

The Chairman: I must say I see a difference between being in a place where bombs are falling and being in a place where the economy is not doing very well. While I can understand that people in both places might want to move, it seems to me, as one of the recipient areas, it is legitimate to make a judgment as between people fleeing from bombs and people fleeing from economic mismanagement.

Mr Richard Lindsay: My Lord, you make an extremely important point, which is the distinction between economic migration and asylum. That is why we have those processes, and the Home Office would be the best people to answer that. I am sorry, I am sounding very bureaucratic here, but as recipient countries we have exactly that process in place to distinguish between why people are coming. We address economic migrants in different ways from those who are genuinely seeking asylum from persecution.

Q59 Lord Triesman: Mr Lindsay, a short while ago, partly in response to Baroness Coussins, you emphasised the need for sophisticated intelligence pictures to be created and maintained. I think Phase 1 was in substantial part directed to that and I assume—but tell me if I am wrong—that that will carry over into Phase 2A. We have been concerned on occasion to know what arrangements are in place to ensure that

Operation Sophia has access to adequate and well co-ordinated intelligence from the Member States, the United States or NATO. I wonder whether you would comment on that. Apart from hearing that we are doing it, I would quite like to know how.

Mr Richard Lindsay: Operation Sophia has its own intelligence operation, and its assets are the assets that are used to collect that intelligence and provide it into the INTCEN, which is the EU's body, and the Operation Headquarters, which is where that intelligence is assessed. We work very closely, passing that information to EU FRONTEX as necessary, and the operation is working to receive intelligence and information from as many other sources as it can. I cannot really go into the detail of how that works, for obvious reasons, in this Committee. At its heart—there is a link here to the NATO-EU co-ordination in the Aegean—this is about co-ordination between the operational capabilities that are available to us.

Lord Triesman: If I may follow that for a moment, I want to be sure that I have understood the distinction you have made. Are you saying you are satisfied that the quantity and the co-ordinated quality of the intelligence is there, but that you cannot go further, for understandable reasons, because that is sensitive information in a security sense? So it is not that it is sensitive information and you are not very satisfied; it is sensitive information and you are very satisfied.

Mr Richard Lindsay: Perhaps I can clarify that. I am not saying that we have enough information or intelligence. Clearly the operation needs to do more. You alluded to what phase 1 was about: the 'understand' function. That is an ongoing phase throughout the whole life and duration of this operation. As we get into operating within territorial waters, and indeed ashore, we will hopefully gather more information and intelligence, and that will improve our picture. I am saying that the assets that are collecting the intelligence in that area are EU Operation Sophia assets. That is where the bulk of the information and intelligence comes from. In terms of getting access to intelligence information from others, that is where I am unable to go further, for reasons of sensitivity and security.

Q60 Lord Stirrup: Mr Lindsay, I have a specific question, which is to do with ISR, but before I get to that I wonder if I can put something to you, and I would be very glad to hear your response. Earlier on, you cited the Operation Commander's claim that the operation was already having an effect in terms of disruption of the business model. The rationale for that claim seemed to be the number of boats intercepted and arrests made. But we have heard evidence that these numbers are totally insignificant in terms of the overall smuggling operation and business model and will have absolutely no effect whatever.

Is it not the case that part of the problem with Operation Sophia may be that we are making too great a claim for what it is or can do? Clearly it is in an intelligence-gathering phase, which is extremely important—I think that most people would agree that that is a very laudable aim—but the assumption seems to be that we will gather intelligence for a while, then go in there and clean out these nests of

people smugglers. The creation of a campaign plan to deal with people smugglers depends in many ways upon what the intelligence reveals in the first place. So the assumption that you can follow on from one phase to the other seems to be built on sand, as far as I can see.

Also, you have cited the Operation Commander saying that it might be a good idea to go in there and do capacity-building with the Libyan coastguard. This sounds like an eminently sensible idea, but it has appeared out of the blue—or out of the Operation Commander. It does not give one the sense that this is a properly and carefully thought-through, multidimensional strategic campaign to deal with the issue of people smuggling. It sounds all a bit ad hoc. A properly thought-through strategic campaign is going to be one that involves many dimensions, not just the military but civilian policing, legal, diplomatic and all the rest of it—which presumably needs to be planned and controlled from somewhere. One does not have the sense at the moment that that is being done.

Maybe it is being done and we just do not see it, but the problem for poor Operation Sophia is that it seems to be stuck out on a limb, not least in a PR sense, and is taking all the flak for this, while the commander and the resources at its disposal are doing the best they can in the circumstances, but maybe in a strategic vacuum. I wonder if you could respond to that.

Mr Richard Lindsay: That is a multidimensional question, and the heart of the answer to that question lies in the political situation within Libya. The establishment of the Government of National Accord, and the recognition of Prime Minister Serraj as the head of that this week, is a really important step for us to be able to move towards a comprehensive approach in supporting that government in a multitude of ways. As the Committee will be aware, there are lots of different things that we will want to work with the Libyan government on, and migration is but one of those.

Operation Sophia, as you say, exists and is working—and has been working to date—without a significant partner in Libya. If that changes, it changes the whole dynamic of what the Operation is able to achieve, in conjunction with the other areas where we will be working with the new Libyan government—to counter Daesh and on a whole range of different portfolios—including supporting its genuine establishment. It will then form part of a more comprehensive approach. There has been to date a gap in our comprehensive strategy between our work in the source countries and our work in the Mediterranean, and that has been in Libya. That has been the constraint of the political environment there.

Q61 Lord Stirrup: That is very clear, thank you, but could you describe how that comprehensive approach will be planned and controlled? Presumably it will not be planned and controlled by the operation commander of Op Sophia.

Mr Richard Lindsay: No, you are absolutely right. It will not be. There is a planning operation at the moment. There is a range of different areas of support, but UNSMIL

is where the central co-ordination of the UN mission in Libya will be driven through. Connected to that, there is, as the Committee will be aware, a large amount of planning for international assistance to Libya in the security sphere, being led by the Italians, under something described as the LIAM: the Libyan International Assistance Mission. The EU will be looking at whether it can offer support as well.

Q62 Lord Stirrup: That is very helpful, thank you. Perhaps I can focus it back down on the intelligence here and say that we have two operations running. We have the EU operation, Operation Sophia, and we have the NATO operation in the eastern Mediterranean. They are different areas of operation but they both require scarce intelligence, surveillance and reconnaissance resources. It seems that there might be much to be gained if there were a very high degree of co-operation between the two missions to share those scarce resources and to flex between the two. Are there plans to do this? I wonder whether, on the back of that—accepting that you are not an admiral—you might be able to give us a brief update on the status of the NATO mission.

Mr Richard Lindsay: Yes. They are very different theatres and very different activities. It might be helpful to tease out a little for the Committee how they are different. As I have described, Operation Sophia has its own capability with its own goal of trying to tackle the smuggling networks. That is its mission. It has been constrained by lack of capacity on the ground and ashore. The NATO activity in the Aegean is working primarily with EU and NATO partners, the Turks and the Greeks, and its goal is to find the intelligence to cue their own coastguard and the EU FRONTEX assets to be able to intercept the migrant boats and bring them back onshore into Turkey. They are in different environments and are trying to do different things.

As I said in response to an earlier question, we are pushing hard to get NATO-EU co-ordination through this, which is a long-standing goal of the United Kingdom. We have been supporting that very strongly. The NATO activity in the Aegean, to come back to your question there, has started. It is operating intermittently within Turkish waters. The standing NATO maritime force in the Mediterranean has moved into that area. It has been joined by British and French ships, and a Dutch ship is en route to join it. But there are operating constraints, and its effect relies upon the coastguards doing the interdiction. At its heart, this is about co-operation between those coastguard operations.

Q63 Lord Dubs: I understand that in late February there was a force generation conference, and I wonder whether it delivered all the assets and resources that the operation commander wanted.

Mr Richard Lindsay: We are back on Op Sophia again. As far as I am aware, the Operation Commander is content with the resources that he has at the moment.

Lord Horam: You said, in response to Lord Stirrup, that hopefully when we get to the next stage, UNSMIL would get involved. How would that work?

Mr Richard Lindsay: Sorry, I should make it clear that I was talking about broader support to the Libyan national unity government rather than about a migration operation in that space.

Lord Horam: I am trying to get at how Operation Sophia might work underneath that United Nations overall command.

Mr Richard Lindsay: It would not be underneath the UN command. It is an EU operation and it would remain an EU operation. It would be co-ordinated with the broader support that the UN would be seeking to co-ordinate with the new national unity government in Libya. I was trying to broaden it in response to that question about how we will work and support this new government in Libya in order to, as well as everything else, achieve our migration goals.

Lord Horam: So Op Sophia would remain an EU operation.

Mr Richard Lindsay: Under its current mandate, that is exactly what it would be, yes.

Q64 Lord Triesman: This flows from what has been said because it is also about co-ordination. Jonathan Powell, as I understand it, still has a very significant role on Libya, which the Prime Minister has assigned to him. He has been engaged in this role for some time, trying to assess the state of development inside the country, to help and give advice and to create a view about what is likely to happen in the next 12 to 18 months, maybe longer. The last time I had the chance to speak to him, that was the sort of timeframe he was talking about. How much of the co-ordination that we have been talking about in other ways is co-ordinated with Jonathan Powell's mission?

Mr Richard Lindsay: Jonathan Powell's mission is really about working with the security actors within Libya. What we have tried to do through Operation Sophia to date has been separate from that, because we have not yet moved into a place where we have a political and security environment in Libya with which we can work. As that comes to fruition—and it looks very positive that that is the direction in which it is going—it will become increasingly important that the local solutions that Jonathan Powell is supporting are part of what we are able to work with from the Operation Sophia side. I emphasise that those are local and political relationships that he is building in order to secure a political settlement in Libya, rather than trying to secure goals of counter-migration.

Q65 Baroness Suttie: On the impact of a potential EU-Turkey deal, we have heard that it may divert the flow of migrants currently going via the Aegean route to the central Mediterranean route. Is that something you would agree with, and what steps are being taken to prepare for such a potential scenario? If I could caveat that, obviously the EU-Turkey deal is not yet concluded, but let us assume that it will be concluded.

Mr Richard Lindsay: You took the words out of my mouth there. That is exactly what I was about to say: this is today and tomorrow's work.

Baroness Suttie: I understand that there is a degree of difficulty.

Mr Richard Lindsay: If implemented, this deal would help to break the business model of the people smugglers and fundamentally to end the link between people getting in a boat and gaining settlement in Europe. That is what the Prime Minister has been arguing for, for over a year now. In principle, it is a very significant step, and it could make a real difference. It relies of course on implementation.

It is possible that there would be some displacement to different routes, which is why we need to have a set of actions that we can take on all the routes to create the deterrent effect required, rather than squeezing the balloon in one place and allowing it to bulge out in another. We are not losing sight of the central Mediterranean route, and indeed the Prime Minister is very focused on that, and will be at the European Council today. So the short answer to your question is that it is possible that there will be displacement, and we need to be ready for that.

Q66 The Chairman: Could I ask one highly theoretical question? Am I right in thinking that the level of migration from Morocco to Europe, such as to Spain or elsewhere, is very small indeed? That shows that, if you have a government in control of its own country, it is possible to curtail the flow very considerably. If there was a Libyan government that had the same degree of internal control as the Moroccan government have, this problem would be very much less than it is.

Mr Richard Lindsay: I would agree with that. We need to have governments on the shores with whom we can work and who have the right incentives to break the business model of smugglers and do not allow this illegal activity to take place unchecked—which is why the central Mediterranean route opened in such large numbers over the last couple of years.

Q67 The Chairman: Finally, we talk about Libya but to what extent are people setting out from Egypt rather than Libya?

Mr Richard Lindsay: I am not aware of significant numbers of people setting out from Egypt.

Q68 Lord Stirrup: Could I just have one further hammer at this nail? I am still not entirely clear. You talk about having a Libyan government with whom we can work but you do not define whom you mean by “we”. We are talking about an EU operation here—and, as you said, Operation Sophia will continue to be an EU operation. Clearly, UNSMIL will be doing a lot of work in Libya and there will have to be a lot of co-ordination with that. But if we move to a stage where we can have a comprehensive approach to dealing with the people smuggling, working with the government of Libya and using Operation Sophia as a lever within all that, who in the EU is actually going to devise an overall strategic campaign plan and who is going to control it?

If we were doing something like that in this country, it would be overseen by the National Security Council and the relevant Ministers. The Defence Minister, the Secretary of State for Foreign Affairs and for DfID would meet regularly, as would their officials, and there would be a great deal of co-ordination to develop a comprehensive approach. I am not claiming that we do it necessarily all that well, but I know how it would work. I do not understand how this is going to work in the EU and how, therefore, Operation Sophia and the operation headquarters would fit into all that.

Mr Richard Lindsay: This is a more esoteric question about the workings of the EU. The simple answer is that the European Council would give direction to the High Representative to develop a plan for that. That might comprise a military CSDP operation such as the one we have in Operation Sophia; a civilian CSDP capacity-building activity; and significant amounts of Commission funding in support of various elements or parts of different ministries within the new Libyan national unity government. That is what the EU does on a regular basis with a large number of countries with which we have comprehensive and multifaceted relationships. It would be overseen by the European Council and driven through by the High Representative.

Lord Stirrup: The only part of that that has happened so far is that the commander of Operation Sophia has been told to get on with a naval operation in the Mediterranean.

Mr Richard Lindsay: That is the only bit that is being implemented right now. There is an awful lot of planning going on in different spheres of the EU to prepare for the right political environment into which it could feed.

The Chairman: Okay, thank you very much.

Mr Richard Lindsay: Thank you very much.