



House of Commons  
Foreign Affairs Committee

---

**The FCO's  
administration and  
funding of its human  
rights work overseas**

---

**Fourth Report of Session 2015–16**





House of Commons  
Foreign Affairs Committee

---

# The FCO's administration and funding of its human rights work overseas

---

**Fourth Report of Session 2015–16**

*Report, together with formal minutes relating  
to the report*

*Ordered by the House of Commons to be printed 22 March  
2016*

## The Foreign Affairs Committee

The Foreign Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Foreign and Commonwealth Office and its associated public bodies.

### Current membership

[Crispin Blunt MP](#) (*Conservative, Reigate*) (Chair)

[Mr John Baron MP](#) (*Conservative, Basildon and Billericay*)

[Rt Hon Ann Clwyd MP](#) (*Labour, Cynon Valley*)

[Mike Gapes MP](#) (*Labour Co-operative, Ilford South*)

[Stephen Gethins MP](#) (*Scottish National Party, North East Fife*)

[Mr Mark Hendrick MP](#) (*Labour Co-operative, Preston*)

[Adam Holloway MP](#) (*Conservative, Gravesham*)

[Daniel Kawczynski MP](#) (*Conservative, Shrewsbury and Atcham*)

[Yasmin Qureshi MP](#) (*Labour, Bolton South East*)

[Andrew Rosindell MP](#) (*Conservative, Romford*)

[Nadhim Zahawi MP](#) (*Conservative, Stratford-on-Avon*)

### Powers

The committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the internet via [www.parliament.uk](http://www.parliament.uk).

### Publication

Committee reports are published on the Committee's website at [www.parliament.uk/facom](http://www.parliament.uk/facom) and in print by Order of the House.

Evidence relating to this report is published on the inquiry page of the Committee's website.

### Committee staff

The current staff of the Committee are Kenneth Fox (Clerk), Nick Beech (Second Clerk), Kate Owen (Third Clerk), Ashlee Godwin (Committee Specialist), Dr Ariella Huff (Committee Specialist), Rob Page (Committee Specialist), Nick Wade (Committee Specialist), Clare Genis (Senior Committee Assistant), Rebecca McLoughlin (Committee Assistant), Su Panchanathan (Committee Assistant), and Estelle Currie (Media Officer).

### Contacts

All correspondence should be addressed to the Clerk of the Foreign Affairs Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 6105; the Committee's email address is [fac@parliament.uk](mailto:fac@parliament.uk).

# Contents

---

|   |           |
|---|-----------|
| <b>Summary</b>  | <b>3</b>  |
| <b>1 Introduction</b>   | <b>5</b>  |
| <b>2 The FCO's apparent deprioritisation of human rights</b>            | <b>6</b>  |
| <b>3 Operation of the FCO's new human rights priorities</b>             | <b>9</b>  |
| <b>4 Support for local human rights programmes</b>                      | <b>11</b> |
| <b>5 Evaluation and Reporting</b>                                       | <b>13</b> |
| The FCO's monitoring and evaluation practices                           | 13        |
| Annual Report on Human Rights and Democracy                             | 14        |
| Human Rights Priority Countries   | 15        |
| Committee plans for future scrutiny                                     | 15        |
| <b>Conclusions and recommendations</b>                                  | <b>18</b> |
| <b>Formal Minutes</b>   | <b>21</b> |
| <b>Witnesses</b>  | <b>22</b> |
| <b>Published written evidence</b>                                       | <b>23</b> |
| <b>List of Reports from the Committee during the current Parliament</b> | <b>24</b> |



## Summary

This report examines the FCO's administration and funding of its human rights work overseas and explains how we intend to scrutinise the FCO for the remainder of this Parliament.

In evidence to this Committee on the FCO and the 2015 Spending Review, the FCO's Permanent Under-Secretary indicated a shift in this Government's approach saying that human rights is "not one of our top priorities". Whilst the Minister strongly rejected the suggestion that the FCO has deprioritised human rights, the written evidence that we received indicates that there is plainly a perception that this has occurred.

Whilst it is early to assess the impact of the FCO's shift to three human rights themes, opinion on this change was mixed. Some written submissions were positive about the potential for greater attention on some issues than was possible under the 6+2 approach. There were however concerns about the lack of specific commitments in the three themes and the difficulties that this generates for implementation and accountability.

We welcome the doubling of the FCO's annual funding for its dedicated human rights and democracy programme (renamed the Magna Carta Fund for Human Rights and Democracy) to £10.6 million.

The Minister of State confirmed that applicants to the Magna Carta Fund for Human Rights and Democracy must be legal and registered, which prevents organisations unregistered by host states from receiving support. By not permitting any discretion, the current administration of the Fund acts against an intelligent deployment of resources which takes into account a clear assessment of in-country human rights priorities.

Whilst it is difficult to assess the impact of the UK's actions on human rights outcomes, several of the written submissions we received criticised the lack of measurable targets and objectives against which the FCO could be held to account. The FCO should continue to address how it evaluates its human rights work.

The FCO's efforts to improve the accessibility of its Annual Report on Human Rights and Democracy are welcome but there is, however, some way to go before its reporting becomes as user-friendly as DfID's Development Tracker.

Designation of a country by the FCO as a Human Rights Priority Country sends an important message to the country concerned, the wider international community, and to those who are suffering from human rights abuses.

The failure to include Egypt and Bahrain amongst the list of Human Rights Priority Countries contributes to the perception that the FCO has become more hesitant in promoting and defending international human rights openly and robustly, notwithstanding the importance of private diplomacy.

The Committee's work on human rights over the course of this Parliament will entail:

- Consideration of the FCO's Annual Report on Human Rights and Democracy
- Specific thematic and country inquiries on areas of immediate concern
- Reviews of the FCO's contribution and progress in specific individual cases, issues and countries to be revisited on a yearly basis

# 1 Introduction

---

1. Like our predecessors, we intend to dedicate part of our time to scrutiny of the Foreign and Commonwealth Office's human rights work annually. In the light of the Permanent Under-Secretary's statement to this Committee in September 2015 that human rights "is not one of our [the FCO's] top priorities" and that "the prosperity agenda is further up the list",<sup>1</sup> this report examines the FCO's administration and funding of its human rights work overseas and explains how we intend to scrutinise the FCO for the remainder of this Parliament.

2. We announced this inquiry and its terms of reference on 8 January 2016.<sup>2</sup> We invited written submissions on the following issues:

- a) The consequences of the Spending Review and apparent deprioritisation for the FCO's human rights work, particularly in the context of staffing and funding
- b) The way in which the FCO's three new human rights priorities (democratic values and the rule of law, strengthening the rules-based international system and human rights for a stable world) operate in practice
- c) The way in which the process used by the FCO to decide which local human rights programmes to support operates, particularly:
  - i) whether it makes the best use of funding
  - ii) whether it rewards initiative and local knowledge
  - iii) the impact of some states' legal restrictions on foreign funding of NGOs
- d) The FCO's use of external advice in forming policy
- e) How the FCO's work and performance on overseas human rights should be assessed internally and externally, and how it evaluates its own programmes and overall performance
- f) The FCO's plans for the future format and content of its Annual Report on Human Rights and Democracy

3. We held two oral evidence sessions; the first with David Mepham, UK Director of Human Rights Watch, and Kate Allen, Director of Amnesty International UK, and the second with Rt Hon Baroness Anelay of St. Johns DBE, Minister of State at the FCO, Rob Fenn, Head of the Human Rights and Democracy Department at the FCO and Paul Williams, Director of Multilateral Policy at the FCO.

4. We received 22 written submissions. These can be found on the Committee webpages.<sup>3</sup> We are pleased to acknowledge these contributions and to present our findings in this Report.

---

1 Oral Evidence taken on [15 September 2015](#), HC 467, Q10 and Q11

2 "[The FCO's Administration and Funding of its Human Rights Work Overseas](#)", Foreign Affairs Committee, 8 January 2016

3 [Foreign Affairs Committee Website](#)

## 2 The FCO's apparent deprioritisation of human rights

---

5. In 2011, former Foreign Secretary William Hague gave a firm indication of the importance that the previous Government attached to the FCO's human rights work. He said that "our Government promised from the outset a foreign policy that will always have support for human rights and poverty reduction at its irreducible core".<sup>4</sup> In evidence to this Committee on the FCO and the 2015 Spending Review, the FCO's Permanent Under-Secretary indicated a shift in this Government's approach:

Sir Simon McDonald: ...I say that although it [human rights] is one of the things we follow, it is not one of our top priorities. In a more constrained environment, the need to concentrate on Europe, Eastern Europe and Russia, and the Middle East has supplanted it to an extent, but in the work I am describing human rights is an integral element. Although, as a Department, it may not have the profile it had in the past, it is still an integral part of our work.

Ann Clwyd: Those sound like warm words, but I must press you, because it seems to those of us who follow human rights closely that trade and industry is a much higher priority and human rights comes pretty low down the list.

Sir Simon McDonald: I would dispute that it is low down, but I would not dispute that right now the prosperity agenda is further up the list.<sup>5</sup>

6. The Committee was grateful for the Permanent Under-Secretary's candour but concerned by its implications, as were human rights organisations such as Amnesty International.<sup>6</sup> Sir Simon's evidence was in the context of his department modelling 25% and 40% spending cuts as an unprotected department. As it turned out, our subsequent report<sup>7</sup> was endorsed and these proposed cuts averted. However, apparent deprioritisation remains an issue. The FCO used its written and oral evidence to this inquiry to address the question of whether it has deprioritised human rights. In written evidence the FCO stressed that "human rights are an integral part of the work of the Foreign Office's work"<sup>8</sup> whilst in oral evidence the Minister of State said:

Has it [human rights] been deprioritised? Firmly, no. It is still the priority, because it is what every single diplomat does as part of everyday work. Is it a priority? Yes, indeed it is.<sup>9</sup>

7. Whilst we received written submissions which praised the work of officials in the FCO,<sup>10</sup> some were of the view that the Permanent Under-Secretary's words are reflected in the FCO's recent practice. Human Rights Watch said:

---

4 Speech given on 31 March 2011 at the launch of the FCO's 2010 Annual Report on Human Rights and Democracy, "[There will be no downgrading of human rights under this Government](#)".

5 Oral Evidence taken on 15 September 2015, HC 467, Q10 and Q11

6 "[Human Rights are no longer a 'top priority' for the Government, says Foreign Office Chief](#)", The Independent, 2 October 2015

7 [The FCO and the 2015 Spending Review](#), HC 467, First Report of Session 2015–16

8 FCO (HUM00019) para 3

9 [Q47](#)

10 Human Rights Watch ([HUM0006](#)) para 4.1, [Q4 and Q28](#)

... the assertion that human rights are no longer in the top league of FCO concerns is consistent with what Human Rights Watch has observed over the last 18 months—not just in the language that many ministers and officials use, but, more importantly, in the FCO's practical response to human rights abuses.<sup>11</sup>

8. By way of example, Human Rights Watch highlighted the FCO's response to the human rights crisis in Egypt:

The FCO/UK response to the human rights crisis in Egypt has been extremely weak ... In March 2015, Middle East Minister Tobias Ellwood, when questioned by the FAC, couldn't recall whether he had raised human rights issues with the Egyptian government during a trip to the country accompanied by a large UK business delegation. Mr Ellwood has also suggested that Egypt was taking "steps towards a stronger democracy" and that UK/Egyptian relations were "in a very positive place". The first claim ignores the extensive evidence of repression that Human Rights Watch and others have documented, while the second speaks volumes about the diminished role of human rights in current UK foreign policy.<sup>12</sup>

We are disappointed by the Parliamentary Under-Secretary of State's choice of language on this occasion and others, which raises questions about how energetically the Government is raising human rights issues. For example, we also noted the tone of the Parliamentary Under-Secretary of State's statement in Westminster Hall<sup>13</sup> on the death of the University of Cambridge doctoral student, Italian national Giulio Regeni; and, following our recent visit to Cairo, we feel that overall the UK has not been supporting the Italian authorities as forcefully as his murder deserved. The Minister of State, Baroness Anelay, recognises that "if there is a perception that says they [human rights] are not a priority, that is a perception we have to work to redress and address".<sup>14</sup> **Whilst the Minister strongly rejected the suggestion that the FCO has deprioritised human rights, the written evidence that we received indicates that there is plainly a perception that this has occurred.**

9. **Perceptions and symbols matter, particularly in the context of the UK's soft power and international influence. We recommend that the FCO is more mindful of the perceptions it creates at Ministerial level, especially when other interests are engaged such as prosperity and security, as is the case with China, Egypt and Saudi Arabia.**

10. The Committee also noted, as regards the way in which civil society is consulted and able to input into relevant policy and programmes, that although a number of organisations continue to be appreciative of the opportunities to meet FCO officials, some felt it had become harder to get access to senior Ministers and their immediate advisors,<sup>15</sup> and even that engagement at Ministerial level seemed to be more about box-ticking than genuine consultation.<sup>16</sup> More generally, a number of NGOs believed that the FCO did not provide enough information, including on the policy-making process, to allow them

11 Human Rights Watch ([HUM0006](#)) para 1.2

12 Human Rights Watch ([HUM0006](#)) para 1.5

13 HC Deb 2 March 2016 col, [332WH](#) as corrected in HC Deb 9 March 2016 col [3MC](#)

14 [Q56](#)

15 Human Rights Watch ([HUM0006](#)) para 4.2

16 Free Tibet and Tibet Watch ([HUM0011](#)) para 9

to engage as effectively as they might otherwise do.<sup>17</sup> There is also concern that the FCO may focus on engaging with larger more well-established NGOs at the expense of smaller organisations, particularly in third countries.<sup>18</sup>

11. We, along with many others, noticed the FCO's decision not to fly the Rainbow Flag for London Pride in 2015, which reversed the policy of the previous Foreign Secretary and separated the FCO from the numerous other Government departments which did fly the Rainbow Flag.<sup>19</sup> **The decision by the current Foreign Secretary not to fly the Rainbow Flag at FCO buildings for Pride 2015 signalled an apparent change in FCO policy and sent a message that contradicts much of the actual work and objectives of the FCO. We recommend that the FCO reverses its decision not to fly the Rainbow Flag for national Pride events. In the absence of such events due to host nation intolerance of equality around sexuality, the FCO should fly the Rainbow Flag from Missions abroad alongside the Union Flag on IDAHOT Day (International Day Against Homophobia, Transphobia and Biphobia).**

12. During the course of this Parliament we shall assess whether this apparent deprioritisation is addressed and continue to examine the actual support for human rights by the FCO and its Ministers across the globe.

---

17 Amnesty International ([HUM0025](#)) para 28, Christian Solidarity Worldwide ([HUM0018](#)) para 25, Free Tibet and Tibet Watch ([HUM0011](#)) para 13 and Human Rights Watch ([HUM0006](#)) para 4.3

18 Amnesty International ([HUM0025](#)) para 38

19 "[Cabinet Office and FCO divided over flying rainbow flag](#)", The Guardian, 22 June 2015

### 3 Operation of the FCO's new human rights priorities

---

13. In August 2015, the FCO announced that it would focus its human rights work on three themes:

- a) Democratic values and the rule of law
- b) Strengthening the rules-based international system
- c) Human rights for a stable world

14. Previously, the FCO had adopted a more focused approach, with emphasis on the following areas (grouped as “6+2 thematic priorities” by the FCO):

- a) Freedom of expression (including on the internet)
- b) Abolition of the death penalty
- c) Torture prevention
- d) Freedom of religion or belief
- e) Women's rights; and
- f) Business and human rights
- g) Plus democratisation and preventing sexual violence in conflict

15. Rob Fenn, head of the Human Rights and Democracy Department at the FCO, explained the rationale for this shift:

We wanted to allow our Embassies and High Commissions to focus on the human rights issues where they can make the greatest difference. These three themes provide a framework for everything the FCO network currently does, while organising that work (prioritising) in locally appropriate ways.<sup>20</sup>

He added in oral evidence that the three themes seemed “to be a good way of squaring this circle, providing strategy and a sense of shape to our human rights work without ruling out any individual human right”.<sup>21</sup>

16. Whilst it is early to assess the impact of the FCO's shift to three themes,<sup>22</sup> opinion on this change was mixed. Some written submissions were positive about the potential for greater attention on some issues than was possible under the 6+2 approach.<sup>23</sup> There were however concerns about the lack of specific commitments in the three themes and the difficulties that this generates for implementation and accountability.<sup>24</sup>

---

20 [FCO Human Rights Work: A New Way Forward \(leaving no priorities behind\)](#), Rob Fenn, 5 August 2015

21 [Q67](#)

22 [Q5](#) and UNICEF UK ([HUM0022](#)) para 3.1

23 Human Dignity Trust ([HUM0004](#)) para 2 and Stonewall ([HUM0014](#)) para 13

24 Amnesty International ([HUM0025](#)) para 28, Human Rights Watch ([HUM0006](#)) para 3.2, Reprieve ([HUM0013](#)) para 8, and Stonewall ([HUM0014](#)) para 14

17. Reprieve commented that the FCO “... has simultaneously widened the range of areas to which this funding will apply, and abandoned specific human rights priorities such as the fight to abolish capital punishment around the world”.<sup>25</sup>

18. **The embedding of human rights across the FCO's network would be welcomed if it did not coincide with a perceived lack of Ministerial priority. Plainly the actual effect of a change of approach could be to decrease focus on the specific human rights issues that were formerly included within the narrower thematic priorities. *We recommend that Posts should be encouraged to develop specific human rights objectives in their business plans under the three themes, taking into account local assessment of the most relevant issues and needs. Given that human rights work has been mainstreamed across the FCO network, we seek reassurance from the FCO that the three human rights themes are incorporated in staff and team objectives and performance assessments, even for those whose focus is not specifically on human rights.***

---

25 Reprieve ([HUM0013](#)) para 5

## 4 Support for local human rights programmes

---

19. We received evidence from Stonewall that:

A significant barrier to LGBT rights organisations securing funding can be the stipulation that recipient groups need to be legally or officially registered organisations, something that many organisations are actively prevented from doing by their own governments' discriminatory laws. In some countries, attempts to register organisations have led to state-sanctioned crackdowns on LGBT organising.<sup>26</sup>

20. We asked the Minister of State in oral evidence to elaborate on the requirement that applicants to the Magna Carta Fund for Human Rights and Democracy be registered. She confirmed that applicants to the Fund must be registered, the reasons given being that to distribute funding to unregistered organisations may increase the danger to which some unregistered organisations are exposed and to ensure accountability for taxpayers' money.<sup>27</sup> It was pointed out to us that unregistered organisations can access funds from Posts.<sup>28</sup> We recognise that the FCO must take account of the dangers to which those involved with human rights organisations are exposed and must ensure accountability for taxpayers' money. We also appreciate there may be issues in distributing funds to organisations which are deemed illegal in particular countries. In balancing these issues, the wider public good in supporting those working to advance human rights deserves to be considered alongside local legal and practical impediments. The suggested alternative source of support from bilateral funds is a much more restrictive source of funds and may not make a tangible difference to organisations where the human rights climate is so hostile that they are unable to register. **The current administration of the Magna Carta Fund for Human Rights and Democracy acts against an intelligent deployment of resources which takes into account a clear assessment of in-country human rights priorities. The FCO should change its policy on the mandatory registration of organisations which apply for funding from the Magna Carta Fund to enable those which have been suitably vetted but face genuine restrictions to proceed to the next stage of the application process.**

21. We welcome the doubling of the FCO's annual funding for its dedicated human rights and democracy programme (renamed the Magna Carta Fund for Human Rights and Democracy) to £10.6 million. However, we note that the guidance for the Magna Carta Fund indicates that 97% of the funding will go to Official Development Assistance (ODA) countries.<sup>29</sup> The FCO explained in written evidence<sup>30</sup> that this leaves only £300,000 for projects in Bahrain, Saudi Arabia, Israel (excluding the Occupied Palestinian Territories) and Russia.<sup>31</sup> Organisations in these countries do, however, have access to regional projects in which a majority of ODA countries are recipients and separately to the Arab Partnership Fund, the Conflict, Stability and Security Fund and bilateral programme funds. Whilst non-ODA countries such as Russia, Israel and countries in the Gulf may

---

26 Stonewall ([HUM0014](#)), para 17

27 [Q76-87](#)

28 [Q88](#) and written evidence from the FCO ([HUM0026](#))

29 [Countries on the list of ODA Recipients of the Development Assistance Committee](#) (an international forum of many of the largest funders of aid)

30 Written evidence from the FCO ([HUM0026](#))

31 These are the only Magna Carta Fund priority countries which are not on the DAC'S list of ODA recipients

receive funding through regional projects and other FCO and multilateral funds, it is disappointing that organisations operating in these countries are restricted to only 3% of the dedicated funding through the Magna Carta Fund. This is a further distortion of the application of resources away from wider national interest priorities and towards the priorities of the restricted source of the funding.

## 5 Evaluation and Reporting

### The FCO's monitoring and evaluation practices

22. Each year the FCO produces an Annual Report on its Human Rights and Democracy work. It supplements these with quarterly (soon to be bi-annual) updates on its designated 'Human Rights Priority Countries', referred to in previous Annual Reports as 'Countries of Concern'.<sup>32</sup> Additionally, the FCO uses quarterly monitoring and financial reports to track delivery of each project, with a completion report setting out what has been achieved at the end of the project. The FCO also carries out in-depth evaluations by visiting and reporting on 10% of projects by value each year.<sup>33</sup>

23. Whilst we appreciate that it is difficult to assess the impact of the UK's actions on a human rights outcome,<sup>34</sup> several of the written submissions we received commented on the need for measurable targets and objectives against which the FCO could be held to be account.<sup>35</sup> Free Tibet and Tibet Watch said:

A basic mechanism of evaluation is to publish targets or goals and measure success against them. This allows stakeholders to assess the validity and value of the targets themselves and to assess the government's effectiveness in meeting them. It is surprising that the government does not follow that good practice in regard to its human rights work.<sup>36</sup>

Amnesty International told us that:

Monitoring the impact of its human rights objectives and activities should be a priority for the UK government. In order for civil society to properly assess progress in this area the UK government would have to develop and publish indicators that are based on outcomes to support the measurement of progress against its own objectives.<sup>37</sup>

24. We noted the Minister's comment in oral evidence that "I agree that my work is to look at the output over a longer period, which is much more difficult but is important, otherwise the input doesn't have the effect one needs".<sup>38</sup> However, we were also told by Rob Fenn, head of the Human Rights and Democracy Department at the FCO, in oral evidence that "we don't have any professional statisticians in my small team".<sup>39</sup> Whilst we recognise the resourcing and funding constraints under which the FCO is operating, we question whether the Human Rights and Democracy Department has the capability to develop the types of impact assessment and reporting that are commonplace at, for example, DfID.<sup>40</sup> Whilst the FCO has made efforts to improve the quality of the measurement and evaluation of its human rights work (for example, the inclusion of the

32 As defined in the [FCO's 2014 Annual Report on Human Rights and Democracy](#). The change in name was indicated in a [letter](#) from the Foreign Secretary to the Chairman dated 22 July 2015.

33 Written evidence from the FCO ([HUM0026](#))

34 Reprieve ([HUM0013](#)) para 13

35 Amnesty International UK ([HUM0025](#)) para 49, Free Tibet and Tibet Watch ([HUM0011](#)) para 20 and 25 and Reprieve ([HUM0013](#)) para 15

36 Free Tibet and Tibet Watch ([HUM0011](#)) para 20

37 Amnesty International UK ([HUM0025](#)) para 49

38 [Q66](#)

39 [Q102](#)

40 See by way of contrast [DfID's Evaluation Strategy 2014-19](#)

Human Rights in Action Chapter in the Human Rights and Democracy Annual Report), there is still significant room for improvement. The absence of measurable targets for the output of the FCO's human rights and democracy work and its individual projects makes it extremely difficult to hold the FCO to account for its spending and to assess whether its projects deliver value for money.<sup>41</sup> The adoption of more abstract thematic priorities could also make evaluation of the FCO's work even harder. ***We recommend that the FCO should continue to address how it evaluates its human rights work. It should consider publishing headline targets for the outputs of its human rights policy in its Annual Report on Human Rights and Democracy, including assessment of progress against these targets in the biannual updates on Human Rights Priority Countries and Annual Reports which follow.***

## Annual Report on Human Rights and Democracy

25. The FCO's Annual Report on Human Rights and Democracy is a lengthy document (the 2014 Annual Report ran to 188 pages) and it is clear that the FCO puts a great deal of time and effort into its production. Human Rights Watch said:

There are very few governments in the world that produce a report of this kind, and the FCO/UK therefore deserve real credit for doing so. Human Rights Watch believes that the annual report has traditionally provided a very important element of transparency in relation to the government's human rights work overseas. It has also been very valuable for accountability, allowing parliamentarians, NGOs and the media to hold the FCO to account for its human rights work.<sup>42</sup>

The 2015 Annual Report is expected to be shorter in length, but containing links to other published material and updates. Whilst updates are provided on Human Rights Priority Countries on a quarterly (soon to be bi-annual) basis, the reporting is inherently retrospective in nature. Additionally, unlike the presentation on the DfID website, it is very difficult to see at either micro or macro level how the FCO is operating. Amnesty International UK suggested that:

A live document that is available on the FCO website that is subject to monthly updates by the appropriate teams would present a 'real time' update on human rights work and offer some insight into progress on meeting objectives.<sup>43</sup>

This suggestion has merit. In oral evidence the Minister indicated that the FCO appreciates and is adapting to these issues:

I want it [the Annual Report] to be more usable and accessible. The world today looks online to get information and wants it with a tap of the finger. They do not want to be wading through a report that, although it was very laudable last year, has information that is almost out of date as soon as it is printed.

<sup>41</sup> We recognise that DfID's projects have a far higher budget than those of the Human Rights and Democracy Department and the difficulties in assessing the impact of outputs, but we note DfID's helpful use of indicators to assess, by way of example, a [project](#) designed to help nine million women and socially excluded groups to claim their rights and entitlements more effectively in India

<sup>42</sup> Human Rights Watch ([HUM0006](#)) para 6.1

<sup>43</sup> Amnesty International UK ([HUM0025](#)) para 51

Online, we can have continual updates. There will be half-yearly updates of the whole thing, and through the FCO, we will make sure that there are updates on particular country issues.<sup>44</sup>

26. The FCO's efforts to improve the accessibility of its Annual Report on Human Rights and Democracy are welcome. There is, however, some way to go before its reporting becomes as user-friendly as DfID's Development Tracker, which enables members of the public, including civil society, to see both at a glance and in detail where taxpayers' money on international development is going and how it is being spent. ***We recommend the FCO consider if elements of DfID's Development Tracker could be replicated presentationally (with allowances for security considerations) on the human rights section of the FCO's website.***

### Human Rights Priority Countries

27. Each year the FCO selects a list of Human Rights Priority Countries upon which it provides updates in its Annual Report and on a quarterly (soon to be bi-annual) basis online. Designation of a country by the FCO as a Human Rights Priority Country sends an important message to the country concerned, the wider international community and to those who are suffering from human rights abuses. ***The failure to include Egypt and Bahrain amongst the list of Human Rights Priority Countries contributes to the perception that the FCO has become more hesitant in promoting and defending international human rights openly and robustly notwithstanding the importance of private diplomacy. We recommend that Egypt and Bahrain be included on the list of Human Rights Priority Countries in the FCO's 2015 Annual Report on Human Rights and Democracy.***

### Committee plans for future scrutiny

28. The Committee's work on human rights over the course of this Parliament will entail:

- a) As has previously been the case, consideration of the FCO's Annual Reports on Human Rights and Democracy, but also the changes being made to the Report's content, length and format
- b) Specific thematic and country inquiries on areas of immediate concern
- c) Reviews of the FCO's contribution and progress in specific individual cases, issues and countries to be revisited on a yearly basis:

---

44 [Q111](#)

| <b>The FCO's work in support of individuals who have suffered, or are at risk of suffering, human rights abuses:</b>  |  |
|---|--|
| <b>Individuals that the FAC will monitor over this Parliament</b>   | <b>Background</b>  |
| <b>Waleed Abu al-Khair</b>  | <b>A prominent Saudi activist and lawyer who has completed a year of a 15-year prison term that stems from his peaceful criticism of the Saudi government and human rights advocacy</b>                                      |
| <b>Muhammad Anwar</b>   | <b>A Pakistani national arrested in 1993 when he was 17 years old and who has been on death row for over 23 years even though the execution of juveniles is prohibited under international and Pakistani law</b>             |
| <b>Fred Bauma and Yves Makwambala</b>   | <b>Pro-democracy activists from the Democratic Republic of Congo arrested in March 2015</b>  |
| <b>Lee Bo</b>   | <b>A British bookseller associated with the sale of books critical of senior Chinese figures who disappeared in Hong Kong in December 2015 and is suspected of having been involuntarily removed to the Chinese mainland</b> |
| <b>Mohammed Fahad al-Qahtani</b>  | <b>A Saudi economics professor, who co-founded the Saudi Civil and Political Rights Association (ACPRA). He was sentenced to ten years in prison and a ten year travel ban</b>   |
| <b>Kamal Foroughi</b>   | <b>A 76 year old British man arrested in Iran in 2011 and in 2013 sentenced to seven years in jail for alleged espionage</b>   |
| <b>Ibrahim Halawa</b>   | <b>A young Irish man awaiting a mass trial and potentially the death penalty following his arrest in Egypt during the protests in Cairo of August 2013</b>   |
| <b>Khizar Hayat</b>   | <b>A Pakistani national with paranoid schizophrenia. Despite evidence of his mental illness, there have been a number of warrants issued for his execution in the last year</b>  |
| <b>Dawit Isaak</b>  | <b>One of a group of journalists arrested in Eritrea in 2001 and imprisoned since then without trial</b>   |
| <b>Andy Tsege</b>   | <b>A British citizen and prominent figure in Ethiopian politics given an in absentia death sentence in 2009 and rendered from Yemen to Ethiopia in 2014 where he is now imprisoned</b>                                       |
| <b>Selected causes as exemplars of FCO policy, to be revisited annually to assess progress:</b>   |  |
| <b>LGBTI rights in the Commonwealth</b>   |  |
| <b>Ratification and enforcement of the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol to the UN Convention Against Torture Other Cruel, Inhuman or Degrading Treatment or Punishment</b> |  |
| <b>Selected countries, and an annual assessment of the FCO's performance in promoting human rights in each:</b>   |  |
| <b>Egypt</b>  |  |
| <b>Eritrea</b>  |  |

29. The individuals, issues and countries listed provide focal points for the Committee to explore the work and activity of the FCO in achieving improvements in human rights on a systematic, annual basis. They are one component of the way in which the Committee

scrutinises the FCO's human rights work and this does not exclude other issues, cases and countries from being examined by the Committee in the course of its review of the FCO's Annual Report on Human Rights and Democracy, in specific human rights inquiries and in the course of other inquiries, including those which are country-focused, that the Committee undertakes.

## Conclusions and recommendations

---

### The FCO's apparent deprioritisation of human rights

1. Whilst the Minister strongly rejected the suggestion that the FCO has deprioritised human rights, the written evidence that we received indicates that there is plainly a perception that this has occurred. (Paragraph 8)
2. Perceptions and symbols matter, particularly in the context of the UK's soft power and international influence. We recommend that the FCO is more mindful of the perceptions it creates at Ministerial level, especially when other interests are engaged such as prosperity and security, as is the case with China, Egypt and Saudi Arabia. (Paragraph 9)
3. The decision by the current Foreign Secretary not to fly the Rainbow Flag at FCO buildings for Pride 2015 signalled an apparent change in FCO policy and sent a message that contradicts much of the actual work and objectives of the FCO. *We recommend that the FCO reverses its decision not to fly the Rainbow Flag for national Pride events. In the absence of such events due to host nation intolerance of equality around sexuality, the FCO should fly the Rainbow Flag from Missions abroad alongside the Union Flag on IDAHOT Day (International Day Against Homophobia, Transphobia and Biphobia).* (Paragraph 11)

### Operation of the FCO's new human rights priorities

4. The embedding of human rights across the FCO's network would be welcomed if it did not coincide with a perceived lack of Ministerial priority. Plainly the actual effect of a change of approach could be to decrease focus on the specific human rights issues that were formerly included within the narrower thematic priorities. *We recommend that Posts should be encouraged to develop specific human rights objectives in their business plans under the three themes, taking into account local assessment of the most relevant issues and needs. Given that human rights work has been mainstreamed across the FCO network, we seek reassurance from the FCO that the three human rights themes are incorporated in staff and team objectives and performance assessments, even for those whose focus is not specifically on human rights.* (Paragraph 18)

### Support for local human rights programmes

5. The current administration of the Magna Carta Fund for Human Rights and Democracy acts against an intelligent deployment of resources which takes into account a clear assessment of in-country human rights priorities. *The FCO should change its policy on the mandatory registration of organisations which apply for funding from the Magna Carta Fund to enable those which have been suitably vetted but face genuine restrictions to proceed to the next stage of the application process.* (Paragraph 20)

6. We welcome the doubling of the FCO's annual funding for its dedicated human rights and democracy programme (renamed the Magna Carta Fund for Human Rights and Democracy) to £10.6 million. (Paragraph 21)

### The FCO's monitoring and evaluation practices

7. We recommend that the FCO should continue to address how it evaluates its human rights work. It should consider publishing headline targets for the outputs of its human rights policy in its Annual Report on Human Rights and Democracy, including assessment of progress against these targets in the biannual updates on Human Rights Priority Countries and Annual Reports which follow. (Paragraph 24)

### Annual Report on Human Rights and Democracy

8. *We recommend the FCO consider if elements of DfID's Development Tracker could be replicated presentationally (with allowances for security considerations) on the human rights section of the FCO's website.* (Paragraph 26)

### Human Rights Priority Countries

9. The failure to include Egypt and Bahrain amongst the list of Human Rights Priority Countries contributes to the perception that the FCO has become more hesitant in promoting and defending international human rights openly and robustly notwithstanding the importance of private diplomacy. *We recommend that Egypt and Bahrain be included on the list of Human Rights Priority Countries in the FCO's 2015 Annual Report on Human Rights and Democracy.* (Paragraph 27)

### Committee plans for future scrutiny

10. The Committee's work on human rights over the course of this Parliament will entail:
  - a) As has previously been the case, consideration of the FCO's Annual Reports on Human Rights and Democracy, but also the changes being made to the Report's content, length and format
  - b) Specific thematic and country inquiries on areas of immediate concern
  - c) Reviews of the FCO's contribution and progress in specific individual cases, issues and countries to be revisited on a yearly basis: (Paragraph 28)

| <b>The FCO's work in support of individuals who have suffered, or are at risk of suffering, human rights abuses:</b>   |   |
|--|---|
| <b>Individuals that the FAC will monitor over this Parliament</b>  | <b>Background</b>   |
| Waleed Abu al-Khair  | A prominent Saudi activist and lawyer who has completed a year of a 15-year prison term that stems from his peaceful criticism of the Saudi government and human rights advocacy                                      |
| Muhammad Anwar   | A Pakistani national arrested in 1993 when he was 17 years old and who has been on death row for over 23 years even though the execution of juveniles is prohibited under international and Pakistani law             |
| Fred Bauma and Yves Makwambala   | Pro-democracy activists from the Democratic Republic of Congo arrested in March 2015  |
| Lee Bo   | A British bookseller associated with the sale of books critical of senior Chinese figures who disappeared in Hong Kong in December 2015 and is suspected of having been involuntarily removed to the Chinese mainland |
| Mohammed Fahad al-Qahtani  | A Saudi economics professor, who co-founded the Saudi Civil and Political Rights Association (ACPRA). He was sentenced to ten years in prison and a ten year travel ban   |
| Kamal Foroughi   | A 76 year old British man arrested in Iran in 2011 and in 2013 sentenced to seven years in jail for alleged espionage   |
| Ibrahim Halawa   | A young Irish man awaiting a mass trial and potentially the death penalty following his arrest in Egypt during the protests in Cairo of August 2013   |
| Khizar Hayat   | A Pakistani national with paranoid schizophrenia. Despite evidence of his mental illness, there have been a number of warrants issued for his execution in the last year  |
| Dawit Isaak  | One of a group of journalists arrested in Eritrea in 2001 and imprisoned since then without trial   |
| Andy Tsege   | A British citizen and prominent figure in Ethiopian politics given an in absentia death sentence in 2009 and rendered from Yemen to Ethiopia in 2014 where he is now imprisoned                                       |
| <b>Selected causes as exemplars of FCO policy, to be revisited annually to assess progress:</b>  |   |
| LGBTI rights in the Commonwealth   |   |
| Ratification and enforcement of the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol to the UN Convention Against Torture Other Cruel, Inhuman or Degrading Treatment or Punishment |   |
| <b>Selected countries, and an annual assessment of the FCO's performance in promoting human rights in each:</b>  |   |
| Egypt  |   |
| Eritrea  |   |

# Formal Minutes

---

**Tuesday 22 March 2016**

Members present:

Crispin Blunt, in the Chair

Ann Clwyd

Daniel Kawczynski

Mike Gapes

Yasmin Qureshi

Stephen Gethins

Andrew Rosindell

Mr Mark Hendrick

Nadhim Zahawi

Adam Holloway

Draft Report (*The FCO's administration and funding of its human rights work overseas*), proposed by the Chair, brought up and read.

*Ordered*, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 29 read and agreed to.

Summary read and agreed to.

*Resolved*, That the Report be the Fourth Report of the Committee to the House.

*Ordered*, That the Chair make the Report to the House.

*Ordered*, That the letter dated 10 March 2016 from Rt Hon Baroness Anelay of St. Johns DBE, Minister of State at the Foreign and Commonwealth Office, to the Chairman, be reported to the House for publication on the internet.

*Ordered*, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Tuesday 12 April at 2.30 pm]

## Witnesses

---

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

### Tuesday 23 February 2016

*Question number*

**David Mepham**, UK Director, Human Rights Watch

[Q1–22](#)

**Kate Allen**, Director, Amnesty International UK

[Q23–45](#)

### Wednesday 24 February 2016

**Rt Hon Baroness Anelay**, Minister of State, **Rob Fenn**, Head of the Human Rights and Democracy Department and **Paul Williams**, Director of Multilateral Policy, Foreign and Commonwealth Office

[Q46–119](#)

## Published written evidence

---

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

HUM numbers are generated by the evidence processing system and so may not be complete.

- 1 Americans for Democracy & Human Rights in Bahrain ([HUM0010](#))
- 2 Amnesty International UK ([HUM0025](#))
- 3 Bahrain Institute for Rights and Democracy ([HUM0008](#))
- 4 Community Security Trust ([HUM0005](#))
- 5 CSW (Christian Solidarity Worldwide) ([HUM0018](#))
- 6 Dr Katherine Brickell ([HUM0003](#))
- 7 Foreign and Commonwealth Office ([HUM0019](#))
- 8 Foreign and Commonwealth Office ([HUM0026](#))
- 9 Free Tibet and Tibet Watch ([HUM0011](#))
- 10 Human Dignity Trust ([HUM0004](#))
- 11 Human Rights Watch ([HUM0006](#))
- 12 Kaleidoscope Trust ([HUM0009](#))
- 13 Mr Vince Ma ([HUM0002](#))
- 14 Protection Approaches ([HUM0017](#))
- 15 Reprieve ([HUM0013](#))
- 16 Save the Children ([HUM0015](#))
- 17 Stonewall ([HUM0014](#))
- 18 Traidcraft ([HUM0016](#))
- 19 Unicef UK ([HUM0022](#))
- 20 United Nations Association - UK ([HUM0012](#))
- 21 Womankind Worldwide ([HUM0023](#))
- 22 [www.frontlinedefenders.org](http://www.frontlinedefenders.org) ([HUM0007](#))

## List of Reports from the Committee during the current Parliament

---

All publications from the Committee are available on the [publications page](#) of the Committee's website.

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

### Session 2015–16

|               |  |                 |
|---------------|--|-----------------|
| First Report  | The FCO and the 2015 Spending Review   | HC 467 (HC 816) |
| Second Report | The extension of offensive British military operations to Syria  | HC 457          |
| Third Report  | The UK's role in the war against ISIL following the Cessation of Hostilities in Syria in February 2016 | HC 683          |