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Libya.—Subsection (g) remains unchanged from prior year language regarding monitoring, oversight, and control of any funds. No funds shall be made available for Libya by this Act unless the Secretary of State certifies and reports to the Committees on Appropriations that the Government of Libya is cooperating with U.S. efforts to investigate and bring to justice those responsible for the attack on U.S. personnel and facilities in Benghazi, Libya in September 2012.

<https://appropriations.house.gov/sites/democrats.appropriations.house.gov/files/FY2020%20FOPs%20Report%20Draft.pdf>

Transcript of extract of evidence given by Sir Alan Duncan to the Foreign Affairs Committee on 14 May 2019

[15:55:24]

Catherine West (Labour MP for Hornsey and Wood Green) [to Sir Alan Duncan]: *I wanted to turn briefly to the role of—the, sort of, soft lobbying role. Before I joined the Committee, Minister, the Committee heard from Lord Baker—Barker—who's in the House of Lords in relation to his own interest within this particular EN+ and Rusal case.*

And I'm wondering what view you have of some of that soft influence and how we might be able to perhaps make our system more robust in that regard.

[15:55:54]

Sir Alan Duncan: *Yes, just in respect of Lord Barker, he asked to see me in June. His approach was to say can I just explain what it is I'm trying to do with the EN+ shareholding, so that—he—we heard it from him rather than took accounts from newspapers which may have exaggerated certain things.*

I think I can say very, very clearly that in no respect did he attempt to lobby. He asked whether our policy was to, in any way, intervene, and we said no, to which he obviously expressed satisfaction that that was the case.

He didn't ask for anything in terms of changing policy or influencing policy. He explained what he was trying to do to try and segregate the shares away from Derpiaska. He explained that he was due to go and see significant people in the US, and that he wanted to, of course, influence the US government away from sanctioning if he were able to be successful—which eventually—he was in restructuring the shareholding

So I don't think even in that case you could call it soft lobbying, because it was not lobbying of any sort whatsoever. It was entirely an exchange of information.

So I think that in other senses people will, of course—just moving away from Lord Barker and EN+—in other senses people will have views on certain individuals and in a way what this committee has been implying in the course of this witness session is that you quite like us to be open to entreaties of that sort saying, "I know this person

is a wrong un what are you going to do about it?" Now, you could call that lobbying, but if it's making representations then I think that is a legitimate part of the sanctions design process. Likewise, one of the things I had written into the bill very early was a sort of very quick way of someone getting redress if they were wrongly sanctioned so they don't have to go into a very deep and difficult legal process where they might be an innocent victim with very few resources. So there does have to be a process of information exchange here.

[15:58:20]

Catherine West: *But, with all due respect, Minister, do you think another shareholder in another company would have been able to have a meeting to explain to the Minister what was happening if they were not in the same political party and hadn't been a minister in that government—in a former government—and known the minister quite well?*

[15:58:39]

Sir Alan Duncan: *I think so because he saw me in my capacity as the Minister responsible for Russia. For instance, BP come and see me. They're not Conservative MPs or Peers, so I think the answer to that is: yes, I try to be very accessible. If we'd met in a cosy corner with no officials I think you'd have a point to make. But this was properly through the FCO system with a private secretary and an official—in fact, two I think, probably two private secretaries—anyway, two or three officials in the room as well. So I think it was wholly proper and in my view he behaved well within—totally within—the bounds of propriety.*

[ENDS]