

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT

Ninth Delegated Legislation Committee

GLOBAL HUMAN RIGHTS SANCTIONS  
REGULATIONS 2020

*Thursday 16 July 2020*

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**The Committee consisted of the following Members:**

*Chair:* MR LAURENCE ROBERTSON

Begum, Apsana (*Poplar and Limehouse*) (Lab)  
 † Britcliffe, Sara (*Hyndburn*) (Con)  
 † Charalambous, Bambos (*Enfield, Southgate*) (Lab)  
 † Clarkson, Chris (*Heywood and Middleton*) (Con)  
 † Cleverly, James (*Minister for the Middle East and  
 North Africa*)  
 † Davies, Gareth (*Grantham and Stamford*) (Con)  
 † Harris, Rebecca (*Lord Commissioner of Her  
 Majesty's Treasury*)  
 † Hart, Sally-Ann (*Hastings and Rye*) (Con)  
 Keeley, Barbara (*Worsley and Eccles South*) (Lab)

Lewell-Buck, Mrs Emma (*South Shields*) (Lab)  
 † Longhi, Marco (*Dudley North*) (Con)  
 † Morrissey, Joy (*Beaconsfield*) (Con)  
 † Nici, Lia (*Great Grimsby*) (Con)  
 Osborne, Kate (*Jarrow*) (Lab)  
 Thompson, Owen (*Midlothian*) (SNP)  
 † Vickers, Matt (*Stockton South*) (Con)  
 † West, Catherine (*Hornsey and Wood Green*) (Lab)

Dominic Stockbridge, *Committee Clerk*

† **attended the Committee**

# Ninth Delegated Legislation Committee

Thursday 16 July 2020

[Mr LAURENCE ROBERTSON *in the Chair*]

## Global Human Rights Sanctions Regulations 2020

11.30 am

**The Chair:** Just before I call the Minister to move the motion, I ask all hon. Members, if they speak, to email details of their speaking notes to *Hansard*, please.

11.31 am

**The Minister for the Middle East and North Africa (James Cleverly):** I beg to move,

That the Committee has considered the Global Human Rights Sanctions Regulations 2020 (S.I., 2020, No. 680).

It is a pleasure to serve under your chairmanship, Mr Robertson.

As the Committee is aware, on 6 July the Government laid the Global Human Rights Sanctions Regulations 2020 under the powers provided by the Sanctions and Anti-Money Laundering Act 2018. The regulations were made on 5 July.

On that day, in a statement to Parliament, my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs set out the Government's vision for a truly global Britain. He underlined our commitment to the United Kingdom being an even stronger force for good in the world: on climate change, as we host COP26; on gender equality, as we champion 12 years of quality education for every girl in the world; and on human rights, as we defend media freedom and protect religious freedom.

The regulations demonstrate that the Government are acting on that commitment. They give the UK a powerful tool to hold to account those involved in the worst human rights violations and abuses around the world.

The idea of taking targeted action against human rights abusers originated, as Members know, as a cross-party initiative. The Foreign Secretary has paid tribute to the contribution of hon. Members in all parts of the House, and I echo that. My colleagues and I have been grateful for the strong words of support that we received from all parties on laying the regulations last week.

Targeted human rights sanctions were a clear commitment in the Conservative party manifesto. I am proud that under this Prime Minister and this Government, we are bringing into force the UK's first autonomous human rights sanctions regime.

As the Foreign Secretary stated, we have designed the sanctions as a forensic tool, which will allow us to target perpetrators and abusers without punishing the wider people of a particular country. The regulations will enable us to impose travel bans and asset freezes on those involved in serious human rights violations and abuses. The rights in question include: the right to life;

the right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment; and the right to be free of slavery, servitude, or forced or compulsory labour.

The powers also enable us to target the larger network of perpetrators, including those who facilitate, incite, promote, support or profit from such crimes. That extends beyond state officials to non-state actors. The regulations are the next step forward in the long struggle against impunity for the very worst human-rights violators.

We are already considering how a corruption regime could be added to our armoury of legal weapons. In particular, we will look at the United Nations convention against corruption under existing frameworks and jurisdictions such as the United States of America and Canada.

We also published a policy note, which sets out how we will consider designations under the regulations for maximum transparency. The legislation will enable due process to be followed in relation to those designations, reflecting on the rigorous process rights contained in the 2018 Act. In practice, the designations will be able to request that a Minister review that decision. As a matter of due diligence, the Government will review all designations at least once every three years.

As the Foreign Secretary said, we welcome the ongoing and rigorous engagement by Members of this House in all parties. We will continue to report to Parliament as requested under sections 30 and 32 of the 2018 Act, to provide Parliament with regular opportunities to scrutinise the operation of the human rights sanctions. Of course, parliamentarians can continue to engage with the Government in the usual ways, including writing to the Foreign Secretary and asking parliamentary questions.

In addition to introducing this new legal regime, the Foreign Secretary announced the first set of designations under the regulations, including individuals and organisations involved in some of the most notorious human rights violations in recent years. These names are published online in the UK's sanctions list for these regulations. Those sanctioned include those individuals involved in the torture and murder of Sergei Magnitsky, the lawyer who disclosed the biggest tax fraud in Russian history; those responsible for the brutal murder of the writer and journalist Jamal Khashoggi; those who perpetrated the systematic and brutal violence against the Rohingya population in Myanmar; and two organisations bearing responsibility for the enslavement, torture and murder that takes place in North Korea's wretched gulags, in which we estimate hundreds of thousands of prisoners have been punished and perished over the past 50 years.

With these first designations, this Government and this country will make it crystal clear to those who have used their power to inflict unimaginable suffering on others that we will not look the other way. Given the sensitivities involved, including the risk of asset flight, I cannot and will not speculate on who may be the target of future sanctions under this regime, but, rest assured, we continue to consider targets, guided by the regulations' human rights goals, as well as the evidence.

In practice, targeted sanctions are most effective when they are backed by co-ordinated, collective actions. We will work closely with our Five Eyes partners, in particular the United States of America and Canada, which already

have Magnitsky-style sanctions legislation, and Australia, which is considering similar legislation. We also strongly support the efforts to bring an EU human rights sanctions regime into effect and stand ready to co-ordinate closely with our European partners in the future.

I welcome the opportunity to set out these regulations to Members, and commend them to the House.

11.37 am

**Catherine West** (Hornsey and Wood Green) (Lab): I am pleased to serve under your chairmanship, Mr Robertson.

The Labour party is pleased to support today's statutory instrument. As we said in the Chamber, we welcome the introduction of the sanctions. As my hon. Friend the shadow Foreign Secretary recently made clear to the House, for too long there has been a sense of there being a haven for individuals who use torture, murder and corruption to achieve their goals, and seek a place to stash dirty money. Those days must end, and we have to stand against those individuals. These sanctions are a good first step. The Government have been right to make it clear that actions will have consequences.

As this is a cross-party matter, I place on record my own tribute to the family of Sergei Magnitsky. We all know that the family has waited far too long to see justice, and to see the Government and our allies take action against those who took Sergei Magnitsky's life after he exposed the web of international corruption involving so many individuals and corporations. In doing what we can to punish those involved in Sergei Magnitsky's death, and those involved in other appalling human rights abuses in other parts of the world, we have the chance to send a strong, principled message that Britain will not look the other way when offences are committed and that we will not allow perpetrators to use the UK as a base to profit from their criminality. That has to be the cornerstone of our foreign policy and our approach to the world, with our historic and ongoing international commitments.

That being said, we have concerns that the sanctions do not go far enough. While action has been taken against those involved in the murder of Sergei Magnitsky, it must be matched by action against Russian Government officials who oppress lesbian, gay, bisexual and transgender people, the Muslim community and other minorities, and who use chemical weapons on the streets of the UK. We also need real and tangible action against other regime officials in parts of the world where gross human rights abuses continue. As we know, the world is increasingly uncertain and unpredictable, and a scattergun approach to a sanctions regime does not meet the scale of the challenges.

I am also concerned that the sanctions may have been undermined by the short-sighted decision to resume arms sales to Saudi Arabia, only days after those involved in the killing of Jamal Khashoggi were identified by the sanctions regime. Mixed messages are not appropriate. As we all know, there are serious concerns about abuses of human rights in Saudi Arabia and in the execution of the war in neighbouring Yemen. We must be consistent in our approach. It cannot be right that we hold people to account one day and reward their state shortly afterwards. In the spirit of cross-party working, I hope that the Government will reconsider the decision to resume the

sale of defence equipment to the Kingdom of Saudi Arabia, and, in general, that they will press for peace and a settlement in Yemen. People there have suffered for far too long.

Our allies in the US and Canada have introduced similar sanctions regimes, but have gone further and specifically covered corruption in the scope of their legislation. Corruption is a cancer that blights the most vulnerable people in the world. The UK must follow suit with Canada and the US and prevent London from remaining home to the ill-gotten gains of corruption. We have a unique chance to get that right, and I sincerely hope that the Government will expand the scope of the sanctions in the near future. I was pleased that the Minister mentioned that, and I hope for genuine action on that front. We all know that, as British MPs, the thing that we have the most control over is the question of tax status in the British overseas territories and Crown dependencies. While the matter is being debated, and there is a lot of cross-party support, steps have still not been taken to close the loopholes completely. I hope that we are taking a step in the direction of doing what we can closest to home on the question of corruption.

I must draw the Minister's attention to one further serious concern: the possibility that the introduction of sanctions can make, and indeed has made, the work and life of in-country human rights defenders more precarious. After US sanctions on the Chechen President Kadyrov, public officials in Chechnya doubled down on their vilification of and attacks on human rights defenders in the territory. That is just one example. I would like the Minister to suggest how human rights defenders can be protected when sanctions are imposed. We need to be alive to the risk and do what we can to safeguard human rights defenders who take enormous risks to highlight human rights abuses and to improve their day-to-day lives.

I also draw the Minister's attention to the procedure relating to the sanctions. I heard him say that there can be parliamentary questions and urgent questions. However, I was unsure whether he would outline the role of the Select Committee on Foreign Affairs or the Joint Committee on Human Rights. I am happy, if he does not have an answer, for him to write to me on that point. It is important to have a cross-party commitment to human rights, and to enjoy that vision together on that particular point. There is nothing better than Select Committee proceedings for pursuing that.

Advocates have raised some concerns that sanctions may not work, particularly if they are unilateral rather than multilateral. I would be grateful to hear assurances from the Minister about how we will judge the effectiveness of the measures in changing the culture and climate around respect for human rights. To maximise the effectiveness of our sanctions regime we need to ensure that there is a procedure for Parliament—I have mentioned Select Committees—so that we can all have confidence that sanctions are transparent and thought out, and flexible enough to cover a range of issues.

The sanctions also need to be tied into the working of a wider human rights-led foreign policy. There are a range of existing measures that the UK can use in all regions to help to improve human rights. One is halting all military, security and policing transfers and training—I mentioned the Yemen example. Another is pushing for the imposition of multilateral targeted financial

[Catherine West]

sanctions—against Myanmar, for example, where there could be a more comprehensive approach. Another is exercising universal jurisdiction to investigate and prosecute. That would apply to Syria, for example. Another is pushing for a United Nations Security Council referral to the International Criminal Court, in the case of Sudan, among others.

The sanctions regime should be seen within the wider family of other measures by which people can be held to account. I am sure everyone present would like to see President Assad in front of the International Criminal Court at a future point. A full use of the suite of measures, as well as targeted sanctions, will allow the UK to be a serious player in human rights and to put it genuinely at the heart of foreign policy.

In conclusion, the Opposition welcome and approve of these sanctions, but we have made it clear that the Government need to go much further and wider to ensure that we achieve a robust and fit-for-purpose independent sanctions regime. A narrow focus on the human rights of individuals does not befit the challenges facing the world. Labour will support the Government in establishing a wider framework for these sanctions, and we will work with the Government in improving the regulations in the weeks and months ahead.

11.45 am

**James Cleverly:** I am grateful to the hon. Lady, who maintained a balanced, thoughtful and constructive tone in the Committee, as she and her party have done throughout the process in response to my right hon. Friend the Foreign Secretary's statement to the House. I thank her for engaging in that spirit, because it will enable this regime to become stronger over time, to transcend any future changes in Government, and to be a serious, meaningful and effective means of dissuading human rights abusers and of targeting and punishing such abuse where it takes place.

I listened to the hon. Lady's examples of other potential targets for the sanctions regime. She will understand that, as I said, we will not publicly speculate in order to prevent things such as financial flight, but I listened to her points. It is important to understand that the sanctions are designed to target individuals and to separate the targeting of such individuals from the wider populations within those countries, or indeed from the Governments of those states. That is important to ensure the appropriateness and effectiveness of the sanctions regime.

The hon. Lady mentioned human rights defenders, and she is absolutely right to do so. We have to be careful to ensure that the work we do at an international

level to dissuade human rights abusers does not have the perverse effect of increasing targeting, but the simple reality is that human rights defenders are often the target of aggressive action. We recognise and value their work.

**Sally-Ann Hart** (Hastings and Rye) (Con): Britain has always been strong on human rights and a world leader in adhering to the rule of law. Can my right hon. Friend confirm that these sanctions regulations come under the sovereignty of the UK and no other external jurisdiction?

**James Cleverly:** I thank my hon. Friend for that point. She is right: this is a domestic UK sanctions regime—the first such regime of its type. We will, of course, work with other like-minded partners around the world to ensure there is a co-ordinated effort. I mentioned the United States of America and Canada, and we will work with Australia in the future. Of course, we will maintain a close working relationship with our European partners, even though—or perhaps because—we have left the European Union. This is the United Kingdom's discrete sanctions regime.

We will continue to fight human rights abuse and to highlight the plight of human rights defenders. It is important to understand that the sanctions regime is one weapon in a broader arsenal of protections for human rights and human rights defenders. The Prime Minister, the Foreign Secretary and the Government as a whole are absolutely committed to continue the UK's position as a force for good in the world and to defend human rights defenders.

The hon. Member for Hornsey and Wood Green mentioned scrutiny of the process, and she was very generous to say that she would be happy for me to write to her on the subject. I suspect that, as often with these things, the exact nature of the scrutiny of the Government's actions on this will evolve over time, because this is a new process. Quite frankly, this is something of which the Government are incredibly proud. We want to celebrate and champion the work we do, and we welcome the positive spirit in which the scrutiny we have received on this issue has been given thus far.

I repeat my thanks to the hon. Lady and to my hon. Friend the Member for Hastings and Rye for their points. We are proud that the United Kingdom is taking a global lead with a sanctions regime targeting human rights abuse, and I commend the regulations to the Committee.

*Question put and agreed to.*

11.50 am

*Committee rose.*



