HOUSE OF COMMONS

Foreign Affairs Committee

Oral evidence: The FCO and the Integrated Review, HC 380

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Watch the meeting

Members present: Tom Tugendhat (Chair); Chris Bryant; Neil Coyle; Andrew Rosindell; Royston Smith; Claudia Webbe. Questions 73-114

Witnesses

I: Zeid Ra'ad Al Hussein, former UN High Commissioner for Human Rights.

II: Juan Manuel Santos, former President of Colombia.

Examination of witness

Witness: Zeid Ra'ad Al Hussein.

Q73 **Chair:** Dr Al Hussein, welcome to this afternoon's session of the Foreign Affairs Committee. Welcome to everybody. The Committee is open. It is a great pleasure to have you here. For the record, would you briefly introduce yourself?

Zeid Ra'ad Al Hussein: Yes, I am Zeid Ra'ad Al Hussein, professor of the practice of human rights and law at the University of Pennsylvania. I was formerly the UN human rights chief—the High Commissioner for Human Rights—and before that a diplomat who served Jordan for about 18 years.

Q74 **Chair:** Thank you very much. We are focused mainly, as you know, on the Integrated Review that the United Kingdom Government is preparing to look ahead at the foreign policy that we intend to try to shape, but I would be grateful if you could help us to answer the questions that the Government is looking to form. What was the relationship like between the UK Government and your office when you were at the Human Rights Council?

Zeid Ra'ad Al Hussein: First, thank you very much for inviting me to engage with hon. Members. This is rather unique for a Committee of

Parliament—there is no similar experience that I have had with any other country, so you ought to be commended for doing this.

The relationship was a good one, but I would not say that the UK was in the top tier of countries that were supporting the Human Rights Office. That was occupied by the United States, Norway, Sweden and the Netherlands. The UK belonged to a collection of countries—about eight of them—that was called the Rubens Group. In that context, it was supportive. On funding the office, however, it was not where we hoped or where we hope in the future it could be. Now, with the apparent incorporation of DFID into the FCO, possibilities beckon for greater funding for human rights from the UK. That is something that I am quite happy to discuss—not in my capacity as the high commissioner; there is now a high commissioner who would do that formally, but perhaps just to suggest a few pointers with respect to how the UK could help the office.

Q75 **Chair:** Before we move on, I would be very grateful if you touched on those. It would be very interesting to hear your thoughts.

Zeid Ra'ad Al Hussein: DFID was rather constrained in funding human rights operations. Clearly, the emphasis was on poverty reduction and was geared to humanitarian action, if anything—it was development and humanitarian. Human rights was not something that it could fund, so the finances were not available for the sorts of thing that we needed on the human rights side.

From our perspective it was rather regrettable, as wars do not start because people are poor; neither do they start because people are illiterate. They start because of structural discrimination—a deliberate attempt to marginalise people. That is how wars start. Indeed, most of the conflicts today have their antecedents in human rights deficits—the rights of certain communities within a state that are basically discarded. Funding human rights operations make sense, because it is essentially preventive: you want to prevent conflicts from occurring, and not have to then fund humanitarian operations at huge cost to the Treasuries of various countries. There is a sense to doing that.

If I can with your permission, Mr Chairman, venture a little further, I have noticed the Prime Minister's comments regarding the alignment of aid with a more structured approach when it comes to British foreign policy. I think it makes sense to a certain degree. The danger is that human rights become tradeable. Here I think you have to be very careful. Certainly, commercial interests are at stake—you want access to natural resources; there is a defence industry, there are arms sales that are negotiated. This is all known.

If you want to embark on a human rights-based approach, we would absolutely support that. We understand we operate in the real world where certain balances have to be struck, but integrity also counts for something. In this world which is bifurcating very quickly into two or three different

camps where values are concerned, I think people will notice when a Government has integrity as opposed to a Government that is just playing fast and loose with human rights for other reasons and that would be regrettable. It is not an easy thing to do, but I think it is the right thing to do and nothing that is right is ever easy.

Q76 **Chair:** May I ask, picking up on that theme—you are going to be far too diplomatic to give me a straight answer perhaps on exactly the question I am looking for, so let me formulate it slightly differently. Would you say that the words and support that you got from British diplomats in the Human Rights Council matched the actions of Her Majesty's Government around the world?

Zeid Ra'ad Al Hussein: This is where we get into this internal/external consistency again that very much gives shape to what integrity really means, but also whether there is consistency across files. It was very noticeable to us in the Human Rights Office that while the UK, the US, France and other countries were rightly filled with bitterness at what was happening in Syria with respect to the indiscriminate bombings of civilians, the barrel bombings by the Syrian Government supported by Russia and Iran, the indignation was appropriate in that case. It was also very noticeable that in the case of Yemen that was largely absent, at least to begin with.

While the conditions were not similar, they were not dissimilar. There were certain features of both which seemed to parallel each other, and the nationality of whoever is doing the bombing is, I'm afraid, irrelevant. What seemed to be happening was that civilians were being bombed, and for various reasons one may be more deliberate than the other, but we could not be sure, and for the most part the US and the UK were largely silent when it came to the coalition bombing in Yemen. That sort of thing stands out and needs to be thought through much more carefully.

Q77 **Chair:** While you are on the subject of Yemen, a British diplomat has been working on Yemen as the special representative of the Secretary General for a number of years. How would you say British diplomats compare with their peers around the world?

Zeid Ra'ad Al Hussein: From my experience of many years now in diplomacy and the UN, I think British diplomats are extremely talented. I have hardly ever come across one who did not bring something substantive to a discussion. As people say, the working language in international organisations, at least in the UN, is, by and large, broken English. UK diplomats speak English well, their drafting skills are superb, and their analytical skills are superb. In terms of performance, I have never been anything but impressed.

There is a caveat to that, though, and this is not going to be a surprise to any member of this Committee. There were times when we, on the other side, bemoaned the fact that the UK, with its rich history and its knowledge, would on occasion just be parroting the line that came out of

Washington. A former senior British diplomat, who worked for the UN and is a good friend, in an interview—so he said this publicly—also lamented the fact that on occasion the UK was just, as he called it, a little echo. We know that British diplomats reflecting the view of the British Government may privately have had other feelings, but, when push came to shove, they were doing Washington's bidding for it. That seemed to be something rather unsavoury for many of us.

Chair: Royston Smith, you wanted to come in.

Q78 **Royston Smith:** The British Government want us to be a problem-solving and burden-sharing nation. You touched on a couple of the skills of British diplomats—drafting skills and analytical skills. Are there any unique capabilities that British diplomats have and could use to help resolve some of the global challenges?

Zeid Ra'ad Al Hussein: Certainly institutional knowledge. When I was on the UN Security Council, the UK could bring to bear in any discussion an enormous amount of knowledge that could be useful to other members of the Security Council, and that counts for something. Similarly, on legal issues, the Foreign Office usually has a first-class legal team. That was always extremely helpful. The one tendency, which I think affects all Governments, sadly—without exception, I believe—is that we still pursue the narrow interest, the national interest, first, and pay some lip service to the global interest. When that is taken to the nth degree, it doesn't work.

If we are scrambling around just for ourselves as a country and paying lip service to the global good, then we just scramble it for everybody. Everyone makes it worse. What we need to do is put the global interest first, from which all of us will benefit. That was the central message of why we created Bretton Woods institutions in the first place: that if we are left to balance of power politics, it ends in terrible tragedy; the only way to sort out our problems is to problem solve collectively. In that sense, if the British Government recommit themselves to that, it is very welcome. If they are forward leaning and pushing in that direction, we would all be better off for it.

One has to factor in the real world. In the real world, for the time being, the United States is under an Administration that does not believe so much in that. If the results on 3 November bring in a different political party, the situation may open up for Britain to play this rather decisive role in which, if there are tensions between different alliances and groups, it can break those. That requires great skill and I believe the Foreign Office has that skill in diplomats of the first order in terms of their professionalism and talents.

Q79 **Royston Smith:** I hear what you say about the perception that, perhaps, the UK is led somewhat by the US. That is a criticism we have probably heard before; I suppose some people will have different views. Within that, I assume it would give British diplomats the opportunity to influence

the US in the same way that the criticism is that the UK is influenced by the US. You are suggesting, I think, that with a different Administration in the US, rather than the UK being led so much by the US, the UK may

well be able to influence US foreign policy, or certainly in the UN and elsewhere. Is that what you are suggesting?

Zeid Ra'ad Al Hussein: Yes. I think that there is a tendency in the beginning to take the measure of the direction of the US Administration in power. I witnessed this at first hand in 2002. The Bush Administration was taking a very firm line with the newly created International Criminal Court. I was chairing the governing body; we were going to meet in September. In June, however, the US submitted a draft resolution to the UN Security Council seeking to exempt all its nationals from the jurisdiction of the court. The United Kingdom and France were both parties to the Rome statute, yet the US got its way. Both UK and France voted for the resolution, which was very disappointing to all of us who were supporting the Court.

The following year, the resolution came up for renewal, and the UK and France chose to abstain. There would have been a ferocious attempt by the United States to have the UK and France follow suit, but I think they began to realise that that was not going to be possible. Then, the following year the US again tried to have the resolution renewed and for the first time—in my experience, at least—the US did not have nine votes. It wasn't that their action was blocked by a veto by a permanent member. No, they just didn't have nine votes. Again, I imagine that the lobbying effort would have been enormous.

Perhaps it is not unusual that in the beginning countries will take the measure of the US and then, having decided that that is not workable any more, they part ways. I think it is important to decide when that happens and not to be completely locked into a position that you have severe misgiving over and that does damage to your reputation worldwide.

Chair: Thank you very much. Claudia Webbe, you wanted to come in.

Q80 **Claudia Webbe:** Thank you, Chair; I hope that my internet lasts through this. In which cases has the UK actually played an effective role on human rights issues? Then, how would you say that UK diplomats have made that leadership effective?

Zeid Ra'ad Al Hussein: When you look at the human rights agenda, it is vast. It covers all thematic issues—civil, political, economic, social and cultural rights. You are looking at 193 countries, and there is no country with a pristine record—far from it. We still have to come to grips in every country with racial discrimination; there is no algorithm based on experience that has solved it for us. Prejudice is deep, bigotry is there, chauvinism is there, and we would be deluding ourselves if we assume that we can do this easily, because to my mind—this is just conjecture—if

we could do it, we would have done it a long time ago. We have not been able to overcome this.

In my experience, the UK brought to the fore its technical and vast knowledge on issues when we would reach a logjam. When we were negotiating the Rome statute, for example, we had 193 different legal teams, with all their different lawyers, whether it be from their Defence Departments or Ministries, or from their Foreign Affairs Ministries. The problems that we had to negotiate were formidable and the UK was extremely helpful. I mean, it was really helpful in making us understand where the difficulties lay and then helping us to find a solution. Sometimes, it was substantive—a matter of law—and sometimes it was a matter of drafting, which then enabled the draft law to be to be clarified. In those instances, it was remarkable.

In the UN Security Council, there was one experience that I felt spoke volumes about the way in which the UK approaches issues. At the end of 2013 to 2014, there was an attempt in the Security Council to open up the space for humanitarian access into Syria. The UK was the penholder for Syria, and it was clear, given the relationship between the UK and Russia, that the Russians were not going to push through or agree to any resolution that was drafted by the UK. The UK basically was willing to give up the pen, which is rare for a permanent member of the Security Council, and it was handed over to Jordan, Luxembourg and Australia, and we controlled the drafting and managed to get the resolution through. It was an example of the way in which the UK was practical. It realised that, okay, it might not be drafting, but to get the issue through it agreed and conceded on this point that perhaps the pen should be passed. Such an example is clear.

The UK was very firm on many of the files where we saw egregious human rights violations, whether it be in Ukraine or in Myanmar. All of us were shocked by the attitude of Aung San Suu Kyi. There was no reason at all, other than perhaps her deep-seated adherence to some Burman nationalism, why she should have been the spokesperson for the military at the time the campaigns were being run in northern Rakhine. Given the fact that all of us were hoping for something better, we were all deeply concerned by this.

On Syria, as I mentioned earlier, the UK was, I think, always at the forefront of pushing the issue of Syrian accountability. There was one occasion that also showed us the power of China and Russia. Toward the end of my tenure as high commissioner, I was invited by the French to brief the UN Security Council on Syria. The Russians called for a procedural vote—there is no veto where matters of procedure are concerned—and we could not secure nine votes in the Security Council for a briefing on the human rights dimensions of the Syrian conflict, which is actually the Syrian conflict in its entirety. It was rather remarkable because it demonstrated that something had changed quite dramatically. Alas, I

could not brief the Security Council in that format, so it signalled some sort of shift, which I hope can be reversed.

Chair: Thank you very much. Claudia, do you want to come back? I think we might have lost Claudia. I was going to come on to a question about—Claudia, you are back.

Q81 **Claudia Webbe:** You lost me there for a moment, Chair. Can I come back and ask you to highlight some gaps? In which cases did the UK not perform so well, and, in your opinion, why?

Zeid Ra'ad Al Hussein: I think Yemen was the one file that was deeply disappointing. I mentioned it earlier. It was quite apparent. This was brought out in the press time and again, and there was a court action in the United Kingdom regarding arms sales to Saudi Arabia. The Saudis were leading the coalition against the Houthi rebels in Sana'a in the early period of the civil war in Yemen. It seemed quite obvious that the UK and US were concerned about putting too much pressure on Saudi Arabia. The position of the UK and its diplomats was that the UK enjoyed an historical and privileged relationship with Saudi Arabia and would use that influence to try to rein in the actions by the coalition and the bombings that would take so many civilian lives. In the beginning one could understand that countries were using whatever levers they had at their disposal to try to influence the decision making in Riyadh.

However, after a while, with these bombings having continued to take an enormous civilian toll, we expected more from a human rights perspective from countries that were taking the correct position when it came to Syria, but seemingly wanting to mute themselves when it came to Yemen. I think Yemen was the one file that was most troubling to us.

Claudia Webbe: Thank you for your honesty. Thank you, Chair.

Q82 **Chair:** Can I come on to a question about the system that you have spent your career defending: the international rules-based system? Would you agree that it is currently under more threat than it has been for many years?

Zeid Ra'ad Al Hussein: Oh, clearly so. If you look at what covid is today, in my mind, it was a very serious health issue in Wuhan; it should not have become a pandemic. It became a pandemic because we are so broken, and we are broken because of weak global leadership.

If we analyse why we had this breakdown more specifically, the part that was fractured is the point where international organisations meet states. When these organisations were set up after the Second World War, it was well established and understood by someone like Hammarskjöld that you needed to have the organisation at an equal level to member states, and having worked on both sides, I can see this so clearly. It has to be a healthy relationship of equals. The moment the organisations become service providers to the states, and states are just rapacious in carving out

their own interests at the expense of others, the breakdown happens. That is what happened here, and it demonstrates the fragility of a system that is not working. Unless we change it dramatically, we are deeply imperilled, especially given the rising tensions between China and the US, China and the UK, and Russia and the countries of the European Union, among others. Most of the conflicts we are dealing with are still there, and seemingly getting worse. It needs a dramatic shift.

The fault also lies with the international organisations. They have become far too meek; they ought to be standing up to the Governments and saying, "You cannot do this." It is not acceptable that poor Governments from the global south should be the only ones being chastised; it needs to be all around. We are all responsible in one way for creating this mess we are in. Frankly, I'm embarrassed that our generation has done this. It is very difficult to sit with your young children and say to them, "Good luck to you. We will soon be passing on, in 20 or 30 years, and you will have to deal with this unbelievable state we are in." One has to lament. So many of our problems are ones you'd have thought we would have settled a long time ago. How can we be so primitive still? How can we have all this bigotry, racism, prejudice and narrow-minded thinking? It is very sad indeed.

Q83 **Chair:** Dr Al Hussein, when it comes to the international rules-based system, there are two obvious countries that have been problematic of late. You could argue, I think reasonably, that they are so problematic largely because of their size, and therefore the influence they have is disproportionate to others, but I would be interested to hear your perspective on China and, of course, the United States.

Zeid Ra'ad Al Hussein: First of all, the UK has done some very important things over the past few years. The UK's Modern Slavery Act was very important; the Magnitsky sanctions that were announced only days ago by the Foreign Secretary were also a very important step forward. I also heard the Foreign Secretary speak about the Uyghur situation in his interview with the BBC, and I fully endorse the views expressed. What is happening in Xinjiang is so alarming, and not just in Xinjiang but in Tibet, Hong Kong—we are all too familiar with that—and possibly Taiwan in the future. The position that must be struck is, if the Chinese authorities believe what is happening in Xinjiang is nothing but a benign policy that is being implemented, they should open it up to visits, scrutiny by outside observers and unfettered access, not these carefully curated trips, and then we will see whether their defence of their actions stands up to any scrutiny. All of that points us in the right direction.

Also, when speaking of human rights, I often ask my students, "Do you believe that it is a weak force or a strong force in the human experience?" They will look at me, almost bewildered. I say, "Well, you can quickly argue the weak force case"—after all, human rights hardly ever figure in business literature. You can pick up the *FT* and hardly ever see it, although now you begin to see it more, but for many years in *The Economist*, the *FT*

or *The Wall Street Journal*, the issue hardly ever figured. It hardly figures in academia either—look at the social sciences, and it is hardly there.

So, there is this illusion that human rights is a weak force, but we know—those who practise it—how strong it is and how China or Russia would react to allegations of human rights abuses. There is nothing weak about it. It is really unfortunate that Joe Nye put human rights into the soft power category, because there is nothing soft about an allegation that hits you right at the heart of what you care about—your legitimacy. It is extremely powerful.

Some people say, "Well, it's pointless when it comes to China, because you lose the Chinese if you publicly chastise them—you lose them." In actual fact, in my experience, I have seen no empirical evidence to suggest that. Which country has tried that? Which country has put on enormous pressure—and not pulled back, but sustained pressure? There has not been a country like that. Now we will see with the US—but my worry with the US is that, again, the human rights dimension becomes a tradeable item for the US Administration, so that if other issues are satisfied, such as the trade and transfer of technology issues, somehow human rights will take a back seat.

My sense is that if the UK, together with the US and other countries, really pushes forward on the human rights dimensions, that helps out not just in preventing conflicts elsewhere but because it is a powerful point of leverage. Again, I go back to the point of integrity: you also have to do everything you can to work internally as well, to ensure that on the home front you address all the extant issues, and externally to make a policy that is fairly consistent and not subject to rapid and rather odd changes in policy making.

Q84 **Chair:** Would you argue that the work of, for example, the George Floyd prosecution team—lawyers like Neal Katyal, former acting Solicitor General of the United States—defends human rights abroad just as much as at home, by creating an internal condition?

Zeid Ra'ad Al Hussein: Yes. Let us suppose that Joe Biden wins the election on 3 November, I suspect that for the first year the US would be involved very deeply in the internal situation there—I live and teach in the US—but the positive spin-off externally would be that the UN[1] reasserts itself as a beacon of freedom, if not a perfect beacon, as we all know. The US would set itself as an example of a country that is trying to wrestle with memory and race. If it can do that, it sets itself apart from the likes of China, Russia and so forth. That is important, and it will matter to a great many countries—and companies, incidentally—that may feel caught in between that there is a decisive move in that direction.

[1] Note by witness: In referring to the "the UN reasserts itself" I misspoke. I meant to say the "US reasserts itself".

Chair: Forgive me, this has been fascinating, but I know that Chris Bryant wanted to pick up on some of these elements, so I will go to Chris, rather than dominate the questions myself.

Q85 **Chris Bryant:** Thanks very much, Chair. Incidentally, I remember the moment when the UK and France abstained. I think it was actually that the UK absented itself, rather than abstained, because there was a row within the Government as to what our position should be, but there was very heavy lobbying from the United States of America. I want to ask you about the growing trend of nationalist Governments around the world that end up leaning towards authoritarianism. Is that your perception?

Zeid Ra'ad Al Hussein: Oh, clearly so. If I can be completely and utterly blunt, and please forgive me for saying this, running the populism calculus is a sign of a weak politician. I spent some time looking at Karl Lueger, the infamous Mayor of Vienna in the 1890s, a hideous antisemite and an

appalling man, but very sophisticated. His antisemitism was virulent in the extreme, but he disguised it well. He would answer his detractors by saying, "Well, I have Jewish friends, so how can I be an antisemite?", but he knew that antisemitism in the Austro-Hungarian empire, at that time, yielded political dividends, and the profit was there for everyone to see.

My sense is that, after the Second World War, there was a whole generation of politicians who knew that you couldn't go there again; you just had to avoid that. Every decisive move toward ending social injustice begins with a minority. This goes back to our religious traditions as well. It begins with a minority position that, at great risk to itself, is trying to promote social progress. Yes, all of us will question—as we have the right to—whether it is the right thing to do, but we should not then subject those people to persecution. We have to recognise that, if we are going to blame anyone, we should look at ourselves first and reckon with our own past, and then we can have a discussion with others.

I think it is highly lamentable, as I said publicly when I was in the UN and beyond that, that someone like Bolsonaro was a laughable figure on the fringe of Brazilian political life. Yes, he was elected to office and has a legitimacy as President, and no one disputes that, but the manner by which he has approached those vulnerable communities in Brazil that deserve the protection of the state, not only in law but in fact, is rather sad. Again, it is a sad commentary on where we are globally.

There is a cacophony of sound, we hear it all the time. We log on, and pundits and politicians—everyone—are speaking to the issues. That is very welcome. What is noticeable and unfortunate, and which I bitterly I regret and resent, is when the leaders of Governments and states do the most outrageous things but enjoy the silence of their peers; other Heads of State and Government are not saying anything—nothing. They need to say something, because it matters to those Heads of State and Government that something is being said.

Q86 **Chris Bryant:** Do you feel that we are going down that route in the UK now?

Zeid Ra'ad Al Hussein: I hope not. Again, the Magnitsky sanctions coming into being is a really good step forward. That needs to be broadened, and there has been plenty of comment about it. In terms of consistency, integrity and doing the right thing, this all means something. There are people who will say, "Well, look, there are other pressures on us"—you have the tabloid press, elections and so forth—"and so we have to balance all this. Something is better than nothing." That may be true, but the right thing is better than something, and the more you push in the direction of the right thing, the better you are for it.

We really need Heads of State and Government to speak about the actions of their peers when they are disgraceful. The UK could be leading on Xinjiang with the US there. But going back to the original point, human rights should not be tradeable. They should not be given up as soon as some incentive is offered. We have to watch that.

Q87 **Chris Bryant:** I agree. It is interesting that the Americans have added Kadyrov to their Magnitsky list. I hope that the UK will do the same here, because human rights abuses in Chechnya have been flagrant and extraordinary for some considerable time. Tell me if you think I am wrong, but it seems that we—as a country that likes to pride itself on the rule of law and as a country that has sat between America, NATO, the European Union and the Commonwealth—have valued having a lot of multilateral organisations to be part of, where you can try to state your case and try to get everybody on board with your line of thinking. Departing the European Union, we will have less of that. I wonder whether we will somehow or other have to decide between lots and lots of bilateral arrangements, and still retaining our belief in multilateral organisations.

Zeid Ra'ad Al Hussein: It is difficult for me to comment on that. It depends on the strength of the message and the honesty with which the message is put forward. It is always almost bemusing to watch a Government try and work its way around a position where it does not want to reveal its hand, when everyone else knows what is in the hand. A classic example of that is a negotiation on an aspect of, for instance, deep seabed mining. That particular Government may take a defensive position, and you know that it is because the extractive industries have a heavy influence over that Government, but they cannot say that. So, they try to find other reasons that prevent the Government from taking the right position with respect to the Pacific islands, and so forth.

The more genuine honesty there is, the better it actually is. If there are competing interests, spell that out. We all know it, and you might as well spell it out and then together we can find some different solution or an accommodation that is more workable, where you do not see corporations running roughshod over the rights of people, and you do not see

Governments backing them and trying to create a space for them in international organisations and the negotiations that are obtained within them. That is where the UK could go. The UK enjoys prestige in the international community. Forgive me for saying this: if I was an adviser to the Government, I would not have pushed so hard in relation to the decision of the advisory opinion of the ICJ on the Chagos Islands. I served a Government, so I understand why some of the reactions were what they were, but I would have internally counselled for perhaps a different type of tone.

Q88 **Chris Bryant:** Let's make that clear, so you would have accepted the Chagossians' right to return?

Zeid Ra'ad Al Hussein: I am not going to go into the merits of the case because I have read the different legal arguments. When the explanation of vote was undertaken in the UN General Assembly, I would probably have phrased some of that differently. In other words, all Governments have to deal with adverse opinions of various international bodies at some stage or other. It could be the Working Group on Arbitrary Detention or it could be the Human Rights Committee. All Governments are exposed to that. The way a Government reacts is important. There is no doubt that we would all be unhappy with an adverse finding, but we all support the system because in the national context we always have that. We have cases that go in a direction that none of us likes, but we accept that this is the court's decision and we will uphold it, so the grumbling is perhaps to be expected. But the way the tone comes across is important as well.

Q89 **Chair:** Thank you. I want to come on to reforming multilateral organisations. First, let me thank you for your extraordinary candour. This has been an extremely useful session. May I ask you to look in the mirror as the former head of a multilateral organisation? What do you see when you look at multilateral organisations?

Some criticism comes from people who argue that the accrual of power to multilateral organisations has undermined the nation state and, therefore, undermined the level of accountability between the citizen and the Government. How do you see reform bringing that into line or do you reject that comment completely?

Zeid Ra'ad Al Hussein: I do not really. It is a weak country that would make that argument. There is nothing wrong with outside auditing. The Chinese Government used to argue with me that I was infringing on their sovereignty by being critical or criticising their human rights record inside the country. I invited them publicly to give me the legal reasoning for how it was that my criticism amounted to an intervention in their internal affairs and they never did; they never came forward with their legal reasoning.

We were fairly comfortable, because the Government of South Africa repeatedly tried the same argument on the General Assembly when, at the time, the Organisation of African Unity was passing resolutions against the

apartheid authorities in South Africa. The General Assembly never bought that argument that this was an intervention and therefore a violation of the UN charter.

I do not think it is wrong that there is outside scrutiny of the human rights record of a particular country. Those who have something to hide will react defensively. Those who have nothing to hide will say, "We have some issues, for which there are historical reasons. Come and help us try to sort them out. We will not be defensive and filled with pride. We will not say that this is all lies and so forth." That is what we need to see.

In 1959, Hammarskjöld spoke about the maturity of states—developing a more mature attitude to these issues—which is what we really need to see. There is no perfect state. All of us can do more. If you can help us, help us.

This notion of prestige bewilders me. I used to see this in the Security Council. All these countries wanted to be on the Security Council because of prestige, and then for the two years that they were there, you had no idea what they were doing. They didn't know what their positions were; they would just mouth their statements.

To return to a fundamental point, in my experiences at the UN, out of 193 ambassadors and their Ministers, only about 30 worked for the whole, chaired meetings, put forward initiatives and basically kept the machinery running; 160 were just doing bilateral work in a multilateral forum, exacting what they could out of it and paying little in. That is its ultimate weakness.

If there is to be reform of these organisations, it must begin within, putting the global interest up front. We see with this pandemic what happens when you do not. From that, all of us will benefit, but it requires a restructured way of thinking in capitals. That must come first, otherwise we are pretty much doomed, to use a favourite phrase from "Dad's Army", which I used to watch in Jordan in the 1970s.

Q90 **Chair:** I think we were all brought up on that. May I ask you to step away from the human rights field and speak more generally about international organisational reform? In recent months, we have heard criticism of any number of different international organisation, from the World Health Organisation to the International Telecoms Union and the World Intellectual Property Organisation—I could go on about different UN agencies and regional bodies. Is there a theme that international organisations should be thinking about as they seek reform in years to come? Is there a level of accountability that helps? Is there a reporting mechanism that builds credibility?

Zeid Ra'ad Al Hussein: The accountability is there. I could have run for another four-year term. It was clear that I was not going to win the support of the vast majority of member states, if not all of them, so the accountability was that I served four years and I did not serve the

subsequent four years. You are constantly having to answer the questions of member states. You are elected by them and then you are subjected to what should be an honest discussion.

My concern is that too many member states like to fill the posts with weak personalities—personalities that roll over at the first sign of potential tension. That does not serve the international organisation, it does not serve the country concerned and it does not serve the system as a whole. You need personalities who are willing, respectfully, to take an issue up, listen to the member state, invite it to put forward its considered reaction, and then try to solve the problem.

In so many of the issues that we raised with Governments, they baulked—on Kashmir, for example, the Indian Government, when we produced the first report ever by the UN on conditions in the valley, reacted ferociously. We invited them to come and discuss it—most of the sources came from their line Ministries—and they didn't. They were happy to, basically, attack me in the media, but they did not come and discuss it, and they should come and discuss it. If they are comfortable that their position is defensible, come and discuss it.

That is what one needs to see in international organisations. One needs to see a forthright, honest discussion between the leaders of organisations and the countries concerned. But if I have to silence my voice because I want a second term and no one is going to give me a second term unless I

am meek and quiet, I was not prepared to do that. Sadly, I think there are some who are willing to do it, and that is why the system is not a workable system at the moment. We need an honest discussion.

I also worry, looking at the UN, that the UN by and large now in New York, with a Security Council that is moribund, looks like a sort of reflection of the African Union. Most of the agenda items are in Africa and most of the work seems to be humanitarian. I felt, at least from the human rights side, we held everyone to the mark.

Finally, I was conscious that no one wants to hear some self-righteous UN person speak in a manner that is pompous and so on—no one wants to hear that. We have to acknowledge our own failings inside the UN, and there are many; apologise when we need to, as I did often; and not hide behind the veneer of apparent prestige. It would undercut our own prestige if we did not acknowledge those shortcomings. It is important to acknowledge that.

There is a very good poem by Hafiz; if Members want me to recite it, I am willing to recite it, but especially now we need this. We need more humility from the rights side as well—from those who advocate for rights. We need much more humility.

Chair: I will ask you to submit the poem in writing, if I may, for our Clerk Nick, who is a fluent Arabist and would no doubt enjoy it very much. I ask Neil Coyle to come in; forgive me, I meant to bring you in earlier.

Q91 **Neil Coyle:** On the issue of humility, I thank you, Dr Al Hussein, for a fascinating contribution and your kind words about the Committee at the start. You have gone through, in some detail, the context of US introspection, the rise of nationalism and, of course, the UK context of the merger. If you were the incoming Permanent Secretary, where would you maximise UK effort for broadest effect? You have mentioned Xinjiang, but is that the most pressing conflict requiring urgent attention, or is there any other area or region that you would like to cover and like to see us doing more on?

Zeid Ra'ad Al Hussein: I do think Xinjiang is deeply worrisome. It is painful for me as a Muslim to see how silent the Islamic world is on the suffering of the Uyghurs.

If true, these most recent reports, about the sterilisation of young women in particular, are appalling and would satisfy the material elements of an act of genocide. As you know, with genocide it is very complicated: you have to decide whether there is an identifiable group, which there is; you have to establish that the conduct exists, and there seems to be growing evidence to suggest that it does; but then the intentionality has to be established, and here it is more difficult to do so—a court of law is normally better positioned to do that.

I think it highly appropriate for the UK to be saying the right things about Xinjiang, and that would also embolden others to follow suit. I noticed that a prominent Uyghur activist called on France and Germany to follow suit and follow the UK's lead and direction. To be honest, we face so many problems the world over when it comes to the denial of the most basic rights.

Again, I would perhaps go back to the first point. In my experience, having visited 40 countries and met the Heads of State of almost all of them, including my friend, the next witness, who will come on in a few minutes, it was deeply alarming to me that in almost all those meetings—I say almost, because there were exceptions—when we raised the issue of the most vulnerable and marginalised parts of a community, it often seemed to me that the Head of State or Government did not care or did not know. I was not discussing some part of an exotic foreign policy type of agenda; it was their own people and their own suffering, and they did not seem to know or care that they did not know, which was very depressing. Somehow, we have to have a better calibre of politician and statesperson running the affairs of these countries.

What we happen to see is that fundamental freedoms are on the decline; civil society is under enormous pressure; the security status is taking over in many respects; and we are going backwards. Again, the net result is

that we leave a world that is wholly uncontrollable to our children and, if we even get there, to their children. That is something that we need to think about.

If I can just touch on the human rights dimension, it is very interesting because you do not think about your rights until you start to lose them—and lose them quickly. I have often said that it is like breathing: you have to draw something in the range of 22,000 breaths a day, but none of us thinks about it for a minute unless we are compromised in our respiratory systems or are being strangled—then, we know that if we do not draw breath in the next four minutes, we are done. But we do not think about that. I think that in many countries, like the proverbial frog in the pot, the denial of rights begins rather subtly and then becomes less subtle when there is no pushback—no strong pushback—from the international community. It just seemingly gets worse. That has to be changed; it must be changed. We cannot have countries in which the economies can basically be boiled down to a very simple sort of equation: those who have and want to gather more, and those who have not and can be kept at bay. It just cannot continue like that. If we want it to continue like that, we will continue to see that instability the world over.

Q92 **Chair:** I have one last question based on your answer about the instability caused by the break-up of the rules-based system, in this case within China with the actions that the Chinese Government are taking to really threaten the international order that you and many others have spent so long building. Britain keeps talking about reform, yet we criticise China for its actions. Why are the two not the same?

Zeid Ra'ad Al Hussein: I think they could be the same, if strengthening the rules-based order is decisive. We think the nine core treaties plus all the other instruments that attach to them are at the heart of international human rights law, because everything else touches on this, whether you discuss labour rights, child rights, health, schooling or housing. Everything connects, ultimately, to this. With China, what you want to see is a recognition that outside scrutiny is actually healthy for you—a recognition that there is no pristine human rights record for any given country and that all countries can still do better. The UN can do better—that is clear. It needs to lighten up a little bit.

I heard the Chinese ambassador the other day on the BBC defend the position on Xinjiang—well, then allow people in. Allow the Select Committee to send a delegation to Xinjiang. All of us can establish very quickly whether this is a highly curated visit guided with minders, or whether there is a genuine attempt to show the visitors that there is actually nothing to be worried about. Strengthening these organisations, having internal and external consistency, having a broad standard applied across the whole gamut of foreign policy files, and then also pushing for access is a good thing.

The UK invited the special rapporteur on poverty, Philip Alston. His report was very tough, and there was a very strong reaction to it. In my former capacity as ambassador, I had to deal with the toughest reports dealing with Jordan's conduct. It was painful, but it triggered an internal discussion. Ultimately, in all these cases, something good comes out of them. That needs to be encouraged.

Q93 **Chair:** Dr Al Hussein, the UK asks for UN reform or international organisational reform, and many of the critics of China say that it is not trying to reform but is instead trying to replace the web of agreements and treaties that have created what we call international law, and to undermine them. Would you agree with that assessment?

Zeid Ra'ad Al Hussein: Yes, I would agree with that assessment where human rights is concerned. It is undeniably the case that that is their position. I was once briefing the Security Council informally on Myanmar—this is before the horrific events of 2016 and 2017—and the Chinese ambassador argued that he could not see any merit in having me brief the Security Council, because this was not a condition of international armed conflict or a threat to international peace and security. I reminded him how the conflict in Syria began. It began with the torture and abuse of a few children in Dara'a. It began with a human rights violation that opened up the door to massive protests, from which the international community has been at its wit's end to know how to put a close to the suffering of the Syrian people.

Yes, they are attacking the human rights agenda because they do not want the outside scrutiny. It is precisely on that point that we should be pressing them to open up. Their denials are not believable. No one would believe their denials unless they opened themselves up to an unfettered visit that is not heavily guided or curated.

Chair: Just for the record, should we be invited, we would be very grateful to accept an invitation to Xinjiang and to go and visit, though I suspect that invitation will not be forthcoming.

Chris Bryant: Ha, ha, ha, ha, ha.

Q94 **Chair:** For those of us whose families knew of the Holocaust through personal experience, we also remember that it did not start in Auschwitz; it started a long time before that. The echoes that many of us are seeing in Xinjiang and the genocide of the Uyghur people are deeply horrific. Would you use the word "genocide"?

Zeid Ra'ad Al Hussein: I am always careful with this. I would say that the material elements of genocide seem to be there. It is really for a court to establish the mens rea issues, the intentionality. It is a frightfully difficult area of law and it is important to state that while we think there is now a burgeoning amount of evidence on the material conduct, yes, it would seem to be pointing in that direction and it is deeply worrisome. If I

can hop along and join you on the trip, I would like to do that. I have joined Congressional delegations in the US before.

Q95 **Chair:** I know that many of us would go with whoever the Chinese Government would allow, but sadly we do not expect the visas to come. May I thank you enormously, Dr Al Hussein? You have been a fantastic witness for us this afternoon, but mostly may I thank you for your years of service not just to your country but to every country through the United Nations? I am humbled by your service, thank you, sir.

Zeid Ra'ad Al Hussein: Thank you, sir. Delighted.

Examination of witness

Witness: Juan Manuel Santos.

Q96 **Chair:** We are going to turn seamlessly to another friend, President Santos. Mr President, it is a huge pleasure to have you with us this afternoon. Your work in bringing peace to Colombia precedes you in so many ways. It is very humbling to have you with us today and I am deeply honoured that you have made time to join us. I was going to ask Royston to start us off, but before he does, President Santos, would you give a very brief introduction of yourself for the record?

Juan Manuel Santos: Thank you, and thank you for this invitation. I was President of Colombia for two terms from 2010 to 2018. Before that I was Minister of Defence, Minister of Finance, and Minister of Foreign Trade. Before that, I was chief negotiator of the International Coffee Agreement. I lived in London for 10 years and I am very grateful for what I learned from the British during those 10 years. I won the Nobel peace prize for bringing peace to Colombia and during my tenure, we made a lot of progress in other aspects such as poverty, inequality, health and something very important—protecting the biodiversity of Colombia. I will stop there.

Q97 **Chair:** President Santos, I know you could go on for many hours describing your achievements, so we will stop there. Royston, you wanted to start.

Q98 **Royston Smith:** President Santos, thank you for joining us today. It is a pleasure to have you with us. Some of us managed to visit your country last year so it is a particular pleasure to have you with us today. I will get right into the line of questioning, if I may. Have you heard the phrase "Global Britain" and what does it mean to Colombia or South America?

Juan Manuel Santos: I have had very good relations with the UK personally and as a country. However, the presence of the UK in this part of the region has been very modest. I remember back in the early '90s I was Vice-President of Colombia and it was the first time in history that a

British Prime Minister went to Latin America. He visited Cartagena in Colombia because we had supported the UK in the Falklands war. I remember he went with a Minister of Foreign Affairs, Tristan Garel-Jones.

From then on and very recently, from my experience, we had very important help from the UK in the peace process.

The UK was the penholder of the Security Council for all the resolutions relating to the peace process in Colombia. I do not know if you know this statistic, but there has not been any event since the creation of the Security Council that has had more unanimous resolutions than the peace process in Colombia. That was because the UK was the penholder. The role that the UK can play in different parts of the world and in different problems, as was demonstrated in the peace process in Colombia, is very important.

Now that you decided to leave the European Union, I must tell you that I was against Brexit. I did not support Brexit and I thought it was a mistake, but you are now out, and you have a new scenario to see how you can make better foreign policy for the UK and, hopefully, for the world. Maybe you have an opportunity there to play a specific role, an important role. Among the regions where you can play a role that you have not played before is Latin America, which unfortunately, right now, is having the same problem that the world is having: a complete lack of leadership. We have some problems where the UK can play a very important role with more flexibility because it is not part of Europe.

First of all, something where I think the UK should be in the vanguard, is the problem of climate change. You have the credibility, the history and there you can play a very important role. You can play a very important role in more equitable development of the region, in Latin America and around the world. One of the problems we have—this pandemic has shown that in a clearer form—is the tremendous differences and the inequities all around the world. Unfortunately, Latin America is probably the most unequal continent in the whole world and because of your assets in technology and the way you can develop your co-operation, you could play an important role there.

You were discussing multilateral organisations with my predecessor, who is also a member of The Elders. I am also very worried about the trend we are seeing against multilateralism. This is something that would be terrible for countries like mine, like Colombia, because by going back to what we call the law of the jungle, only the very powerful countries benefit. The rest of the countries will not. The UK has had a tradition of defending the multilateral system and played a role in creating it. It was created by the UK, the US—the powers that after the Second World War took the responsibility for creating that order.

I think, in your new role post Brexit, you can play an extremely useful and important role in defending the multilateral system, and if need be, in reforming it, because I know that there is a lot of criticism.

As a matter of fact, when I started my professional life, I worked at a multilateral organisation, the International Coffee Organisation,

headquartered in London, at 22 Berners Street. I spent 10 years there, and I learned the importance of multilateral diplomacy and institutions for things that are insignificant for many but very important for many others, such as the coffee trade, and how the benefits of that trade would be distributed fairly among the producing countries. For these types of issue, if you do not have an institution, or some kind of order, to discuss these problems, the small countries and the weak countries will be a in a very bad situation.

The UK, because of its tradition, can play an important role. Look at what is happening today. One of the main attackers of the multilateral system is the US, its president, President Trump. China is trying to counteract that, but at the same time it is not being very coherent in its actions internally and externally. There is a lot of confusion about what will happen to the multilateral system, including the World Trade Organisation, or the World Health Organisation, which is now also under attack. Countries like mine are very worried, because we are seeing that the system is, in a way, crumbling. Again, that is where the UK can play a tremendous role in saying that we have to maintain these organisations and that they need to be reformed.

Today, because of its tradition, few countries are in a better position than the UK to play that type of role. The differences between China and the US are affecting the whole world, but a country like the UK can step in and say that there are other ways of dealing with the problems and other ways of looking at the problems. I think that the UK can play a very important role. I will stop there, because I know that you have more questions on a lot of issues.

Q99 **Royston Smith:** The whole point of Global Britain, in my opinion, is how the UK, post Brexit, looks beyond where it felt it could before. Has the UK's attention on South America varied over the years? Has South America been neglected in the past by the UK?

Juan Manuel Santos: The answer is yes. Unfortunately, it has been neglected. You can see that simply by figuring out, for example, how much trade and investment you do in the region, or vice versa. It is very small compared with other regions. That is a demonstration of how you have, in a way, neglected Latin America, but again, there is an opportunity there—a big opportunity.

You have been very effective in certain specific countries or with certain specific investments, because of your capabilities. For example, in Colombia, when the oil boom started, BP was the first very big company that went and made a huge difference in our oil industry. You can find examples—maybe in Argentina, maybe in Chile—but overall, the presence of the UK in Latin America has been extremely small. It should have been larger, and it can be larger.

Q100 **Royston Smith:** Just to wrap that up, as I recall, the British operation in Bogotá was quite impressive in comparison to Argentina. It was very much bigger, but the trading situation between the UK and Colombia seemed almost negligible in comparison to what the British operation looked like. Is there something the UK should be doing now? Is there something specific you think we should be doing to right the wrongs of neglecting the continent in the past, but also to improve trading relations going forward?

Juan Manuel Santos: There is one aspect that is a bit touchy, where the UK helped Colombia tremendously, and that was the rule of law and intelligence. I personally went to visit the British Prime Minister, Tony Blair, back in 2005 or 2006. I asked him, "I need your help," and he said, "How can I help you?" I knew him before; we were friends. I said, "I want you to help me with what you are best at," and he said, "What is that?" I said, "Intelligence." He called a great person, Sir John Scarlett, who was the head of MI6, and he said, "I need you to help my friend. He is going to be the Minister of Defence."

I went to MI6—it was a building with no address; I was very impressed—and had a crash course in intelligence. You cannot imagine how important that was for Colombia. Special operations, which I cannot mention with specific information, turned around the military situation, and that was the preamble to our peace process. Not only that: the intelligence we used against the drug traffickers and against corruption was in big part provided with the help of MI6 and British intelligence. We even started to export that know-how to other Latin American countries that are suffering today from tremendous corruption and the big cartels—you go to Mexico, you go to Central America. That is a niche in the market where the UK has already proven very effective. I must say with complete frankness that we also had help from the US and even from Israel in terms of intelligence, but the quality of your help in that aspect was way above the quality and effectiveness of the other intelligence agencies.

In terms of investment, trade and growth, one very important challenge that Latin America is going to have after this pandemic is how we are going to rebuild the region. There is this phrase, "Build Back Better", and the UK can play a very important role there in something I am absolutely convinced is necessary. I hope we do not make the mistake of going back to what we were doing before. By that, I mean how clean energy and a much greener path towards development can be implemented in the most biodiverse continent in the whole world. We have the biggest assets—the Amazon—in almost every aspect, the richest region in the whole world in terms of biodiversity and climate change, and we cannot continue to destroy that. You are seeing deforestation, you are seeing how the rivers and waters have been polluted, and we must correct that if we are going to save the planet. And there, the UK has already helped and has already been present in my country. You have helped on a very small scale, but if we take the correct path, the UK can make a much bigger contribution and

even create a virtuous cycle with trade and investment in this rebuilding of the region that we need—but a correct rebuilding.

Before the pandemic, Latin America had the most unequal countries. We had been able to fight poverty—most of the countries—with relative success, but after this pandemic we will go back: 20 years says the World Bank, and 30 years says the United Nations. We are going back decades. How to bring back to the middle class all these millions and millions of people who again are falling into the poverty pond and how to take them out is a very big challenge, where, for example, the UK has already made a big contribution.

I will tell you a specific example, where we applied the methodology that was invented by Oxford University; it is called the multi-dimensional poverty index. Ten years ago, Colombia was the first country, with Mexico, to implement that and it has been extremely successful. Policies of that sort, brought by the UK or by any country, give a lot of soft power to that country; people really appreciate that type of contribution and that type of help. I think that what we are going to see in Latin America, and the need we have for these types of innovation and contribution, will be huge. Therefore, there is a tremendous opportunity.

There is another aspect where I think the UK can play a role in Latin America. You see right now, with this pandemic, that the developed countries—the UK, the US, Europe—say they will do what we have to do, because they have the resources to do what they have to do. You have the Bank of England, the Federal Reserve, the European Central Bank. But the intermediate countries and the poor countries, we do not have that capacity. We do what we can, and what we can do is very limited. And because of the weakening of the multilateral system and because of the lack of leadership, we are finding ourselves in a very, very tough situation, where the international institutions are not responding with the right formulas and with sufficient assets, even because they do not have them, and there is nobody leading a process like, for example, you did—the UK did—in the crisis of 2008-09.

It was the British Prime Minister—Prime Minister Gordon Brown—who, in a way, led the way for the creation of the G20 and what the G20 did with the rest of the world, which was absolutely crucial to come out of that crisis. That type of presence, we are not seeing today from any country in the world, or from any leader in the world. So, the Finance Ministers of Latin America meet, and they don’t know what to do. That is the true reality today.

So, there, in the sort of reforming, or at least in providing innovative solutions to the financial backlash of the pandemic, in countries like those in Latin America, because of its experience and because of its credibility, the UK could play a very, very important role.

Chair: We will move on to the next area. We do not want to keep you beyond your time. You are being exceptionally generous, so I will ask Neil if he would not mind keeping his questions short and, I am sure, Mr President, you will not mind keeping your answers short, so we can get through.

Q101 **Neil Coyle:** I will do my best, Chair, but I must tell President Santos, I represent the constituency with the largest Colombian population in the United Kingdom—former Colombian population—and, on behalf of our community, I thank you for your work to save lives in Colombia and all your work in the UK, which has helped so many families here, in Southwark, in my community.

The former Prime Minister described Colombia under your presidency as one of the most important partners in Latin America. Do you feel that that partnership flowed from a UK leadership with a coherent foreign policy vision, or did it feel more ad hoc?

Juan Manuel Santos: We have a very good relationship with the UK. I

was flattered and honoured by an invitation, as the first President in a history of 210 years of relations with the UK, to make a state visit to the UK, in 2016. I also had a very good relationship because I lived and studied in the UK. I even played the bagpipes! I was in the Colombian Navy and, when I was a cadet, for some ceremony, the British embassy gave us some bagpipes and a Scottish teacher. I was a recruit and they said, "You look a bit Scottish, why don't you come here and learn how to play the bagpipes?" So, I used to play the bagpipes. Anyway, it is very personal, and I gave the UK-Colombian relations tremendous force.

That should continue. The current Government is on the same wavelength, and there is tremendous potential to increase the real effectiveness of this relationship, which is very good on paper and you have been increasing your presence in investment and in trade, but that is still very small with respect to what it could be—you could do more. Now that you are out of Europe, after Brexit, there is big potential.

I remember telling Prime Minister May at that time that the UK was the first country with which we negotiated an investment protection treaty—that was when I was Minister for Foreign Trade, many years ago. I would love Colombia to be the first country to have a bilateral trade agreement—because you will have to negotiate with the countries outside. You are leaving Europe and you have to maintain the trade preferences—you have to negotiate—so why do you not negotiate with us, with Colombia, or with the Pacific Alliance, which is Mexico, Chile, Peru and Colombia, the four most successful economies in Latin America?

That alliance, by the way, was inspired by a British subject. Tristan GarelJones was the first one who suggested, "Why don't the most successful economies, which all have a coast on the Pacific, get together and integrate?" That is what we did. We did it in a way that was different

from what we had done before in all the integration processes in the history of Latin America, by telling the private sector, "You lead the way and Governments will follow." In three or four years, it became the most successful integration process in the history of Latin America. There you have a very good opportunity, because you have very good relations with all four countries. I know that because we discussed it. You can see how the relations are evolving, and I think they could evolve more positively and more rapidly to the benefit of both the UK and Colombia.

Q102 **Neil Coyle:** Thank you for being candid on Brexit. I share many of your concerns. Do you think that Brexit and the merger of the Foreign Office and the Department for International Development look from the outside as though the UK is retreating from a global leadership role?

Juan Manuel Santos: I hope not. I was a bit worried because you have a long tradition in development resources and co-operation. Not only do you have a long tradition, but you have a good image in the world on that front. By merging with the Foreign Office, many people are asking, is it trying to become more political? Is it going to become another tool of foreign policy to get certain objectives? If that is the case, that would be bad, in my view. If, on the contrary, the paradigm of the development corporation is outside the UK—those funds—and if you can increase the resources and invest them in a pragmatic but also in a transparent way, that would give the UK a lot more leverage, a lot more presence and I think a lot more prestige in many parts of the world, and no doubt in Latin America.

Neil Coyle: Thank you.

Q103 **Claudia Webbe:** Thank you for being with us, President Santos. It is great to see you. The situation in Latin America has been a little difficult. There are clear challenges around South America. What are the unique capabilities that the UK can bring to help resolve some of these challenges across South America? What does the region most value from the UK? I say that within the context of the challenges, not least in Brazil and Venezuela. What is your perspective on the situation?

Juan Manuel Santos: There was an event in 2015 or 2016 that was held in London. It was the first anti-corruption world summit. It was chaired by David Cameron and he very graciously invited me to co-chair it. There were some decisions taken there and some recommendations. That event and the anti-corruption wave had a big, positive impact in Latin America, which is unfortunately a very corrupt region. In that area, fighting corruption, using even intelligence, is something that people there will appreciate enormously, because that is one of the pandemics that we are suffering, and people are seeing that corruption right now. Even during this pandemic how the Governments are giving contracts to their friends, it's a scandal all over Latin America. That is an area where the UK can help very much and where it would be well received.

In terms of clean energy and the protection of biodiversity, the UK has been active and has financed some projects for reforestation to counteract the deforestation. People were not aware of that very much, but now they are increasingly becoming aware of the assets that Latin America has in terms of biodiversity, water and other natural resources. And your tradition, I remember, for example some of the expeditions that, because of the peace process, some areas in Colombia had never been explored and we tried to make some botanical expeditions and Kew Gardens were present and were very well received by the people, who said, "Let's explore and let's know what we have in order to protect it." That type of work is extremely well received.

There is another aspect where the UK is strong and where the region is in need: education and technology. It is one of the big limitations that we have had. Why did the Asian countries grow at a faster rate compared to Latin America, if we have more resources? It is because of our low productivity. Our low productivity is due to bad-quality education and less pertinent education. You have some programmes in Latin America on expanding and improving education, because of the tradition you have and the assets you have. If the vaccine is going to come out of Oxford University, that would increase your prestige there even more. That is an area where there is a need and the UK could play a big role.

Those are the most important areas: biodiversity and the environment, education and clean energy. If you could do some anti-corruption work, that would be very well received.

Q104 **Claudia Webbe:** Thank you. Your work on biodiversity, tackling climate change and sustainable development goals is well known; thank you for your commitment to those. Can I ask whether you support the US military bases in Colombia? Do you accept that they act to create tensions in the region?

Juan Manuel Santos: I must say that we have had very good relations with the US, in terms of military co-operation. I was Minister of Defence and we worked together, but what they are doing now is sending troops to fight, not the drug traffickers—they are supervising forced eradication of the coca plants in the coca fields. That is counterproductive and will not work. It is already creating a lot of tensions.

There is right now a very big debate—a legal debate—that this had to be approved by Congress. One of the courts has already said, "Yes, you should have asked Congress before you allowed American troops—armed special forces—to come to Colombia at this time." I am afraid that I agree that that should not have been done.

Q105 **Claudia Webbe:** Finally, I think you have already spoken of the changes that might be necessary post-coronavirus and of how covid-19 might change some of the challenges that you have. What do you think the UK

can offer and what should the UK's response be in assisting the region post-covid-19?

Juan Manuel Santos: Many countries are going to face a dilemma. I will give you a specific example: there is already a lot of pressure from the coal miners and coal producers to deregulate the coalmines and to construct coal plants to provide energy. There is tremendous pressure on the oil companies to allow what they call fracking. I think that would be a big, big mistake.

Every Government wants a quick economic recovery, and it is very tempting to do that, to deregulate and allow more coal and more fossil energy, but we need an alternative. There, the UK can provide clean energy and alternative types of technologies that will allow the region to recover economically, but on a much healthier path from the environmental point of view.

The UK can help tremendously by trying to correct inequality and protect more effectively the vulnerable population. The vulnerable population that the pandemic has hit especially hard are the indigenous people, who, in some regions, such as the Amazon, are on the verge of disappearing.

Those in the poor, informal slums, who live around the cities, have been hit especially hard by the pandemic. We have a problem in Colombia—like many regions and countries, but especially in Colombia—with migrants who come from Venezuela. They have become a vulnerable and special population who need some kind of special treatment. Another vulnerable population that emerged very clearly were people in jail—the jails in all of Latin America are having tremendous problems.

You have a good health system—one of the best in the world. Your Government, right now, has a big campaign on the national health service and how good it is. If you can help Latin American countries to strengthen their health systems—the pandemic has shown how weak they are; in some countries they are better than others, but overall, they are very weak and do not reach vulnerable populations—you could also make a tremendous contribution.

Claudia Webbe: Thank you. I am sure the UK probably has a lot to learn from places such as Cuba when it comes to health. Thank you so much for answering those questions.

Q106 **Neil Coyle:** Mr President, some middle-class Western observers obsess over where the US military base is going in partnership with other foreign Governments, when one of the biggest regional challenges facing Latin America is the refugee crisis caused by the collapse and state failure in Venezuela. Do you have an estimated cost of the state failure to Colombia? What more could the UK Government be doing to tackle the human rights crisis and poverty affecting millions of people on a daily basis as a direct result of that corrupt regime?

Juan Manuel Santos: I had a meeting with President Trump back in 2017. He asked me to get all the Latin American presidents—at least the most important ones—in a meeting with him and his Cabinet. That took place in New York during the General Assembly of the United Nations in 2017.

We sat down and the first thing he said, half-jokingly and half-serious, was: "What do you think about an invasion?" We were all shocked and I said, "Mr President, this is the worst of all alternatives." He said, "Why?" I

said, "Because Venezuela is not Panama; it is not Grenada. You will leave a scar that will take generations to heal between Latin America and the US. He said, "What is the solution in Venezuela?" I said, "Venezuela is a plane that ran out of fuel. There are only two alternatives: it could crash, or there could be a soft landing. It is in the interest of everybody to have a soft landing, but for that to happen you need the major stakeholders to be in agreement." He asked me, "Who are they?" I said, "The major stakeholders are Russia, China, Cuba, the US and Latin America. If need be, we bring in Europe also, but it is not necessary at this point."

That analysis has been very badly handled. If there is a case study in failed diplomacy, it is the case of Venezuela, because the US started to intervene much more than it should. The Lima Group, which is the group of Latin American countries that was trying to be mediators for a negotiated solution for a soft landing in Venezuela, invited the United States to lead that, and then the whole structure did not work.

Unfortunately, today we have Venezuela in a worse condition and Maduro in a stronger position. This is a complete contradiction of what the diplomatic objectives were a year and half or two years ago, but I still think that the only solution is a negotiated solution that is not very different from what we did with the FARC. You have to sit down and say, "Okay, we'll go back to elections and democracy. You will have some guarantees. You can participate, but we need some new rules of the game for Venezuela to rebuild, because Venezuela has been destroyed."

You will need some years of a coalition. If one party comes in and wins the election, it will be very difficult to rebuild Venezuela with a strong opposition. There has to be something like what was done in Nicaragua: the first time there was a transition from dictatorship to democracy: a "golden bridge" was negotiated by the major stakeholders.

I still think that can be achieved and I think that the UK, with its diplomatic abilities and tradition, being a newcomer, because you have not intervened there very actively; you have been supporting what the US and some Latin American countries have done, but maybe we need some new blood, some fresh ideas. And I think the UK can, if they have the initiative, play a role there of mediating a soft landing in the case of Venezuela. Why do I insist on the soft landing? Because if we have a violent transition, we already have almost 2 million refugees in Colombia, but If there is a

violent transition that figure could increase to six or seven million, and that could be completely disastrous.

Q107 **Neil Coyle:** President Santos, is that UK intervention in terms of direct support to Colombia and other countries with those refugees from Venezuela caused by the failed state? Or is it about the UK opening up to

more refugees being brought to this country and honouring a broader global tradition and commitment?

Juan Manuel Santos: That is my personal idea and initiative, but the UK has the qualifications to become a major diplomatic operator, to try to get these stakeholders together and produce a negotiated solution. Right now, nothing is working. Everything is in stalemate—every back channel is frozen. We need something new, and new players. That is why I say that maybe the UK can play that role, but you would have to—in a way—separate yourselves from the US a bit in that aspect and be a bit more independent in order to be acceptable to the other side in this particular situation.

Chair: We will move on, but I will mention that the UK has, of course, recognised Juan Guaidó and the congress as the governing party of the governing group, as it were, in Venezuela. So, there is a challenge there, and I am sure you, too, would recognise that. Chris, I know you wanted to come in.

Q108 **Chris Bryant:** I hope you will send my best regards to Ambassador Mauricio, who was a fine ambassador when he was here. On a sad note, Tristan Garel-Jones died earlier this year and I know he was an important part of making sure that the UK took Latin America much more seriously.

I will ask you one thing about the peace process in Colombia: do you think that the present Government is doing enough to make sure that there is restitution of land to those who have lost out?

Juan Manuel Santos: No, it is not doing enough. It is not very convinced, and some pressure from the UK would be very welcome. As you know, this Government, and the next one, is constitutionally obliged to fulfil the promise of the peace process and one of the key aspects is the land restitution. They have been dragging their feet.

And the other one is the voluntary substitution of coca plants for legal plants, legal crops. They are dragging their feet there also. They want to go back to spraying, which I think is a very bad idea, and it did not work. When I was Minister of Defence, I sprayed more hectares than anybody else in the history of Colombia, and the coca production went up. That did not work. To answer your question, no, the Government is not doing enough.

Q109 **Chris Bryant:** And there cannot be peace without a restitution of land and the resolution of the baldíos issue?

Juan Manuel Santos: That is one of the problems that we have had since our independence. Colombia has the worst land distribution in the whole world—the whole world: worse than any country in Africa and Latin America. The so-called Gini coefficient is almost 0.9. So that is something that we need anyway, not because of the peace process. Of course, it contributes to peace.

I will tell you something that is important. Yesterday was our independence day, and—*[Inaudible.]*

Chris Bryant: And you froze.

Chair: Mr President, we seem to have lost you.

Claudia Webbe: It's certainly not me this time.

Chair: I am going to suspend the hearing for a moment while we try to get President Santos back.

Sitting suspended.

On resuming—

Chair: We are restarting the session after a very minor technical issue. President Santos, thank you very much for rejoining us. It is extremely kind.

Juan Manuel Santos: Thank you. We were on the peace process and how the Government is dragging its feet on some aspects of the implementation of the peace process, and I was saying that a very historic thing happened yesterday. A new Congress was inaugurated, or initiated again—a new year: new Chairs and vice-Chairs of Senate and the House of Representatives are elected, and for the first time in its history the wife of the very old leader of FARC, who was leader of the FARC for about 30 years, Tirofijo, was elected as Vice-Chair of the Senate. This is very historic from the point of view of the peace process, because it is the demonstration that instead of attacking the population, they are defending their ideas in Congress, and the fact that she was elected—the wife of the leader—to Congress, is a very big step in the right direction.

Q110 **Chris Bryant:** Wasn't there a problem with the President forgetting to inaugurate the new session, as well?

Juan Manuel Santos: Because of the pandemic, yes.

Q111 **Chris Bryant:** But they got that sorted. I was just going to ask one final question. If you look at Britain's relationship with Latin America 100 years ago, or 150 years ago, we were actively involved in lots of different movements: we were big industrialists—engineers; we built half the railways; we invented Inca Kola; so many different things. Today it feels as if we are a slightly weaker presence in Latin America, other than

through our pop music. Do you regret that? Is that accurate? What can we do to change it?

Juan Manuel Santos: You say something which is very true. You were very present in many areas and sadly your focus went outside Latin America, or maybe the US became much more prominent, but I believe that you still have all the opportunities and capacities to reverse that trend and to become much more present in Latin America, which for 200 years has been the continent of the future, but we have not been able to make it the continent of the present. With the help of countries like the UK, there are all these opportunities that I mentioned, and many more, that we could take advantage of to create a synergy—good for you and good for us.

Q112 **Chair:** Mr President, may I ask one final question myself? We have heard a lot about regional issues and about the UK's presence, but one area that we have not touched on is China's involvement in Colombia or in the region. Could you compare the different relationships of some countries with others? You have spoken very warmly—I am very grateful for the warmth with which you expressed it—of the relationship between the United Kingdom and Colombia. How would you compare the relationship between the UK and Colombia and between China and Colombia?

Juan Manuel Santos: You cannot generalise. In Colombia, I deliberately had a policy of being very careful with Chinese investment. They came here and offered finance, but they added that they had to bring their own workers, and there were a lot of conditions. The presence of China in Colombia is very small compared with, for example, Ecuador or Venezuela. Trade with China has increased but, relatively speaking, it increased more in Chile or Peru. Those countries have more trade relations with China than we have. China has of course grown much more than the UK, even in Colombia, where we were very prudent about accepting Chinese investment in many areas, because the terms that they tried to impose on us were not very good, and we did not need that financing at that time. They just won a major bid to build the metro in Bogotá, so that is going to increase their presence here quite a bit. But that's what I could say, between the UK and China, the UK has lagged behind, unfortunately.

Q113 **Chair:** May I ask a brief question? We are going to be doing some work on environmental diplomacy as well, which the UK is of course leading because of COP26. I would be very interested in your perspective on what some people think of as a circuit, if you like, of environmentalist events, and how we could better structure environmental diplomacy so that we get better environmental outcomes.

Juan Manuel Santos: This is a great opportunity for the UK because I hope that from this pandemic, we realise that, as it is said, because of the pandemic, nobody is safe until everybody is safe. The same thing is going to happen with climate change and that the people who were deniers are going to start to have to give importance to the evidence and the science. I hope that happens, and that it gives a lot of strength to the discussion on

the environment, which is badly needed. That is why I think the UK has a tremendous opportunity being the host of COP26. You are touching on something that I am very involved in, both emotionally and politically. As you know, we were the ones who proposed the Sustainable Development Goals back in 2012 in Rio that became the world agenda. Through the process of strengthening the institutions and the methodology to apply the SDGs, the UK can also become a very important player in the world and in Latin America. I will give you one example that, for me, was extremely satisfying. I was with the former Irish President, Mary Robinson, and the former Secretary General of the United Nations, Ban Ki-moon, in a refugee camp in Ethiopia. There were refugees from the war—it was a very dramatic situation—but they had the SDGs as their framework for working and managing that horrible situation. By that, I want to say that there is a very important opportunity here for the UK on the environmental side, on the SDGs. You were also, at the end, very active in the negotiation of the SDGs. David Cameron was part of the group that finally decided which SDGs went and which ones did not. Seventeen were decided. So, if you can take advantage of being the host of COP26 and the SDGs, there is an opening for the UK that would be extremely interesting.

Q114 **Chair:** Thank you for that. It is a very interesting way of looking at environmental diplomacy and we will write to Secretary Sharma to make sure he is aware of your thoughts. That is extremely interesting.

May I thank you for your extraordinary generosity in giving us so much of your time? You have been a huge friend of the UK, I know, for many years, including starting off in the coffee business, which we did not know, and perhaps even more interestingly, as a bagpiper. Perhaps next time we can play, but for this time, we will just say thank you very much indeed. It has been a huge pleasure to have you and it is a tremendous honour to have somebody here who has done so much, not just for Colombia but for the whole world. Your Nobel prize is a fitting recognition. Thank you.

Juan Manuel Santos: Thank you. I am very honoured. I always say that Great Britain and London is my second home, and I feel that. Thank you.

Chair: We hope very much that we will be able to host you soon. Thank you.