



Foreign, Commonwealth
& Development Office

The Rt Hon. James Cleverly MP
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Simon Hoare MP
Chair, Northern Ireland Affairs Committee
House of Commons
London
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7 June 2021

Dear Simon,

Thank you for your letter of 21 May.

I can assure you that the FCDO remains committed to pursuing with the Libyan authorities the issue of compensation for UK victims of Qadhafi-sponsored IRA terrorism.

You will understand the clear practical difficulties in obtaining compensation from Libya, including the conflict and political and economic instability that have prevailed in Libya for most of the last ten years. The UK is at the forefront of international efforts to support a Libyan-led, UN-facilitated political solution—working towards national elections in December this year. A more stable and secure Libya will be better able to address the legacy of the Qadhafi regime -- including Libya's responsibility for compensation for UK victims of Qadhafi-sponsored IRA terrorism. The Government has therefore repeatedly urged the Libyan authorities, including at the highest levels of the Libyan government, to engage with UK victims and their representatives, and to address their claims for compensation. We will continue to do so.

Regarding frozen assets, as I said in my letter of 20 May, there is no legal basis for the UK to refuse the release of frozen assets once conditions for delisting or unfreezing those assets set out in UN Security Council Resolution 2009 of 2011 are met.

You mention Mr Shawcross' Terms of Reference. As I have noted in my letter of 20 May, the Government's 23 March Written Ministerial Statement on Mr Shawcross' report offered an overview of the issues covered by Mr Shawcross. You will also recall the letter from my predecessor, Dr Andrew Murrison MP, of 15 October 2019, which set out comprehensively the terms of the scoping phase of Mr Shawcross' work (see Annex A).

Thank you again for your ongoing focus on this issue.

Yours sincerely,

A handwritten signature in blue ink, appearing to be 'J. Cleverly', written in a cursive style.

The Rt Hon. James Cleverly MP
Minister of State for the Middle East and North Africa



Foreign &
Commonwealth
Office



Department
for International
Development

15 October 2019

Simon Hoare MP
Chair, Northern Ireland Affairs Committee
House of Commons
London
SW1A 0AA

Dear Simon,

I would like to update you on the appointment of Mr William Shawcross. You will recall that the Northern Ireland Affairs Committee, under my chairmanship, welcomed the appointment of Mr Shawcross as the Foreign Secretary's Special Representative on UK victims of Qadhafi-sponsored IRA terrorism in its report of 9 April 2019.

I am delighted to inform you that Mr Shawcross' appointment formally commenced on 4 October. The Special Representative's work has the support of the National Security Council and other interested Whitehall departments and reflects HMG's strong commitment to support all UK victims of Libyan-sponsored IRA terrorism. This in turn reflects the Government's commitment to supporting victims of violence and terrorism more generally. The Special Representative will be supported by a Senior Adviser, Mrs Eryl Besse, and a small Foreign and Commonwealth Office Secretariat.

In the first instance, the Special Representative has been asked to carry out a 'Scoping Exercise'. Mr Shawcross and Mrs Besse will work up to eight days a month for a period of up to six months to deliver the Scoping Exercise.

The Scoping Exercise will focus on investigating the feasibility of calculating the precise number of people affected and the amount of compensation due to them from the Libyan Government. We believe that this is an important preliminary step to making wider progress.

In this initial Scoping Exercise, the Special Representative has also been asked to consider precedents for compensation payments by third parties (i.e. parties that have assisted terrorist acts, but not directed or undertaken them) and the nature of compensation arrangements already reached with Libya.

The Special Representative has been asked to consult widely during the Scoping Exercise. These consultations are to include victims' groups, victims' representatives and Parliamentarians. This is in order to gather information regarding the number of victims and survivors and different types of loss suffered, their views on the purpose(s)

to be served by any compensation, and their desired outcomes. The Special Representative will be reliant on the active support and cooperation of victims' representatives and Parliamentarians in providing and, where appropriate, collating information.

The Special Representative has also been asked to consult a wide range of Government Departments, agencies and other experts working in this field to inform himself about the policy, legal and technical challenges involved in examining this pressing but complex issue.

The Special Representative has been asked to submit an internal report on the outcome of the Scoping Exercise to the Foreign Secretary. The Foreign Secretary will decide whether to publish any elements of the Special Representative's report and/or to make them available to any stakeholders.

The Foreign Secretary will decide at that stage whether the Special Representative's work should proceed to a further 'Review' and (in due course) to 'Next Steps'. He will draw on the Special Representative's report(s) and consult Whitehall colleagues in reaching those decisions and in drawing up the terms of references needed for potential further stages of work.

There are administrative points associated with the Special Representative's role that require Parliamentary notification: I am making a Written Ministerial Statement and laying a departmental Minute on indemnity shortly. While the Special Representative shares my own deep desire to see progress, it is important to note that neither he nor HMG is able at this stage to undertake that individuals who have been affected directly or indirectly by Qadhafi-sponsored IRA terrorism will receive compensation from the Libyan Government or any other redress as a result of his work. Once these final administrative procedures are complete the Special Representative looks forward to contacting you and colleagues, as well as victims' groups and other stakeholders.

Please share the contents of this letter with others who may be interested in the work the Special Representative has been asked to take forward. We will also draw upon this letter if we receive enquiries about the Scoping Exercise.

Yours ever,
Andrew.

The Rt Hon. Dr Andrew Murrison MP
Minister of State for the Middle East and North Africa