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Alicia Kearns MP
Chair, Foreign Affairs Committee
House of Commons
London
SW1A 0AA

Dear Alicia,

FOLLOW UP TO EVIDENCE SESSION ON WAGNER

Thank you for the opportunity to appear in front of the Foreign Affairs Committee on 6 February and for your follow-up letter of 9 February. I am writing with responses to your questions.

1. What was the FCDO's involvement in the UK Government's decision (announced in November 2022) to withdraw its forces from the peacekeeping operation in Mali? At what stages was the FCDO consulted on the decision to withdraw forces from Mali and which teams were consulted? What was the FCDO's assessment of the potential diplomatic consequences of the decision to withdraw from Mali?

The decision to deploy UK forces to the peacekeeping mission in Mali, MINUSMA, and the decision to withdraw from it, were both taken collectively by the National Security Council, through a write-round process initiated by the Defence Secretary. The Foreign Secretary provided his views as part of that process. The UN and Africa Directorates in the FCDO worked closely with their Ministry of Defence counterparts throughout to identify and mitigate potential consequences, including for the UK's commitment to global peace and security, and for our reputation in the UN, the region and with international partners. The decision to withdraw was taken on the basis of the Malian authorities' restrictions on the mission which is preventing it from delivering its mandate. We will ensure our withdrawal plans are closely coordinated with the UN and other partners on the ground. We have already started exploring how our defence efforts can be redirected elsewhere in the wider region.

2. What steps did the FCDO take to "study" the proposal for the UK to join the UN Mercenaries Convention, following Prime Minister Boris Johnson's commitment to do so on 19th April 2022? What review mechanisms did the UN Mercenaries Convention go through? What is the UK's current policy position on joining the Mercenaries Convention?

We have not conducted a formal review of UK participation in the UN Convention against the Recruitment, Use, Financing and Training of Mercenaries, but the FCDO and MOD have again considered the arguments, not least in the context of the Committee's inquiry.

The UK, in common with most other countries, has not become party to the Convention because we do not think it is suitably worded to be enforceable in the UK courts. The main challenge is the Convention's definition of a "mercenary", which is central to all criminal offences set out in the Convention and which is based on a large number of cumulative elements. For the purposes of any criminal prosecution in the UK, each of the applicable elements of Article 1 of the Convention would have to be proved beyond reasonable doubt. This would be particularly difficult with regard to the need to establish an individual's motive for becoming a mercenary.

A panel of experts convened by the Office of the High Commissioner of Human Rights has previously recommended amending the Convention to give a clearer definition. To date, no better definition has been agreed. Amending the Convention would be a lengthy process with no guarantee that the final outcome would be workable for us.

The UK is a party to Additional Protocol I to the Geneva Conventions, which provides that mercenaries are not entitled to combatant or prisoner of war status. The UK, along with 174 other States, have ratified Additional Protocol I and given effect to it in domestic law.

Our courts have extra-territorial jurisdiction over the offences of war crimes, crimes against humanity or genocide committed abroad by (among others) UK nationals and residents. The International Criminal Court Act 2001 and International Criminal Court (Scotland) Act 2001 would therefore enable UK nationals and residents accused of committing such crimes overseas while engaging in mercenary activity to be prosecuted in the UK.

3. Can you provide more information about the organisation 'RMB'? Where does 'RMB' operate and what is the nature of its connections (if any) to the Russian state?

During the session, I intended to refer to the 'RSB Group' rather than RMB. The UK designated RSB in May for 'obtaining a benefit from or supporting the Government of Russia by carrying on business in a sector of strategic significance to the Government of Russia, namely the Russian defence sector'. RSB presents itself as a private military consultancy company that can operate simultaneously in Africa, the Middle East, Central Asia, and the Indian and Atlantic Oceans. The Ukrainian Helsinki Human Rights Union identified RSB Group as active in the Donbas following Russia's invasion of Crimea in 2014.

4. How will you investigate whether Milorad Dodik should be permitted to continue to raise funds on the London Stock Exchange, when he is barred from doing so elsewhere?

The Financial Conduct Authority regulates financial markets in the UK and is independent from the Government in its regulatory and supervisory functions. Its credibility, authority and value to consumers would be undermined if it were possible for the Government to intervene in its decision-making.

Republika Srpska is not currently raising revenue from the London Stock Exchange. The continued trading of RS bonds on the Exchange does not generate funds for the RS authorities.

Our sanctions regime remains one of our important tools for tackling threats to Bosnia's sovereignty, territorial integrity and constitutional order. We will continue to use it to ensure that Bosnia remains on a positive, safe, and secure path.

5. *What further progress has the Government made in agreeing an EU-wide visa scheme with the EU to enable UK artists to move more easily between countries as part of their tours? What is the current situation regarding visas for UK performing artists in EU countries?*

The Government recognises that the way creative workers travel in the EU has changed, and the sector has had to adapt to new requirements now we are no longer a Member State. The industry has suggested an EU-wide visa waiver for cultural workers; however, a reciprocal waiver is not consistent with the UK's manifesto commitment to take control of our borders, and ultimately it is up to Member States to decide their visa rules.

Regarding the current situation, we have engaged Member States on the issue of touring artists and been able to confirm that some visa and permit free touring is available in 23 of the 27 Member States. This includes the UK's largest touring markets, such as France, Germany and the Netherlands. We continue to encourage the remaining Member States to make their arrangements as generous and open as the UK's.

6. *The Government previously conducted an investigation into Tier 1 visas, following our predecessor Committee's 'Moscow's Gold' inquiry (2018). Which countries of origin were found to be the most problematic in this review?*

The Home Secretary set out in a Written Ministerial Statement on 12 January 2023 that this route attracted a disproportionate number of applicants from jurisdictions identified in the UK's National Risk Assessment of money laundering and terrorist financing as being particularly relevant for money laundering risks. These include: China, Hong Kong, Pakistan, Russia and the United Arab Emirates as well as Crown Dependencies and Overseas Territories.

7. *Is there any legal obstacle to the Government sanctioning political parties?*

We do not assess that there are any legal obstacles to designating political parties under the UK's sanctions regimes, provided that there is sufficient evidence that any group meets the designation criteria set out in the legislative framework of the sanctions regime in question.

On 6 February, this question came up in the context of United Russia. The UK has already designated a number of key individuals within and associated with United Russia through our Russia sanctions regime:

- On 11 March 2022, the Government designated 386 Members of the Russian Duma, many of whom are members of United Russia. These individuals were designated for voting in favour of Federal Law No. 75577-8 "On the ratification of the Treaty of Friendship, Cooperation and Mutual Assistance between the Russian Federation and the Luhansk People's Republic" and/or Federal Law No. 75578-8 "On the ratification of the Treaty of Friendship, Cooperation and Mutual Assistance between the Russian Federation and the Donetsk People's Republic".
- On 31 December 2020, the UK also Designated United Russia's Deputy Chairman of the State Duma, who was responsible for initiating legislation to integrate the annexed Autonomous Republic of Crimea into the Russian Federation, alongside other members of United Russia who played a role.

We have also designated members of other political parties around the world, working in coordination with our international partners to designate individuals through the UK's other geographic and thematic sanctions regimes.

8. Did you have any involvement in the OFSI decision to issue General License INT/2022/2252300 in October 2022?

Neither I nor any other FCDO Minister had any involvement in OFSI's decision to issue General License INT/2022/2252300. General licences may be issued by OFSI if they meet licensing grounds agreed in the existing sanctions regimes approved by Parliament.

9. Will the Government consider sanctioning the individuals who are already sanctioned by the EU for their links to the Wagner Group – specifically, Denis Yurievich Kharitonov, Sergey Vladimirovich Shcherbakov, Stanislav Yevgenyevich Dychko and Valeriy Nikolaevich Zakharov?

10. Will the Government consider sanctioning the entities that are already sanctioned by the United States for their links to the Wagner Group, as well as other entities that the Wagner Group uses for fundraising?

UK sanctions against Wagner have focused on high-impact targets and disrupting its overall network. We designated Yevgeny Prigozhin in 2020 in relation to Wagner's activities in Libya. We have also designated a further seven Wagner-linked individuals, including its alleged field commander, Dmitry Utkin, commanders in Syria, and officials supporting Wagner recruitment in Russian prisons.

The Government is of course considering further sanctions under its 39 geographic and thematic sanctions regimes. But, as I set out during the Committee Session, we make it a matter of policy not to speculate on whether or not we are considering specific cases.

In 2022, we designated Wagner Group itself for its actions supporting the Russian invasion of Ukraine. By designating Wagner Group, our asset freeze also applies to any other entity it owns or controls. The US has designated a number of entities that it considers controlled by Wagner Group; entities controlled by Wagner are already subject to a UK asset freeze through our ownership and control provisions.

On 6 February, I committed to respond to questions on the number of individuals and organisations currently designated under the UK's sanctions regimes. During the session, a member of the Committee suggested that the UK is 'sanctioning about 20% of the number of people who are presently sanctioned by the United States of America'.

I can confirm that the 20% figure is not accurate in relation to UK sanctions regimes as a whole, nor in relation to the Russia sanctions regime specifically. The UK has sanctioned roughly the same number of Russia-related individuals as the US following Russia's invasion of Ukraine; the total now stands at over 1,300 individuals.

A member of the Committee suggested that the UK had sanctioned 'four organisations since March 2022'. The UK has now introduced sanctions designations on over 140 entities since March 2022, including all subsidiaries owned by these entities.

11. How many full-time equivalent staff are there currently within the cross-government Russia Unit? How many full-time equivalent staff were there within the Russia Unit in January 2022?

Information on the size of the Russia Unit is sensitive. I will write to you separately and in private about this.

12. Approximately how many external experts has the Russia Unit consulted since the illegal Russian invasion of Ukraine on 24 February 2022? What has been the nature of these experts' involvement with the Unit (for example, advisory groups, secondments, formal offers of employment)?

The Russia Unit does call on external specialist advice directly, but mainly works through Departments and Agencies, and their networks of external specialists. The Unit relies most heavily on the specialist Russia researchers in the FCDO's Eastern Research Group (who currently include two individuals seconded from outside HMG), the Joint Intelligence Organisation and Defence Intelligence, as well as the many officials across government who have made the study of Russia and Russia policy a focus of their career.

We do not have figures for the number of the Unit's interactions with external experts since the invasion. We estimate that the number is probably in three figures, in formats including one-to-one engagements, seminars and red team exercises.

Additional follow-up on Serbia/Kosovo

At the evidence session, you raised concerns over any suggestion of the creation of a mono-ethnic Serb enclave in Kosovo, as you did in the House on 31 January. As I said then, there can be no question of a Serbian enclave in north Kosovo; I would share your concerns about any such proposal. However, I also should be clear that that this is not what France, Germany or any other partner is proposing.

As I said during the adjournment debate on 8 February, this Government welcomes all steps that can help to deliver a long-term solution, including the present initiative designed to kick-start the process of real dialogue and move beyond the cycle of rhetoric and tension. The current initiative includes work to create and implement an Association of Serb-Majority Municipalities, not a Republika Srpska-type entity in Kosovo. This was not envisaged at the time of the relevant agreements in 2013 and 2015, nor is it being proposed as a way forward in the current initiative.

I have been encouraged by recent commitments by both Serbian President Vucic and Kosovo's Prime Minister Kurti to accept the current EU proposal for the normalisation of relations between Kosovo and Serbia and hold further discussions on this basis, including working towards establishing an Association of Serbian Majority Municipalities.

Yours ever,



**Leo Docherty MP
Minister for Europe**



Foreign Affairs Committee

From the Chair
Alicia Kearns MP

Leo Docherty MP
Parliamentary Under Secretary of State
Foreign, Commonwealth & Development Office (FCDO)
King Charles Street
London
SW1A 2AH

Follow-up to evidence to the Committee's inquiry into Wagner Group

9th February 2023

Dear Minister,

I am writing on behalf of the Committee to thank you for providing evidence to us on 6th February, as part of our inquiry into the Wagner Group and other Private Military Companies.

You committed to follow up in writing on some points that we raised with you during this session. I have summarised the Committee's questions for your convenience, below. These questions relate both to the Committee's inquiry into the Wagner Group and the wider portfolio for which you are responsible.

We intend to publish both our letter and your response. However, we will consider requests to keep some of your responses confidential, when there is a security rationale or other reason for doing so.

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5. What further progress has the Government made in agreeing an EU-wide visa scheme with the EU to enable UK artists to move more easily between countries as part of their tours? What is the current situation regarding visas for UK performing artists in EU countries?
6. The Government previously conducted an investigation into Tier 1 visas, following our predecessor Committee's ['Moscow's Gold'](#) inquiry (2018). Which countries of origin were found to be the most problematic in this review?
7. Is there any legal obstacle to the Government sanctioning political parties?
8. Did you have any involvement in the OFSI decision to issue [General License INT/2022/2252300](#) in October 2022?
9. Will the Government consider sanctioning the individuals who are already sanctioned by the EU for their links to the Wagner Group – specifically, Denis Yurievich Kharitonov,

Sergey Vladimirovich Shcherbakov, Stanislav Yevgenyevich Dychko and Valeriy Nikolaevich Zakharov?

10. Will the Government consider sanctioning the entities that are already sanctioned by the United States for their links to the Wagner Group, as well as other entities that the Wagner Group uses for fundraising?
11. How many full-time equivalent staff are there currently within the cross-government Russia Unit? How many full-time equivalent staff were there within the Russia Unit in January 2022?
12. Approximately how many external experts has the Russia Unit consulted since the illegal Russian invasion of Ukraine on 24th February 2022? What has been the nature of these experts' involvement with the Unit (for example, advisory groups, secondments, formal offers of employment)?

It would be helpful to have a response by no later than **27th February 2023**. Thank you in advance for your cooperation.

Yours,



ALICIA KEARNS