

UNITED KINGDOM FOREIGN & COMMONWEALTH OFFICE
HUMAN RIGHTS ANNUAL REPORT 2007



Objectives of the Annual Report on Human Rights

When this government took office in 1997, former Foreign Secretary Robin Cook undertook to publish an annual report on the FCO's work to promote human rights overseas. This is the 10th such report.

This report covers the period from late August 2006 to 31 December 2007. It provides an overview of the main challenges to human rights around the world and explains the government's activities and policies to address those challenges.

The Annual Report on Human Rights is not intended to provide an exhaustive analysis of the human rights situation in every country in the world. This is already available from many other sources. Nor is this report intended to provide an exhaustive description of all the government's activities to promote human rights abroad.

The FCO Annual Report on Human Rights is published as a Command Paper and is laid before parliament. It incorporates comments and recommendations we have received over the last year from the House of Commons Foreign Affairs Committee and from a number of human

rights non-governmental organisations (NGOs). It is intended to provide detailed information for parliament and other specialised readers outside government on the FCO's activities over the past year to promote human rights abroad. At the same time we want this report to be accessible to non-specialist readers who have a general interest in foreign policy or human rights. But whoever the reader, the report has the same objective: to provide those outside the government with a tool to hold the government to account for its commitments.

If you would like to know more about our work, please write to us at the following address:

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This report and further information about the government's foreign policy are available on the FCO website at www.fco.gov.uk



United Kingdom Foreign & Commonwealth Office

Human Rights Annual Report 2007

Presented to Parliament by the
Secretary of State for Foreign and Commonwealth Affairs
by command of Her Majesty

March 2008

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Foreign secretary's foreword

This is the 10th FCO annual report on human rights. In these reports we have tried to provide a frank assessment of our concerns, the progress and the setbacks.

A number of countries have featured as countries of concern in every report since this aspect was first introduced in the 1999 report: Burma, China, Iraq and Zimbabwe. Afghanistan and Iran have featured in all but one. In other places, like Indonesia, the western Balkans and Turkey, we have seen real improvements in recent years.

Whether acting together with partners, or directly with other governments, throughout this time we have kept the individual at the heart of our work promoting and protecting human rights. Our thematic concerns reflect this, including children, gender equality, the death penalty and combating torture. In recent years, we have been at the forefront of promoting the rights of those who suffer discrimination, but often lack a voice at the international level, like disabled people, religious minorities, the victims of trafficking and contemporary forms of slavery, and lesbian, gay, bisexual and transgender people.

During this decade, the UK has worked to strengthen the international machinery for protecting human rights: at the UN, through the Human Rights Council; at regional level, through the Council of Europe and the Organisation for Security and Co-operation in Europe; as well as domestically, through the Human Rights Act. While still imperfect, the international machinery for protecting human rights has probably never been stronger.

It has become increasingly clear in these reports that human rights can only be fully realised in a democratic society. Democratic accountability is the way to promote the equal worth and dignity of every human being, which is the ultimate purpose



of human rights. But while democracy has made unprecedented advances, we need to improve our support for it both nationally and internationally.

In 2008 we celebrate the 60th anniversary of the Universal Declaration of Human Rights. This document has been a beacon of hope for countless people. We have seen its progressive realisation in the pages of these annual human rights reports, although for far too many people its ideals have always been mere aspirations. This 2007 report demonstrates what we have achieved over the past 16 months, and it also serves to remind us how much more we still have to do in the years ahead.

The government remains determined to work for the universal recognition and observance of human rights in all the fora in which the UK is active. As foreign secretary, I am proud to lead these efforts.

A handwritten signature in black ink, which appears to read 'David Miliband'.

David Miliband
Foreign Secretary



CONTENTS

Foreign secretary's foreword	1
PART 1: Introduction	7
PART 2: Policy goals	10
Counter terrorism, weapons proliferation and their causes	10
Introduction	10
Counter-terrorism	11
Export licensing	16
Cluster munitions	17
Responsible arms trade	18
Small arms and light weapons	19
Promote a low-carbon, high-growth global economy	21
Introduction	21
Human rights and globalisation	21
Climate change	23
Human rights, development and poverty reduction	25
Human rights, the environment and sustainable development	27
Prevent and resolve conflict	29
Introduction	29
Responsibility to Protect	30
Conflict prevention	30
Post-conflict reconstruction and stabilisation	35
Lebanon/Israel	39
The Middle East Peace Process	39
Organisation for Security and Co-operation in Europe	41
The conflict prevention pools	43
Develop effective international institutions	45
Introduction	45
Human rights at the United Nations	46
International criminal tribunals and genocide prevention	56
International organised crime	59
European Union	62
The Commonwealth	76
The African Union	79
Council of Europe	79

PART 3: Overseas Territories and human rights of British nationals abroad	81
The Overseas Territories	81
Support for British citizens and nationals abroad	85
Introduction	85
Child abduction	85
Forced marriage	85
British prisoners	86
PART 4: Key human rights themes (equality, democracy, rule of law)	88
Introduction	88
Equality	90
Racism	90
Slavery	91
Minorities	93
Migration	95
Women's rights	97
Rights of lesbian, gay, bisexual and transgendered people	99
Children's rights (including children in conflict with the law and the worst forms of child labour)	100
Disability	101
Democracy	102
Freedom of expression	102
Freedom of religion	106
Human rights defenders	109
Organisation for Security and Co-operation in Europe election observation	111
The Westminster Foundation for Democracy	114
Rule of law	116
Enforced disappearances	116
Abolition of the death penalty	116
Prison reform	118
Combating torture	120
Police and security forces	121

PART 5: Major countries of concern	124
5.1 Introduction	124
5.2 Afghanistan	125
5.3 Belarus	128
5.4 Burma	130
5.5 The People's Republic of China	134
5.6 Colombia	139
5.7 Cuba	142
5.8 Democratic Republic of Congo	145
5.9 Democratic People's Republic of Korea	148
5.10 Iran	151
5.11 Iraq	155
5.12 Israel and the Occupied Palestinian Territories	158
5.13 Nepal	164
5.14 Pakistan	166
5.15 Russia	169
5.16 Saudi Arabia	172
5.17 Sudan	174
5.18 Syria	178
5.19 Turkmenistan	180
5.20 Uzbekistan	183
5.21 Vietnam	186
5.22 Zimbabwe	189
Glossary	192
Index	194



Introduction

It is 10 years since we first published an Annual Report on Human Rights. This year we have made some changes. Published just a few weeks after the Foreign and Commonwealth Office's new strategic framework and mission statement, this report shows how human rights will remain fully integrated in what we do, in London and through our network of Embassies around the world.

In this report, we set out the importance of human rights to all our international policy goals, highlighting our policies, our main programmes, and the challenges we face. We also show in Part 3 how we work to protect the human rights of UK nationals abroad through our consular services, and outline what we are doing to ensure respect for human rights in Britain's Overseas Territories. In Part 4, we explain our work on some crucial human rights themes that underpin all the FCO's strategic policy goals: equality, democracy and the rule of law. Finally, in Part 5 we examine 21 countries of concern in greater depth, setting out the main human rights problems and how we have aimed to address them, and outlining future challenges and plans.

In reporting on our activities, we cover a longer period than usual, from September 2006 to December 2007. The report also looks forward to the year ahead, outlining our policies and plans. In future, our reports will cover a calendar year.

Human rights are a priority for the FCO across the range of our international work. This reflects our values, our international obligations and our interests. We promote and protect human rights because we believe that people everywhere should be treated with respect for their inherent dignity and worth. We welcome international scrutiny of the UK's own domestic record; this is an important element of accountability and demonstrates our belief that the way a state treats its own inhabitants can be a legitimate concern of other

states and people. We also believe that it is in UK interests to work for a world in which human rights are more fully realised, along with democracy and the rule of law.

In its response to our 2006 report, the House of Commons Foreign Affairs Committee recommended that it should be made more explicit to all ministers that work in support of human rights is to be fully integrated into the government's pursuit of all its strategic foreign policy priorities (Third Report, 29 April 2007). The government agrees. No government can pursue human rights as a wholly separate activity, in isolation from other policies. That is why we try to integrate human rights more effectively into all our work. That is one of the aims of the FCO's priorities for 2008. It is clearer than ever that human rights are central to our four new policy goals:

- **Counter terrorism, weapons proliferation and their causes**

Defending the UK's vital security interests can give rise to difficult policy choices – how to safeguard the lives of the population while guaranteeing human rights and civil liberties. In the fight against terrorism, the government abides by its human rights obligations, including the absolute prohibition of torture, which prevents the government from deporting terrorist suspects if there is a significant risk that they may face torture in the country to which they are deported. Far from being an obstacle to our counter-terrorism work, human rights are

central to our efforts to counter radicalisation under the government's "Prevent" strategy. Real and perceived injustice – whether through repressive governments and fractured societies at home or perceptions of bias in western policy – can fuel the extremist, radicalising ideology. To counter terrorism, societies, governments and the international community need to address the conditions in which extremism flourishes. Such conditions, especially in fragile states, can and do lead to the proliferation of weapons. The universality of all human rights, founded on the principle of equal respect for all, provides a basis for societies to unite against threats to our common humanity.

■ **Promote a low-carbon, high-growth global economy**

A fundamental change in the workings of the global economy is needed to achieve a stable climate, energy security, prosperity and improvements in equality for all. States, civil society and businesses need to take collective action, to see climate change as a moral and equality issue as well as a security and prosperity imperative for all. Ineffective policy responses

and a failure to tackle bad governance will only increase inequality and the likelihood of high-carbon/low-growth outcomes, as would a failure to mobilise around a convincing vision of an equitable alternative.

■ **Prevent and resolve conflict**

Among the drivers of conflict are inequalities between groups (ethnic, regional, religious or caste), lack of democracy and rule of law, repressive and greedy political leadership, poverty, impunity and the denial of economic, social and cultural rights. Some of the most serious and widespread human rights abuses occur in conflict and post-conflict situations. Peacekeeping missions have an important role in protecting human rights and may need to work with the International Criminal Court and other international tribunals as well as national authorities to ensure that the perpetrators of war crimes and human rights abuses are brought to justice. Successful conflict resolution must address the underlying drivers of conflict. Post-conflict reconstruction work must recognise that human rights, democracy and the rule of law are inextricably linked in stable societies.



Lord Malloch-Brown meeting tribal leaders in Darfur on his visit to the region in September 2007.

■ **Develop effective international institutions, above all the UN and EU**

The 1948 Universal Declaration of Human Rights and the core UN human rights treaties establish the ground rules for relations between a state and the individuals who fall under its jurisdiction. They provide the international bodies through which states take action to promote and protect human rights. A strong international system requires global and regional bodies relevant to current and future challenges, and equipped to deliver results. To achieve this we can develop new instruments (such as the convention on disability rights) and work for the wider ratification and implementation of these and existing instruments. It is also crucial to strengthen and reform global, regional and national bodies, for example by building the new UN Human Rights Council, streamlining the European Court of Human Rights to deal with its heavy caseload, and establishing effective national human rights institutions. It is also important to integrate human rights into all parts of the international system, improve co-ordination within and between international organisations, and promote better co-operation with civil society and other stakeholders such as businesses. Such actions are needed to ensure effective responses to the most urgent and serious challenges that we face.

Human rights lie at the heart of the essential services we provide to British nationals abroad. Consular staff in London and overseas work to protect their human rights. Victims of forced marriages, prisoners facing execution, and children illegally taken abroad by a parent are just some of the British nationals we try to help. Our assistance can take many forms – from offering information about lawyers and foreign legal systems to facilitating the rescue of forced marriage victims, or supporting pleas of clemency for prisoners facing the death penalty.

Central to the delivery of the UK's objectives for the Overseas Territories is to make sure that the Territories abide by the same basic standards of human rights that British people expect of their government. One of the UK's priorities is to encourage all the populated Territories to agree to the extension of the European Convention on Human Rights and the core UN human rights conventions, and to ensure that each Territory meets its obligations under the conventions extended to them.

In this report, as well as focusing on human rights in the context of our policy goals, we go into greater depth on our work on key themes. The chapter on human rights priorities gives details of work undertaken around the world – and in London – on issues related to equality, the rule of law and democracy. We cover specific countries and regions of greatest concern to the UK in the final chapter of this report. We explain our concerns and how we have tried to address them, and give a perspective for the future. This is not an exhaustive survey of countries' human rights records, nor is it a league table of the worst offenders. Other factors determine inclusion in this chapter, like whether the human rights situation in a country worsened significantly, or whether the UK has taken a particularly active role. We have added Pakistan in this edition, following the major events that have occurred there in the past year and the interest shown by the Foreign Affairs Committee.

This report illustrates the vital role human rights play in achieving our objectives across the board, but this is not the only reason for focusing on them. Promoting and protecting human rights is worth doing for its own sake.

Policy goals

Counter terrorism, weapons proliferation and their causes

Introduction

Terrorism remains at the top of the international agenda. The UK believes it has a responsibility to safeguard the fundamental right to life and to enable British citizens to go about their lives freely and safely. It also believes that counter-terrorism measures should be legal, proportionate and justifiable. Promoting human rights, democracy, good governance and the rule of law, often in the long term, is the most effective guarantee of our own security. Maintaining the rule of law, including human rights law, is also important in the pursuit of terrorists and those who sponsor them, both in the UK and overseas.

The FCO is committed to ensuring that measures taken as part of the international fight against terrorism fully comply with international obligations, including international human rights, refugee and humanitarian law. We work to ensure promotion of human rights, democracy and good governance forms part of the long-term solution.

We plan to achieve this by systematically addressing human rights during every phase of our counter-terrorism work overseas, from planning strategies through to implementation on the ground. We fully consider the impact of our actions on human rights. In addition, we keep all of our counter-terrorism work under constant review so that it can be adapted in line with the prevailing human rights situation, as well as evolutions in our understanding of the threat and the impact we are making upon it. We assess the situation on the ground through regular regional visits, which also enable us to track the implementation of specific projects and evaluate the impact of our engagement.

The challenge is significant, with small groups willing and able to inflict mass casualties in pursuit of radical objectives, as shown by the terrorist attacks in London in July 2005. We are determined to face this threat. We will continue to work closely with our international partners in order to do so.

The UK's counter-terrorism strategy has four key aims.

- To prevent the emergence of a new generation of terrorists by tackling the factors that encourage and facilitate radicalisation and recruitment.
- To pursue terrorists and those who sponsor them by better understanding terrorist networks and, where possible, to bring terrorists to justice.
- To protect the British people and British interests at home and abroad so that we are a harder target.
- To prepare thoroughly to respond to any attack so that we can reduce the consequences if one occurs.

There is a significant potential threat to UK interests and security from weapons of mass destruction (WMD) and conventional weapons (whether from state or non-state actors) and their proliferation is rightly a key international priority. The UK plays a leading role in international organisations such as the UN and EU and international non-proliferation regimes such as the nuclear non-proliferation treaty and the Wassenaar Arrangement for export controls of dual-use and military technology.

The UK is also concerned that military and other goods could be used by countries for international aggression or internal repression. To prevent this, the UK assesses all export licence applications against the Consolidated EU and National Arms Export Licensing Criteria. Criterion 2 specifically looks at human rights issues: arms will not be exported from the UK if there is a clear risk that they will be used for human rights abuses, repression or to exacerbate conflict. Representatives from the UK government regularly attend the EU Working Group on Conventional Arms to discuss the implementation and enforcement of strategic

export controls – across the EU and by third countries. The UK is committed to taking action to stop irresponsible trade in arms that holds back development and perpetuates inequality, fuels conflict, and results in many people around the world being injured, killed or subject to human rights abuses. To this end, the UK fully supports the UN work towards a legally binding arms trade treaty.

The UK approach to proliferation of WMD and conventional weapons can be summarised as follows.

- To dissuade countries from having, getting or passing on materials or expertise related to WMD and the means of their delivery, and to discourage the irresponsible trade in and use of conventional weapons.
- To detect if state or non-state actors are working on programmes to develop or purchase WMD and their means of delivery, and if conventional weapons are being traded in a way that is inconsistent with the Consolidated EU and National Arms Export Licensing Criteria.
- To deny access to WMD and the means of their delivery. And to refuse export licences for conventional weapons, equipment and end users that are inconsistent with the Consolidated EU and National Arms Export Licensing Criteria, while encouraging responsible trade for peaceful purposes.
- To defend the UK and our assets from the very real threat of proliferation of WMD and the irresponsible trade in conventional weapons.

Counter-terrorism

The counter-terrorism programme

The counter-terrorism and radicalisation programme's overall objective is to develop the capacity of international partners to counter terrorism and other threats in support of UK bilateral and multilateral security objectives.

The counter-terrorism programme requires the consideration of human rights whenever projects are deployed. All of the projects funded by us are carefully assessed to ensure that they will not have a negative effect on human rights. Where possible

we ask project implementers to go beyond this and to ensure that positive support for human rights is built into project activities. For example, training courses should explain how human rights standards will affect the area of capability being trained. In 2006/07 we also funded work with a direct or indirect effect on human rights: helping countries to strengthen the evidence-based approach to cases involving alleged terrorist acts in order to reduce reliance on confessions and potential mistreatment; funding a booklet on medical investigation and torture; and providing training on the rights and obligations pertaining to the treatment of deportees.

Countering extremism

Research indicates that underlying social, political and economic factors can be a contributor to the radicalisation process through which people are attracted by violent extremism. A sense of grievance or injustice, or frustration at a perceived lack of educational, economic or social opportunities, can all increase the likelihood of someone being seduced by violent extremism.

In order to address these contributory factors and reduce the stimuli for radicalisation, it is crucial to provide alternatives. These alternatives could include supporting reform to local political processes to ensure greater inclusivity, developing access to justice, or enabling vulnerable sections of society to protect their rights to education and employment. The Engaging with the Islamic World strand of the Global Opportunities Fund (GOF) has provided support to over a hundred projects during 2007, which tackle human rights-related themes either directly or indirectly. Good examples include the following.

- "Human Rights: timeless and universal" – a series of TV messages broadcast across the Arab world to show the compatibility of universal human rights and Islamic values.
- In partnership with national governments, the FCO supported the establishment of independent public prosecutors offices in Yemen, Jordan, Egypt, Morocco and Lebanon.
- Supporting access to justice for disadvantaged groups in Bangladesh by developing local justice systems such as alternative dispute resolution.
- Promoting women's and children's rights in the Kandahar and Jalalabad provinces of Afghanistan, working with the Afghan Women's Council.

- Working with a prominent philanthropic organisation in Saudi Arabia to reduce social exclusion among ex-prisoners, giving them skills to enable their effective resettlement into society and to turn them away from radicalisation.

Multilateral organisations play an important role in furthering human rights in the context of countering radicalisation. For example, we also support projects under a G8 Broader Middle East and North Africa (BMENA) initiative, called the programme of Democracy Assistance Dialogue, which has brought together over 100 experts from across the BMENA region to consider the obstacles to women's participation in political life. Also, under G8 BMENA auspices, we are supporting initiatives to promote civil society. Recommendations were presented to foreign ministers at the 2006 Forum for the Future, and in 2007, the project will focus on specific country case studies (Algeria, Jordan and Pakistan).

It is clear that countering extremism will remain one of the FCO's priorities for some time to come. Our knowledge of the drivers of radicalisation will continue to develop and, as it does, the types of intervention will change. Underpinning this work will be the FCO's advocacy of and practical support for the acceptance and application of universal human rights across the Islamic world.

Ethical dilemmas

Torture is one of the most abhorrent violations of human rights and human dignity, and its use is absolutely prohibited under international law. Accordingly, the government – including the intelligence and security agencies – never uses it for any purpose. We unreservedly condemn the use of torture and seek its eradication. Where we are helping other countries to develop their own counter-terrorism capability, we ensure that our training or other assistance promotes human rights compliance.

Our rejection of the use of torture is well known by our partners. Nevertheless, the provenance of intelligence received from those foreign partners is often unclear. While we have important moral and legal obligations in respect of torture, we also have an obligation to protect national security and public safety. The Foreign Affairs Committee identified in its report into the 2006 Annual Human Rights Report that the government is faced with a very real dilemma. Should intelligence

provided to the UK, which may have been obtained by other countries through torture, be rejected as a matter of principle, or does the government's duty to protect its citizens require that any intelligence – however it was obtained – should be evaluated and acted upon as necessary?

The prime purpose for which we need intelligence on terrorism is to avert threats to life. All intelligence received, whatever its source, is carefully evaluated. Where there is intelligence that bears on threats to life, we believe it would be irresponsible to reject it out of hand.

Guantanamo Bay

The detention facility at Guantanamo Bay gives rise to a number of human rights issues relating to the detention and treatment of terrorist suspects. As part of our regular discussions with the US government on detainee-related issues, we urge them to conduct the handling of detainees at Guantanamo Bay in accordance with their international legal obligations. This is consistent with our foreign policy objectives, preventing further terrorist attacks, addressing the circumstances that might generate terrorism and – importantly – upholding respect for human rights and the rule of law.

It has long been our position that the circumstances in which detainees are currently held indefinitely at Guantanamo Bay are unacceptable. We firmly believe that the detention facility at Guantanamo Bay should close. A longer-term solution needs to be found. We welcome President Bush's commitment to close the detention facility as soon as practicable and the steps taken by the US towards this goal.

However, international bodies, non-governmental organisations (NGOs) and the media continue to criticise the treatment of detainees at Guantanamo Bay, although many (including the Foreign Affairs Committee) have noted the improvement in conditions at the camp. While moving towards closure of the facility, it is vital that the US continues to engage with bodies such as the International Committee of the Red Cross, the UN and others on the issue of Guantanamo Bay.

We welcome US government statements that have made clear its opposition to torture, and the cruel, inhuman and degrading treatment of terrorist

suspects. These include a categorical statement by President Bush on 6 September 2006 that the US does not practise torture. We will continue to discuss detainee-related issues with the US government and to raise humanitarian and human rights concerns about detentions at Guantanamo Bay where necessary.

Of continuing concern is the nature of any prosecutions that might be brought against some of those detained at Guantanamo Bay, and ensuring their right to a fair trial.

We have studied the US Military Commissions Act 2006 and its accompanying manual of regulations for military commissions. While there are areas where we continue to seek clarity regarding the precise impact of the act, it does represent a step forward in meeting international legal standards for the detention and trial of those accused of terrorism offences. Nevertheless, we do have outstanding concerns about a number of aspects of the act. We have raised these with the US, focusing in particular on our concerns related to *habeas corpus* and the treatment of those acquitted by military commissions, and will continue to do so. However, the military commission process has long been delayed as a result of numerous congressional and legal challenges in the US. A US Supreme Court decision is expected later in 2008.

The UK welcomes recent steps taken by the US government to reduce the numbers of those detained at Guantanamo Bay and to move towards the closure of the detention facility. However, we also recognise that any consideration of the future of Guantanamo Bay and those detained there will raise further human rights issues.

A proper balance must be secured between handling the security threat posed by those who might be released and respecting the human rights of those individuals – including if they are to return to their countries of nationality. The US makes it clear that they will not transfer a detainee if it is “more likely than not” that they will be tortured on return. The US Department of Defense states that of the approximately 275 remaining detainees at Guantanamo Bay, around 80 are eligible for transfer or release but cannot be returned to their country of nationality due to human rights concerns.

UK residents

We said in the 2006 annual report on human rights that no British nationals had been held at Guantanamo Bay since the return to the UK of the last four in January 2005. This remains the case. In March 2006, the then foreign secretary had also agreed to make representations to seek the return from Guantanamo Bay of Iraqi national Mr Bisher Al Rawi. This was based on the particular circumstances in Mr Al Rawi’s case. Following discussions with the US authorities, Mr Al Rawi returned to the UK on 30 March 2007.

However, there were still five individuals detained at Guantanamo with links to the UK, as former UK residents who had been granted refugee status, indefinite leave or exceptional leave to remain prior to their detention. Further to recent steps taken by the US government to reduce the number of detainees at Guantanamo Bay, which included an increasing emphasis on engagement with third countries over their transfer and resettlement, in August 2007 the UK decided that requesting the release and return to the UK of the five remaining former UK residents was an appropriate way to take action to help expedite the closure of Guantanamo, and to reduce the numbers of those detained there. Three of the five were returned to the UK on 19 December 2007 (see text box on page 14).

GUANTANAMO BAY

We believe that Guantanamo Bay should be closed. In light of our ongoing aim to reduce the numbers of those detained at Guantanamo Bay and to help to bring about its closure, we have recently reviewed our approach to five individuals currently detained there who have links to the UK as former lawful residents. We decided to request the release and return of these five individuals: Mr Shaker Aamer, Mr Jamil El Banna, Mr Omar Deghayes, Mr Binyam Mohamed and Mr Abdennour Sameur. On 7 August 2007, the Foreign Secretary, David Miliband, wrote to the US Secretary of State, Condoleezza Rice, to formally make this request. It was made clear that we hope this decision will help to contribute to the closure of the detention facility. Following detailed and constructive discussions with the US, considering the circumstances of each individual case, three of the five men – Mr El Banna, Mr Deghayes and Mr Sameur – were returned to the UK on 19 December.

The US government has expressed significant security concerns in regard to the other two men covered by the original request – Mr Aamer and Mr Mohamed. They have so far declined the request for the release and return of Mr Aamer and we are no longer in active discussions regarding his transfer to the UK. However, should the US position change, our request for his release and return to the UK remains open. We are still discussing the case of Mr Mohamed, although again the US is not inclined to agree to his release and return. We remain in close contact with the families of the individuals and their legal representatives.

Deporting foreign national terrorist suspects

Article 3 of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) states that “no party shall expel, return or extradite a person to another state where there are substantial grounds for believing that he would be in danger of being subjected to torture”. The government takes its obligations under the CAT very seriously and is fully committed to upholding this principle, known as the principle of *non-refoulement*. The government is equally committed to upholding similar international human rights obligations to which the UK is party, including article 3 of the European Convention on Human Rights.

Our long-term policy objective is the eradication of torture whenever and wherever it occurs. We will continue to work towards this goal but recognise that it will take time to achieve. In the immediate term, therefore, because the government does not believe that individuals who are not British nationals and who pose a threat to our national security should remain here, we have adopted a strategy of deportation with assurances. The aim of this is to make it possible for us to deport foreign

national terrorist suspects to their countries of origin, in compliance with our international human rights obligations, including article 3 of the CAT and the European Convention on Human Rights.

On this basis, we have negotiated memoranda of understanding with a number of countries. Memoranda of understanding were signed with Jordan (on 10 August 2005), Libya (on 18 October 2005) and Lebanon (on 23 December 2005). Similar arrangements involving an exchange of letters between respective heads of state are also in place with Algeria. Both types of arrangement provide general assurances on the treatment of individuals upon return, and can cover a range of rights, including the right to a fair trial, the right to life and the prohibition of torture and cruel, inhuman and degrading treatment. The memoranda also allow us to seek more specific and personal assurances, depending on the individual's circumstances. We consider that, in addition to guaranteeing an individual's safety on return, these arrangements serve to reinforce states' multilateral obligations by allowing frank exchanges on human rights and international standards.

There has been criticism by some in civil society and the human rights community of the use of diplomatic assurances to protect human rights in deportation cases. We maintain that each arrangement and deportation should be judged on its own merits. It is also important to stress that the UK's approach contains a number of key safeguards, including the right of all deportees to independent judicial scrutiny of their case.

All decisions to deport are subject to a right of appeal. In national security deportation cases where assurances have been sought from the receiving state, the Special Immigration Appeals Commission will most likely hear the appeal. If the appropriate appellate body concludes that the individual can safely be deported, there is a further right to appeal this decision on a point of law and, ultimately, the decision can be challenged before the European Court of Human Rights (ECHR).

In the countries with which we have memoranda of understanding, local NGOs have been appointed as monitoring bodies to follow up on the safety of those deported on their return (this includes unannounced access to detention facilities where necessary, accompanying the returnee on the return journey and reporting on initial treatment). These arrangements, which are agreed both with

our partner governments and with the monitoring bodies concerned, draw on the Optional Protocol to CAT and recommendations in the September 2004 report of Theo van Boven, then Special Rapporteur on Torture to the UN General Assembly.

It is very important that the monitoring bodies have the ability to undertake their mandate effectively. We have therefore invested considerable resources to strengthen their capacity. Over the past 15 months, this has included workshops and training in international human rights law, forensic medicine and recognition of signs of torture. These workshops have benefited not only the monitoring bodies but also the wider community, imparting understanding of a wide range of international human rights norms, and practical methods for their implementation, to students, lawyers, medical professionals and prison service officials. In the coming months, there are plans to hold further training and workshops in the practical areas of torture prevention for judges and prosecutors.

We believe that our work on deportations with assurances is having a positive effect on the overall human rights situation in the countries concerned, allowing us to engage proactively with these governments and civil society on human rights issues. This has a positive impact not only in respect of those being deported, but inevitably for the wider population too, as we aim to raise awareness and understanding of the prohibition on torture and other international human rights obligations. We hope that this will in turn contribute to our policy objective of eradicating torture worldwide.



UN Special Rapporteur on Torture, Manfred Nowak.

Rendition

The terms "rendition" and "extraordinary rendition" have yet to attain a universally accepted meaning, other than the transfer of an individual between jurisdictions outside normal legal processes such as extradition, deportation, removal or exclusion. Rendition has been used as a law enforcement and judicial tool in the US for many decades. Many commentators have used the term extraordinary rendition to mean the extra-judicial transfer of persons from one jurisdiction to another specifically for the purposes of detention and interrogation outside the normal legal system, giving rise to an increased risk of torture or cruel, inhuman or degrading treatment. It is this practice that has given rise to concern and public debate in recent years.

UK government policy on the use of UK airports or airspace during rendition operations by other states is clear. We have not approved and will not approve a policy of facilitating the transfer of individuals through the UK to places where there are substantial grounds to believe they would face a real risk of torture. The UK unreservedly condemns torture whenever and wherever it occurs. The UK abides by its commitments under international law and expects all countries to comply with their international legal obligations. All our efforts to counter terrorism are designed in accordance with our firm commitment to protecting and promoting human rights.



UN Special Rapporteur on Human Rights and Counter-Terrorism, Martin Scheinin.

The US informed us on 15 February 2008 of two occasions in 2002 when a US plane with a single detainee aboard refuelled at the US facility in the British Indian Ocean Territory of Diego Garcia. The foreign secretary made a statement in parliament on 21 February 2008 expressing concern and disappointment at the news and its late emergence, reaffirming UK policy and outlining work on the details and implications of this information. He also spoke on 20 February 2008 to Secretary Rice, who underlined the firm US understanding that there will be no rendition through the UK, UK airspace or Overseas Territories without express British government permission. We will grant permission only if we are satisfied that the rendition would accord with UK law and our international obligations.

Pakistan

Pakistan is one of our most important partners in our counter-terrorism efforts. The UK and Pakistan work closely together at all levels, including through regular political contact and operational co-operation. Pakistan and the UK are working together to prevent the radicalisation of young people. The UK has offered Pakistan our full support in countering terrorism, including exchanges on forensic training, investigating the financing of terrorism and sharing crisis management expertise.

When helping other countries to develop their counter-terrorism capability, we ensure that our training and wider assistance promotes human rights compliance.

We ensure that any assistance that we provide to Pakistan complies with international human rights guidelines. (See also Part 5, Major countries of concern.)

Export licensing

The UK's commitment to a responsible defence industry is reflected in our approach to the management of arms transfers. The UK is committed to operating a rigorous and accountable licensing system. We assess all export licence applications carefully against the Consolidated EU and National Arms Export Licensing Criteria. Conscious of the impact that inappropriate defence exports can have on stability, security and the protection of human rights, the UK played a major

part in establishing these criteria as an EU code of conduct. All EU member states now assess their defence exports against the consolidated criteria.

Human rights considerations are at the forefront of our assessment of all export-licensing applications. Criterion 2 of the consolidated criteria requires us to assess the attitude of the country of final destination towards principles established by international human rights instruments. The UK will not issue an export licence if we assess that there is a risk of the proposed export being used for internal repression. We exercise special caution and vigilance in issuing licences to countries where there have been serious human rights violations.

In some situations, it is legitimate for a government to use force within its own borders, e.g. to preserve law and order in the face of a terrorist threat. This does not constitute internal repression. However, governments must always use such force in accordance with international human rights standards. Criterion 2 explicitly defines internal repression as including: torture or other cruel, inhuman and degrading treatment or punishment; summary, arbitrary or extra-judicial executions; disappearances; arbitrary detentions; and any other major suppression or violations of human rights and fundamental freedoms, as set out in relevant international human rights instruments.

Considerations under criterion 2 extend beyond internal repression. The UK also examines the likelihood of the export being used to violate fundamental human rights during armed conflicts. Abuse of the human rights of combatants and non-combatants alike has the potential to escalate and extend periods of warfare. Careful application of criterion 2, especially in the context of ongoing conflicts where there are recognised human rights concerns, minimises the risk of equipment being used to abuse human rights.

Whenever the UK refuses an export licence on human rights grounds, an agreement between EU member states ensures that any other country that wishes to export the goods to the same end user would have to consult the UK. This system guarantees that those who would use defence imports for cruel or inhuman treatment either against their own citizens or as tools of war cannot "shop around" among our EU partners for the weaponry to do so.

Assessing applications against criterion 2 of the Consolidated EU and National Arms Export Licensing Criteria

When assessing the likelihood of the goods we export being used for human rights violations, we look at the human rights record of the ultimate end user and at the exact nature of the equipment being exported. We use many sources to inform our assessment: our diplomatic missions overseas; reports from international and local NGOs; and media reports. We build a balanced picture of the human rights situation in the destination country for each application.

The UK is committed to ensuring the utmost transparency in its export licensing process, while bearing in mind the need for commercial confidentiality. Quarterly statistics on strategic export controls and annual reports are available online at www.fco.gov.uk (click on "About the FCO", "Access to information", "Official documents" and then "Annual Reports").

Cluster munitions

In their response of 29 April 2007 to our 2006 Annual Human Rights Report, the Foreign Affairs Committee recommended that we include in this year's report a section on the impact on civilians of cluster munitions. We accepted this recommendation. The government has not carried out its own assessment of the impact on civilians of cluster munitions. However, we welcome the studies carried out by various NGOs and international organisations on this issue, which have helped to inform the UK's policy on cluster munitions.

The use of cluster munitions in Lebanon in July and August 2006 reminded the international community of the hazardous legacy confronting civilian populations when cluster munitions fail to detonate and become explosive remnants of war. In such circumstances, they pose a threat to civilians going about their daily lives and trying to recover from conflict. UK policy is therefore to secure a new international legally binding instrument that will prohibit the use, development, transfer and production of certain types of cluster munitions. Strengthening international humanitarian law in this manner will contribute to our wider efforts to maintain a strong international system. We are an active participant in both international processes aimed at addressing the humanitarian impact of

cluster munitions – the UN Convention on Certain Conventional Weapons (CCW) and the Oslo Process.

The UK has worked hard over the past 12 months to persuade CCW states parties to take action on cluster munitions. At the CCW Review Conference in November 2006, the UK was at the forefront of those states parties arguing for establishment of a group of governmental experts within the CCW to examine cluster munitions with a "view to minimising the humanitarian impact of the use of these weapons". The outcome of the group of governmental experts' last meeting (held in Geneva in June 2007) was a chair's recommendation that at the CCW meeting of states parties in November 2007 the states parties should decide how best to address the humanitarian impact of cluster munitions, including the possibility of a new instrument. This was a significant step forward because it enhanced the prospects for agreement on a negotiating mandate at the November meeting of states parties. The UK played a leading role in securing support for a negotiating mandate to address cluster munitions at the November 2007 meeting of states parties. A group of governmental experts was established under this mandate and will start its work in January 2008. Our aim and that of our EU partners is to get the CCW to adopt a legally binding instrument as soon as possible. A new protocol within the CCW would have the advantage of including the major users and producers of cluster munitions and would thereby maximise the practical humanitarian benefit of any agreed action on cluster munitions.



A Mines Advisory Group team carrying out a visual search for cluster munitions in Yohmor, south Lebanon.

The UK is a constructive participant in the Oslo Process that was launched in January 2007. We were one of the 46 nations that supported the Oslo Declaration at the first meeting held in February 2007. This reiterated our national policy of securing a prohibition on the use, production, transfer and stockpiling of cluster munitions that cause unacceptable harm to civilians both during and after conflict. At the subsequent meetings in Lima (23–25 May) and Vienna (5–7 December) there have been productive discussions focused on the key issues that need to be addressed if a future instrument is to be effective, including definitions and technical aspects. Further meetings are planned for February and May in 2008. It is our wish that, as the UN Secretary-General made clear, the Oslo Process should be “complementary and reinforcing” to the CCW. Both processes have the same humanitarian objective and therefore should not be “in competition”. The Oslo Declaration states that we must continue to address the humanitarian impact of cluster munitions in “all relevant fora”.

We have also taken steps domestically to address the humanitarian concerns raised by cluster munitions. On 20 March 2007, the defence secretary announced the immediate withdrawal from service of two of the UK’s cluster weapon systems: the air-launched BL-755 and the artillery-launched MLRS M26. Neither system has target discrimination capability nor a self-destruction, self-neutralisation or self-deactivation capability. We continue to urge other countries to take similar action.

Our support of explosive remnants of war clearance projects is providing immediate relief to civilian populations. The UK has been one of Lebanon’s most steadfast and generous mine action supporters since 2001 and became the UN Mine Action Co-ordination Centre and south Lebanon’s most significant donor following the 2006 conflict. The UK has pledged more than £3.7 million for the clearance of explosive remnants of war in Lebanon since 2006. The Department for International Development’s (DfID’s) early contributions to the UN’s rapid response were instrumental in the UN’s ability to remain present throughout the conflict and to act quickly to remove mines and explosive remnants of war. As a result, significant progress was made and close to 30 km² of an estimated contaminated area of 37 km² will have been cleared by the end of 2007. The UN expects the remainder will be cleared by 2008.

The UK is fully aware of the humanitarian impact of cluster munitions. Our position on cluster munitions was reiterated by the prime minister in his Guildhall House speech on 12 November, when he stated that the UK was working “internationally for a ban on the use, production and stockpiling of those cluster munitions which cause unacceptable harm to civilians”. We will continue to work with other countries and civil society to ensure that practical outcomes, with tangible humanitarian benefits, emerge from the ongoing international discussions on cluster munitions. We are working to build wide consensus on the scope of a new instrument. The UK’s objective is to achieve the consensus result that has the greatest practical humanitarian impact.

Responsible arms trade

Every country has the right to possess arms for self-defence as enshrined in article 51 of the UN Charter. The UK is committed to taking action to stop irresponsible trade in arms that holds back development and perpetuates inequality, fuels conflict, and results in many people around the world being injured, killed or subject to human rights abuses.

The UK continues to take a leading role in the development of globally agreed high standards of international regulation of the trade in all conventional arms. The UK is firmly committed to working with partners at home (including NGOs and the defence trade industry) and abroad, through the UN and with other countries, to bring a halt to irresponsible trading in conventional weapons. Working with Argentina, Australia, Costa Rica, Finland, Japan and Kenya, the UK introduced a draft UN resolution in July 2006 calling for work towards a global arms trade treaty that would address the irresponsible arms trade. In December 2006, the resolution was overwhelmingly supported at the UN General Assembly, with 153 countries voting in favour, and only one voting against.

Following this vote, the UN Secretary-General called for states to submit to the UN comments on the potential scope, feasibility and parameters of a treaty. By the end of September 2007, 97 countries had submitted their views to the UN. This is an unprecedented level of response. The UK submitted its views to the UN in March 2007, stressing the importance of an arms trade treaty to promoting human rights, sustainable development and good

governance. The full text of the UK paper can be seen at www.fco.gov.uk/att.

In February 2008, a group of governmental experts selected by the UN will meet to consider the papers that were submitted to the UN Secretary-General. Further meetings of the group will take place during 2008 and it will report its findings in September 2008. The British Ambassador to the Conference on Disarmament in Geneva will represent the UK at group meetings.

Throughout this UN process, the UK has played a leading role in ensuring that international partners remain focused on the importance of a treaty. The UK has pursued a senior-level dialogue with the UN, the US, Pakistan, India, China, Russia, our EU partners and many other countries. British ministers have raised the importance of a treaty with their foreign counterparts. The foreign secretary reiterated the importance of working for a treaty in his speech (www.un.org/webcast/ga/62/2007/pdfs/unitedkingdom-eng.pdf) to the UN General Assembly in September 2007, saying, "we need also to improve our capacity to prevent the emergence of conflict... Last year this Assembly voted overwhelmingly to take forward UN work towards an arms trade treaty. The UK will continue to press for this goal."

The UK also maintains an ongoing dialogue with NGOs and the defence trade industry through regular meetings, exchanges of information and consultation. In September 2007, the Defence Manufacturers' Association and the FCO jointly hosted a seminar about the arms trade treaty at a major London arms exhibition. The UK organised a seminar at Wilton Park in December 2007 to which keynote speakers and representatives from 40 countries, civil society and the defence industry were invited to debate issues that might arise in the forthcoming group of governmental experts' meeting.

There is widespread support for a treaty throughout industry and civil society. The UK is one of the leading international players in the process of consultation and debate that we hope will lead to a globally agreed arms trade treaty with high standards and effective enforcement and monitoring mechanisms that will put an end to the irresponsible trade in arms. We have made good progress towards this aim in 2006 and 2007, but we need to keep up the momentum with our partners both at home and abroad.

Small arms and light weapons

The UK recognises the ongoing threat to peace, security and development posed by the uncontrolled spread and accumulation of small arms and light weapons. Small arms and light weapons, including their ammunition, are instrumental in the deaths of hundreds of thousands of people annually and foster criminal activities such as drug trafficking and the financing of organised crime.

We remain committed to the full implementation of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects.

In its commitment to Section III of this programme, the UK developed the Transfer Control Initiative. Through regional and sub-regional co-operation, this initiative seeks to develop common norms and principles surrounding transfer controls. The UK has emphasised the need to take this initiative in partnership with others. All countries can be affected by uncontrolled small arms transfers, and all governments have an interest in strong transfer controls – even those that are primarily arms importers rather than exporters. Import and trans-shipment controls are an essential component of any transfer control regime. By ensuring that arms transfers are regulated while in transit and at the point of receipt, as well as at the point of shipment, they give importing and transit states control over the weapons entering or passing through their territory, and minimise the risk of diversion to illicit end users. Without such procedures, even legally exported weapons can be diverted into the illicit market. Import and trans-shipment controls also allow importing governments to authorise only those transfers that are in line with domestic law and/or meet the country's legitimate security needs.

The Global Conflict Prevention Pool Small Arms and Light Weapons Strategy contributes to wider UK support in conflict prevention by addressing long-term structural causes of conflict, managing regional and national tension and violence, and supporting post-conflict reconstruction. Since 2001 the UK has provided over £31 million in support of measures to reduce the supply and demand for, and availability of, small arms and light weapons. We have supported NGOs and UN partners to collect and destroy weapons, improve weapons storage facilities, develop and implement regional control agreements, build capacity to manage weapons and undertake

public awareness and education campaigns. Management of the strategy is shared between the Ministry of Defence (MoD), DfID and the FCO.

Ongoing work in 2006 and 2007 has included:

- mainstreaming small arms and light weapons control and reduction measures into wider defence relations, foreign policy, conflict, security and development programmes;
- continuing support for the implementation of national plans and regional and international agreements to control small arms and light weapons;
- continuing support for the Nairobi-based Regional Centre on Small Arms, which helps countries in central and eastern Africa to strengthen their controls on small arms;
- assistance with weapons destruction programmes;
- support for the Small Arms Survey, which published its 2007 yearbook in August;
- support for a UN process to gather views on an international arms trade treaty, which achieved a record number of responses (97);
- support for a seminar in Buenos Aires to look at possible regional transfer control agreements in Latin America; and
- support for a series of assessments by SaferWorld of current legislation regarding transfer controls.

Overall, this year we are funding over 20 projects worth £3.25 million in eastern Europe, Latin America, the Caribbean and Africa.

The UK has also undertaken work outside the small arms and light weapons strand of the Global Conflict Prevention Pool to promote small arms control. This has included the following.

- Leading a process in the Organisation for Economic Co-operation and Development (OECD) to draft programming guidance for donor countries on how to control small arms and reduce armed violence in poor countries.
- UK experts attending a Canadian-sponsored meeting in Geneva on small arms transfer controls in the last week in August.
- UK participation in the UN group of governmental experts to consider further steps to enhance international co-operation in preventing, combating and eradicating the

illicit trade in small arms and light weapons in all its aspects. The third session of the group took place in New York from 4–8 June 2007. The group adopted a consensus report that will be considered by the upcoming session of the General Assembly. The report concludes with recommendations aimed at enhancing international co-operation to prevent, combat and eradicate illicit brokering in small arms and light weapons, with practical steps.

- Fulfilling our commitment to promoting the inclusion of small arms and light weapons in reporting requirements on the UN Register of Conventional Arms. A UK expert participated in three group of governmental experts' meetings (27 February–3 March, 8–12 May and 17–28 July), which recommended that member states that are in a position to do so can report such information on the basis of the standardised reporting forms on international transfers of small arms and light weapons, or any other method that they deem appropriate. The UK always reports a full return to the UN Register of Conventional Arms, including information on exports of small arms and light weapons.

The UK also actively participates in discussion and funds small arms and light weapons activity under the auspices of the UN Institute for Development and Research, UN Office for Disarmament Affairs, EU, Organisation for Security and Co-operation in Europe (OSCE) and the Wassenaar Arrangement.

Small arms and light weapons and the arms trade treaty

The UK is committed to securing an international agreement on the arms trade, covering all conventional weapons. There is no automatic link between small arms and light weapons transfer controls and wider efforts on the arms trade treaty process. The two processes are separate, but can be complementary to each other. We seek a treaty covering all conventional arms, not just small arms. We want it to be legally binding and negotiated as part of a standalone process within the UN. We would like all major arms-exporting states to participate in the negotiations. By reducing the numbers of illicit weapons around the world, the UK seeks a positive impact on UK operational forces abroad. By removing those weapons that fuel such conflicts, we should see a reduction in the amount of ground support required to facilitate peacekeeping operations.

Promote a low-carbon, high-growth global economy

Introduction

One of the greatest challenges of the 21st century is to achieve a fundamental change from a carbon-intensive to a low-carbon global economy. This is essential if we are to prevent dangerous climate change and achieve security, prosperity and greater equality. It can only be achieved through collective action. And it cannot be achieved by the rich at the expense of the poor. States, civil society, faith groups and businesses must mobilise around a convincing vision of an alternative approach with equality and human rights at its core.

Globalisation offers many opportunities and can contribute to the spread of human rights, democracy and good government. That is why the UK, through the EU, has taken a lead in promoting an inclusive globalisation in which the benefits are shared by all. That is why we are also working to reform international economic institutions.

The Millennium Development Goals are the key international benchmarks on poverty reduction, and provide targets on the human right to access to public goods such as education, healthcare and clean water. In his speech in New York on 31 July 2007, the prime minister called for a worldwide initiative to form new partnerships to accelerate progress towards meeting these goals by 2015. The FCO works closely with DfID on the contribution that human rights and democracy make to poverty reduction.

The UK makes significant contributions towards the realisation of human rights in poor countries through DfID country programmes and other initiatives. These support a wide range of human rights work, from improvements in access to education and food security to action to tackle violence against women and to involve young people in decision-making processes.

In addition to working on the ground in different countries and regions, it is crucial that we continue to advance some of these issues at global level through strengthening the international human rights framework and its implementation

mechanisms. Areas of focus include work to elaborate an optional protocol to the International Covenant on Economic, Social and Cultural Rights, granting the right of individual petition; engagement with the UN High Level Task Force on the Right to Development on criteria to evaluate global partnerships; and support to the UN to mainstream human rights effectively through its country programmes.

Partnership with business, trades unions and NGOs is essential to advance the international human rights agenda. The UK promotes the worldwide adoption by companies of the 10 broad principles, covering human rights, the environment, labour rights and anti-corruption, under the UN Global Compact. We also support relevant international instruments such as the new UN Convention against Corruption, as well as voluntary codes of conduct for industries. In addition to our international negotiating, lobbying and advocacy work, we have given financial support to the work of the UN Secretary-General's Special Representative on Human Rights and Transnational Corporations. The Government Diamond Office in the FCO works directly through the Kimberley Process to combat the smuggling of "blood diamonds", and we have hosted meetings to advance the International Cocoa Initiative to end forced child labour in west Africa.

One of the greatest threats to economic growth is climate change. The global measures needed to reduce carbon emissions can only be agreed through the relevant UN processes. Many of the necessary measures will need to be implemented nationally and locally. This is more likely to happen effectively where action is agreed through a democratic process, in accordance with human rights principles. Otherwise, there is far less chance of individuals and groups accepting the case for a shift to a low-carbon economy.

Human rights and globalisation

Globalisation offers many opportunities for individuals, as the cost of travel and communications has fallen dramatically over the last two decades. The accelerated economic integration through the increased exchanges of goods, capital, services, people, technology and ideas can also contribute to democracy, human rights and good governance – e.g. the spread of the internet has made it easier for citizens to hold their governments to account.

However, it is also important to ensure that globalisation is inclusive. The prime minister and the foreign secretary have pressed the EU to take a global lead in promoting globalisation where the benefits are shared by all. Inclusive globalisation also underpins UK efforts to reform international economic institutions such as the International Monetary Fund and the World Bank, so that they are more representative of emerging economies and developing countries.

This section will look at activities linked to poverty reduction in more detail later on.

Human rights and global business

In 2006/07, our human rights policy took increasing account of the rising power of business in world affairs. More than ever, we sought partnership with companies in order to influence global change and meet our human rights obligations (see below).

The UK has continued to support the work of John Ruggie, a professor at Harvard appointed in July 2005 as the UN Secretary-General's Special Representative on Human Rights and Transnational Corporations. Professor Ruggie was tasked with exploring the range of voluntary and mandatory measures that multinational companies and markets take into account when setting standards of corporate responsibility and accountability for human rights, and with suggesting how these might be improved. Subject to an extension of his mandate, he is due to submit his final report by June 2008. An FCO secondee has been working closely with Professor Ruggie on research into dispute resolution mechanisms.

In February 2007, we published our first ever strategy on international corporate social responsibility, which sets out our aims for 2007/08. This can be found on the FCO website at www.fco.gov.uk. The strategy and subsequent implementation plan are the result of consultations with NGOs, business and other parts of government. They set out where and on which business sectors we plan to focus, and which approaches to adopt in order to make the maximum impact. Together with our *Stakeholder management plan for business* (published at the same time), the strategy has prompted a step change in our engagement with companies on key issues affecting human rights.

We identified voluntary industry codes of conduct as a priority, focusing especially on multi-stakeholder dialogues that bring together companies, governments and civil society. Through our overseas missions and GOF projects, we supported a range of initiatives.

- We promoted the worldwide adoption by companies of the 10 broad principles under the UN Global Compact (the only global agreement on corporate responsibility).
- In December 2006, we sponsored NGO participation at the first conference of states parties to the new UN Convention against Corruption, the world's first truly global treaty against corruption. At the second conference in Indonesia in January 2008, we will work to give the convention real teeth, especially in areas such as asset recovery, criminalisation and implementation (including technical assistance).
- In November 2006, the FCO became part of the UK National Contact Point, which deals with complaints against companies under the OECD guidelines for multinational enterprises.
- Our Government Diamond Office contributed to the success of the Kimberley Process in combating the smuggling of "blood diamonds". It is now estimated that conflict diamonds represent less than 1 per cent of the international diamond trade, compared with 15 per cent in the 1990s.
- With DfID, we championed the Extractive Industries Transparency Initiative to open up public information on oil, gas and mining revenues in developing countries (see www.eitransparency.org).
- We helped to develop new participation criteria under the Voluntary Principles on Security and Human Rights in the Extractive Industries, and are now working to expand participation and extend an in-country process to Nigeria.
- We supported the international Cocoa Working Group's efforts to end forced child labour in west Africa. The International Cocoa Initiative is conducting a survey of cocoa farms in Côte d'Ivoire and Ghana to establish the number of under-16-year-olds who are working and under what conditions. The FCO hosted annual meetings in 2006 and 2007 for the International Cocoa Initiative to update cocoa industry representatives and NGOs on their progress.

Trades unions play a significant political and social role in the UK and in many countries overseas, including developing countries and emerging markets. Beyond their direct role in labour relations and economic development in their home countries, their influence can affect policy in areas such as international human rights, democracy and good governance.

The FCO-Trades Union Congress (TUC) Advisory Council provides a formal structure within which British trades union leaders can personally raise with FCO ministers international issues of mutual strategic interest. The council meets three times a year. Recent discussions have covered Zimbabwe, the Middle East peace process, and human rights and corruption.

The FCO enjoys a close working relationship with unions at all levels. In February 2007, the then Minister for Trade, Ian McCartney, held a seminar with senior TUC representatives to discuss how to respond to the opportunities and challenges of globalisation. In May 2007, Ian McCartney addressed a joint DfID-TUC meeting on corruption. British trades union policy officers work regularly with FCO desk officers, and British Ambassadors and High Commissioners have participated in roundtable meetings with UK unions. UK trades unions, along with other stakeholders, participate in FCO thematic consultations.

Climate change

A stable climate is an essential public good. Delivering a stable climate is a security, prosperity and moral imperative, not simply a long-term environmental challenge. It underpins much of what we try to achieve internationally. An unstable climate threatens the achievement or protection of many human rights.

The latest science, collated in the Intergovernmental Panel on Climate Change's fourth assessment report in November 2007, has demonstrated that the climate challenge is more urgent than previously thought.

Sir Nicholas Stern's review of the economics of climate change was the most detailed economic assessment to date. Its clear message was that the most vulnerable globally – those who are least able to adapt – are being hit first and hardest.



Sir Nicholas Stern holds a copy of his report on climate change at the Royal Society in London on 30 October 2006.

This severely damages the prospects for reducing global poverty and achieving the Millennium Development Goals. As least developed countries have also contributed least to global greenhouse gas emissions (their emissions are a fraction of those in the developed world), this is also a fundamental question of global inequality. The foreign secretary underlined this in his speech to the UN General Assembly in September 2007. "We must address the greatest long-term threat to our aspirations to tackle inequality. Climate change affects all countries. But the poorest countries, and the poorest people within those countries, will suffer the most disruption and devastation." The full speech can be found at www.fco.gov.uk.

Climate security is central to national and international security. Without a stable climate, it will become ever harder for governments to put in place the conditions needed for security and prosperity in a crowded and interdependent world. To address the root of the security issues we face, we must tackle the global insecurities underlying them. We must focus, among other things, on

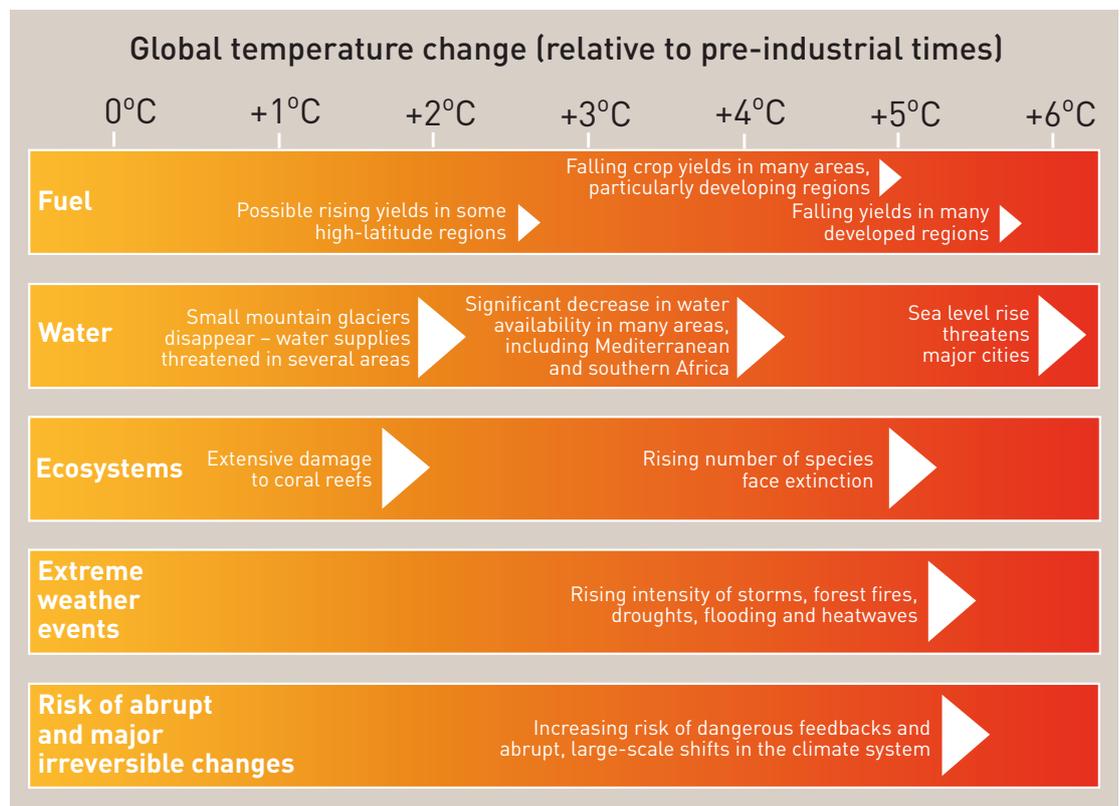
the four resource pillars on which the security and prosperity of the international community rests: food security, water security, energy security and climate security. These pillars of security are interdependent. For example, many in the world will need affordable energy to lift them out of poverty. Energy services are crucial to sustainable development, to promoting better health, access to education, increased productivity and enhanced competitiveness, and to improved economic growth. Without a concerted shift towards cleaner energy production and use, the increased use of fossil fuels will accelerate climate change. Thus in our search for growth we risk undermining the most fundamental conditions for prosperity and security.

The impacts of climate change may not be the sole cause of conflicts, but climate change will exacerbate existing tensions as a threat multiplier, increasing the risk of conflicts and making them more complex and intractable through its impact on food and water security. At worst, climate change could be a factor that causes a state to fail. Rising temperatures, changing weather patterns, more frequent and more widespread droughts, increased flooding and rising sea levels will all

disrupt and damage the supply of these vital resources. Resource shortages will combine with growing populations to increase tensions in fragile regions. Climate-induced resource shortages are one of the drivers of the conflict in Darfur.

FCO in action to address climate change

- The FCO's network of posts has been active in amplifying the findings of the Stern Review, including its message that the poorest across the world would be hardest hit by climate change. The posts contributed to the research, facilitated visits by Sir Nicholas Stern and his team, and helped to amplify the report globally, through events with leading opinion formers. They are also playing an important role in the preparation for the follow-up Stern symposium, which is due to be held in 2008.
- In south-east Asia, Mexico and Brazil, the FCO and other government departments are supporting further economic analysis, building on the Stern Review, to assess the economic implications of climate change at a regional or national level.



- The former Foreign Secretary, Margaret Beckett, put climate on the agenda of the UN Security Council for the first time under the UK's presidency of the council in April 2007. This attracted the largest attendance for a thematic debate and helped to empower countries whose survival is under threat from climate change, such as small island developing states facing rising sea levels, to speak out and demand that the world's major economies do more.
- The Foreign Secretary, David Miliband, took part in a virtual press conference, which followed the "Human Dimension of Global Climate Change" conference in the Maldives in November 2007. In his address to the island nations, the foreign secretary said: "You are the front line in the battle against climate change."
- We have provided support to the European Capacity Building Initiative, to build the capacity of negotiators from developing countries to take part in UN negotiations on a future framework for global action on climate change.

Human rights, development and poverty reduction

During 2007, the FCO and DfID have continued to work together on human rights and democracy, and their contribution to underpinning sustainable development, following DfID's 2006 White Paper *Making governance work for poor people*. In May 2007, FCO and DfID ministers jointly launched a new DfID policy paper, *Governance, development and democratic politics*, which defined what governance means, described the range of work it covers, and introduced the concept of democratic politics and how to engage with them. DfID launched its Country Governance Analysis (CGA) assessment tool, a White Paper commitment, in early 2007. It provides for an analysis of the state of governance within DfID's Public Service Agreement countries, and is informing decision-making in DfID programming. FCO posts are providing political support for the process in all countries. The Malawi and Ghana CGAs have become joint UK government documents that will help to inform and strengthen dialogue with these countries on issues like poverty reduction, human rights, public financial management and corruption.

In autumn 2006 the UK recognised the existence of a right to water in international law, as being

an element of the right to an adequate standard of living under article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) (full details can be found on the FCO website at www.fco.gov.uk).

The UK has committed £8.5 billion in support of the right to education between 2006 and 2016, mostly in sub-Saharan Africa and south Asia. This long-term commitment will provide governments with predictable funding against which they can prepare ambitious 10-year investment plans to achieve their education goals. For example, we are working closely with Nigeria to help it create a 10-year plan to provide free education for all Nigerian children.

On the right to health, the UK supports work on areas such as HIV/AIDS and maternal health. For example, on the containment and progressive elimination of the spread of HIV/AIDS, the UK prioritises the rights and needs of women, young people and children affected by AIDS. The UK is the second largest bilateral donor to combating AIDS after the US. We committed £1.5 billion over the period 2005–08, of which around 10 per cent will be spent on programmes for children affected by AIDS. On maternal health, the UK supported new maternal health programmes in Yemen, Cambodia and Pakistan based on its 2005 guidance *How to reduce maternal deaths: Rights and responsibilities* (www.dfid.gov.uk/pubs/files/maternal-how.pdf). We are also supporting similar initiatives in Bangladesh, Tanzania, Malawi, India, South Africa and Nepal.

On the right to food, the UK has worked with the UN Food and Agriculture Organization to develop guidelines for governments to plan their national food security strategies within wider strategies of poverty reduction. In addition, we are committed to working with EU partners and African governments on a number of long-term programmes with the aim of taking 16 million people out of chronic food insecurity by 2009.

The UK supports many human rights activities through DfID country programmes. For example:

- projects in Ghana and Bangladesh to enhance citizen engagement with the state to increase respect, protection and fulfilment of civil, cultural, economic, political and social rights;

- a project to support the Uganda Land Alliance to raise awareness of land rights and support land rights centres to resolve disputes;
- a project in Uganda supporting the Centre for Domestic Violence Prevention, which facilitates a process of individual and social change on the core issues that perpetuate domestic violence: women's low status and gender inequity; and
- a project in Nigeria to increase the involvement of women and young people in decision-making processes at community level and to lobby for legislative change at local government and state levels.

Partnerships

The UK also supports human rights through partnerships with multilateral organisations, bilateral partners and civil society organisations.

- As part of the UK's engagement with the UN, we support Action 2, a UN programme to mainstream, strengthen and streamline UN human rights work at country level.
- DfID is also actively engaged with the work of the OECD on the human rights agenda and has been part of the team that developed the *Action-oriented policy paper on the integration of human rights and development 2007*.
- We support a broad range of civil society programmes in developing countries, both through DfID's bilateral funds, and through centrally supported schemes such as the Civil Society Challenge Fund. DfID's new Governance and Transparency Fund commits an additional £100 million to this work.

The UN General Assembly adopted the Declaration on the Right to Development in 1986. The right to development is inextricably linked to civil and political as well as economic, social and cultural rights. This requires national implementation of those legally binding obligations set out in the two international covenants that elaborate these rights. States have primary responsibility for the promotion and protection of all human rights, including the right to development. This means creating the national conditions favourable to development and co-operating at international level in eliminating obstacles to development. While recognising the importance of international co-operation, the UK considers the development partnerships it

concludes at international level to be voluntary. It is for this reason that the UK, along with EU partners, voted against the resolution on the right to development at the UN General Assembly in autumn 2006.

The UK and EU welcomed the process of developing and refining criteria to promote the operational implementation of the right to development. The successful pilot of criteria for the periodic evaluation of global partnerships by the UN High Level Task Force on the Right to Development, for example, and continued refinement of the criteria are exactly the kind of practical result that we believe can make a real difference in achieving the implementation of the right to development for individuals in all countries around the world. The UK remains committed to working towards consensual and tangible outcomes on this issue, and commended the contributions made by the UN Working Group on the Right to Development and High Level Task Force to this end. The UK and EU were pleased to rejoin consensus on the right to development resolution at the UN Human Rights Council in March 2007.

Draft Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

In June 2006, the UN Human Rights Council agreed by consensus to extend the mandate of the Working Group on Economic, Social and Cultural Rights for a further two years, in order to elaborate an optional protocol granting the right of individual petition under the ICESCR. The chairman of the working group produced a first draft of the optional protocol earlier this year. This formed the basis for negotiations at the July 2007 working group. The UK was active in these negotiations and will continue to be, as the process moves forward.

In March 2007, the FCO made a presentation, and participated in the discussion at Chatham House on the draft optional protocol to the ICESCR. In July 2007, Amnesty International hosted the second UK dialogue on the draft optional protocol, attended by government officials from across Whitehall, including the FCO, and experts from academia and the NGO community. Both events were useful in furthering the debate on the optional protocol and were valuable in progressing government thinking on this complex issue.

Human rights, the environment and sustainable development

Sustainable development is an international challenge. Global peace and stability depend on economic growth, social development and respect for environmental limits. Environmental protection plays an essential part in the realisation of basic human rights: the rights to food, health and water are dependent on a clean and healthy environment with a sustainable base of environmental and natural resources. The UK's sustainable development strategy (www.sustainable-development.gov.uk) sets out how government will work towards meeting the objectives of sustainable development.

In January 2007, the FCO launched its new sustainable development action plan. The plan sets out how the FCO will meet its stated aims within the framework of the UK sustainable development strategy ([www.fco.gov.uk/Files/kfile/SDAP%20Final%20version%20\(corrected\),0.pdf](http://www.fco.gov.uk/Files/kfile/SDAP%20Final%20version%20(corrected),0.pdf)).

One of our priorities within the action plan is to support the development of good environmental governance, mediated by sound institutions and a respect for human rights and the rule of law.

We support the Partnership for Rio Principle 10, a partnership of states, international groups and civil society organisations working for the implementation of Principle 10 of the Rio declaration on environment and development. Principle 10 provides for access to information, public participation, and access to justice in environmental matters.

The FCO supports capacity-building in our priority countries to enable citizens and governments to exercise these rights (see boxes on page 28). During 2007, the FCO's GOF supported new environmental democracy projects worth £261,320 over three years in countries including Brazil, China, Mexico, South Africa and Cameroon. More detailed information can be found in the 2006 GOF annual report.

We also supported a number of Chevening Fellows in 2006 and 2007. The Fellows will come to the



Logs at a timber company in the Ambam region of Cameroon, close to the border with Gabon. The Cameroonian authorities have created bands of "forest soldiers" to ensure that commercial logging of one of the world's largest rainforests is controlled.

ENVIRONMENTAL DEMOCRACY IN CAMEROON

The poorest people in Cameroon depend on the forests, rivers and ecosystems around them as a source of income, food and water. Actions taken by government or industry that affect the natural environment can have a direct impact on the fight against poverty. Through work funded by the FCO GOF, the government of Cameroon has come to realise the importance of improved governance for managing their natural resources.

In 2005/06, the FCO provided funding for the assessment of Cameroon's performance on meeting the Rio Principle 10 principles on environmental democracy. In response to the report's recommendations, the government of Cameroon has now agreed to join the Partnership for Principle 10 as part of their implementation of the recommendations. The environment minister of Cameroon acknowledged that joining Principle 10 would help his government to take the concrete steps needed towards achieving environmental democracy.

The FCO provided further funding in early 2007 for work by Cameroon seeking to extend efforts on environmental democracy to the wider region.

ENVIRONMENTAL DEMOCRACY IN LATIN AMERICA AND THE CARIBBEAN

One of the most important challenges for the Latin America and Caribbean region is to achieve economic, political and social development with environmental sustainability. The problem is complex but the necessity of a holistic solution is fundamental.

Previous FCO-funded work in the region concluded that a regional approach was needed to engage governments to strengthen the effects of work to implement Principle 10. It was felt that governments would be more willing to collaborate with stakeholders involved in promoting access rights to improve the implementation of Principle 10, if they understood that other governments in the region were already doing so.

From 2006 to 2008, the FCO is funding a Latin America and Caribbean regional-level dialogue between governments and civil society that results in national and regional-level actions to improve implementation of Principle 10. To date, three governments (El Salvador, Colombia and Peru) have recognised the need to work with stakeholders and have agreed to join the Partnership for Rio Principle 10 to improve the principle's implementation in their respective countries.

UK to learn about environmental democracy and governance, to further their work in their own countries.

Poverty reduction

Access to public goods such as education, healthcare and clean water is a key human right. The FCO works closely with DfID on poverty reduction, particularly in encouraging greater donor coherence and effectiveness through initiatives such as the International Health Partnerships – launched in London in September 2007.

The most articulate expression of the right of access to basic goods is the Millennium Development Goals, which form the key benchmarks for progress on poverty reduction. The prime minister used his speech at the UN in July 2007 to call on other governments – but also private sector, civil society and faith groups – to come together in a worldwide initiative to form new partnerships to help accelerate progress in fulfilling the Millennium Development Goals' targets by 2015. (The full speech can be found at www.number10.gov.uk/output/Page12755.asp.)

Prevent and resolve conflict

Introduction

Preventing and resolving conflict is at the heart of the FCO's new strategic framework. Why? Because conflict affects millions of lives around the world and therefore matters to the UK, and because it is an area in which the FCO can make a real difference. Keeping the world secure and stable is an objective at the centre of the international system, and the UK, with our permanent seat on the UN Security Council and leading role in many multilateral institutions, has a responsibility to work with international partners to address threats to international peace and security.

Conflict and the breakdown of states pose a challenge to us all. And the causes of breakdown and conflict, including inequalities within societies, weak state institutions and poor governance, all have the potential to create conditions in which human rights are ignored or abused. Conflict undermines the observance of human rights legislation and norms of behaviour. Indeed, some of the most serious and widespread human rights abuses occur against a backdrop of breakdown, crisis or conflict.

Human rights violations can be an indicator of an impending conflict, or can indicate the severity of an existing conflict. Reporting on human rights situations within countries can also provide the trigger for international political, legal or even military action. Successful conflict resolution must ensure that underlying causes of conflict are addressed, recognising that human rights, democracy and the rule of law are crucial requirements for just societies. This includes addressing questions of transitional justice, and recognising that impunity for human rights abuse violations – or peace agreements that enable violators to retain or use power or resources gained through conflict – undermine local and international confidence.

Our priority, therefore, whether looked at from a human rights, governance or security perspective, is to prevent the breakdown of societies and, where they have broken down, to help states rebuild and recover. First, we have to prevent societies and states from fracturing. This means

more effective international early warning and better international tools to prevent conflict where the threat is identified, including: an international response which can tackle internal state problems; more integrated development assistance to vulnerable states from the UN and international financial institutions (IFIs); and effective political interventions to deter those bent on destabilisation.

Second, when societies and states do fracture, we need to be able to mobilise an effective international response in order to stop the violence and resolve conflict. Peacekeeping missions have an important role in protecting vulnerable populations and protecting human rights. It is a UK priority to ensure that mandates for UN and other peacekeeping missions include the promotion and protection of human rights.

In many cases, countries become stuck in the immediate post-conflict stage, making slow or little progress in laying the foundations for lasting peace. The international community needs to be able to build peace. We need to support and promote integrated post-conflict missions – which in many cases will be led by the UN – where all agencies, IFIs and national actors work to a single strategy linking peacekeeping and broader peacebuilding work, including governance reform and economic development. States need to be able to identify and deploy civilians with the skills needed to put countries on the road to economic recovery and political and social stability.

Post-conflict societies are difficult environments because of their weak governance structures and limited capacity to meet the expectations of local people. But in the immediate aftermath of conflict, once a minimum level of physical security has been ensured, one of the greatest causes of instability is the absence of rule of law. Human rights approaches must be integrated into a national recovery plan, particularly in the security and justice sectors, to deliver an enduring settlement. Embedding human rights in the structure of post-conflict states must remain an objective of international interventions. This is both because respect for human rights is a norm of responsible statehood, and because democracies with effective judicial systems and security forces that protect and promote human rights are more likely to be stable and to create the conditions for prosperity, health and well-being of all their inhabitants.

Part 2 outlines how the FCO co-ordinates UK government and international activity to address conflict and human rights issues, and to promote these objectives. This is not something we can achieve on our own and we will continue to work closely with allies and partners – British and international – in government, parliament, NGOs and academia to make a difference.

Responsibility to Protect

It is to the shame of the whole world that the international community failed to act to prevent genocide in Rwanda. We now rightly recognise our responsibility to protect behind borders where there are crimes against humanity.

But if we are to honour that responsibility to protect, we urgently need a new framework to assist reconstruction. With the systematic use of earlier Security Council action, proper funding of peacekeepers, targeted sanctions – and their ratcheting up to include the real threat of international criminal court actions – we must now set in place the first internationally agreed procedures to prevent breakdowns of states and societies.

Prime Minister Gordon Brown, 12 November 2007

One of the key drivers in determining how and when the UK will seek to generate international support for action to prevent or resolve conflict is to uphold the Responsibility to Protect, a commitment made by all UN member states at the 2005 World Summit. This commitment sets out that states are primarily responsible for protecting their own populations from genocide, war crimes, ethnic cleansing and crimes against humanity, and that the international community has the responsibility to offer assistance if the state fails to tackle the problem. If the state does not respond to peaceful pressure, as a last resort, the Responsibility to Protect concept envisages formal intervention.

The UK continues to argue for reference to the World Summit outcome documents in UN Security Council resolutions. We recalled the concept in the Security Council debate on the protection of civilians in June and November 2007. Above all, we have sought real-world outcomes in the UN, in particular in the Security Council, reflecting the intention of the Responsibility to Protect. That is: that the international community should be involved at an earlier stage in highlighting and

seeking to prevent and address acts that might otherwise lead to major human rights violations such as those described in the Responsibility to Protect concept. Thus, the UK led efforts to secure unanimous Security Council approval for one of the UN's largest-ever peacekeeping forces, which is currently deploying to Darfur, with protection of civilians at the heart of its mandate. We have led Security Council action to support the peace process aimed at ending the appalling abuses by the Lord's Resistance Army in northern Uganda and neighbouring states. In addition, we have led efforts at the UN to focus international attention on the situation in Burma.

We also continue to press for more effective conflict prevention activity, as this is at the heart of operationalising the Responsibility to Protect concept. We have supported the Secretary-General's intention to upgrade the post and mandate of his adviser dealing with prevention of genocide and to appoint a new adviser focused on the Responsibility to Protect.

Conflict prevention

There is widespread recognition that a policy of prevention eliminates the need for costly intervention later on. However, successful prevention can only be achieved by developing a strong system of early warning, backed by better international tools to tackle the drivers of conflict when they first arise. For the UK, it can also only be successful if it is part of a coherent, inter-departmental approach that takes full account of the observance of human rights. An increase in human rights abuses can be one early warning factor pointing to future state or societal collapse and a descent into conflict.

The UK's inter-departmental approach is reflected in planning, policy formulation, joint deployments, and joint delivery of programmes. The largest joint programme is the Conflict Prevention Pool (**Global Conflict Prevention Pool**, £74 million in 2006/07; **Africa Conflict Prevention Pool**, £64 million in 2006/07), a delivery mechanism set up in 2001 for wider UK government conflict prevention policy, primarily addressing the medium- and long-term causes of conflict and tension. Long-term factors include aspects of social exclusion and human rights abuses, particularly where they relate to the underlying causes of a conflict, as seen in Nepal and Burundi. Tri-departmental working (by the FCO,

MoD and DfID) has led to a shared understanding of conflict and greater co-operation in conflict prevention work, allowing each department to tap into the expertise of others and develop cohesive conflict prevention strategies, enabling us to focus our efforts where we can have the greatest impact. Effort is made to ensure that all pool-funded activity has a positive impact on the observance of human rights in conflict situations. At a bureaucratic level, all project bids provide an analysis of the likely impact that activities have on the promotion and protection of human rights, detailing both the positive and detrimental effects, and the necessary adjustments to overcome negatives. The two pools are being merged into one fund from April 2008. In addition, a separate fund is being created to support civilian-led activity in insecure environments, often where a significant military deployment is under way. From April 2008, this will be the source of funds for civilian-led programme activity in Afghanistan and Iraq.

The UK will normally act as part of a wider effort to tackle the causes of conflict. By developing an effective conflict prevention system, often used as a model for other countries wishing to enhance their conflict prevention capabilities, the UK is able to provide expertise to countries struggling to tackle the causes of conflict. This help will often address a number of underlying causes of conflict, including work to address human rights abuses, as part of a cross-government programme of activity. In addition, the UK builds capacity to increase the capabilities of key international institutions, so that they are able to prevent and resolve conflict. A major focus of the Africa Conflict Prevention Pool is funding activities that expand and improve the capacity and effectiveness of the African Union.

This approach has been seen in various countries and overseas regions. The following examples illustrate the connections between conflict and human rights abuses, and how the extent of abuses can be used as a measure of the effectiveness of conflict prevention or resolution efforts.

Despite some improvements delivered through national and international peace initiatives, the overall human rights situation remains poor across the Great Lakes region. The militias and foreign armed groups operating in the **Democratic Republic of Congo** – the Rwandan Forces Démocratiques de la Libération du Rwanda; Ugandan Lord's Resistance Army; and Burundian Forces Nationales de

Libération – continue to threaten regional stability and commit abuses against the people (see Part 5, Major countries of concern).

Burundi's human rights record remains poor, with allegations of torture by intelligence agents and extra-judicial killings. We continue to call on the Burundian government to tackle impunity and bring justice and reconciliation to the people. The Burundian government and the Forces Nationales de Libération rebel group signed a cease-fire agreement in September 2006, but implementation, including demobilising and reintegrating former rebels, has stalled.

Through a flagship memorandum of understanding with the UK, **Rwanda** has committed itself to respecting human rights and good governance, and building regional peace and security. We have encouraged the Rwandan government to take forward the development of a flourishing political opposition, and allow greater freedom of expression for the media. We will continue to urge them to support the process of disarming and reintegrating the Forces Démocratiques de la Libération du Rwanda, and will work with the Congolese government to foster lasting peace in the Great Lakes region.

Continued conflict in the Horn of Africa region, most notably **Somalia**, remains the root cause of many human rights concerns in the region. Reports of targeted killings, journalists being unable to carry out their work without interference, and the absence of a free media, are of particular concern. The UK condemns in the strongest terms the killing of journalists and political figures in Somalia – which has increased in number in 2007 – and intimidation of others.

Furthermore, since April 2007 there have been a number of allegations that parties to the conflict in Somalia have breached international humanitarian law. The UK welcomed the visit to Mogadishu in May 2007 and to Baidoa in December 2007 of the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Co-ordinator, Sir John Holmes. In May he reached agreement with President Yusuf of the Transitional Federal Government for a UN team to visit Somalia to investigate the allegations. In December he discussed further co-operation over humanitarian access and the neutrality of humanitarian workers. If breaches of international humanitarian law are

proved, the UK will condemn them unreservedly and expect those responsible to be held to account.

These human rights abuses demonstrate the urgent need for a political solution to the crisis in Somalia. While we welcome the holding by the Transitional Federal Government of the National Reconciliation Congress in Mogadishu in July and August 2007, this was just the beginning of the process. The UK believes that the Transitional Federal Government needs to press on with implementing the outcomes of that congress, especially delivering genuine political reconciliation, launching the constitutional process and advancing a fully inclusive process of political dialogue. We welcome the appointment of the new Transitional Federal Government Prime Minister, Nur Hassan Hussein, and the forming of the new cabinet as major steps towards delivering the political process that is needed and the necessary institution-building process. We judge that this will lead to the eventual formation of fully functioning government institutions and a democratically elected government, better able to protect and uphold human rights to the highest standards. The UK notes Prime Minister Nur's humanitarian credentials, through long experience as the head of the Somali Red Crescent, and looks forward to the prime minister using this experience to address humanitarian and human rights issues in Somalia. The UK – through its lead on Somalia within the UN Security Council, its membership of the Somalia International Contact Group, and its development and humanitarian assistance programme for Somalia, one of the largest programmes of all bilateral donors – has played a leading role in shaping the international community's assistance to the Transitional Federal Government to rebuild the Somali state with human rights standards as one of the core elements.

The ripples of conflict have spread to the Somali region of **Ethiopia**. The UK strongly condemns those terrorist groups operating in this region, as their actions pose a significant risk to the human rights of those living in the region. The UK fully recognises Ethiopia's need to counter the threat posed by these terrorist elements, uphold the rule of law, and protect the population. The UK has supported the UN in its efforts to work with the Ethiopian government to achieve this balance. The UN's Humanitarian Assessment Mission to the region was a welcome step, as was Ethiopia's response, which has led to UN offices in the region being opened and new mechanisms for UN and Ethiopian co-operation. Ethiopia's commitment

to protect civilians in conflict, ensuring that humanitarian needs are properly addressed, was particularly noteworthy. The UK will continue to monitor closely co-operation between the UN and the Ethiopian government to ensure that humanitarian and human rights concerns in the region are resolved.

The Lord's Resistance Army, still active in northern **Uganda** after more than 20 years of conflict, is a brutal organisation responsible for many atrocities and systematic human rights abuses, including child abduction (its principle method of recruitment) and brutalisation, mutilation, rape and murder. Current estimates suggest that the Lord's Resistance Army has abducted 20,000 children to date, of which 6,000 are still unaccounted for. In addition, abuses of human rights by government troops and security agents during the conflict have undermined confidence in the government, especially in rural communities.

Peace talks between the Lord's Resistance Army and the Ugandan government, which commenced in July 2006 – supported by funding from the Africa Conflict Prevention Pool (see page 44) – continue to make slow progress through a structured five-item agenda. Agreement has so far been reached on three issues, including a "cessation of hostilities" agreement. The talks' focus is increasingly on seeking an agreement on accountability and justice issues. The UK supports this focus, which has human rights at its heart. The UK has provided £250,000 to the UN to support the peace talks.

We have been instrumental in securing political support for the mediation process from the international community: the UK helped secure statements from the president of the UN Security Council in November 2006 and March 2007, and helped secure European Council Conclusions in June 2007, encouraging both parties to commit to the mediation process. We will continue to support the peace process wherever possible.

There are serious human rights problems in **Côte d'Ivoire**. These are linked to discrimination against foreigners and brutality by both the security forces and armed groups in the context of the breakdown in law and order. This followed the civil war, which ended with the signing of the Ouagadougou peace agreement in March 2007. The crisis displaced a large number of people, including immigrant workers and refugees. The Ouagadougou

agreement has so far held. However, the UK is concerned by ongoing reports of sexual violence against women and young girls, and by increased trafficking of children, particularly surrounding the use of child labour on cocoa plantations. A culture of impunity for those responsible persists.

The UK was active in supporting the peace process through its work at the international working group in Abidjan prior to the signing of the Ouagadougou peace agreement. The UK remains committed to resolving this issue through the UN. We continue to support a UN arms embargo and targeted sanctions against three individuals in Côte d'Ivoire. We have raised human rights issues in our regular bilateral discussions in London and in Côte d'Ivoire through our political officer based in Abidjan.

The UK wants to see the successful implementation of the Ouagadougou peace agreement and a speedier move towards free, fair and credible elections. This should put in place the conditions required to improve the human rights situation and bring to account those responsible for abuses on both sides. The UK will continue to support the peace process and protection of human rights in Côte d'Ivoire through the UN and in our bilateral discussions. We are concerned that any further delay in implementing the peace process, or its failure, will prolong the abuse of human rights.

The status of **Western Sahara** remains undetermined, pending UN efforts to find a solution. Sovereignty is disputed between Morocco and the pro-independence group Polisario, although Morocco occupies most of the territory. A cease-fire has held since 1991. The UK supports the efforts of the UN Secretary-General, Ban Ki-moon, and his personal envoy to Western Sahara, Peter van Walsum, to find a solution.

UN Security Council Resolution 1754, adopted on 30 April 2007, extended the mandate of the UN Mission for the Referendum in Western Sahara (MINURSO) until 31 October 2007, and reaffirmed the UN Security Council's commitment to helping the parties achieve a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara. The resolution also called for the parties to enter into negotiations without preconditions. UN Security Council Resolution 1783 extended MINURSO's mandate until 30 April 2008 and called on the parties to continue the negotiation process. We welcomed the talks held in June and

August 2007 and January 2008. The UK has encouraged the parties to continue this process.

There have been recent developments in response to accusations of torture and abuse by the security services, following revision of the penal code in early 2006, which enacted a specific anti-torture law. The Ministry of the Interior disbanded the Urban Security Group, a police unit that reportedly intimidated the Western Saharan population, in October 2006. In June 2007, a Moroccan court found two policemen guilty of the torture and murder in Western Sahara in October 2005 of Hamdi Lembarki. Eight Sahrawi human rights defenders, imprisoned in 2005 for involvement in protests against the Moroccan administration of Western Sahara, were released following royal pardons in March and April 2007. About 70 others arrested during or after demonstrations in the territory in 2005 and 2006 and charged with violent conduct were also freed. In his most recent report on Western Sahara (April 2007), the UN Secretary-General expressed concern at reports of heavy-handed Moroccan responses to demonstrations in the territory, as well as alleged human rights violations in the Saharan refugee camps near Tindouf.

The UK believes that the resolution of humanitarian questions should not await the conclusion of a political settlement. The UK, along with EU partners, has called on Morocco and Polisario to deal with outstanding human rights issues and implement measures that will increase people's confidence.

Dialogue and confidence-building measures have been sustained between **India and Pakistan**, increasing the prospects for the resolution of the Kashmir issue, though various human rights concerns remain. The two states have continued to demonstrate a welcome commitment to the peace process. The composite dialogue process has seen a fourth round of talks completed. Prime Minister Singh and President Musharraf have instituted a joint anti-terrorism mechanism to address specific terrorist incidents. Confidence-building measures have included the opening of limited trade access across the India-Pakistan border in summer 2007.

However, the human rights situation in the Kashmir region on both sides of the line of control remains of concern, with reported abuses by militants and the Indian security forces continuing to appear in the media. Reports of "fake encounters" initiated by



During a demonstration in front of the presidential palace in Jakarta on 25 January 2007, human rights activists display a poster of Indonesian human rights defender Munir Said Thalib.

the security forces have been widespread. Working groups to discuss issues between the central Indian government and the state of Jammu and Kashmir, including continuing human rights abuses, are a welcome initiative of Prime Minister Singh. Militant violence also continues in Indian-administered Kashmir. We condemn all violent activity, and continue to call for a peaceful resolution to the Kashmir conflict, facilitated by dialogue between the parties directly involved.

The UK remains in contact with Indian and Pakistani representatives to encourage progress towards resolution of the Kashmir issue. UK funding programmes have supported the provision of rehabilitation assistance to earthquake- and landmine-affected victims in Pakistan-administered Kashmir. In Indian-administered Kashmir, we funded a local project to enhance the governance of the Panchayat administration, and we have supported the installation of international resource centres for peace and conflict resolution at universities on both sides of the line of control.

In **Indonesia**, the peace agreement, signed in Aceh in September 2005, continues to hold. This is being interpreted as an indication of President Yudhoyono's willingness to be imaginative in trying to address some of the longer-running conflicts. Nevertheless, low-level conflict in the province of Papua continues. We believe that the full implementation of the special autonomy legislation (passed in 2001) would be an important step in resolving the complex issues in Papua. However,

there are still obstacles, and progress is slow. We continue to encourage peaceful dialogue, and to urge all Papuan groups and the Indonesian government to engage constructively on this.

Although the human rights situation in Indonesia has improved significantly over the past few years, we continue to have concerns, which we raise, about the situation in Papua, in particular restrictions on access to Papua by NGOs and journalists, allegations of violations by the Indonesian armed forces, and regular reports of threats against human rights defenders. The UN Special Representative on Human Rights Defenders, Ms Hina Jilani, visited Indonesia in 2007, and raised such threats with the Indonesian authorities. We have also raised this issue, and are now working with our EU partners towards greater engagement with the Indonesian government in support of human rights defenders.

Impunity continues to block greater progress on human rights issues and we urge the government of Indonesia to ensure that those responsible for human rights violations are brought to justice. We therefore welcome the commitment of the government of Indonesia to investigate fully and prosecute those responsible for the death of prominent human rights defender Munir Said Thalib, who died on a plane to the Netherlands in October 2006.

East Timor has stabilised after the crisis of April/May 2006, when civil unrest led to the internal displacement of thousands of Timorese. The UN-appointed commission of inquiry's report into these events has resulted in efforts by the East Timorese judiciary to prosecute or further investigate those named. The UK has welcomed these developments.

The situation in **Sri Lanka** remains grave, with human rights abuses manifested as both a symptom and ongoing factor in the conflict – abuses by government forces, the Tamil Tigers and the Karuna faction are reported. These include extra-judicial killings, disappearances and the use of child soldiers. Addressing human rights violations is a central part of our approach to finding a long-term solution to the conflict in Sri Lanka. It is therefore crucial that reports of human rights violations in Sri Lanka are investigated fully and those responsible brought to justice. We have supported calls by the EU for the introduction of a UN-backed human rights monitoring mission.

In December 2006, the UK nominated Professor Sir Nigel Rodley to serve on an International Independent Group of Eminent Persons. The group is tasked with monitoring the conduct of a presidential commission of inquiry into reported human rights violations.

One of the main objectives of the UK's peacebuilding strategy for Sri Lanka 2006–09 is improved safety and security in communities and adherence to human rights. We are promoting the ability of local communities to challenge injustice through the legal system and supporting early warning systems and grass-roots dialogue. We work closely with UNICEF to support their work protecting children affected by armed conflict.

Post-conflict reconstruction and stabilisation

In light of the link between conflict and human rights abuses, a key element of post-conflict reconstruction and stabilisation is the protection and promotion of human rights. If a conflict were characterised by human rights violations, the establishment and/or strengthening of the institutions that protect human rights may make it less likely that a country will relapse into conflict. Functioning and accountable security forces, which adhere to the rule of law, can help ensure that conflicts can be settled by non-violent methods. Addressing past human rights abuses and promoting a culture of respect for human rights can strengthen confidence in peacebuilding and promotes longer-term social and political reconciliation.

In 2004, DfID, the FCO and the MoD jointly set up the Post Conflict Reconstruction Unit (the Unit was renamed the Stabilisation Unit in December 2007, to better reflect its broad role). The unit's aim is to enhance the effectiveness of the UK government and its international partners in stabilising countries facing, and emerging from, conflict. It facilitates integrated assessment and planning, provides civilian experts to support stabilisation activities, captures knowledge on stabilisation and shares best practice. Human rights are at the heart of the unit's activities. In this regard, the unit:

- promotes international human rights standards by ensuring that all stabilisation programmes uphold domestic and international human rights law, and the domestic and international human

rights obligations of the country in which the UK is engaging; and

- ensures that interventions and responses to address human rights issues within a country support the stabilisation objective of enabling a political settlement, while laying the foundations for an improved culture of respect for human rights over the longer term.

The unit works to ensure that human rights issues are fully considered during the assessment and planning processes for stabilisation interventions. Many of these will have human rights dimensions:

- rule of law and security sector stabilisation activities may involve justice and security institutions in which individuals have been, or continue to be, responsible for human rights abuses;
- building the capacity of key government institutions may be related to the reallocation of resources between different parts of the population; and



A Sri Lankan motorcyclist passes an elite Special Task Force police commando as he stands guard during an emergency search operation near Independence Square in Colombo, on 5 July 2007, amid fears of more rebel attacks.

- advice and support to establish a transitional peace process, including new or modified structures and systems, will have important implications for representation.

There are no blueprints for addressing the interface between human rights and post-conflict reconstruction. Activities will need to respond to the specific contexts and the needs and priorities of the populations of conflict-affected states. These might include:

- protection mechanisms for those most vulnerable to human rights abuses;
- material support to appropriate national and local human rights organisations;
- providing security for international and local human rights monitors;
- co-operating with the human rights elements of the UN or other organisations such as the OSCE; and
- starting a consultation process to establish which transitional justice mechanism might be appropriate.

In the future, the unit aims to factor human rights issues into planning processes as part of an integrated strategy and to ensure that the UK continues its efforts to provide an international lead in demonstrating a coherent approach to human rights and stabilisation.

The Peacebuilding Commission and the Peacebuilding Fund

Engagement in the post-conflict or peacebuilding phase is not limited to UK bilateral activity delivered through the Stabilisation Unit.

The 2005 UN World Summit agreed the creation of a Peacebuilding Commission, support office and fund. The commission was formally established in December 2005 as a subsidiary advisory body of both the Security Council and the General Assembly, with 31 members on its organisational committee. The commission's mandate is to assist countries emerging from conflict which might be at risk of relapsing into conflict. It does this by advising on peacebuilding strategies in countries on its agenda, marshalling additional resources and facilitating co-ordination between the country and major partners in the peacebuilding effort. These include donors, neighbouring countries, regional organisations and the IFIs. The commission

envisages working with a country over a period of five years or more, to maintain the international community's attention during the fragile post-conflict period.

The commission's priorities have included the promotion of good governance, reform of the security sector, access to justice, adherence to international human rights standards, youth empowerment, and economic and social recovery. The UK and key partners seek to ensure that the promotion and protection of human rights underpin all these efforts. In both of the first two countries on the commission's agenda, Sierra Leone and Burundi, work has been undertaken to develop integrated peacebuilding frameworks and to help support specific peacebuilding efforts, including free and fair elections (Sierra Leone, August 2007) and the implementation of the cease-fire in Burundi (September 2006). The commission adopted strategic frameworks for Burundi and Sierra Leone in June and December 2007 respectively. Guinea-Bissau has been referred to the commission's agenda with strong support. The commission is likely to add further countries to its agenda in the future.

The commission is supported by a peacebuilding support office within the UN secretariat, which also has a mandate to facilitate a more co-ordinated UN effort on peacebuilding worldwide, including working with the Office of the UN High Commissioner for Human Rights.

A peacebuilding fund of the UN Secretary-General was also established to provide catalytic funding, particularly in the immediate post-conflict period before mainstream development funds become available. The UK, through DfID, has committed £30 million to this fund over three years. Countries may become eligible for the fund either through the commission, or by the designation of the Secretary-General. The fund has contributed to human rights capacity-building work in both Sierra Leone and Burundi. In Burundi, funding has supported the establishment of the Independent National Commission of Human Rights; the relaunch of the national programme for the notification and enforcement of rulings and decisions rendered by courts and tribunals, together with capacity-building for judicial institutions; and the rehabilitation of the justice system by building and setting up local courts. In Sierra Leone it has supported capacity-building of the new Human Rights Commission, and of the justice system,

thereby preventing delays in trials and helping to clear the backlog of cases.

In addition to the phases of conflict and established international structures set out above, the UK identifies links between conflict and human rights in several thematic areas, all of which fall within the scope of the broad human security agenda.

Women, peace and security

The UK was a driving force behind the adoption of UN Security Council Resolution 1325 on Women, Peace and Security in October 2000. The resolution is based on the equal right of women to participate in decisions affecting their security, and holds out a promise to women across the globe that their human rights will be protected, and that barriers to their equal participation in conflict prevention and resolution efforts will be removed.

The resolution calls on member states to:

- increase the participation of women in conflict resolution and peace processes;
- incorporate gender perspectives in peacekeeping operations and in the training of peacekeepers;
- take special measures to protect women and girls from gender-based violence; and
- take the different needs of male and female ex-combatants into consideration when planning disarmament.

In March 2006, the UK was one of the first countries to develop a national action plan for the implementation of UN Security Council Resolution 1325. The FCO, MoD and DfID, along with other departments, are all equal stakeholders in the development of the plan, which was drawn up after extensive discussion with NGOs in the UK. This means that we are able to take a comprehensive approach that encompasses humanitarian, conflict, defence and diplomacy work, all-important to conflict resolution and peacebuilding.

The plan covers, among other action points:

- ensuring that gender perspectives are included in all Security Council resolutions and mandates for peacekeeping and peacebuilding operations;
- ensuring that planning for UN peace support operations includes gender components;

- continuing to deploy UK female military and police personnel in peace support operations;
- auditing UK armed forces peace support operation training, to make sure that it deals adequately with the areas covered by the resolution; and
- funding a range of projects through our Conflict Prevention Pool funding. For example, in Sudan, the UK has financially supported national NGOs to implement local peacebuilding initiatives. These have included projects to disseminate the 2005 Comprehensive Peace Agreement and to build confidence and trust among tribal groups. Other projects have supported raising awareness on issues such as HIV/AIDS and gender issues, as well as media campaigns against gender-based violence.

During 2007, the Global Conflict Prevention Pool has also funded projects undertaken by the UN's Department for Peacekeeping Operations (DPKO) in New York to enable them to build capacity for gender mainstreaming in DPKO and its peacekeeping missions. One project, completed in September 2007, included training of peacekeeping personnel, the development of a virtual resource centre, and sharing best practice to encourage dialogue with other organisations in the peacekeeping field. There are now gender advisers in all 11 of DPKO's multi-dimensional and integrated peacekeeping missions.

In March 2007, the FCO organised a seminar to mark International Women's Day, with discussions centred on UN Security Council Resolution 1325. The meeting provided an opportunity for experts from international/regional organisations, national governments and civil society to come together to identify priorities and to discuss practical approaches to developing implementation strategies on women, peace and security at the national, regional and international levels.

Children and armed conflict

Armed conflicts damage children in a number of ways: directly as victims and participants who suffer physically, mentally and emotionally; indirectly through the damage and destruction caused to educational and health infrastructure and socio-economic structure.

The FCO strongly supports the following international agenda:

- to stop the recruitment and use of child soldiers in violation of international law;
- to demobilise and reintegrate former child soldiers into their communities;
- to end impunity for those who have committed violations against children; and
- to ensure quality of life of children affected by conflict.

Since August 2006, the UK has continued to support the work of the Special Representative of the Secretary-General on Children and Armed Conflict and has played an active role to ensure that the UN Security Council working group is effective. At a ministerial conference in February 2007, the UK endorsed the Paris Commitments and the Paris Principles to protect children from the unlawful recruitment or use by armed forces or armed groups. The conference brought together representatives from nearly 60 countries, international organisations (including the EU and the UN), and representatives of civil society (including former child soldiers and NGOs).

The UK has also provided financial support to programmes that help children affected by armed conflict. For example, in 2007 we provided £150,000 in support of a project to demobilise

child soldiers in Nepal and reintegrate them into their communities. The UK has also given £15 million over five years to the World Bank-led Multi-Country Demobilisation and Reintegration programme for the Great Lakes, and £3 million to the International Committee of the Red Cross for programmes including child reintegration in the Great Lakes region. In Liberia, the UK has provided financial support to an NGO working with former child soldiers on a rubber plantation, reintegrating them back into their communities.

The UK actively facilitates the work of international tribunals trying the alleged perpetrators of the most serious crimes known to humanity, including those against children. For example, the UK has contributed £12 million to the Special Court for Sierra Leone since 2002. In June 2007 the UK passed the International Tribunals (Sierra Leone) Act, which enables us to fulfil our commitment to imprison former Liberian President Charles Taylor, if he is convicted at the Special Court for Sierra Leone. One of the charges against Charles Taylor is conscripting and enlisting children under the age of 15 years into armed forces or groups, or using them to participate actively in hostilities.

The UK supports education in fragile states through a variety of approaches. DfID supports the direct provision of education through UN agencies and NGOs in a number of countries affected by conflict. For example, in Nepal, DfID supports the Ministry of Education's Education for All programme. The multi-donor programme is helping to get more children into school in a country that has recently emerged from conflict. The Education for All programme has been having an impact, with primary enrolment rates increasing since 2004 and the ratio of girls to boys in school now at 0.95, compared with 0.86 in 2003.

In April 2007, the then UK chancellor and the secretary of state for international development announced additional UK support for education in Sierra Leone, Burundi, Somalia, Afghanistan, Nepal, the Democratic Republic of Congo and Liberia. This is part of an initiative to help ensure that education needs are met in humanitarian emergencies, providing education expertise and funding in countries affected by conflict and fragility. The initiative includes a £20 million grant from the UK to UNICEF that will also help deliver education in fragile states.



Displaced Ugandan children at a refugee camp in northern Uganda during a visit by the UN Humanitarian Co-ordinator, Sir John Holmes, on 15 May 2007.

In March 2007, the FCO assisted in funding a conference, the aim of which was to contribute to the strategic review of the study of Graça Machel's report *Impact of armed conflict on children* (see www.unicef.org/graca), co-convened by the Office of the Special Representative of the Secretary-General and UNICEF. In the future, we will continue to work with international partners and representatives of civil society to assist children impacted by conflict, and we will continue to support the work of international tribunals.

Lebanon/Israel

The 2006 conflict between Israel and Hizballah caused hundreds of civilian deaths and widespread damage to infrastructure in both Lebanon and Israel. According to a Human Rights Watch report of September 2007, at least 1,109 Lebanese people died during the conflict, most of them civilians, some of whom were fleeing the conflict zone. Several thousand civilians were injured, and civilian targets, including a large number of Shi'a schools and a number of factories, were destroyed. On the Israeli side, according to the Israeli Ministry of Foreign Affairs, 44 Israeli civilians and 117 Israeli Defence Forces soldiers died as a result of the conflict. Hundreds of Israeli civilians were also wounded.

One of the most damaging legacies of the conflict arose from Israel's use of cluster munitions against targets in south Lebanon. The large-scale use of cluster munitions fired during the final 72 hours of the conflict, following the adoption of UN Security Council Resolution 1701 but before the cessation of hostilities came into effect, caused significant loss of life, injury and economic hardship for the population of south Lebanon.

The UK was deeply concerned by the loss of civilian life caused by the 2006 conflict between Israel and Hizballah. The UK worked strenuously for a sustainable cessation of hostilities supported by a robust international framework, which tackled the underlying causes of the conflict. This was delivered on 14 August 2006 in the form of UN Security Council Resolution 1701.

The implementation of Resolution 1701 – including the deployment of an enhanced UN Interim Force in Lebanon (UNIFIL) contingent to south Lebanon in support of the Lebanese Armed Forces – has been a success. There has been a greatly reduced

level of violence in UNIFIL's area of control since the cessation of hostilities in 2006.

During the conflict, the UK consistently urged Israel both publicly and privately to act proportionately, to conform to international law and to do more to avoid civilian death and suffering. Former Foreign Secretary Margaret Beckett personally raised this with the Israelis during the conflict, including after the incident at Qana in Lebanon, where 28 civilians, including 16 children, died. The UK also condemned Hizballah's kidnapping of two Israeli soldiers, the event which sparked the wider conflict. The UK also called on Hizballah to cease targeting Israeli towns and cities and to work urgently to promote a rapid and peaceful resolution of the crisis.

Since the conflict, the UK has expressed its concerns to the Israeli government about its use of cluster bombs during the conflict in 2006. We have also urged the Israeli government to provide all relevant information to the UN on the location of their cluster munitions strikes in south Lebanon. It is a serious concern that they have not yet done so. In response to the contamination of south Lebanon by cluster bombs, the UK has provided over £3.7 million to both the UN Mine Action Co-ordination Centre South Lebanon and to the British-based NGO Mines Advisory Group. This money has been used to help clear unexploded ordnance, including cluster munitions, in Lebanon. The mine clearance teams have made significant progress since the end of the conflict, having completely cleared over 21 per cent of the total contaminated land. In total, they cleared over 132,000 munitions.

The Middle East Peace Process

The continued conflict has had a serious impact on the human rights of both Palestinians and Israelis. It remains clear that Palestinians' suffering and hardship and Israeli security are directly related.

Use of force against both Palestinians and Israelis continues to disturb us. The UK has repeatedly expressed its deep concern over mounting casualties and civilian suffering, especially in Gaza. We have raised those concerns with the Israeli government. We were particularly disturbed by the deaths of Palestinian civilians, including women and children, in an Israeli strike on Beit Hanoun in the Gaza Strip on 8 November 2006, in which at least 22 Palestinians were killed.



A Lebanese man shows a cluster bomb as he sits among scores of Israeli shells and mines in his house in the south Lebanese village of Blida. About 40 per cent of cluster bombs fail to explode on impact, according to the UN.

unity government. Over 350 Palestinians died in the fighting in the first half of 2007, which also saw extra-judicial executions, and the targeting of combatants in medical facilities.

The conflict causes a range of political, economic and humanitarian problems. The conflict impacts heavily on the livelihoods of Palestinians, their freedom of movement and access to services. Checkpoints and the barrier make it difficult for teachers and students to have access to schools. The permit system and construction of the barrier impeded many of the 3,000 Palestinian patients referred to hospitals in East Jerusalem last year. We are concerned that approximately 850 Palestinians were being held in administrative detention at the end of 2007. In autumn 2007, the Israeli Defence Forces confiscated 279 acres of land located between East Jerusalem and Ma'ale Adumim for the construction of an "alternate" road for Palestinians linking the southern West Bank to the eastern and northern parts of the West Bank. In 2007, the humanitarian situation in Gaza worsened for Palestinians living there due to Israel tightening import restrictions and reducing fuel supply by 40 per cent. Israelis suffer from a lack of peace and security, particularly from the constant threat of shelling from Gaza. Over 1,500 mortar shells landed in Israel in 2007.

Overall, there has been a dramatic decrease in the number of deaths caused by Israeli-Palestinian fighting. The number of Palestinians killed by Israelis has dropped from 657 in 2006 to 373 in 2007. But over the course of 2007, we raised with the Israeli government a number of cases of alleged incidents of mistreatment by the Israeli Defence Forces of Palestinian civilians.

Israel has reported 13 Israeli fatalities as a result of Palestinian violence in 2007, compared with 23 deaths in 2006, 51 in 2005 and 119 in 2004. There was only one suicide bomb in 2007: detonated in Eilat in January, it killed three Israeli civilians. This was the lowest number of suicide bombs in Israel since 1994 when the phenomenon started.

However, there has been a significant increase in the number of casualties caused by intra-Palestinian violence. Despite the brokering of the Mecca Agreement by Saudi Arabia on 8 February 2007, and Hamas and Fatah forming a national unity government on 17 March 2007, intra-Palestinian violence continued. Following escalation in the violence, Hamas seized control of Gaza and, on 14 June, President Abbas dissolved the national

The last year has also seen real progress, led by Prime Minister Olmert and President Abbas, supported by a rejuvenated engagement by the international community. As the political process has started to move forward, beginning with fortnightly meetings between Prime Minister Olmert and President Abbas in June, some progress has been made in improving the day-to-day lives of Palestinians and ensuring the security of Israelis. More than 300 Palestinian prisoners were released, and other militants wanted by Israel were granted amnesty in exchange for laying down their arms. Five thousand Palestinians living illegally in the West Bank on visitor visas were granted residency permits, and more houses were built for Palestinians living in East Jerusalem. In turn, the Palestinian Authority under President Abbas and Prime Minister Fayyad has taken action to try to curb the activities of militant groups.

The international community's response has continued to be led by the Quartet (US, EU, UN and Russia), supported more recently by the efforts of Tony Blair, who was appointed as the Quartet Representative on 27 June 2007.

The US hosted a peace conference on 22 November at Annapolis. Israel and the Occupied Palestinian Territories agreed to "vigorous, ongoing and continuous negotiations" to cover all outstanding issues, overseen by President Abbas and Prime Minister Olmert. All parties agreed to make every effort to reach an agreement before the end of 2008. The US agreed to monitor this process to ensure that progress was being made on road map commitments. This was followed in December by a donors' conference in Paris, which raised over \$7 billion from the international community to develop and reform the Palestinian economy. The UK contributed \$500 million to this fund.

Organisation for Security and Co-operation in Europe

The OSCE is the world's broadest-based regional security body. It brings together 56 participating States from Europe, north America, the southern Caucasus and central Asia (as well as 10 other Mediterranean and Asian "partners for co-operation") with the shared aim of preventing conflict through a comprehensive approach to security. A key part of the organisation's work involves helping states implement their OSCE commitments on human rights, and setting standards that it upholds through peer review and monitoring. The UK's total financial contribution to OSCE activity in the 2006/07 financial year was £13.5 million.

OSCE special representatives, institutions and field missions work together to promote human rights, democracy and the rule of law, especially in south-east Europe and the former Soviet Union. The UK contributes to these missions through core budgetary costs and by providing personnel. UK secondees to OSCE missions and institutions work in human rights areas, including democratisation, supporting the work of human rights defenders, rule of law, and promoting tolerance and non-discrimination. During 2007, around 35 British secondees took part in OSCE field missions in the western Balkans, southern Caucasus and central Asia.

Overview

The UK continues to provide active support for all OSCE institutions. The Office for Democratic Institutions and Human Rights, OSCE's largest institution, is responsible for assisting participating

States in ensuring full respect for human rights and fundamental freedoms and the rule of law, and building, strengthening and protecting democratic institutions. The office's assistance to rule of law in areas such as trial monitoring and legislative review is increasingly in demand, and the UK supports its work in central Asia.

Central to the office's work are its election-related activities. Although its unrivalled expertise in this area is widely recognised within Europe and the US, its methodology has come under increasing criticism by some participating States, notably Russia and some Commonwealth of Independent States (CIS) members, for alleged bias and lack of transparency.

At the end of 2006, and at the request of the OSCE Ministerial Council, which was held in Brussels on 4–5 December, the office submitted a report: *Common responsibility: Commitments and implementation*. The report looked at: the implementation of existing commitments; possible supplementary commitments; ways of strengthening and furthering the office's election-related activities; and improving the effectiveness of the office's assistance to participating States. It suggested areas where the office could improve transparency and efficiency of its election activities (assistance and observation) and highlighted areas where implementation by participating States remained lacking.

The Brussels OSCE Ministerial Council also reflected these conclusions in a ministerial decision. The UK was instrumental in ensuring a delicate balance was found between reaffirming the need for participating States to improve their implementation, and asking the office to implement its recommendations without damaging the integrity of its highly regarded methodology. As a result, the office:

- strengthened the observation methodology and assistance programmes;
- ensured a wider geographical coverage in the office's election activities;
- further diversified the participation of observers;
- increased transparency of recruitment; and
- enhanced linguistic inclusiveness.

The UK provided financial assistance to both the diversification fund for observers and to the training

fund. We also continue to second up to 10 per cent of all short-term observers (the maximum possible for any one participating State).

The UK also supports the office's work to promote wider democracy in other areas, including combating human trafficking, promoting human rights-compliant counter-terrorism policies, promoting gender issues, and tackling intolerance and discrimination. We fielded a strong parliamentary delegation to the OSCE Bucharest conference on tolerance and non-discrimination on 7–8 June 2007, led by the then Minister of State for Justice Baroness Ashton, accompanied by representatives of UK faith groups (Christian, Jewish and Muslim). The delegation was commended for interventions focused on practical initiatives to solve problems. One such initiative, the UK's parliamentary inquiry into anti-Semitism, was praised at the Bucharest conference and other OSCE events during the year, and was recommended as an example of best practice to the participating States by the OSCE Personal Representative of the Chairman-in-Office on Combating anti-Semitism, Gert Weisskirchen. The UK also sent a delegation to the OSCE chairmanship's conference on discrimination against Muslims in Cordoba on 9–11 October 2007. Drawing particularly on the UK's second progress report, *Improving opportunities, strengthening society*, the delegation emphasised the importance of inter-community dialogue initiatives at the local level, rather than just at national and international levels.

The UK continues to support the work of the other OSCE institutions. Former Norwegian Foreign Minister Ambassador Knut Vollebaek was appointed OSCE High Commissioner on National Minorities (HCNM) in July 2007. The HCNM's role is to identify ethnic tensions that endanger peace, stability or friendly relations between and within OSCE participating States and to engage in preventative diplomacy. The UK supports several of the HCNM's key long-term projects, such as training for teachers and police officers in dealing with inter-ethnic issues in Kyrgyzstan.

The UK continues to make extra-budgetary contributions and provides secondments to the office of the OSCE representative on the freedom of the media. The representative's role is to help OSCE participating States deliver on their commitment to developing a free, independent and pluralistic media.

Every year, the Office for Democratic Institutions and Human Rights organises the Human Dimension Implementation Meeting. The meeting presents the main opportunity within the OSCE calendar to review states' adherence to their human dimension commitments. It is a unique forum, enabling NGOs and states to share the floor in plenary. In this way NGOs are able to challenge states directly on their performance and present recommendations to individual states or to guide the future direction of OSCE human dimension work. The UK attaches great importance to preserving this valuable dialogue between NGOs and states. In 2007, the meeting was held in Warsaw on 24 September–5 October. Over 300 NGOs participated from across the OSCE region. The UK hosted a side event on NGO human rights lobbying strategies, participated in another side event on UN Security Council Resolution 1325 national action plans, and with support from the Embassy in Warsaw, screened the film *Amazing Grace* to mark the bicentenary of the act abolishing the slave trade. In addition, we delivered national statements on: our parliamentary inquiry into anti-Semitism; the national action plan on Resolution 1325; and efforts to combat trafficking in human beings. The Office for Democratic Institutions and Human Rights meanwhile marked the Wilberforce bicentenary with an Anti-Slavery International/ UNICEF exhibition entitled *Slave Britain*, and by screening Ken Loach's film *It's a free world* on trafficking for labour exploitation in the UK.

Challenges for the future

The key challenge facing the OSCE is how to safeguard its existing human dimension commitments and principles from attacks by those participating States that remain concerned about the balance between OSCE's three "dimensions" or areas of work: the political and military dimension; the economic and environmental dimension; and the human dimension. Russia and some members of the CIS continue to question the OSCE's emphasis on the human dimension and accuse it of focusing exclusively on human rights and democracy "east of Vienna". The Office for Democratic Institutions and Human Rights has come under particular pressure, with accusations of geographical bias and perceived double standards. This came to a head in 2007 when, as a result of unprecedented restrictions and bureaucratic obstructions, the office was prevented from observing the Russian Duma elections on 2 December. The UK has stood firm in support of the office's integrity and independence.

We remain committed to the office's approach, which focuses on states that have most difficulty living up to the OSCE commitments that they have all undertaken voluntarily. The UK believes the office's election assistance activities remain indispensable for the consolidation of democracy in the OSCE region.

The conflict prevention pools

The conflict prevention pools were set up in 2001 with the aim of enhancing the effectiveness of the UK's contribution to conflict prevention and resolution and post-conflict reconstruction by uniting UK expertise in development, diplomacy and defence. The FCO, MoD and DfID have jointly managed the pools for seven years and are currently working towards the shared conflict prevention Public Service Agreement target:

By 2008, deliver improved effectiveness of UK and international support for conflict prevention by addressing long-term structural causes of conflict, managing regional and national tension and violence and supporting post-conflict reconstruction, in particular in Africa, Asia, the Balkans and the Middle East.

Tri-departmental working was, and still is, a unique way of working, allowing the three departments to carry out a variety of activities in support of government-wide conflict prevention objectives to reduce the number of conflicts across the world; from stemming the proliferation of small arms in the Balkans to funding a human rights adviser in Nepal. This has led to a shared understanding of conflict and greater co-operation in conflict prevention work, allowing each department to tap into the expertise of others and develop cohesive conflict prevention strategies, enabling us to focus our efforts where we can have the greatest impact.

The pools primarily address the medium- and long-term causes of conflict and tension, although they also fund some short-term interventions when needed. Long-term factors include aspects of social exclusion and human rights abuses, particularly where they relate to the underlying causes of a conflict – such as in Nepal and Burundi.

Global Conflict Prevention Pool

The Global Conflict Prevention Pool was allocated £74 million for the financial year 2006/07 to fund

programmes covering three conflict prevention themes in 12 priority regions outside sub-Saharan Africa. The pool is managed and chaired by the FCO but the steering team is comprised of representatives from the MoD and DfID. This team provides strategic direction for the pool as a whole and is responsible for recommending annual allocations to programmes based on shared conflict prevention priorities.

Conflict undermines the observance of human rights and any approach to address conflict should include human rights as part of a comprehensive strategy. Human rights observance, or a lack of observance, can often be an indicator of impending conflict when considered in the wider context of a given political situation. As such, all Global Conflict Prevention Pool project bids provide an analysis of the likely impact activities may have on human rights, detailing both the positive and detrimental effects, and the necessary adjustments to overcome identified negative impacts. This allows the pool to provide invaluable assistance to host governments and parties to conflict within the field of human rights observance and training with limited funding, ensuring that our projects have a positive impact in delivering important human rights messages.

The pool currently funds conflict prevention programmes in Afghanistan (including counter-narcotics), the Balkans, the Caribbean, India and Pakistan, Indonesia and East Timor, Iraq, Latin and central America, the Middle East and north Africa, Nepal, Russia and the CIS, and Sri Lanka. In addition to these regional programmes, we fund security sector reform, small arms and light weapons and UN and peace support capacity-building thematic programmes. All programmes carried out a number of varied projects between August 2006 and December 2007, with a high proportion dedicated to work aimed specifically at addressing human rights issues. Some of those projects and the overarching human rights aims of a number of the pool's programmes are detailed throughout this section.

The pool's **security sector reform** programme invests over £6 million annually in a range of activities designed to improve the professionalism and effectiveness of the security sector in partner countries. Emphasising the need for the military, police, intelligence services, judicial and penal systems to respect human rights in accordance with international and national laws is mainstreamed in almost all security sector reform work funded

by the pool. Of the total amount, we invest over £3.5 million in defence education; the Advanced Command and Staff Course has a module "Law at the Operational Level", which covers the legal and human rights responsibilities of commanders on operations. We invest over £1 million in the Security Sector Development Advisory Team, which offers direct support to partner governments engaging in security sector reform. For example, the team has been assisting the Colombian army to improve its human rights and international humanitarian law activities.

Africa Conflict Prevention Pool

While the Africa Conflict Prevention Pool secretariat is based in DfID, the London-based steering team is made up of officials drawn from the FCO, MoD and DfID, working together to direct the pool's work. Four regional conflict advisers, based in Africa and working across all three departments, support the pool's work in the field.

The UK's overall approach to conflict prevention in Africa is focused on three broad objectives:

- to support the building of African conflict management capacity;
- to assist with conflict prevention and management and post-conflict reconstruction in a number of priority sub-regions and country conflicts; and
- to support pan-African initiatives for security sector reform and small arms control and to address the economic and financial causes of conflict.

The pool's annual budget has risen to £64.5 million in 2007/08 and it continues to develop a wide-ranging portfolio of activities, covering key themes in conflict prevention and management and peacebuilding. Engagement is spread across the spectrum from high-level work with the African Union and sub-regional organisations to grassroots activities at country level.

Managing peace support operations in Darfur, Somalia and Burundi has stretched the limited capacity of the African Union, and as a consequence the longer-term developmental work on the African peace and security architecture continues to suffer. The UK has worked with the African Union to help mitigate these problems by providing flexible finance and expertise.

In direct support of operations, the pool was instrumental in helping the African Union with practical arrangements to establish a planning cell for its mission in **Somalia**, with the aim of freeing up African Union capacity to focus on longer-term planning structures and the African Standby Force. With regard to the African Union mission in **Darfur**, the pool provided emergency funding support as a special measure, while the pool's peace support operations' capacity-building programme helped deliver trained peacekeeping units from Nigeria, Rwanda and Ghana to reinforce the African Union mission in Darfur.

State, federal and presidential elections were a major factor in pool programming in **Nigeria** in 2006/07. We also supported ongoing prevention and peacebuilding work at two key flashpoints – the Niger Delta and Middle Belt. Through the NGOs Action Aid, Search for Common Ground, Institute for Democracy in South Africa and Peaceworks, a package of conflict prevention measures was implemented. These included: support to the Niger Delta Peace and Security Strategy secretariat; production and broadcasting of high-quality television programmes (reality TV and drama) aimed at reducing youth involvement in violence; development of conflict early warning networks; and an innovative programme that provided support to the National Campaign for the Reduction of Electoral Violence.

In **northern Uganda**, flexible pool funding cemented significant UK political support to a promising but fragile peace process in the region. Funding included £250,000 provided to the UN to support the Juba peace talks between the Ugandan government and the Lord's Resistance Army. Further contributions helped in the deployment of the Ugandan police force, an important step in demilitarisation of the region.

Innovative and influential work is also being undertaken with ex-combatants and those in areas affected by the Lord's Resistance Army. This includes supporting the establishment, through Save the Children, of child protection committees and groups in refugee camps and at district level.

In **Zimbabwe**, the pool has continued to support the Good Governance and Democracy programme, which works through civil society organisations with the broad aim of enhancing their capacity to push for a return to democratic accountability.

Develop effective international institutions

Introduction

The UK remains committed to building an international system that is able to meet the challenges of the 21st century – one that can fulfil the aims set out nearly 60 years ago in the UN's Universal Declaration of Human Rights, and reaffirmed more recently at the UN's World Summit in 2005.

It was at this World Summit that 191 states committed themselves to promoting and strengthening the effectiveness of the UN, working for greater security and development, and finding multilateral solutions to problems related to human rights and the rule of law.

The work done by the UK, through the UN, the EU and other organisations, is important to the realisation of these goals. International institutions have a unique and important role to play in ensuring that their members meet their commitments to human rights, democracy and good governance.

Human rights are of fundamental importance to the UN. In 2008, the UN and its many member states will celebrate the 60th anniversary of the Universal Declaration of Human Rights. This document, along with the international covenants on civil and political rights and economic, social and cultural rights, are often referred to as the International Bill of Rights. These have been developed through the conventions on the elimination of discrimination against women and racial discrimination, the convention on the rights of the child, and the conventions against torture and, most recently, on disability. Together they form the lodestone of international human rights law, providing internationally accepted standards of conduct for governments and benchmarks for individuals and NGOs to use when trying to improve standards of human rights.

But in far too many countries there remain large numbers of people who are unable to exercise their human rights. We engage to shape and strengthen the international system so that it works to improve

standards for every person. We continue to look for new ways in which the international system can promote, prompt and pressure countries to improve human rights provision and take action against human rights abuses, wherever they occur.

In short, the UK is committed to supporting the UN, the EU and other international institutions to bring about positive change.

Within the UN, we are one of the founding members of the Human Rights Council, which took the place of the Commission on Human Rights in 2006. We have been active members, pushing hard with EU colleagues to help form a council that is as open, effective and non-political as possible.

In addition to our focus on the Human Rights Council, the UK is also one of the main financial supporters of the UN Office of the High Commissioner for Human Rights. This is in recognition of the important role the high commissioner and her office play, along with the special rapporteurs and other mechanisms, in upholding agreed international standards.

Along with the work we are doing to strengthen these UN organisations, we are also striving to integrate human rights more effectively across the whole UN system.

Of equal importance to the UK's efforts to improve human rights globally is the work we do within the EU. As the world's largest trading bloc, the EU has the potential to influence other countries through powerful tools such as political dialogue, trade relations and development assistance. The EU's active engagement in multilateral institutions gives member states the ability to keep human rights at the top of the international agenda.

Furthermore, Europe, as the home of 450 million people with shared values and commitments to safeguard the human rights of all, can promote good practice through its actions. One tangible example of this can be seen in the standards it sets for admission to the Union, which has led to real improvements in the human rights of many people. The expansion of the EU continues to be an important driver in improving human rights in those countries with ambitions to join.

This section looks in more detail at how we have been working through international institutions, primarily the UN and EU, to promote and protect

human rights. It begins with a comprehensive overview of the UN's Human Rights Council, the sessions held so far, and the thematic and country issues that have featured in its work in 2006/07. It goes on to outline the work of the UN High Commissioner for Human Rights; the range of international tribunals and courts dealing with human rights issues; the ongoing work to put into practice the commitment by UN member states to protect their own populations; and the threats posed by organised crime.

The section then moves on to the work of the EU and its member states, looking specifically at EU enlargement and the human rights situation in a number of states either in the process of joining the EU or with aspirations to do so. It then looks at the various tools available to the EU to further the work it does outside the Union to promote human rights.

The final part of this section looks at other international and regional institutions, such as the Commonwealth, African Union and Council of Europe.

The UK's position as an influential member of the main international organisations, along with our active international engagement with other regional bodies, gives us the opportunity to influence and encourage these organisations to achieve more. We will continue to use this influence to improve the ability of people around the world to exercise their individual human rights.

Human rights at the United Nations

United Nations Human Rights Council

Overview

The UN Human Rights Council is now 18 months old. It spent much of its first year completing the mechanics of its own establishment – in essence, getting fully up and running. Securing UK objectives in the council environment, where we and our like-minded partners are in a voting minority, continues to be a challenge.

We were disappointed by a disproportionate and unbalanced focus in the Council's early months on the situation in the Middle East, while other situations were comparatively neglected. However, often as a result of EU initiatives, the Council has

taken some encouraging steps, including beginning to address the tragic situation in Darfur. The EU has also repeatedly called attention in council debates to other desperate situations around the world, including in Zimbabwe, the Democratic People's Republic of Korea, Iran and Burma. The Council's special session on Burma on 2 October 2007 issued a welcome and strong statement of international concern at the violent crackdowns on peaceful demonstrators in September and October 2007.

Despite the challenges, and frequent sensitivity of human rights discussions themselves, we have been able to make some progress at the Council. It is clear, though, that the Council is not yet what we would like it to be. However, we continue to have ambitious goals. The Council has the potential to develop much further; and we are committed to supporting a strong, balanced and effective body.

The package of measures defining the Council's tools, adopted in June 2007 and detailed below (see page 48, Human Rights Council institution-building), is important to its future effectiveness. We would have preferred stronger provisions on some elements, but overall consider it a valuable framework, on which we will seek to build in the future. In particular, we welcome establishment of the new Universal Periodic Review system, to review every UN member's human rights work. This should lead to greater fairness, balance and transparency in consideration of individual countries at the Council. As well as bringing substantive human rights issues to the Council's attention, we are also working actively to ensure that the mechanics of the Council's working practices – including the Universal Periodic Review system – function smoothly and effectively.

Human Rights Council in focus

Burma

At the EU's initiative, the UN Human Rights Council held an emergency session on 2 October 2007 to react to violent action by the Burmese authorities to suppress peaceful protests. The UN High Commissioner for Human Rights, Louise Arbour, opened the session by expressing grave concern for the safety and well-being of monks and others arrested in the course of demonstrations. The UN Special Rapporteur on the Human Rights Situation in Burma, representatives from 55 countries (including the UK) and nine NGOs took the floor in the debate that followed. These included some states from Burma's region, such

as Indonesia, the Philippines, Malaysia, Thailand, Cambodia, Vietnam, India, China, the Democratic People's Republic of Korea and Singapore. Largely, all states that spoke stressed their concern at the recent events.

The session adopted the Council's toughest consensus resolution on any human rights situation to date. Among other things, it strongly deplored the violent suppression of demonstrations, as well as the beatings, arbitrary detention, killings and enforced disappearances. It called for restraint, and urged the Burmese authorities to desist from further violence, ensure full respect for human rights, bring to justice the perpetrators of human rights violations, and engage in a reinvigorated national dialogue with all parties. It also requested the UN Special Rapporteur on the Human Rights Situation in Burma to visit. After four years of denying access to this rapporteur, the Burmese government finally permitted a visit between 11 and 15 November 2007.

The UK and EU have repeatedly raised the situation in Burma during debates and dialogues with relevant thematic special rapporteurs at council sessions throughout the year, and will continue to work to ensure that the Council focuses on the many violations there.

Darfur

The Council passed a resolution on 28 November 2006 expressing concern at the situation in Darfur, and calling for certain steps to be taken to improve it. After long negotiations, this text failed to reflect our and EU partners' wish to see reference to concrete future follow-up by the Council. After trying unsuccessfully to amend the text during the vote, EU members of the Council and 25 others (33 in all) requested the Council's fourth special session to discuss Darfur. This session convened on 12 and 13 December 2006. The Council agreed by consensus a short, operationally focused decision to dispatch a high-level expert mission to assess the human rights situation in Darfur. The UK lobbied Sudan to grant visas to the mission, but Sudan refused to allow the mission access to the country. The mission nevertheless visited the African Union in Addis Ababa and refugee camps in Chad.

The mission's report to the March 2007 council session was hard-hitting: it said that the situation in Darfur was characterised by gross and systematic violations of human rights, highlighting in particular killing, rape, torture, arbitrary arrest and repression of political dissent. It also stated

that the government of Sudan was failing in its responsibility to protect its citizens. The report made a number of recommendations, including pushing for implementation of more than 100 prior recommendations from the UN system, which so far had not been implemented.

Responding to this report, the Council agreed by consensus on 30 March 2007 a further resolution on Darfur. This text expressed deep concern at the seriousness of ongoing violations of human rights and international humanitarian law in Darfur; called on all parties to the conflict to put an end to acts of violence against civilians; and called on the signatories to the Darfur Peace Agreement to comply with their obligations under that agreement. The resolution also created an entirely new mechanism for the Council, the "Darfur Implementation Mechanism". This consisted of seven of the Council's special procedures, led by the UN Special Rapporteur on the Situation of Human Rights in the Sudan, and covering issues including children in armed conflict, human rights defenders, the human rights of internally displaced persons, torture, violence against women, and extra-judicial, summary or arbitrary executions. The UK worked actively to support the EU presidency in difficult negotiations with the African Group to agree this text.

The implementation mechanism gave an interim report on its work with the government of Sudan to the Council's sixth regular session in September 2007. It said that, although the government of



UN High Commissioner for Human Rights Louise Arbour delivers her speech on the opening day of the fifth session of the UN Human Rights Council on 11 June 2007 at the UN office in Geneva.

Sudan was co-operating constructively and some progress was being made, the key indicator of success must be improvement on the ground; and that, regrettably, this was lacking so far. We will continue to work hard at the Council to maintain the pressure for progress on the ground in Darfur, and in Sudan more widely. We have also used the Council to raise the need for the government of Sudan to co-operate with the International Criminal Court.

The Middle East

Special sessions and resolutions addressing the situation in the Middle East have been among the most contentious at the Council. The UK and EU have continued to stress their deep concern at human rights abuses by all sides. It is entirely appropriate for concerns about this situation to be raised at the Council. However, we have often been disappointed by the lack of balance of texts presented by the Organisation of the Islamic Conference bloc and the Arab Group, and the lack of willingness to accommodate the EU's requests for improvement of these texts. We have, though, welcomed the occasions on which there have been constructive negotiations, leading to the adoption of some resolutions without votes.

In the period covered by this report, the Council has held one special (emergency) session on the situation in the Middle East. Called by the Arab Group, this convened on 15 November 2006 to consider "human rights violations emanating from Israeli military incursions in Gaza". It focused specifically on Israeli actions in Beit Hanoun on 8 November. During the debate, the EU expressed deep concern about the escalating violence and the human rights and humanitarian situation in the Occupied Palestinian Territories. The session adopted a resolution creating a high-level fact-finding mission to the area, through a contested vote. No EU member supported the resolution, primarily because we considered the resolution to lack balance (1*).

At the Council's resumed second regular session on 27 and 28 November 2006, the Organisation of the Islamic Conference bloc presented an unbalanced text on the Syrian Golan, calling the Israeli occupation a violation of human rights. The EU abstained on this unbalanced text (2*). At the third regular session, from 29 November to 8 December, the EU again abstained on a similar text regretting that the decision from the Council's first special session on Gaza the previous July

had not been implemented (3*). More positively, after constructive negotiations with Lebanon, a resolution responding to the report of the Council's Commission of Inquiry on Lebanon (created at the Council's second special session the previous August) passed by consensus. In a national statement, the UK made clear our belief that any follow-up to the work of the commission of inquiry must be conducted on an objective and non-selective basis that allows for proper consideration of the conduct of all parties.

Again, encouragingly, a resolution calling for implementation of the Council's decisions in earlier special sessions was adopted without a vote at the Council's fourth regular session in March 2007. This addressed the principle of the need for all to co-operate with the Council's mechanisms. However, a negative dynamic returned at the Council's sixth session in September 2007, with the EU abstaining on an unbalanced, politically motivated text focusing on access to the Al Aqsa Mosque (4*).

Human Rights Council institution-building

The UN General Assembly resolution establishing the Human Rights Council in 2006 gave the Council one year to review the mechanisms it had inherited from its predecessor body, and to take a range of decisions on its agenda and working methods. Although very technical, this process was at the heart of the Council's long-term potential. Accordingly, negotiations on it were divisive. We, with EU and other like-minded states, pushed throughout for the Council to be able to address situations of abuse in individual countries directly, and for the Council's tools to be as effective and independent as possible. Some members made suggestions that would have effectively weakened the Council's mechanisms and limited its ability to focus on situations in individual countries.

After long and difficult negotiations, the Council adopted without a vote a package of measures in June 2007. Some of the main elements are detailed below. Throughout the negotiations, we worked actively with states from across regional groups, as well as NGOs and the UN's own human rights experts. We consider that the final package provides a sufficient platform from which we will seek to develop the Council in years to come, and

* See the relevant resolution in the table of UN Human Rights Council voting on pages 54 and 55.

crucially safeguards some of the strengths of the UN human rights machinery.

The most innovative element in the institution-building package was the creation of the Council's new Universal Periodic Review mechanism, to review every state's domestic human rights implementation. We pushed for a fair, balanced and effective mechanism, with a high level of involvement of independent experts. Others tried to maximise the involvement of states rather than independent experts, and to minimise the objective criteria involved. In the end, the process has been designed as a co-operative exercise between states, supported by independent expertise, and with the opportunity for NGOs to contribute and participate.

The package continued the mandates of all but two of the Council's special procedures. Those excluded were special rapporteurs on the human rights situations in Belarus and Cuba. We firmly supported the continuation of these mandates, as we believe that both situations merit continued attention from the UN. However, the opposition to them was simply too great for us to overcome. Throughout the Council's review of the rapporteurs, we pushed for a continued strong and independent system. Our opponents tried to limit the rapporteurs' independence through stipulating that new rapporteurs should be elected by vote at the Council, rather than appointed through a more objective process, and through writing a new code of conduct aimed at limiting their activities. The final package provides for the continued appointment of rapporteurs and a code of conduct that does not undermine their autonomy or independence.

Negotiations on the Council's new standing agenda were also very controversial. The Organisation of the Islamic Conference bloc pushed for a standing item on the situation in the Occupied Palestinian Territories, a continuation of the practice at the old Commission on Human Rights. We opposed this, arguing instead that a standing agenda item on human rights situations should cover the Occupied Palestinian Territories along with all other countries. There was a great deal of opposition to such an item on the Council's agenda. In the end, it proved impossible to avoid a standing agenda item on the "human rights situation in Palestine and other occupied Arab territories". However, we secured in addition an item on "human rights situations that require the Council's attention". This ensures that the Council can consider country situations at every session, in line with its founding mandate.

We also opposed a proposal in the final hours of negotiations for a higher voting threshold for council resolutions on country situations than for resolutions on any other issue. A higher majority would have run counter to the Council's founding philosophy of universality and equal treatment for all human rights. This proposal was, fortunately, not included in the final package.

As a mark of its concern at the standing agenda item on the Occupied Palestinian Territories, Israel called a vote on the package when the UN General Assembly Third Committee considered it for adoption on 19 November 2006. Seven states voted against adoption of the package, including Israel, the US, Canada and Australia. The UK, along with all EU partners, voted for the package's adoption. There were 168 votes in favour. In a national statement at the time of the vote, the UK made clear our profound disappointment at the loss of the special rapporteurs on the human rights situations in Belarus and Cuba. We also said that we did not consider it appropriate to single out any one human rights situation as a permanent agenda item. However, we stressed our continued commitment to making the Council as effective as possible, and to implementing the institution-building package fully with that goal in mind.

Human Rights Council sessions and actions

The Council has held five regular sessions in the period covered by this report. Negotiations on the Council's institution-building agenda took up time at most of these, dominating in particular the fifth session, but the Council has also dealt with a range of substantive issues. In all of these sessions, the UK has actively participated in the Council's debates (both formal and informal), negotiations on council resolutions, and other decision-making on a range of human rights issues.

Second session, 19 September to 6 October 2006, resumed on 27 and 28 November 2006

At the Council's second regular session, the UK – both nationally and through the EU – actively participated in dialogues with more than 40 UN special procedures on the basis of their annual reports. In particular, we drew attention to the situations in Sudan, Burma, the Democratic People's Republic of Korea, Burundi, the Democratic Republic of Congo, Liberia and Cuba. We also highlighted issues with the thematic special procedures, such as the particular challenges

confronting women and human rights defenders; protection of human rights while countering terrorism; the elimination of gender disparity in access to education; and human rights issues around migrant workers.

The Council's second session adopted a number of texts on a range of human rights issues, such as racism, extreme poverty, and access to water and the right to health. The UK engaged fully in consultations on these texts, and we were able to support the eventual adoption of many of them. In addition, the EU tabled a short text on the human rights situation in Afghanistan, and strongly supported a Swiss-tabled text on the situation in Nepal. Both of these texts were agreed with the countries concerned. They note the positive progress made to date by the governments of Nepal and Afghanistan, urge further efforts in specific areas of concern, and encourage continued and intensified co-operation with the UN. Their subsequent adoption by consensus shows the Council addressing specific country situations in a constructive manner, building on the close co-operation of the countries concerned with UN human rights mechanisms.

The EU also tabled a resolution reflecting its deep concern at the escalation of violence following resumption of hostilities in Sri Lanka. The EU held extensive discussions with the Sri Lankan mission in Geneva and the government of Sri Lanka in Colombo in an attempt to agree this text. This proved impossible; consideration of the text by the Human Rights Council was therefore deferred.

Third session, 29 November to 8 December 2006

As well as those negotiations detailed above on resolutions on Darfur and the Middle East, the Council heard and discussed a report from the High Commissioner for Human Rights and continued its institution-building negotiations. The African Group pushed two controversial resolutions on racism: one on a high-level review of the 2001 Durban World Conference against Racism; the other on a process to draft new human rights standards on racism. Both of these were contrary to previous consensus agreements on handling these issues, and EU members were ultimately forced to vote against both of them (5, 6*).

* See the relevant resolution in the table of UN Human Rights Council voting on pages 54 and 55.

In general debate, the UK raised the issue of human rights and HIV and AIDS on World AIDS Day (1 December), highlighting the stigma and discrimination that people living with HIV and AIDS routinely experience.

All EU members joined a declaration by Norway expressing deep concern at ongoing human rights violations based on sexual orientation and gender identity, and urging the Council to discuss the issue in detail at a future session.

Fourth session, 12 to 30 March 2007

The Council's annual ministerial segment was held at the opening of this session. Ian McCartney represented the UK in his capacity as the FCO minister responsible for international human rights. His speech focused on the complex human rights challenges all countries face; stressed the need for the Human Rights Council to develop the tools to address them; and emphasised that countries must work together at the Council to find common solutions, rather than fostering divisions. In addition, he held a series of bilateral meetings with ministerial colleagues from various regions, in which he set out the UK's vision of the Council and exchanged ideas on how to develop it.

As well as negotiating the resolution on Darfur detailed above, another focus for this session was Zimbabwe. After the violent suppression of peaceful demonstrations by opposition organisations on 11 March 2007, at UK urging the EU initiated a council debate on the situation on 29 March. Fifty UN member states joined an EU statement that expressed deep concern at the recent developments; welcomed the commitment from the UN High Commissioner for Human Rights to monitor the judicial process against Morgan Tsvangirai and his colleagues; and urged the special rapporteurs on torture and freedom of expression and opinion to visit Zimbabwe swiftly. During the debate, Ghana and South Africa joined others in stating their concern at the situation, and urging a political dialogue in Zimbabwe.

The Organisation of the Islamic Conference bloc tabled late in the session a text on defamation of religions, which the EU could not support. The EU tabled its own short resolution on the elimination of religious intolerance and discrimination, designed to focus on a more constructive and consensual way of addressing the issue. The EU's text passed by consensus, with the Organisation of the Islamic Conference bloc text adopted by

a contested vote (7*). Twenty-four states voted in favour, while the EU voted against it. Another negative development at this session was the Council's decision to discontinue consideration of a number of cases against Iran and Uzbekistan under the Council's confidential complaints procedure. We believe that the situations in both countries continue to merit attention at the UN.

Fifth session, 11 to 19 June 2007

The fifth session was taken up with the final stages of negotiations on the Council's institution-building package, detailed above.

Sixth session, 10 to 28 September 2007, resumed on 10 to 14 December

Over 30 resolutions were adopted at the first part of this session, signalling a shift to "business as usual" after the long negotiations on the Council's institution-building package. Of particular importance for the UK was a thematic resolution that we ran ourselves, creating a new Special Rapporteur on Contemporary Forms of Slavery. This was adopted by consensus, and is detailed on page 93. We also worked hard with EU partners to secure the renewal of the mandate of the independent expert on the human rights situation in Burundi, and supported a president's statement renewing the mandate of the independent expert appointed by the Secretary-General on the human rights situation in Haiti.

The EU tabled a substantive resolution on eliminating religious intolerance and discrimination, which would also have extended the mandate of the Special Rapporteur on Freedom of Religion or Belief. Negotiations on this were very difficult, particularly with the Organisation of the Islamic Conference bloc. After a threat of wrecking amendments from the Organisation of the Islamic Conference bloc, which wanted to insert unacceptable references to defamation of religions, the EU deferred action on the text to the Council's resumed session in December.

With both sides entrenched, the resolution went to a vote. The EU won, with 29 votes in favour and 18 abstentions (the Organisation of the Islamic Conference chose to abstain rather than vote against the resolution). The resumed session also saw the renewal of the mandates of a number of special rapporteurs (notably on Sudan and the independent expert on Liberia); the adoption of a consensus resolution on Burma; and the establishment of a new five-member expert group on indigenous populations.

Consideration of the decision to renew the mandate of the independent expert on the human rights situation in the Democratic Republic of Congo was delayed until March 2008.

The session also adopted four resolutions on racism and the Durban Review Process. Three of these went well beyond what the EU could accept, and we therefore voted against them (8, 9, 10*). The EU formally explained that it voted against the resolutions because it could not accept that decisions on regional preparatory meetings and funding were being reopened and because it was unhappy with a proposal that sought to link the continuation of a mandate of a special rapporteur with the resolution. The EU explained that doing this would selectively influence whether mandates were renewed.

More positively, the Council also adopted by consensus resolutions replacing the previous Sub-Commission Working Group on Minorities with a Forum on Minority Issues, and extending the mandates of the special rapporteurs on the right to food and on the situation of the human rights and fundamental freedoms of indigenous people.

Human Rights Council elections

The second elections of members to the Human Rights Council took place on 17 May 2007 at the UN General Assembly. The terms of 14 members expired. In the interests of encouraging the best possible membership of the Council, the UK lobbied governments across the world in the run-up to the election, reminding them of the standards expected of members, and urging them to bear these in mind when casting their votes. The EU presidency also sent a letter to all UN missions in New York, on behalf of the EU member states, recalling the expected standards of membership of the Council; stating EU member states' belief that no state guilty of systematic violations of human rights should serve on the Council; committing to support only those states that met the required standards; and calling on others to do likewise.

* See the relevant resolution in the table of UN Human Rights Council voting on pages 54 and 55.

United Nations General Assembly Third Committee 2006

The UK was as usual very actively involved, both within the EU and with the wider UN membership, in discussions of a wide range of human rights issues at the UN General Assembly's Third Committee. On country situations, the EU successfully ran resolutions on human rights in Burma and the Democratic People's Republic of Korea. The EU also co-sponsored a Canadian-run resolution on Iran, and US-run resolutions on Uzbekistan and Belarus. With the exception of the resolution on Uzbekistan, these resolutions were all adopted by majority vote at the Third Committee. The resolution on Uzbekistan was lost to a "no action motion", a procedural move to prevent voting on the resolution itself. We are concerned by the increasing use of these motions at the Third Committee, and continue to lobby governments around the world against their use.

The EU again tabled and led negotiations on a resolution on the elimination of all forms of intolerance and discrimination based on religion or belief. The final text, among other things, noted a rise in instances of intolerance and violence, condemned the advocacy of religious hatred, and urged states to do more to combat religious intolerance and to foster dialogue, including with NGOs. The resolution was adopted by consensus on 16 November 2006. We were particularly pleased to be able to reach such broad agreement on this issue at the UN for a second time, building on the consensus established in 2005 after negotiations led by the UK presidency of the EU.

The UK participated actively in negotiations on a joint EU-Latin American-sponsored resolution on the rights of the child. The UK was among the first EU member states to co-sponsor this resolution. The resolution, which was eventually adopted at the Third Committee on 22 November by 174 votes to 1, welcomed the Secretary-General's study on violence against children, and mandated the independent expert, Professor Paulo Sérgio Pinheiro, to consider over the next year methods for following up the study. It urged states to take steps across a range of child rights issues, including equal access to education for boys and girls, the effect of armed conflict on children, protection of children against HIV/AIDS infection, the use of child labour, the death penalty for juveniles, and child pornography and prostitution.

The UK and EU were also active in discussions on a large number of other resolutions, on issues such as protection of human rights while countering terrorism; the human rights of migrants; torture; extra-judicial, summary or arbitrary executions; the right to food; and the enhancement of international co-operation in the field of human rights. We were pleased by the adoption by consensus of a resolution on violence against women, a text that the UK had actively supported. The resolution takes forward recommendations from the Secretary-General's study, including the development of a common set of indicators and the establishment of a UN database on violence against women. Usefully, the text also calls for greater co-ordination of UN activities on this issue, both at headquarters and at country level.

United Nations General Assembly Third Committee 2007

The 2007 session of the UN General Assembly's Third Committee saw 61 resolutions adopted, including country-specific resolutions led by the EU on Burma, the Democratic People's Republic of Korea and Belarus (with the one on Belarus led jointly with the US) as well as the Canadian-led resolution on Iran, which was co-sponsored by the EU. "No action motions" (procedural moves to prevent voting on the resolutions) were defeated on Burma, Belarus and Iran. The Democratic People's Republic of Korea resolution did not attract such a motion. A significant achievement was the adoption of a resolution on a moratorium on the death penalty (see page 116 for further details).

The Committee endorsed the decisions of the Human Rights Council on its institution-building package (including the Universal Periodic Review) and the code of conduct for the special procedures (special rapporteurs and other specific human rights instruments).

An EU-led resolution on elimination of all forms of intolerance and of discrimination based on religion or belief was adopted by consensus. The UK, and other like-minded states, worked hard to ensure that the final text did not include any language that limited freedom of expression. This was a significant achievement that showed the value of co-ordinated effort and cross-regional co-operation.

Resolutions on torture, counter-terrorism and human rights, and eliminating rape and other

forms of sexual violence were co-sponsored by all EU member states and passed by consensus. The UK played an active role in negotiations on the joint EU–Latin American/Caribbean resolution on the rights of the child. Most significantly, the resolution appointed a new special representative on violence against children for an initial period of three years. In order to promote the prevention and elimination of all forms of violence against children, the special representative will identify and share good practice, and increase co-ordination and communication among key actors, including the UN system, UN member states, civil society, children and young people.

The UK was actively involved in discussions on a range of other resolutions, including combating defamation of religions; global efforts for the elimination of racism and follow-up to the Durban Declaration and Programme of Action; and right to development. However, negotiations were difficult, and finally the EU voted against all of these because some of the language in the resolutions was not compatible with efforts to promote and protect human rights for all.

Discussions on the racism resolution were particularly fractious. Early drafts included inflammatory language, and the final version sought to re-open a number of earlier decisions relating to the follow-up to the 2001 World Conference against Racism, held in Durban, most of which had been achieved through careful compromise. It also included a budget of US\$7 million for the conference and its preparatory stages, which was well in excess of requirements.

Once again we saw a number of “no action motions”, hoping to block discussion of specific country situations. Some states argued that the introduction of the Council’s Universal Periodic Review meant that country-specific resolutions were no longer necessary. The UK, the EU and a significant number of other countries believe this not to be the case and that both the Council and the Third Committee must work in a complementary manner to achieve better standards of human rights in the most challenging situations. This argument, backed up by considerable lobbying effort, won the day, with an increasing number of countries choosing either to vote against or to abstain on “no action motions”.



UN Special Rapporteur on the Situation on Human Rights in Burma, Paulo Sérgio Pinheiro, listens during a special session of the UN Human Rights Council on Burma on 2 October 2007 in Geneva.

In December, the UN General Assembly adopted all of the Third Committee’s human rights resolutions, including ones on Iran; Belarus; the Democratic People’s Republic of Korea; Burma; and a moratorium on the death penalty. “No action motions” were again called on Iran and Burma, but were defeated by an even larger margin than in the Third Committee.

Voting on key resolutions at the UN Human Rights Council

	1	2	3	4	5	6	7	8	9	10
Algeria	Y	Y	Y	NM	Y	Y	Y	NM	NM	NM
Angola	NM	NM	NM	Y	NM	NM	NM	Y	Y	Y
Argentina	Y	Y	Y	NM	Y	Y	A	NM	NM	NM
Azerbaijan	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Bahrain	Y	Y	Y	NM	Y	Y	Y	NM	NM	NM
Bangladesh	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Bolivia	NM	NM	NM	Y	NM	NM	NM	Y	Y	Y
Bosnia and Herzegovina	NM	NM	NM	A	NM	NM	NM	N	N	N
Brazil	Y	Y	Y	Y	Y	Y	A	Y	A	Y
Cameroon	NV	A	A	A	Y	Y	Y	Y	Y	Y
Canada	N	N	N	N	N	N	N	N	N	N
China	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Cuba	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Czech Republic	N	A	A	NM	N	N	N	NM	NM	NM
Djibouti	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y
Ecuador	Y	Y	Y	NM	Y	Y	A	NM	NM	NM
Egypt	NM	NM	NM	Y	NM	NM	NM	Y	Y	Y
Finland	N	A	A	NM	N	N	N	NM	NM	NM
France	A	A	A	A	N	N	N	N	N	N
Gabon	Y	Y	Y	Y	Y	Y	Y	NV	NV	NV
Germany	N	A	A	A	N	N	N	N	N	N
Ghana	Y	Y	Y	Y	Y	Y	A	Y	Y	Y
Guatemala	A	A	Y	A	Y	Y	N	Y	A	Y
India	Y	Y	Y	Y	Y	Y	A	Y	Y	Y
Indonesia	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Italy	NM	NM	NM	A	NM	NM	NM	N	N	N
Japan	A	A	A	A	N	N	N	A	N	A
Jordan	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Madagascar	NM	NM	NM	A	NM	NM	NM	Y	Y	Y
Malaysia	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Mali	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

	1	2	3	4	5	6	7	8	9	10
Mauritius	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Mexico	Y	Y	Y	Y	Y	Y	Y	Y	A	Y
Morocco	Y	Y	Y	NM	Y	Y	Y	NM	NM	NM
Netherlands	N	A	A	A	N	N	N	N	N	N
Nicaragua	NM	NM	NM	Y	NM	NM	NM	Y	Y	Y
Nigeria	Y	Y	Y	Y	Y	Y	A	Y	Y	Y
Pakistan	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Peru	Y	Y	Y	Y	Y	Y	A	Y	A	Y
Philippines	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Poland	N	A	A	NM	N	N	N	NM	NM	NM
Qatar	NM	NM	NM	Y	NM	NM	NM	Y	Y	Y
Republic of Korea	A	A	Y	A	N	N	N	A	N	A
Romania	N	A	A	A	N	N	N	N	N	N
Russian Federation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Saudi Arabia	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Senegal	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Slovenia	NM	NM	NM	A	NM	NM	NM	N	N	N
South Africa	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Sri Lanka	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Switzerland	A	A	A	A	N	N	N	N	N	N
Tunisia	Y	Y	Y	NM	Y	Y	Y	NM	NM	NM
Ukraine	A	A	A	A	A	A	N	A	N	A
UK	N	A	A	A	N	N	N	N	N	N
Uruguay	Y	Y	Y	Y	Y	Y	A	A	A	Y
Zambia	Y	Y	Y	Y	Y	Y	A	Y	Y	Y

Key

- Y voted in favour of the resolution
- N voted against the resolution
- A abstained on the resolution
- NM not a member at the time of the resolution
- NV did not vote on the resolution

1. Resolution "Human rights violations emanating from Israeli military incursions in the Occupied Palestinian Territories, including the recent one in northern Gaza and the assault on Beit Hanoun", third special session
2. Resolution "Human rights in the Occupied Syrian Golan", second regular session
3. Resolution "Human rights situation in the Occupied Palestinian Territories: follow-up on the Human Rights Council resolution S-1/RES.1", third regular session
4. Resolution "Religious and cultural rights in the Occupied Palestinian Territories, including East Jerusalem", sixth regular session

5. Resolution "Preparations for the Durban Review Conference", third regular session
6. Resolution "Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive follow-up to the World Conference against Racism and the effective implementation of the Durban Declaration and Programme of Action", third regular session
7. Resolution "Combating defamation of religions", fourth regular session
8. Resolution "Elaboration of international complementary standards to the international Convention on the Elimination of All Forms of Racial Discrimination", sixth regular session
9. Resolution "From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance", sixth regular session
10. Resolution "Preparations for the Durban Review Conference", sixth regular session

International criminal tribunals and genocide prevention

We continue to be at the heart of the international community's efforts to ensure that those who perpetrate genocide, crimes against humanity and war crimes are held to account. A key manifestation of our commitment to combat impunity for such crimes is our strong support for the international criminal tribunals. This support includes:

- practical co-operation – sharing of information, access to UK-based witnesses, witness relocation and sentence enforcement;
- institutional assistance – financial backing (through assessed and voluntary contributions), contributing to effective management of the tribunals, maximising budgetary efficiency and ensuring adequate and consistent funding by the international community; and
- political support – ensuring that our policy of support for international criminal justice is reflected in wider policy towards specific country, regional or thematic issues. This includes support both for specific investigations (e.g. the International Criminal Court's investigation in Darfur) and for the strengthening of the institutions themselves (e.g. to achieve the widest possible jurisdiction for the International Criminal Court).

In 2007, the tribunals, with UK support, continued to make significant advances in the fight against impunity.

The International Criminal Court

In March 2008, the court is scheduled to commence its first trial, that of Thomas Lubanga Dyilo, accused of war crimes allegedly committed in the Democratic Republic of Congo. In October 2007, a second suspect, Germain Katanga, was arrested and transferred to the court. Katanga will also stand trial for alleged crimes against humanity and war crimes committed in Ituri, the Democratic Republic of Congo.

A further six arrest warrants are in existence, including those issued in May 2007, against two individuals accused of crimes against humanity and war crimes committed in Darfur. In total, four investigations are ongoing – in the Democratic Republic of Congo, Darfur, Uganda and, since May 2007, the Central African Republic.

With this expansion of the operational activity of the court has come its biggest challenge, that of ensuring the arrest and surrender of those for whom arrest warrants have been issued. We are working with the court and states, as well as with the UN, regional organisations and civil society, to help the court meet that challenge.

On Darfur, we are pressing the government of Sudan to co-operate with the International Criminal Court as required by UN Security Council Resolution 1593 and to immediately arrest and surrender Ahmed Haroun and Ali Kosheeb. In northern Uganda, we are supporting efforts to ensure that the Lord's Resistance Army commanders wanted by the court are brought to justice.

In July 2007, Japan became the 105th state to accede to the Rome Statute of the International Criminal Court. The accession of a further major power is an important step towards the goal of a court with universal jurisdiction. The UK, bilaterally and with EU partners, continues to work towards further ratifications, particularly in Asia.

We recognise that some states, including the US, do not intend to become states parties in the near future. Nonetheless, we hope that the court's performance as an effective and consistent international judicial institution will in time persuade those with concerns to join.



Democratic Republic of Congo militia leader Germain Katanga sits in the courtroom of the International Criminal Court in The Hague prior to his trial, 22 October 2007.

We are encouraging states parties and non-states parties to deliver practical support to the court, including in relation to information-sharing, witness relocation and sentence enforcement. In November 2007, during the visit to the UK of International Criminal Court President Judge Philippe Kirsch, we entered into a sentence enforcement agreement with the court.

For more information on the International Criminal Court, go to www.icc-cpi.int.

International Criminal Tribunal for the former Yugoslavia

The International Criminal Tribunal for the former Yugoslavia (ICTY) continues to make good progress towards the completion of its valuable work. By December 2007, it had completed proceedings in respect of 111 of the 161 indictments issued. We hope that the ICTY will be able to meet a target of 2011 for completion of all trials and appeals.

Completion of the ICTY's work is, however, conditional upon securing the arrest and surrender of those indictees who still evade the tribunal. In May and June 2007, two further indictees, Zdravko Tolimir and Vlastimir Dordevic, were transferred to the custody of the ICTY.

Four indictees remain at large, including Radovan Karadzic and Ratko Mladic, wanted for genocide, crimes against humanity and war crimes, including in relation to the massacre at Srebrenica in 1995. The UK and EU continue to make clear that states must fulfil their obligations to capture the outstanding fugitives and surrender them to the tribunal. We remain committed to seeing all four face international justice.

Improved regional co-operation, particularly from Serbia, is key to making this a reality, as reiterated by outgoing ICTY Prosecutor Carla Del Ponte during her last address to the UN Security Council on 10 December. We strongly believe that Serbia's future lies in Europe. The June 2007 General Affairs and External Relations Council conclusions state that a key condition for the signature of Serbia's stabilisation and association agreement (a key step on the path towards the EU) is full co-operation with the ICTY.

On 28 November 2007, the UN Security Council confirmed Serge Brammertz, the former head of the UN Investigative Commission in Lebanon, as

successor to Carla Del Ponte as ICTY Prosecutor. The UK greatly appreciates the hard work and commitment of Carla Del Ponte, whose determined efforts against impunity have resulted in justice for many victims of terrible crimes in the former Yugoslavia. We welcome the appointment of Serge Brammertz and look forward to working with him and supporting his work as prosecutor.

For those states wishing to join the EU, the signature of Stabilisation and Association Agreements (a key step on the path towards the EU) is dependent on full co-operation with the ICTY.

The UK provides ongoing practical support to the ICTY's work, including in the areas of information-sharing and sentence enforcement.

For more information on the ICTY, go to www.un.org/icty.

International Criminal Tribunal for Rwanda

The completion of the work of the International Criminal Tribunal for Rwanda (ICTR) will also depend on progress in apprehending those indictees still at large. At December 2007, 14 individuals were still wanted by the ICTR, including high-profile indictee Felicien Kabuga.

The UK is an active member of the Friends of ICTR group of states active in Kigali, Dar es Salaam and Nairobi that supports the ICTR in its efforts to locate and arrest Kabuga and others. We continue to press states to co-operate further in those efforts.

A further key component of the ICTR's completion strategy is transfer of a number of cases to Rwandan domestic jurisdiction. The UK is working with Rwanda to build its capacity to take cases on transfer from the ICTR. A key obstacle was overcome in July 2007, following Rwandan abolition of the death penalty.

The ICTR is making good progress in completing trials and appeals in line with its target of 2010. We are active in discussions at the UN to ensure that the ICTR, as well as the International Criminal Tribunal for the former Yugoslavia, will continue to receive the resources it needs to finish its work.

The UK is also using its influence on the UN Security Council Working Group on Tribunals to deliver progress on establishing effective residual

arrangements for the Rwanda and Yugoslavia tribunals. This will mean that, once the core work of the tribunals has ended, mechanisms are in place to handle necessary ongoing judicial, witness protection and documentation management functions.

For more information on the ICTR, go to www.icttr.org.

Special Court for Sierra Leone

The start of the trial of former Liberian President Charles Taylor in June 2007 – the first of its kind involving a former African leader – marked a major landmark in international justice. Progress was delayed in part due to unexpected changes in former President Taylor's defence team. The trial is set to continue in The Hague in January 2008.

We continue to work to ensure that, despite the physical distance, the trial is accessible to the people of Sierra Leone. In 2007, the UK contributed £160,000 to a major BBC World Service Trust project to develop, deploy and support a team of Sierra Leonean and Liberian journalists to cover the trial proceedings.

In June 2007, the International Tribunals (Sierra Leone) Act came into force, providing the legal basis for the UK to enter into a sentence enforcement agreement with the Special Court.

Lord Malloch-Brown and the Registrar of the Special Court, Herman von Hebel, signed the agreement in July 2007. This enables the UK to fulfil a commitment we made in 2006 to imprison former President Taylor should he be convicted by the Special Court, which had enabled his transfer from Freetown to The Hague in 2006.

In Freetown, of the court's other three trials, two have now ended, with the conviction of five individuals, who were given prison sentences ranging from six to 50 years. Appeals, expected in all cases, should be completed by 2009, with the court planning on the basis that the Taylor trial will end in 2010.

For more information on the Special Court, go to www.sc-sl.org.

Extraordinary Chambers in the Courts of Cambodia

The Extraordinary Chambers in the Courts of Cambodia, often known as the Khmer Rouge Tribunal, made important progress in 2007. In July, the first cases were sent to the tribunal's investigating judges. By December, five former members of the Khmer Rouge regime had been detained at the tribunal in Phnom Penh.

The UK continues to work closely with the UN and states to support the tribunal as it takes forward further investigative and trial activity. We have been



Cambodian and foreign judges in pre-trials chamber sit in the courtroom at the Khmer Rouge tribunal's courthouse in Phnom Penh, 13 June 2007.

active in strengthening the tribunal's management and oversight structures, and in supporting outreach activity aimed at raising awareness of the tribunal among the people of Cambodia.

For more information on the Extraordinary Chambers in the Courts of Cambodia, go to www.eccc.gov.kh.

Genocide prevention

In addition to our support for the prosecution of individuals suspected of genocide and other crimes, we are working to develop the international community's capacity to prevent genocide before it occurs. In May 2007, the UN Secretary-General appointed Francis Deng to succeed Juan Mendez as his Special Adviser for the Prevention of Genocide and Mass Atrocities. The UK was influential in ensuring that this will become a full-time position, and that resources to the special adviser's office will be increased.

Much greater action is needed to ensure an effective and co-ordinated response from the international community to situations where populations may be at risk. We will continue to work to strengthen UN capacity, through Deng and others, and to develop effective international networks to address situations of concern.

Responsibility to Protect

The UK has continued to support action to take forward the commitment made by all UN member states at the 2005 World Summit to uphold the Responsibility to Protect. This commitment sets out that states are primarily responsible for protecting their own populations from genocide, war crimes, ethnic cleansing and crimes against humanity, and that the international community has the responsibility to offer assistance if the state fails to tackle the problem. If the state does not respond to peaceful pressure, as a last resort, the Responsibility to Protect concept envisages formal intervention.

The UK has continued to argue for reference to the World Summit outcome documents in UN Security Council resolutions. We also recalled the concept in the Security Council debate on the protection of civilians in June. Above all, we seek to ensure that real-world outcomes in the UN, in particular in the Security Council, reflect the intention of the Responsibility to Protect. That is, that the international community should be

involved at an earlier stage in highlighting and seeking to prevent and address acts that might otherwise lead to major human rights violations such as those described in the Responsibility to Protect concept. Thus, the UK led efforts to secure unanimous Security Council approval for one of the UN's largest ever peacekeeping forces, which is currently deploying to Darfur, with protection of civilians at the heart of its mandate. We have led council action to support the peace process aimed at ending the appalling abuses by the Lord's Resistance Army in northern Uganda and neighbouring states. In addition, we have led efforts at the UN to focus international attention on the situation in Burma.

We also continue to press for more effective conflict prevention activity. We have supported the Secretary-General's intention to upgrade the post and mandate of his adviser dealing with prevention of genocide and to appoint a new adviser focused on the Responsibility to Protect.

International organised crime

Organised crime is a threat to the security and prosperity of the UK. Much of that organised crime – whether it be the trade in illegal drugs or people-smuggling – begins abroad and is linked to inequalities and injustices in the countries in which it thrives: the poverty or insecurity of opium poppy or coca farmers, corruption among poorly paid officials and the lack of transparent and effective legal frameworks and systems. This section sets out some specific examples of the ways in which we pursue this agenda through our missions overseas and explains how our efforts can also promote and protect human rights in countries concerned.

Tackling organised crime, enhancing human rights: the role of the FCO

A recent UN report assessed that annual income from international organised crime could be as much as US\$2 trillion (£984 billion) "giving it more financial resources than all the military budgets worldwide".* We provide support to UK partners, especially the Serious Organised Crime Agency and HM Revenue and Customs, and countries and

* *2007 State of the future*, www.millennium-project.org/millennium/sof2007.html.

organisations around the world to tackle this threat and reduce the misery that organised crime brings.

A key element of our work is to engage at diplomatic level, to encourage key international partners to pass legislation and provide resources to tackle organised crime. In addition, we promote concerted and effective multilateral action against organised crime through our membership of the G8, EU, UN and other international bodies.

The FCO provides resources which assist countries to increase the capacity of their organisations to tackle international crime. A human rights adviser sits on the project selection board to ensure that human rights issues are given full consideration. While improving human rights is not the key focus, the projects are designed to improve the standards and capability of foreign partners, which in turn benefits the societies themselves. One way we do this is to fund projects to improve legislation and to increase professional standards in law enforcement agencies that combat crime. We work too to improve criminal justice systems to ensure that people have access to a judicial system that is transparent, accountable and fair.

The FCO facilitates relationships between law enforcement agencies, with the aim of disrupting organised crime. The memorandum of understanding between the UK and Vietnam signed in September 2006 laid the groundwork for developing direct police co-operation in a way that fully respects our European Convention on Human Rights obligations. Information exchanged under the memorandum has already led to the arrest of Vietnamese criminals involved in organised crime in the UK.

Examples of work in our priority areas are described in further detail below.

Drugs

Tackling the threat from drugs is a priority for the UK. Drug addiction causes human misery and suffering, as well as fuelling crime. The UK looks to tackle the source of drugs and, where possible, disrupt the routes along which drugs are trafficked to the UK. The main heroin drug-trafficking routes from Afghanistan traverse the Afghan/Iran or Pakistan borders in the south and west, and the Tajik border in the north. We have an ongoing programme of anti-drugs assistance on these routes, as described below.

We have helped the Pakistan anti-narcotics force stop drugs being transported across the Pakistan–Afghan border. This includes the gift of two helicopters to help them conduct more effective anti-drugs border operations. In Iran, we have supported the UN Office on Drugs and Crime to develop comprehensive demand reduction policies through strengthened NGOs and better law enforcement capacity for the Iranian anti-narcotics police operating on the eastern border with Afghanistan. We have a comprehensive counter-narcotics programme in Afghanistan. More information can be found in Part 5, Major countries of concern.

Human rights issues are also intrinsically linked to the action that the UK takes in Colombia (the world's largest coca producer). A full assessment of human rights in Colombia, and our assistance programme, is outlined in Part 5, Major countries of concern. UK counter-narcotics training and capacity-building assistance has helped to support the Colombian authorities' goal of establishing a comprehensive peace in the country. The appalling internal armed conflict in Colombia, which has undermined the human rights of so many in Colombian society, has been fuelled by the cocaine trade. UK assistance in Colombia has been successful, is greatly appreciated by the Colombian government, and has respect for human rights at its core.

More widely, we have funded the UN Office on Drugs and Crime's Legal Assistance programme for Latin American and Caribbean countries. This provides assistance in implementing international drug conventions and guidance on enacting common provisions of the international crime, corruption and terrorism control instruments; human rights issues are a fundamental element of the programme. The programme has had a positive impact on the human rights situations in the participating countries, promoting the rule of law and administration of justice by providing expertise and working mechanisms to justice sector officials. In addition, it will further speed up the judicial process, securing faster and more effective administration of justice.

A visit by Dr Kim Howells, Minister of State at the FCO, to Colombia and Venezuela in November 2006 focused on counter-narcotics issues, and provided an opportunity to discuss human rights concerns with the Colombian authorities. His visits this year to Barbados and Jamaica in May, and to

Ghana and Nigeria in October, provided further opportunities to reinforce the UK's commitment to effective action in this field, which is fully human rights compliant.

Combating financial crime

We have been instrumental, through diplomatic engagement, in building the international architecture of financial standards. These standards help to prevent and disrupt money-laundering and terrorist financing. Our approach is strongly influenced by the recommendations of the Financial Action Task Force* and compliance is ensured through in-depth peer reviews. The UK was reviewed in 2006. We achieved 24 fully compliant ratings, the highest number ever received.

Overseas activity

On legislative capacity and professional standards, we helped Jamaica to pass its Proceeds of Crime Act on 23 February 2007 (the act came into effect on 15 May 2007). Further assistance includes a training programme for over 70 Jamaican officials to help them enforce this act. Other Caribbean islands are keen to follow Jamaica's example.

An international and inter-agency operation in 2006/07 enabled us to assist with the closure of an overseas bank used by organised criminal groups. An estimated £1 billion in illegal funds was routed through this bank. This closure has meant that this source of funding to drug-smugglers and people-traffickers has been disrupted.

We are using the UK presidency of the Financial Action Task Force from June 2007 to June 2008 to build further on the task force's achievements.

Child exploitation

The UK has ratified the UN Convention on the Rights of the Child and intends to ratify the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. The UK is playing an active role in negotiations on the Council of Europe's proposed convention on the protection of children from sexual exploitation and abuse, a fundamental human right.

* An inter-governmental body whose purpose is the development and promotion of national and international policies to combat money-laundering and terrorist financing. For more information, go to www.fatf-gafi.org.

The key UK operational agency is the Child Exploitation and Online Protection Centre, with which we work to develop capacity-building projects overseas, predominantly in the fields of education, training and awareness, and to encourage regional co-operation to tackle child sexual exploitation. We have worked with the Cambodia National Police to provide capacity-building training to the police, the judiciary and the NGO community. We have also supported efforts to tackle trafficking and child sex abuse under the Law Enforcement against Sexual Exploitation and Trafficking of Children project, which is working with UNICEF in 10 provinces in Cambodia.

Trafficking in human beings

Contemporary slavery has long been a concern for the UK, highlighted even more in this year of the bicentenary of the abolition of the transatlantic slave trade. The *UK action plan on tackling human trafficking*, published by the Home Office in March 2007, promoting awareness-raising campaigns overseas and publicising successful prosecutions in the UK for trafficking offences.

In December 2007, the FCO and the Royal Commonwealth Society held a joint seminar on "human trafficking and contemporary slavery", at which FCO Minister Meg Munn delivered a speech. This was a key historical event in terms of FCO participation in the human trafficking and slavery debate, and was the first in a series of seminars on the subject to be hosted by the Royal Commonwealth Society into 2008.



Police escort men suspected of being involved in the abduction and sale of women in China. China has established a series of statutes and public policies to protect women's and children's rights and interests.

European Union

Introduction

The EU is a driving force on human rights – with the collective economic and political influence to bring about much-needed change outside its borders. It has the potential to influence other countries through powerful tools like political dialogue, trade relations and development assistance. It is also active in multilateral fora, its member states co-operating to keep human rights issues at the top of the international agenda.

Furthermore, as the home of 450 million people, its shared values and commitments safeguard the human rights of many, including the citizens of countries in eastern Europe, which have seen significant human rights abuse in living memory. Through the standards it sets for admission, it has ensured that the desire of countries to join the EU has led to real improvements in the human rights of many. This continues to be an important driver in improving human rights reform in those countries with the ambition to join the EU.

This section looks at what the EU does to promote good practice on human rights. It looks first at the enlargement process, in particular at Turkey, but also at the situation in other accession states, including the two most recent EU members, Bulgaria and Romania. It also considers how the EU effects change through the European Neighbourhood Policy, enabling it to influence those states that are EU neighbours in Europe and north Africa, looking in detail at the example of Belarus. It then looks at what the EU is doing on fundamental rights issues through the European Union Agency for Fundamental Rights and how it takes human rights into account in trade negotiations.

European Union enlargement

The prospect of acceding to the EU has been a major driving force behind strengthening democracy and improving human rights in other European countries. The enlargement of the EU that has taken place so far has been a major success for both the UK and the EU, enabling the peaceful reunification of much of Europe across the Cold War divide.

Enlargement demonstrates the success of the EU's "soft" power to lever reform in candidate

countries (Turkey, Croatia and Macedonia) and the other countries in the western Balkans (Albania, Bosnia and Herzegovina, Montenegro and Serbia). Accession-related reforms are improving the lives of citizens in these countries and helping realise our vision of a European future for the region.

Democracy and human rights are at the heart of the enlargement process. According to article 49 of the Treaty on European Union, any European state that embraces "liberty, democracy, respect for human rights and fundamental freedoms and the rule of law" can apply for membership. Candidate countries must all meet the Copenhagen Criteria, agreed by member states in 1993, before negotiations can begin. This means they must guarantee democracy, the rule of law, human rights and respect for the protection of minorities. Each year, the European Commission reports on the progress made by candidate countries and the pre-candidate countries of the western Balkans.

Candidate countries are required to implement accession-related reforms to comply with the body of EU law, known as the *acquis*. Common principles on human rights and fundamental freedoms are set out in the European Convention on Human Rights and the Charter of Fundamental Rights. Various European Council decisions, directives and conventions have set specific standards on issues ranging from equality, through minority rights to anti-corruption and the functioning of the judiciary. The EU accession process requires that candidate countries meet robust benchmarked standards in line with these principles. Candidate countries must meet these standards before they can join the EU.

The EU supports these efforts through the Instrument for Pre-Accession Assistance – a fund worth €11.5 billion over the period 2007–13. This is available to candidate and pre-candidate countries. The priorities for the Instrument for Pre-Accession Assistance are to strengthen democratic institutions and the rule of law, reform public administration, carry out economic reforms, promote respect for human as well as minority rights and gender equality, support the development of civil society and advance regional co-operation, and contribute to sustainable development and poverty reduction. Another key area of EU assistance is through "twinning" – the secondment of public sector experts from EU member states to candidate and neighbourhood countries.



Roma continue to face discrimination in Bulgaria, Romania and the western Balkans.

In 2007, we welcomed two new member states, Bulgaria and Romania, to the EU. Both countries have made huge progress across a range of reforms. The European Commission continues to work with them on a post-accession monitoring mechanism covering justice and home affairs issues.

The following sections look at the main human rights issues facing the two newest member states (Bulgaria and Romania) and three candidate countries – Croatia, Macedonia and Turkey. We also provide some examples of how the UK and EU are helping them address these challenges.

Bulgaria

Bulgaria has ratified all the main human rights conventions, including the Hague Convention on Protection of Children in early 2006. Throughout 2005 and early 2006, Bulgaria also improved its domestic human rights legislation, adopting a new law on protection against domestic violence and a new health act addressing the placement of the mentally ill in institutions.

The UK has been active bilaterally in this area, including through a recently completed FCO GOF project, which contributed to the introduction of inclusive education for children with special educational needs and from ethnic minorities. Our Embassy in Bulgaria is in regular contact with NGOs on this issue.

The practical implementation of several other new laws has also gained momentum. Following the adoption of a law on protection against discrimination, an anti-discrimination commission was established in 2005 and is now reviewing petitions from citizens. The Bulgarian courts have issued several first-instance decisions in favour of victims of ethnic discrimination, including a ruling against ethnic segregation of Roma children in a Bulgarian school. This decision was the first of its kind, not only for Bulgaria but also for the whole of Europe. The British Embassy also monitors these issues, including through contact with NGOs and the European Commission delegation in Sofia.

Romania

Romania has ratified all the major human rights instruments, including the revised European Social Charter. Romania has made some progress in addressing discrimination against minorities, particularly the Roma community, though problems remain. A legislative framework and various action plans to protect minorities are in place, but have not yet been implemented.

In June 2006, a law was introduced which prohibits all forms of discrimination based on race, ethnicity, age, gender, sexual orientation, beliefs, language and religion. However, despite this the Roma community (official size: 500,000) is routinely discriminated against, particularly in the areas of

employment, housing and education. The National Agency for the Roma is implementing an action plan to promote social inclusion of the Roma, as part of the Roma Inclusion Decade 2005-15. It is too early to tell whether this initiative will substantially reduce levels of discrimination. The Roma community remains under-represented at the political level, particularly within local administrations.

In September 2006, the European Commission's pre-accession monitoring report expressed concern at the slow rate of implementation of the action plan and the lack of resources dedicated to improving the conditions of the Roma and promoting their role in society. As part of a FCO-funded GOF project, BBC journalists are working with Romanian journalists to ensure that domestic reporting of Roma and Roma issues is fair and balanced.

In October 2005, the European Commission highlighted poor standards of care within state facilities for the disabled and the mentally ill. They are still under-resourced, and frequently do not provide an adequate standard of care to their patients. The gay and lesbian community also suffers discrimination. However, unlike in 2005, Bucharest City Council allowed the 2006 and 2007 gay festival parades to take place, which we welcome.

Conditions in children's institutions have improved and the number of children in care has fallen. New laws on adoption and child protection (introduced in 2005) have tightened up procedures and the government has set up an office for adoptions. A significant concern for the Romanian authorities is the continued high rate of abandonment of babies in maternity hospitals.

Romania is a source and transit country (mainly from Ukraine and Moldova) for people-trafficking. The National Agency for Combating People Trafficking and the National Police are doing good work, in conjunction with the international community, in fighting people-trafficking gangs and rehabilitating victims. In February 2007, the FCO GOF funded an awareness campaign involving the agency, the International Organization for Migration and the UK Human Trafficking Centre that helped highlight the dangers of people-trafficking.

Croatia

Croatia is an official candidate country for EU membership. Croatian law provides well for the protection of human rights, and, in practice, the situation in Croatia remains generally positive. Croatia continues to co-operate fully with the International Criminal Tribunal for the former Yugoslavia, and has done so since October 2005. The key remaining concerns are regarding judicial reform and refugee return. These will be addressed in EU accession negotiations under Chapter 23, Judiciary and fundamental rights.

Implementation of judicial reform is under way. The case backlog has reduced from 1.6 million to 1.1 million. However, the excessive length of court proceedings in Croatia remains a serious problem. In addition, more needs to be done to improve recruitment and disciplinary procedures for judges and to rationalise the court network. We believe that Croatia also needs to ensure that domestic war crimes trials be conducted fairly and without ethnic bias.

Between 300,000 and 350,000 ethnic Serbs left their homes in Croatia during the 1991-95 war in the former Yugoslavia. Around 120,000 have registered themselves as returned (although how many have stayed permanently is not clear). We have seen progress on providing housing and employment opportunities, but more remains to be done to enable sustainable return for those who wish to do so. We believe that the government should do more to implement legislation on national minorities, e.g. to address the problem of under-representation in public bodies.

Croatia will need to meet EU standards on these issues before it can join the EU. Among other things, the EU will be looking for evidence of full implementation of Croatia's judicial reform strategy. Croatia will need to complete the refugee return process in line with its commitments and fully implement its Constitutional Law on National Minorities. The European Commission and member states are actively monitoring progress via a benchmarking system and annual progress reports.

Macedonia

Macedonia is an EU candidate country and hopes to receive an invitation to join NATO in spring 2008. We assess the human rights situation in Macedonia as generally positive, although some

serious weaknesses remain. In particular, although human rights legislation has been adopted, its implementation remains uneven. While new laws have been adopted, enforcement or monitoring mechanisms, which can be used to report cases of non-compliance, are still lacking. As a result, government responsiveness to any allegations of human rights offences is limited. The government has failed to establish transparent criteria and procedures to grant resources to civil society groups. Too many grants are still made based on political affiliation. We also remain concerned about the situation in prisons where there has been limited progress. The situation of the Roma is also of concern. The majority of Roma have limited access to education and employment and are disproportionately ill-treated by police. A sustained commitment is needed to improve the conditions of the Roma in Macedonia.

Respect for human rights is a prerequisite for Macedonia to join the EU. The EU set priorities for Macedonia to comply with the European Convention on Human Rights, implement the rules applying to ethics and improve prison conditions.

Turkey

When Turkey became a candidate country for EU membership in 1999, it was judged to fulfil the Copenhagen Criteria, demonstrating "stability of institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities". Key to achieving this were abolition of the death penalty, improving minority language rights, and an initiative to tackle torture. These criteria are core values of the EU and an important pre-accession component. Before Turkey can accede, it must meet robust benchmarks on human rights in areas such as minority rights and gender equality, as well as on the correct functioning of the judiciary. Turkey's progress against these benchmarks is closely monitored and evaluated.

Turkey has made limited progress on human rights reforms during 2007, largely due to a focus on its parliamentary and presidential elections.

Key concerns in Turkey remain in relation to freedom of expression and impunity, and there is a need to address the difficulties faced by minority religious groups. Additional areas of continued concern include women's, children's, cultural and trades union rights.

The key mechanism to improve fundamental rights under the EU accession process is the requirement for the candidate country to adopt the entire body of EU law, known as the *acquis*, which is divided into chapters covering different topics. The European Commission evaluates the country's status against each chapter, and may set benchmarks with which the country must comply before negotiations for that chapter open. These might include, for example, taking forward an

UK PROJECTS SUPPORTING FUNDAMENTAL RIGHTS REFORM IN TURKEY

- Enhancing the capacity of deputy and district governors for effective administration of law enforcement agencies in line with human rights standards and legislation for EU harmonisation, through training those responsible for the law enforcement agencies (police and Jandarma, the paramilitary forces under joint interior ministry and military control) at the provincial level.

Key partners: FCO GOF Re-uniting Europe programme and Turkish Ministry of Interior.

- Establishing an independent police complaints commission and enhancing the Turkish Jandarma in its law enforcement activities through training in current EU practices of professional policing and enhanced investigative capacity, in order to improve democratic principles and the human rights of citizens. The projects will help prepare the legislative framework for the establishment of an independent complaints system for the Turkish National Police, to ensure effective accountability of police forces and reflect independence, transparency and integrity.

Key partners: Turkish National Police and Jandarma, UK Independent Police Complaints Commission, Home Office and Northern Ireland public sector. Funded by the European Commission. Since March 2007.

- Supporting the Turkish Ministry of Justice in establishing a modern probation service based on European models. Providing assistance in carrying out activities that will prevent reoffending by rehabilitation and reintegration of offenders into society, thus assisting the victims of crime and reducing overcrowding of prisons.

Key partners: Turkish Ministry of Justice and National Probation Services of England and Wales. Funded by the European Commission. Completed in 2007.

- The UK also supports various projects aimed at improving women's rights and economic participation levels, including training of female vets in the south-east of Turkey and promoting female entrepreneurship.

TURKISH ELECTIONS 2007

Presidential elections were originally arranged for April 2007, but the ruling AK Party's presidential candidate, Abdullah Gül, was unable to obtain the necessary quorum in Parliament. The failure of parliament to elect a president precipitated early parliamentary elections on 22 July, which the AK Party won. Gül was then elected president on 28 August.

All elections were conducted in accordance with Turkey's constitutional provisions. Independent assessments by the OSCE Office of Democratic Institutions and Human Rights described the administration of the July election as transparent, professional and efficiently administered, but noted that the overall legislative framework would benefit from review in order to further promote respect for fundamental civil and political rights.

action plan, implementing legislation, or systemic administrative reform, which is important as it affects the way implementation is carried out across a range of subject areas.

Negotiations on the Judiciary and Fundamental Rights chapter of the EU *acquis* will cover a broad range of rights, including minority, cultural, gender and religious rights. They will also address the existing offence of insulting Turkishness, in order to ensure freedom of expression.

The EU continues to monitor the fundamental rights situation in Turkey against these priorities through annual progress reports. The November 2007 report notes that further progress is needed on priority human rights areas, but that Turkey has overcome a series of political and institutional challenges.

Torture

Turkey has identified torture as one of its human rights priorities. In 2005, it signed the Optional Protocol to the UN CAT, which sets out a system of independent monitoring of prisons with the aim of preventing torture or cruel, inhuman or degrading treatment, and is reviewing options for ratification. The government is also implementing training programmes for police and security officials, as well

as those responsible for oversight of the security forces, in conjunction with the UK, the EU and other international organisations. The Ministry of Justice issued a circular in January 2007, which aims to make changes to conditions in high-security prisons, where prisoners have spent the majority of their time in isolation. The circular increases the amount of contact time available to prisoners as well as the numbers of people with whom they are permitted contact. However, NGO studies indicate that the circular has not yet been fully implemented.

While the EU 2007 progress report confirms that there has been a "downward trend in the number of reported cases of torture and ill treatment", it also raises concerns that cases are still being reported, and data compiled by NGOs in Turkey confirms this. In the past, the UK has provided training to prosecutors who have oversight of security forces, and to the Turkish human rights board that monitors human rights progress.

Impunity

Impunity of law enforcement officers and the armed forces remains a key problem, with judicial delays often complicating matters. A number of high-profile cases have given the appearance that the Turkish authorities are not always willing to ensure that members of the security forces who break the law are brought to justice. Examples of this include the annulment of sentences against two members of the armed forces in relation to the bombing of a bookshop in Semdinli in May 2007 on grounds of flaws in the initial investigation. The appeal court also ruled that the case did not fall within the competence of the civilian courts and transferred it to the military court. In April 2007, four policemen on trial for the shooting of Ahmet Kaymaz and his 12-year-old son in Kiziltepe were released when the court concluded that the shooting fell within the boundaries of legitimate self-defence. Video footage showing police giving heroic treatment to the man alleged to have killed Hrant Dink has strengthened perceptions that the state still treats favourably those seen to be acting in accordance with its interests. A UK-led EU twinning project is currently under way to establish an independent police complaints commission in Turkey aiming to address impunity issues.

Freedom of expression

The new Turkish penal code (2005) still includes under article 301 offences relating to insulting

Turkishness or the Turkish state, government or state institutions, as well as criminal defamation offences and a number of other articles used to restrict non-violent expression of opinion. New cases continue to be brought and, although the conviction rate is relatively low, we believe that the opening of these cases can constitute a form of harassment, encouraging self-censorship.

The Armenian-Turkish journalist Hrant Dink's writing about Turkish identity and the killing of Armenians led to charges of "denigrating Turkishness" under article 301 of the Turkish penal code. Publicity surrounding the prosecution of Hrant Dink is believed to have contributed to his eventual murder in January 2007. His son, Arat Dink, was also convicted under article 301 in relation to an article published in the Armenian-Turkish magazine he has edited since his father's death. He and the magazine's licence owner, Seris Seropyan, each received a one-year suspended prison sentence in 2007, which are currently under appeal. Other prominent freedom of expression cases include the ongoing case against Professor Baskin Oran and Ibrahim Kapogu, in relation to a report on minorities in Turkey submitted by Professor Oran to the Human Rights Consultative Committee of the Prime Ministry, after their acquittal by the Court of First Instance was overturned (also under appeal).

The UK and the EU have made it clear that Turkey should either remove, or substantially amend, article 301. The European Commission's annual programme report, published in November 2007, noted that the article needs to be brought in line with EU standards.

Cultural rights

Since Turkey was accepted as an EU candidate country the democratic rights of Kurds in Turkey have been extended. Kurdish CDs and newspapers are now freely available, and limited local and national radio and television are available in Kurdish. However, no further reforms were made in 2007 and serious constraints remain, including against political campaigning and education in the Kurdish language. A number of local government officials have been prosecuted for providing information in Kurdish. In June 2007, the municipal council of Diyarbakir Sur was dissolved because of its decision to provide services in Kurdish, Aramaic, Armenian and English. The Congress of Local and Regional Authorities of the Council of Europe

reviewed the situation in summer 2007 and urged that Turkey reform municipalities law and continue reforms to increase the cultural rights of its Kurdish population.

The European Commission supports human rights projects in Turkey, and also funds projects as part of the civil society dialogue between candidate countries and EU member states. Several projects under the civil society dialogue are based in predominantly Kurdish areas. The Commission also works within the framework of the European Instrument for Democracy and Human Rights to improve political participation among all social groups in Turkey.

Freedom of religion

We note that minority religious communities in Turkey continue to experience difficulties in relation to property rights, training and education. The draft "Foundations Law", scheduled to pass in 2008, should address some of the problems relating to property, including by allowing religious communities limited rights to reclaim previously confiscated property. However further legal reforms are needed, including to allow compensation for property now owned by third parties; to permit the restoration of foundations taken over ("fused") by the Directorate General of Foundations where this



A woman holds a portrait of Armenian journalist Hrant Dink, who was murdered by a lone gunman on 19 January 2007.

is found to have been unjustified; and to introduce further flexibility in relation to the election of foundation management boards for religious communities that are small in number.

We encourage Turkey to implement recent ECHR decisions on religious education in schools by expanding the curriculum to take account of other religions or by making religious education optional, including for those religious minorities that do not fall under the provisions of the 1923 Lausanne Convention.

Women's rights

Implementation of a satisfactory legal framework tackling violence against women continues, but the issue remains a concern. Lack of accurate data and an overall government strategy have been key obstacles to progress in this area, and the Turkish government has started to take action to address both issues. An increasing number of criminal charges have been brought against perpetrators in honour-killing cases.

Low female participation in representative bodies and the workforce continues, but there is growing public awareness of this issue. The number of women in parliament doubled at the July 2007 election, although it remains at a lower proportion than in any EU country.

There have been a number of studies in the areas of women's participation in the Turkish economy. According to the Turkish Statistic Institute (2005 figures), 69.5 per cent of men and 26.5 per cent of women actively participate in the workforce. The EU average for women is 60 per cent. The number of women entrepreneurs in Turkey is only 12.5 per cent, compared with the EU average of 25 per cent. The UK is supporting a project in this area.

Albania

Albania is party to several international agreements on human rights, but continues to have difficulty implementing legislation and reform in some areas.

Respect for human rights is a core principle of Albania's EU Stabilisation and Association Agreement and is one of the key criteria against which Albania is assessed under NATO's Membership Action Plan. During 2007, EU member states and NATO allies highlighted the need for progress on electoral reform and judicial reform.

We believe that the Albanian judicial system needs significant reform to protect it from corruption and political influence. It also needs increased capacity and training of judges. The FCO is funding a project implemented by the Council of Europe to train Albanian lawyers in ECHR standards and case law. The FCO is also funding a project to build the capacity of the Albanian judiciary to meet ECHR standards in media-related court cases.

Although some progress has been reported by the European Commission, trafficking in human beings persists and this remains a significant challenge for Albania. The authorities recognise this: in February 2007 Albania became the first country to ratify the Council of Europe Convention on Action against Trafficking in Human Beings. It has a comprehensive national anti-trafficking strategy and an improved legal framework to protect the rights of victims of trafficking.

In July 2007, civil society groups protested against government regulation of the media, in response to measures ostensibly aimed at reducing tax evasion and regulating the emerging digital sector. The civil society organisation Mjajt claims that media companies critical of the government have been treated unfairly and that this has led to self-censorship. The FCO funds an ongoing programme of training for young Albanian journalists at the BBC in London to help raise professional standards and ethical awareness in the Albanian media. A number of alumni of this scheme are now prominent figures in the Albanian media. These include Sokol Balle, News Director at Top Channel TV, and Frank Egro, News Director at TV Koha.

Bosnia and Herzegovina

Bosnia and Herzegovina continues to make mixed progress on human rights. We believe that there is still a need to resolve outstanding issues from the 1992–95 conflict.

We assess that Bosnia and Herzegovina's co-operation with the International Criminal Tribunal for the former Yugoslavia improved in 2007. The Republika Srpska authorities assisted in the arrest of Zdravko Tolimir (one of the six high-profile indictees who remained at large at the start of 2007, wanted for genocide, war crimes and crimes against humanity) in May 2007. Continued co-operation is imperative and remains a key condition for progress towards joining the EU and NATO.



Former Bosnian Serb General Zdravko Tolimir appears at the International Criminal Tribunal for the former Yugoslavia in The Hague on 4 June 2007.

It is also an essential element in the longer-term reconciliation of Bosnia and Herzegovina's different ethnic groups.

The UK supported the building of a memorial room near the site of the Srebrenica massacre, which opened in July 2007. We hope this will serve as a fitting memorial for the victims.

Education continues to be largely conducted along ethnic divisions. The practice of "two schools under one roof" (with pupils separated according to ethnicity) continues. The Parliamentary Assembly adopted legislation to regulate higher education facilities in Bosnia and Herzegovina, but the country still has to fulfil its post-accession obligations to meet Council of Europe standards of education.

Bosnia and Herzegovina urgently needs to bring its policing into line with European and international standards. This is essential if the country is to establish and maintain the rule of law. It is also an important part of the fight against organised crime. The EU Police Mission was refocused in early 2006 to concentrate on the process of police reform, and on building capacity to fight organised crime. Agreement on police restructuring is a key

condition for the conclusion of a Stabilisation and Association Agreement with the EU, but progress has been poor. The politicisation of the issue of policing, particularly in the Republika Srpska, has obstructed the work of the Directorate for Police Restructuring (set up in December 2005) and prevented agreement on a way forward. On 3 December 2007, the Council of Ministers adopted the Mostar Declaration and accompanying action plan; this is a positive first step towards progress on police reform. The UK remains closely involved; the British Ambassador continues to be active on this subject and the UK contributes secondees to the EU Police Mission.

Montenegro

We expect Montenegro to continue the advances it has made on human rights, including by ratifying and implementing all the relevant international conventions. The new constitution, adopted in October 2007, affirms Montenegro's commitment to defending human rights.

Montenegro became a member of the Council of Europe in May 2007 and finalised a Stabilisation and Association Agreement with the EU in October 2007. It is now obliged to fulfil a number of obligations and commitments, including ratifying the European Convention on Human Rights and working with the Council of Europe and the EU to promote and protect human rights and the rule of law. As Montenegro works towards membership of the EU and NATO, it is also expected to continue to comply with all the obligations that were incumbent on the state union – for example, that of full co-operation with the International Criminal Tribunal for the former Yugoslavia. The UK supports these aspirations. We will continue, where we can, to assist Montenegro to meet the criteria at each stage of the process. Currently the UK government is providing funding for a project to strengthen the capacity of local and regional media in Montenegro to resist political interference and promote good governance, and the Embassy provides ongoing support to a leading Montenegrin anti-corruption NGO, MANS, whose activities include improving human rights reform in Montenegro. We upgraded our British Office in Podgorica to an Embassy in November 2006.

Serbia

On 26 February 2007, the International Court of Justice cleared Serbia of direct responsibility for genocide during the 1992–95 war in Bosnia Herzegovina. However, Serbia became the first country ruled in breach of the Convention on the Prevention and Punishment of the Crime of Genocide. The court assessed that Serbia's leaders had failed to comply with its international obligation to prevent the killings and punish those responsible. The UK continues to urge the Serbian authorities to bring those accused of war crimes to justice, including through full co-operation with the International Criminal Tribunal for the former Yugoslavia. More information on the International Criminal Tribunal for the former Yugoslavia is included earlier in Part 2 (see page 57).

Serbia adopted a new constitution following the dissolution of the state union with Montenegro. There is concern about a provision in the new constitution that gives it legal precedence over ratified international treaties (including human rights treaties). Therefore, international treaties to which Serbia is a party now cannot be applied unless they are in accordance with the new constitution. To date, the provision has not had any practical effects. However, we continue to follow the situation closely.

We believe that the protection of the rights of minority groups remains an important issue. While we assess that there is no systematic discrimination or persecution of ethnic or religious minorities in Serbia, inter-ethnic tensions still exist. The problem is particularly acute in the south of the country, where the UK and the international community continue to press the Serbian government to create the conditions necessary for full participation by the ethnic Albanian community in local and national institutions.

We also press ethnic minority community leaders to act in good faith towards these institutions. Additionally, the UK also supports other minority groups, such as the Roma, who have few education and employment opportunities. The FCO is currently co-funding a project by Save the Children in Serbia, Montenegro, Bosnia and Herzegovina and Kosovo aimed at helping more minorities (including Roma) into mainstream education between 2005 and 2008.

An independent, responsible and professional media is vital for raising awareness of human rights

issues. However, we assess that reform since the fall of the Milosevic regime has been slow. The FCO has funded two projects training journalists to report on human and minority issues. Projects have focused on reporting from potential conflict areas, with the FCO supporting a third project facilitating an increased flow of accurate news from south Serbia, and the Bosniak-Muslim dominated region of Sandžak in south-west Serbia.

Kosovo

Under UN Security Council Resolution 1244, the UN has administered Kosovo since June 1999. Constitutionally, it remains a province of Serbia pending a final political settlement.

Despite an overall improvement since 2006, we assess that the general system of human rights protection remains weak. Kosovo's people face a lack of legal certainty and transparency, arbitrary application of the law, organised crime and corruption, violations of the right to property and discrimination and harassment based on ethnicity, disability or gender.

Intensive negotiations between Belgrade and Pristina on Kosovo's status continue to dominate the political landscape. The ongoing uncertainty over Kosovo's status is a barrier to Kosovo's progress towards a sustainable, multi-ethnic democracy.

The judicial system continues to suffer from considerable shortcomings, preventing the proper implementation and interpretation of relevant legislation. Legal proceedings are slow, there is a backlog of casework and enforcement of judgments can be arbitrary.

A UN Mission in Kosovo (UNMIK) regulation in February 2007 withdrew the jurisdiction of the Kosovo ombudsperson's office over UNMIK, leaving Kosovo without a competent body to investigate allegations against the international community. The Human Rights Advisory Panel, proposed as an alternative mechanism in March, is not sufficiently independent from UNMIK and has yet to begin operating.

Although levels of inter-ethnic violence fell steadily during 2007, incidents – mostly against Kosovo Serbs and involving irregular patterns of harassment, intimidation, attacks on life and property and the stoning of buses – continue to be reported to the Kosovo police.

Nevertheless, according to the UN Development Programme, over 80 per cent of minorities feel safe to travel. While the multi-ethnic Kosovo police service has achieved much, it lacks sufficient experience to tackle organised crime. Since UNMIK's inception in 1999, around 65 UK police officers have been working at any one time to build the capacity of the Kosovo police service, helping it to develop a modern, professional force.

We assess that there has been some progress towards creating a more conducive climate for returns, and some successes. The UN High Commissioner for Refugees (UNHCR) documented 1,449 returns up to October 2007. Returns to urban areas continue to be disappointingly few. The return of property to its rightful owners continues to be impeded by the refusal of Serbia to return cadastral records, by a lack of legal clarity, by falsified contracts and by low levels of co-operation from some municipalities, especially north of the Ibar river. The UK provides support to the Kosovo Property Agency, which has achieved considerable progress on adjudicating disputed property claims, and the UN Development Programme returns process, as well as to a project providing construction training and employment opportunities for Roma teenagers.

We assess that human trafficking remains a significant problem. High levels of poverty, unemployment and illiteracy create a situation where women and girls continue to be vulnerable to traffickers. The UK is working with UNMIK, the Kosovo police service anti-trafficking team and relevant NGOs to develop Kosovo's capacity to combat trafficking.

Throughout 2007, the UK funded projects via the Global Conflict Prevention Pool aimed at improving human rights in Kosovo. These include providing witness protection equipment to the local district courts and supporting the Women's Safety and Security Initiative, which works to improve the implementation of legislation on violence against women and trafficking.

2008 will be a crucial year for Kosovo. The UN Security Council met on 19 December 2007 to discuss the Troika report on the four months of further talks between Belgrade and Pristina, following 14 months of comprehensive negotiations under UN Special Envoy Martti Ahtisaari. There was no agreement in the Council on the way forward for Kosovo. The 14 December European Council

underlined that the EU was ready to play a leading role in strengthening stability in the region and in implementing a settlement defining Kosovo's future status.

The UK believes that in the absence of an agreed settlement between the parties, the UN Special Envoy's comprehensive proposals (presented to the UN Security Council in March 2007) provide the most viable way forward. They envisage supervised independence for Kosovo, with an international civilian representative double-hatted as the EU's special representative responsible for overseeing settlement implementation. The EU would provide a European Security and Defence Policy (ESDP)



LEFT: A Kosovo Albanian street vendor.



BELOW: A young boy accompanies his mother to cast her ballot at a polling station in the village of Feraje in southern Kosovo, 17 November 2007.

mission responsible for policing and rule of law. And NATO's 16,000-strong Kosovo Force (KFOR) would continue to ensure a safe and secure environment (we currently contribute around 140 UK military personnel). EU and international civilian office planning teams have been working in Kosovo for over 18 months. The UK expects to contribute personnel to the international civilian presence at or around the level currently provided to UNMIK (circa 80 personnel) and would contribute around 17 per cent of the common costs of the ESDP mission from the Common Foreign and Security Policy budget.

Two-thirds of the UN Special Envoy's proposals provide far-reaching safeguards and protection for Kosovo's ethnic minority communities (predominately Kosovo Serbs), including a special decentralisation package for municipal districts where they form a majority of the population. The implementation of these measures by the Kosovo government will be a challenge, but they have readily committed to it, and this area will come under close international scrutiny.

A viable solution to the Kosovo status issue, with implementation overseen by the international bodies described above, should lead to an improvement in human rights monitoring and protection across the board in Kosovo. The ultimate aim of the UN Special Envoy's settlement is to build Kosovo's democratic, civil and legal structures to European and Euro-Atlantic standards.

The European Neighbourhood Policy

The European Neighbourhood Policy, set up in 2004, supports internal political reforms within neighbouring countries* and seeks to strengthen dialogue on political and security issues between the EU and European Neighbourhood Policy partners. The underlying political principles of the policy are the same as the EU's: democracy, liberty, freedom of expression, respect for human rights and the rule of law. The policy aims to foster commitment to these principles through individually tailored action plans agreed with each partner country (action plans have not yet been activated with Belarus, Libya and Syria). Progress depends on each partner's commitment.

* It covers Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine to the east; and Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, the Palestinian Authority, Syria and Tunisia to the south.

Substantial European Commission financial assistance is available to support the policy, along with technical assistance and twinning expertise. The UK is a staunch supporter of the European Neighbourhood Policy and is committed to playing an active and constructive part in shaping the policy with other member states, the European Commission and partner countries. The UK is a major contributor and seeks to ensure that commission spending on the policy is efficient, effective and well targeted.

Respect for human and fundamental rights features heavily in each of the action plans. The action plans contain a number of priorities, including specific agreed commitments on human rights and political and governance reforms. Sub-committees set up between the EU and the partner country monitor these plans. EU support and expertise help partners prepare and implement key reforms, such as electoral laws, reform of civil and criminal codes, reform of justice and penitentiary systems, and tackling corruption and organised crime. The UK has repeatedly stressed good governance, human rights and the tackling of justice and home affairs issues such as organised crime as European Neighbourhood Policy priorities.

EU foreign ministers endorsed the role of the policy in promoting human rights and good governance at the European Council in June 2007, "reaffirm[ing] the crucial importance of the European Neighbourhood Policy to consolidate a ring of prosperity, stability and security based on human rights, democracy and the rule of law in the EU's neighbourhood".

In December 2006, the European Commission published a communication on strengthening the policy, putting forward a range of proposals for furthering it. On human rights, individual freedoms and the rule of law, the European Commission remarked that stakeholders needed to promote and safeguard human rights not only through dedicated policies, but also through open-minded exchanges of views between governments, European institutions, advocacy groups and NGOs, as well as relevant international organisations. Commission support to the civil society dimension of the policy will thus increase in 2007-10. This will help capacity-building of civil society organisations engaged in democratisation and human rights, enabling them to engage with partner governments and to increase governments' capacity to open up participation to civil society.

One important recent development has been the establishment in 2007 of a new Governance Facility, designed to reward with extra funding those countries that have made most progress in good governance reforms in their action plans, and to encourage further reform. The Governance Facility is worth €320 million over 2007–13, and originated from the Barcelona Summit five-year work programme, which the UK chaired with Spain in November 2005. The first recipients in 2007 were Ukraine and Morocco, judged the best performers across the neighbourhood on the basis of the European Commission's annual progress reports against action plan implementation.

Ukraine was awarded its Governance Facility allocation for achievements which included elections in March 2006 that were assessed as largely free and fair; ratification of the Optional Protocol to the UN CAT and consequent amendment of its criminal code; progress on freedom of expression for the media; and training of judges and human rights experts. Ukraine has subsequently confirmed its democratic progress by holding parliamentary elections in September 2007 that were again assessed as being mostly in line with international standards.

Morocco's achievements included implementation of new legislation on political parties; a first meeting of the human rights, democratisation and governance sub-committee; the lifting of reservations against international conventions, in particular on racial discrimination, children's rights and torture; new legislation on torture; more emphasis on minority rights; and changes to legislation on freedom of association, leading to a more active civil society. Morocco also signed a co-operation agreement with the UNHCR covering all of the UNHCR's humanitarian work in Morocco. The UK welcomed these achievements, and will continue to work with the European Commission to improve the Governance Facility so that the incentive for reform is maximised.

Jordan also has put in a good performance on human rights reform. The European Neighbourhood Policy has provided a forum, within its Sub-committee on Human Rights and Fundamental Freedoms, to enable a dialogue to take place on sensitive issues such as the death penalty and women's rights. The UK, other EU member states and the European Commission provide financial and technical support in the field of human rights throughout Jordan. Over 20 NGOs have

received direct support from the EU. The European Commission has also financed a number of related human rights initiatives – for example through theatre and television. European Commission funding of regional projects has enabled Jordan itself to host human rights activities, e.g. training in human rights for Jordanian and Palestinian lawyers, capacity-building of local NGOs and training of public security staff. There is, we assess, still room to develop women's rights.

Tunisia's action plan, which became operational in 2006, now includes a sub-committee on human rights and democratisation, an EU initiative that the UK attended in 2007, but there remains much progress to be made, for example in the freedoms of expression and association. There is little co-operation at governmental level between the UK and Tunisia on human rights at the moment. However, our Embassy supports human rights groups by visiting, listening, issuing visas, holding lunches and highlighting cases at EU meetings. Our presence sends a message that we are interested and that we will raise points where we think it necessary.

Forward look

The European Neighbourhood Policy is still young and much work lies ahead in implementing action plan commitments and tackling common challenges. The UK will continue to engage actively on the policy, including using its bilateral contacts with all European Neighbourhood Policy partners to consolidate European Neighbourhood Policy priorities.

European Union Agency for Fundamental Rights

The European Union Agency for Fundamental Rights was established on 1 March 2007 as an extension of the mandate of the former European Monitoring Centre on Racism and Xenophobia (EUMC). From its base in Vienna, the agency continues the work of the former EUMC and provides EU institutions and member states, when they are implementing European Community law, with advice in relation to fundamental rights. It clearly contributes to the overall goal of embedding the principles of human rights mainstreaming across the EU, particularly its institutions. The EU must now ensure that the agency's activities do not overlap with the important work of other international human rights bodies, particularly the Council of Europe and the OSCE.

The European Union Agency for

Fundamental Rights has already produced two reports, relying mainly on data collected by the former EUMC:

- *Trends and developments 1997–2005: Combating ethnic and racial discrimination and promoting equality in the European Union*, 24 July 2007.
fra.europa.eu/fra/material/pub/Trends/Trends_en.pdf
- *Report on racism and xenophobia in the member states of the EU*, 28 August 2007.
fra.europa.eu/fra/material/pub/racism/report_racism_0807_en.pdf

You can find more information on the activities and structure of the agency by visiting www.fra.europa.eu/fra/index.php.

The agency's primary goals are to develop data on fundamental rights that is comparable across the EU, and to produce thematic reports on fundamental rights issues arising from the application of European Community law across the EU.

The UK supported the establishment of the agency on the grounds that it would continue the work of the EUMC in monitoring the phenomena of racism and xenophobia across the EU and that its activities would focus on European Community law and would be complementary to those of existing international human rights bodies, particularly the Council of Europe. We achieved all these goals by ensuring that the regulation establishing the agency was focused on European Community law and that the agency's overall mandate will always include monitoring racism and xenophobia, and by ensuring complementarity with the Council of Europe through the conclusion of an ad hoc co-operation agreement and the participation of a Council of Europe appointee in the agency's management board and executive board.

The management board, the key decision-making body of the agency, and the executive board, its executive arm, are in place. The next step is to complete the selection process leading to the appointment of the director and the scientific committee, the group of independent human rights experts who will guarantee the scientific quality of the agency's reports.

World Trade Organization negotiations

The UK firmly believes that the best way of improving market access for developing countries is through a strong, multilateral, rules-based trading system.

We have continued to work with our EU partners and other World Trade Organization (WTO) members to secure an ambitious, pro-development outcome to the current round of WTO negotiations – the Doha Development Agenda (DDA). Unfortunately, negotiations have progressed much more slowly than we would have liked. However, the DDA remains the UK's and the EU's top trade priority and we will continue to make the case for a successful outcome. The UK has called on the EU to show as much flexibility as possible in the DDA negotiations.

We will also work to ensure that – regardless of the outcome of the WTO negotiations – developed countries deliver on their pledges to increase substantially their trade-related assistance ("aid for trade"). The UK has pledged to increase its support to £100 million per year by 2010.

Economic partnership agreements

The EU is negotiating pro-development free trade agreements with the African, Caribbean and Pacific countries, and these will come into force at the beginning of 2008. These economic partnership agreements will bring the existing trade regime, under the Cotonou Agreement, into line with WTO rules. We will continue to work to ensure that economic partnership agreements remain development-focused.

Free trade agreements

The EU has recently started negotiations on new free trade agreements with India, South Korea and members of the Association of South-East Asian Nations (ASEAN). We will work to ensure that the free trade agreements complement our objectives on development and broader foreign policy, including on human rights. For example, the EU agreed that Burma (a member of ASEAN) would not benefit from the free trade agreements.

European Union Common Foreign and Security Policy

The UK believes that the EU's Common Foreign and Security Policy (CFSP) is one of the most effective tools for the promotion of human rights, fundamental freedoms, good democratic practices and the rule of law. The UK's aim is to work with other EU countries to achieve real improvements in those areas, using the mechanisms within the policy.

The following section sets out the main CFSP tools available to us and shows how these have been put to use. Other regional and country-specific EU human rights work is covered elsewhere in this report.

Common Foreign and Security Policy tools

EU member states can agree a common policy towards other countries at four levels:

- Ministers and officials of the 27 member states can agree policies and common action, and make declarations and statements on events in non-EU countries.
- Officials of member states can agree common EU positions on human rights in other international organisations, such as the UN – and achieve more as a bloc than they could individually.
- At various levels, the EU can agree guidelines for co-ordinated EU action on human rights issues of global or regional concern.
- Embassies of EU member states in third countries can identify human rights concerns and lobby their host governments on human rights issues.

Below are some practical examples of how the UK has, with EU partners, used the CFSP tools.

Responding to events in Burma

It was important for the UK to see a swift and strong response to the abuses taking place in Burma. We therefore pushed hard for EU action.

The EU helped generate a robust international response to the human rights abuses perpetrated by the Burmese authorities following the peaceful protests against increases in the price of basic goods in August/September 2007 (see Burma's entry in Part 5, Major countries of concern for more information).

With the UK playing a leading role, the EU tabled a resolution at the UN Human Rights Council strongly deploring the actions of the regime. This was passed unanimously on 2 October, and gave impetus for the unprecedented 11 October UN Security Council Presidential Statement on Burma along similar lines.

On 19 November, the EU adopted further economic sanctions against Burma, including measures affecting the timber, metals and gems sectors. The EU stands ready to strengthen its measures should there be no, or limited, progress towards a genuine reconciliation process. The EU also worked closely with others in the international community to put pressure on the Burmese regime to allow the first visit in four years of the UN's Special Rapporteur for Human Rights in Burma, Paulo Sérgio Pinheiro. Professor Pinheiro's report highlighted the gravity of the human rights situation in Burma and the subsequent Human Rights Council resolution, agreed unanimously on 14 December, mandated him to make a further visit to Burma to monitor the implementation of his recommendations.

Action to combat torture

The UK has worked with EU partners for many years to combat the use of torture in third countries. The EU's guidelines on combating torture, adopted in 2001, provide for the monitoring of instances of torture worldwide, and set out a framework for influencing third countries to take effective measures against torture and ill treatment. The UK is active in pushing the EU to take quick, targeted action when instances of torture or ill treatment are identified. Through the EU, the UK's efforts are more effective than would be the case were we to act alone.

During the period of this report, the UK joined EU representatives in various countries to urge a number of governments, through political discussions or EU statements, to take effective general measures against torture. We have raised well-documented individual cases where appropriate.

EU representatives attended trials where there was reason to believe the defendants had been subjected to torture or ill treatment, thereby ensuring that allegations of serious human rights abuses do not go unnoticed.

The EU has continued to implement a systematic round of démarches (diplomatic representations)

on the issue of torture to non-EU countries around the world. This task is now complete and a review is under way to assess how the implementation of the torture guidelines can improve.

Human rights dialogue with China

The UK continues to provide support to the EU's human rights dialogues with China. The UK is one of a small number of countries that have a bilateral human rights dialogue with China. In order to ensure a co-ordinated approach, we regularly share information learned from our dialogue with the EU Troika (the European Commission, the member state currently holding the EU presidency and the incoming EU presidency, which conduct the dialogue on behalf of the EU). Our support, along with that of other EU states, helps the EU Troika make full use of its engagement with China on human rights.

We have worked with incoming EU presidents to improve the quality of the dialogue, sharing with them our experiences in raising priority issues of concern with the Chinese government. We have also provided UK experts for the EU-China legal seminar, which takes place just prior to the dialogue. These seminars are important as they enable civil society to have a genuine input into the dialogue. During the period of this report, China refused to participate in one seminar, which was to take place in Berlin in May 2007, stating a firm objection to the presence of two NGOs. The October 2007 round of the seminar was also postponed due to ongoing negotiations between the EU and China on NGO participation. We continue to be a strong advocate of NGO participation in the EU dialogue process.

We will continue to encourage the EU in its relationship with the Chinese government, and will co-operate on the human rights dialogue to push for substantive human rights improvements in China. (For more information on China, see page 134.)

Forward look

The UK's aim continues to be to use CFSP mechanisms to reduce the number and severity of human rights abuses worldwide. In order to achieve this, the EU needs to be decisive, timely and united in responding to problems that arise. It also needs to be considered, methodical and consistent in recognising and preventing future problems.

The EU could achieve more. The UK will continue to push for all member states to work together in support of the presidency and the European

Commission to improve the impact of the EU in the field of human rights. The provisions in the EU Reform Treaty (initialled on 15 October 2007 and signed on 13 December 2007) that improve coherence between different EU instruments should help achieve a more responsive, co-ordinated and proactive approach by the EU to human rights issues around the world.

The Commonwealth

The Commonwealth is a voluntary association of 53 states, which prides itself on its diversity and its commitment to democracy, human rights and development.

The first articulation of the core beliefs of Commonwealth members was made in 1971, and highlighted equal rights for all citizens and their inalienable right to frame the society in which they live through free and democratic political processes. These beliefs, which were reaffirmed and clarified in the 1991 Harare Declaration, included a commitment to respect for fundamental human rights.

Through its Human Rights Unit, the Commonwealth secretariat works to help members fulfil their international human rights commitments. It assists countries in the adoption and implementation of major human rights instruments through capacity-building and the sharing of technical expertise. The Commonwealth is particularly well-placed to provide capacity-building in international human rights law because many Commonwealth countries share a common legal system.

The Human Rights Unit also provides advice, training and other forms of technical assistance to governments to strengthen their national human rights institutions. It works to build capacity within relevant ministries, agencies and departments in mainstreaming human rights, and identifying and responding to human rights issues. The UK has been a member of a Commonwealth Expert Group which has developed a guide for member states on how to set up an effective national human rights institution. Following the Commonwealth Forum of National Human Rights Institutions (in the margins of the Kampala Commonwealth Heads of Government Meeting (CHOGM)), its recommendations were:

- to call upon Commonwealth heads of government to strengthen national human rights

institutions through increased funding, timely implementation of their recommendations and establishment of mechanisms of engagement;

- to call upon Commonwealth heads of government to provide adequate support, including funding for the Human Rights Unit of the Commonwealth secretariat; and
- to call upon Commonwealth heads of government to grant full recognition and participation of the forum in CHOGM processes and related activities.

In the lead-up to the CHOGM in Kampala, the UK played a lead role in advocating political commitment on a number of human rights issues. With fellow member governments we succeeded in securing the following language in the final communiqué.

Heads of government:

- reaffirmed that the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity is a fundamental Commonwealth value;
- urged member states to put in place a framework to prevent human trafficking, protect and support victims of human trafficking and prosecute human traffickers;
- highlighted the need to protect the rights of victims of terrorism while emphasising that any measures taken to counter terrorism must comply with their obligations under international law, in particular international human rights law, refugee law and humanitarian law. Heads of government reaffirmed that the promotion and protection of human rights for all and the rule of law should be an integral part of the approach to countering terrorism;
- expressed appreciation for the Commonwealth secretariat's work in advancing human rights in the Commonwealth. In this context, heads of government confirmed their commitment to support further the various initiatives undertaken by the secretariat in raising awareness and respect for human rights in member countries and assisting them to meet their human rights obligations. They recognised the facilitating role that the secretariat could play in strengthening dialogue on and raising awareness of human rights in member countries, and through the UN Human Rights Council;
- noted that 2008 will mark the 60th anniversary of the adoption of the Universal Declaration of Human Rights. They reaffirmed their commitment to promote respect for and protection of fundamental human rights and freedoms in the Commonwealth without distinction of any kind. They urged all countries to consider acceding to all the major international human rights instruments, especially the twin 1966 Covenants (the International Covenant on Civil and Political Rights and the ICESCR) which, along with the Universal Declaration of Human Rights, form the International Bill of Human Rights. They also called for the implementation of the Convention on the Elimination of All Forms of Discrimination against Women;
- welcomed the adoption by the UN General Assembly on 13 December 2006 of the UN Convention on the Rights of Persons with Disabilities and encouraged all Commonwealth countries to consider ratifying and implementing the convention without undue delay;
- agreed that the Commonwealth should increase its efforts to promote respect for human rights through public awareness and training for the police, the judiciary, prison officers and security forces across the Commonwealth;
- reaffirmed that gender equality and women's empowerment, including greater progress in their economic empowerment, are fundamental for the advancement of human rights and the achievement of Millennium Development Goals, development, democracy and peace. Heads of government welcomed the priority given by women's affairs ministers, at their eighth meeting in Kampala in June 2007, to financing gender equality, and endorsed their call for implementation of international, regional and national commitments to achieve gender equality and women's empowerment. Heads of government also endorsed their call for the effective monitoring and tracking of resources for gender equality and women's empowerment through gender-responsive budgeting and other gender analysis tools, and through strengthening aid effectiveness to improve accountability and the impact on gender equality. They also supported the call made by finance ministers in Guyana in October 2007 to specifically incorporate a focus on gender equality in the aid effectiveness agenda during the Third High Level Forum on Aid Effectiveness in September 2008; and

- stressed the need to allocate adequate resources to: strengthen national women's machineries and public sector and civil society organisations; increase access for women to markets, property rights, credit and productive resources; and improve women's participation, leadership and representation in decision-making at all levels including in peace, conflict resolution and post-conflict reconstruction processes. Heads of government condemned the continuing high levels of violations of the rights of women and girls in conflict and post-conflict situations. In this context, they also called for the full and consistent implementation by all states of UN Security Council Resolution 1325 (2000) on women, peace and security. They welcomed the agreement at the Eighth Women's Affairs Ministers Meeting to establish a Commonwealth Working Group on Gender, Peace and Security. In particular, heads of government requested the secretariat to continue assisting member countries to implement the Commonwealth Plan of Action for Gender Equality 2005–15.

A key feature of discussion at the CHOGM was the 2007 report of the Commonwealth Commission on Respect and Understanding, led by Nobel Laureate Professor Amartya Sen. The report highlights the importance of human rights in providing an environment conducive to tolerance, respect and friendship among people of different races, faiths and cultures. In particular, it considers universal basic education, women's political participation, and a free and unrestrained media as vital to encouraging the exchange of ideas and the cultivation of respect. The following points feature in the Commonwealth heads of government statement on respect and understanding, which was issued at the meeting:

- The Commonwealth is a body well-placed to affirm the fundamental truth that diversity is one of humanity's greatest strengths. Heads of government recognised their special responsibility, as leaders, to seek the most effective means to address intolerance, fanaticism, violence and terrorism.
- Accepting diversity, respecting the dignity of all human beings, and understanding the richness of our multiple identities have always been fundamental to the Commonwealth's principles and approach, and will also contribute to resisting the cultivation of a culture of violence.
- Heads of government directed that future Commonwealth action to promote respect and

understanding should build on and extend existing Commonwealth programmes, at both national and international levels. In this context, they identified activities in relation to young people, women, education and the media as the priority fields of action. These programmes should also engage partners from civil society and other sectors.

The Commonwealth monitors adherence to the Harare Principles through the Commonwealth Ministerial Action Group (CMAG), which discusses countries that seriously or persistently violate these principles. The UK is currently a member. The CMAG meeting on 22 November in Kampala (in the margins of the CHOGM) maintained Fiji's suspension from the Councils of the Commonwealth, following the military takeover of Fiji's democratically elected government on 8 December 2006. It reiterated CMAG's call for the restoration of constitutional rule and democratic government as soon as possible and not later than the March 2009 deadline which the military government has committed itself to.

Following the government of Pakistan's failure to implement a series of measures requested by CMAG in response to the imposition of a state of emergency and the abrogation of the constitution by President Musharraf, CMAG suspended Pakistan from the Councils of the Commonwealth. CMAG acknowledged President Musharraf's announced intention to separate the roles of head of state and chief of army staff in the future and called on him to do so as soon as possible. While welcoming the announcement of the elections on 8 January 2008, they stressed the need for the government to move rapidly to create the conditions that would allow the elections to be free, fair and credible. They endorsed the decision by CMAG to review progress following the conduct of the elections in early 2008 and called on the government of Pakistan to respond positively to the Commonwealth's desire to remain engaged and support the return of democratic government and the rule of law in Pakistan.

The Commonwealth plays a key role in promoting respect for democracy and political rights through its election monitoring programmes. Following the monitoring of an election, Commonwealth observer groups report to the Commonwealth secretary-general on whether the conditions in the country existed for a free expression of will by the electors and if the results of the election reflected the wishes of the people.

The Commonwealth's network of civil society organisations contributes to the promotion of respect for human rights within the Commonwealth community. In particular, the Commonwealth Foundation's 2006–08 work programme has included projects encouraging greater participation of women and youth in local and national governance processes, and facilitating national and regional capacity-building initiatives for civil society organisations working in Commonwealth countries. Similarly, the Commonwealth Human Rights Initiative is an NGO that works to ensure the practical realisation of human rights in Commonwealth countries.

The African Union

In 2007, the EU and the African Union agreed to establish an official-level human rights dialogue. The first meeting of experts took place in September 2007 and agreed the parameters of their twice yearly event. Future rounds of dialogue will involve representatives of the African Union's human rights organs and will be flanked by meetings of EU and African civil society organisations. The EU–Africa Summit in December 2007 agreed new EU support to develop the African Union's human rights organs.

The African Court

The African Union is planning to create a single court to hear cases on both human rights and African Union treaty matters, likely to be known as the African Court of Justice and Human Rights, to be located in Arusha, Tanzania. The court's first session is due in early/mid-2008.

However, some key issues still need to be resolved, including the court's relationship with the African Commission on Human and People's Rights (see below). Some African governments are opposed to the court hearing cases against them from non-state actors without their prior approval.

We believe the court has a potentially crucial future role to play as the final arbiter in human rights cases against African states. We hope it will become fully functioning soon. We will continue to encourage the full commitment of the African Union and its members.

The African Commission on Human and People's Rights

The African Commission on Human and People's Rights, in existence since 1987, continues to sit twice yearly, with strong NGO involvement. The commission's potentially key role is limited by resources and a defensive approach to its work from some African Union member states. The commission is active on several issues relating to Zimbabwe. At its session in May 2007 it followed up its critical 2006 report on Zimbabwe. The Zimbabwean minister of justice appeared before the commission to present his government's delayed response. In November 2007, it issued an order to the government of Zimbabwe to return seized equipment to the *Daily News* newspaper. The commission has also agreed to consider the case of human rights activist Gabriel Shumba at its May 2008 session.

The Pan-African Parliament

There was welcome high-level encouragement at its May 2007 session to the Pan-African Parliament to develop a human rights role for the African Union Commission Chair Alpha Oumar Konare and Ghanaian President and African Union Chair John Kufuor. The session agreed to send a fact-finding mission to Zimbabwe, although there are no early prospects of this taking place.

The African Charter on Democracy, Elections and Governance

We strongly welcome the charter which was adopted by the African Union in January 2007, and encourage African Union member states to ratify it as soon as possible so that it can come into force. Implementation of the charter will be a priority area for EU support as part of the EU–Africa joint strategy.

Council of Europe

The Council of Europe is Europe's oldest international organisation. Its core objectives are promoting and preserving human rights, democracy and the rule of law. The UK considers these objectives to be the priorities for the Council of Europe, and they were reaffirmed at its third summit, held in Warsaw in May 2005. The Council of Europe's Secretary-General, Terry Davis, is a former British member of parliament and chair of

KEY FIGURES

- 47 member states
- 5 observer states
- 202 conventions
- 10 partial agreements
- £30 million – UK's annual contribution

the UK delegation to the Parliamentary Assembly of the Council of Europe.

The Council of Europe is a treaty-based organisation with over 200 conventions covering a wide range of issues. The most recognised of these is the European Convention on Human Rights and Fundamental Freedoms. The Convention is the foundation of European human rights protection. All Council of Europe member states must sign and ratify it. The Convention allows individuals from any member state to bring proceedings against their own governments. The ECHR enforces the Convention. We are strong supporters of the Convention and the court. However, the accession of new member states and an increased awareness of the Convention in established member states have increased the ECHR's workload. It now has a backlog of over 100,000 cases. Reforming the ECHR to tackle this backlog is a priority for us.

In 2004, member states negotiated Protocol 14, designed to amend the Convention to help streamline and improve the court's working methods, as well as introducing reforms. The UK ratified Protocol 14 in January 2006. The protocol cannot come into force until all member states have ratified it. Russia is the only member state that is yet to ratify.

In addition to Protocol 14, the council set up a wise persons' group to consider the long-term effectiveness of the court and Convention. The UK nominated Lord Woolf, former Lord Chief Justice of England and Wales, to the group. The wise persons' group presented its report in December 2006. The report's recommendations are under discussion in Strasbourg.

On 23 March 2007, we signed the European Convention on Action against Trafficking in Human Beings. We hope to ratify the convention in due course.

The Council of Europe is made up of many institutions that play an important role in protecting human rights. The parliamentary assembly comprises parliamentarians from all member states. It reports on a wide range of issues and makes recommendations to member states' governments. The Council of Europe's human rights commissioner was first appointed in 1999. Their mandate is to promote respect for human rights

and ensure that everyone living in a member state enjoys full access to human rights. The commissioner visits member states and makes recommendations to improve the human rights situation. We strongly support the commissioner's work and fund a member of their staff.

The Warsaw Summit also called for enhanced co-operation between the Council of Europe and the EU. In May 2007, the council and EU signed a memorandum of understanding to build on co-operation and strengthen political dialogue. The memorandum recognises the council as Europe's human rights benchmark. We played an active role on the memorandum within the EU to ensure that the text allowed both organisations sufficient flexibility to work together.

PROTOCOL 14 REFORMS

- One judge, rather than three, can reject clearly inadmissible cases.
- Repetitive cases against a state are heard by three judges instead of seven.
- A member state that refuses to comply with a judgment against it can be referred to the court.
- Cases are dismissed if the complainant is considered not to have suffered "significant disadvantage", provided there are no general human rights issues.
- Judges will serve one nine-year term, instead of six years with the possibility of re-nomination.

Overseas Territories and human rights of British nationals abroad

The Overseas Territories

Central to the delivery of the UK's objectives on the Overseas Territories is to make sure that the Territories abide by the same basic standards of human rights as those British people expect of their government.

The 1999 White Paper on the Overseas Territories reaffirmed the establishment and maintenance of high standards of observance of human rights as a key objective for the UK and the Territories.

One of the UK's priorities is to encourage all the populated Territories to agree to the extension of the European Convention on Human Rights and the six core UN human rights conventions and to ensure that each Territory meets its obligations under the conventions extended to them. The six core UN conventions are:

- the International Covenant on Civil and Political Rights (ICCPR);
- the International Covenant on Economic, Social and Cultural Rights (ICESCR);
- the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT);
- the Convention on the Rights of the Child (CRC);
- the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); and
- the Convention on the Elimination of All Forms of Racial Discrimination (CERD).

Most have already been extended to the majority of the Territories. However, the ICCPR and the ICESCR have not been extended to Anguilla. While the government of Anguilla has agreed in principle that the ICCPR and the ICESCR should be extended to Anguilla, progress towards implementation has been very slow. We hope that Anguilla will be in a position to enable extension to take place shortly. Once completed, five of the six conventions will extend to all Territories. The extension of CEDAW to all Territories is still outstanding and progress has been slow, due largely to a lack of enabling legislation in the Territories and the time it takes Territories to amend or introduce new laws to enable compliance with obligations under the convention. So far, CEDAW has been extended to the British Virgin Islands, the Falkland Islands and the Turks and Caicos Islands. The Cayman Islands government is working on the necessary legislative provisions, and the governments of Bermuda and Gibraltar have agreed to draft the necessary legislation. We will continue to encourage those Territories where the convention does not apply to work towards being in a position to accept extension of CEDAW and the other UN human rights conventions that do not yet apply to them.

The FCO Minister for the Overseas Territories, Meg Munn, chaired the ninth Overseas Territories Consultative Council meeting in London on 4-5 December 2007. Elected leaders of each of the Overseas Territories' governments (except Gibraltar) attended. Human rights featured prominently on the agenda. The UK and the Overseas Territories represented at the council agreed target dates of June 2008 for the extension of International Labour Organisation (ILO) Convention No. 182 on the Worst Forms of Child Labour, and December 2008 for the extension of CEDAW to all the Overseas Territories.

With the agreement of the governments of the Overseas Territories, the right of individual petition under the European Convention on Human Rights was accepted or acceptance renewed by all Territories to which the Convention applies, except the British Virgin Islands, in early 2006. The FCO and the governor's office continue to encourage the British Virgin Islands government to accept the right of individual petition under the Convention, particularly now that the new British Virgin Island constitution contains a fundamental rights chapter. The government of Pitcairn has expressed a wish for the Convention to be extended to Pitcairn and a study is now taking this forward.

In order to address the lack of enabling legislation, which continues to hinder progress on improving good governance and human rights standards in a number of Territories, the FCO funded the family law and domestic violence legislative programme in Anguilla, the British Virgin Islands, Montserrat and the Turks and Caicos Islands. Six model legislative bills were drafted and presented to the attorneys general of those Territories for their consideration. These covered family courts, childcare and protection, the status of children, juvenile justice, domestic violence and adoption. The six bills are due to be presented to the Anguilla Executive Council and the Turks and Caicos Islands Cabinet in the next few months.

We continue to press for the inclusion of a fundamental human rights chapter when considering constitutional review. The Virgin Islands Constitution 2007 (SI 2007/1678), which came into force on 15 June 2007, has a comprehensive chapter on the fundamental rights and freedoms of the individual. In addition, the attorney general of the British Virgin Islands is drafting a paper that will be put before the Cabinet, requesting authority to prepare the draft legal framework to establish a human rights commission. Where a constitution already has a fundamental rights chapter, the opportunity is taken during the constitutional negotiations to update the chapter, such as in the Turks and Caicos Islands Constitution (SI 2006/1913).

The FCO's Overseas Territories Programme Fund supports the White Paper commitments on human rights. For example, during 2006, it funded the Cayman Islands human rights public awareness

campaign to promote human rights within the Territory. The campaign sought to raise greater awareness of the human rights work of the Cayman Islands Human Rights Committee, encouraging the public to become actively involved in promoting and protecting their rights. The committee is a non-governmental body of representatives from both the private and public sectors. While the committee's findings and reports into complaints of human rights violations are not legally enforceable, their recommendations for legislative and administrative reform play a critical role in the preservation of human rights in the Territory. The committee has set up a working group to examine a number of human rights issues, and the compatibility of a bill of rights (fundamental rights chapter), proposed for inclusion in any new constitution that may emerge out of the ongoing constitutional review, with the rights contained in the Convention. Separately, the FCO has jointly funded with the Cayman Islands government a review of the children's law and associated regulations. These were submitted to the Law Reform Commission for their input in September 2007. The amended legislation, which is designed to enhance the care and welfare of children in the Cayman Islands – in line with the UN CRC – is slated to go before the legislative assembly towards the end of January 2008. A complementary project to review the adoption law will begin shortly.

The Turks and Caicos Islands government has set up a human rights commission and governing legislation passed through the House of Assembly. In April 2007, the FCO funded the visit to the UK by the Chair of the Human Rights Commission, Doreen Quelch Missick. Mrs Missick held talks with the FCO, the Department for International Development (DfID), the Commonwealth Foundation and the UK Equality and Human Rights Commission. These covered the establishment of the Turks and Caicos Islands Human Rights Commission, Turks and Caicos Islands UN human rights conventions reporting responsibilities, and a programme to strengthen human rights in civil society. This was with a view to assisting the Turks and Caicos Islands in all of those areas by offering practical advice.

In addition, the FCO is working closely with DfID on the implementation of their four-year programme across the Territories, which will complement

existing projects already undertaken in the Territories and build capacity for human rights. The programme has three key objectives:

- to increase the commitment by the governments of the Overseas Territories and partners to an improved human rights agenda;
- to increase the awareness and capacity of governments and civil society to address human rights issues in the long term; and
- to strengthen human rights reporting and to monitor arrangements in accordance with relevant international treaties.

Overseas Territories: human rights instruments ratification and extension

	UK	Ang	Ber	BVI	Cay	Gib	Fal	Mon	StH	Pit	TCI
European Convention on Human Rights*	•	•	•	•	•	•	•	•	•		•
European Convention on Human Rights Protocol No. 1 Possessions/Education/Elections	•		•	•	•	•		•	•		•

	UK	Ang	Ber	BVI	Cay	Gib	Fal	Mon	StH	Pit	TCI
International Covenant on Civil and Political Rights (ICCPR)	•		•	•	•	•	•	•	•	•	•
International Covenant on Economic, Social and Cultural Rights (ICESCR)	•		•	•	•	•	•	•	•	•	•
Convention against Torture (CAT)	•	•	•	•	•	•	•	•	•	•	•
Convention on the Rights of the Child (CRC)	•	•	•	•	•		•	•	•	•	•
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	•			•			•				•
Convention on the Elimination of All Forms of Racial Discrimination (CERD)	•	•	•	•	•	•	•	•	•	•	•

	UK	Ang	Ber	BVI	Cay	Gib	Fal	Mon	StH	Pit	TCI
Supplementary Convention on the Abolition of Slavery	•	•	•	•	•	•	•	•	•		•
Convention on Consent to Marriage, Minimum Age and Registration	•	•	•	•	•	•	•	•	•	•	•
Convention on Political Rights of Women	•	•	•	•	•	•	•	•	•	•	•
Convention on the Prevention and Punishment of the Crime of Genocide	•		•	•		•	•		•	•	•
Convention on Reduction of Statelessness	•	•	•	•	•	•	•	•	•		•
Convention on Status of Stateless Persons	•	•	•	•	•		•	•	•		•

	UK	Ang	Ber	BVI	Cay	Gib	Fal	Mon	StH	Pit	TCI
Geneva Conventions I, II, III, IV (1949)	•	•	•	•	•	•	•	•	•		•

	UK	Ang	Ber	BVI	Cay	Gib	Fal	Mon	StH	Pit	TCI
ILO Convention No. 29 Forced Labour	•	•	•	•	•	•	•	•	•		•
ILO Convention No. 87 Freedom of Association and Right to Organise	•	•	•	•	•	•	•	•	•		•
ILO Convention No. 98 Right to Organise and Collective Bargaining	•	•	•	•	•	•	•	•	•		•
ILO Convention No. 100 Equal Remuneration	•					•					
ILO Convention No. 105 Abolition of Forced Labour	•	•	•	•	•	•	•	•	•		•
ILO Convention No. 111 Discrimination (Employment and Occupation)	•										
ILO Convention No. 138 Minimum Age	•										
ILO Convention No.182 Worst Forms of Child Labour	•										

	UK	Ang	Ber	BVI	Cay	Gib	Fal	Mon	StH	Pit	TCI
UNESCO Convention against Discrimination in Education	•	•		•	•	•	•	•	•		•

	UK	Ang	Ber	BVI	Cay	Gib	Fal	Mon	StH	Pit	TCI
European Convention for the Prevention of Torture or Degrading Treatment	•					•					
European Convention for the Prevention of Torture Protocol No. 1	•					•					
European Convention for the Prevention of Torture Protocol No. 2	•					•					

Key: Ang – Anguilla Ber – Bermuda BVI – British Virgin Islands Cay – Cayman Islands Gib – Gibraltar Fal – Falkland Islands Mon – Montserrat StH – St Helena and Dependencies Pit – Pitcairn Islands TCI – Turks and Caicos Islands

* The right of individual petition under the European Convention on Human Rights was accepted on a permanent basis for the following Territories from 14 January 2006: Falkland Islands, Gibraltar, South Georgia and the South Sandwich Islands. It was renewed for a period of five years from 14 January 2006 for: Anguilla, Bermuda, Montserrat, St Helena and St Helena Dependencies. It was accepted for a period of five years from 14 January 2006 for the Turks and Caicos Islands, and on a permanent basis for the Cayman Islands from 21 February 2006.

Support for British citizens and nationals abroad

Introduction

Human rights lie at the very heart of consular work. Our consular staff around the world work to protect the human rights of British nationals abroad. Victims of forced marriages, prisoners facing execution, and children illegally taken abroad by a parent are just some of the British nationals we try to help. Consular assistance can take many forms. We offer information about lawyers and foreign legal systems and facilitate the rescue of forced marriage victims, as well as supporting pleas of clemency for prisoners facing the death penalty.

Child abduction

The FCO's Child Abduction Section, established in 2003, handled some 265 cases in the financial year 2006/07. It assists parents whose child has been abducted or retained by the other parent in a country that has not signed the Hague Convention. These "non-Hague" cases are much harder to resolve for everyone, as parents must usually start legal proceedings in the overseas courts to obtain custody of their children. Non-Muslim parents face particular difficulties in countries with Sharia law where they may have fewer rights to custody and access.

We continue to work to promote better international co-operation on parental child abduction. In November 2006, officials from the Child Abduction Section attended the Hague Convention Special Commission, which reviewed implementation of the convention and other issues surrounding child abduction. The convention, which over 70 countries have signed, aims to return children to the country where they lived before their abduction.

We are also encouraging more countries to sign the Hague Convention. We arranged a visit to India by UK high court judges in November 2006 and welcomed India's subsequent announcement of its intention to sign the Hague Convention. We sponsored two senior Indian judges to visit the UK in October 2007 to share our experience of

dealing with Hague cases and hope that this will help India prepare for signature of the convention in the near future.

More British children are abducted to Pakistan than to any other country. We are working with the *reunite* International Child Abduction Centre to organise a major conference which we hope to hold in Islamabad in 2008. This will provide a forum for judges, lawyers, police and non-governmental organisations (NGOs) from the UK and Pakistan to share expertise and consider best practice in dealing with child abduction cases.

Forced marriage

A forced marriage is conducted without the valid consent of both parties and where duress, either physical or emotional, is a factor. This is not the same as an arranged marriage when families take a leading role in choosing the marriage partner, but both parties enter freely into the marriage.

The joint Home Office/FCO Forced Marriage Unit was established in 2005 as the UK's "one-stop shop" for developing government policy on forced marriage, co-ordinating outreach projects and providing support and information to those at risk. This was in recognition of the need to co-ordinate action against the UK and overseas nature of forced marriage. In 2007, the unit launched around 200 successful rescue operations across the globe. It was also involved in the passage of the Forced Marriage (Civil Protection) Act in July 2007. The main thrust of the act was to provide measures to courts to prevent forced marriages from occurring. In order to share our experiences and develop best practice, we brought together consular staff from 11 posts for a conference on forced marriage and child abduction in Dubai in April 2007. Staff exchanged ideas on how to engage with local NGOs that offer support to victims of domestic violence, such as refugees.

We have also taken steps to share best practice with our European partners. We hosted the Active against Forced Marriage conference in October 2007. The conference aimed to increase understanding of the motivating forces behind forced marriage and identify some of the barriers to tackling the problem.

Working in partnership is crucial to tackling forced marriage. The unit worked closely with

Karma Nirvana, a Derby-based NGO, to set up the Survivors Network. The network provides informal advice and support to those who have escaped a forced marriage. We also developed a handbook for survivors of forced marriage. The handbook offers practical advice and solutions to some of the challenges facing those who have escaped a forced marriage. It has also proved very useful to consular staff overseas who, after rescuing an individual, help prepare them for the realities of life back in the UK.

The unit has an extensive outreach programme, speaking at some 75 events in the past year, targeting affected communities in an attempt to tackle the problem, and working with professionals to raise awareness of both the unit and the issue. The unit published guidelines for health professionals in 2007 and distributed a copy to every GP's surgery and school nurse in the country. The unit is doing all that it can to tackle the causes of forced marriage, but a large part of its work is, inevitably, assisting those in crisis, such as in the case of Nazia.

NAZIA'S STORY

Earlier this year, the Forced Marriage Unit received a call from West Yorkshire Police. They had been contacted by Chris, who was worried about his 23-year-old girlfriend, Nazia. Nazia had recently been diagnosed with schizophrenia. Fearing the shame of their daughter's relationship with Chris, Nazia's parents tricked her into travelling to Pakistan. Once there, Nazia discovered that her family had arranged her marriage. Her husband-to-be repeatedly raped her. With no access to medicine for her schizophrenia, her condition deteriorated.

The unit worked with the British High Commission in Islamabad to locate Nazia and rescue her. After medical and psychiatric attention at a women's refuge in Islamabad, Nazia flew back to the UK. The unit secured Nazia a place in a women's refuge, referred her to a mental health specialist and worked with the housing department in her local area to provide long-term accommodation. Nazia now has a full-time job and plans to marry Chris. She has had no contact with her family since she left Pakistan.

British prisoners

As at the end of December 2007, we were aware of 2,419 British nationals detained overseas. Many are held in conditions that potentially breach their human rights. British consular staff provide assistance in these difficult circumstances, and regularly raise issues of health, welfare and human rights with foreign authorities. We are committed to being non-judgemental and non-discriminatory, treating all detainees the same regardless of the charges or circumstances. We also connect them with other organisations that can provide assistance. Most notably, we enjoy a long-standing partnership with Prisoners Abroad, a charity providing practical and emotional support as well as resettlement assistance.

We work with the National Offender Management Service at the Ministry of Justice to allow British nationals to serve their sentences in the UK. We signed three new prisoner transfer agreements with Jamaica, Lesotho and Pakistan in 2007, and began negotiations with Vietnam and Libya. We already have agreements in place with over 90 countries, having recently ratified an agreement with Nicaragua. Prisoner transfers allow eligible prisoners to serve their sentences closer to friends and family, promoting their rehabilitation and transition into normal life after release. In 2007, 71 prisoners were repatriated to the UK from 15 countries.

Mistreatment, fair trials and the death penalty

Ensuring the welfare of detained British nationals remains a priority in consular work. This includes offering support, basic information about the local legal and prison system, and lists of local English-speaking lawyers. We can make representations where the treatment of individuals falls below international minimum standards. Any allegation of abuse is treated very seriously. Where we have permission from the individual concerned, we can approach the relevant authorities and ask them to urgently investigate the allegations.

Concerns about the right to a fair trial continue to be raised by a number of British nationals around the world. These often focus on long trial delays, lack of legal representation, and inadequate access to translation or interpretation. Again, consular officials can raise these concerns where

international minimum standards do not appear to have been met by host countries. We can also refer cases to the FCO pro bono lawyers' panel, which in turn can assist local lawyers.

The UK's stance on the death penalty remains clear – we oppose it in all circumstances and work to achieve its global abolition. More on our broader death penalty policy can be found in Part 4 of this report. As of December 2007, we know of 10 British nationals on death row: one in Vietnam, four in Thailand, two in Pakistan, two in the US and one in Malaysia. There are a further eight who face

MIRZA TAHIR HUSSAIN'S STORY

Mirza Tahir Hussain was born in Rawalpindi, Pakistan but spent many years living in Leeds. He was arrested in December 1988, aged 18, while on holiday in Pakistan after an incident in Chakwal in which a taxi driver was shot dead. He was convicted of murder and firearms offences and sentenced to death on 30 September 1989 by the session court in Islamabad. At one stage the death sentence was lifted by the civil appeals court, but it was reinstated by the (religious) Sharia court. President Musharraf turned down Mr Hussain's clemency plea in March 2006 and an execution date was set. This date, and several subsequent ones, was stayed to allow negotiations with the family of the victim to continue. Consular staff in Islamabad supported Mr Hussain with weekly visits and staff in London kept in close contact with his family in the UK. Ministers, including the prime minister and foreign secretary, made representations to the Pakistani authorities against Mr Hussain's execution. FCO staff worked with NGOs such as Amnesty International, Reprieve, Fair Trials Abroad and the Islamic Human Rights Commission as well as parliamentarians and the EU to prevent Mr Hussain's execution. On 16 November 2006, the Pakistani authorities announced that President Musharraf had decided to commute Mr Hussain's death sentence to life, on humanitarian grounds, having determined that this was legally possible. Because Mr Hussain had served 17 years in prison, he was deemed to have served a life sentence and was eligible for release. Mr Hussain returned to the UK on 17 November 2006.



Mirza Tahir Hussain (L) with his brother Amjad after he arrives at Heathrow airport on 17 November 2006, following his release after 18 years in jail in Pakistan. 36-year-old Mr Hussain from Leeds was convicted of murder in 1989 and sentenced to hanging by an Islamic Sharia court. The sentence was commuted to a life term by Pakistan's President Pervez Musharraf following pleas for clemency by the British government.

charges that carry the death penalty. Whenever a British national is charged with an offence that potentially carries the death penalty, we will consider offering their local lawyer the services of a pro bono lawyer from our panel. While we do not take a view on guilt or innocence, we can make representations on behalf of the British national at whatever stage and level is judged to be appropriate from the moment the death penalty becomes a possibility.

In the last year we have followed two high-profile cases of British nationals sentenced to death – Kenny Richey and Mirza Tahir Hussain. In Mr Richey's case we submitted an *amicus curiae* brief to the US Sixth Circuit Court of Appeals considering his appeal. His conviction has since been quashed and at the end of 2007 agreement had been reached between his lawyers and the US courts which should lead to his release from jail. Mr Hussain's sentence to death was commuted. He was released from prison in Pakistan in November 2006.

Key human rights themes (equality, democracy, rule of law)

Introduction

At the launch of the 2006 edition, the then Foreign Secretary, Margaret Beckett, said "... promoting and defending human rights is first and foremost a moral duty. We do it because it is right and because we recognise the responsibility of our shared humanity. We want for others the rights and freedoms we demand for ourselves. This moral imperative is sufficient in itself."

Work on human rights supports the achievement of our broader objectives, as has been illustrated in Part 2 of this report.

The FCO has identified equality, democracy and the rule of law as three key components of our international efforts to promote and protect human rights.

A just and prosperous world can only exist where individuals have the possibility to enjoy human dignity, which is the main purpose of human development. To achieve this, people must be able to enjoy economic, social and cultural rights. The denial of such rights severely limits human potential. In its extreme form, this can also deny identity itself. The worst example is slavery, where the individual becomes property and loses all rights as a human being.

The objective of the international human rights architecture is to ensure to all individuals the minimum respect necessary to enjoy a fulfilling life. Crucial to this is treating people equally, without discrimination. We are all different, physically, intellectually, socially and economically. But these differences cannot disqualify anyone from the enjoyment of human rights.

Human diversity is an astonishing source of wealth, and failure to recognise this impoverishes us all. Marginalising people diminishes their capacity to participate in society, particularly in the economy, and can add to social instability. Therefore we work to combat discrimination against those who have suffered historically, and continue to suffer, for their different status – whether because of race, membership of a minority, disability, religion, gender, age or sexual orientation.

Democracy is the only form of government that enables individuals to enjoy human rights fully. Democratic states are more likely to resolve conflicts peacefully, whether internal or external, and to value effective international institutions. By providing a mechanism for peaceful change, they are less likely to give rise to extremism and terrorism. Essential elements of democracy include political parties and electoral systems, which the Westminster Foundation for Democracy nurtures.

Other key players are civil society and human rights defenders who hold governments to account. Freedom of expression is the oxygen of democracy, as well as being important to ensuring respect for the rule of law and for good governance.



A supporter of presidential candidate Raila Odinga holds a sign that reads "No Raila no peace in Kenya" during disturbances after Mwai Kibaki was declared the winner in the presidential race in December 2007.

Criminal justice is an essential mechanism for regulating society. If it is operated in ways that respect human rights, it is more likely to be generally accepted as fair and effective. The use of torture undermines that goal, as does corrupt and unfair policing. The existence of inhumane prisons dehumanises and radicalises those detained in them. An ineffective and unfair criminal justice system undermines confidence in the state of governance and can feed the causes of conflict.

The death penalty is ineffective at preventing crime. It is used mainly against the poor and the powerless, irrespective of the nature of the regime in power. This in turn feeds resentment and, when used politically, creates martyrs who can be exploited by extremists.

The export licensing of weapons contributes to the prevention of conflict by fostering a responsible

international arms trade and limiting the scope of repressive regimes to abuse the human rights of their populations.

This section deals thematically with our efforts to promote and protect these human rights issues around the world. The FCO has been fortunate enough to be able to draw on the expertise of several expert advisory panels that have helped us develop policy in international organisations, as well as guidance for our diplomats around the world.

Equality

Racism

Racism is a continuing scourge that affects societies all over the world. The UK condemns racial discrimination and is committed to combating racism and intolerance at home and abroad as part of promoting and protecting human rights. However, racism, racial discrimination, xenophobia and related intolerance remain global challenges that the international community must tackle together.

In autumn 2006, the UN General Assembly took the decision to convene in 2009 a review conference to assess the implementation of the Durban Declaration and Programme of Action adopted at the 2001 World Conference against Racism, held in Durban, South Africa.

After lengthy and difficult negotiations, the EU voted in favour of the draft resolution on a review conference on the understanding that it would be conducted at a high-level meeting in the framework of the General Assembly – this is to be in line with other UN review conference models – and that it would focus on the implementation of the Durban Declaration and Programme of Action, without any reopening of that document. This last point was particularly important for the UK given the difficulties of reaching agreement in 2001 and our firm belief that the international community needed to make progress on implementing the commitments it had already undertaken before setting new challenges. The UK welcomed the fact that this resolution passed, since, for its implementation and follow-up to be successful, the broad agreement achieved at the original Durban conference needed to be maintained. The General Assembly agreed that the Human Rights Council would carry out the preparations for the review conference.

Unfortunately, before the resolution at the Third Committee was confirmed by the General Assembly plenary, two draft resolutions were presented at the UN Human Rights Council that contradicted both the letter and the spirit of the UN General Assembly decision. The EU was forced to vote against both these drafts in Geneva and the broad agreement achieved at the General Assembly was broken.

Nevertheless, the EU participated actively and constructively in the organisational session of the review conference's preparatory committee in Geneva in August 2007. The UK and the EU welcomed the spirit of compromise shown by many delegations during the negotiations that followed, led by the president of the preparatory committee and facilitators. As a result, the preparatory committee was able to adopt 15 decisions without a vote, including on the objectives of the review conference.

Again, sadly, less than one month after this compromise, three drafts were presented by the African Group at the sixth session of the Human Rights Council in September 2007 that were not in line with the compromises reached at the preparatory committee on the objectives of the review conference. Once again, the EU had to vote against these proposals, but remained committed to upholding the agreements achieved at the preparatory committee.

The Intergovernmental Working Group on the Implementation of the Durban Declaration and Programme of Action convened in September 2007, to consider the reports from the committee that oversees the UN Convention on the Elimination of All Forms of Racial Discrimination (CERD) and of one of the five experts appointed to consider whether new complementary standards were required.

The UK and EU are open to consideration of new complementary standards. However, we believe that: the existing UN instruments on racism need to be fully implemented; new standards should be elaborated only if there is a proven need and if there is broad consensus on their development; and eventual new standards must expand, and not be detrimental to, the promotion and protection of human rights. Following a vote by the Human Rights Council in December 2006, work on complementary standards will shift from the working group to a new ad hoc committee on complementary standards on racism, which has the mandate to elaborate new legal instruments on racism. We hope that discussions will move forward in a consensual atmosphere and that the new ad hoc committee will put the work already undertaken by the CERD Committee and the five experts to constructive use when it commences its work.

COMBATING ANTI-SEMITISM

The UK is committed to combating anti-Semitism and all forms of racism.

The government welcomed many of the recommendations in the parliamentary All Party Inquiry into Anti-Semitism that reported in 2006. We are working to implement them in a cross-departmental task force that will report in May 2008.

At the 2007 Organisation for Security and Co-operation in Europe (OSCE) Human Dimension Implementation Meeting, held in Warsaw from 24 September to 5 October 2007, we were the first country to report in detail on how we have implemented the Berlin Declaration on Combating Anti-Semitism. We urged other participating States of the OSCE to do likewise. We will look at ways of intensifying this work in the OSCE.

The all-party model is one that we believe could be followed in other countries. The FCO and our Embassies overseas have been assisting John Mann MP, chair of the Parliamentary Committee against Anti-Semitism, to promote the inquiry model in other countries. A great deal of interest has already been shown in Germany, the US and Canada. Our Embassies will continue to assist Mr Mann in his efforts. The FCO will encourage governments to co-operate with their inquiries and will share our positive experiences of working with the parliamentary committee.

In an article in the *Jewish News* in December 2007, Minister for Europe Jim Murphy welcomed the collapse of the "Identity, Tradition and Solidarity" group in the European parliament as an important but small, self-inflicted setback for the far right. He wrote: "The problem is that these individuals were elected in the first place. We need to do more – much more – to combat anti-Semitism and the politics that it creates." This is a commitment that the government will strive to implement.

Slavery

25 March 2007 marked the 200th anniversary of the passage of the Abolition of the Slave Trade Act. This act outlawed the slave trade throughout the British Empire and made it illegal for British ships to be involved in the trade. This marked the beginning of the end for the transatlantic traffic in human beings. It was another 30 years before slavery itself was finally abolished throughout the British Empire, but the bicentenary in 2007 provided a fitting opportunity to remember the millions who suffered; to pay tribute to the courage and moral conviction of all those – black and white – who campaigned for abolition; and to confront the tragic fact that throughout the world, contemporary forms of slavery still persist two centuries after the argument for its abolition was won.

The FCO's activities for the bicentenary, both at home and overseas, have fallen into two main strands: raising awareness and commemoration of the slave trade and its abolition; and tackling contemporary forms of slavery. In the contemporary context, the bicentenary has been important in terms of our ongoing human rights work and we have been able to use it as leverage in our discussions with foreign governments during the course of the year.

Commemorative activities

The General Assembly held a UN Commemorative Day in New York on 26 March 2007. The UK co-sponsored the resolution establishing the Commemorative Day in autumn 2006 and worked closely with the Caribbean Community (CARICOM) to ensure its success. The programme involved a General Assembly debate on slavery past and present; a panel discussion on cultural heritage; and a jointly hosted UK/CARICOM reception in the evening. The FCO has also pledged £20,000 to a permanent UN memorial to the victims of the slave trade, an initiative launched by CARICOM at the Commemorative Day, and will be part of the board overseeing the project as it develops.

The FCO hosted a seminar on 17 October 2007 that brought together academics from around the country to discuss slavery past and present in the context of the bicentenary. The seminar launched a publication by FCO historians on the FCO's role in the suppression of the transatlantic slave trade.

The bicentenary has a special relevance to the FCO. In 1823, the FCO established a Slave Trade Department, a department devoted to the monitoring of the application of international agreements relating to the suppression of the slave trade. In the late 19th century, this department evolved into what is now the FCO's Africa departments. This Slave Trade Department is evidence of the consistent and, by contemporary standards, large-scale involvement of the Victorian Foreign Office with human rights issues.

On 23 October 2007, the FCO unveiled a memorial plaque to Ignatius Sancho. Born and orphaned on a slave ship in 1729, Sancho was brought to London, where he worked as a child slave. He eventually gained freedom, and went on to live and work in a grocery shop on the site of what is now the FCO. He also composed music, appeared on the stage, and wrote many letters that were published after his death. Through his letters, he helped to bring the inhumanity of slavery into the public eye. Thomas Gainsborough painted him during his lifetime, and he is the first known African to vote in a British election. This project was in conjunction with Westminster Council, the Nubian Jak Community Trust, Mrs Jean Brown and Passage of Music. Members of the public can view the plaque on King Charles Street and it will form part of a memorial walk through London.

Contemporary slavery

Ian McCartney, then FCO Minister with responsibility for human rights, chaired a session of the FCO child rights panel, a group of non-governmental organisation (NGO) expert advisers, on 28 February 2007, to discuss the worst forms of child labour in the context of the bicentenary and the FCO's child rights strategy. The FCO adopted this dedicated strategy on child rights in September 2007.

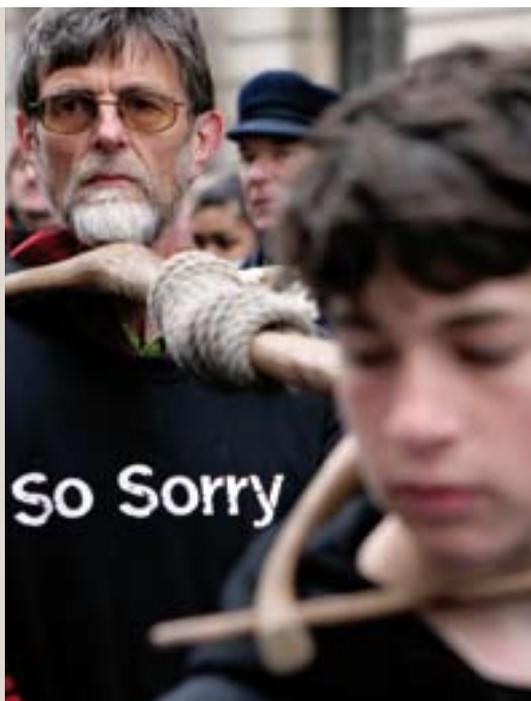
On 26 March 2007, the FCO launched a worldwide lobbying campaign on the ratification and implementation of international standards that prohibit slavery. This focused on the UN Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery 1956; the International Labour Organisation (ILO) Convention No. 29 on Forced Labour; the ILO Convention No. 182 on the Worst Forms of Child Labour; and the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children 2000. Posts were also able to use this opportunity to engage with host governments on contemporary slavery issues relevant to each country.

Ian McCartney and Home Office Minister Vernon Coaker participated in a panel discussion on the same day to launch the UN Office on Drugs and Crime's (UNODC) Global Initiative to Fight Human Trafficking and Modern-day Slavery at the House of Lords. The initiative aims to focus and intensify global efforts to stop these crimes. More information can be found on the UNODC website at www.unodc.org.

In collaboration with UNODC, on 19 July 2007 the UK hosted an informal meeting of the Security Council (known as the Arria formula meeting) to discuss human trafficking. Keynote speakers included Dr Helga Konrad, former OSCE Special Representative for Combating Trafficking, and UNODC's Goodwill Ambassador on Human Trafficking, Julia Ormond.

The UK emphasised the need for all parts of the UN to play a role in tackling human trafficking. The UK's permanent representative to the UN in New York wrote to the president of the Security Council and other relevant UN bodies, providing a summary of the key themes and conclusions of the Arria Formula meeting, with the intention that this will generate further consideration of how the different parts of the UN can work together to tackle this global problem.

David Pott (L) and Jacob Lienau of the March of the Abolitionists, a group of walkers who wore yokes and chains during a 250-mile journey that began in Hull, join the "Walk of Witness" through central London to mark the bicentenary of the Abolition of the Slave Trade Act on 25 March 2007.



On 30 October 2007, the FCO in partnership with the Department for International Development (DfID), Anti-Slavery International and the ILO hosted a high-level conference to look at the link between slavery, poverty and social exclusion. The conference aimed to examine how the fight against poverty and human rights violations can support the elimination of forced labour and slavery, and facilitate better links between the various sectors that have a role to play in eradicating contemporary forms of slavery, and identifying specific actions that can be taken to help reduce slavery. About 50 chief executive-level participants attended the event, from NGOs, development organisations, charities, funding organisations, parliament, business and trades unions.

The UK achieved a major success at the UN Human Rights Council on 28 September 2007: our initiative on contemporary slavery passed by consensus with around 50 co-sponsors, and the Council agreed to establish a new UN Special Rapporteur on Contemporary Forms of Slavery. The new special rapporteur, reporting directly to the Human Rights Council, will greatly increase the profile of contemporary slavery within and beyond the UN system and will fill a key protection gap. This mandate will be able to take a holistic look at all slavery-like practices, assessing where and why they exist as well as what action states can take to address any issues within their own countries. The mandate of the special rapporteur allows both thematic and country-specific reports, as well as country visits, which will provide detailed assessments of slavery-like practices, including examples of good practice, as well as recommendations tailored to the specific situation of the country or region in question. The special rapporteur will also be able to receive information from and engage directly with NGOs. This means that the principal function of the Sub-Commission Working Group on Contemporary Slavery, which this special rapporteur replaces, will not be lost. This is an excellent example of an activity that can bring structural change and have a legacy beyond 2007.

Activities overseas by posts and others

Our Embassies and High Commissions around the world have been involved in activities for the bicentenary in various ways. Some participated in the bicentenary activities of their host governments, some hosted their own bicentenary events, and some used the bicentenary as a lever to initiate activity or discussion on contemporary slavery

issues. The British High Commission in Kingston, Jamaica engaged in the planning for their host government's bicentenary activities, and sponsored and put on two concerts – one attended by the Archbishop of York – featuring a special piece of music commemorating the bicentenary.

Our Embassy in Phnom Penh hosted a formal event with Cambodian officials, international organisations, NGOs and embassies to commemorate the bicentenary of the abolition and raise awareness about trafficking and modern slavery. This was followed by a "Freedom Evening", a community-wide event, with a concert, drama/creative arts, and a preview of the film *Amazing Grace*.

The FCO provides £188 million grant-in-aid to the British Council per annum. The British Council's Africa 2007 programme was a series of long-term projects to mark two important anniversaries in Africa: the bicentenary of the Abolition of the Slave Trade Act in the UK; and the 50th anniversary of Ghana's independence from the UK. It involved all 11 countries in the British Council's east and west Africa regions as well as some southern African countries. Several FCO posts were involved with these projects. The aim of Africa 2007 was to interact in different ways and build partnerships that challenge stereotypical views of the UK in Africa and vice versa. The programme brought individuals and communities from Africa and the UK, including from the African diaspora, together in new ways that aimed to generate new ideas and understandings.

Minorities

Indigenous peoples

On 13 September 2007, the UK voted in favour of the adoption of the UN Declaration on the Rights of Indigenous Peoples at the UN General Assembly, as we had previously done at the Human Rights Council in June 2006. The UK made an interpretation statement on adoption of the declaration (at the Human Rights Council and the UN General Assembly), which set out certain misunderstandings. This is available at www.fco.gov.uk/ukmisgeneva. We welcomed the declaration as an important tool in helping to enhance the promotion and protection of indigenous rights. We recognise that indigenous peoples have suffered many historic injustices and continue to be among

the poorest and most marginalised peoples of the world. For too long, their voices were not sufficiently heard within the international system and their concerns received insufficient attention. The adoption of the Declaration on the Rights of Indigenous Peoples, which indigenous peoples' representatives have played a key role in drafting, marks a significant advance for indigenous peoples.

During the sixth session of the UN Human Rights Council in September and December 2007, the UK supported the renewal of the mandate of the UN Special Rapporteur on the Human Rights of Indigenous People, and the creation of a new five-member expert mechanism on indigenous rights. The mechanism, which replaces the former UN Working Group on Indigenous Populations, will provide the Human Rights Council with expert thematic advice and research on indigenous rights issues. The new mechanism grew out of a consultation process that included the indigenous caucus members present in Geneva.

Why isn't the UK a party to ILO Convention No. 169?

ILO Convention No. 169 concerns indigenous and tribal peoples. The convention can only apply to countries that have: i) tribal peoples regulated by their own customs or special laws; and/or ii) peoples descended from the original inhabitants at the time of colonisation or conquest who retain some of their own institutions. As the UK does not have any people who fall within either of these two categories, the convention cannot be applied

here. For this reason, the UK is not a party to the convention. Some argue that we should become a party so as to encourage UK firms and others operating outside the UK to observe the convention when dealing with indigenous peoples. But the convention sets out a framework for the way in which governments operate in regard to indigenous peoples within their own territories. It does not purport to deal with how other governments operate regarding their dealings with indigenous peoples in foreign states, nor how they regulate their own national entities that do.

United Nations Forum on Minority Issues

The same session of the UN Human Rights Council decided to establish a forum on minority issues to provide a platform for promoting dialogue and co-operation on issues pertaining to persons belonging to national or ethnic, religious and linguistic minorities. The forum will meet annually to analyse best practices, challenges, opportunities and initiatives for the further implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and provide thematic contributions and expertise to bolster the work of the independent expert on minority issues who will guide the work of the forum and will prepare its annual meetings.

European Union-India Experts' Seminar on Minorities

The EU-India Experts' Seminar on Minorities, held in New Delhi on 16 March 2007, was a follow-up to the strategic partnership between the EU and India and the related joint action plan. Chapter 3 of the plan covered issues relating to democracy and human rights and explored the possibility of extending the discussion in this field from the level of bureaucrats to that of experts. The EU-India Human Rights Dialogue took place in December 2006 in New Delhi and was funded by the European Commission. The discussion centred on the challenges faced by India and the EU on minority rights and was primarily an information-sharing exercise.

Dalits

Dalits or "untouchables" are at the bottom of the Hindu caste system prevalent in India. Under DfID's £75 million partnership with the UN Children's Fund (UNICEF), UNICEF has signed a memorandum of understanding with the Indian Institute of Dalit Studies. As a result, the institute has helped



Indigenous Peoples' Day, Bangladesh, 9 August 2007.

to make UNICEF's work more inclusive and has commissioned studies to identify constraints experienced by Dalit children in accessing basic health and education services.

DfID's International Partnership Agreement programme, worth £20 million, is a partnership with seven UK-based international NGOs, which each focus on an aspect of social exclusion and support networks of Indian NGO partners. Christian Aid and Action Aid both focus on tackling social exclusion experienced by Dalits.

Bangladesh

The British High Commission in Dhaka is working closely with the Dhaka Initiative (TDI) – a British organisation that was established to ascertain the opinions of 160,000 stranded Pakistanis or "Biharis" (a collective term for Urdu-speaking migrants from India and Pakistan, who have been living in squalid refugee camps without civil rights since the Bangladesh war of independence in 1971). TDI has conducted extensive surveys in the camps to help inform the Bangladeshi government in its future decision regarding citizenship rights.

The British High Commission in Bangladesh continues to support the Indigenous Peoples' Forum – an NGO established to defend and promote the human rights of the country's 3 million Adivasi (indigenous) people, who originate mainly from Mymensingh district, in the north, and the south-eastern Chittagong Hill Tracts. This year, through our bilateral programme budget, we funded the 9 August Indigenous Peoples' Day celebrations – cultural shows, seminars and rallies – which received extensive media coverage. By providing a highly visible platform for ethnic minorities to articulate their demands, we aim to help cultivate a climate in which respect for diversity can flourish and endure.

Migration

There is a clear link between managing migration and human rights. Where the human rights of migrants are denied, it may lead to illegal, exploitative and unfair work practices in the host country. The denial of human rights to migrants undermines the potential benefits for individual migrants and their communities of origin. The most vulnerable people are those who migrate through irregular channels and who feel unable to approach



Bihari refugee camp, Bangladesh.

the authorities to report abuses or assert their rights because of their status.

The UK is proud of its record in protecting the rights of migrants under international and national law. The rights of migrant workers and their families are protected in UK legislation, including the Human Rights Act 1998, and the UK's existing commitments under international law.

The UN High Commissioner for Refugees (UNHCR) holds the UN mandate for protection of the world's refugees. The organisation currently cares for nearly 19.2 million uprooted people worldwide. The UK gave the high commissioner approximately £29 million last year, making us the UNHCR's seventh largest donor.

The UK also contributes to refugee protection through our Gateway Protection programme. The UK has been running a resettlement programme since 2003, whereby particularly vulnerable refugees, for whom there are limited prospects of finding durable solutions in their region of origin, are offered permanent protection and a life in the UK after being assessed by the Home Office. We currently have a quota of 500 refugees each financial year. To date, the UK has resettled Liberian refugees from Guinea and Sierra Leone, Democratic Republic of Congo refugees from Uganda and Zambia, Sudanese refugees from Uganda, Burmese refugees from Thailand, Ethiopians from Kenya and Mauritians from Senegal. Over the next financial year, we have also committed to resettling vulnerable Iraqi refugees from countries bordering

A displaced Sudanese woman lies in front of a makeshift dwelling at the Sakali internally displaced persons' camp in Nyala, the capital of South Darfur state in the western part of the Sudan.



Iraq. The government has given an undertaking in its five-year strategy on immigration to increase quota numbers of resettled refugees.

The internally displaced

The humanitarian community is increasingly aware of internal displacement, which affects about 20 million people worldwide. While responsibility for the protection of internally displaced people rests primarily with national governments, the international community must continue to consider how best it can contribute to the welfare of the internally displaced. The Office of the UNHCR has widened its remit to include internally displaced people and has put in place a series of reforms and an expansion programme to cover this.

The Inter-Agency Standing Committee, the key UN and non-UN humanitarian partners primarily responsible for inter-agency co-ordination of humanitarian assistance, has adopted the cluster leadership approach when dealing with any new internal displacement of populations, whether the displacement is a result of conflicts or natural or man-made disasters. There are 11 critical areas of humanitarian response under the cluster arrangement, each with a designated agency as cluster lead.

The UK, through DfID, will contribute £2.5 million to the 2007 cluster appeal to support the camp co-ordination/camp management, emergency shelter, logistics and protection clusters. DfID also provides core funding to the UNHCR (£19 million in 2007), as well as to the International Committee of the Red Cross (£20 million per year for 2006–10) and UNICEF (£4 million per year for 2006–09), which also have a protection mandate. This is

in addition to funding from country programme budgets and in response to crisis appeals for humanitarian operational work.

UK asylum policy

The UK is committed to upholding its obligations under the 1951 UN Convention on the Status of Refugees and providing a safe haven to those genuinely in need. An effective asylum determination process is central to our efforts to meet these obligations.

In the UK, all asylum cases are assessed on their individual merits by asylum case workers in the UK Border and Immigration Agency in the Home Office. Those who meet the definition of a refugee in the 1951 Geneva Convention are granted asylum and others whose removal would be a breach of their rights under the European Convention on Human Rights are also permitted to remain in the UK. The applicant has a right of appeal against refusal to the independent Asylum and Immigration Tribunal. Once all avenues of appeal have been exhausted, then the applicant must leave the UK.

Once an individual is granted refugee status in the UK, they are given five years' leave to remain in the country before their case is renewed, at which point, if it is deemed that they are still in need of protection, they will receive indefinite leave to remain. Their immediate family may join them and we will encourage them to find work and participate in local communities.

In order for the asylum system to achieve the purpose for which it was intended – protection of those fleeing persecution – it must also identify and remove those who are not in need of international protection. Only those found not to be in need of protection and without any other form of leave to remain are returned. In 1996, the number of removals was equivalent to only 20 per cent of the predicted unfounded claims. That proportion is now almost 50 per cent and increasing.

Asylum country of origin information reports

The UK Border and Immigration Agency's Country of Origin Information Service updates its country of origin information reports and key documents on the main source countries several times a year. These documents are primary reference material for all case owners involved in the asylum

determination process. FCO geographical desks and overseas missions are routinely consulted on the content of these reports and make a key contribution to the quality assurance process.

Non-suspensive appeals designations

On 28 July 2007, a further 10 countries (Bosnia, Mauritius, Montenegro and Peru for all applicants, and Gambia, Kenya, Liberia, Malawi, Mali and Sierra Leone for male applicants only) were added to the list of non-suspensive appeals designated countries, bringing to 24 the total number of designated source countries. Non-suspensive appeals designation asserts that, for the clear majority of its population, the country is generally safe. FCO geographical desks and overseas missions contributed significantly to the assessment of these countries' suitability for designation.

Applications for asylum from designated countries, as with those from all countries, continue to be carefully considered on an individual basis and protection is granted to those who need it. However, asylum claims from non-suspensive appeals designated states are usually assessed as clearly unfounded and subject to a fast-track decision-making process, where the right of appeal may be exercised only once the claimant has returned to their country of origin. FCO geographical desks and overseas missions are closely involved in the UK Border and Immigration Agency's work to identify new candidates for future designation.

Women's rights

The promotion and protection of women's rights is mainstreamed throughout UK government policy. The FCO works closely with the Government Equalities Office, which leads on gender issues, and DfID. We also co-operate with the independent Women's National Commission, the official advisory body that ensures that the government takes into account the views of women.

The UK is guided in its work on women by the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). CEDAW is one of the six core UN human rights instruments. The UK ratified CEDAW in April 1986.

The Convention on the Elimination of All Forms of Discrimination against Women

States parties are required to report to the CEDAW committee on their domestic implementation of the convention every four years. The UK submitted its sixth periodic report in June 2007 and the CEDAW committee will examine us based on this report in 2008.

The UK entered an immigration reservation when ratifying the convention, as well as a separate reservation in respect of nationality law. On 24 July 2007, the UK formally informed the UN of the withdrawal of its immigration reservation.



People hold banners during a rally in Paris on 24 November 2007, ahead of the No Violence Against Women International Day on 25 November.

The Beijing Platform for Action and women's rights in the United Nations

The Beijing Platform for Action and the outcome of the UN General Assembly's 23rd special session, the Beijing +10 regional conference, constitute the most comprehensive set of international commitments to gender equality and women's rights drafted to date.

The UK works to promote Beijing internationally through the UN by negotiating appropriate language in UN-related texts. The UK was heavily involved in drafting and negotiating the most recent UN General Assembly resolution on Violence Against Women, adopted by consensus in December 2006. This was an all-action resolution that takes forward recommendations from the Secretary-General's study, published in 2006. This included the development of a common set of indicators on violence against women, and was aimed at assessing the scope, prevalence and incidence of such violence. The resolution also established a UN database on violence against women in order to record the extent, nature and consequences of all forms of violence against women and the impact and effectiveness of policies designed to combat such violence.

Commission on the Status of Women

The Commission on the Status of Women was set up in 1946 to prepare recommendations on promoting women's political, economic, civil, social and educational rights. The UK is an active participant in meetings of the commission and has been an elected member for 39 years. Our current membership is due to expire in 2009. The 51st annual two-week session took place between 26 February and 9 March 2007. A delegation of officials from across government represented the UK.

The priority theme at the 2007 session was the elimination of all forms of discrimination and violence against the girl child. The UK played an active role in discussions and negotiations, including on the agreed conclusions on the priority theme (chaired by the UK) and on the resolutions tabled during the session on the situation of Palestinian women, female genital mutilation, forced marriage of the girl child, and HIV and AIDs.

The UK and our EU partners sought to reaffirm previous international commitments to gender equality and women's empowerment, as set out

in the Beijing Platform for Action, CEDAW and other agreements, and to strengthen and extend international support for action on these issues.

Negotiations were difficult, with the agreed conclusions only finalised at the very last minute. We faced particular problems agreeing language on sexual and reproductive health and rights, and girls' access to sex education. This reflected, in part, sensitivities among some member states about what was appropriate to include in conclusions focused on girl children, as well as the approach of certain member states on these issues in general. Although we managed to maintain existing positions on these issues, the language on sexual and reproductive health and rights in the texts did not represent a significant step forward. This issue is likely to continue to be difficult at future discussions of the Commission on the Status of Women.

The priority theme for the 52nd session in 2008 will be financing for gender equality and the empowerment of women. The session will also review progress on the 2004 theme of women's equal participation in conflict prevention, management and resolution and in post-conflict peacebuilding. This will be the first time that the Commission on the Status of Women has focused specifically on resources for gender equality and the empowerment of women as its priority theme.

On the ground

Our Embassies and High Commissions around the world continue to engage with their host governments on a wide range of human rights issues, including domestic violence, forced marriage, rape, trafficking, sexual exploitation and forced abortion.

The FCO's Global Opportunities Fund (GOF) is funding several projects aimed at tackling violations of the rights of women. These include preventing torture and the violation of female detainees' rights in Colombia, campaigning to prevent honour crimes in Turkey, and sharing experience of anti-trafficking initiatives and practice in Ukraine.

Rights of lesbian, gay, bisexual and transgendered people

The international community struggles to give the rights of lesbian, gay, bisexual and transgendered (LGBT) people the attention they deserve. Many states see the very consideration of this issue as threatening and inappropriate, and it is the source of much difficulty and dispute. The UK, however, has made every effort to raise the rights of LGBT people and to lobby proactively on behalf of relevant NGOs at the UN over the past year. We often face sensitivity in international organisations when negotiating documents on tolerance and non-discrimination that relate to the rights of LGBT people.

At the UN General Assembly Third Committee in autumn 2006, the UK again supported a Swedish resolution on extra-judicial, summary and arbitrary executions, which called on governments to halt executions carried out on the grounds of a person's sexual orientation. This was followed, in November 2006, by a cross-regional statement signed by 54 UN member states, including the UK, at the Human Rights Council. This statement called for the Council to address the issue of discrimination on the grounds of sexual orientation and was intended as a platform from which to build international consensus around this issue. We are already in discussions with like-minded partners on how to take this issue forward in future UN sessions.

With UK and EU support, several of the UN special rapporteurs and working groups have begun to draw attention to human rights violations against sexual minorities within their respective mandates. On 26 March 2007, 23 UN special rapporteurs launched the Yogyakarta Principles. These are principles on the application of international human rights law in relation to sexual orientation and gender identity, and are a further step towards the rights of LGBT people being properly addressed by the UN. The UK will continue to support the special rapporteurs in their work and look for opportunities to raise this issue with them during dialogues at the Human Rights Council.

At the high-level (ministerial) segment of the UN Human Rights Council on 13 March 2007, the then FCO Minister Ian McCartney raised the rights of LGBT people in his address to the plenary. He called on the international community "to confront the persistent discrimination against people worldwide

based on their sexual orientation – a discrimination all the more invidious through being often concealed behind some other, more common prejudices. The majority of gay people around the world still live in countries where simply being themselves is a crime. Human rights belong to everyone. Sexual orientation cannot be a qualifying factor." The full speech can be found on the FCO's website at www.fco.gov.uk. Ian McCartney also made a speech on this issue at the UNISON conference on 17 November 2006.

During the first half of 2007, the UK took a leading role in lobbying to overturn a negative decision by the UN NGO committee regarding the accreditation of two LGBT NGOs. On 20 July, we were successful in our aim and the Economic and Social Council granted direct consultative status to the two organisations. The two NGOs are able to use their new status at the UN to work directly on human rights and other issues of importance to the LGBT community by ensuring access to UN meetings, delivery of oral and written reports, and organising events to facilitate understanding of the abuse and discrimination that LGBT people face around the world.

On 17 May 2007, Ian McCartney and Meg Munn (then a minister in the Department for Communities and Local Government) issued a joint statement of support for the International Day against Homophobia. On the same day, Ian McCartney launched the FCO's new programme on the



Russian police officers arrest British gay rights campaigner Peter Tatchell during a demonstration in Moscow on 27 May 2007. Russian police arrested gay rights activists as they demonstrated outside the Moscow mayor's office.

The UK's child rights strategy is committed to tackling the worst forms of child labour.



promotion of the rights of LGBT people overseas. It focuses on those aspects of discrimination that have a major impact on the enjoyment of other rights, and/or where UK intervention might have a positive impact. These include: decriminalisation of same-sex relations; non-discrimination in the application of human rights; support for activists and human rights defenders; health and health education; putting these issues on the agenda of international/multilateral institutions; and bilateral engagement with priority countries, including raising awareness of these issues within the FCO and overseas network.

The UK has been at the forefront of keeping the rights of LGBT people on the agenda in the OSCE. Our firm position is that the OSCE's chief human rights institution, the Office for Democratic Institutions and Human Rights (ODIHR), has been mandated to deal with these issues alongside others on the tolerance and non-discrimination agenda. We call on all participating States of the OSCE to recognise that this is not an attempt to attack or undermine deeply held religious or moral beliefs, but merely to ensure that human beings are not discriminated against on the grounds of their sexuality. We will continue to support the ODIHR's efforts in this respect and oppose any attempts from participating States to undermine it.

Children's rights (including children in conflict with the law and the worst forms of child labour)

The FCO has worked hard during 2007 to promote the rights of children and to make progress on them internationally. We promote children's rights in multilateral fora, through bilateral government contact and at a grassroots level. This year marks the 18th anniversary of the adoption of the Convention on the Rights of the Child (CRC). In September, the FCO adopted a dedicated strategy on child rights. This aims to promote the rights of the child through universal ratification and implementation of the CRC as well as taking specific action on issues of violence against children.

We also work at a grassroots level through funding from the GOF.

CHILD RIGHTS STRATEGY

In co-operation with our Child Rights Panel, the FCO has developed a strategy on child rights. The strategy is designed to:

- promote and protect the rights of the child in accordance with international law; and
- take action on specific issues of violence against children, including the worst forms of child labour, children in conflict with the law and children affected by armed conflict.

We are concentrating our efforts on those countries and areas where we can have maximum impact. All posts will be concerned with the first objective. However, for our second objective we have picked certain countries where we believe the UK can make an impact in promoting the rights of the child.

The strategy is designed to guide posts on activities they can take to achieve FCO objectives on child rights. A copy of the child rights strategy can be found at www.fco.gov.uk (type "child rights strategy" in the search option).

Working with the United Nations and European Union

The UK is required, along with all other signatories, to submit a report to the Committee on the CRC every five years detailing what progress we have made in implementing the convention. The Department for Children, Schools and Families takes the lead in producing this report and submitted it in July 2007. The UK will undergo an oral examination in September 2008 in front of the committee that services the convention.

The UK is also involved in contributing to new EU guidelines on the protection and promotion of the rights of the child. The guidelines will provide a focus on what action the EU should be taking in non-EU countries to encourage better protection and promotion of child rights in line with international standards.

United Nations General Assembly 2007

In November, the UK supported the resolution on the rights of the child at the UN General Assembly. The resolution was adopted almost unanimously, with 176 countries voting in favour.

The resolution established a new special representative on violence against children. The UK was pleased to support this mechanism for further protecting the rights of the child.

Taking specific action on violence against children

The child rights strategy also asks our posts to take action on specific forms of violence, namely the worst forms of child labour, and on children in conflict with the law. We have asked our network of diplomatic posts to use the strategy and take action on promoting ratification of international labour conventions (specifically on the worst forms of child labour) as well as promoting international law and rules concerning children in conflict with the law into national policy.

On the ground

Through the GOF, the FCO is funding a number of projects across the globe, including in Brazil, China, Colombia, South Africa and Thailand. These projects range from improving media coverage of child rights issues and monitoring implementation of the CRC in Brazil to working with other organisations to promote birth

CHILDREN'S RIGHTS IN TAJIKISTAN

The British Embassy in Tajikistan is helping to support Tajik NGO the Child Rights Centre, which aims to protect and promote children's rights in Tajikistan. Through its bilateral programme budget, the Embassy has co-funded projects aimed at developing the capacity of Tajikistani social workers to reintegrate young offenders and street children with their families, as well as training staff in relevant state institutions in modern child-centred approaches to young offender rehabilitation. Leaflets have been produced informing children in such institutions of their rights under Tajikistani and international law.

citizenship registration among the Thai hill tribes. As well as the fund, some posts are using bilateral budgets to promote the rights of the child.

Disability

The UN Convention on the Rights of Disabled People was adopted on 13 December 2006 during the 61st session of the General Assembly. The UK was one of the first countries to sign when it opened for signature on 30 March 2007. On 12 November 2007, Anne McGuire, Minister for Disabled People, announced that she had set officials the aim of securing ratification of the convention by the end of 2008.

On 11 December 2006, the FCO, Department for Work and Pensions and DfID hosted a joint event to mark International Human Rights Day and to draw attention to the convention. A wide range of people attended, including representatives from disabled people's organisations, NGOs and parliamentarians. Speakers included Anne McGuire and Dr Richard Light OBE, who, as a representative for British disabled people, formed part of our delegation at the UN. Participants looked at how they could work together to promote the convention and human rights for disabled people. The FCO is now working with other government departments to draw attention to the convention and to help ensure that disabled people receive the same human rights on an equal basis with non-disabled people. The FCO, through its Embassies and diplomatic posts abroad, is also encouraging those member states of the UN that have not yet signed the convention to do so.

Democracy

Freedom of expression

Overview

Freedom of expression is a fundamental human right which is essential to a functioning democracy. We believe that democracy requires the existence of effective freedom of information laws and the promotion of a receptive culture. The FCO has prioritised freedom of expression (including support for independent media) and freedom of information as key human rights elements, which we will seek to advance around the world.

The FCO established an Advisory Panel on Freedom of Expression in 2002, chaired by the minister responsible for human rights. This brings together a range of NGOs, academics and media practitioners to advise and agree on strategies to promote the right to freedom of expression internationally. This useful forum gives our stakeholders the opportunity not only to scrutinise the government's performance, but also to contribute to our policy.

The Panel met in December 2006 and May 2007, chaired both times by the then FCO Minister Ian McCartney.

With the Panel's help, we developed a policy strategy on freedom of expression, which focused on five key components of freedom of expression: media pluralism, safety of journalists, freedom of information, abolition of criminal defamation, and lobbying on behalf of imprisoned writers and journalists. Finalised at the May Panel meeting, the strategy has been sent to priority Embassies around the world who will now use it as a template for their work on freedom of expression.

We continue to fund projects through the human rights strand of the GOF. We are working to promote freedom of expression with partners in countries including Cambodia, Colombia, India, Kazakhstan, Mexico, Nepal and Vietnam. Full details of our project portfolio can be found on the FCO website at www.fco.gov.uk/gof.

The FCO seconds British experts to support the OSCE's Representative on Freedom of the Media and the office of the Council of Europe's Commissioner for Human Rights.

COMMENTING ON THE OCCASION OF WORLD PRESS FREEDOM DAY ON 3 MAY 2007, FCO MINISTER IAN MCCARTNEY SAID:

"I would like to take this opportunity to reaffirm our commitment to promote, defend, and protect the right of journalists and media workers to work without fear of reprisal.

"Sadly, as we have seen all too often, journalists are targeted for the work they do. According to international NGOs, over 120 journalists are currently languishing in prisons around the world, or like Alan Johnston, being held against their will. Our thoughts are with them today. The UK and our international partners regularly raise many of these cases with foreign governments.

"Governments have a duty to eliminate barriers to freedom of expression and to create an environment where free speech and free media can flourish. The theme of this year's World Press Freedom Day – press freedom, safety of journalists and impunity – comes as a timely reminder of the threats faced by journalists.

"Too often, attacks against and murders of journalists go unprosecuted, creating a culture of impunity that encourages the criminals, and creates a chilling effect amongst the journalistic profession in a country. Media workers must be able to operate without being constrained by the fear, corruption and insecurity that currently exist in many parts of the world. I hope that events to mark World Press Freedom Day taking place around the world, including here in the UK, will prove successful."

A report issued in March 2007 by the International News Safety Institute established that over 1,000 journalists and media professionals had died doing their jobs in the preceding 10 years. In December 2006, the UK worked hard with partners to achieve Security Council Resolution 1738 on protecting journalists working in conflict zones. We agreed with our EU partners that it was important to send a clear signal about this to parties in armed conflict and bring pressure to bear on them. The resolution demanded that parties in armed conflict meet their obligations to provide journalists with the same protection as other civilians. In December 2006,

the UK supported UN Security Council Resolution 1738. This called upon parties involved in conflict to stop deliberate attacks against journalists and to meet their obligations to ensure protection for all journalists and all civilians.

The FCO continues to lobby on behalf of imprisoned journalists and writers in countries as diverse as Cuba, China, Azerbaijan and Uzbekistan.

Freedom of expression around the world

Much of our bilateral work on freedom of expression is covered in the country-specific chapters of this report.

Between 2006 and 2007, the FCO supported a project in **Nigeria** aimed at supporting the adoption of a Freedom of Information Bill. The bill was passed by the National Assembly earlier this year, but then not agreed by the previous president. We are urging President Umaru Yar'Adua to sign the bill into law. We will consider how to work with civil society to follow up and support the bill's implementation.

The British Embassy in Rangoon played a key role in the international response to the September 2007 crisis in **Burma** by ensuring that accurate information on the Burmese regime's brutal crackdown on peaceful protestors reached the outside world, facilitating access to information for groups within Burma and ensuring that their positions were expressed to the international community. The British government was also active in voicing concerns about the treatment of journalists and activists.

The British Embassy in Manila has expressed support for a proposed Senate Bill decriminalising libel in the **Philippines**, providing key figures with advice and contacts with international experts. We hope that the bill will pass through Congress before June 2008. We are also concerned about deaths of journalists in the Philippines. We have lobbied the Philippine government to take action and funded the participation of a British expert on the EU Needs Assessment Mission to the Philippines on tackling the killings.

Freedom of expression in **Azerbaijan** has been under attack for a number of years and has worsened in the last two years. Azerbaijan's accession to the Council of Europe in 2001 had resulted in some positive developments. Legislative reforms were introduced, particularly in the fields of television and mass media. Despite these positive steps the opposition and independent media continued to operate under a great deal of pressure, both financial and political, and there has been a particularly marked deterioration since March 2006. Several journalists aligned with the opposition and independent media have been physically attacked and seven are currently imprisoned. We have raised these issues and specific cases regularly with the authorities, most recently with the minister for foreign affairs.

We regularly raise our concerns at all levels with the government of Azerbaijan, both bilaterally and through international institutions such as the EU, the OSCE and the Council of Europe. The EU European Neighbourhood Policy action plan for Azerbaijan highlights protection of



A demonstrator holds a banner calling for a halt to the killing of Filipino journalists during a protest in suburban Manila to mark World Press Freedom Day on 3 May 2007. A total of 88 journalists have been killed in the Philippines since 1986, with the cases remaining mostly unsolved. The Philippines, reputed to have the freest and most vibrant press in Asia, is ranked as the second most dangerous place for journalists after war-torn Iraq.

human rights and fundamental freedoms and the rule of law as priority areas for action. Progress in the implementation of the action plan was last reviewed by the EU with members of the government of Azerbaijan on 18 October 2007. The EU underlined the importance of the protection of human rights and fundamental freedoms, as well as identifying further steps to strengthen democracy and media freedom.

In **Nepal**, there is a short window of opportunity for serious change in the democracy framework. Civil society is active and mobilised and the nation expects substantial democracy dividends. We are working with the international campaign for freedom of expression, article 19, to promote an enabling environment for the free flow of information and ideas by fostering a supportive legislative framework and by raising awareness among key stakeholders. The project will last for two years and aims to encourage reform of the legislative and policy framework for the free flow of information in society, to analyse legal documents affecting freedom of information and expression, and to produce draft civil society legislation.

The UK is committed to taking what action it can to promote and protect freedom of expression in **Zimbabwe**, in the context of highly repressive government action. Our programme has included support to independent media, including access to information and support to provincial media; promotion of cultural pluralism; and media rights advocacy work. Our Embassy in Harare, along with those of EU colleagues, actively monitors and records violations against journalists and other defenders of freedom of expression.

We have closely followed the development of the draft media law in **Kazakhstan**. Our Ambassador has met the minister for culture and information and we have worked with our EU colleagues to deliver a common message expressing our hope that the new media law will take account of recommendations from civil society and NGOs. Helping journalists defend themselves in libel cases is a key priority in Kazakhstan. We work with human rights NGO Adil Soz to improve expert examinations in information disputes so as to defend journalists' rights to free speech. We are also funding a legal awareness project for journalists from three regions in Kazakhstan.

Another focus of our project activity has been to improve the skills of parliamentary journalists in Kazakhstan and **Kyrgyzstan**. Our Embassy in Almaty ran a project entitled Parliamentary Journalism: A British Perspective to improve the skills of parliamentary journalists in the two countries. We also funded a separate parliamentary journalism project for Kyrgyzstan aimed at strengthening the capacity of journalists to report comprehensively on the parliament's legislative and representative work.

Our Embassy in Montevideo held a series of seminars to debate and propose changes to existing **Uruguayan** legislation under which journalists can be punished with up to three years' imprisonment for perjury, libel or "communication crimes". The definition of communication crimes is very wide, and includes perceived damages against an individual's reputation. Although no Uruguayan journalist has been imprisoned under this legislation, over the last 10 years 120 have been taken to court. The Embassy has worked with NGOs and the National Press Association, leading to new legislation being drafted that is in line with international human rights conventions and guidance issued by the Inter-American Court of Human Rights. The legislation has government backing and will be presented in public on 23 October 2007 to coincide with National Journalists' Day.

In January 2007, the British High Commission in Yaounde ran courses to improve standards of accurate and ethical journalism in the reporting of elections in **Cameroon**. Forty journalists were trained in advance of the parliamentary and council elections in July 2007. The political news editors of two of Cameroon's dailies who attended the course launched special campaign news and analysis pages in their publications. The High Commission also used the opportunity to press for self-regulation of the media. The then Cameroon minister of communication expressed his support and publicly confirmed that a controversial bill to amend the law guiding press freedom would not be resurrected. The High Commission helped found the fledgling Cameroon Media Council, which seeks to oversee self-regulation in the country.

In June 2005, **India's** Right to Information Act came into force. The Indian Prime Minister, Dr Manmohan Singh, described the Act as "the dawn of a new era in [India's] processes of governance,

an era of performance and efficiency, an era which will ensure that benefits of growth flow to all sections of our people, an era which will eliminate the scourge of corruption, an era which will bring the common man's concern to the heart of all processes of governance".

We are funding a three-year project with the Commonwealth Human Rights Initiative (CHRI) to help the Indian government implement the new legislation. The project provides training and technical assistance, and supports civil society organisations in encouraging the public to use the powers contained in the Act. CHRI has trained more than 3,000 government officers, public sector senior executives and information commission staff. Successful challenges to state-level implementation procedures have brought about reductions in fees charged for information requests. The Act is in line with the mandate of the UN Convention against Corruption to which India became a signatory in December 2005. India's Act could provide an excellent model for other countries in south Asia and the Commonwealth looking to introduce or to strengthen similar legislation. CHRI is feeding the outcomes of its work in India into wider regional efforts, notably in **Bangladesh, Sri Lanka and Pakistan**.

BBC correspondent Alan Johnston was kidnapped in **Gaza** on 12 March 2007. After 114 days in captivity, and strenuous efforts on the part of the BBC, the British government and others to secure his safe release, Mr Johnston was freed on 4 July 2007.

The BBC World Service

The BBC World Service broadcasts globally in English and 32 other languages on the radio and online, and from 2008 will broadcast on Arabic TV. The World Service is funded via grant-in-aid administered by the FCO, but it retains full editorial and managerial independence. This independence is essential to the success of the World Service and to its 75-year reputation for delivering unbiased, trustworthy news.

Access to accurate and independent news and information makes a vital contribution to human rights and good governance around the world. The World Service brings experience and insight to the great issues confronting the world. Its language services inform their audiences of what is happening in their home countries, highlight the events that are shaping the global agenda



Supporters of kidnapped journalist Alan Johnston rally outside the UN building in New York City on 3 May 2007. Rallies were held around the world in support of Mr Johnston to coincide with World Press Freedom Day.

and explain how these affect ordinary people. Its services cover all the world's major countries and languages, in addition to providing news and information to people living in countries where they are denied access to accurate and independent news.

In times of crisis, the World Service remains the broadcaster that people turn to to learn about and understand important global events.

The BBC World Service Trust is the BBC's international charity and the world's leading organisation using media for development. Working in partnerships in over 43 developing and transitional countries, the Trust aims to help reduce poverty and promote human rights by producing innovative programmes in multiple formats, themes and languages, and by strengthening local journalism through training programmes and infrastructure support.

Its core themes are governance and human rights, health, education, livelihoods, emergency response and the environment.

In **Afghanistan**, the FCO and other donors are working on several facets of the Trust's work. The very popular Afghan Woman's Hour offers advice and debate through features and phone-ins, stimulating discussion and acting as a valuable advisory and educational tool. The popular radio soap *New home, new life* attracts huge audience figures and also carries valuable messages of conflict resolution and reconciliation.

In the Middle East, the Trust was awarded a grant by the UN Educational, Scientific and Cultural Organization to support its work in establishing independent, professional and sustainable media in **Iraq**.

The Trust has a number of projects on the go in Africa. An EU-funded project in **Nigeria** is training media and civil society to report on fiscal and corruption matters. With support from DfID, the Trust has run mass media campaigns in **Angola** and **Nigeria** to raise awareness of HIV and AIDS. Working across Africa, the Trust is training journalists in **Uganda**, the **Democratic Republic of Congo**, **Liberia**, **Sierra Leone** and **Burundi** to report on transitional justice issues, including the war crimes trial of former Liberian President Charles Taylor.

Freedom of religion

Overview

The UK condemns all instances where people are persecuted because of their faith or belief, wherever this happens and whatever the religion of the individual or group concerned.

We regularly make representations to governments on specific cases of religious persecution, both bilaterally and with our EU partners. We take every opportunity to urge states to pursue laws and practices which foster tolerance and mutual respect, and to protect religious minorities against discrimination, intimidation and attacks. We also regularly raise specific cases of religious persecution with the governments concerned.

Wherever possible we aim to work with officials, religious leaders and NGOs at international and local levels to promote mutual understanding and tolerance. Where the possibility of meaningful dialogue on human rights issues exists, we believe that this is the best way to achieve lasting change.

The FCO's Freedom of Religion Panel, established in 1999, has a membership of over 60 NGOs including representatives of Muslim, Jewish, Christian, Sikh, Hindu and Buddhist groups. The panel advises the FCO on its policy on religious freedom, for example on commemorating the 25th anniversary of the UN Declaration on the Elimination of All Forms of Intolerance and Discrimination based on Religion or Belief, on Apostasy and on Registration of Religions.

At the High Level Dialogue on Interreligious and Intercultural Understanding and Co-operation for Peace, which took place in New York on 4–5 October 2007, UK Permanent Representative to the UN Sir John Sawers spoke about diversity in the UK and firmly rejected the identification of terrorism and extremism with any particular religion or culture. He also expressed the UK's support for the work of the Alliance of Civilisations and urged the High Representative for the Alliance of Civilisations to focus on practical ways to promote our common values and counter violent extremism in all its forms.

Freedom of religion around the world

The UK remains deeply concerned about **Eritrea's** human rights record. Our Embassy in Asmara has heard about large-scale round-ups of members of minority religious groups. The detention without charge by the Eritrean government of members of minority religious groups, journalists, leading political figures and members of civil society is unacceptable and contravenes international human rights agreements to which Eritrea is a party.

We raise our concerns about Eritrea's human rights record with the Eritrean government at every suitable opportunity. Lord Triesman, the then Minister responsible for Africa, wrote personally to President Isaias during the UK's EU Presidency in 2005 and expressed our concerns about the current human rights situation in Eritrea. He also spoke to the Eritrean ambassador here in London on several occasions to express our concerns about human rights abuses, the denial of religious freedom, the persecution of minority groups and imprisonment without trial in Eritrea. The EU last made representations on these issues to the Eritrean Ministry of Foreign Affairs in September 2007. We continue to urge the EU to raise the situation in Eritrea within the UN human rights bodies.

We will continue to raise our concerns with the government of Eritrea – both with the EU and bilaterally – urging the government of Eritrea to convene the Political Dialogue on Human Rights with the EU as soon as possible.

Egyptian identity cards require one of three religious affiliations to be stated – Muslim, Christian or Jewish. This means that minorities and those of no religion are forced either to categorise themselves as belonging to one of those religions or to do without an identity card.

In Egypt, this has particularly affected members of the Bahá'í, a community of approximately 2,000. Lack of an identity card puts barriers in the way of voting rights, access to health services and other citizenship issues. We have consistently lobbied, bilaterally and through the EU, either for the requirement to state religion to be removed or for the option of "other" to be added. We have raised this regularly both with the Ministry of Foreign Affairs and the Egyptian National Council for Human Rights, an organisation that is working to resolve the issue.

Authorities in **Uzbekistan** have clamped down on Christian groups. Jehovah's Witnesses report that the security services have raided homes, confiscated literature and verbally and physically abused believers. Followers of Islam outside the state-sponsored version are liable to arrest for perceived extremism. Activists report that prisoners convicted of religious extremism are treated separately and more harshly than others. Freedom of religion is important in our dialogue with Uzbekistan. We have called for a simpler registration process for religious groups and stressed our concern at the use of criminal law to penalise religious worship. Our Embassy maintains contact with a wide range of religious groups. We work with EU partners to keep Uzbekistan's human rights record on the international agenda.

Intra-communal violence is common in some parts of **Nigeria**. In the north of the country clashes between Muslims and Christians are regular, and often deadly. Thousands have died over the last two decades. The UK funds a number of projects designed to reduce tension and promote understanding between communities. For example, we are funding a project between 2006 and 2008 designed to promote a culture of human rights and religious tolerance by building partnerships between communities and faith-based organisations.

Religious freedom in **Kazakhstan** has been dominated by the problems related to the Society for Krishna Consciousness commune in Karasai district, the only one in the Commonwealth of Independent States. Our Ambassador raised the dispute with the Kazakh authorities on several occasions in 2007. Our Ambassador and Embassy staff have regularly met with members of the Krishna community.

UN DECLARATION ON RELIGIOUS DISCRIMINATION: 25TH ANNIVERSARY

To mark the 25th anniversary of the signing of the UN Declaration on the Elimination of All Forms of Intolerance and Discrimination based on Religion or Belief, then FCO Minister Ian McCartney said:

"On this anniversary, we should celebrate this pivotal declaration which, 25 years on, is still the only international human rights instrument exclusively focused on the matter of religion or belief. The UK condemns all persecution of individuals or groups because of their faith or belief, wherever they happen and whatever the religion."

"The application of universal standards of human rights is a cornerstone of UK foreign policy. However, there still remain areas of the world where incidents of religious discrimination occur. We will continue to raise our concerns on the international stage, and work with other states to promote tolerance and mutual respect, and to protect religious minorities against discrimination, intimidation and attacks."

"The UK fully supports the important work of UN Special Rapporteur on Freedom of Religion or Belief Asma Jahangir. We urge all governments to co-operate fully with her."

The public profession of any religion other than Islam remains banned in **Saudi Arabia**. Non-Muslims are forbidden to assemble for religious purposes. Apostasy is punishable by death, as is converting to a religion other than Islam. Discrimination against the Shi'a and other minorities continues, despite some improvements – the Shi'a now take part in the national dialogue, along with other minority groups including the Hijazi Sufis and the Ismailiyyah. We raise cases with the Saudi government where they appear to have gone beyond their own restrictions. This is normally in the case of third-country nationals, mostly Filipinos and Indians, who have been detained for religious activity.

We funded a conference held by the central body of the Kristen Church in **West Papua** to look at the effects on their community of the 2006 regulation on establishment of places of worship. We have also launched a project aimed at studying discriminatory by-laws across **Indonesia**.

We maintain links with members of religious groups in **Turkmenistan**. We also monitor the registration process without which members of different religious groups are unable to worship. We have lobbied on behalf of specific groups, such as Jehovah's Witnesses.

The situation of religious and other minority groups in **Pakistan** continues to be of concern. Blasphemy legislation and its frequent abuse cause significant problems for minority groups such as the Ahmadis and Christians. They face attacks and police protection remains ineffective. Perpetrators of abuse are rarely brought to justice. We have welcomed the President of Pakistan's public statements in favour of reform or repeal of discriminatory legislation but are disappointed that the government has not had political support to implement changes through the National Assembly. An unwelcome development in May 2007 was the introduction of a bill on apostasy to make this a capital offence. Together with our EU partners we expressed our concerns about this issue in June 2007.

The UK and our EU partners have also raised concerns with the Pakistani government about particular minority communities in Pakistan, including the Christians in Charsadda, North-West Frontier province, who have endured sectarian violence. We have also urged the Sindh government to restore two churches and a school in Sukkur, Sindh province, which were burnt after caricatures of the Prophet Muhammad appeared in Danish newspapers in 2006.

VISIT OF UN SPECIAL RAPPORTEUR ON FREEDOM OF RELIGION OR BELIEF TO THE UK

We maintain a standing invitation to all special procedures of the UN to visit the UK and commit to co-operate fully with them.

The UK is a strong supporter of the work carried out by the UN Special Rapporteur on Freedom of Religion or Belief, Asma Jahangir. We have worked hard at the UN in Geneva to renew her mandate while resisting attempts to deflect her attention from her core task of promoting and protecting the right to freedom of religion or belief. We were pleased that the special rapporteur's mandate was extended for a further three years at the sixth session of the Human Rights Council in December 2007. It was regrettable, however, that it did not enjoy the support of all Council members.

We were pleased to welcome the special rapporteur when she visited the UK from 4 to 15 June 2007. In a busy schedule, she met Secretary of State for Communities and Local Government Ruth Kelly; then FCO Minister for international human rights Ian McCartney; Director of Public Prosecutions Sir Ken Macdonald QC; Cherie Booth QC; parliamentarians from both houses; representatives of the Scottish and Northern Irish devolved administrations; local authorities and community leaders in Birmingham, Bradford and Luton; various NGOs; and others.

In her report to the UN General Assembly in October 2007, the special rapporteur noted the UK's "great wealth of experience ... in dealing with religious tensions and terrorist acts carried out under the cover of religion". She also touched upon issues related to sectarianism, Northern Ireland, counter-terrorism, asylum-seekers and other domestic issues.

We look forward to further engaging with the special rapporteur once she issues the full report of her visit to the UK.

Human rights defenders

“Human rights defender” is a term used to describe people who, individually or with others, act to promote or protect human rights. They play a crucial role in advancing the cause of human rights and holding governments to account. Their position at the forefront of defending and promoting human rights often puts them at particular risk of attack and intimidation.

We place a great emphasis on implementing the EU Guidelines on Human Rights Defenders (available online at www.consilium.europa.eu). These guidelines, adopted by the EU in 2004, serve as its framework for protecting and promoting human rights defenders in third countries.

We work closely with EU partners on a range of initiatives to ensure greater protection for human rights defenders. In 2007, our Embassies played an active role in developing local EU strategies for the implementation of the guidelines, tailored to specific local needs.

In the second half of 2006, the EU continued to campaign on behalf of women human rights defenders. The campaign, designed to highlight the particular protection needs of these actors, took place in 62 countries. The eighth Annual NGO Forum on Human Rights in December 2006 also devoted one of its workshops to the specific challenges faced by women human rights defenders.

In December 2007, UK and EU partners co-sponsored a resolution at the UN General Assembly calling for greater protection for human rights defenders. The resolution was adopted by consensus.

We remain committed to taking up individual cases of concern at all political levels. It is often difficult to measure the impact of such lobbying but some recent releases from detention and other progress appear to have followed UK and EU intervention in 2007. For example, EU pressure helped secure the release from prison of **Uzbek** human rights defenders Umida Niyazova and Gulbahor Turayeva in May and June 2007 respectively. UK Embassy staff observed Niyazova’s trial and played an active role in EU talks with the Uzbek government on both cases. Sustained action is important and we and EU partners are now encouraging the Uzbek government to relax the conditions of their release.



UN Special Rapporteur on Freedom of Religion or Belief Asma Jahangir during a press conference after a joint report on the situation of detainees at Guantanamo Bay, held on 21 September 2006 at the UN office in Geneva.

The EU raised the issue of human rights defenders during its human rights dialogues with **China** and **Uzbekistan** and its consultations with **Russia**. Extensive consultations with local human rights defenders took place before these meetings.

Our staff overseas engage with local activists, support their work and raise concerns on their behalf with the host government when appropriate. We also raise their profile through appropriate publicity, visits or invitations. For example, our Ambassador in Kinshasa hosted a reception for Gege Katana, an activist against sexual violence and recipient of the Front Line Award in 2007 for human rights defenders at risk.

One practical and visible way of supporting human rights defenders is through financial assistance. The UK contributes 17 per cent of the budget for the European Instrument for Democracy and Human Rights. This EU programme funds civil society, including projects that support human rights defenders. It aims to provide a speedy response to the urgent protection needs of individual defenders. In addition, the UK directly funds defenders around the globe, enhancing their capacity to act as advocates and support human rights.

We seek to raise awareness of the situation of human rights defenders at the multilateral level. For example, we were involved in two events at OSCE meetings in 2007. The first, a seminar (co-sponsored with the NGOs International Helsinki Federation for Human Rights and Human Rights Watch) at the Supplementary Human Dimension Meeting in July 2007, discussed strategies for supporting human rights defenders. We also hosted a seminar during the Human Dimension Meeting in October 2007 that helped raise the profile of LGBT people's issues.

NEPAL

In Kathmandu, our support helped Peace Brigades International to develop an operational framework for the protection of human rights defenders; Advocacy Forum, a leading national human rights NGO to advocate against impunity; and the local Office of the UN High Commissioner for Human Rights (UNHCHR) to monitor the situation of local human rights defenders.

In **China**, we continue to raise the case of human rights defender Chen Guangcheng. He is serving a prison sentence of four years and three months for obstructing traffic and deliberately damaging public property. Chen was originally sentenced in August 2006. The verdict was overturned in October 2006. However, following a retrial in November 2006, the original verdict was upheld.

He was included on the list of cases of concern at the UK-China Human Rights Dialogue in February 2007. FCO Minister Lord Malloch-Brown raised his case with the Chinese Ministry of Foreign Affairs in August following reports that Chen was being mistreated in prison. We also supported attempts by his wife, Yuan Weijing, to travel to the Philippines on his behalf in August to collect the Ramon Magsaysay Human Rights Award. Unfortunately, she was prevented from travelling. Her freedom of movement remains limited.

Former Foreign Secretary Margaret Beckett made two public statements on Chen's case: the first on 2 November 2006 welcoming the Intermediate Court's decision to overturn Chen's original sentence, and urging the Chinese government to ensure that due process would be respected at Chen's retrial; the second on 15 January 2007, expressing concern that Chen's sentence had been upheld, and criticising the failure to uphold international fair trial standards in his case.

We continue to urge the Chinese government, both bilaterally and through the EU, to ensure that the harassment and intimidation of human rights defenders and their families is brought to an end.

In June 2007, several **Sudanese** activists were arrested and detained without charge in connection with community protests against the construction of a hydropower dam in the Kajbar area, northern Sudan. The EU raised this incident with the Sudanese government during the EU-Sudan Human Rights Dialogue meeting on 21 June and our Ambassador in Khartoum also raised the case with the Sudanese foreign minister in August. Six detainees were later released without charge, although we remain concerned that there have been subsequent arrests. In co-operation with the local UN human rights team, we will continue to monitor the situation closely. The European Parliament awarded the 2007 Sakharov Prize for Freedom of Thought to Sudanese human rights lawyer Salih Mahmoud Osman.

In the **Democratic Republic of Congo**, the British Embassy has contributed £10,000 to an NGO-administered scheme which helps to provide immediate protection for human rights defenders, human rights trial witnesses and victims of human rights abuses. In addition to contributing to temporary relocation of people in these categories who find themselves under immediate threat, the same project also provides training to human rights defenders to help them better manage their own security and carry out their work without putting them (and potentially also their families) in danger. Since the project began in May 2006 it has examined the cases of over 100 human rights defenders. The EU has also intervened through lobbying on behalf of the NGO Journaliste En Danger, a pro-press freedom group in the Democratic Republic of Congo, which has received repeated threats, thought to be from the security services. This lobbying, including at ambassador level, has contributed to the NGO being able to resume its work after fleeing Kinshasa in response to these threats.

We invited a number of **central Asian** human rights defenders to a training programme in London in 2007. The training was designed to increase the defenders' understanding of the relevant human rights instruments and mechanisms available to them and improve their reporting of human rights situations. The visit also provided an opportunity for

these defenders to strengthen contacts with British human rights NGOs and parliamentarians.

The UK was quick to respond when in March 2007 the **Zimbabwean** government arrested and brutally assaulted members of the opposition and civil society who were trying to attend a peaceful prayer rally. The foreign secretary, our minister for Africa and the EU presidency all issued statements condemning the police action and Lord Triesman summoned the Zimbabwean ambassador to the FCO, to register our disgust. The British Ambassador and EU colleagues personally attended the Court hearing for those arrested and saw first-hand the effects of the severe police beatings – which included fractures and head injuries. UK Embassy staff visited victims in hospital and monitored court proceedings. They also assisted in arranging a visa for one of the victims to visit her children in the UK. These human rights defenders expressed their appreciation for the support from the British Embassy, saying international attention helped them get through their ordeal.

Human rights defenders have also been the primary beneficiaries of substantial UK government funding in Zimbabwe through the Africa Conflict Prevention Pool. The pool aims to preserve democratic space, mitigate the effects of state repression and support transition/conflict resolution in Zimbabwe. Through our funding, the Zimbabwe Association of Doctors for Human Rights has assisted in treating torture victims, highlighting denial of access to medical attention for these victims and supplying information on their condition. The association has also supplied medical evidence on torture cases to the African Commission on Human and People's Rights, and has trained junior doctors in Harare on management of victims of organised violence and torture.

Human rights defenders in **Bangladesh** typically suffer from low capacity and inadequate methodology. The British High Commission in Dhaka therefore devised a training programme to raise the national standard of reporting of human rights violations. Through Huridocs International (a global network of NGOs) the High Commission conducted a series of workshops with 10 influential local NGOs to improve reporting techniques.

Our Embassy in **Guatemala** raised awareness of human rights among some of the most marginalised communities in the country by

publishing local versions of the EU guidelines on human rights defenders. The guidelines have been translated into Spanish and Guatemala's five most commonly spoken indigenous languages and also given extra practical information on local issues. The guidelines have also been promoted on local language radio stations to increase awareness among the illiterate.

Organisation for Security and Co-operation in Europe election observation

The UK is committed to supporting election observation. Elections are the most public manifestation of democracy and a crucial measure of a country's democratic health. Observation of elections can be a key tool in conflict prevention and post-conflict reconstruction and rehabilitation.

In the period covered by this report, the UK has contributed observers to 33 elections in 30 countries through a variety of organisations including the EU, the OSCE, the Council of Europe and the Commonwealth.

Many of the elections in the OSCE area during this period have been high-profile ones. As a strong supporter of the organisation, the UK has committed to provide up to 10 per cent of election observers requested by the OSCE's ODIHR. From August 2006 to December 2007, we spent over £700,000 on election observation in OSCE participating States, seconding over 300 UK observers. We contributed a further £25,000 in the second half of 2006 to the office to fund the participation of election observers from developing democracies in the OSCE, adding greatly to the geographical diversity of the observation teams.

We are supported in our OSCE election observation work by the valuable contribution of the UK Parliamentary Delegation to the OSCE Parliamentary Assembly. Led by Tony Lloyd MP, their support has been particularly useful in helping to improve the relationship on the ground between the OSCE Parliamentary Assembly and the ODIHR during election observation missions.

In 2007 there were a number of unexpectedly early elections, which presented extra challenges to the work of the OSCE in the field.

The UK supported OSCE observation efforts at the **Armenian** parliamentary elections in May with two long-term and 30 short-term observers. The deputy head of the core team was also a UK national.

On 18 August, **Kazakhstan** held parliamentary elections originally scheduled for 2009. The UK provided three long-term and 39 short-term observers and the deputy head of the core team. Kazakhstan was seeking selection as OSCE Chair-in-Office for 2009, but there had been no consensus among participating States as to its readiness. These elections proved a key test of its democratic credentials to hold the chairmanship. The observation process demonstrated that although some reforms had been made, there was still much to be done. The ODIHR's report, *Progress and problems*, led many participating States to regard the elections as a step backwards. At the 15th OSCE Ministerial Council in Madrid in November 2007, Kazakhstan was nevertheless awarded the chairmanship for 2010. The UK will continue to stress the need for reforms, including on electoral legislation, and press for implementation of the ODIHR's recommendations.

In September, pre-term parliamentary elections held in **Ukraine** were also not without their difficulties. In one of the largest missions over the year, the UK provided six long-term and 60 short-term observers. The UK's Dame Audrey Glover (representing the

OSCE) headed the international election observation mission. It concluded that the elections were "conducted mostly in line with OSCE and Council of Europe commitments and other international standards for democratic elections" and confirmed that there was "an open and competitive environment for the conduct of election processes".

In November, the UK provided one long-term and nine short-term observers to the Council of Europe election observation mission to **Kosovo**. Unable to monitor elections it was helping to organise, the OSCE requested the Council of Europe to conduct this observation mission on its behalf.

Another major challenge to the OSCE's election observation processes were the actions of the **Russian Federation** in failing to invite international observers in sufficient time to allow full and meaningful observation of its parliamentary elections in December, and the imposition of bureaucratic obstacles and unprecedented restrictions on the observation teams.

The UK continues to stand firm against any erosion of the principles and commitments of the OSCE – particularly where election observation and democratic principles are at stake – and will go on robustly defending the work of the OSCE, and that of the ODIHR in particular, in the human dimension (see page 42).

Election observers

Date	Country	Election type	Core team*	LTOs [†]	STOs ^{††}	Total	Mission
September 2006	Montenegro	Parliamentary	1	2	15	18	OSCE
September 2006	Yemen	Legislative	Not known	1	2	3	EU
September 2006	Zambia	Presidential & parliamentary	Not known	2	2	4	EU
October 2006	Bosnia and Herzegovina	General	1	2	20	23	OSCE
October 2006	Georgia	Municipal	0	2	0	2	OSCE
October 2006	Latvia	Parliamentary	1	1	0	2	OSCE
November 2006	Nicaragua	Presidential & parliamentary	Not known	0	4	4	EU
November 2006	Mauritania	Municipal & legislative	Not known	0	3	3	EU
November 2006	Tajikistan	Presidential	0	1	10	11	OSCE
November 2006	Venezuela	Presidential	Not known	2	4	6	EU
December 2006	Aceh/Indonesia	Local – first round	Not known	2	2	4	EU
January 2007	Serbia	Parliamentary	1	1	10	12	OSCE
February 2007	Albania	Municipal	0	3	40	43	OSCE

Date	Country	Election type	Core team*	LTOs†	STOs††	Total	Mission
March 2007	Mauritania	Presidential	Not known	0	1	1	EU
April 2007	Nigeria	Presidential & parliamentary	Not known	4	4	8	EU
April 2007	East Timor	Presidential	Not known	1	1	2	EU
May 2007	Armenia	Parliamentary	1	2	30	33	OSCE
June 2007	Moldova	Local	1	1	15	17	OSCE
June 2007	East Timor	Parliamentary	Not known	0	1	1	EU
August 2007	Kazakhstan	Parliamentary & local representative authorities	1	3	39	43	OSCE
August 2007	Sierra Leone	Presidential & parliamentary	Not known	2	3	5	EU
September 2007	Ukraine	Parliamentary	2 (inc. heads of mission)	6	60	68	OSCE
September 2007	Ecuador	Presidential & legislative	Not known	2	2	4	EU
September 2007	Guatemala	Presidential & legislative	Not known	3	4	7	EU
October 2007	Togo	Legislative	Not known	0	2	2	EU
November 2007	Kosovo/Serbia	Parliamentary	0	1	9	10	Council of Europe
November 2007	Croatia	Parliamentary	1	1	0	1	OSCE
December 2007	Kyrgyzstan	Parliamentary	2	2	25	29	OSCE
December 2007	Uzbekistan	Presidential	1	1	0	2	OSCE

* The core team is made up of experts seconded from the ODIHR. The team spends six to eight weeks in the country looking at election-related issues such as legislation and media coverage.

† Long-term observers organise the monitoring mission and are in the country for four to six weeks before the election.

†† Short-term observers form the bulk of the observation mission and are seconded for the week of the election.

The Westminster Foundation for Democracy

The Westminster Foundation for Democracy, which was set up by the FCO in 1992, supports the growth of democracy around the world, working with local partners to strengthen democratic institutions – principally parliaments and political parties – and to support peaceful elections and voter participation in political processes. The foundation is currently concentrating on seven country programmes – in Belarus, Egypt, Kenya, Serbia, Sierra Leone, Uganda and Ukraine – and on building up its regional Middle East programme.

Africa

In 2006/07, the foundation is promoting the right to representation, protecting the rights of marginalised groups and helping civil society organisations consolidate their programme work in Sierra Leone, Kenya and Uganda.

Post-conflict **Sierra Leone** faces many challenges, including addressing the human rights needs of marginalised groups such as women through improved political representation. The foundation supports both the 50/50 Group in its work

to help women develop their advocacy and campaigning skills, and Akina Mama wa Afrika, which is helping women play an active part in the democratisation process and encouraging them to hold the government to account. Westminster parties have been working together to strengthen the capacity of their local counterparts ahead of the parliamentary elections in August 2007, with funding from DfID.

In **Uganda**, the foundation has worked with local stakeholders to foster peaceful political transition by facilitating free and fair elections, and helped civil society groups address human rights issues such as political representation and the death penalty. For example, the foundation has helped the Federation of Human Rights Initiatives organise paralegal training and campaign against the death penalty, and has supported the Uganda Women's Network in highlighting the human rights challenges facing Ugandan women.

In **Kenya**, the foundation has helped the Institute for Education in Democracy and the Kenya Parliamentary Journalists Association to provide skills training to journalists and media workers covering parliamentary issues, while promoting the right of journalists to report in a free environment.

The Middle East and North Africa

In the Middle East and North Africa, the foundation has concentrated on parliamentary reform. In **Egypt**, it has led a series of initiatives, including setting up a new information and research centre to improve civil society organisations' access to information and hold elected representatives to account. The foundation's activities embrace parliament as an institution; the parliamentarians who work within it; the media who report on it; and the women who aspire to be part of it.

In **Lebanon**, the foundation is assisting the Lebanese Parliament to develop its role in oversight of the national budget. In March 2007, the foundation brought a senior clerk from the House of Commons, an expert from the National Audit Office and a UK MP to Beirut to identify the needs of the finance committee and discuss future collaboration.

KENYA ELECTIONS: HUMAN RIGHTS CONCERNS

Kenya held presidential, parliamentary and civic elections on 27 December 2007. The pre-election campaign period was marked by elevated levels of violence compared with the previous elections in 2002. Of particular concern were instances of violence and intimidation of female candidates, police firing live ammunition into crowds at political rallies, and displacements of people linked to politically motivated violence.

Attention was focused on the case of Flora Tera, a parliamentary candidate in Meru, Eastern province, who on 7 September was attacked by five armed men, severely beaten and forced to swallow human faeces as a warning not to stand in the elections. The Gender Rapid Response Unit, set up to provide support to female candidates, documented over 250 cases of violence and intimidation between October and election day.

Between October and December, 16,000 people were displaced in the Kuresoi area of Molo province in the Rift Valley. At least 25 people were killed and hundreds of homes were burnt. In the Mount Elgon area it is estimated that 100,000 people were displaced in the months running up to the elections. The population in that area was subject to attacks by armed gangs that were believed to have links to local politicians.

Europe

In **Serbia**, alongside the Standards Board for England and Wales and other UK experts, the foundation helped establish boards to monitor the accountability of local government in six municipalities. In the year ahead, the boards'

capacity to raise public awareness will be increased, and the initiative widened to other municipalities.

In **Ukraine**, a key component of the foundation's work has been to maintain public interest in the political process. Projects providing skills to elected members of self-governance bodies continue to be in high demand.

THAILAND

Military coup

The Thai military took control of Thailand in a bloodless coup on 19 September 2006. They immediately dissolved the government, terminated the constitution, imposed martial law across the country and closed down TV and radio stations and websites. Political parties were banned from conducting political activities and the registration of political parties was temporarily suspended.

Subsequently, the Council for National Security (CNS), comprising the military coup leaders, stated that there would be a return to democracy within 12 months from the date of the coup. The interim government then committed to holding democratic elections by the end of 2007. Martial law was lifted in 41 of the 76 provinces in January 2007 and a referendum on the new constitution was held in August 2007. The new constitution came into force on 8 October 2007. Despite this, there remained concerns about the retention of martial law in 35 provinces and interference with freedom of expression in the run-up to the elections, which took place on 23 December 2007.

Southern provinces

After the coup the military took steps to quell the insurgency in the far southern border provinces that has claimed around 2,500 lives since January 2004. In 2007, they arrested and detained hundreds of suspects. Under an emergency decree in force in the southern border provinces, suspects can be arrested without a warrant and held for up to a month, the first three days incommunicado. The decree also grants government officials immunity from prosecution.

There are numerous unsubstantiated reports that detainees have been subjected to torture and ill treatment by the military. We are aware of two detainees who have died in the period following their arrest. There remain concerns about the voluntary basis for re-education programmes run for detainees in military camps. Insurgents continue to mount attacks on military and civilian targets, including the beheading and mutilation of corpses, and indiscriminate bombings and shootings.

Hmong refugees

Approximately 8,000 Hmong live in the Ban Huay Nam Khao provisional shelter in Petchabun. There are other groups elsewhere. A number of Hmong have entered Thailand from Laos in the last 18 months. The UNHCR has offered screening services on numerous occasions to the Thai authorities in accordance with international humanitarian standards and law. We are aware that a number of Hmong have been deported back to Laos without the UNHCR being able to determine their status. At the Nong Khai immigration centre, 149 Hmong, including 90 children, have been detained for several months in poor conditions despite being recognised as refugees by the UNHCR, who has found them resettlement places in third countries.

UK response

Following the coup, the EU expressed its condemnation of the action taken by the military in overthrowing the democratically elected government and imposed a number of restrictions on contact with the regime. The measures included a prohibition on ambassadorial contact with the leaders of the coup in the CNS and a ban on direct bilateral ministerial contacts (although contacts during multilateral events, such as EU-Association of South-East Asian Nations, were permitted). In April 2007, the EU lifted the ban on ambassadorial contact only. The ban on ministerial contact was retained until a democratically elected government was in place.

The UK, with our EU and US partners, regularly encouraged the Thai authorities to keep to their timetable for the restoration of full democracy. We also regularly raise concerns about reports of human rights abuses in the southern border provinces.

The UK, with our EU partners, raises the situation of the Lao-Hmong in Thailand regularly with the Thai authorities. The EU made a declaration on 18 June 2007 addressing the situation of Hmong refugees in Thailand, calling on the government to co-operate with the UNHCR and countries willing to accept the Lao-Hmong for resettlement. The British Ambassador also requested that the Lao government treat the Hmong in accordance with international standards during his visit to Laos in October 2007.

Rule of law

Enforced disappearances

The UK believes that the International Convention for the Protection of All Persons from Enforced Disappearance, if properly implemented, will be an important tool in preventing enforced disappearance in the future and will have a positive impact on the protection of human rights worldwide. We played a supportive and constructive role during the negotiation process to draft the convention and we welcome the fact that the convention was adopted by both the UN Human Rights Council and the UN General Assembly (on 20 December 2006) by consensus. Many countries, in particular those in Latin America, attach great significance to this new convention.

At the adoption of the convention at both the UN General Assembly and the Human Rights Council in 2006, the UK made an interpretative statement clarifying our understanding of certain provisions. This includes the definition of what constitutes an enforced disappearance and the application of obligations under international humanitarian law. It also covers the procedures applicable to adoption and placement of children as a result of an enforced disappearance. This can be found at www.fco.gov.uk/ukmisgeneva.

The convention opened for signature and subsequent ratification in Paris on 6 February 2007. Seventy-one states (including 16 member states of the EU) have signed the convention so far and one has ratified it. The convention requires 20 states to ratify it in order for it to enter into force. The UK did not sign the convention at the ceremony in Paris on 6 February 2007 because we do not sign international instruments unless we have a firm intention to ratify within a reasonable timeframe.

The government will now conduct a detailed analysis of the provisions of the convention and the implications of its implementation within the UK in order to determine our position towards ratification.

Abolition of the death penalty

The UK is opposed to the death penalty in all circumstances. Working towards the abolition of the death penalty forms part of the FCO's public service agreement. This was explained in our 2006 report.

The UK and global action

Working with the Advisory Panel on the Abolition of the Death Penalty, a group of experts that advises and informs UK policy, we have developed a strategy on abolition of the death penalty. The strategy sets out our goals and reviews the steps towards abolition, as well as the mechanisms at our disposal to achieve that. We will use this strategy to direct our global work to abolish the death penalty and to tailor individual country plans in the coming years.

In December 2006, EU partners submitted a declaration, signed by 85 states, supporting work on abolition of the death penalty in the UN General Assembly. As a result of this, and following an EU analysis to look at the viability, EU ministers decided that we would introduce an anti-death penalty resolution at the 62nd session (2007) of the UN General Assembly in the framework of a cross-regional alliance. In November 2007, alongside Albania, Angola, Brazil, Croatia, East Timor, Kyrgyzstan, New Zealand, Mexico and the Philippines, EU member states tabled a resolution calling for all states to establish a moratorium on the death penalty. The UK, along with EU partners and the states mentioned above, worked hard to deliver this resolution. We were actively involved in consultations on the language within the resolution and in preparation of the strategy required to deliver a successful resolution at the UN General Assembly Third Committee, as well as contributing to the lobbying effort. Our collective efforts paid off. On 15 November 2007 the UN General Assembly Third Committee adopted a resolution calling for a global moratorium on the use of the death penalty. This was a landmark decision that gives further evidence of the global trend towards abolition.

During the reporting period, the FCO funded several projects towards abolition of the death penalty which helped to effect real change on the ground.

One project made recommendations to the **Chinese** Supreme People's Court on the review of all immediate death sentences. The Chinese Supreme People's Court reclaimed its power to review all immediate death sentences from 1 January 2007. We have also commissioned scoping studies in **Kyrgyzstan** and **Papua New Guinea** to identify where and how we could add value to work to abolish the death penalty. Following similar success in **Uganda**, we helped fund a project that challenged the constitutionality of the mandatory death penalty in **Malawi**. The court unanimously held that the mandatory death penalty was unconstitutional. This resulted in 30 prisoners being removed from death row to be re-sentenced, with the death penalty as only a possible option.

We are funding work in Africa that has included leading a discussion on sentencing at an ongoing colloquium and the distribution of *A guide to sentencing in capital cases* to all judges to assist them in sentencing with discretion.

We are also funding two other projects working on death penalty issues this year. In **Kazakhstan**, we are promoting accession to the second optional protocol to the International Covenant on Civil and Political Rights.

Another **China**-base project is designed to provide baseline data on the use of the death penalty which will be used to make recommendations for legislative change on both the scope of capital crimes and the procedure in death penalty trials.

The European Union and global action

The UK works closely with the EU to promote abolition around the world. Since August 2006, the EU has raised the question of the death penalty with, among others, Afghanistan, Antigua and Barbuda, Bahrain, Bangladesh, Barbados, Botswana, China, Comoros, Dominica, Egypt, Gabon, Gambia, Ghana, India, Indonesia, Iran, Iraq, Jordan, Kuwait, Libya, Malawi, Morocco, Papua New Guinea, St Christopher and Nevis, St Lucia, St Vincent and the Grenadines, Taiwan, Tanzania, Trinidad and Tobago, Uganda, the US, Vietnam, and Yemen. This includes continuing action on the EU's "countries on the cusp" campaign and work on the UN resolution. The EU also continues to make individual representations on specific cases that fall short of EU guidelines and more general representations.

Further details of specific work carried out by the UK and EU in the countries that carry out 91 per cent of all executions (with the exception of the US) can be found in Part 5, Major countries of concern.

United States

Working with the EU, the UK aims to encourage a reduction in the use of the death penalty in the US. We work towards the establishment of a moratorium on executions in advance of the complete elimination of the death penalty. In 2007, the European Commission funded four American Bar Association reports into certain US states' death penalty practices, to help evaluate their fairness and accuracy. In the same period, the EU intervened in seven death penalty cases, appealing for sentences to be commuted to life imprisonment without parole in cases involving the breaking of de facto moratoriums, felony murder, or mental illness. The EU has consistently supported the principle of adherence to the Vienna Convention on Consular Relations, specifically in the case of *Medellin vs. Dretke*, through *amicus curiae* briefs.

Positive and negative developments in 2006 and 2007

The trend towards global abolition continued in 2006 and 2007. The UK welcomed the abolition of the death penalty for all crimes in **Rwanda** in July 2007 and the abolition of the death penalty for ordinary crimes in **Kyrgyzstan** in June 2007. Minister for Human Rights Lord Malloch-Brown welcomed the launch by the Council of Europe on 10 October of a European Day against the Death Penalty. On the same day, the UK Ambassador to **South Korea** gave a keynote speech to mark the World Day against the Death Penalty. He welcomed the fact that South Korea was an abolitionist country in practice, having not carried out an execution for 10 years. We hope this will be an important step for South Korea on the road to full abolition. The UK also welcomed the decision from the Inter-American Court of Human Rights in *Boyce et al vs. Barbados*. The court found **Barbados** to be in breach of the American Convention on Human Rights in relation to the mandatory death penalty.

We have also seen some worrying developments. The EU and the international community expressed their concern to the **Peruvian** government preceding an attempt that failed to reintroduce the death penalty in Peru for crimes of abuse and murder of children under seven years. The EU also

raised concerns about the increase in executions in **Iran** and **Iraq**, and the resumption of executions following a period of non-application of the death penalty in **Japan**. With EU partners, the UK raised the execution of Saddam Hussein and the manner in which it was carried out with the Iraqi authorities.

Prison reform

In 2007, we funded a second edition of *A human rights approach to prison management: handbook for prison staff*. This practical handbook, originally funded by the FCO in 2003, describes the internationally agreed standards on the use of imprisonment and conditions of detention, and offers guidance for prison staff as to their implementation. It provides a model for good prison management that can be applied in every prison system in the world. Over 70,000 copies of the original version of the handbook were distributed around the world to intergovernmental agencies, national prison administrations and NGOs. The new edition includes references to recent developments in international law, such as the Optional Protocol to the UN Convention against Torture and the revised European Prison Rules. It also gives more detail on issues such as torture and ill treatment, healthcare, high security, and inspection procedures.

We are in the final year of a three-year project to promote human rights in prison reform, funding the International Centre for Prison Studies to produce a series of 15 guidance notes covering the major issues of prison reform. The notes complement the handbook and give potential funders and those interested in penal reform a set of basic documents that can be used to design and structure prison reform activities. The FCO also funded the production of two notes on foreign prisoners and high security prisoners. We are in the final year of the project.

A number of events have been held to engage like-minded donors, governments and NGOs in the process of prison reform, using the handbook and guidance notes. The first of these was a regional seminar in **Guatemala**, organised in October 2006 by the British Embassy, in partnership with the International Centre for Prison Studies. Senior representatives from the prison administrations of Guatemala, Honduras, El Salvador, Belize,

Nicaragua and the Dominican Republic all took part in a roundtable discussion on human rights and prison reform. Representatives joined them from the UN High Commission for Human Rights, the UN Latin American Institute for the Prevention of Crime and the Treatment of Offenders, the UN Development Programme, the European Commission and the embassies of Norway, Finland, Mexico, France and Italy. The two-day meeting produced the Declaration of Guatemala, which sets out priorities for prison reform in the region, and identifies key obstacles and ways in which these could be overcome. This event was followed by similar events in Mozambique, and future events are planned in Cameroon and Mexico.

We continue to support projects to assist the **Russian** Federal Prison Service in improving the human rights compliance of Russian penal establishments, building on previous partnerships.

As reported last year, the head of the Russian Federal Prison Service asked the International Centre for Prison Studies to deliver a project to provide training and development for the recently appointed local human rights advisers throughout Russia. Since inception, a number of project activities have taken place and some 150 staff, including up to 20 human rights advisers, have participated in workshops and training events on the European Convention on Human Rights, inspection and monitoring procedures in prisons, and the audit process as mechanisms for enforcing human rights observance in the prison setting.

We also support penal reform in Russia by establishing and developing multi-faceted co-operation between NGOs and the penitentiary system in five regions of Siberia and northern Russia. The programme focuses on improving compliance to European standards and practices for the treatment of prisoners through establishing a system of public control over the penitentiary system function (based on the UK Prison Board of Visitors), and training and supporting penitentiary system management and staff in the implementation of European standards and practices. The EU has provided additional funding and the project's scope expanded this year to cover southern Russia. The project's findings and recommendations were presented to President Putin in January 2007 and are being used to shape the draft federal law on "Public control for ensuring human rights in detention institutions".

Since 2005, we have funded a project to expose senior **Chinese** prison staff to UK prison management techniques and explore space for improving human rights protections through prison reform. The British Council has implemented this in partnership with the International Centre for Prison Studies and the Chinese Ministry of Justice. Three groups of 16 senior Chinese staff received training in the UK on human rights-based prison management, staff selection and training, and prison categorisation. The groups included senior officials, heads of provincial prison administrations and governors of individual establishments. This was the largest and most senior delegation the Chinese Ministry of Justice has ever sent to participate in this type of visit. International Centre for Prison Studies staff have visited a number of prisons in China and contributed to a series of follow-up training events making use of FCO-funded human rights training materials. The Chinese Ministry of Justice is now discussing the implementation of new techniques with the International Centre for Prison Studies.

In September 2004, our Embassy in **Libya** began a two-year project partnership with the Libyan Ministry of Justice, the Judicial Police, which is responsible for prison management, and the International Centre for Prison Studies to improve human rights in Libyan prisons. This project has now ended, and has delivered some encouraging results.

Activities included visits to prisons in Libya and the UK and the developing of action plans for improvements. Over 100 managers and staff of the Judicial Police received training in international human rights standards for prison management and a group of Libyan trainers was trained to carry out further workshops themselves. At an early stage of implementation, the Judicial Police, formerly under the authority of the Ministry of Security, was transferred to the Ministry of Justice, where it is now independently managed.

The enthusiasm and co-operation of the Judicial Police have been excellent throughout. The personal commitment of its director to bring about improved human rights in Libyan prisons has been key to the project's progress.

A second phase of the partnership has been agreed, and from 2006 until 2008 a prison improvement management package will be delivered in each of the 37 prisons in Libya run by the Judicial Police.

This is based on an evaluation of the performance of prisons against international human rights standards, Libyan law and action plans for the implementation of a human rights agenda.

In 2005, we began to fund a partnership between the **Moroccan** Prison Service and the International Centre for Prison Studies in a project called Improvement in Prison Management for the Achievement of Human Rights. The core of this work was delivered in four activities during 2006, three in Morocco and one in England. In addition, the International Centre for Prison Studies, in partnership with the Prison Service of England and Wales, hosted a visit to England by the Director and Deputy Director of the Prison Administration in Morocco.

A training course for senior prison managers was developed as part of the project. The framework of the course is a strategic planning approach for the delivery of human rights in prisons.

At the invitation of the British Embassy and the **Algerian** Ministry of Justice and Prison Administration, two representatives from the International Centre for Prison Studies (its Director, Rob Allen, and Professor Andrew Coyle) visited Algeria in November 2006. They held a series of meetings with senior officials and representatives of the criminal justice system, visiting two prisons and the site of a new juvenile facility. They reported a high level of interest and assessed that there would be opportunities for partnerships. The FCO is now funding a one-year project to enhance the Algerian prison administration's ability to bring its prisons up to international standards.

Combating torture

October 2008 will mark the 10th anniversary of the UK's anti-torture initiative. The then Foreign Secretary Robin Cook launched it with the aim of focusing our efforts to combat torture across the world. Torture is correctly regarded as one of the worst violations of human rights and human dignity. Article 5 of the Universal Declaration of Human Rights states that "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." Yet torture is still committed with impunity in many parts of the world. The UK remains fundamentally opposed to torture as a matter of principle, and we continue to be one of the most active countries in the world in the fight to eradicate it.

The Optional Protocol to the UN Convention against Torture (OPCAT) has made good progress. Since last year's report Armenia, Benin, Brazil, Cambodia, the Czech Republic, Estonia, Liechtenstein, New Zealand, Peru, Moldova, Senegal, Serbia and Slovenia have all ratified the convention. On 18 December 2006, 29 states parties elected the first members of the Sub-committee on Prevention of Torture. Currently chaired by British criminologist Silvia Casale, the sub-committee comprises 10 independent experts from states parties. It is responsible for visiting places of detention within countries that have ratified the convention, and making recommendations for improvements.

The protocol requires states parties to set up, designate or maintain existing independent national bodies that will carry out regular visits to places of detention. The UK government intends the domestic requirements of the protocol to be fulfilled by the collective action of the existing statutory inspection bodies in the UK, including Her Majesty's Inspectorate of Prisons for England and Wales, the Mental Health Act Commission, Her Majesty's Inspectorate of Prisons for Scotland and others. The government does not believe, at the outset, that in order to establish the UK National Preventive Mechanism (NPM) there is a need to create any new bodies. Discussions are under way with the existing inspection bodies on the implications of their designation as members of the UK NPM, and on the future operation of the NPM.

We continue to support OPCAT through a range of diplomatic activity and project work, with an emphasis on encouraging implementation and the establishing of national preventive mechanisms. As in previous years, we are supporting the work of the Association for the Prevention of Torture (APT), the leading NGO working for the ratification and implementation of the convention. With the help of UK funding, the association has delivered workshops in a number of countries, bringing together governments, national commissions and civil society for open discussion on the most appropriate and effective arrangements for a national preventive mechanism in each country (see box). These activities are planned, or have taken place, in Benin, Bolivia, Brazil, Cambodia, Costa Rica, the Maldives, Moldova, Mexico, Peru and Senegal.

In addition to this practical work on implementation, we continue to campaign for wider ratification of the convention. In March 2007, the FCO launched the third round of its lobbying campaign to encourage states to sign and ratify the protocol.

According to UN reports, the practice of torture remains endemic in **Cameroon**. On 26 June 2007, the British High Commission in Cameroon marked the International Day in Support of Victims of Torture by holding a joint event with the UN Centre for Democracy and Human Rights for Central Africa. Representatives of the government of Cameroon, the international community, civil society and the media attended the event. This was the first time that the problem of torture in Cameroon had been openly addressed at a gathering of all the major stakeholders. It was hailed in the media as a turning point in the struggle to eradicate torture in Cameroon.

Torture continues to be a serious issue of concern in **Zimbabwe**, with more than 500 cases recorded by the NGO Human Rights Forum from January to July 2007. Since March 2007, when a peaceful prayer rally was brutally suppressed, the state has taken a particularly violent approach to the main opposition party and to civil society, which has put a great strain on organisations that help victims of torture. The British Embassy has responded with a substantial injection of funds for the physical and psychological treatment of victims of torture as well as with the documentation of violations.

In 2005, the FCO began funding a project to help combat torture in **Brazil**. In partnership with the Brazilian government and the British Council, this project focuses on police stations and prisons, and aims to promote the criminal justice procedures that are essential for preventing torture. The project has helped support the implementation of Brazil's national plan to combat torture, and contributed to the ratification of OPCAT by the Brazilian government last year, allowing independent inspection of detention facilities by national and international observers. Members of around 200 state human rights councils (joint government-civil society organisations responsible for promoting human rights at the local level) and forensic police officers have been trained as trainers on investigating, documenting and reporting cases of torture. This training has so far been cascaded to more than 10 states in the country, and is having a positive effect. In 2006, the APT came to Brazil and trained more than 50 prison staff. The manual *Monitoring places of detention: A practical guide* (2002) was distributed to prisons across Brazil. Some of the trained forensic professionals assisted in the investigations of 19 victims of violence in the Rio Favela, Complexo do Alemão, in July 2007. And in the state of Ceara, one of the policewomen who took part in the training has been made a police ombudsman – the first time a woman has held such a position in Brazil.

Between 2005 and 2007, we funded Penal Reform International to implement a project to strengthen national mechanisms to prevent torture and ill-treatment in **Kazakhstan**. They established a network of public monitoring boards across the country, which were responsible for providing public control of prisons, as well as helping victims of torture in the pre-trial detention centres and police cells.

As a result, in December 2006, three police officers were sentenced for torturing suspects in pre-trial detention centres in Petropavlovsk. This was the first such conviction in Kazakhstan, and has paved the way for a number of court cases that started later in 2006 and are ongoing. Another positive result has been the conducting of pilot monitoring in three regions of Kazakhstan, and the joint drafting by Penal Reform International and the Ministry of the Interior of a law to introduce public monitoring of pre-trial detention centres. Kazakhstan signed

OPCAT: SUPPORTING THE ESTABLISHMENT OF AN EFFECTIVE NATIONAL PREVENTIVE MECHANISM IN BENIN

In July 2007, the Association for the Prevention of Torture and the Ministry of Justice of Benin organised a joint seminar on the establishment of an effective mechanism, funded by the FCO. The gathering included officials from key government ministries, members of the police, prison service and judiciary, and NGO representatives. They discussed the obligations and implications of the convention, assessed the current national situation in Benin, and came up with a road map towards establishing an effective mechanism. The seminar established a working group to implement this road map. Its role includes advising on the implementing legislation, lobbying for its adoption in parliament, and ensuring the appointment of competent mechanism members.

The seminar also determined a number of key points vital to the effectiveness of the mechanism, which will be specifically addressed in the legislation. These include an appropriate procedure for selection of expert members, a powerful legal mandate for the mechanism to carry out inspections, and the allocation of sufficient funding for the mechanism to operate effectively. The minister of justice of Benin, who reiterated his commitment to establishing an effective mechanism, personally attended the first meeting of the working group.

This consultative process, together with the practical follow-up, is a very good example of how an effective mechanism can be set up, and can be used as a model for other states seeking to establish mechanisms.

up to OPCAT in September 2007, and the Embassy will now concentrate on securing its ratification and effective implementation.

Police and security forces

Legal protection for human rights is a key element of the rule of law. But even the most comprehensive legislation achieves little, if human rights principles are not respected by those responsible for upholding them. Police and security forces are at the forefront of law enforcement. In many countries, far from upholding human rights principles, they are themselves responsible for widespread abuse of human rights. We believe that human rights are best protected by police and security forces who are well trained, disciplined professionals, dedicated to serving the public, and accountable to civil authorities. We advocate this approach through a number of projects and initiatives, some of which are outlined below.

The reform of key public institutions is crucial for **Sri Lanka** to be able to move towards a more sustainable peace. Governance issues are crucial if this long-term objective is to be realised, particularly in respect of the security sector. In 2006 the Sri Lankan government approached the UK to ask for assistance in key areas of security sector development. Since then, teams from the UK's multi-departmental Security Sector Development Advisory Team have visited Sri Lanka regularly, to assist the Sri Lankans with their programmes to develop civilian oversight of the Ministry of Defence and security policy.

The UK has also been involved in the development of policy and provision of training in a number of areas. These include peacekeeping operations, civil military relations, international humanitarian law, and the law of armed conflict. There have also been initiatives to improve the English and Tamil language capacity of the police, military and judicial sector, to enable better communication with all sectors of society and increased access to the services of national and local government.

In 2005, the Inter-American Court of Human Rights condemned the **Colombian** government for the Gutiérrez Soler case and obliged the state to adopt a training programme taking into account international rules for public servants. Part of the response to this ruling was a seminar run by the UNHCHR in Colombia, and funded by the British Embassy. The seminar focused on implementing the outcome of the Istanbul Protocol, *The manual on effective investigation and documentation of torture and other cruel, inhuman or degrading treatment or punishment* (first published in *The Lancet*, 1999), to strengthen the capacity of law enforcement officials to prevent torture. In the course of the three-day seminar, 70 members of the security forces, mainly police, were given the necessary technical knowledge to evaluate possible instances of torture and punishment. Specific topics were drawn from the protocol itself, and included medicine, psychology, psychiatry and justice. A secondary aim of the seminar was to coach trainers, in order to replicate the content of the Istanbul Protocol within each of the law enforcement institutions.

The UNHCHR in Colombia will now monitor the training processes of each of the branches of the law enforcement institutions involved. In the longer term, the aim is to use the seminar as a model to work with judges, prosecutors and members of civil society on the prevention of other gross human rights violations, such as extra-judicial killings and forced disappearances.

We remain concerned about the capacity of police forces in **Russia** to support the local community, including their ability to respond to the frequent instances of domestic and sexual violence, and to the growing threat of human trafficking. We are currently providing £600,000 of funding for two projects that support Russian police forces in these areas.

The first project aims to train police officers to tackle community and domestic violence, and to introduce new training modules to the state training curriculum. It has already been implemented in four regions of Russia, including the Urals, Povolzh'e, western Siberia and the far east. The main implementing partner, a Urals-based NGO specialising in the prevention of domestic violence and providing support to victims, has developed a partnership with regional police departments and is piloting the project in three further regions.

The second project combats human trafficking through increased NGO-police co-operation and training. The Russian NGO Sisters, which supports victims of sexual violence and human trafficking, is implementing the project in seven regions of central Russia, Siberia, the Urals, the north-west and far east. The main project activities include lobbying for anti-trafficking legislation and training senior police officials to international standards on the prevention of human trafficking.

Both project partners work closely to develop and disseminate educational materials, organise events, ensure relevant authorities' participation and exchange lessons learned. The close partnership in these projects between the NGO implementers and police authorities provides an excellent example of co-operation that can serve as a model for replication across the country.

The Democratic Republic of Congo's police and security forces remain a major source of concern for the Congolese people. The state security forces commit many human rights abuses, including sexual violence. The UK is providing £750,000 to the Institute for Democracy in South Africa, a South African police reform NGO, to support the exposure of senior police officers, civil society, parliamentarians and the media to police reform.

The UK has provided two members of staff and £446,330 for EUSEC (the EU Security Sector Reform Mission in the Democratic Republic of Congo). We are about to give £700,000 to support the Chain of Payment project run by EUSEC.

The UK is contributing to schemes to support an "emergency" justice project for eastern Democratic Republic of Congo to bring the most serious crimes to justice. The aim is to revitalise the justice system there while longer-term reform is being developed to replace it. We are also looking to add a sexual violence component to this project to address the appalling situation in eastern Democratic Republic of Congo.

Major countries of concern

5.1 Introduction

This report has dealt with human rights in the broader context of policy goals and as themes we promote globally for their own sake.

This part of the report focuses on countries where human rights issues cause us the greatest concern, or where we devote a great deal of attention, both bilaterally and in international fora.

The FCO and our Embassies around the world all work to promote and protect human rights. This part of the report gives an overview of our concerns in each country selected and a summary of our activities to address these concerns, and looks ahead to the challenges in the coming year. This new, sharper approach is intended to concentrate focus on what we do, why we do it and how we see things moving in the future.

This is not an exhaustive survey of countries' records on human rights. Nor is it a league table of countries we consider the worst offenders. There are many other authoritative reports, issued by governments and NGOs, that publish information on a country-by-country basis. We do not want to duplicate their efforts. We cover issues of concern in other countries throughout the report.

Some countries with the worst human rights records appear each year. It is important to keep the spotlight on the likes of North Korea, Turkmenistan and Belarus, and include those that attract a great deal of public interest, like Russia, Israel/Palestine

and China. We also take into account the views of key stakeholders, such as the Foreign Affairs Committee.

Since the last report, we have made one change: we agreed with the Foreign Affairs Committee's recommendation that we include Pakistan as a country of concern. Recent changes in the political landscape, and the period surrounding the state of emergency declared by President Musharraf on 3 November 2007, brought a number of human rights issues in Pakistan into the public eye.

The Universal Declaration of Human Rights and the UN Charter both clearly imply that the human rights situation in any country is the valid concern of all states. No country in the world has a perfect human rights record, although states fall short of that goal to widely varying degrees. This does not mean we can ignore or dismiss problems when they arise in our own or other countries.

Where we have concerns we raise them, both bilaterally and through the EU. We are working hard to ensure that the UN Human Rights Council addresses situations in specific countries, as well as on particular themes. We are also among the strongest supporters of the Organisation for Security and Co-operation in Europe's peer review approach to promoting and protecting human rights as a means of preventing conflict. We look to all states to co-operate with international human rights bodies and adhere to our shared values, which are contained in agreed documents.

States should be open and accountable for their human rights records. How a state responds to criticism is an important measure of its commitment to human rights. We regularly engage in a frank dialogue with other states and look forward to their reactions to this report.

5.2 Afghanistan

Introduction

Following decades of turmoil and conflict, Afghanistan is one of the poorest countries in the world. It faces a range of difficult security, development and human rights challenges. The UK's broad strategy is to support the government as it works with the international community to establish stability and security and cement the country's fledgling democracy. In this context, we are working to strengthen the Afghan government's capacity and resolve to tackle human rights violations through a more capable, accountable and responsive system of government.

Our comprehensive approach focuses on development, defence and diplomacy. To make progress in these areas:

- since 2001, the UK has committed £1.3 billion to reconstruction and development in Afghanistan, making the UK Afghanistan's second largest bilateral donor after the US; and
- by the end of 2007, over 40,000 Afghan National Army soldiers had been recruited, trained and equipped. Progress has also been made in recruiting and training the Afghan National Police, with the UK actively participating in the EU Police Mission and the US-led police training programme.

Current concerns

Governance

Good governance structures are key to safeguard human rights. Outside Kabul, central government influence is slowly being felt, although the reach of government authority varies across the country.

Transitional justice

In March 2007, the "Amnesty Bill" was passed by the Afghan Parliament and signed into law by President Hamid Karzai. The law was intended to give a general amnesty to Afghans involved in war crimes in the last 25 years in return for their participation in the national reconciliation process. The bill went through several revisions but remains controversial. Individuals were given the right to mount private prosecutions, notwithstanding the

amnesty. We are monitoring the situation closely with our EU and international partners.

Detention

Afghanistan's Law of Prisons and Detention Centres provides for the respect of human rights and outlines the minimum standards for detention. The prison authorities are also bound by Afghanistan's international obligations, most notably the International Covenant on Civil and Political Rights and the provisions of the Convention against Torture. Nevertheless, conditions in Afghanistan's prisons are basic. We are working closely with the authorities to improve prison facilities to meet UN minimum standards. We are also training Afghan prison guards in humane treatment and proper registration of those being held.

International Security Assistance Force (ISAF) troops have the authority to arrest and detain persons, where necessary, for force protection, self-defence, and to fulfil the ISAF mission as set out in the relevant UN Security Council resolutions. ISAF policy places a limit of 96 hours on detention by ISAF troops. Within this time, detainees should be either released or transferred to the Afghan authorities.

The UK has an agreement with the Afghan government that makes clear that persons transferred to Afghan custody by UK troops should be treated in accordance with Afghanistan's international human rights obligations. Regular visits to Afghan detention facilities in Lashkar Gah (in Helmand province) and Kabul are made by either British Embassy staff or Royal Military Police. We are confident that the human rights of detainees handed over by UK forces are not breached and that they have access to sufficient food and clean water.

Death penalty

Overnight on 7/8 October 2007, 15 Afghan prisoners from Kabul's main prison, Pol-e-Charkhi, were executed by firing squad. All were on death row for serious criminal offences. Such crimes have normally been commuted to life in prison.

The FCO issued a statement on 10 October in response to the executions, outlining the UK's position. Together with our EU partners and Norway, we issued a longer statement of similar tone on 11 October and the same day there was an

EU Troika démarche with Afghan Foreign Minister Rangin Dadfar Spanta. Tom Koenigs, the Special Representative of the UN Secretary-General for Afghanistan also issued a statement on 8 October reaffirming the UN's concern about the use of the death penalty.

Civilians

The Taliban and other insurgents continue to target civilians, including murdering those associated with the Afghan government as well as teachers and schoolchildren. Suicide attacks by insurgents have also become more common. In 2007, Afghan police officers, soldiers and civilians were deliberately targeted in a spate of bus bombings in Kabul. On 6 November 2007, in Baghlan province, over 70 people died when a suicide bomber attacked visiting Afghan dignitaries – among the dead were six Afghan MPs and many children who had come to welcome them to the area.

Freedom of expression

The private media sector in Afghanistan continues to grow, although the current weakness of rule of law and security means that intimidation of journalists remains an issue. The Embassy in Kabul has intervened in individual cases where journalists' freedom has been threatened.

At the beginning of October a controversial, potentially restrictive, draft media law was amended by a reconciliation committee made up of MPs from the upper and lower houses of the Afghan parliament. The draft law was passed to President Karzai for approval, but he has rejected it on the grounds that it contradicts some articles of the Afghan constitution. The law will be reviewed again in March 2008.

Women's rights

Although women's rights have improved since the fall of the Taliban regime, there is much still to be done. Despite the challenges, the UK actively supports the promotion of women's rights in Afghanistan. Over a third of children now in school are girls and we have committed £35.77 million to support the Afghan government's micro-finance programme, giving women better access to finance. We continue to do what we can to boost the status of Afghan professional women, for instance by organising a visit to the UK of a small group, which received good media coverage.

Civil society

Afghan civil society is weak but developing. The Afghanistan Independent Human Rights Commission (AIHRC) has achieved much since its formation and has grown to a large organisation with eight regional offices. It carries out a range of programmes promoting and protecting human rights, including human rights education, women's rights, children's rights, monitoring, investigations and transitional justice. The UK contributed US\$1 million to help the commission deliver its three-year action plan for 2006–08, which covers these areas.

In September 2007, the Afghan parliament decided to take votes of confidence on the heads of all independent commissions, including the AIHRC. Parliamentary oversight of appointments to independent commissions is welcomed under the UN's Principles relating to the Status of National Institutions. But the intent of those principles is to make such commissions more, not less, effective. We are encouraging Afghan decision-makers to ensure that the professional work of the commission continues.

UK action

Governance

Through the Department for International Development (DfID), the UK is developing new governance programmes providing up to £35 million over four years to support the Afghan government to develop a more capable, accountable and responsive system of governance.

Women's rights

DfID is supporting a five-year Women's Empowerment Programme, implemented by the non-governmental organisation (NGO) Womankind. This £500,000 initiative focuses on improving the representation, education, health and social rights of women. The FCO is funding Womankind to update their 2006 report *Five years on* regarding the situation for women in Afghanistan. In addition, the British Embassy is spending around £1 million on various projects that support women in Afghanistan and DfID is funding the UN Development Fund for Women to promote gender equality in the justice sector.

Justice

In July 2007, the Afghan government committed to finalise its National Justice Sector Strategy and develop a National Justice programme in partnership with the international community. The current draft of the National Justice Sector Strategy states that the Afghan government will develop a policy to ensure the compatibility of informal justice systems with the laws of the country and with the principles and values of human rights.

The UK has supported the development of the Criminal Justice Task Force, a specialised single-track system for handling narcotics crime. This task force has resulted in the conviction of around 500 narcotics criminals. The UK considers this to be an example of best practice in the development of a fair and functioning end-to-end justice system, including through the vetting of the judiciary to ensure impartiality.

Forward look

The FCO will continue to work with DfID, the Ministry of Defence, within the EU and with the UN, NATO and other international partners to support the Afghan government and the Afghan people to create a secure and prosperous state. Creating a secure and stable Afghanistan with a developing economy is vital to the future protection of human rights in the country. Increasingly, responsibility for providing security and development will fall to the Afghan government – 80 per cent of UK development assistance to Afghanistan already goes through Afghan government channels. Training, developing and equipping accountable Afghan security forces, notably the army and police, will also continue to ensure that they can play a growing role in providing security for the Afghan people. The UK will continue to lobby for the protection of human rights in Afghanistan and on specific issues as they arise.



A British soldier with the NATO-led ISAF talks to Afghan policemen in the small town of Garmser in southern Afghanistan's Helmand province.

5.3 Belarus

Introduction

Belarus's human rights record remained poor. The Belarus government continues to threaten and detain those exercising their right of peaceful assembly and freedom of expression, and to harass and intimidate independent media, non-governmental organisations (NGOs) and civil society.

Local government elections on 14 January 2007 were blighted by familiar problems: representatives of opposition parties were denied access to the election commissions; candidates affiliated to opposition parties were prevented from being registered or deprived of their registration at a later stage; there were police raids on campaign offices, seizures of campaigning material and detentions of political activists and election observers; and administrative resources were used by the authorities to support pro-government candidates, as well as to coerce voters into voting early.

While the opposition-organised European march on 14 October 2007 passed off peacefully, the authorities carried out a wave of arrests, detentions, harassment and confiscation of property (including EU flags) in the days and weeks leading up to it. Students were threatened with expulsion for taking part in the demonstration. These actions have created a climate of intimidation and fear.

Current concerns

Belarus continues to detain political prisoners, including, among others, former presidential candidate Aleksandr Kazulin, youth movement leader Zmitser Dashkevich and opposition politician Andrei Klimau. In early September 2007, we received reports that Mr Klimau had been tried behind closed doors the previous month without prior public announcement. He received a two-year prison sentence for publishing an article on the internet critical of the authorities.

We continue to be concerned about the lack of independence of the judiciary.

Pressure against NGOs continues. Registration is prohibitively expensive, and excessive legal requirements make it easier for the authorities to shut NGOs down. Independent media outlets still labour under restrictive regulations and increasing (and arbitrarily applied) costs. Politically motivated arrests and detentions continue, for example the arbitrary arrest and detention of actors and spectators, including children, of the Free Theatre during their performance of "Eleven Vests" in October 2007.

Trades unions continue to face major difficulties. Belarus previously benefited from the Generalised System of Preferences, the arrangements through which the EU extends preferential trade access to its markets to developing countries. Eligibility for this arrangement depends on International Labour Organisation (ILO) monitoring of labour standards. Following complaints from international trades union bodies, the European Commission launched an investigation, concluded in 2005, which found serious and systematic violations of two ILO conventions relating to freedom of assembly.

Following a two-year period when Belarus had the opportunity to make the necessary reforms, the preferences were withdrawn in June 2007. It is clear to us that the authorities have no intention of instituting reform. Though they may make cosmetic changes to legislation, the regime has embarked on a process of regimenting employees into a single, Soviet-style, trades union organisation.

Despite appeals from the international community, the Belarusian authorities have yet to investigate satisfactorily the disappearances of four opponents of the regime in 1999/2000: Viktor Gonchav, Anatoly Krasovsky, Yury Zakharenko and Dmitry Zaradsky. The EU has repeatedly called on the Belarusian authorities to open a truly independent investigation, but Belarus has, to date, failed to act.

Belarus retains the death penalty on its statute books. On 9 October 2007, this sentence was handed down to two defendants found guilty of murder.

UK action

The UK and the EU take every opportunity in the UN Human Rights Council and the Third Committee of the UN General Assembly to express our concerns about Belarus's human rights record. In November 2007, EU members co-authored a resolution on Belarus in the Third Committee of the UN General Assembly. The resolution reiterated deep concern at the deteriorating human rights situation in Belarus, including Belarus's failure to co-operate with the UN human rights mechanisms; its failure to conduct free and fair elections, including the detention and arrest of political and civil society activists; and persistent reports of harassment and closure of NGOs, national minority groups, independent media outlets, religious groups, opposition political parties and independent trades unions, as well as expressing its disappointment at the government's failure to create conditions for the people of Belarus to freely express their will during the local elections in January 2007.

The British Embassy in Minsk, with EU partners, continues to raise human rights concerns with the authorities. We maintain regular contacts with civil society organisations devoted to human and civil rights, and observe their public demonstrations.

In March 2007, the EU renewed the travel ban and asset freezes imposed in 2006 on 31 individuals, including Aleksandr Lukashenko, responsible for electoral fraud and the subsequent crackdown on civil society.

In addition to EU assistance, the UK continues to use funds to support civil society, both bilaterally and via the Organization for Security and Co-operation in Europe. The UK is committed to supporting efforts to develop democracy in Belarus. We have funded projects over the past year in a number of key human rights areas for Belarus, principally via the Global Opportunities Fund. We hope these projects will have planted some seeds for democracy in Belarus.

Belarus was one of the candidates campaigning for election to the Human Rights Council. In the run-up to the council elections in May 2007, the UK lobbied governments across the world, reminding them of the human rights standards which council



Voters in local government elections, January 2007. The EU issued a statement declaring that the elections did not meet democratic standards.

members are expected to uphold, and urged them to bear this in mind when casting their votes. Belarus subsequently failed to secure election.

Forward look

Together with EU partners, we will continue to raise human rights issues with the Belarusian government. At the same time, the EU has indicated that it remains willing to deepen its relationship with Belarus, once the authorities clearly demonstrate their willingness to respect democratic values and the rule of law. The EU is committed to supporting democratisation in Belarus and to demonstrating the benefits of closer co-operation with the EU to the Belarusian population. We have stressed and continue to emphasise to the populace that the EU remains open to dialogue with Belarus, as soon as the authorities demonstrate a sincere willingness to re-engage and address our concerns. The EU is also committed to intensifying its support for civil society, focusing on the areas of democratisation and humanitarian assistance through the European Initiative for Democracy and Human Rights funding instrument. The UK will continue to fund projects that help develop democracy, the media and civil society.

5.4 Burma

Introduction

The Burmese regime's persistent violations of human rights – not least the denial to its citizens of the right to take part in the government of their own country – is at the heart of Burma's political, economic and social problems. The people of Burma are denied basic freedoms across the spectrum – from political rights, including the prohibition on any kind of non-governmental political activity, to economic rights, including land confiscation – and suffer the effects of corruption and patronage. There is no functioning democratic system, no free domestic media, no effective trades unions and no independent judiciary. The security forces and the army have carried out severe human rights abuses for many years with complete impunity. Some of the worst violations have been perpetrated against ethnic minority communities in border and conflict areas.

As a result, Burma, a country that was once a major regional exporter of rice, is in the midst of a deepening economic crisis. More than 30 per cent of people live on less than one US dollar a day. Fifty per cent of children do not even complete primary education. The regime blames outside pressure for its failure to deliver even the most basic services to its people. The truth is that without serious progress on political and economic reform, leading to a transparent, accountable and inclusive government that respects human rights, the situation in Burma will continue to deteriorate.

Current concerns

The human rights situation in Burma continued to deteriorate over the period covered by this report. There have been some small concessions, such as agreement to the International Labour Organisation's (ILO's) complaints mechanism on forced labour and visits from high-level UN officials regarding human rights, humanitarian issues and child soldiers. But the overall picture is bleak. The regime continues to detain perhaps as many as 2,000 political prisoners. Military operations intensified against the Karen National Union, leading to further internal displacements.

In June 2007, the International Committee of the Red Cross (ICRC) – in a rare move – publicly condemned the regime's "systematic abuses against detainees and civilians", which it said had led to "immense suffering for thousands of people in conflict-affected areas". Since it was refused independent access to political detainees in late 2005, the ICRC has been unable to reach agreement with the regime on the conditions necessary to fulfil their mandate.

On 26 February 2007, the ILO signed a Supplementary Understanding with the Burmese authorities allowing victims of forced labour to submit complaints to the ILO liaison officer in Rangoon. Since then, 65 cases have been received by the liaison officer. We continue to monitor progress to ensure that the government adheres to the agreement, that no action will be taken against those who report cases of forced labour, and to ensure that complaints lead to adequate investigation and action by the Burmese authorities. We assess that progress to date has been modest, but generally positive.

Prior to the demonstrations in the summer of 2007, three UN representatives were granted access to Burma. The Secretary-General's Special Representative to Burma, Ibrahim Gambari, visited in November 2006 and met both Daw Aung San Suu Kyi and the leader of the regime, Than Shwe. The UN Special Representative on Children and Armed Conflict, Radhika Coomaraswamy, went in June 2007; and the UN Assistant Secretary-General for Humanitarian Affairs, Margareta Wahlstrom, visited in April.

On 15 August 2007, the Burmese authorities announced a 500 per cent increase in the price of compressed natural gas, pushing up the price of basic services and goods and placing a further burden on a population already struggling to survive. The decision triggered a wave of protests in Rangoon and other major cities, posing the most significant challenge to the rule of the military regime since 1988. The protests were peaceful and disciplined.

The military government responded by detaining many of the leading members of the "1988-generation movement" on 21–22 August. The demonstrations nonetheless grew rapidly in size in September, with Burma's monks taking a prominent role. On 26 September, the regime responded with characteristic brutality. Live rounds



LEFT: Buddhist monks march in protest in Rangoon, on 24 September 2007, in the strongest show of dissent against the ruling generals in nearly two decades. More than 100,000 people took to the streets of Rangoon.

BELOW: Armed Burmese security forces march through the streets of Rangoon, 27 September 2007, sweeping through the country's main city in a crackdown on anti-government protests. At least nine people, including a Japanese journalist, were killed and hundreds more were arrested.



were fired into crowds of unarmed demonstrators, and protestors were beaten. The official number of deaths during the crackdown remains at 10, despite the government giving evidence of 15 deaths to the UN Special Rapporteur on Human Rights. The actual figure is likely to be greater.

Hundreds of innocent people were taken from their homes or from the streets by the security forces. In the weeks following the crackdown, these raids continued during the night. Several thousand people were arrested. Many were held in overcrowded conditions, without basic sanitation or access to medical care. There are reliable reports of violence being used against prisoners and of deaths in custody. A particular effort was made to humiliate the monks. During detention they were de-robed, forced into the squat position, and had their hands tied behind their back. Buddhist shrines were desecrated. By December 2007, we estimated that the total number of political prisoners in Burma stood at between 1,400 and 2,000. The restriction on human rights groups means that it is impossible to gauge exact numbers.

After international pressure, the Burmese regime agreed to allow Paulo Sérgio Pinheiro, the UN Special Rapporteur for Human Rights in Burma, to visit the country for the first time in four years. In his report, he said that excessive force took place during the height of the crisis, including a decision by the security forces to "shoot to kill". He also estimated that 3,000 to 4,000 people were arrested in September and October and there were 74 cases of disappearances. These findings are preliminary. The UN Human Rights Council resolution adopted on 14 December mandates Professor Pinheiro to make an early return to Burma in order to follow up his visit and to monitor implementation of the recommendations in his report.

In response to international pressure, Professor Gambari was granted access to Burma in September and November 2007. He was able to meet Daw Aung San Suu Kyi on both occasions – the second resulting in a statement from her calling for a start to substantive trilateral dialogue between the government, the civil opposition and the ethnic groups.

UK action

Our Embassy in Rangoon monitors the human rights situation in Burma, makes regular representations about specific and general abuses of human rights, and works with UN agencies and the ILO to address basic concerns. The EU, through embassies in Rangoon, works with human rights defenders to promote the protection of fundamental rights, and has an arms embargo against Burma as well as a range of targeted sanctions against the regime. We discourage UK companies from trading with or investing in Burma. At the same time the UK continues to take a leading role in proposing and pushing for action in international bodies, including the UN Human Rights Council, the UN General Assembly, the ILO and, increasingly, the UN Security Council. Our priority has been to support the work of the UN Secretary-General's Special Representative, Professor Gambari, in pushing for a genuine process of political reconciliation.

In October, the Department for International Development (DfID) announced a doubling of UK aid to Burma, from £9 million this year to £18 million a year by 2010. DfID works with non-governmental organisations and the UN to help provide basic services for those living in poverty, including £20 million over five years to fight HIV/AIDS, TB and malaria; £4 million over four years for projects to help poor rural households increase their incomes; £2.7 million over three years for early childhood care and development; and £3.3 million over three years for basic education. DfID also provides funding for Burmese refugees in Thailand and for cross-border groups to provide humanitarian assistance for the poor in Burma's conflict-affected border areas. The prime minister has made it clear that if there is a process of genuine political change, and significant progress with reconciliation and democracy, Britain would stand ready – alongside the international community – to support the recovery of Burma with increased aid and other assistance.

The situation in Burma is of growing concern: increasing poverty levels and economic decline are likely to lead to widespread desperation and instability that should be of alarm to Burma's neighbours and economic partners. In January 2007, the US and the UK tabled a resolution at the UN Security Council that expressed deep concern at the trans-national risks posed by the situation in Burma and called on the regime to end its violations of human rights and humanitarian law and to

begin, without delay, a substantive political dialogue leading to a genuine democratic transition. Russia and China vetoed this resolution.

The UK responded immediately to the crackdown in summer 2007 (which the prime minister termed "an alarming situation"). Our Embassy played a leading role in bringing details of the human rights abuses to the attention of the world. The EU tabled, with UK support, a resolution at the Human Rights Council on 2 October strongly deploring the actions of the regime. The resolution, like the one that followed in December, was passed unanimously. We pushed for and secured the first ever action on Burma at the UN Security Council. On 11 October, all members of the Security Council, including those that had argued in January that the situation in Burma should not be a topic for discussion, signed up to a presidential statement condemning the actions of the regime and calling on the regime to release all political detainees and engage in a process of genuine reconciliation. On 19 November 2007, the EU adopted new economic sanctions targeted at those sectors which provide a source of revenue to the regime – timber, gems and precious metals. Recognising that those with the greatest influence on the regime are Burma's neighbours, we carried out an intensive public and private lobbying campaign in China, India and the Association of South-East Asian Nations (ASEAN).

The UK strongly supported the most recent UN General Assembly resolution on the human rights situation in Burma. The resolution criticised the widespread and systematic abuse of human rights in Burma. This was a strong signal from the international community to the government of Burma that its failure to uphold the rights and fundamental freedoms of its citizens was unacceptable and must end.

Forward look

It is widely recognised, including by countries in the region, that the regime's ongoing denial of the real situation in Burma is both unacceptable and unsustainable. Both for the good of the Burmese people and for regional stability, there needs to be a process that encourages more inclusive political decision-making, builds consensus with ethnic and opposition groups, and leads to better governance. The military can play an important role in a democratic Burma, but the military dictatorship must end.

The Burmese regime must work with key actors, including Daw Aung San Suu Kyi and the ethnic group leaders, as well as the UN Secretary-General's Special Representative Professor Gambari, to establish a genuine process of national reconciliation. The regime's seven-stage road map towards "disciplined democracy" is widely discredited inside the country and internationally and is not sufficient to establish the inclusive, consensual and fair process of a democratic system that the Burmese people have called for. In October, Prime Minister Gordon Brown proposed an economic initiative that brings the UN, EU, China, India, ASEAN and international financial institutions together in support of a recovery plan for Burma, conditional on progress towards reconciliation and democracy.

We will continue to lend firm support to the efforts of the UN to achieve a settlement. The EU has tightened its restrictive measures against the regime, and stands ready to consider further steps if there is little progress. The UK will continue to mobilise opinion within the wider international community in support of the UN effort and to address continuing human rights violations at the UN human rights bodies. The Burmese regime may continue to be indifferent to the suffering of the Burmese people, but the UK, and the world, remain concerned.

5.5 The People's Republic of China

Introduction

Despite the Chinese government's stated commitment to protecting human rights and fundamental freedoms, and significant progress over the past 20 years, the situation in China remains poor. While China's emergence as a global player has brought considerable economic and social benefits to many of its citizens, the Chinese authorities have been slow to match this progress elsewhere, particularly in civil and political rights. With only limited reforms introduced since autumn 2006, violations of basic human rights continue to overshadow China's otherwise remarkable development. As the 2008 Beijing Olympics draw closer, the world's attention is increasingly focused on China's human rights situation.

Current concerns

Ongoing concerns include: the scope of the death penalty and lack of transparency in its use; torture; the lack of an independent judiciary; obstacles to fair trials; arbitrary detention, including re-education through labour (RTL); unsatisfactory prison conditions and ill treatment of prisoners; failure to protect human rights defenders; harassment of religious practitioners; restrictive regimes in Xinjiang and Tibet; and limitations on freedom of expression and association. There have been some positive developments, most notably a new central review of the death penalty and the temporary lifting of reporting restrictions on foreign correspondents.

Ratification of and compliance with the International Covenant on Civil and Political Rights

China has yet to announce a timetable for ratification of the International Covenant on Civil and Political Rights (ICCPR) (signed in 1998). The Chinese government maintains that legal, judicial and administrative reforms are under way to bring China's domestic laws in line with the provisions of the ICCPR, but that this is a lengthy and complex process. Articles that present significant challenges for China are: article 6(2) (only the most serious

crimes should be punishable by the death penalty), article 14 (fair trial rights), article 9 (prohibition on arbitrary arrest and detention), article 18 (freedom of religion) and article 19 (freedom of expression).

Death penalty

Although statistics are not published, we believe that the number of executions in China is very high, much higher than in any other country. On 1 January 2007, the Supreme People's Court began to review all death sentences centrally. In June 2007 a Beijing newspaper reported that this had resulted in a 10 per cent drop in the number of executions in the capital. However, until the court makes public death penalty statistics, the real impact of this reform cannot be independently measured. We continue to urge the Chinese government to reduce the number of crimes (currently 68) which can incur the death penalty.

Fair trial guarantees and respect for prisoners' fundamental rights

The Supreme People's Procuratorate has run a high-profile campaign to combat torture over the past two years, with repeated statements by senior officials on the need to wipe out "forced confessions". From 1 October 2007 it has required interviews conducted as part of all job-related criminal investigations to be video recorded. But there has so far been no sign that this will be extended to all interviews conducted by police officers. And Chinese law still does not unambiguously rule out the use of evidence gathered through illegal means.

The director of public prosecutions for England and Wales raised the need to improve criminal investigation and trial procedures in China, in particular access to a defence lawyer, with the Chinese procurator general in September 2007. He also raised the importance of judicial independence, which is currently compromised by political interference and corruption. We discussed fair trial guarantees with the Chinese at the February 2007 round of the UK-China Human Rights Dialogue (see page 137, UK action).

On 1 May 2007, the Chinese Ministry of Health implemented new legislation banning the sale of organs and requiring the written consent of donors. (This replaced a temporary regulation which came into effect on 1 July 2006.) The regulation did not

rule out the use of organs from executed prisoners. We hope the Chinese authorities will continue to make progress towards international ethical standards for transplantation.

Reform of administrative detention

We remain concerned that large numbers of Chinese individuals are detained without judicial process in RTL centres. The Chinese government has stated that it plans to bring forward new legislation which will introduce a measure of judicial oversight of RTL. However, no new legislation has been released in the period under review, and officials have continued to argue that RTL is an appropriate public order measure. We continue to raise concerns about this practice, particularly the reportedly high number of Falun Gong practitioners detained, and encourage China to abolish all forms of administrative detention.

Freedom of expression and the internet

On 1 January 2007, new media regulations which temporarily lift restrictions on interviewing and travel by foreign correspondents came into effect. These will last until 17 October 2008. A survey conducted by the Foreign Correspondents Club in China in August 2007 confirmed that implementation of the regulations was uneven. Journalists must still apply for special permission to enter Tibet and Xinjiang. We would like to see the regulations made permanent and accompanied by the lifting of restrictions on China's domestic media, including censorship and harassment of reporters.

Several publications have been forced to shut down in the current reporting period, including a western-run newsletter which was ordered to cease operations on the grounds of conducting unauthorised surveys in July 2007. We had hoped that, following the Communist party congress, such organisations would be able to resume their activities; this has not happened. A new law on reporting emergencies came into force on 1 November 2007, which bans the dissemination of "false information". It provides for punitive measures, from shutting down publications to criminal prosecution.

The rapid growth in the number of internet users in China continues. However, the Chinese government continues to restrict access to material it deems sensitive. A range of websites are blocked,



An internet café in Beijing. In March 2007 the Chinese government issued a notice preventing the opening of new internet cafés. No new internet bars were approved in 2007.

and individuals using the internet to express political opinions continue to risk detention and prosecution.

Political protestors have begun to use the run-up to the Olympics to publicise their opinions. During the run-up to the 17th party congress in October 2007, there was an increase in pre-emptive action against protestors and activists. We have expressed concern to China about such cases. It is strongly in China's interests to allow greater freedom of expression as this will increase accountability and promote better policy.

The former Prime Minister, Tony Blair, and the secretary of state for culture, sport and media both raised the importance of freedom of expression, particularly for the media and internet users, with the head of China's State Council Information Office when he visited the UK in April 2007. Minister for the Olympics and London, Tessa Jowell, repeated this message when she visited China in November 2007.

Freedom of religious belief

We remain very concerned by the narrow range of officially sanctioned religious groups in China, the restriction and harassment of unregistered believers, and reports of the harassment and detention of Falun Gong adherents. Officials from the British Embassy in Beijing accompanied the Archbishop of Canterbury in China in October 2006 when he met the Chinese authorities to discuss the need for greater freedom of religion. Freedom of religious belief was one of the main themes of the October 2007 EU-China Human Rights Dialogue.

Human rights in Xinjiang

There are reports of continuing human rights violations in the Xinjiang Uighur Autonomous Region, including restrictions on the peaceful exercise of political, cultural and religious rights. We believe counter-terrorism measures are sometimes being used as a means of curtailing the legitimate rights of the Uighur community and other ethnic groups. We urge the Chinese government to distinguish between people who express their views peacefully and those who advocate violence. In April 2007, FCO officials raised this issue, as well as the exercise of religious freedom, with local officials in Urumqi, the capital of Xinjiang. They also visited UK-funded projects in Baicheng, Yili and Changji. FCO officials met the President of the World Uighur Congress, Rebiya Kadeer, in October 2007.

China's population policy

Reports continue of forced abortions and sterilisations, although these contravene Chinese domestic law. We have never questioned China's right or need to implement family planning policies but believe these should be based on the principle of consent not coercion, as espoused by the International Conference on Population and Development.

Co-operation with international mechanisms

China's membership of the UN Human Rights Council runs until May 2009. We expect all members of the Council to act fully in accordance with their international obligations and with the high standards in the promotion and protection of human rights required of Human Rights Council members, as set by the UN General Assembly resolution which established the Council. We encourage China to demonstrate its support for the Council's special procedures, including through extending open invitations to UN special rapporteurs. We were disappointed that China withdrew its undertaking to invite the UN Special Rapporteur on Health to visit in 2007.

We continue to encourage China to lift its reservation on article 8.1 of the International Covenant for Economic, Social and Cultural Rights, which allows freedom of association, including independent trades unions. This would help protect against instances of forced labour, such as the appalling practices which were revealed in brick

kilns in Shanxi province in June 2007. Hundreds of young people, including children, were kidnapped and forced to work in very harsh conditions, with no pay, over several years.

By the end of 2007, a new labour contract law, strengthening the rights of employees, was on the verge of implementation.

Current concerns: Tibet

Violations of human rights continue in Tibet. We regularly raise our concerns, including individual cases. During the period under review, we welcomed one further round of talks between the Chinese government and representatives of the Dalai Lama, which took place in Beijing on 29 June to 6 July 2007, but noted with disappointment that little progress was reported. We continue to make clear our view that the best way to improve the situation in Tibet is through meaningful dialogue between the Chinese government and the Dalai Lama and his representatives, without pre-conditions, to achieve a long-term peaceful solution acceptable to the people of Tibet. We have consistently expressed concern about the status of Gedhun Choekyi Nyima, the Dalai Lama's choice as the 11th reincarnation of the Panchen Lama, who turned 18 on 25 April 2007.

Interference in religious affairs – including the "political education" of monks and nuns, the issuing of the Tibetan Autonomous Region Measures for Implementation of the Regulations for Religious Affairs (1 January 2007) and a new regulation (State Council Order No. 5, 1 September 2007) providing for a government role in the selection of living Buddhas – is a factor in illegal border crossings from Tibet into Nepal and India. In September 2006, a shooting incident at the Nangpa La Pass resulted in at least one Tibetan nun being killed. The UK and international partners repeatedly urged China to carry out a full investigation. The Chinese government maintained that this was a border management issue.

We are concerned about the impact of inward migration into Tibet. We hope that more will be done to ensure that Tibetans benefit from the economic development of their region.

We continue to monitor the situation in Tibet closely. Officials from the British Embassy in Beijing visited Tibet in December 2006. FCO officials met

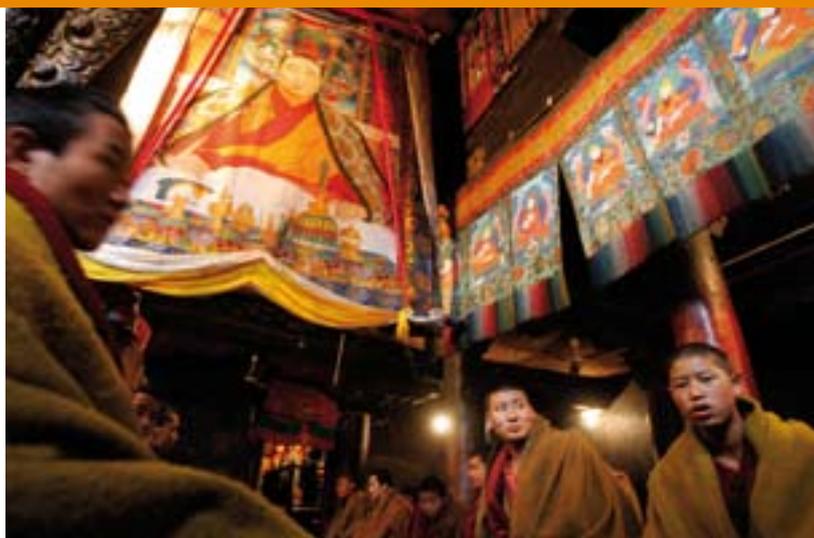
an exiled Tibetan monk and nun in March and November, respectively, and hold regular meetings with Tibetan support groups who continue to provide useful updates from the region.

UK action

We believe strongly that greater progress on human rights, pluralism, accountability and the rule of law is in the interests of the government and people of China. We work at different levels with the Chinese government on human rights, including high-level messages to encourage progress in policy and project work to deliver more immediate results on the ground. We use the regular UK-China Human Rights Dialogue to discuss in detail what can often be difficult issues, including individual cases. We also work through the EU, as well as with like-minded countries, to encourage concrete developments in the protection of human rights in China.

The former Prime Minister, Tony Blair, raised human rights with Chinese Premier Wen Jiabao when he visited London in September 2006. The then Foreign Secretary, Margaret Beckett, visited China in May 2007 and raised the issue of human rights with her counterparts in Beijing. Former FCO Minister Ian McCartney regularly made representations to the Chinese government on human rights issues, both in written correspondence and in meetings, including with the newly appointed Chinese ambassador in May 2007. China was Lord Malloch-Brown's first official overseas visit in his capacity as FCO minister in August 2007. He urged the Chinese leadership to fulfil its obligations under international human rights standards, including early ratification of the ICCPR. Individual cases of concern were raised either directly during these meetings or in lists handed over in the margins. Foreign Secretary David Miliband raised the need for early ratification of the ICCPR with the Chinese Foreign Minister, Yang Jiechi, in December 2007 and drew attention to a list of individual cases of concern which we handed over in parallel.

The last round of the UK-China Human Rights Dialogue took place in London on 5 February 2007. The meeting reviewed progress in all the main priority areas for reform, and focused particularly on civil society and the role of defence lawyers in the criminal justice system. The UK fielded experts from the Charity Commission, Office of the Third Sector and Royal National Institute for the Deaf. A senior representative from the Chinese Ministry of Civil



Tibetan Buddhist monks chanting at the Tashilhunpo monastery in Shigatse in Tibet's central Tsang region.

Affairs recognised that non-governmental organisations could play an important role in social development and that China needed to simplify its outdated system of regulation. A workshop parallel to the main talks enabled UK and Chinese legal experts to discuss in detail how the role of defence lawyers should be strengthened to comply with the ICCPR. The Chinese delegation also participated in a two-day field trip to Belfast, where they witnessed a mock magistrate trial, visited a police station and met senior legal and human rights experts. The next round of the dialogue is due to take place in January 2008.

Since our last report, there have been three rounds of the EU-China Human Rights Dialogue: October 2006 in Beijing, May 2007 in Berlin and October 2007 in Beijing. These talks focused variously on the release of prisoners connected with the 1989 events in Tiananmen Square, ratification and implementation of the ICCPR, reform of the RTL system, freedom of expression, reform of the criminal justice system and freedom of religion. The EU handed over a list of individual cases of concern at each round.

The UK and EU continue to take immediate action on priority cases of concern. A number of démarches have been carried out during the period under review. The Chinese government has given disappointing responses. Officials from the British Embassy in Beijing and the Consulate General in Guangzhou have made repeated efforts to attend the trials of individuals in priority cases but have so far been denied access. We continue to view China's handling of individual cases as an indicator of its progress towards building the rule of law. (See also page 109, Human rights defenders.)

The Ministry of Justice funds the Lord Chancellor's Training Scheme for Chinese lawyers, which each year allows 15 young lawyers to train in the UK for a year. It also funds the Judicial Studies Training programme, which allows six young judges to study in the UK for an MA in international and comparative legal studies. The British Council also runs a Young Lawyers Online Community with graduates of the Lord Chancellor's Training Scheme and other interested lawyers. A joint Sino-British College of Law established by the UK College of Law and the Chinese Ministry of Justice opened to its first students in October 2007. The college allows Chinese lawyers to qualify as English solicitors.

Through the Global Opportunities Fund the FCO supports human rights projects in China in three priority areas: criminal justice reform, death penalty and freedom of expression.

Forward look

At the 17th party congress in October 2007, Chairman Hu Jintao's report laid stress on expanding democracy, increasing accountability and strengthening the rule of law. We hope this high-level political commitment will be matched by renewed energy in the Chinese system for more rapid legislative and administrative reform, notably a timetable for early ratification of the ICCPR. This would enable China to match its undoubted progress on economic and social rights with progress on civil and political rights. As well as benefiting China's people it would also benefit China's major economic partners, notably the UK, by adding to China's political and economic stability.

Hong Kong

Our overall assessment is that over the period covered by this report the "one country, two systems" principle, as set out the Joint Declaration, has generally worked well in practice. The rights and freedoms guaranteed in the Joint Declaration have been respected. The Hong Kong Special Administrative Region (SAR) is a vibrant, dynamic, open and liberal society founded on an independent judiciary, a free press and the rule of law.

Constitutional reform

Constitutional development in Hong Kong has been disappointing. The UK therefore welcomed the publication, on 11 July, by the SAR government of a green paper on constitutional reform. The three-month consultation exercise that followed gave the people of Hong Kong an opportunity to express their views on the territory's future political development.

On 12 December, the SAR government submitted a report to the Standing Committee of the National People's Congress (NPC-SC) in Beijing summarising the results of the public consultation. The SAR government's conclusion in the report was that there was a general expectation within the community that the electoral system of Hong Kong be further democratised, with a majority in favour of universal suffrage in 2012. However, it also argued that the Hong Kong people would favour universal suffrage in 2017, if it would have a better chance of being accepted by the majority of the community.

On 29 December, the NPC-SC issued a decision on the report, ruling out the introduction of universal suffrage in Hong Kong in 2012 but stating that the election of the chief executive in 2017 might be by universal suffrage. The decision also made clear that, if the chief executive were to be elected by universal suffrage, the election of all members of the legislative council might also be by universal suffrage. The Hong Kong SAR government subsequently indicated that this might also be the case for legislative council elections in 2020.

In response to the NPC-SC statement, the foreign secretary issued a statement on 29 December expressing disappointment that Hong Kong will not move to universal suffrage in 2012 and hope that elections for the chief executive would be through universal suffrage in 2017 and for the Legislative Council thereafter.

5.6 Colombia

Introduction

We continue to be concerned about the human rights situation. Control of the illegal drugs trade is a major driver of the decades-long internal armed conflict. Ordinary Colombians continue to bear the brunt of the conflict, with human rights defenders, trade unionists, journalists, teachers and indigenous communities the targets of threats, intimidation, kidnappings, murders and forced displacement.

We welcome efforts made by the government of President Alvaro Uribe to address the serious human rights situation. It is right to recognise that the government is taking steps to tackle the interconnected problems of the drugs trade and human rights abuses. There has been progress over the last four years on human rights. But Colombia still has a long way to go in solving its problems.

We agree with the 2006 report from the Office of the UN High Commissioner for Human Rights (UNHCHR) that most human rights abuses are committed by illegal armed groups. We have condemned these unreservedly and have demanded that these groups stop kidnapping and all other acts of terrorism or violence against the civilian population. But there are also too many victims of extra-judicial killings. We have made it plain to the Colombian government that all human rights abuses must be dealt with, regardless of who commits them.

We welcome the creation of a committee aiming to eradicate human rights violations by members of the state security forces.

We are encouraged that the UNHCHR mandate has been extended for a further three years. We strongly support the work of the UN to help tackle human rights issues. We regularly urge the Colombian government to implement all outstanding UN human rights recommendations, and we fund a number of projects to strengthen this process.

Current concerns

Justice and Peace Law

Progress under the Justice and Peace Law in 2007 has been slow, but we have been encouraged by the continuing positive steps taken by the Colombian government to address concerns. There have been substantial funding increases for key actors, including the offices of the attorney general and the commissioner for reintegration. We do, however, remain concerned about a number of issues relating to the Justice and Peace Law, including the emergence of new paramilitary and other armed criminal groups and the slow rate of improvement in victims' access to justice and reparation. To this end, we have urged the Colombian government to increase its ongoing efforts to tackle these challenges, with a particular emphasis on prioritising victims' rights to truth, justice and reparation. We continue to believe that

UK-FUNDED COMMUNITY DEFENDERS PROJECT

A key Global Conflict Prevention Pool-funded human rights project was extended in 2007 to continue its valuable support to the ombudsman's office. The ombudsman ensures that non-military state actors are visible in vulnerable conflict areas. Their presence helps strengthen the human rights protection of those communities most vulnerable to displacement, including indigenous and Afro-Colombian communities, women and children, through specially trained community defenders.

The project has impacted significantly on the quality of life of many Colombians living in risk areas.

In Chocó, internally displaced families returned to an area but were being intimidated by the Colombian armed forces, palm companies and criminal gangs. The community defender played

a crucial role in facilitating dialogue between all groups and in protecting the community by his presence.

In Cauca, the community defender was essential in monitoring the Paez indigenous community displaced from Naya and relocated in the municipality of Timbio. The community defender worked with the municipal committee on a plan to re-establish the indigenous community in the area.

The project is widely recognised by NGOs, UN agencies, state institutions and the international community as having a major, positive impact on communities in conflict areas. We are reassured by the Colombian government's commitment to community defenders and we will continue to urge the government to assume greater responsibility for the ombudsman's office.

Colombian citizens walk during a demonstration on 25 July 2007 in Piazza Scala, Milan, to protest against the Revolutionary Armed Forces of Colombia (FARC), who have kidnapped and still detain more than 4,000 people.



the Justice and Peace Law process, if effectively and transparently implemented, will make a positive contribution to the search for peace in Colombia.

Civil society

Civil society and human rights defenders have a vital role to play in the search for an eventual peacefully negotiated solution to the Colombian conflict. Their work must be protected and encouraged. We strongly support the work of local and international non-governmental organisations (NGOs), and look for opportunities to co-operate with them in the implementation of human rights projects.

Trades unions

Colombia is a dangerous place to be a trade unionist. We regularly receive representations about the plight of trade unionists, and take regular opportunities to draw attention to our concerns.

For example, FCO ministers have discussed the issue with the CUT (Central Unitaria de Trabajadores), the country's largest union umbrella group; at a roundtable meeting in June 2007 with the Trades Unions Congress and a Colombian delegation; and with Vice-President Francisco Santos at the UN Human Rights Council in March 2007.

We are pleased that the Colombian government now has a strategy to investigate human rights cases involving trades union victims, backed by more resources and a new team of specialist prosecutors. More than 1,500 trades union and labour leaders are now affiliated to the government's protection programme.

The opening of an International Labour Organisation permanent representation in Colombia in January 2007 was another positive step. Its remit – to promote and protect the fundamental rights of workers, including the right to life, freedom of association, freedom of expression and free collective bargaining – is an important element in ensuring the safety of union members. We continue to urge the Colombian government to meet its international obligations in regard to workers' rights.

Internally displaced people

Forced displacement of Colombians, in particular indigenous and Afro-Colombian communities whose traditional homelands are at the heart of the struggle for territorial control, and women and children, continues to be a serious concern. The UNHCHR estimates that approximately 3 million people have been internally displaced by the conflict. We fund the ombudsman's office, which plays a key role in the protection of internally displaced people (see box on page 139).

HUMANITARIAN DE-MINING

Colombia now tops the world league table for victims of antipersonnel mines. There were 1,102 deaths or injuries as a result of landmines in 2005. Around 30 per cent of victims were civilians and 12 per cent children, and 57 per cent of municipalities were affected by landmines. The problem is worsening. Since the 1990s, landmines and improvised explosive devices have increasingly been used by the illegal armed groups, particularly the Revolutionary Armed Forces of Colombia (FARC), as a tactic

for territorial control, extortion or intimidation against the local population, and for attacking the Colombian government forces. Much of this is to further their narcotics business, which impacts directly on the UK.

A UK Global Conflict Prevention Pool project aims to significantly reduce the number of landmine victims in Colombia by providing a humanitarian de-mining capability with which to clear all government minefields (under the Ottawa Convention).

UK action

Alongside drugs work, human rights issues are a top priority in our policy towards Colombia. The UK has a good working relationship with the Colombian government. This constructive, but not uncritical, relationship enables us to raise our human rights concerns frankly. The foreign secretary did so during his meeting with President Uribe in the margins of the UN General Assembly in September 2007.

We frequently raise and follow up on individual human rights cases of particular concern at the highest level and regularly remind the Colombian government of its human rights obligations. For example, along with our EU partners, in August 2007 we raised the murder of Dairo Torres, leader of the San José de Apartadó Peace Community. We make a point of showing visible support, both bilaterally and with EU and international partners, to NGOs that have been threatened by illegal armed groups, by visiting their offices and the communities under threat. We also reinforce the message with the authorities at a local and national level that they must properly protect those under threat and thoroughly investigate acts of intimidation and violence.

As well as our important advocacy role, we have implemented a number of projects in Colombia, working largely with civil society and the Colombian government, that seek to promote better human rights in Colombia. These include:

- support for the Colombian ombudsman's network of community defenders, who help to protect communities vulnerable to displacement (see box on page 139);
- support for military justice reform so that abusers can be brought to book;
- making human rights training for the armed forces more effective, and setting up mechanisms to ensure that practice matches theory (a specific UNHCHR objective);
- training in humanitarian de-mining to help save lives. Colombia has the most mine victims in the world, with mines having been planted by illegal armed groups (see box on page 140);
- help to organisations representing human rights defenders;

RECOMMENDATIONS AND GUIDELINES FOR HANDLING AND PROTECTING CHILD VICTIMS OF SEXUAL CRIMES AND EXPLOITATION

The UK part-funded a project, as part of a package of UN Office on Drugs and Crime (UNODC) assistance, to help the Colombian authorities implement a national strategy to bring greater visibility to child-related sexual crimes and exploitation. Implemented by the anti-trafficking team of UNODC, its aim was to improve the case-handling of and protection for child victims of sexual exploitation and other crimes under the new accusatory penal system in Colombia to ensure that they are protected throughout the legal process and receive justice.

The Colombian Ministry of Interior and Justice has since accepted the resulting implementation manual as a training guide. It has agreed to publish and distribute it to officials and civil society for use as a tool to investigate and prosecute related cases.

In November 2006, the project received a UN21 commendation for outstanding field projects. The award recognises innovation, efficiency and excellence in the delivery of UN programmes and services. Only 20 projects received an award from a field of over 4,500 nominations.

It has helped to advance two UK human rights objectives in Colombia – strengthening the rule of law and protecting child rights.

- support for the implementation of the national strategy to bring greater visibility to child-related sexual crimes and exploitation in Colombia (see box above); and
- assistance for a more transparent and effective judicial system.

Forward look

Colombia has come a long way in recent years, but still has many challenges to face. We remain committed to working with the Colombian government to tackle these issues. We will do this by building on our existing work with a wide range of partners, including NGOs, civil society groups and international bodies such as the EU and the UNHCHR. We will do so in Colombia and in the UK. We will maintain dialogue with Colombia to push it further towards a negotiated solution to the conflict that has impacted on the lives of so many for too long.

5.7 Cuba

Introduction

Cuba's human rights problems differ from those of countries where state complicity in death or torture occurs, but the longevity and widespread nature of the repression of the Cuban people remain a valid source of international concern. Cuba is a one-party state. No opposition to the government is tolerated and citizens are denied basic civil, political and economic rights. The Cuban government claims that restrictions on individual liberties are necessary to counter internal complicity with a perceived threat of invasion by the US, but international human rights bodies dispute this assertion. At the same time, the Cuban government has made advances in the fields of healthcare, education and gender equality in the face of economic difficulties.

Since the delegation of power from Fidel Castro to Raul Castro in July 2006, there had been no indication of a significant change of policy on human rights. However, on 10 December 2007, Foreign Minister Pérez Roque announced that Cuba would sign the international covenants on civil and political rights and on economic and social and cultural rights in early 2008. (Fidel Castro subsequently made prominently publicised remarks casting some doubt on whether this would happen.) While signature would be an encouraging step forwards, Cuba would have to follow signature with ratification and, most importantly, implementation. Although significant change in Cuba is unlikely

while President Fidel Castro remains nominally in power, it is important that governments and international organisations continue to raise awareness of the human rights situation there. This gives hope to the victims of human rights abuses and all those calling for change.

Current concerns

The situation in Cuba today gives rise to a number of areas of concern:

- the detention of political prisoners and lack of international access to prisoners in general;
- systematic denial of the Cuban people's political, civil and economic freedoms;
- government harassment and intimidation of dissidents; and
- the death penalty.

As the Cuban government retains tight control over information about its prisons, it is difficult to put an exact figure on the number of political prisoners. However, Amnesty International recognised at least 69 "prisoners of conscience" in Cuba in its 2007 report. In their July 2007 report, the Cuban Commission for Human Rights and National Reconciliation (the standard unofficial source of human rights information inside Cuba) cited 246 cases. The number of political prisoners decreased slightly in 2007 due to prisoners completing their sentences and, in a small number of cases, the granting of conditional release for medical reasons. Francisco Chaviano, Cuba's longest-serving prisoner of conscience, who featured in last year's annual report, was granted conditional release in August 2007 after serving 13 years.

Significantly, in a January 2007 report, Christine Chanet, Personal Representative of the UN High Commissioner for Human Rights in Cuba, noted that 59 of the 75 dissidents detained during the spring 2003 opposition crackdown remain in prison, including nearly all the members of prominent civil society leader Oswaldo Payá's group who were arrested at the time. Worryingly, individuals also continue to be detained without trial and there have been reports of summary trials. The Cuban government continues to arrest dissidents on the grounds of "dangerousness", defined in the penal code as the "special proclivity of a person to commit crimes, demonstrated by his conduct in manifest contradiction of socialist norms".



Cuba's interim president Raul Castro greets Aleida March, the widow of revolutionary leader Ernesto "Che" Guevara, during the official ceremony to commemorate the 40th anniversary of el Che's death on 8 October 2007 at the Revolution Square in the eastern Cuban village of Santa Clara.

We are concerned about prison conditions. Unofficial human rights organisations, including the Pedro Luis Boitel Organization of Political Prisoners, described how several prisons in Cuba routinely use punishment cells where detainees had been beaten and denied clothing, food, water and sanitation until they were so ill they required medical treatment. In her 2007 report, Mme Chanut noted that several prisoners had been on particularly stressful hunger strikes. Mme Chanut also expressed alarm at the allegations of ill treatment in detention submitted by families of prisoners, as well as the fact that food and hygiene are substandard, and medical care either unavailable or inappropriate. Relatives encounter many problems when trying to arrange visits to prisoners, who are often located far from their homes. Unfortunately, the Cuban authorities have shown little willingness to address these problems and continue to deny access to prisons by the International Committee of the Red Cross.

The incidence of government harassment of opposition figures, referred to as "acts of repudiation", has fluctuated over the year but has also changed into less visible types of intimidation. This has included ultimatums and death threats against leading dissidents, targeting of dissidents' families and harassment of dissidents in the provinces. There are continued allegations of more violent acts of repudiation, including the beating of activist Guillermo Fariñas and the four-day blockade of the home of the blind lawyer, Juan Carlos González Leiva. Although the Cuban government claims that these incidents are spontaneous, state security forces and the police are often passive observers during these attacks, and have been known to collude with the attackers.

It is important to note that the Cuban government imposes restrictions on the population as a whole, as well as on opposition figures. This is particularly true of freedom of expression and information. The state rigorously controls all media outlets in Cuba, including the internet, making it effectively impossible for any views other than those officially approved to be heard. The Cuban government denies its citizens the right to receive and impart information and ideas through any media and regardless of frontiers as guaranteed by article 19 of the Universal Declaration of Human Rights. Ordinary Cubans cannot legally gain access to foreign television or the printed press. The government also denies citizens the right to leave and return to their own country in contravention of



TOP: A group of "Ladies in White", wives of Cuban political prisoners, march after a Sunday morning mass at the Santa Rita church in Havana.



LEFT: Oswaldo Payá, leader of the opposition Christian Liberation Movement, gives a press conference at his house in Havana on 22 November 2007. Payá announced the creation of the "Civic Committee of Reconciliation and Dialogue", which seeks to impel a peaceful campaign to achieve free elections and to look for democratic changes in the island.

article 13(2) of the Universal Declaration of Human Rights. Exit visas are compulsory, prohibitively expensive and subject to government authorisation. The government exercises particularly rigid controls over opposition figures and those working in the health sector.

While the death penalty remains in place in the penal code, it has not been applied since 2003 when three people were executed for attempting to hijack a ferry to flee to the US, even though no one was injured. In two recent cases of a hijacking and a prison riot, the death penalty was not applied, even though the cases involved loss of life.

CUBAN ELECTIONS

Cuba is in a process of municipal, provincial and national elections, which will be concluded in spring 2008. Voting is direct and well organised. Under the system, "the people", not the party, propose candidates. In practice, the complex system of nominations provides some choice in terms of individual candidacy at municipal level, but effectively ensures that it is impossible for anyone outside the ambit of the regime to be formally nominated. Campaigning and offering manifestos or programmes to the voters by candidates are not allowed. At provincial and national level, candidates have to be nominated quasi-officially or by the municipal assemblies, and voters are strongly encouraged to vote for all candidates. There are as many seats as there are candidates, and only those who receive less than half the votes cast are not elected. Several dissident groups have issued calls for genuine multiparty elections. Oswaldo Payá launched the "All Cubans Forum", which calls for specific reforms of the electoral law in order to permit greater political freedoms. For more information, see www.cubaminrex.cu/English/Focus_On/Democracy%20in%20Cuba.htm and www.oswaldopaya.org/es/cuban-forum-campaign.

Cuban Deputy Minister for Foreign Trade, Antonio Carricarte. On 12 November 2007, Meg Munn raised similar concerns to a delegation of Cuban MPs including Jaime Crombet Hernández-Baquero, Vice-President of the National Assembly of People's Power. The British Embassy in Havana also maintains systematic contact with civil society figures and human rights defenders and closely monitors the situation throughout the country.

Forward look

Consensus among academics and government alike is that we are unlikely to witness early significant improvements in the human rights situation in Cuba. The majority of opposition figures in Cuba agree. In the longer term, there is speculation over whether Raul Castro – Fidel's brother and acting head of state in Cuba – would be likely to instigate reform, though it is suggested that this may be limited to some economic reorganisation.

In terms of UK policy, we support the exploratory discussion between the EU and the Cuban government in September 2007 and hope it will develop to allow for a genuine dialogue on human rights issues. The UK and EU will also seek to intensify engagement with the Cuban government and wider civil society.

UK action

Human rights form a central element of the UK's policy towards Cuba. This is in line with the 1996 EU common position, which states that "full co-operation with Cuba will depend upon improvements in human rights and political freedom". European ministers reaffirmed this policy in June 2007 and "urged the Cuban government to unconditionally release all political prisoners". The European Council also noted that the human rights situation had not fundamentally changed, despite a decrease in the number of political prisoners and acts of harassment.

UK ministers and officials regularly voice concerns about human rights with the Cuban authorities. On 30 April 2007, Ian McCartney, then FCO Minister responsible for international human rights, expressed his concern about political prisoners and other human rights issues during a meeting with

5.8 Democratic Republic of Congo

Introduction

Although the first democratic elections since the 1960s passed off peacefully in 2006, there was a marked escalation in politically motivated human rights abuse during the electoral period, especially involving attacks on freedom of expression and association.

Pockets of ongoing conflict remain, particularly in the volatile east of the country. The resumption of fighting between Rwandan rebels and Congolese dissident forces in North Kivu has led to the displacement of large numbers of people. Congolese civilians continue to suffer abuses at the hands of the ill-disciplined and poorly controlled Congolese army and other security forces, as well as several militia groups. Rape and sexual violence are widespread. Impunity from human rights abuses remains a huge problem.

Current concerns

Freedom of expression

During the 2006 election period, the UK and EU condemned inflammatory media broadcasts promoting racial hatred. We gave our full support to the Congolese High Media Authority, responsible for monitoring the use of hate speech in the media.

Human rights activists, journalists and other human rights defenders continue to face obstructions to their work from local and national authorities. This was starkly demonstrated by the assassination of Radio Okapi journalist, Serge Maheshe, on 13 June 2007, which highlights the dangers that journalists and human rights defenders continue to face in the country. In an EU Declaration on 31 July 2007, together with our EU partners, we called on the Congolese authorities to conduct proper investigations into attacks against human rights defenders such as Mr Maheshe. We continue to call on the government to demonstrate to the Congolese people that impunity will no longer be tolerated.

We have approved an £8 million Media for Democracy and Accountability programme, which will be implemented through France Cooperation Internationale. This four-year programme will support independent public service broadcasting through Radio Okapi and community radio stations. It will also work on improved regulation and legislation of the media sector (including developing an independent media regulator) and will develop programme content on good governance and accountability, giving a voice to Congolese citizens.

Judicial system

The UK is committed to helping the Democratic Republic of Congo strengthen its justice system across the board. We are working with European partners to support the basic functioning of the justice system in the east of the country, where



People attend the funeral of radio journalist Serge Maheshe, who was shot dead on 13 June 2007. Maheshe ran the UN-sponsored Okapi radio station in Bukavu in the east of the Democratic Republic of Congo and had been threatened by various groups, including the military, for his outspoken reporting.

violence is rife. Our work is designed to help the police, military, justice and prison services work together to ensure that serious crimes, including sexual violence and murder, are dealt with effectively and transparently. We continue to support the UN Mission in the Democratic Republic of Congo (MONUC) in its efforts to boost awareness of rights and improve prison conditions.

We welcomed the decision reached by the military tribunal in February 2007 that convicted 13 members of the armed forces of serious abuses committed against civilians in 2006. This was an indication that the Democratic Republic of Congo accepts that individuals in authority should be accountable for their actions. The tribunal was established with help from the international community. It sets a precedent for investigations and proceedings connected with other atrocities, which we and international partners will continue to urge the authorities to pursue.

We are also supporting efforts to establish an independent judiciary, and are continuing to press the Congolese authorities to separate the military and civilian justice systems.

Sexual violence

Rape has been used as a weapon of war among armed groups throughout the conflict. The prevailing culture of impunity creates the conditions for these ongoing violations of international humanitarian and human rights law. We are supporting humanitarian agencies to provide medical assistance to victims of sexual violence, particularly in the east of the country. We are funding the Norwegian non-governmental organisation (NGO) Christian Relief Network to set up and run a hospital wing in South Kivu treating women suffering from fistula – one of the most serious and devastating consequences of sexual violence. Their programme includes psychological support for patients as well as medical treatment. We are also supporting smaller legal support projects for victims of sexual violence in Kinshasa and Kasai Occidental. We are also supporting an International Committee of the Red Cross (ICRC) gender-based violence pilot programme in the east of the country. The UK will be spending more than £30 million in 2007/08 on humanitarian and health service delivery projects in the Democratic Republic of Congo through the UN and NGOs, and many of these projects contain an element of assistance to victims of sexual violence.

It is also vital to tackle the underlying causes of sexual violence. One of the key sustainable ways to end the cycle of human rights violations is to achieve an end to conflict in the country and the whole Great Lakes region. Conflict reduction is a major focus of the UK's engagement here, and at a local level in the east we support NGOs that are promoting dialogue and peacebuilding work between communities previously in conflict.

Population displacements

Currently, over 1.1 million people are internally displaced in the Democratic Republic of Congo, the majority being in the Kivu region. Almost 500,000 have been displaced since the beginning of 2007 and their protection is a major concern. The UK remains in close touch with the UN Office for the Co-ordination of Humanitarian Affairs and other humanitarian actors about the need for action as well as resources. The UN Pooled Fund is designed to enable the UN Humanitarian Co-ordinator to respond to such crises.

UK action

With our allocation of £74.5 million for 2007/08, the UK is the largest European donor in the Democratic Republic of Congo. We continue to press for the promotion and protection of human rights across the country. The UK has been instrumental in keeping human rights high on the international community's agenda. Publicly and privately, we continue to call on the government to take action to improve human rights conditions, including through better command and control of the armed forces, reduced political interference in judicial proceedings and improved freedom of expression.

Through a range of projects, we have sought to help vulnerable groups, such as women, children and indigenous pygmy populations, to better assert their rights and fully participate in economic and social activity.

British government officials in Kinshasa dedicate a large proportion of their time to human rights issues – meeting local NGOs, visiting detention facilities, attending trials and lobbying government ministers and military officers.



Government soldiers patrol a path in Katala, 80 km north-west of Goma. Since the end of August 2007, the regular army has deployed about 20,000 troops in North Kivu.

Through UN Security Council resolutions, the UK has ensured that civilian protection is integral to the UN peacekeeping force's (MONUC) mandate. We continue to support MONUC's efforts to protect civilians from abuse by militia groups.

The UK is working with international partners to help the Congolese government build an integrated, disciplined, professional army. We have contributed to the EU's security sector reform mission in the Democratic Republic of Congo. We have provided £5 million to support the basic necessities of three newly integrated army brigades, with a view to stopping them preying on the local population.

The UK is also giving US\$35 million over seven years to the Multi-Country Demobilisation and Reintegration programme, covering the Democratic Republic of Congo and neighbouring countries. This programme also supports the disarmament, demobilisation and reintegration of former child soldiers. We have also given £2 million to the 2007 ICRC appeal for the Democratic Republic of Congo, which includes programmes for the protection and reintegration of former child soldiers. We plan to provide £3 million to the ICRC during 2008. The Department for International Development's programme includes support for the provision of basic services including education.

Child witches

We have continued the work we began under UK's EU presidency to raise awareness of the problem of so-called "child witches". We produced and screened a television documentary, which aimed to increase the Congolese population's knowledge of children's rights. It highlighted the inhumane and criminal treatment suffered by children accused of witchcraft

and emphasised the legal penalties for those who abuse children. The UK will continue to contribute to projects to reduce the number of children affected by this phenomenon and will advocate a cross-governmental strategy in the Democratic Republic of Congo to tackle the problem.

Forward look

The Democratic Republic of Congo remains a priority for the UK. The country remains at risk from a resurgence in armed conflict or the failure of the democratic process. Either of these would be disastrous for the country and for Africa more widely.

We will continue to work to support efforts made by the Congolese government to stabilise the security situation, reduce poverty, improve governance and reduce human rights abuses. Fighting corruption and supporting good governance will be central to the UK's future work in the country. But the new government must be responsible and transparent, respect human rights and deliver on the promises it has made to the Congolese people. The new parliament has shown a keenness to push forward legislation in areas connected to protecting human rights, an attitude we will continue to encourage.

The UK will continue to work with the Congolese government, regional governments, and the UN peacekeeping force (MONUC) towards the disarmament of rebel groups. We will continue to monitor developments closely, particularly in the east of the country. And we will continue to react strongly to abuses, and urge the new government to meet its obligations under international and domestic law.

5.9 Democratic People's Republic of Korea

Introduction

The Democratic People's Republic of Korea (DPRK), also known as North Korea, is widely considered to have one of the worst human rights records in the world. Much evidence of this comes from North Korean defectors, also referred to as refugees, escapees or border crossers, who provide shocking reports of serious and widespread violations of basic human rights in the country. The alleged abuses include: abductions and disappearances; arbitrary detention and imprisonment for up to three generations of the same family; regular use of the death penalty (including political and extra-judicial and public executions); routine use of torture and inhumane treatment; forced abortions; political prison camps and labour rehabilitation camps; extreme religious persecution; and chemical experimentation. Foreign observers in Pyongyang have been able to directly confirm harsh restraints on freedom of information.

The DPRK has repeatedly invoked sovereignty, non-interference and cultural differences to avoid its human rights responsibilities. Humanitarian aid workers and diplomats in Pyongyang are subject to severe internal travel restrictions, and some 20 per cent of the counties in the DPRK remain inaccessible "for reasons of national security". The government denies foreign diplomats access to judicial institutions, saying that it amounts to interference in the country's internal affairs. These restrictions, coupled with the government's self-imposed isolation and unwillingness to co-operate with the international community on human rights, make it difficult to compile evidence regarding human rights abuses.

The DPRK is party to four key UN human rights treaties: the International Covenant on Economic, Social and Cultural Rights (ICESCR); the International Covenant on Civil and Political Rights (ICCPR); the Convention on the Rights of the Child (CRC); and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The DPRK has submitted three late reports on the ICESCR, two late reports on the ICCPR, two late

reports on the CRC and a late report on the CEDAW. We continue to urge the government to fulfil its obligations under the human rights instruments to which it is party and to allow UN special procedures to visit the country.

We have made it clear to the DPRK government that we cannot extend the benefits of a full and normal bilateral relationship until we have evidence that it is addressing our concerns. We will continue to raise human rights issues directly with the government and voice our concern in international fora. Until the DPRK responds to international concerns, the UK will work with EU partners and others to maintain and increase pressure in the appropriate international bodies.

Recent developments

Following the DPRK government's call for an end to humanitarian aid in 2005, the EU is winding down interim arrangements put in place to cover existing projects. The main focus of EU funding will now be food security, primarily to tackle chronic malnutrition. The World Food Programme continues its efforts on a reduced scale, and concerns remain that not enough food is reaching vulnerable groups, including small children and the elderly. The UN Development Programme (UNDP) suspended operations in March 2007 when it became clear that the DPRK authorities disagreed with mandated changes to the UNDP and its implementation following allegations of irregularities.



Armed North Korean soldiers patrol the banks of the Yalu River in the North Korean town of Sinuiju, opposite the Chinese border city of Dandong.

Current concerns

The DPRK constitution nominally provides for freedoms and liberties for its citizens. Based on the accounts of those who have fled the country, we have a number of concerns about the human rights of the population. In particular, refugees claim the following:

- There is no mechanism to allow a change of leadership or government. There is no freedom of expression, assembly, association, movement or information. The state tightly controls all media. No foreign books or magazines are available for purchase and the authorities control access to the internet on an individual need-to-know basis. There is no independent human rights monitoring organisation. Foreign observers in the DPRK confirm that these claims are broadly accurate.
- Although the constitution provides for freedom of religious belief, there is no genuine religious freedom. North Koreans have no access to religious literature or other information. Christians receive harsher treatment than other prisoners, suffering torture and execution as a direct consequence of their faith.
- There are no workers' rights. The government allows unions but uses them as instruments of social control under the direct auspices of the Korean Workers' Party. There are credible reports of brutal suppression of strikes. There is no transparent structure for wages, working hours or labour conditions. Foreign businessmen have found DPRK workers toiling without gloves at 20 degrees below zero.
- Women have no equal rights and the culture is dominated by men. Concern is growing about the organised trafficking of women across the border into China for marriage or prostitution.
- The government divides North Koreans into three political groups: a loyal core class; a suspect wavering class; and a politically unreliable class. The three groups are then sub-divided into 51 categories, based on the social origins of each citizen. On the basis of this classification, the government determines where people may live and work, what job they may do and what benefits (if any) they may receive. Only those citizens classified as politically loyal can hope to obtain responsible positions in North Korean society or live in Pyongyang.

- The government does not respect children's rights in the basic sense of providing adequate nutrition and health services. The rights of children depend on the government's political classification of the family into which they are born.
- North Koreans are subject to arrest and detention without trial. Depending on the offence, authorities can detain or punish entire families for the crimes of one member. The judiciary is not independent and the legal system not transparent.

Large numbers of North Koreans cross the northern border with China for economic and political reasons. Many transit China into third countries, including Thailand and Vietnam, but most remain in China. Chinese analysts and foreign non-governmental organisations (NGOs) estimate that there are between 10,000 and 100,000 migrants in China's border provinces at any one time. The Chinese consider them illegal economic migrants. Refugees risk detention and forcible repatriation to North Korea if caught by the Chinese authorities. We regularly urge China to allow the UN High Commissioner for Refugees access to the border region and to observe its obligations under the 1951 Convention Relating to the Status of Refugees.

South Korea's constitution commits it to accept all North Korean refugees. Some 10,000 have resettled there, and numbers are growing at a rate of around 2000 a year. North Koreans also find their way to regional countries other than China and South Korea, such as Thailand.

UK action

In the absence of any progress after a widely supported condemnatory resolution at the 2003 UN Commission on Human Rights, the EU tabled a second resolution in April 2004. This called for the establishment of a UN Special Rapporteur on DPRK Human Rights. Vitit Muntarbhorn was appointed to the position in July 2004. The DPRK government refused to acknowledge either the resolution or the appointment. The EU tabled a further resolution at the commission in April 2005, which was again adopted by a significant majority. The UK strongly opposed any move to abolish the rapporteur's mandate at the UN Human Rights Council in June, and worked closely with partners to ensure that it was not weakened or abolished. In addition, the UN General Assembly adopted an EU-sponsored resolution in December 2005 during the UK's presidency of the EU, and again in 2006 and in 2007.

In our dealings with the DPRK, we regularly raise the issue of human rights at ministerial and official level. We have urged the DPRK to allow a visit by the UN special rapporteur, but the government has consistently denied access. We have told the North Koreans that we stand ready to help, including education and technical assistance, in return for further bilateral or multilateral progress on human rights. To date, there has been no change in the DPRK position. Unless the DPRK government is willing to engage with us, we are unlikely to make any significant progress.

Forward look

Bilaterally and with the EU, we will continue to urge the authorities in the DPRK to adopt responsible policies, and we will look for ways to gather evidence of the problems faced in North Korea by ordinary citizens. For example, our Embassy in Seoul is sponsoring a South Korean NGO working on North Korean human rights to produce a report on children's rights in the DPRK, based on refugee testimony. We will continue to work with the international community to draw attention to the issues and bring pressure to bear on the DPRK government to take steps to address international concerns.

5.10 Iran

Introduction

The overall human rights situation in Iran has remained poor throughout 2006/07. Serious human rights violations have continued and there has been significant deterioration in some of our main areas of concern, including a worrying and rapid increase in the rate of executions. As President Mahmoud Ahmadinejad and his government face international pressure over Iran's nuclear ambitions, and internal criticism for their economic mismanagement and other policies, paranoia has grown within the Iranian government about the threat that media and civil society organisations might pose to the integrity of the Islamic Republic. This, in turn, has resulted in further restrictions on freedom of expression and association, and clampdowns on any form of dissent, opposition or organised protest. Charges such as "propaganda against the Islamic Republic", "acting against national security" and "organising illegal gatherings" have become increasingly common.

There has been little effective action to reform laws or practices in order to improve the human rights situation and no notable engagement with the international community on human rights issues. An improvement in the situation looks unlikely in the current political context.

Current concerns

Death penalty

Against a global decreasing trend in the use of the death penalty, the total number of executions in Iran is increasing year on year. Iran remains second only to China (whose population is over 15 times the size of Iran's) in terms of total number of executions. Amnesty International estimates that Iran executed a total of 177 individuals in 2006, a sharp rise and almost double the previous year's total of 94. There have been approximately 300 executions in 2007, including the execution of at least four juvenile offenders.

In clear breach of its international obligations under the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child, Iran is one of very few countries in the world that still applies the death penalty for crimes committed before the age of 18. There are reports of juveniles being kept in prison until they turn 18, when the sentence can be carried out. According to the UN Special Rapporteur on Extra-judicial, Summary or Arbitrary Executions, over 70 juvenile offenders remain on death row in Iran. We are deeply concerned by this practice and have made representations in several cases.

We are also concerned by the way in which executions are carried out. More executions are taking place in public – in August 2007, two convicts were hanged in a busy street in central Tehran. There has also been an increase in collective executions – up to 21 individuals at a time. July 2007 saw the first confirmed report of a stoning sentence being carried out since Iran announced a moratorium on the practice in 2002: a man was stoned to death in Qazvin province. He and his partner had been convicted for adultery and had already served 11 years in prison. Despite international outcry over this case, stoning sentences are still handed down by judges in Iran. In an interview in October 2007, Mohammad-Javad Larijani, secretary of the Iranian judiciary's human rights headquarters, said that stoning is neither torture nor a disproportionate punishment for adultery.

The death penalty remains on the statute books for consenting same-sex relations. We have not confirmed any executions for this in 2006 and 2007, but we continue to monitor the issue carefully.

Freedom of expression

Iran continues to deny its people the right to express their opinions freely and peacefully, and restrictions have increased over the last 18 months.

Censorship of the main media has continued. In September 2006, the Press Supervisory Board closed four reformist newspapers, including the leading daily *Shargh*. The board has revoked the publication licences of several other newspapers

and magazines this past year. Journalists and editors have been arrested for printing articles deemed to be offensive or un-Islamic. The minister of culture and Islamic guidance recently accused the press of being part of a "creeping coup". The internet continues to be a target of government restrictions, with access to many websites and blogs (which often provide news and critical commentary) blocked. In early 2007, internet connection speeds were slowed down, probably to restrict access to foreign websites and audio-visual internet services, and an attempt was made to get all website managers and bloggers to register their websites with a government agency.

There has been an alarming clampdown on any form of organised protest, whether teachers demanding better wages, women's rights activists campaigning against inequality, or students protesting for the right to freedom of expression. A number of students from Tehran's Amir Kabir University were arrested in May and June 2007. Four were editors of student newspapers arrested for publishing an article deemed to be un-Islamic and anti-regime. (The students claim they were set up.) The other students were detained for organising and participating in gatherings to protest against these arrests. The families of the detained students claim they were tortured in custody.

A government social security campaign took place during the summer months. The first stage dealt with the issue of "bad hejab" (clothing deemed incompatible with the Islamic dress code law), while the second stage targeted "thugs and hooligans". Thousands of police warnings were issued and a number of people arrested and charged. Police treatment of offenders was particularly heavy-handed. Many saw this as an infringement of individual rights.

Academic freedom has also been affected. The Intelligence Ministry issued a circular to faculties warning university professors against contact with foreigners and asking them to notify officials about trips overseas for academic or personal purposes. Participants attending some conferences overseas were detained and questioned on return to Iran. Civil society organisations and non-governmental organisations (NGOs) are increasingly seen as a threat and a number have been declared illegal or even closed down. Organisations affected include the Centre for Human Rights Defenders, the

Non-governmental Organisations Training Centre and the Raahi Legal Centre, which offered legal advice for under-represented women. Four Iranian American dual nationals with links to international civil society organisations were arrested and detained for several months on counts of espionage and threatening national security. They were eventually released on bail, after two had their "confessions" broadcast on state TV.

Women's rights

During a speech at Columbia University in September 2007, President Ahmadinejad claimed that Iranian women were the "freest in the world". Although over half of Iran's university students are women, men occupy all the most powerful positions. Gender inequality and discrimination are widespread, and are perpetuated by Iran's constitutional structures. For example, a woman's legal testimony is worth half that of a man's; compensation (blood money) payable to the family of a female crime victim is half what is payable for a male victim; under civil inheritance laws boys receive double the amount girls receive. Securing divorce and custody of children is notoriously harder for Iranian women.

Iranian women's rights groups who have been campaigning for the government to address the issues of discrimination have also faced increasing pressure. In March 2007, days before International Women's Day, 33 women's rights activists were arrested outside a Tehran court building. They had gathered to support five women who were on trial for organising a women's rights demonstration in June 2006 – a demonstration that was violently repressed by security forces. The women received prison sentences (some suspended) for "propaganda against the regime" and public order offences.

Trades unions

Despite being a member of the International Labour Organisation and a state party to the International Covenant on Economic, Social and Cultural Rights and ICCPR, both of which protect the right to form and join trades unions, Iran's fledgling labour rights movement has suffered similar restrictions on freedom of expression. Independent unions and strike action are not permitted. Between March and May 2007 large numbers of teachers across Iran held nationwide strikes and peaceful demonstrations to support a new pay system which would improve employment



An Iranian woman walks past a banner reading "one million signatures to change the biased laws" and bearing a scale balancing female and male symbols.

security and wages (over half of all teachers live below the poverty line). Hundreds were arrested in Tehran, Ardebil, Hamedan and Kermanshah for participating in these protests.

Mansour Ossanlou, president of the Syndicate of Workers of the Tehran and Suburbs Bus Company, was forcibly detained by unidentified men on 10 July 2007 and taken to Tehran's Evin Prison. He is being investigated for alleged distribution of propaganda against the regime. He has been arrested and detained several times over the last two years for involvement in peaceful industrial action taken by the bus workers' union. Mahmoud Salehi, a labour rights activist with links to the Trade Association of Saqez Bakery Workers has also been arrested several times for mobilising the labour movement. He is currently serving a one-year sentence for his involvement in the 2004 May Day rally in Saqez, Kurdistan province. Both men have reportedly been ill treated in prison and denied access to suitable medical care.

Minorities

We remain concerned about the treatment of religious and ethnic minorities in Iran, many of whom suffer discrimination and persecution. Some individuals working to defend cultural rights, such as the Azeri activist Abbas Lisani, have been detained for their activities. The Iranian constitution recognises only three official minority religions: Zoroastrianism, Judaism and Christianity. The Bahá'í faith is not formally recognised, and Bahá'ís routinely face persecution and discrimination. Their access to employment and higher education

is limited, they have had property confiscated or destroyed, and they have been subject to arbitrary arrests. Some Iranian newspapers have run a series of articles aimed at defaming the Bahá'í faith, without censure from the authorities. Although nearly 200 Bahá'í students were admitted to various universities in autumn 2006, many were subsequently excluded when their religion became known. Proselytising Christians and converts from Islam also face pressure – the crime of apostasy carries the death sentence, although no execution has been carried out for over a decade.

Cruel punishments

Cruel and inhuman criminal punishments such as flogging, stoning and amputation remain on the statute books. Despite the announcement of moratoria on stoning and amputation, both punishments reappeared in 2007. Amputation sentences have been carried out on at least seven people found guilty of robbery in Mashhad, Zahedan and Kermanshah. The head of Kermanshah's Justice Office made a statement confirming that one of the sentences had taken place. He defended the use of amputation as a punishment, saying, "If thieves do not want their hands to be amputated then they must stop stealing." Prisoners are often subjected to long periods of solitary confinement and denied medical care, and reports of torture taking place during the course of criminal investigations are frequent.

Engagement with United Nations bodies

UN High Commissioner for Human Rights, Louise Arbour, made her first visit to Iran in September 2007. She attended a meeting of the non-aligned movement in Tehran and met women's rights activists. The visit was marred by the police violently dispersing a group of protesters (including families of political prisoners) who had gathered to see her. During the period covered by this report, no UN special rapporteur has been able to visit Iran, despite Iran's open invitation for all human rights monitoring mechanisms to visit.

Democratic elections

Elections for local councils and the Assembly of Experts (the body responsible for choosing the supreme leader and monitoring his performance) were held in December 2006. The Interior Ministry and the unelected Guardian Council vetted candidates in advance and excluded hundreds of people from standing, including all female and many reformist candidates. It is hard to call these genuinely democratic and fair elections.

UK action and forward look

The longstanding policy of the UK and the EU is to support reform in Iran and stand up for the international human rights standards to which many Iranians aspire, including freedom of speech and transparent and accountable government. Our relations can progress only if Iran upholds its international commitments and demonstrates genuine respect for human rights and fundamental freedoms.

At present the human rights situation looks bleak. In the absence of a functioning EU-Iran Human Rights Dialogue (the dialogue has not taken place since June 2004, and Iran cancelled the last meeting scheduled for December 2006) we continue to work with international partners and human rights NGOs to maintain a spotlight on Iran's persistent human rights violations. We raise issues of concern in our private bilateral and EU meetings with the Iranian authorities and strongly support, and often propose, other EU action, including public statements. The EU raised human rights concerns with Iranian officials at least 28 times in 2007.

The UK also supports action at the UN. The EU co-sponsored Canadian-run resolutions on Iran's human rights record at the UN General Assembly's Third Committee in December 2006 and 2007. These resolutions, adopted for the fourth and fifth consecutive years, provide a strong statement of international concern on a wide range of specific human rights issues in Iran. We hope that Iran will take this message seriously and work to address these concerns.

RULE OF LAW IN IRAN

We have serious concerns about Iran's failure to uphold the right to due process of law, as illustrated by the following cases.

Mansour Ossanlou

Prominent labour rights activist Mansour Ossanlou has been detained a number of times in recent years for peaceful activities connected to the Tehran bus workers' union. As well as being an infringement of the right to freedom of expression and association, the action against him demonstrates a lack of respect for the due process of the law. In November 2006, men in plain clothes without an arrest warrant forcibly detained Ossanlou just one day before he was due to appear in court. He was held for a month on unspecified charges and without access to lawyers before being released on bail. In May 2007, Ossanlou was reportedly sentenced to five years' imprisonment on charges of distributing propaganda against the system. However, the sentence was not communicated to his lawyer and he remained at liberty pending appeal. In July, Ossanlou was, once again, beaten and forcibly detained by a group of unidentified persons. He was missing for three days before the authorities confirmed that he was being held, and investigated, at Tehran's Evin prison. The appeal court upheld his five-year imprisonment sentence in October and he was immediately returned to Evin to serve his sentence. During his current detention he has had only limited access to family, lawyers and medical care, in violation of basic rights.

Makwan Moloudzadeh

Twenty-year-old Makwan Moloudzadeh was arrested in October 2006 for allegedly "raping" some boys of a similar age when he was 13 years old. During his trial at Kermanshah criminal court, he maintained his innocence and revoked a previous confession that he said had been made under duress during interrogation. The alleged victims and witnesses also withdrew their claims and revoked their testimonies. Yet the court sentenced Moloudzadeh to death in June 2007. Despite Judiciary Chief Ayatollah Shahroudi's order for a retrial, he was executed on 5 December 2007, aged 21. Neither his family nor his lawyer were informed about the execution.

5.11 Iraq

Introduction

Under Saddam Hussein, torture and abuse were used as instruments of state repression, and there was no culture of respect for human rights in Iraq. Following the removal of Saddam Hussein and the creation of a democratically elected government, the foundations are being laid for the creation of a society based on respect for human rights. The adoption of a constitution that enshrines human rights principles is a key step, but there remain practical and political challenges to making these principles a reality for all Iraqi people.

The UK takes seriously its responsibility to help Iraq build a society in which the rule of law is upheld for all citizens and their human rights respected. We will continue to work with the government of Iraq, Iraqi civil society and the international community to help develop the infrastructure essential to protect and promote human rights. Key mechanisms such as the International Compact for Iraq and the Iraq Neighbours Group, both developed over the last year, provide a sound basis for international support to the government of Iraq.

Rapid progress on human rights will not be delivered without improvements in the political and security climates in Iraq. Sectarian violence is currently the single greatest threat to Iraqis' everyday security and well-being. Political reconciliation between Iraq's various communities is therefore paramount to improving the security situation in the long term. The UK welcomes the progress that has been made on this process, including Prime Minister Maliki's August 2007 reconciliation conference, but there is a long way to go.

Current concerns

Security and law and order

Insecurity and the weakness of the rule of law present a serious obstacle to promoting a culture based on human rights. Violence against civilians and security forces continues, and there has been an increase in violence against minority communities over the last year. The Iraqi government has taken measures, including through the Baghdad Security Plan, to address violence

affecting ordinary citizens with support from coalition troops. We are continuing to work with the Iraqi security forces to build their capacity to assume security responsibility in all provinces when conditions allow. Over the past four years, the UK has helped to train over 13,000 Iraqi army troops, including 10,000 now serving with the 10th Division, which has been conducting operations in Basra and across the south of the country without the requirement for coalition ground support. The number of Iraqi units capable of conducting independent counter-insurgency operations is increasing steadily. On the policing side, there are now 135,000 Iraqi Police Service officers nationwide, with 31,000 in the southern provinces and 15,000 in Basra. The Iraqi Police Service has come some way in its capability to maintain public order, investigate crimes and arrest suspects, but the culture of abuse and repression within the Iraqi security forces remains. Local improvements in security, such as those seen in Anbar and Diyala provinces, demonstrate what can be achieved. Furthermore, following the handover of security responsibility for Basra province to the government of Iraq in December 2007, reports show the security situation in the region to be largely stable.

Impact of violence on vulnerable groups

Widespread sectarian violence, lawlessness and violent insurgency are generating a complex humanitarian picture in Iraq. Some groups are at particular risk, including the internally displaced, refugees and ethnic and religious minorities, as access to their traditional support mechanisms are hampered. UN agencies estimate that some 2 million Iraqis are currently displaced internally and up to 2 million have fled to nearby countries. Women also face particular risks from militias, and there are continued reports of honour crimes against women, particularly in northern Iraq.

Justice system and death penalty

The justice system in Iraq suffers both from weak capacity, including a shortage of trained judges, and vulnerability to pressure from political or sectarian groups. The number of individuals held in Iraqi detention has increased markedly over the course of 2007, partly in response to more concerted Iraqi efforts to tackle the security situation. This has increased pressure on the prison system, with numbers of prisoners rising to around 23,000. There have been documented cases of serious abuse in Iraqi prisons, and there has been



British soldiers patrol the area as Iraqi soldiers hold the opening ceremony of the 14th Iraqi Army Division headquarters in the southern city of Basra on 7 November 2007.

little progress in 2007 in tackling the culture of impunity that has prevented follow-up to discoveries of abuse at Jadiriyah and Site 4. Where we are aware of abuse happening, we have pressed the Iraqi authorities to investigate fully and we have made it clear that if there is evidence of abuse we expect those implicated to be brought to justice. As a result, two Iraqi police units in the south have been disbanded and an inspection programme established. We have developed a human rights training curriculum for the police, which we are working to implement throughout Iraq. In the long term, we are supporting a systematic improvement in the criminal justice culture in Iraq, and seek to instil this change through our police and prison mentoring programmes. We are working closely with the Iraqi government and security forces in support of their commitment to tackle human rights abuses.

Saddam Hussein, Barzan Ibrahim Al Tikriti and Awad Hamad Al Bandar were tried and found guilty of crimes against humanity at the Iraqi Higher Tribunal (IHT) in 2006. The appeal panel of the IHT confirmed the sentence handed down to Saddam Hussein on 26 December 2006. The IHT also upheld the death sentences against Saddam's cousin "Chemical Ali" (Ali Hassan Al Majeed) on 4 September 2007, and against Sultan Hashim, Saddam's former defence minister and Hussein Rashid, the former deputy commander of operations for the Iraqi military.

The defendants were prosecuted under procedures proscribed by Iraqi law and the trial was open and

held in the presence of independent monitors and the media. The court's decision was appealed and the sentences reviewed by a separate panel of judges. The UK does not support the use of the death penalty in Iraq or anywhere else. We expressed serious concern at the unacceptable behaviour at Saddam Hussein's execution, and stressed that further executions should be carried out with respect and dignity.

Coalition detention

The authority for detention by multinational forces in Iraq was renewed by UN Security Council Resolution 1723 (November 2006) and subsequently by UN Security Council Resolution 1790 (December 2007). This permits the coalition to intern individuals where it is necessary to do so for imperative reasons of security. When UK forces detain individuals on this basis, they do so in compliance with applicable legal instruments, including provisions of the European Convention on Human Rights. As at 31 December 2007, the UK held six detainees at the Divisional Internment Facility in Basra. Significant reductions in the number of detainees held by the UK have also been achieved through negotiations with local leaders, as part of broader efforts to improve the security situation in Basra. The International Committee of the Red Cross and the Iraqi Ministry of Human Rights have regular and open access to our detention facility and to all our internees.

UK action

The UK seeks to bring a holistic approach to its support to the Iraqi security and justice sectors. To build a culture of human rights, Iraq will need a strong policy and legislative framework, effective and accountable institutions and security forces (both police and military), and civil society institutions able to promote respect for human rights and to hold the government to account. This will require strong Iraqi leadership. UK support is delivered both through political engagement and through a range of security and justice sector reform interventions led by civilian and military actors. In addition, the UK provides significant humanitarian support to vulnerable groups including internally displaced people and refugees. We seek to work in areas where we add value to Iraqi and other international efforts, and to co-ordinate closely with international partners.

Security and justice sector

The UK has led a programme of support to the Iraqi Police Service and the Ministry of Interior since 2004, working in both Baghdad and Basra. Department for International Development civilian advisers provide strategic advice and training on a range of fundamental administrative systems, to enable the Ministry of Interior to function in a more efficient, transparent and accountable way. This training includes human resource management, procurement, legal frameworks and regulations. On policing development, FCO-led work has included training and mentoring the Iraqi Police Service in southern Iraq and Baghdad, with a focus on leadership, anti-corruption, public accountability, human rights awareness and capability in key skills such as the use of forensic evidence.

We have also been actively involved in supporting the development of the Iraqi judiciary, providing support to the Basra judiciary through the rule of law pillar of the UK-led Basra Provincial Reconstruction Team. This has included networking and training events held in other Middle Eastern countries. For example, a regional rule of law conference was held in Amman in summer 2007 involving 20 Basra judges, practitioners and legal academics and approximately 15 judges, practitioners and legal academics from Lebanon, Jordan and Egypt. Women in the legal profession were among the attendees. This programme of events allows Iraqi judges and lawyers to rebuild their professional relationships with colleagues in the region, and to learn about how other Middle Eastern legal professionals are seeking to apply principles of the rule of law and respect for human rights in their own countries. Further UK support in this area includes the provision of forensics training to the Iraqi police and judiciary and assistance to Iraqi prosecutors pursuing cases of serious corruption in the police. We are also supporting EU-funded training programmes for senior Iraqi judiciary, police and prison service professionals in investigative techniques and human rights approaches to the criminal justice system.

In the prison sector, the UK is working with the Iraqi Correctional Service and the US on the establishment of a new prison in Basra, which will add much-needed capacity. The UK prisons team has provided mentoring to the Iraqi Correctional Service regional director and his team, focusing on



Iraqi police man at a checkpoint in the southern city of Basra.

ensuring that staff for the new prison are properly recruited, vetted and trained and that future staffing and infrastructure needs are planned.

Minorities and vulnerable groups

The UK condemns all acts of violence and intimidation against civilians and we continually press members of the Iraqi government and Council of Representatives on their obligation to protect all of Iraq's communities, regardless of faith or political persuasion. Since 2003, the UK has contributed over £125 million to humanitarian agencies working with vulnerable Iraqis, including internally displaced people and those who have fled to other countries in the region. We work closely with our humanitarian partners, including the Office of the UN High Commissioner for Refugees and the Iraqi Red Crescent, to ensure that they are adequately resourced to respond to needs on the ground. We meet regularly with members of various religious groups in Iraq, including Assyrian Christians, Yezidis, Turkmen and Mandaean-Sabeans, and support them in finding a voice in the Iraqi political process.

Forward look

There will remain significant challenges to the development of a human rights culture in Iraq in 2008. The UK's focus will be on building Iraqi capacity to lead societal change on human rights, including through reform of key state institutions and the security forces. Developments at the political level will play a key part in helping address human rights concerns, and include the intention to hold provincial elections, which will increase the political voice of under-represented communities, and work supported by the UN to agree a sustainable future for the multi-ethnic city of Kirkuk.

5.12 Israel and the Occupied Palestinian Territories

Introduction

The UK remains concerned about the human rights situation in Israel and the Occupied Palestinian Territories, which has not improved over the course of the last year. We are particularly worried by Israel's failure to improve Palestinian movement and access; the continued construction of settlements and the barrier in the West Bank; and whether Israel's use of force is necessary and proportionate.

On the Palestinian side, we are concerned about the ongoing militant attacks against Israelis, particularly rocket fire; increasing levels of intra-Palestinian violence, which has resulted in numerous civilian casualties; and the high number of kidnappings of Palestinians and foreign nationals in late 2006 and early 2007.

Current concerns: Israel

Use of force

According to the UN Office for the Co-ordination of Humanitarian Affairs (UNOCHA), 678 Palestinians died in conflict-related incidents in 2006 compared with 216 in 2005. A further 373 Palestinians died in conflict-related incidents in 2007.

The UK is concerned about the lack of convictions of Israeli Defence Forces soldiers resulting from investigations into Palestinian deaths. We are particularly concerned at Israel's failure to charge and convict any member of the Israeli Defence Forces for the killing of James Miller, a British citizen, who was shot in the Gaza Strip in May 2003. We have continually engaged the Israeli authorities on this issue, pressing them to investigate Mr Miller's killing fully and bring to justice those responsible.

While we have always recognised Israel's right to protect its citizens, it is essential that Israel conducts itself in accordance with its obligations in international law.

We have concerns over whether Israel's use of lethal force has always been justifiable. We have been particularly concerned that, in the course of Israeli Defence Forces operations, too little effort has been made to avoid civilian casualties. When appropriate, we have made our concerns clear to the government of Israel, including after the death of 22 Palestinian civilians in Beit Hanoun in the Gaza Strip in November 2006.

Freedom of movement

The implementation of the 2005 Agreement on Movement and Access stalled following the election of Hamas in January 2006. We continue to call on both parties to implement the agreement. We have repeatedly raised our concerns about movement and access with the government of Israel.

The ability of Palestinians to move within the West Bank has deteriorated due to continued or increased use of checkpoints, curfews, roadblocks, a permit system and the barrier. Permit and checkpoint restrictions have isolated residents of the West Bank from East Jerusalem and from each other. UNOCHA reports that 563 obstacles were present in the West Bank during early September 2007, an increase of 187 (49.7 per cent) over the baseline figure of August 2005. Bus and truck convoys between the Gaza Strip and the West Bank, agreed in the Agreement on Movement and Access, have yet to be implemented. There has been a disturbing increase in the number of delays to and denials of ambulance access at checkpoints. In 2006, there was a monthly average of 10 delays or denials of ambulance access. Between January and September 2007, there was a monthly average of 28 delays of ambulances reported at West Bank checkpoints.

A Palestinian's ability to move in and out of East Jerusalem depends on the type of identity card they possess. Palestinians possess either a West Bank or a Jerusalem identity card. Those with a West Bank identity card require a permit to enter Jerusalem; these are increasingly difficult to obtain. We are concerned about access for Palestinians in the West Bank to key services in Jerusalem.

Humanitarian situation in Gaza

The Hamas takeover of Gaza in June 2007 resulted in a breakdown in Israeli-Palestinian co-ordination mechanisms at the crossing points into Gaza. The continued closure of Gaza's crossings to all but

humanitarian supplies has had a devastating impact on the Gazan economy, which has caused the humanitarian situation to deteriorate further. On 14 August 2007, the Palestinian Trade Centre released a report stating that 85 per cent of manufacturing businesses had been temporarily closed, with over 35,000 workers laid off. An additional 35,000 workers had been laid off from other sectors, including construction, trade and service sectors. The current closures will also impact on the 2008 agricultural season in the Gaza Strip due to the shortage and increasing prices of items including animal feed and fertilisers, and current export restrictions.

The Rafah crossing point between Gaza and Egypt has remained closed since 10 June, leaving thousands of Palestinians stranded in Egypt. UNOCHA reports that Israel allowed 6,374 Palestinians to re-enter via the alternative crossing at Nitzana/Erez between 29 July and 12 August. The EU Border Assistance Mission is ready to resume its border-monitoring role at Rafah as soon as the situation allows.

Karni, the main cargo terminal for supplies entering and exiting Gaza, has been closed since 12 June. A single section of the terminal reopened in September 2007 to allow the import of grain and animal feed.

The Erez crossing has been closed since 12 June. Only a limited number of senior Palestinian traders and Palestinian staff from international organisations are permitted to use it. A number of compassionate and medical cases have also been granted permits to enter Israel.

We are extremely concerned by the humanitarian situation in Gaza and remain committed to supporting the Palestinian people. In particular, we are concerned that essential supplies should reach Gaza. We are funding the UN Relief and Works Agency, the International Committee of the Red Cross (ICRC), the Palestinian Authority and the EU's Temporary International Mechanism.

Access to water and services

Since June 2007, the closures that have affected the Gaza Strip have exacerbated the problems of access to clean water and effective sewerage systems. Agencies operating within the Gaza Strip are unable to import materials needed to complete both drinking and wastewater projects. In addition,

collecting and pumping stations, as well as treatment plants, may soon cease functioning given the lack of parts. There is a particular risk of an environmental disaster happening at the Beit Lahia treatment plant, where a flood of effluent killed at least five residents of Um Al Nasser village in the northern Gaza Strip in March 2007. Israel has continually denied access for parts and personnel to repair and upgrade facilities as part of a World Bank-led project.

We were concerned by the decision of the Israeli cabinet to reduce fuel supplies to Gaza in October 2007. This decision has severely worsened the humanitarian situation as fuel supplies are required to power sewerage systems and water access. By the end of 2007, fuel supplies had been reduced by 40 per cent. The UK believes that Israel should not respond to actions by violent extremists by causing suffering to innocent Palestinians.

Palestinian detainees/administrative detention

Administrative detention is detention without charge or trial for a period of up to six months, on the order of Israeli Defence Forces military commanders in the West Bank. Administrative detainees are held in both Israeli Defence Forces and Israel Prison Service facilities. According to the Israeli human rights NGO B'Tselem, there were 8,616 Palestinians being held in Israeli custody in August 2007, of whom 8,537 were being held in Israel Prison Service facilities and 79 in Israeli Defence Forces facilities; 5,486 prisoners were serving a custodial sentence; 2,027 were awaiting trial; and 818 were administrative detainees. The rest were those who had been arrested but not yet charged with an offence.

We continue to monitor the situation with regard to all Palestinian prisoners. Most Palestinian prisoners have been tried by Israeli courts and have the right of appeal. However, we have concerns about Palestinian prisoners who are being held in administrative detention. All Palestinian prisoners should have access to a fair trial, and we call upon Israel to ensure that any actions are in accordance with international law. We will continue to raise our concerns with the Israeli authorities.

We continue to call for the 40 elected members of the Palestinian government detained by Israel to be either released or subject to the due legal process. On 30 May 2007, the Quartet (UN, EU, US and



Palestinians leave their damaged homes after sewer water flooded in the Bedouin village of Um Al Nasser following the collapse of a sewerage system in the northern Gaza Strip.

Russia) also called for the release of the politicians. On 23 July, the EU called for the immediate release of all Palestinian ministers and legislators detained in Israel.

We are in close contact with the ICRC, which monitors conditions in Israeli prisons. Where appropriate, we raise our concerns with the Israeli authorities. The Israel Prison Service has stressed its commitment to honouring its international obligations with regard to the humane and dignified treatment of prisoners.

Settlements

Since the signing of the Oslo Accords in 1993, the settler population has more than doubled, with profound implications for Palestinian daily life. Each settlement requires a range of security measures to protect its inhabitants, which hinders Palestinian movement and access within the West Bank, impacting heavily on the Palestinian economy, and threatens Palestinian territorial contiguity. This makes the prospect of establishing a viable and secure Palestinian state less likely.

The road map is clear that Israel should freeze all settlement activity, including the natural growth of existing settlements, and dismantle all outposts built since former Prime Minister Ariel Sharon's election in March 2001. Settlement-building is contrary to international law and is an obstacle to peace. This has been our consistent position and we will continue to raise this with the Israeli government.

Violence and harassment of Palestinians is carried out by settlers from the more extremist settlements

in the West Bank. We remain concerned by the claims of Israeli human rights NGOs that Israel does not do enough to prevent settler violence or to prosecute the perpetrators of violence against Palestinians, and we will continue to follow this issue and raise it with the Israeli government.

Barrier

The UK's concerns over the barrier being built by Israel were extensively reported in the 2006 report (p.79). Since that report, construction has continued. According to UNOCHA, 56.6 per cent (408 km) of the barrier had been completed by December 2007.

Israel has the right to self-defence and the UK has no objection to the construction of a barrier, provided it is built on Israeli territory. However, building the barrier along the chosen route, and its associated regime, is contrary to international law. This has been our consistent position and we will continue to raise this with the Israeli government.

House demolitions

Due to Israeli restrictions on the granting of housing permits to Palestinians in Jerusalem and Area C of the West Bank (under Israeli control), Palestinians often build houses without obtaining permits. Properties that have been constructed without the necessary permits are targeted by the Israeli authorities for demolition. In 2007, a total of 250 residential properties were demolished in the West Bank according to B'Tselem. In East Jerusalem, 68 houses were demolished, leaving 239 people homeless.

Such actions harm innocent civilians, fuel anger among Palestinians and consequently risk undermining prospects for peace in the longer term. The British Embassy in Tel Aviv and the British Consulate in Jerusalem have raised our concerns with the Israeli authorities, in particular with the municipality of Jerusalem, and have encouraged them to ensure that adequate planning is in place for Palestinian residential areas.

Minorities

Twenty per cent of Israelis are Arab Israelis, who are full citizens, with full civil and political rights. However, according to the Association for Civil Rights there are "glaring socio-economic differences between the Jewish and Arab population groups

[in Israel], particularly with regard to land, urban planning, housing infrastructure, economic development and education". The situation of the more than 200,000 Israeli Bedouin, the majority of whom live in the Negev desert in the south of Israel, is of particular concern. Since the mid-1960s, Israeli policy has been to restrict the Bedouin to seven government-planned townships in the Negev. Homes in unrecognised Bedouin settlements are not connected to water or electricity grids, nor do they have telephone lines or sewerage systems. Despite some indication from the Israeli government that they intended to resolve some of these problems, there has been no discernible progress on this issue over the last year.

Current concerns: The Palestinian Authority

Terrorism, including rocket attacks

The UK condemns all acts of violence against Israel's population and we call upon the Palestinian Authority to work effectively to end all kinds of terrorist violence. We condemn the indiscriminate rocket attacks from the Gaza Strip into Israel. We are concerned that there are still incidents of attempted and successful Palestinian suicide bomb attacks against Israeli citizens.

According to UNOCHA, Palestinian militants fired a total of 871 Qassam rockets and 1,511 mortars at Israel during 2007. In comparison, a total of 1,194 and 1,786 Qassam rockets were fired by militants from the Gaza Strip in 2005 and 2006 respectively.

According to B'Tselem, seven Israeli civilians were killed by Palestinian militants in 2007, including three killed by a suicide bombing in the Israeli city of Eilat on 29 January 2007.

The Quartet issued a statement on 23 September 2007 noting its grave concern over the continued rocket fire from Gaza into Israel and recent efforts by Hamas to stifle freedom of speech and the press.

Intra-Palestinian violence

According to UNOCHA, in 2007 more Palestinians were killed as a result of intra-Palestinian violence than were killed in clashes with Israeli security forces. Until 2005, most internal deaths arose from the killing of suspected collaborators, inter-factional violence, or a family feud.

We condemn the intra-Palestinian violence that resulted in 516 Palestinian deaths (486 deaths occurred in Gaza and 30 in the West Bank) between September 2006 and August 2007. The fiercest clashes occurred in June 2007, during the Hamas takeover of Gaza, resulting in 193 deaths (188 in Gaza and 5 in the West Bank). The Palestinian Authority Security Forces are the only legitimate security forces in the Occupied Palestinian Territories.

Palestinian extra-judicial punishment

Extra-judicial punishments continue to be meted out to Palestinians suspected of collaboration with Israel. The Palestinian Centre for Human Rights reported that two suspected collaborators were injured in Nablus on 29 May 2007, after being taken to the main square and shot in the legs. The Al Aqsa Martyrs' Brigades, who claimed responsibility for the shootings, said that the two men had "confessed" during interrogation to working for the Israeli security forces.

Women in the Occupied Palestinian Territories

In 2007, there was a sharp increase in the number of "honour crimes" committed in the Gaza Strip, with 14 cases reported. In comparison, four such crimes were reported in the whole of 2006.

Kidnappings in the Occupied Palestinian Territories

The Gaza-based Palestinian NGO Al Mezan Centre reported that during the period from August 2006 to September 2007, four foreign nationals were kidnapped (and later released) from within the Gaza Strip. Alan Johnston, a UK national, was kidnapped in Gaza City on 12 March 2007 and was released on 4 July, after 114 days in captivity. During the same period, 380 Palestinians were kidnapped.

A member of the Israeli Defence Forces, Corporal Shalit, was seized from Israel by Palestinian militants in June 2006. He remains captive. We continue to call for Corporal Shalit's immediate and unconditional release. We are in close contact with the Egyptians, who are leading international efforts to secure his release.

BBC correspondent Alan Johnston after being released in Gaza on 4 July 2007. Mr Johnston was kidnapped by an armed Palestinian group on 12 March 2007.



UK action

The UK has repeatedly pressed the Israeli authorities at all levels to respect the human rights of the Palestinians. We recognise Israel's right to protect itself against terrorist attacks, but we call for the Israeli government to do so in full compliance with its obligations in international law. We raise individual cases where they arise, and engage with Israeli ministers, officials and the military to address matters of policy. Over the course of the past year, we have raised a wide range of concerns with the Israeli authorities, including on the construction of settlements and the barrier, the conduct of Israel's armed forces, Palestinian movement and access, and the humanitarian situation in the Gaza Strip.

The UK also supports a number of Israeli and Palestinian NGOs, which are working on human rights issues. In addition, the British Embassy in Tel Aviv supports several projects aimed at promoting the rights of Arab Israelis, focusing in particular on the Bedouin in the Negev and the participation of Arab women in the Israeli job market.

We call upon both parties to implement the 15 November 2005 Agreement on Movement and Access. We also call on the government of

Israel to permanently reopen the Karni crossing for commercial imports and exports.

UK and European Union assistance to the Occupied Palestinian Territories

The UK has made £31.6 million available in support to the Occupied Palestinian Territories for 2007/08. We gave £12 million through the Temporary International Mechanism in 2006/07 and a further £3 million in May 2007. The mechanism remains an effective and reliable way of funding basic services and allowances for Palestinian Authority workers and Palestinians in need of support.

The UK has committed £100 million over five years to the general fund of the UN Relief and Works Agency for Palestinian refugees across the Middle East. We provided our annual allocation of £15.6 million in April 2007. The agency is delivering essential healthcare, education, social support and basic infrastructure.

During 2007, the Department for International Development (DfID) provided £5.2 million for basic needs through the Temporary International Mechanism, bringing its total contribution since June 2006 to £15 million. In April, DfID gave £15.6 million in core funding to the UN Relief and Works Agency (UNRWA). With this assistance

UNRWA provides essential services such as healthcare, housing and education to 4.4 million Palestinian refugees across the Middle East. This was supplemented with humanitarian support of £1 million to the ICRC. In July, DfID announced £3 million to help the Palestinian Authority pay off its private sector debts. DfID also provided technical assistance to the Palestinian Authority and to President Mahmoud Abbas. This included support to the Palestine Liberation Organisation's Negotiations Affairs Department and assistance to the Ministry of Planning in producing the Palestinian Reform and Development Plan.

We continue to be very concerned by the humanitarian situation in Gaza. In June, DfID announced £1 million for the ICRC to meet immediate humanitarian needs. Together with the World Bank, we have also launched the Palestinian Fund for New Market Development to address the lack of capacity in the private sector.

The EU gave over €680 million to the Palestinians in 2006, more than in any previous year. During 2007, the EU has stepped up its assistance even further, and is scheduled to deliver over €830 million. The EU Co-ordinating Office for Palestinian Police Support, the UK-led EU support to Palestinian civil police, became a fully accredited mission. It is accomplishing its objective of improving Palestinian security through training programmes, penal capacity-building and the supply of urgent operational equipment such as radios. The Rafah crossing to Gaza has been closed since 10 June 2007 due to Hamas's takeover of the Gaza Strip. However, the EU's border mission is ready to become operational if circumstances change.

5.13 Nepal

Introduction

Despite the signing in November 2006 of a Comprehensive Peace Agreement that formally ended a conflict which had lasted for over 10 years, impunity for human rights abuses continues to be the major issue in Nepal. Both the government and the Nepal army continue to fail to deal with past human rights abuses. The Maoists are no better: abductions, extortion and intimidation by them and their sister organisations are near daily occurrences. There has also been a rise in abuses by violent armed groups, mainly operating in the southern plains, bordering India. The lack of political will to address human rights violations and abuses, exacerbated by the weak capacity of the state to provide public security, means that lack of respect for human rights is widespread.

Current concerns

None of the major parties see tackling impunity as being in their interests – too many of their members are implicated in human rights abuses themselves. For the prime minister, tackling impunity within the security forces would mean alienating himself from the very people he would have to rely on against Maoist violence. For the Maoists, tackling impunity would mean surrendering to state mechanisms. And in any case, they do not want to see justice for human rights abuses applied to Maoist political leaders. And for the army, resistance to tackling impunity comes at both the personal level (senior staff are implicated in some Office of the UN High Commissioner for Human Rights (UNHCHR) reports on human rights abuses) and at the corporate level, where they would have to open up their existing judicial processes to civil scrutiny.

We have drawn up an “impunity action plan” to help the Nepalese government and the Nepal army realise that tackling impunity is in their interests, and that, if they do not, a peaceful, democratic, stable Nepal will remain out of reach. If the state does not show political will to address human rights violations, it is difficult to restrain abuses by non-state actors, including members of the Maoist sister organisation the Young Communist League, and armed groups in the Terai (plains region) such as the Janatantrik Terai Mukti Morcha and others.

While commissioners to the National Human Rights Commission (NHRC) were finally appointed in August 2007 (after a gap of more than a year), the process fell short of the Paris Principles on National Human Rights Institutions, which set out detailed guidelines on the responsibilities and functions of such institutions. In particular, the Paris Principles call for national human rights institution members to be elected in an independent, pluralistic and representative manner. This has not been the case in Nepal. It remains to be seen whether the NHRC can establish itself as a credible institution capable of promoting and protecting human rights, which will eventually take the place of the UNHCHR in Nepal. However, this will not be possible in isolation; other national institutions, such as the police force, the judiciary, and the prison service, must also be strengthened in order to support the work of the NHRC.

UK action

Recognising that respect for human rights is a key component of sustainable peace, the UK consistently encourages all parties to respect human rights and to reduce human rights violations through diplomatic representation as well as through project funding. Having been the leading advocate for establishing the UNHCHR Nepal office in 2005, we continued to support the UNHCHR both financially and politically, including by funding a political adviser to the UNHCHR from the Global Conflict Prevention Pool. Strong diplomatic support enabled the UNHCHR to positively influence the human rights behaviour of both sides of the conflict. We also supported human rights organisations both at the local and national level to advocate against impunity. For example, our funding to the national non-governmental organisation Advocacy Forum enabled it to collate and use credible information on human rights abuses. Human Rights Watch awarded Advocacy Forum their annual human rights prize in October 2006 in recognition of their contribution. Our support to Peace Brigades International enabled them to develop an operational framework for the protection of human rights defenders in Nepal.

In addition, we regularly raise our concerns about the human rights situation, both in public and in private, in co-ordination with UNHCHR and with the EU – indeed, human rights was one of the key priorities for our local EU presidency in the second

half of 2007. In July 2007, following the tabling of a draft bill on a truth and reconciliation commission which fell far short of international standards, we led an EU Troika démarche on the Nepalese government to set out our concerns. We also hosted a successful workshop in August 2006 to widen the debate on transitional justice. The Nepalese government agreed to carry out extensive consultations before proceeding further.

Following the cancellation of elections in October 2007, we issued an EU statement stressing the importance of tackling human rights abuses as part of the process of creating credible conditions for holding future elections.

We continue to engage with the Nepal army to encourage greater respect for human rights and international law. We have also supported training courses that have started to introduce an understanding of international humanitarian law into all levels of the army. UK ministers have engaged in constructive dialogue with the chief of army staff to stress that tackling impunity is in the army's own interests and would send a clear signal that the Nepal army is working for democracy. Impartial international agencies have confirmed that incidents of human rights violations have decreased, and while much remains to be done, some army personnel have been prosecuted for human rights-related crimes.

Forward look

We were pleased to note that the Seven-Party Alliance and Communist Party of Nepal (Maoist) were able to reach an agreement on key issues of the peace process in December 2007 and hope that this will pave the way for elections to a constituent assembly to be held in April 2008.

We are urging the government and the Communist Party of Nepal (Maoists) to implement all agreements reached, maintain their alliance and continue working together to create credible conditions so that constituent assembly elections can be held.

As part of this process, we, together with others in the diplomatic and human rights community, will continue to encourage all parties to observe international human rights standards. And we will urge the government to take the time to carry out



Heavily armed Nepalese Maoist recruits undergo guerrilla training in a forest in a Maoist stronghold in Surkhet district in western Nepal.

extensive and inclusive consultations in order to set up a truth and reconciliation commission appropriate for Nepal. But this can only be done when there is an environment that allows people to tell the truth.

Security sector reform is also essential in order to establish professional, representative security forces operating with full respect for human rights. We will continue to offer our support to the government to carry out this important task.

Our engagement with the Nepal army will continue and we will follow up the messages given to the Nepal army by UK ministers on breaking down the culture of impunity. There is a risk that our support to the Nepal army, in the absence of genuine progress towards addressing impunity, will leave us open to criticism from civil society. We need to make clear to the public the reasons for our engagement and what we hope to achieve. At the same time, we need to continue to send strong messages to the Nepal army on tackling impunity.

We will continue to fund activities aimed at improving human rights, working with both national and international human rights organisations. We will continue to work closely with the UNHCHR in Nepal to support its work. We hope that over the next year there will be progress in strengthening state institutions in order to help establish the NHRC as a credible body capable of promoting and protecting human rights, operating in line with the Paris Principles. We will encourage the UNHCHR to co-ordinate the donor response to the NHRC in order to support this process.

5.14 Pakistan

Introduction

The UK is concerned about human rights issues in Pakistan. We continue to encourage human rights reform in our ongoing dialogue with the government of Pakistan. Pakistan has previously expressed a desire to improve its domestic human rights record, and as part of its membership of the UN Human Rights Council has pledged to establish an independent national human rights institution and to promote awareness of human rights in society. Another Human Rights Council commitment was to work towards early ratification of the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention against Torture. There has, however, been very little progress made towards the fulfilment of any of these Human Rights Council pledges. We will continue to encourage Pakistan to meet its human rights obligations through regular EU representations and bilateral discussions. Recent changes in the political landscape, and the period surrounding the state of emergency declared by President Pervez Musharraf on 3 November 2007, have brought a number of human rights issues in Pakistan to the fore.

Following the implementation of the state of emergency, the UK prime minister, the foreign secretary and other ministers raised our concerns with the government of Pakistan at the highest levels. We immediately called on President Musharraf to honour his commitment to step down as Chief of the Army Staff and to implement the necessary conditions under which free and fair parliamentary elections could be held on schedule. We also pressed for the lifting of restrictions on the media, and together with our EU partners made a particular call for the release of all political prisoners, including Asma Jahangir, the UN Special Rapporteur on Freedom of Religion or Belief. The lifting of the state of emergency on 15 December was a welcome development, and we welcomed President Musharraf's retirement from the military before being sworn in as a civilian for his next term as president. We have continued to argue for an independent judicial process in Pakistan. The UK condemned in the strongest terms the shocking assassination of Benazir Bhutto. It is vital that those seeking to undermine Pakistan's democratic transition through terrorist attacks do not succeed. We urged the government to minimise any delay to

the elections as a result of the assassination of Ms Bhutto and to use the intervening period to put arrangements in place so that elections would be transparent and fair.

Current concerns

Border areas

The government of Pakistan faces a difficult law and order situation in the provinces bordering Afghanistan, but we continue to urge that any military action in the area should take place within the parameters of international norms. We continue to follow these developments closely.

We are concerned by the human rights situation in the Kashmir region. We have called for an end to all external support for violence in Kashmir, and an improvement in the human rights situation there. (See page 33 on conflict in south Asia for further details on India-Pakistan relations and the Kashmir issue.)

Counter-terrorism

Pakistan is one of our most important partners in our counter-terrorism efforts. Pakistan and the UK work closely together at all levels, including through regular political contact and operational co-operation. We are also working together to prevent the radicalisation of young people. The UK has offered Pakistan full support in countering terrorism, including exchanges on forensic training, investigating the financing of terrorism and the sharing of crisis management expertise.

When assisting other countries to develop their counter-terrorism capability, we ensure that our training and wider assistance promote human rights compliance, based on international human rights standards.

Death penalty

The UK and our EU partners have continued to lobby the Pakistani government over the last 12 months against the use of capital punishment. More than 400 individuals are sentenced to death each year and 40 to 50 executions are carried out. We estimate that over 7,500 people are being held on death row.

The then FCO Minister of State, Ian McCartney, raised this issue during his visit to Islamabad in

November 2006 and followed up with a letter to the prime minister of Pakistan in February 2007. The UK and EU partners made representations to the Pakistani authorities about Younis Masih, who was sentenced to death in May 2007 for blasphemy. The UK also supported appeals on behalf of Tahir Hussain, a British citizen, on death row. President Musharraf commuted Mr Hussain's sentence to life imprisonment in November 2006. After nearly 18 years in prison, Mr Hussain was released and returned to the UK. (See also page 85, Support for British citizens and nationals abroad.)

The death penalty was also raised during the inaugural meeting of the Pakistan-European Commission Joint Commission that was held in Islamabad in May 2007 under the auspices of the Pakistan-European Commission Agreement. At this forum, during a meeting of the subgroup on governance, human rights and migration, the European Commission called for the abolition of the death penalty.

Elections

Pakistan has been making important moves in its democratic transition. A level playing field is essential for elections and to provide a genuine choice for the Pakistani people. We have therefore encouraged President Musharraf to take steps to improve the transparency of the electoral process, to release political detainees, and to remove restrictions on the media. We have continued to argue for an independent judicial process in Pakistan, and underlined the need for an independent electoral commission. Election observation missions (EOMs) are also important for ensuring the credibility of the electoral process; the UK has pledged support to an EU EOM and plans to participate in other observation activities with international partners.

Freedom of the media

Pakistan's private media has enjoyed increased freedoms over recent years, which the UK regards as a welcome development. Freedom of expression and media freedoms are key elements of an open and democratic society. During and subsequent to the state of emergency in November and December 2007, we expressed our concern at the highest levels about the imposition of restrictions on the media, which include the code of conduct imposed by the Pakistan Electronic Media Regulatory Authority (PEMRA). The UK and our EU partners pressed the Pakistan government on the need to

ensure that the media is able to report on the elections without restriction.

Freedom of religion

The situation of religious and other minority groups in Pakistan continues to be of concern. Blasphemy legislation and its frequent abuse cause significant problems for minority groups such as the Ahmadis and Christians, who face attacks. Police protection remains ineffective. Perpetrators of abuse are rarely brought to justice.

We have welcomed President Musharraf's public statements in favour of reform or repeal of discriminatory legislation but are disappointed that the government has not had political support to implement changes through the National Assembly. An unwelcome development in May 2007 was the introduction of a bill on apostasy to make this a capital offence. Together with our EU partners, we expressed our concerns about this issue in June 2007. The bill had not been passed by the National Assembly before the end of its term in November 2007.

The UK and our EU partners have raised concerns with the Pakistan government about particular minority communities in Pakistan, including Christians in Charsadda, North-West Frontier province, who have endured sectarian violence. We have also urged the Sindh government to restore two churches and a school in Sukkur, Sindh Province, which were burnt after caricatures of the Prophet Muhammad appeared in Danish newspapers in 2006.



Pakistani investigators examine the wreckage of a car used in a suicide attack in Kamra, some 60 km from Islamabad, 10 December 2007.

Women's rights

We welcomed the Women's Protection Bill (passed on 15 November 2006) as a significant step forward in President Musharraf's "enlightened moderation" agenda. A new Anti-Women Practices Bill, introduced shortly afterwards, was with a parliamentary standing committee for most of 2007, and had still not been tabled at the National Assembly upon the dissolution of parliament on 15 November 2007. We hope to see further improvements in women's rights in Pakistan, and will continue actively to encourage this progress through a range of political and project engagement.

UK action

The Department for International Development's (DfID's) work in Pakistan is founded on a 10-year Development Partnership Agreement signed in November 2006 by the then Prime Ministers Tony Blair and Shaukat Aziz. The agreement envisages doubling the UK aid programme to £200 million in 2010/11 and contains a commitment to "respect international human rights obligations entered into".



A Pakistan People's Party supporter lays a wreath of flowers beside a portrait of former premier Benazir Bhutto during a religious service held in Peshawar on 30 December 2007.

To support the electoral process in Pakistan, DfID approved £3.5 million for use in strengthening the administrative capacity of the election commission of Pakistan and supporting civil society work to increase turnout and educate voters. At the end of 2007, £2.84 million of the £3.5 million had been spent.

Our High Commission in Islamabad is funding and implementing several human rights-related projects. These include supporting the preparation of an alternative non-governmental organisation (NGO) report on the Convention on the Rights of the Child (a mechanism for civil society representation to the UN High Commissioner for Human Rights), support for community-based human rights lawyer activists, and debates on forced marriage.

Through the Public Diplomacy Fund, our High Commission is also running four projects under the theme "supporting democratic development". These include radio programmes on women's rights, training and creation of a lawyers' network of human rights advocates, and improving investigative journalism in Pakistan to encourage impartial reporting on political, electoral and human rights issues.

We continue to work to combat "honour" crimes. We support the Pakistani migration authorities in their efforts against human trafficking and have co-funded a project with the EU to set up and train a network of pro bono lawyers providing legal aid to children in conflict with the law.

Utilising the Global Opportunities Fund and the Global Conflict Prevention Pool, we have funded successful projects to raise awareness and teaching of human rights issues in schools throughout Pakistan.

Forward look

In 2008, we will see continued challenges for human rights in Pakistan. We will make regular representations to the new government of Pakistan, both bilaterally and with our EU partners, encouraging dialogue and reform on issues of concern. We will engage with NGOs and civil society groups both in Pakistan and in the UK to bring greater awareness and implementation of a culture of human rights.

5.15 Russia

Introduction

The past 18 months have seen a shrinking of the democratic space in Russia, primarily through the recent non-governmental organisation (NGO) and anti-extremism laws and the restrictions imposed on opposition parties. We are concerned about allegations of electoral malpractice in relation to the December 2007 parliamentary elections, reflected in the statement on 4 December below. It is deeply disappointing that Russia prevented the Organisation for Security and Co-operation in Europe's (OSCE's) Office for Democratic Institutions and Human Rights (ODIHR) from observing the elections, as this would have provided expert, independent election monitoring. We urged the Russian central election commission to investigate all allegations of electoral abuses fully and promptly.

On 4 December 2007, the EU issued a statement:

The European Union has taken note of the provisional results of the elections to the State Duma which were held on 2 December in Russia. The EU welcomes the fact that elections took place in an orderly and organised fashion.

The EU regrets, however, that there were many reports and allegations of media restrictions as well as harassment of opposition parties and NGOs in the run-up to the elections and on election day, and that procedures during the electoral campaign did not meet international standards and commitments voluntarily assumed by Moscow. The EU hopes that investigations will clarify the accuracy of these allegations.

The EU regrets that there was no long-term observation mission from ODIHR/OSCE to follow the election campaign and underlines that the presence of ODIHR would have constituted a reliable basis for a full assessment of the elections.

Other human rights concerns include:

- the restrictions on media freedom and increased risk to journalists' safety;
- the rise in attacks on ethnic, racial and religious minorities;

- the increasing use of forced psychiatric treatment and detention; and
- the ongoing reports of extra-judicial killings, torture, abduction and arbitrary detention in Chechnya and the North Caucasus.

Current concerns

Following the murder of Alexander Litvinenko, action taken by the UK was intended to uphold key individual rights and vital principles of independent judicial process and the rule of law. The UK is committed to pursuing the extradition of Andrei Lugovoy so that he might stand trial in the UK for Mr Litvinenko's murder. We have been encouraged by support for our actions from partners, including two EU statements (on 1 June and 18 July 2007), and we continue to look to the Russian authorities for their full co-operation.

Amendments to the electoral law, which raised thresholds on the number and geographical spread of the membership of political parties, have further eroded the diversity of political representation in Russia. In October 2006, the Federal Registration Service announced that 16 (of 35) political parties did not meet the requirements of the law in terms of membership numbers or the number of regional branches. Tighter registration requirements have caused difficulties for independent political parties. For example, the liberal party Yabloko was prevented from standing in local elections in St Petersburg in March 2007 because of complications over some of the 50,000 signatures required to register the party.

In July 2007, the Law on Extremist Activity was amended, expanding its scope. The increasingly wide definition of extremism is open to abuse and there have been reports that the law has been used to restrict critics and political opponents. Most recently, in September 2007, the *Saratovskiy Reporter* newspaper was threatened with closure by Russia's Federal Service for Supervision in the Sphere of Mass Communications, Communications and Protected Heritage. This followed their publication of a satirical cartoon of President Vladimir Putin, which was labelled extremist.

Some NGOs have expressed concern that the requirements imposed by the new NGO law, including registration, have limited their activities, although most foreign NGOs have been able to

register. NGOs, and human rights defenders in particular, have found their operating environment further constrained by implementation of this legislation. There have been increased reports of threats and intrusion into the activities of human rights defenders, as well as acts of harassment against lawyers and journalists. Many of these organisations and individuals had received funding from international institutions or from foreign governments.

Increased risks to the security of journalists continue to undermine media freedom in Russia. The murder of journalist Anna Politkovskaya in October 2006 brought renewed attention to the dangers faced by journalists in Russia. Other journalists have died in suspicious circumstances and received death threats during 2007. There are fears that the Law on Extremist Activity is being used to unfairly curtail criticism of the government's policy in Chechnya and the North Caucasus. National television channels continue to broadcast a narrow range of political views on sensitive issues and access to important media outlets is often difficult for opposition figures.

The authorities retain tight control on the timing and location of opposition demonstrations in most regions and there are regular reports of the detention and harassment of opposition activists.

Anti-Putin demonstrations in Moscow, St Petersburg and Nizhny Novgorod in April, May and November 2007 were met with legal obstruction and police brutality, attracting widespread condemnation.

Xenophobia is a growing concern. There has been a continuing trend of violent attacks on non-ethnic Russians. According to the Moscow Human Rights Bureau, in 2007 more than 230 xenophobia-related attacks and conflicts were registered in the Russian Federation, resulting in the deaths of 74 people. We have been particularly concerned about the public campaign and discriminatory measures against ethnic Georgians in Russia.

Lesbian, gay, bisexual and transgendered rights groups continue to face difficulties in exercising their right to freedom of assembly in Russia. During a protest at the prohibition of a march in support of sexual minorities in Moscow on 27 May 2007, a number of activists were injured in violent incidents.

Current concerns: North Caucasus

The North Caucasus remains fragile and vulnerable to human rights violations. We remain deeply concerned about ongoing reports of extra-judicial killings, torture, abduction and arbitrary detention



A rally in Paris devoted to the Russian investigative journalist's memory on the first anniversary of her death.

HUMAN RIGHTS DEFENDER: ANNA POLITKOVSKAYA

On Saturday 7 October 2006, Russian journalist Anna Politkovskaya was found dead in the lift of her apartment block. She had been shot four times. She was a high-profile, hard-hitting investigative journalist, whose courage and single-mindedness was widely respected in the Russian media community and abroad, and who devoted her life's work to exposing and campaigning against the brutality of the federal and local security forces in Chechnya. The Russian authorities are continuing to investigate her murder and have announced the arrest of several suspects, but the investigation has been compromised by the political undertones in official statements about responsibility for the murder.

Statement by Rt Hon. Geoff Hoon MP, Minister for Europe, 9 October 2006

"I was saddened by the murder of Russian journalist and human rights defender, Anna Politkovskaya. I extend my deepest sympathies to her family and friends.

"This was a terrible and troubling crime. Anna Politkovskaya's forthright work in the field of human rights was internationally renowned. We welcome the fact that the criminal investigation will be led by the Russian Prosecutor-General. We stress the need for a full and thorough investigation, and hope that it will bring to justice those responsible for her murder."

in the region. Poverty, corruption and a lack of democratic accountability exacerbate human rights concerns. Social and economic conditions remain poor across the region.

Although some reconstruction work is now being undertaken, much of the Chechen Republic's urban and rural infrastructure was destroyed in fighting between separatist rebels and federal troops allied with local forces loyal to Moscow. While large-scale military action by federal troops has now ceased, low-intensity fighting involving local Chechen forces continues. There are frequent reports of explosions and shootings in the republic and elsewhere in southern Russia carried out by rebel groups. Long-term security in the region is undermined by poor social and economic conditions as well as credible reports of widespread human rights violations by all sides. Some indicators show a positive trend, particularly in Chechnya where Russian human rights group Memorial reports 25 enforced disappearances in the first eight months of 2007, a six-fold reduction on the corresponding period in 2006. However, in neighbouring Ingushetia and Dagestan the number of disappearances markedly increased over the same period, to 22 and 7 respectively.

The situation in Chechnya and the wider North Caucasus remains an issue of importance in our ongoing bilateral and EU discussions with Russia. With EU partners, we raised the latest developments in Chechnya with the Russian government at the EU–Russia human rights consultations on 3 October 2007.

UK action

We raise all human rights-related concerns regularly in both specific bilateral and EU human rights consultations. EU–Russia human rights consultations are held every six months, most recently on 3 October 2007. The next bilateral human rights dialogue with Russia is scheduled for the first half of 2008.

In addition to these consultations, we have taken specific action on the concerns detailed above. In October 2006, we held a seminar on the NGO law. This gave UK NGOs the opportunity to put questions to a senior official from the Federal Registration Service, the Russian government

department responsible for registering foreign NGOs under the amended law. Following the violence at the demonstration by groups representing sexual minorities on 27 May 2007, our Ambassador in Moscow raised specific concerns about the treatment of the demonstrators and the proportionality of the police response at this demonstration. There was also an EU *démarche* on the same issue.

We are assisting post-conflict reconstruction and development through our bilateral £1 million North Caucasus Education Initiative and the European Commission's €20 million Technical Aid to the Commonwealth of Independent States (TACIS) Special Programme for the North Caucasus, and by supporting individual projects through dedicated funds such as the Global Conflict Prevention Pool. FCO project funds provided over £700,000 for 18 projects working with NGOs to promote human rights, good governance and reform in Russia during the 2006/07 financial year. Over £440,000 was allocated for a further 16 projects starting in 2007/08. Some of the areas these projects will address are:

- improving and developing the torture prevention capacity of the judiciary and police in Nizhny Novgorod;
- strengthening the capacity of lawyers and NGOs to take human rights cases to the European Court of Human Rights;
- training in human rights of penitentiary service members in southern Russia; and
- strengthening state and civil society capacity to tackle xenophobia and extremism and to combat religious and ethnic discrimination.

Forward look

We will continue to monitor closely Russia's adherence to its human rights commitments and obligations during 2008, and will raise any concerns we have frankly with the Russian authorities, both bilaterally and in the EU, OSCE and Council of Europe, where appropriate. We look to the Russian authorities to ensure free and fair presidential elections in March 2008 and to allow international observation to ensure that this is the case.

5.16 Saudi Arabia

Introduction

The human rights situation in Saudi Arabia remains poor. The UK has particular concerns over the use of the death penalty, corporal punishment, and the quality of judicial procedure. There has been limited progress since the last human rights report, including on judicial reform and the level of freedom afforded to the local media.

Recent developments

Human rights

In November 2006, Human Rights Watch made its first official visit to Saudi Arabia. During this visit they inspected four prisons. However, they did not have unfettered access to prisons and prisoners.

Judicial reform

On 1 October 2007, a Royal Decree approved the new Judiciary and Court of Grievances Law. The decree establishes a supreme court and an appeal court. It also establishes five specialised courts. These structural changes should improve access to the judicial system.

National Society on Human Rights

In May 2007, the Saudi Arabian National Society on Human Rights published its first report, which received wide coverage. The report publicly highlighted a number of concerns, including prisoners' rights, prison standards, family issues and a wide range of other topics.

Religious police

During 2007, the Majlis al Shura (consultative council) voted against expanding the jurisdiction of the religious police and allowed unprecedented media coverage. In response, the religious police announced a number of internal reforms, including improved staff training and better application of existing procedures.

Women's rights

Despite a campaign by conservatives, the Saudi government has started to issue individual identification cards to female citizens who hold valid passports. This development opens the way for women to interact directly with parts of both the private and public sectors.

Current concerns

Death penalty

The number of executions in Saudi Arabia in 2007 was estimated at 158. The vast majority of these executions were for murder, drug offences and rape. This was the highest figure in recent years.

Corporal punishment

The judicial and administrative authorities can impose sentences of flogging and amputation. In 2006 a Saudi female was gang raped. The victim was sentenced to 90 lashes for violating laws on segregation of the sexes. In November 2007 the victim appealed against her sentence, which was subsequently increased to 200 lashes and six months in prison. The perpetrators' sentences were also doubled to between five and nine years' imprisonment. The UK raised this case with the Saudi authorities and participated in EU lobbying. In December 2007, King Abdullah granted a royal pardon to the victim.

Women's rights

Women continue to face severe restrictions. Access to legal advice and representation can be difficult. In divorce cases, courts are predisposed according to orthodox Islamic law to award custody to fathers of boys over seven years and girls over nine years old. Women are not permitted to drive. Although women account for just over half the school and university population, government policy and social tradition severely limit their employment opportunities.

Press freedom

The government continues to restrict press freedom. The Ministry of Information appoints newspaper editors and has the power to remove them. The government provides comprehensive guidelines to newspapers on what they can and cannot publish. Journalists continue to practise extensive self-censorship. The level of freedom afforded to the

local media, which can now report on a number of previously taboo issues, has increased. In response, the government invariably defends official positions, but has not followed through on any of the threats made.

Discrimination and freedom of religion

By law, Islam is deemed to be the official religion and all citizens are required to be Muslims. The legal system is based on government-sanctioned interpretation of Islamic Sharia law.

The public practice of any religion other than Islam remains banned. Apostasy is punishable by death. Discrimination against Shi'a and other minorities continues.

In December 2006, the religious police raided a gathering of the Ahmadiyya religious group and detained 49 foreign nationals, including 19 women and children. The detainees were deported. But government leaders from the King down continue to call for tolerance and moderation, and regularly condemn religious extremism. They have asserted that individuals have the right to practise their religion privately without government interference. The King also called on the Pope in November 2007. It is too early to say if these developments have had an impact on religious tolerance.

UK action

The UK remains committed to promoting human rights with the Saudi authorities. We continue to advocate the abolition of the death penalty in Saudi Arabia. Lobbying also takes place on women's issues, discrimination and freedom of religion.

Forward look

The UK will continue to work closely with the Saudi government to encourage reform. However, the pace of this reform will need to be acceptable to the Saudi government, its citizens, and powerful religious leaders.

On 29 October 2007, the UK hosted the third "Two Kingdoms Dialogue" between the UK and Saudi Arabia. The UK delegation was led by Dr Kim Howells, Minister of State, and included parliamentarians, officials, business people and representatives from civil society. Discussions focused on education, youth welfare, culture and the media.



Saudi women crossing a street in Hofuf city, 250 km east of Riyadh. Women continue to face restrictions on their freedom.

The UK will continue to fund projects that will provide training, knowledge and skills in areas such as the role of women, civil society, the judiciary, prison reform and press freedom. Projects due to take place in 2008 include a workshop to develop the capacity of women in business, a programme to develop links between Saudi and UK charities and a visit to the UK by members of the Saudi journalists' association. Further details on projects can be found in the Global Opportunities Fund annual report.

The UK will continue to press Saudi Arabia to meet its international human rights obligations. In the short to medium term, we want to see greater transparency during all trials, especially those involving the death penalty. We welcome steps taken through reform of the judiciary to further enshrine the rights of defendants to appeal, and we will monitor the implementation of these and other reforms. The UK will continue to advocate the abolition of the death penalty in Saudi Arabia.

5.17 Sudan

Introduction

The 2005 Comprehensive Peace Agreement formally brought to an end the longest-running civil war in Africa. The subsequent interim national constitution includes a bill of rights that enshrines the principle of human rights at all levels of government and society. Despite this, Sudan's human rights record is poor and there is a widespread culture of impunity. Our concerns include: the death penalty; torture; Hudud punishments (amputation, flogging and stoning); freedom of the media; and harassment and arrest of activists and political figures. Many parts of the country remain insecure, with a proliferation of small arms. The situation in Darfur remains characterised by systematic violations of human rights and breaches of international humanitarian law.

Current concerns

There has been some progress on Darfur with the UN Security Council mandating the hybrid UN-African Union peacekeeping force for Darfur (UNAMID) in July 2007, and talks between the Sudanese government and the Darfur rebels that began in Libya on 27 October 2007.

The 2005 Comprehensive Peace Agreement led to the formation of a government of national unity, provisions on the sharing of power and wealth and a largely observed ceasefire across southern Sudan. However, rights enshrined in the agreement and constitution have had little impact on the ground. Slow implementation of the agreement was the main cause for the temporary withdrawal of the Sudanese People's Liberation Movement from the government of national unity on 11 October 2007. For example, the national Human Rights Commission, which should have been established under the Comprehensive Peace Agreement, has not yet been set up.

The government is falling short of its human rights commitments. There have been no improvements in press freedom. Political prisoners continue to be detained. Belligerents on all sides of the conflict in Darfur continue to commit human rights abuses. We have made it clear that there must be no impunity for those who have committed these crimes.

UK action

We are working with the international community to bring lasting peace and security to Sudan. Lord Malloch-Brown visited Sudan in September 2007 to reaffirm UK commitment to a peaceful and prosperous future for Sudan.

We are calling on all sides to fully implement the Comprehensive Peace Agreement. We have actively contributed to the EU-Sudan Human Rights Dialogue and have supported UN efforts to reconvene a regular human rights forum with the Sudanese government.

On 31 July 2007, we sponsored UN Security Council Resolution 1769, mandating UNAMID, which will help restore peace and stability. We are working to support its prompt and effective deployment. In the meantime, we continue to support the African Union Mission in Sudan. Total UK support committed to the mission is £73 million.

The only solution to the Darfur conflict is a negotiated political settlement. We are supporting African Union/UN-led political talks that started on 27 October 2007 in Libya. We have called on all sides to engage seriously in these talks or face tough measures.

The UK is committing considerable resources to alleviate the immediate humanitarian crisis. We are the second largest bilateral humanitarian donor, having contributed over £290 million in humanitarian assistance to Sudan (£145 million to Darfur) since April 2004.

Banditry and insecurity have hindered humanitarian organisations' ability to provide assistance. We continue to press for unimpeded and safe access for humanitarian agencies, and a full cessation of hostilities.

The Sudanese government and the UN issued a joint communiqué on 28 March 2007, undertaking to remove bureaucratic impediments to humanitarian agencies. We are pressing the government to comply through the High-Level Committee set up to monitor the communiqué's implementation.



A man injured during violent clashes sits on a makeshift bed outside the African Union Mission in the Sudan military group site in Mohajiriya in southern Darfur.

The International Criminal Court

There can be no impunity for the crimes committed in Darfur. The UK co-sponsored UN Security Council Resolution 1593 (31 March 2005), referring human rights violations in Darfur to the International Criminal Court. The International Criminal Court Prosecutor, Luis Moreno-Ocampo, reported to the UN Security Council on 5 December that Sudan has not met its obligations. We have made it clear that we expect the Sudanese government to co-operate fully with the court and surrender the two individuals for whom it issued arrest warrants in connection with alleged atrocities in Darfur.

United Nations Human Rights Council

We support the Council's work on improving human rights in Darfur. The Council's report on Darfur of 12 March 2007 stated that the situation in Darfur was characterised by systematic violations of human rights and breaches of international humanitarian law. On 30 March 2007, the Council adopted a resolution on further recommendations to improve human rights on the ground. On 24 September 2007, the Darfur experts presented an interim report. We made it clear that there had not been acceptable progress, and that we need to see further action ahead of the Darfur experts' final report at the December 2007 Human Rights Council session. The Council extended the mandate of the Human Rights Rapporteur for Sudan to cover the Darfur experts' recommendations for Darfur. The Council also passed a resolution criticising Sudan for failing to implement the Darfur recommendations.

Southern Sudan

The threat to civilians in southern Sudan posed by the Lord's Resistance Army has receded since the launch of the Juba peace process in 2006. These peace talks have produced a cessation of hostilities agreement, which has resulted in much-reduced Lord's Resistance Army activity in southern Sudan. However, with no final peace agreement, and the freedom of the Lord's Resistance Army's leaders, a threat to human rights remains. We are working with partners to support the Juba peace process and to ensure that Lord's Resistance Army leaders are brought to justice. The government of southern Sudan, along with other regional governments, has an obligation to support the International Criminal Court in executing the arrest warrants issued to bring the Lord's Resistance Army's leaders to justice.

The UK is funding a major programme on safety, security and access to justice, which includes provision of support to rule of law organisations and law enforcement bodies. The programme has provided substantial capacity-building support to the government of southern Sudan's Ministry of Legal Affairs and Constitutional Development. We are supporting the Southern Peace Commission and the Southern Sudan Human Rights Commission and have funded several smaller projects, working with national non-governmental organisations (NGOs) to raise awareness of human rights issues with local communities.

Detentions

We regularly raise the issue of detentions with the Sudanese government. On 13 June 2007, human rights activists protested against the building of a dam near Kajbar. The Sudanese government responded with force: four people were killed and a number of people detained. Following lobbying from the UK and others, eight people were released. Leading opposition politician Dr Mubarak Al Fadil was arrested on 14 July on charges of plotting a coup. We raised his continued detention with a number of Sudanese officials including the foreign minister.

Children and armed conflict

The Sudanese government has begun to implement the recommendations of the UN Secretary-General's report of 2006. Child soldier recruitment in Darfur has grown with the multiplication of rebel factions. We have called on all parties to implement the recommendations of the UN Secretary-General's reports without delay.

Sexual and gender-based violence

All sides to the conflict in Darfur have committed sexual and gender-based violence. Tackling this is a priority at the regular meetings between the international community and the Sudanese government. We continue to press the Sudanese government to implement its action plan to eliminate violence against women.

Women are particularly vulnerable to attack when they leave camps to collect firewood. We have encouraged the African Union Mission in Sudan to resume patrols to accompany women – it had discontinued them because of security concerns. The deployment of UNAMID will enhance capacity to carry out these patrols.

The UN's Common Humanitarian Fund funds a number of women's rights projects in Sudan. The total allocation for 2007 is US\$984,503, to which the UK contributes 60 per cent. Projects are implemented by UN agencies and international NGOs and include action in Darfur and southern Sudan.

Death penalty

At least 65 people were executed in Sudan in 2006. We regularly raise human rights issues, including the death penalty, with the Sudanese government. We will continue to use existing human rights fora to discuss the death penalty abolition (or moratorium), including through the EU presidency and the EU-Sudan Human Rights Dialogue.

Individual cases

We regularly raise individual cases with the government of Sudan through the British Embassy in Khartoum and ministerial contacts. We know that in some cases concerted international pressure has led to the release of human rights defenders and other detainees.

International obligations

The Sudanese government has ratified many international and regional human rights treaties, but has not fully implemented them in domestic law. Sudan has refused to sign the Convention on the Elimination of All Forms of Discrimination against Women because of concerns over incompatibility with Sharia and Sudanese tradition, and has signed but not ratified the Convention against Torture. The Sudanese government is still considering these treaties, and we have offered them our full support.

Projects

We support a range of projects related to human rights, including human rights training for prison officers, strengthening the application of the rule of law and access to justice for victims of human rights abuses, and support programmes on human rights and peacebuilding activities. We have also supported media campaigns that have sought to tackle the issue of violence against women and children.

Forward look

We will continue to raise human rights issues regularly with the Sudanese government and work with human rights NGOs and international organisations, including the UN human rights team.

We will continue to press the government of national unity to implement all parts of the Comprehensive Peace Agreement. We will work with the African Union and the UN to support a negotiated, peaceful solution to the Darfur crisis, underpinned by an effective peacekeeping force and unimpeded humanitarian access.

5.18 Syria

Introduction

The Syrian government's human rights record remains a cause for concern. When President Bashar Al Assad came to power in 2000 following the death of his father Hafez, there were some initial improvements (the so-called "Damascus Spring"). However, the situation has deteriorated significantly and is now worse than at any time since then. Around 4,000 political prisoners, many of them members of the banned Muslim Brotherhood and the Communist Party, remain imprisoned in Syria. The emergency law, imposed in 1963, severely restricts basic rights. Public calls for its repeal by Syrian reformers have not been heeded.

Current concerns

Civil society

The development of civil society is severely restricted. All non-governmental organisations (NGOs) require government approval both to be established and to undertake any activity, or to accept foreign funding. The Syrian government has delayed indefinitely the establishment of a Syrian Human Rights Council, proposed by the Baath Party in 2005.

In May 2006, 10 signatories to the Damascus-Beirut Declaration, which calls for respect for Lebanese sovereignty, were arrested. Five were released soon afterwards. However, others were later handed down lengthy jail sentences. Michel Kilo and Mahmoud Issa were sentenced in May 2007 to three years each by the criminal court in Damascus. Khalil Hussein and Suleiman Shammar were sentenced in absentia to 10 years each by the same court.

Anwar Al Bunni, a prominent human rights defender, was sentenced in April 2007 to five years' imprisonment. In response to these draconian punishments, the EU presidency, with UK support, issued a statement expressing its regret at the sentences and calling for the decisions to be reversed.

The Syrian authorities continue to deny activists and leaders of some opposition groups permission to travel abroad. A notable recent example is Riad Seif, a political rights activist and former MP. He was an active participant in the "Damascus Spring" – the early period of Bashar Al Assad's rule, characterised by greater openness and debate – who has been denied the right to travel abroad for urgent medical treatment for cancer. He fears that, given his activities, seeking medical treatment in Syria would be an unacceptable risk.

Restriction of basic rights

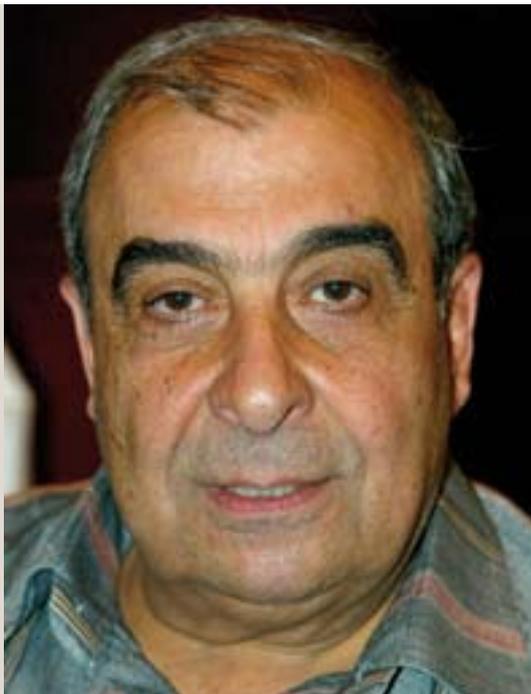
During the past year, arbitrary arrests have continued. Further human rights abuses were reported, including by Human Rights Watch, such as torture in prison and poor prison conditions, arbitrary arrests and detentions, absence of rule of law and severely restricted civil liberties (such as freedom of speech, the press, assembly, association and movement).

Identity-based discrimination against the Kurdish minority persists. Women face legal as well as social discrimination and have few means for redress against sexual abuse or domestic violence.

Freedom of the media

The 1963 emergency law allows the Syrian government to censor newspapers, magazines and other publications, drawings, broadcasts and advertisements prior to publication.

Prominent Syrian opposition activist Michel Kilo. He was sentenced to three years in jail on 13 May 2007.



Over the past year, media freedom has improved slightly. There are now a number of semi-independent newspapers and television companies. There have been fewer arrests of journalists since the release of *Al Hayat's* bureau chief, Ibrahim Hamidi, in 2002 and his acquittal in 2004. However, Syrian editors still widely practise self-censorship and promised reforms to the publication laws in Syria have not occurred.

According to the OpenNet Initiative, Syrian government censorship of the internet is "pervasive". Human Rights Watch has also highlighted the detention and disappearance of a number of activists who have expressed their views over the internet.



Syrian lawyer and leading human rights defender Anwar Al Bunni. Al Bunni was sentenced in April 2007 to five years in prison.

UK action

The Syrian government imposes significant restrictions on the work of NGOs and foreign embassies on human rights. These limit the scope for taking practical action on the ground to address human rights issues. The British Embassy works closely with the diplomatic community in Damascus and is an active member of the EU Human Rights Group. The EU collectively regularly raises urgent human rights cases with the Syrian government. Senior officials from the British Embassy also raise such cases bilaterally. Members of the British Embassy, along with EU colleagues, attended the trials of human rights defenders held at the Syrian State Security Court in Damascus. This included those sentenced for signing the Beirut-Damascus Declaration. Embassy officials have also maintained regular contact with human rights activists and the voluntary sector.

Forward look

Human rights remains an important strand of our bilateral and EU relations with the Syrian government. Alongside lobbying efforts, the UK will continue to work to improve Syria's human rights record, including by working with local human rights organisations in Syria. Our aim is to create wider links between official Syrian and relevant UK organisations and academic institutions as the basis for creating a wider civil society training centre or regulatory body.

5.19 Turkmenistan

Introduction

The authoritarian rule of President Saparmyrat Niyazov ended when he died suddenly on 21 December 2006. He had been president of Turkmenistan since 1991 and had overseen the severe decline in human rights. Gurbanguly Berdimuhamedov was appointed acting president by the supreme legislative body and the constitution amended to allow him to stand for president. He was elected on 11 February 2007 with 89 per cent of the vote, having pledged loyalty to President Niyazov's legacy. Nevertheless, he also promised to introduce a number of reforms, notably in health, education, agriculture, pensions and internet access. He is serious about reform, but it is still difficult to be certain about its longer-term direction or extent.

President Berdimuhamedov discussed human rights with EU Special Representative Pierre Morel and High Representative for EU Common Foreign and Security Policy Javier Solana. During President Berdimuhamedov's visit to Brussels in November 2007, EU officials explained that Turkmenistan's human rights record continued to hold up ratification of the EU–Turkmenistan interim trade agreement and reiterated EU readiness to support Turkmenistan in its efforts to demonstrate commitment to international obligations. At the first EU–Turkmenistan Ad Hoc Human Rights Dialogue, in Brussels in September 2007, Turkmen officials were not briefed on the issues raised and appeared reluctant to engage.

However, with international organisations, including the UN, Turkmen officials have shown a greater willingness to engage on human rights issues. We welcome this. Louise Arbour, the UN High Commissioner for Human Rights, visited in April 2007 and there is an outstanding invitation to the UN Special Rapporteur on Freedom of Religion or Belief to visit. The Organisation for Security and Co-operation in Europe (OSCE) and the UN in Turkmenistan have broadened their activities, and the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) and the US Commission on International Religious Freedom have visited.

Reforms announced since President Berdimuhamedov took office include the restoration of the tenth year of schooling, and an increase in teachers' salaries.

Current concerns

There remains a long way to go to achieve concrete progress on the ground. The education system will need time to recover. There is still no press freedom and no freedom of expression. There are no political parties, and religion and civil society are tightly controlled.

The government of Turkmenistan invited ODIHR to send a needs assessment mission for the presidential election. For the first time, there was a choice of candidates for president, although all represented the Democratic Party and all promised to follow President Niyazov's policies. The authorities have undertaken to co-operate with ODIHR and the UN on electoral reform.

Local elections were held on 9 December 2007. According to reports there was a 98 per cent turnout and, as in previous elections, there was a choice of candidates but all professed loyalty to President Berdimuhamedov. The political adviser to the president of the European Parliament visited and was allowed to see three polling stations and meet national observers.

Internal freedom of movement has improved. Checkpoints and roadblocks have been removed and it is easier for Turkmen citizens to travel to border areas.

Fears that the 2005 law on migration would lead to a de facto reintroduction of exit visas, abolished in January 2004, were unfounded. An unofficial blacklist still exists that prevents some people from travelling abroad, but some others have now been allowed to leave. We welcome the Turkmen government's decision to allow Maral Yklimova to join her family in Sweden (see the 2006 human rights annual report). In a contrast to previous practice, the new president has asked the international community to provide scholarships for young citizens of Turkmenistan to study abroad and has publicly encouraged young people to take up these opportunities.

Non-governmental organisation (NGO) registration remains a lengthy and complex process. The

government has not yet addressed this issue. But groups have found other ways to promote civil society activism.

On religious freedom, although the Source of Life Church and the Word of Life Church have registered this year, other groups remain unregistered. Registered religious groups are able to practise their beliefs, but they still face difficulties importing literature and obtaining visas for their guests to visit. Despite some improvements in the situation, human rights organisations based outside Turkmenistan continue to report on arbitrary harassment and arrests by the law enforcement agencies of members of religious groups.

Turkmenistan has started to work on implementing the recommendations of the UN Committee on the Rights of the Child, particularly in education and data collection. There is still a long way to go.

In previous years, we have highlighted the use of child labour, particularly in the annual cotton harvest. President Niyazov introduced legislation against this in 2005. On 6 September 2007, President Berdimuhamedov reinforced the ban. As a result, we assess that there has been a decline in the use of child labour.

Turkmenistan set up a commission to hear complaints about law enforcement agencies and a commission on human rights. The Turkmen Institute for Democracy and Human Rights works

with the UN. Turkmenistan submitted reports in line with its international obligations under the UN Convention on the Elimination of All Forms of Discrimination against Women in 2004 and under the Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of the Child in 2005. Since June 2006, Turkmenistan has been working with the UN on a project to build its capacity to draft these reports and to respond to the subsequent conclusions from the UN committees.

Co-operation with the OSCE and the OSCE Centre in Ashgabat has improved and the authorities have accepted more projects. The OSCE has worked with judges and prosecutors on arrest and detention and the rights of the accused. Government officials have participated in activities organised by the High Commissioner on National Minorities and they have been permitted to attend OSCE human dimension activities abroad.

We are concerned that no agreement has been reached between the International Committee of the Red Cross (ICRC) and the government of Turkmenistan to start visiting detainees according to the ICRC standard procedures.



Turkmen honour guards stand next to the coffin of late President Niyazov during a funeral ceremony in the centre of Ashgabat.

UK action

The British Embassy worked with UNICEF, Finland and the EU to organise a study visit to Europe by Turkmenistan government officials in the education sector. In the UK, officials visited the Office for Standards in Education, the London Centre for Leadership in Learning, the Training and Development Agency for Schools, and the Qualifications and Curriculum Authority. With UNICEF, the Embassy also provided computers and other equipment to five rural schools.

In conjunction with one NGO, the British Embassy produced a CD-ROM guide on how NGOs can obtain official registration. We will continue to work bilaterally with Turkmenistan and through the EU-Turkmenistan Ad Hoc Human Rights Dialogue to support the development of civil society, and promote the right of NGOs to register and operate without constraints.

We are encouraging the Turkmen authorities to work with religious organisations to improve Turkmenistan's record on freedom of religion before the UN Special Rapporteur on Freedom of Religion or Belief visits in 2008.

The president pardoned and released from prison Nasrullah Ibn Ibadullah, the former chief mufti, on 10 August 2007. This came just before the visit of the US Commission on International Religious Freedom. The UK had lobbied for Ibadullah's release jointly with EU partners and bilaterally, most recently the week before he was pardoned.

Our Embassy partly funded a human rights course for university students organised by the OSCE in October 2007.

We welcome the release of Kakabay Tejenov in October 2006 and Geldy Kyarisov, former head of the Turkmen Horses Association, in October 2007. Kyarisov was imprisoned for six years in 2002. His family faced harassment and were forced to move their livestock from their former horse farm, but the British Embassy kept in close contact with them. The Embassy called for his release on humanitarian grounds due to Kyarisov's poor health, both bilaterally and with the EU and the OSCE.

Malcolm Wicks, Minister of State for Energy, raised human rights concerns during his visit to Turkmenistan in September 2007.

Forward look

The UK will continue to lobby Turkmenistan to address human rights issues and will support genuine efforts to do so, both bilaterally and with international partners. We will continue to work through the ad hoc human rights dialogue and through the EU's central Asia strategy, which supports good governance, rule of law and human rights.

5.20 Uzbekistan

Introduction

The overall human rights picture in Uzbekistan remains bleak. There have been small improvements since 2006, and the EU and Uzbekistan have established a human rights dialogue. Uzbekistan is set to abolish the death penalty on 1 January 2008 and introduce limited habeas corpus from 2008. The crackdown on civil society has subsided, but controls are stifling any independent activity. At least 14 human rights defenders are still in prison. Others suffer harassment and pressure that has forced some to leave Uzbekistan, or to cease their activities. Reports of violations of freedom of religion, expression and movement and of fair trial rights continue. Torture and prisoners' rights remain a deep concern.

Current concerns

In November 2007, the UN Committee against Torture welcomed certain developments, but expressed concern about "ongoing and consistent allegations" of torture by or with the instigation or consent of law enforcement and investigative personnel and the failure to investigate allegations, calling on the Uzbek government to apply a "zero-tolerance approach" to torture and "the practice of impunity". The Uzbek government assured the UN that it had fulfilled most of the UN special rapporteur's recommendations, that torture was prohibited by law and perpetrators prosecuted. Two interior ministry officials were convicted of torture in 2007. But the number of allegations made far outweighs the number investigated, or perpetrators tried and convicted.

Human rights groups cite cases of beatings by police in pre-trial detention and electric shock treatment. Activists say that police and security service agents are taught that coercion is part of the job. Evidence suggests that judges overlook torture allegations. The authorities deny that Yakubjon Aliev, serving 17 years in prison, had complained about torture.

Despite constitutional guarantees of judicial independence, the president appoints all judges directly or indirectly. The prosecutor supervises investigations and leads the prosecution at trial.



Uzbek human rights defenders (L to R) Elena Uralaeva, Akhtam Shaimardanov and Abdillo Tojiboy hold posters during their rally in Tashkent, 20 December 2007. Uzbekistan's President Islam Karimov's bid to prolong his hardline rule at a weekend presidential poll was contested at a rare protest by seven rights activists.

The defence has no comparable role. From 2008, a new law will pass the authority to issue arrest warrants from the prosecutor to the courts.

Trial monitoring shows that judges follow prosecution advice; acquittals and successful appeals are rare. Defendants have the right to a lawyer once detained. However, this right can be denied or delayed and there can be pressure on defendants to reject private lawyers for state-appointed ones.

By law, most trials are public. However, international observers have found it increasingly difficult to monitor trials, for example the slander trial of poet Dadakhon Khasanov, or they have been barred, for example from the trial of Rukhiddin Fakhruddinov, sentenced to 17 years in September 2006 for extremism.

Human rights defenders regularly report harassment. In Jizzak, groups of women twice attacked human rights defenders, including Bakhtior Khamrayev, in front of Embassy staff. Other activists report surveillance, threats of violence and house arrest. Such treatment has forced Human Rights Society of Uzbekistan leader Talib Yakubov and activists Rakmatulla Alibaev and Yadgar Turlibekov to leave Uzbekistan. Others, like Bakhtior Khamrayev, are determined to stay.

We remain concerned at the growing number of human rights defenders imprisoned on charges, including, inter alia, hooliganism, extortion and swindling. These include Ikhtior and Ilkhom, the sons of Bakhtior Khamrayev and Saidajon

People walk in front of a giant poster of Uzbek President Islam Karimov in Tashkent, 24 December 2007. Uzbekistan's hardline president was poised to extend his rule over the gas-rich central Asian country for another seven years after an election that western observers said did not offer a genuine choice.



Zainabiddinov, and at least 14 others across the country.

From 2008, life imprisonment will replace the death penalty, but it is unclear whether death row prisoners such as Farid Nasibullin will have their sentences commuted. The government of Uzbekistan claims that there have been no executions since August 2005. After previous denials, they have finally confirmed the execution in 2004 of Akrorkhuza Toliphujav.

Human rights defenders challenge the objectivity and scope of prison monitoring by the ombudswoman and non-governmental organisations (NGOs). The International Committee of the Red Cross continues negotiations to resume visits, consistent with its usual practices, but access for international monitors remains restricted. Activists report that prison conditions fail the UN's Standard Minimum Rules for the Treatment of Prisoners. The authorities acknowledge the risk of tuberculosis and hepatitis and work with the World Health Organization to reduce the threat. There has been at least one death in prison from tuberculosis, in July 2007.

Freedom of movement remains a concern. While some activists still have no exit visas, others have been allowed to travel.

Officially, 5,000 NGOs belong to the NGO Association, which directs funding to activities to

protect and promote civil society. In practice, most independent NGOs have closed as legal restrictions stifle independent activity. A new law on political parties promotes civil and political rights by strengthening political parties and creates an official opposition.

Presidential elections were held on 23 December in a "strictly controlled environment", according to the Organisation for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights. While the authorities had introduced some positive legislative changes since the last presidential elections in 2000, the contest left "no real room for opposition" and "generally failed to meet many OSCE commitments for democratic elections". President Islam Karimov faced three other candidates, one independent and two representing political parties set up under newly introduced legislation. The three opponents praised President Karimov's policies, and none of them asked the electorate to support their own candidacy.

The plight of human rights defenders remains a particular concern. Mutabar Tojibayeva is still in prison. Information on her medical condition is scant. EU representatives and her family appeal regularly for family visits, access to a lawyer and medical treatment. Sanjar Umarov is often in solitary confinement – relatives have limited access. EU diplomats saw Ikhtior Khamrayev in hospital in January. Ikhtior Khamrayev is reportedly often beaten in prison, most recently in November 2007. They also saw Saidajon Zainabiddinov in prison in March, but Zainabiddinov's family have not been allowed access to him. Norboy Kholjigitov, serving six years for extortion, has reportedly lost teeth from lack of treatment for diabetes.

In January 2007, Umida Niyazova and Gulbahor Turayeva were arrested on the Kyrgyz-Uzbek border and charged with serious offences including anti-constitutional activities (carrying Andizhan-related materials), smuggling and working for foreign governments. Turayeva was sentenced to six years in April 2007 and Niyazova to seven years in May. After intense EU lobbying, their sentences were suspended on appeal, but both women had to confess their guilt and denounce their international partners.

Independent journalist Ulugbek Khaydarov was imprisoned for six years in October 2006 for

extortion. Intense EU lobbying secured his release, but he left Uzbekistan after threats against his family. The president's nephew, Jamshed Karimov, was committed to psychiatric detention in September 2006. We and the EU have lobbied his case repeatedly. We have also supported imprisoned journalists Ortikali Namazov, Jusuf Ruzimuradov and Mohammad Bekjanov.

The government states that 500 independent media outlets enjoy freedom of speech and expression. However, freedom of speech is limited. The state controls the four national TV channels and three national newspapers. Although censorship was abolished in 2002, self-censorship and new laws prevent criticism of the government. In March, Natalia Bushueva, a freelance journalist working for Deutsche Welle, fled abroad facing charges of "unlicensed activities". Saidburkhon Kadirov, a Bukhara journalist, was attacked and stabbed in September 2006. Two other journalists, Jamal Kutliev and Khazrat Akhmedov, remain in prison. Internet service providers must use the state-controlled telecom operator, enabling the blocking of certain websites, such as the BBC.

Legislation guarantees freedom of religion, but the reality is different. Muslims make up 88 per cent of the population, with Christian, Jewish and other religious minorities. Government data claims there are over 2,000 officially registered "religious organisations", but this includes individual mosques and churches. These are subject to tight legal controls. The law bans proselytism and outlaws unregistered groups, and registration is a lengthy and complex process. The authorities have clamped down on Christian groups. In March, Dimitri Shestakov, a Pentecostal pastor from Andizhan, was imprisoned for four years, and his church closed for holding illegal services. Another church member, Bakhtior Tuychiev, left Uzbekistan after harassment. Jehovah's Witnesses report that the security services have raided homes, confiscated literature and abused believers.

Followers of Islam outside the state-sponsored version are liable to arrest for extremism. Activists report that prisoners convicted of religious extremism are treated separately and more harshly than others. A local human rights movement has highlighted the case of Dilshod Shohidov, a prisoner serving an eight-year sentence for distributing extremist materials and theft, who allegedly complained to his family about prison

conditions. The prison authorities punished Shohidov by locking him in a cell where he was beaten by other prisoners. This "pressing room" treatment violates Uzbek law.

UK action

As well as the activity mentioned above, the British Embassy maintains regular contact with NGOs and activists throughout Uzbekistan. It helps facilitate contacts with British MPs and NGOs and develop the capacity of local NGOs and groups across the country, including reporting human rights violations. In November, it funded an NGO to attend the UN Committee on Torture examination of Uzbekistan. The Embassy is monitoring two alleged deaths in custody from torture: Bakhtior Khasanov, a former military prosecutor, and Ortikjon Mukhamedov, detained for religious extremism.

The British Embassy maintains contacts with a wide range of religious groups. Freedom of religion and freedom of expression feature in our dialogue with Uzbekistan, supporting local journalists and the BBC. At the human rights dialogue, we called for a simpler registration process for religious groups and stressed our concern at the use of criminal law to penalise religious worship, journalists and human rights activists.

Forward look

We will continue to monitor the situation and to make our concerns clear through a critical, but constructive, dialogue with the Uzbek authorities. We are ready to work with the government in strengthening respect for human rights in Uzbekistan. We will support the implementation of the new legislation on the death penalty and habeas corpus. We will broaden our co-operation with civil society structures by organising a workshop on the British experience of civil society. We have sent Chevening Fellows to human rights courses at Nottingham University.

We will continue to support the maintenance of sanctions as an appropriate EU policy response until there is an improvement in Uzbekistan's human rights record. We will also continue efforts to work with Uzbekistan, EU and other partners to achieve concrete progress.

5.21 Vietnam

Introduction

Despite the broadly positive trajectory of change for civil and political rights in recent years, Vietnam remains a country of particular concern to us because of restrictions on freedom of expression and freedom of religion and the continued use of the death penalty. Vietnam's record on social and economic rights is much better. Its poverty reduction record is among the best in the world.

Throughout 2005 and 2006 there was a loosening of state controls. A number of high-profile dissidents were released, and, while traditionally sensitive subjects remained taboo, the media was able to exercise greater freedom to report on certain issues. Progress was also made on religious freedoms, with the government taking steps to implement its framework, resulting in a marked increase in the number of registered congregations.

However, although Vietnam's international presence continues to grow – including with Vietnam securing UN Security Council non-permanent membership in October – any movement we saw on civil and political rights in 2006 has noticeably slowed since early 2007 and, in some areas, even reversed, in particular on freedom of expression. The trajectory of change for religious freedoms in 2007 remained broadly positive.

However, some government restrictions still exist, and registration of religious congregations has been slow and patchy. Media freedoms are gradually improving in some areas, though the media still remains firmly under state control.

Current concerns

Freedom of expression: human rights defenders

Two prisoners of concern were released under "presidential amnesty" in advance of President Nguyen Minh Triet's visit to the US in June 2007. These were Nguyen Vu Binh, a political "cyber dissident" and lawyer Le Quoc Quan, who had been detained for three months having been charged with "attempting to overthrow" the government. Phan Van Ban, a political dissident jailed for life in 1985, was also released in May 2007, having served 22 years of his sentence.

However, since the beginning of 2007, over 20 human rights defenders have been arrested and sentenced to lengthy jail sentences, mainly under article 88 of the Vietnamese Penal Code: "conducting propaganda" against the state. March to May 2007 saw the most concentrated period of arrests, including several high-profile cases including, among others, Father Nguyen Van Ly and lawyers Le Thi Cong Nhan and Nguyen Van Dai. There have also been credible reports of harassment of family members and associates.

In November 2007, a group of four Viet Kieu (overseas Vietnamese) were arrested in Ho Chi Minh City. All are reported to be members of Viet Tan – a pro-democracy organisation run by US Viet Kieu.

International representatives have been permitted to observe three trials: that of Father Ly, and those of Nhan and Dai. However, permission to observe other trials has not been granted, nor has permission for EU representatives to visit human rights defenders in prison.

Freedom of expression: media freedom

All domestic media in Vietnam remains state controlled. However, media freedom is gradually increasing and, in many areas, the press is permitted considerably more freedom than

Vietnamese dissident lawyer Nguyen Van Dai is guarded by a policeman in Hanoi's People's Court, 11 May 2007, as relayed via closed-circuit television for local and foreign media and diplomats.



previously. The number of publications continues to rise, and internet use is growing steadily. Three main internet news sites exist, all of which remain state controlled. Other websites, including discussion fora, are rapidly growing in number.

Reporting on sensitive issues is not permitted, and remains subject to censorship and self-censorship. Measures introduced in July 2006 under which media outlets face administrative fines and possible suspension if their reporting is deemed by the government to contain "false information" led to the suspension of two publications in October 2006 for their reporting of a corruption case. A further two were suspended for other "publishing offences" and a further eight were fined.

Foreign journalists also face restrictions. The government continues to censor some foreign publications and news broadcasts, and blocks certain foreign websites. In September 2007, a foreign-run economics website based in Vietnam was closed down by the authorities, having published articles relating to politics and human rights in Vietnam.

Freedom of religion

Over the past three years, Vietnam has made significant steps towards improving religious freedoms. Following the introduction of the Ordinance on Belief and Religion in 2004, Vietnam introduced Implementing Decree 22 that provided further guidance on the 2004 ordinance, and the Prime Ministerial Instructions in 2005. The US removed Vietnam from its list of countries of particular concern on religious freedom in November 2006.

In practice, the government continues to maintain its control over religious organisations. While the 2005 decree went some way to easing the process for registering congregations, implementation remains slow and patchy, particularly in some of the more remote provinces. The Northern Uplands region remains an area of particular concern for Protestant groups, with some provinces not approving registration applications.

Independent Buddhists also face tight restrictions. Thich Quang Do, the deputy leader of the non-recognised Unified Buddhist Church of Vietnam, remains under house arrest, with tight movement, communication and association restrictions.



Catholics pray in front of a church in Ho Chi Minh City. Vietnamese Catholics praised a milestone meeting between the communist nation's premier and Pope Benedict XVI for bringing fresh hope to the country's 6 million worshippers.

Death penalty

Vietnam is thought to have one of the highest execution rates per capita in the world. Official statistics are a state secret. Local media occasionally highlights individual cases, often for drug-related offences. Following a reduction in the number of crimes attracting the death penalty in 1999, the government has made a number of public statements proposing to further reduce the scope of the death penalty. Most recently, President Triet called for a reduction of application of the death penalty for economic and drug-related crimes. No concrete action has yet been taken.

UK action

The main forum for raising human rights concerns is the biannual EU-Vietnam Human Rights Dialogue, established in 2003. The last meeting was held in Hanoi on 28 June 2007. The EU produces an annual report on human rights in Vietnam to inform EU policy. EU diplomats regularly undertake fact-finding missions. Most recently, the UK ambassador visited the Central Highlands in May 2007, EU ambassadors visited the Central Highlands in October 2006, and EU diplomats visited the Northern Uplands in June 2007. The EU also undertakes ad hoc interventions. For example, the EU conducted a number of démarches in response to the arrest and sentencing of human rights activists in early 2007.

We are also working to engage with key actors in sensitive areas through project work. The UK is currently supporting a project with the Vietnamese General Department of Police, looking at pre-trial detention practices in the context of the UN Convention against Torture. In 2007, we also supported work to boost Vietnam's legal application of access to information laws, and we are working with the Vietnamese National Assembly to improve accountability.

The EU keeps a list of prisoners and detainees of concern, which is raised with the Vietnamese authorities both during the twice-yearly dialogue and at every other suitable opportunity. As of October 2007, 47 people remain on the EU's prisoner of concern list, with a further five "otherwise detained", under house or pagoda arrest. On 23 October, the Ministry of Foreign Affairs announced that 11 offenders who were sentenced for conducting activities to undermine national security (articles 87, 88 and 89 of the Penal Code) would be released under the National Day amnesty. Five of these 11 were on the EU's prisoners of concern list.

The EU conducted a series of démarches following the wave of arrests in early 2007, and issued a statement condemning the sentences of lawyers Dai and Nhan. The UK also raises its concerns bilaterally with the Vietnamese at every suitable opportunity, including during high-level meetings.

We, along with our EU partners, continue to press Vietnam to improve its media freedom record through our human rights dialogue. Since 2005, we have been funding journalist training, through Global Opportunities Fund project work, to help develop the Vietnamese media's capacity for independent reporting.

Following the rejection of his appeal in April 2007, we have been lobbying the Vietnamese government at a high level to commute the sentence for a British national sentenced to death in Vietnam, Le Manh Luong.

Forward look

We will continue our dialogue with the government of Vietnam, including on the outcome of our field missions, to urge them to maintain momentum on increasing religious freedoms.

The UK will also continue action in line with the EU human rights defenders guidelines, including maintaining contact with human rights defenders and seeking access to prisoners of concern and attendance at trials. We will also continue to raise our concerns bilaterally with the Vietnamese at every suitable opportunity.

We, along with our EU partners, will continue to encourage dialogue with Vietnam on the issue of the death penalty. We will be seeking to undertake project work with the government to support their aim of reducing the scope of application. We will also continue to lobby for release of official statistics.

5.22 Zimbabwe

Introduction

Conditions in Zimbabwe have deteriorated since 2006, with a marked escalation in the use of intimidation and violence. The collapse of the formal economy has led to increased food insecurity, limited access to electricity and water, and severe difficulty in obtaining affordable medical treatment. As a result, thousands of Zimbabweans are fleeing over the borders, mainly to South Africa.

Human rights violations perpetrated by state agents, including assault, torture and illegal detentions, have been sustained. The rule of law has deteriorated, with violations frequently going unpunished and even endorsed by the government of Zimbabwe in public statements. Democratic space has been severely restricted, and basic human rights such as freedom of expression, assembly and association systematically dismantled.

Recent developments

March 2007 violence

On 11 March 2007, police prevented a peaceful prayer meeting in the Highfield area of Harare from taking place, violently assaulting and detaining a number of opposition members, journalists, students and human rights defenders who were due to participate. A member of the National Constitutional Assembly, Gift Tandare, was shot dead. The leader of the opposition group, the Movement for Democratic Change, Morgan Tsvangirai, and others were severely beaten.

Of course he [opposition leader Morgan Tsvangirai] was bashed. He deserved it... I told the police beat him a lot. He and his MDC must stop their terrorist activities. We are saying to him, 'Stop it now or you will regret it.'

– President Robert Mugabe, addressing a ZANU PF (ruling party) rally on 29 March 2007 (Human Rights Watch, *Bashing dissent*, 2 May 2007)

Police raided a press conference called by the Movement for Democratic Change on 28 March 2007. Documents and computers were removed and staff arrested, including Morgan Tsvangirai.



Zimbabwean opposition leader Morgan Tsvangirai in bed at a local hospital in Harare.

Police denied access to legal representation for those detained, saying that "lawyers are not welcome here". Activists were held in detention for up to four months, until the state's case finally collapsed.

These events provoked widespread condemnation from the UK and many others in the international community.

Continuing the pattern of violence

Despite this criticism, the government of Zimbabwe has continued and escalated its pattern of violence. The Zimbabwe Human Rights NGO Forum (a coalition comprising 17 Zimbabwean non-governmental organisations (NGOs)) reported that there were more human rights violations recorded in the first half of 2007 than in the whole of 2006.

On 8 May 2007, riot police assaulted lawyers, including the president of the Law Society, when they were attempting to present a petition on the arbitrary arrest of two human rights lawyers. Lawyers are routinely obstructed in their work and denied access to their clients, and are often themselves subjected to harassment and intimidation. The independence of the judiciary is severely compromised, and the police have increasingly defied court rulings.

On 25 July, riot police disrupted a number of peaceful gatherings across Zimbabwe by members of the National Constitutional Assembly. Police targeted 243 people, including the elderly, and the beatings were particularly brutal and

wide-ranging, with one member (Bronislawa Kwinjo) dying as a result of complications from her injuries. Demonstrations by organisations such as the National Constitutional Assembly, Women of Zimbabwe Arise and the Zimbabwe National Students Union continue to be regularly dissolved by use of force. Activists from the Zimbabwe Congress of Trade Unions have been targeted and severely assaulted. NGO meetings, workshops and even food distributions are regularly obstructed and human rights defenders arrested and harassed.

Current concerns

Conditions in the country

Conditions in Zimbabwe are dire and continue to deteriorate, not least due to disastrous government policies such as the price controls. The reality of life in Zimbabwe is struggle for access to food, fuel and water. The facts on this are stark and undeniable:

- Life expectancy is the lowest in the world.
- Zimbabwe has the world's highest rate of orphans.
- More than 3,000 people per week are dying from AIDS-related illnesses.
- Although there are few reliable figures, it is estimated that between 3 and 4 million people have left Zimbabwe.
- Over 80 per cent of the population is unemployed.
- Over 4 million people will need food aid between September 2007 and the next harvest, expected around April 2008.

2008 elections

The UK and the wider international community have maintained the need for free and fair elections to be held in Zimbabwe. The government of Zimbabwe has not yet addressed critical elements such as an end to political violence, access to the media for opposition parties, accurate voters' rolls, fair constituency boundaries, allowing civic education and an independent electoral court. In fact, amendment 18 to the constitution makes a number of retrogressive changes to the electoral framework.

Over the past year, the UK has given full support to the Southern Africa Development Community mediation process between the political parties as taken forward by President Mbeki. Sadly, in spite of his efforts, the political violence has continued and very little has changed on the ground. The widespread and indiscriminate arrests, as well as unlawful detention and torture of individuals, have undermined the ability of the Movement for Democratic Change to operate as an effective opposition party. The playing field for elections is tilted in favour of President Mugabe's ZANU PF party and conditions are far from allowing the March elections to be free and fair. It is feared that the number of violations may increase in the run-up to March.

Freedom of expression

In a statement released in April, the Media Institute of Southern Africa expressed serious concern about reports of abductions, beatings and torture of journalists in the country (Human Rights Watch, *Bashing dissent*). The passing of the Interception of Communications Bill could make journalists and other NGOs even more vulnerable. The government uses the repressive legislative framework to prosecute journalists and others for writing "falsehoods" or criticising the president.

Media freedom is very limited in Zimbabwe, with only a couple of expensive, weekly independent newspapers remaining. Independent radio stations exist, broadcasting from outside the country, but are subject to regular jamming by the state.

UK action

The UK closely monitors and takes action on the repeated human rights violations in Zimbabwe. Along with EU partners, we have raised our concerns with the government of Zimbabwe and other governments in the Southern Africa Development Community region, stressing that democracy, sustainable development and respect for all human rights and fundamental freedoms should be interdependent and mutually reinforcing. Following the 11 March incident, the UK and EU issued statements condemning the government's actions and we summoned the Zimbabwean ambassador to provide an explanation for the events. After the repression of National Constitutional Assembly demonstrators, the EU made a démarche to the Ministry of Foreign Affairs

expressing concern about the continuous intimidation of and violence against human rights defenders and civil society.

Internationally, the UK pressed for a strong EU statement at the UN Human Rights Council expressing deep concern at the situation in Zimbabwe and this was delivered on 28 March 2007 and supported by over 50 countries. The March 2007 Human Rights Council was the first at which African countries also highlighted their concern about human rights in Zimbabwe, with both Ghana and South Africa making statements. The EU and the UK raised Zimbabwe at the June and September sessions of the Council. The UK also raised the worsening humanitarian situation in Zimbabwe during the UN Security Council sessions in March and September 2007. Together with the EU, the UK has a regular dialogue with countries in the region about the human rights situation in Zimbabwe, including the prospects that the 2008 elections can be held in accordance with international standards.

The UK actively participates in implementation of the EU Human Rights Defenders Strategy in Zimbabwe. This includes regular contact with human rights defenders and other support, such as visits to victims in hospitals. British Embassy staff are present at key court cases to observe proceedings and maintain a record of the results, as well as to maintain pressure for the court system to uphold the rule of law. In addition, we have been active in providing substantial financial support to civil society organisations in Zimbabwe, working to mitigate state oppression and to preserve democratic space. We have also funded NGO advocacy to international bodies such as the African Commission on Human and People's Rights and the UN Human Rights Council.

Humanitarian aid

The UK remains committed to supporting the people of Zimbabwe and is one of the three largest donors of humanitarian assistance, with an annual spend of between £30 and £40 million over the last five years. The focus of support remains on HIV and AIDS and humanitarian assistance. The Department for International Development (DfID) is responding to the acute humanitarian crisis of food security through an £8 million commitment to the World Food Programme and a £5 million three-year commitment for mobile and vulnerable populations, including those forcibly displaced and

facing abuse crossing into neighbouring countries. DfID funding is also expanding access to HIV treatment through the Multi-donor Expanded Support programme and reducing the vulnerability of orphans and vulnerable children. The much-acclaimed DfID-funded Protracted Relief programme (£50 million over five years) is providing support to 1.5 million of Zimbabwe's poorest with agricultural inputs, clean water and care for the chronically ill. Particular attention is paid to improving the targeting of those who most need the support, for instance enhancing the World Food Programme's monitoring in the run-up to the 2008 elections. All funding is channelled through NGOs and UN agencies, including the International Organization for Migration, UNICEF, the Joint UN Programme on HIV/AIDS and the World Food Programme. This ensures that assistance reaches those who need it most.

Forward look

We will continue to work with international partners, including the EU and UN, as well as with a growing number of African states committed to the principles of democracy, good governance and human rights, to press for reform in Zimbabwe. The current situation is unsustainable. Economic decline is fuelling a growing humanitarian and wider human rights crisis. Elections in 2008 provide an opportunity for change, but only if conditions on the ground improve, allowing all parties to participate and all Zimbabwean citizens, including those in the significant diaspora, to cast their vote freely.

GLOSSARY

AIHRC	Afghanistan Independent Human Rights Commission
APT	Association for the Prevention of Torture
ASEAN	Association of South-East Asian Nations
BMENA	Broader Middle East and North Africa Initiative (G8)
CARICOM	Caribbean Community
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CCW	Convention on Certain Conventional Weapons
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CFSP	Common Foreign and Security Policy (EU)
CGA	Country Governance Analysis
CHOGM	Commonwealth Heads of Government Meeting
CHRI	Commonwealth Human Rights Initiative
CIS	Commonwealth of Independent States (former Soviet republics)
CMAG	Commonwealth Ministerial Action Group
CNS	Council for National Security (Thailand)
CRC	Convention on the Rights of the Child
DDA	Doha Development Agenda
DfID	Department for International Development
DPKO	Department for Peacekeeping Operations (UN)
DPRK	Democratic People's Republic of Korea (North Korea)
ECHR	European Court of Human Rights
EOM	election observation mission
ESDP	European Security and Defence Policy
EU	European Union
EUMC	European Monitoring Centre on Racism and Xenophobia
EUSEC	European Union Security Sector Reform Mission (Democratic Republic of Congo)
FCO	Foreign & Commonwealth Office
GOF	Global Opportunities Fund
HCNM	High Commissioner on National Minorities (OSCE)
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICRC	International Committee of the Red Cross
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
IFI	international financial institution
IHT	Iraqi Higher Tribunal
ILO	International Labour Organisation
ISAF	International Security Assistance Force

LGBT	lesbian, gay, bisexual and transgendered
MINURSO	United Nations Mission for the Referendum in Western Sahara
MoD	Ministry of Defence
MONUC	United Nations Mission in the Democratic Republic of Congo
NATO	North Atlantic Treaty Organization
NGO	non-governmental organisation
NHRC	National Human Rights Commission (Nepal)
NPC-SC	Standing Committee of the National People's Congress (China)
NPM	National Preventive Mechanism
NSHR	National Society on Human Rights (Saudi Arabia)
ODIHR	Office for Democratic Institutions and Human Rights
OECD	Organisation for Economic Co-operation and Development
OPCAT	Optional Protocol to the United Nations Convention against Torture
OSCE	Organisation for Security and Co-operation in Europe
RTL	re-education through labour (China)
SAR	Special Administrative Region (Hong Kong)
TDI	The Dhaka Initiative
TUC	Trades Union Congress
UN	United Nations
UNAMID	United Nations–African Union peacekeeping force for Darfur
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIFIL	United Nations Interim Force in Lebanon
UNMIK	United Nations Mission in Kosovo
UNOCHA	United Nations Office for the Co-ordination of Humanitarian Affairs
UNODC	United Nations Office on Drugs and Crime
UNRWA	United Nations Relief and Works Agency
WMD	weapons of mass destruction
WTO	World Trade Organization

INDEX

A

- Aamer, Shaker, 14
- Abbas, President Mahmoud (Palestinian Authority), 40, 41, 163
- Abdullah, King (Saudi Arabia), 172
- Aceh peace agreement (Indonesia, 2005), 34
- acquis* (body of European law), 62, 65, 66
- Action 2 programme (UN), 26
- Action Aid (NGO), 44, 95
- Action-oriented policy paper on the integration of human rights and development* (OECD, 2007), 26
- Active against Forced Marriage conference (October 2007), 85
- Adil Soz (NGO), 104
- Adivasi (indigenous) Bangladeshi people, 95
- Advisory Panel on Freedom of Expression, FCO, 102
- Advocacy Forum (NGO), 110, 164
- Afghanistan, 11, 31, 38, 43, 50, 105, 125–7
illegal drugs trade and, 43, 60
- Africa 2007 programme (British Council), 93
- Africa Conflict Prevention Pool, 30, 32, 37, 43, 44, 111
- African Charter on Democracy, Elections and Governance, 79
- African Commission on Human and People's Rights, 79, 111, 191
- African Group (UN bloc), 47, 50, 90
- African Union, 31, 44, 46, 47, 79, 174, 176
- Ahmadi branch of Islam, 108, 167, 173
- Ahmadinejad, President Mahmoud (Iran), 151, 152
- Ahtisaari, Martti, 71
- Akhmedov, Khazrat, 185
- Akina Mama wa Afrika (NGO), 114
- Al Aqsa Mosque (Jerusalem), 48
- Al Assad, President Bashar (Syria), 178
- Al Bunni, Anwar, 178, 179
- Al Fadil, Dr Mubarak, 176
- Al Mezan Centre, 161
- Al Rawi, Bisher, 13
- Albania, 62, 68
- Algeria, 12, 14, 119
- Ali Hassan Al Majeed ("Chemical Ali"), 156
- Alibaev, Rakmatulla, 183
- Aliiev, Yakubjon, 183
- Allen, Rob, 119
- Amazing Grace* (Michael Apted film, 2006), 42, 93
- American Convention on Human Rights, 117
- Amnesty International, 26, 87, 142, 151
- amputation as punishment, 153, 172, 174
- Angola, 106, 116
- Anguilla (UK Overseas Territory), 81, 82
- Annapolis peace conference (November 2007), 41
- antipersonnel mines, 140
see also cluster munitions
- anti-Semitism, 42, 91
- Anti-Slavery International, 42, 93
- Arab Group (bloc at UN), 48
- Arab Israelis, 160–1, 162
- Arbour, Louise, 46, 47, 154, 180
- Argentina, 18
- Armenia, 67, 112, 120
- Arria formula meeting (July 2007), 92
- Ashton, Baroness, 42
- Asia, 25, 41, 110–11, 182
- Association for the Prevention of Torture (APT), 120, 121
- Association of South-East Asian Nations (ASEAN), 74, 115, 133
- asylum policy, UK, 96–7
- Aung San Suu Kyi, 130, 132, 133
- Australia, 18
- Azerbaijan, 103–4
- Aziz, Shaukat, 168

B

- Bahá'í faith, 107, 153
- Balkans, the, 41, 43, 62
- Balle, Sokol, 68
- Ban, Phan Van, 186
- Ban Ki-moon, 33
- Bangladesh, 11, 25, 94, 95, 105, 111, 117
- Barbados, 60, 117
- Barcelona Summit (2005), 73
- Basra province of Iraq, 155, 156, 157
- Beckett, Margaret, 25, 39, 88, 110, 137
- Bedouin, Israeli, 160, 161, 162
- Beijing Olympics (2008), 134, 135
- Beijing Platform for Action, 98
- Beit Hanoun actions, Israeli (8 November 2006), 39, 48, 158
- Bekjanov, Mohammad, 185
- Belarus, 49, 52, 53, 114, 128–9
- Belize, 118
- Benin, 120, 121
- Berdimuhamedov, President Gurbanguly (Turkmenistan), 180, 181
- Berlin Declaration on Combating Anti-Semitism, 91
- Bermuda (UK Overseas Territory), 81
- Bhutto, Benazir, assassination of, 166, 168
- "Biharis" in Bangladesh, 95
- Binh, Nguyen Vu, 186
- Blair, Tony, 40, 135, 137, 168
- Bolivia, 120
- Border and Immigration Agency (Home Office), 96–7
- Bosnia and Herzegovina, 62, 68–9, 97
- Boven, Theo van, 15
- Brammertz, Serge, 57
- Brazil, 24, 27, 101, 120, 121
- British Broadcasting Corporation (BBC), 58, 64, 68, 105–6, 185

- British citizens and nationals abroad, support for, 9, 13, 85–7, 158, 167, 188
- British Council, 93, 119, 121, 138
- British Virgin Islands (UK Overseas Territory), 81, 82
- Broader Middle East and North Africa (BMENA) Initiative, 12
- Brown, Gordon, 18, 21, 22, 28, 30, 132, 133
- Brown, Mrs Jean, 92
- Bucharest conference on tolerance and non-discrimination (OSCE, June 2007), 42
- Buddhism, 106, 131, 132, 136, 137, 187
- Bulgaria, 62, 63
- Burma, 74, 75, 95, 103, 130–3
UN and, 30, 46–7, 49, 51, 52, 53, 59, 75
- Burundi, 30, 31, 36, 38, 43, 44, 49, 51, 106
- Bush, President George W., 12, 13
- Bushueva, Natalia, 185
- businesses, 8, 9, 21, 22, 93, 159, 173
- C**
- Cambodia, 25, 47, 58–9, 61, 93, 102, 120
- Cameroon, 27, 28, 104, 120
- Canada, 52
- Caribbean, 28, 43, 60, 61, 81, 82, 86, 93, 117
- Caribbean Community (CARICOM), 91
- Carricarte, Antonio, 144
- Casale, Silvia, 120
- Castro, Fidel, 142
- Castro, Raul, 142, 144
- Caucasus, North, 169, 170–1
- Caucasus, southern, 41
- Cayman Islands (UK Overseas Territory), 81, 82
- Central African Republic, 56
- Chad, 47
- Chanet, Christine, 142, 143
- Charter of Fundamental Rights, EU, 62
- Chaviano, Francisco, 142
- Chechnya, 169, 170, 171
- “Chemical Ali” (Ali Hassan Al Majeed), 156
- Chen Guangcheng, 110
- Chevening Fellows, 27–8, 185
- child rights panel (FCO), 92, 100
- children, 11, 44, 64, 65, 73, 92, 98, 100–1, 149, 150, 168
abduction/trafficking of, 32, 61, 85
armed conflict and, 35, 37–9, 47, 52, 100
in armed forces, 32, 34, 38, 130, 147, 176
Child Exploitation and Online Protection Centre, 61
“child witches”, 147
forced labour and, 21, 22, 136
HIV/AIDS, 25, 52
illegally taken abroad, 9, 85
labour, 52, 81, 92, 100, 101, 181
rights of, 52, 53, 101
sexual exploitation of, 52, 61, 141
UN Convention on the Rights of the Child, 61, 81, 82, 100, 101, 151
UN Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, 61
UN Special Representative on violence against, 53, 101
UNICEF, 35, 38, 39, 42, 61, 94–5, 96, 182, 191
violence against, 100, 101, 177
see also juveniles
- China, 19, 27, 47, 61, 76, 101, 103, 119, 133, 134–8, 149
death penalty, 117, 134, 138
human rights defenders, 109, 110
UK-China Human Rights Dialogue, 110, 137
- Christian Aid, 95
- Christian Relief Network (NGO), 146
- Christianity, 42, 106, 107, 108, 149, 153, 157, 167, 185, 187
- “Civic Committee of Reconciliation and Dialogue” in Cuba, 142, 143
- Civil Society Challenge Fund, 26
- climate change, 8, 21, 23–5
- cluster munitions, 17–18, 39, 40
- Coaker, Vernon, 92
- cocaine trade, 59, 60
- cocoa industry, 21, 22, 33
- Colombia, 28, 44, 60, 98, 101, 102, 122, 139–41
- Commission on Human Rights, UN, 45, 49, 150
see also Human Rights Council, UN
- Commission on International Religious Freedom, US, 180
- Commission on Respect and Understanding, Commonwealth (2007), 78
- Commission on the Status of Women, 98
- Committee against Torture, UN, 183, 185
- Common Foreign and Security Policy, EU (CFSP), 72, 75–6, 180
- Common Humanitarian Fund, UN, 177
- Common responsibility: Commitments and Implementation* (ODIHR report), 41
- Commonwealth, The, 46, 76–9, 82, 111
- Commonwealth Human Rights Initiative (NGO), 79, 105
- Commonwealth of Independent States (CIS), 41, 42, 43, 107, 171
- Conference on Disarmament (Geneva), 19
- Conflict Prevention Pools, 30, 31, 32, 37, 43–4, 111
see also Global Conflict Prevention Pool
- conflict situations, 8, 29–44
children and, 35, 37–9, 47, 52, 100
export licensing and, 16, 89
see also Conflict Prevention Pools; Darfur conflict; Global Conflict Prevention Pool
- Congress of Local and Regional Authorities, Council of Europe, 67
- Consular staff, FCO, 9, 85–7
- Conventions, UN
on Conventional Weapons (CCW), 17, 18

- against Corruption, 21, 22, 105
 on the Elimination of All Forms of
 Discrimination against Women, 45, 77,
 81, 97, 98, 148, 177, 181
 on the Elimination of All Forms of
 Racial Discrimination (CERD), 45, 73,
 81, 90, 181
 on the Prevention and Punishment
 of the Crime of Genocide, 70
 on the Rights of Persons with
 Disabilities, 9, 45, 77, 101
 on the Rights of the Child, 45, 61, 81,
 82, 100, 101, 148, 151, 168, 181
 on the Status of Refugees (1951),
 96, 149
 against Torture and Other Cruel,
 Inhuman or Degrading Treatment or
 Punishment (CAT), 14, 15, 16, 73, 81,
 118, 120, 121, 125, 166, 177, 188
- Cook, Robin, 120
 Coomaswamy, Radhika, 130
 Copenhagen Criteria for EU membership,
 62, 65
 corporal punishment, 153, 172
 corruption, 21, 22, 23, 59, 89, 105, 106
 UN Convention against, 21, 22, 105
 Costa Rica, 18, 120
 Côte d'Ivoire, 22, 32–3
 Cotonou Agreement (2000), 74
 Council of Europe, 15, 46, 61, 67, 69,
 79–80, 102, 103
 Agency for Fundamental Rights and,
 73, 74
 Convention on Action against
 Trafficking in Human Beings, 68, 80
 election observations, 111, 112
 counter-terrorism, 42, 50, 52, 77, 108, 136
 UK strategy, 7–8, 10, 11–16, 166
 see also terrorism
 Country Governance Analysis (CGA), 25
 country programmes, 21, 25–6, 96, 114
 Coyle, Professor Andrew, 119
 crimes against humanity, 30, 56, 57, 59,
 68, 77, 156
 Croatia, 62, 64
 Crombet Hernández-Baquero, Jaime, 144
 cruel and inhuman criminal punishments,
 153
 Cuba, 49, 103, 142–4
 Czech Republic, 120
- D**
- Dai, Nguyen Van, 186, 188
 Dalai Lama, 136
 Dalits ("untouchables"), 94–5
 Damascus–Beirut Declaration (May 2006),
 178, 179
 Danish press and caricatures of the
 Prophet Muhammad (2006), 108
 Darfur conflict, 24, 44, 46, 47–8, 175
 Comprehensive Peace Agreement
 (2005), 37, 47, 174, 177
 International Criminal Court and, 48,
 56, 176
 UN high level expert mission (reported
 March 2007), 47, 176
 UN Peacekeeping force, 30, 44, 59,
 174, 176, 177
 Dashkevich, Zmitser, 128
 Davis, Terry, 79–80
 death penalty
 Afghanistan and, 125–6
 for apostasy, 107, 108, 153, 167, 173
 in Belarus, 128
 for blasphemy, 167
 British nationals and, 87, 188
 in China, 117, 134, 138
 in Cuba, 142, 143
 DPRK and, 148, 149
 EU and, 116, 117–18
 FCO abolition projects, 116–17
 in Iran, 118, 151, 154
 in Iraq, 156
 in Japan, 118
 Jordan and, 73
 juveniles and, 52, 151, 154
 in Kazakhstan, 117
 in Kyrgyzstan, 117
 Malawi and, 117
 Malaysia and, 87
 in Pakistan, 87, 108, 166–7
 Peru and, 117
 Rwandan abolition, 57, 117
 in Saudi Arabia, 107, 172, 173
 South Korea and, 117
 in Sudan, 177
 Thailand and, 87
 Turkey and, 65
 in Uganda, 114, 117
 UK's stance on, 87, 89, 116, 156
 UN moratorium on, 52, 53, 116
 USA and, 87, 117
 Uzbekistan and, 183
 in Vietnam, 87, 187, 188
 see also executions
 Declaration on the Elimination of All
 Forms of Intolerance and
 Discrimination based on Religion or
 Belief, UN, 106, 107
 Declaration on the Right to Development
 (UN, 1986), 26
 Declaration on the Rights of Indigenous
 Peoples, UN, 93, 94
 Declaration on the Rights of Persons
 Belonging to National or Ethnic,
 Religious and Linguistic Minorities,
 UN, 94
 Defence Manufacturers' Association, 19
 Deghayes, Omar, 14
 Del Ponte, Carla, 57
 democracy, 8, 10, 21, 29, 88, 102–15
 Afghanistan and, 125
 China and, 138
 Commonwealth and, 76, 77, 78
 environmental democracy projects,
 27–8
 EU enlargement and, 62, 65, 67, 70
 OSCE and, 41, 42, 43
 Democratic People's Republic of Korea
 (DPRK), 46, 47, 49, 52, 53, 148–50
 Democratic Republic of Congo, 31, 38, 51,
 95, 106, 123, 145–7
 human rights defenders, 109, 110, 145
 International Criminal Court and, 56
 Deng, Francis, 59

- Department for International Development (DfID)
 Afghan governance programmes, 126
 country programmes, 21, 25–6, 96
Governance, development and democratic politics (policy paper, May 2007), 25
 Governance and Transparency Fund, 26
How to reduce maternal deaths: Rights and responsibilities (2005 guidance), 25
 internal displacement funding, 96
 International Health Partnerships, 28
 International Partnership Agreement programme, 95
Making governance work for poor people (White Paper, 2006), 25
 Peacebuilding Fund and, 36
 Stabilisation Unit, 35–6
 UK Overseas Territories and, 82–3
 UNICEF and, 94–5, 96
 website, 25
- Department for Peacekeeping Operations, UN (DPKO), 37
- deportation from UK, 7, 14–15
- detentions, arbitrary, 16, 47, 134, 148, 169, 170
see also political prisoners
- development, 21, 23, 25–8, 53, 74, 168
 sustainable, 18, 24, 25, 27–8
- Development Programme, UN (UNDP), 148
- Dhaka Initiative (TDI), 95
- Diego Garcia (UK Overseas Territory), 15
- Dink, Arat, 67
- Dink, Hrant, 66, 67
- Director of Public Prosecutions, 108, 134
- disabled people, 64, 70, 88, 101
 Convention on the Rights of Persons with Disabilities, 9, 45, 77, 101
- disappearances, 16, 34, 116, 122, 128, 148, 171, 179
 in Burma, 47, 132
- Do, Thich Quang, 187
- Doha Development Agenda (DDA), 74
- domestic violence, 26, 63, 82, 85, 98, 122, 178
- Dominican Republic, 118
- Dordevic, Vlastimir, 57
- drugs trade, illegal, 43, 59, 60–1, 127, 139, 140, 187
- Durban World Conference Against Racism (2001), 50, 51, 53, 90
- Dyilo, Thomas Lubanga, 56
- E**
- East Timor, 34, 43
- Economic and Social Council, UN, 99
- Economic Partnership Agreements, EU, 74
- economy, global, 8, 21
- education, 21, 25, 28
 in Afghanistan, 38
 in Bosnia and Herzegovina, 69, 70
 in Bulgaria, 63
 in Burma, 132
 in Burundi, 38
 in Democratic Republic of Congo, 38, 147
 ethnic minorities and, 63, 69, 70
 gender disparity in, 50, 52
 in Kosovo, 70
 in Liberia, 38
 in Montenegro, 70
 in Nepal, 38
 in North Caucasus, 171
 Roma children, 63, 70
 in Serbia, 70
 sex education of girls, 98
 in Sierra Leone, 38
 in Somalia, 38
 special educational needs, 63
 in Turkey, 68
 in Turkmenistan, 180, 182
- Egro, Frank, 68
- Egypt, 11, 106–7, 114, 157, 159, 163
- El Banna, Jamil, 14
- El Salvador, 28, 118
- elections
 in Belarus, 128, 129
 in Cameroon, 104
 in Cuba, 144
 Democratic Republic of Congo, 145
 intimidation of female candidates, 114
 in Iran, 154
 in Kenya, 89, 114
 observations of, 111–13, 167, 169, 171
 ODIHR activities, 41
 in Pakistan, 78, 167
 in Russia, 42, 112, 169, 171
 in Turkey, 65, 66
 in Turkmenistan, 180
 in Ukraine, 73, 112
 in Uzbekistan, 184
 in Zimbabwe, 190, 191
- environmental democracy projects, 27–8
- equality and inequality, 8, 9, 11, 18, 23, 29, 59, 88, 90–101
see also gender equality issues; poverty
- Eritrea, 106
- Estonia, 120
- Ethiopia, 32, 95
- ethnic cleansing, 30, 59, 77
- ethnic minorities *see* minorities, ethnic/religious
- European Commission, 62, 63, 64, 72–3, 94, 117, 118, 128, 167
 TACIS, 171
 Turkey and, 65, 67
- European Convention on Human Rights, 9, 14, 15, 60, 62, 65, 69, 80, 96, 118, 156
 UK Overseas Territories and, 81, 82
- European Council, 32, 62, 71, 72, 144
- European Court of Human Rights (ECHR), 9, 14, 68, 80, 171
- European Instrument for Democracy and Human Rights, 67, 109
- European Monitoring Centre on Racism and Xenophobia (EUMC), 73, 74
- European Neighbourhood Policy (EU), 62, 72–3, 103–4

- European Parliament, 15, 91, 110, 180
- European Prison Rules, 118
- European Union (EU), 9, 62–76, 180
acquis (body of law), 62, 65, 66
 admission standards, 45, 57, 62, 65
 Agency for Fundamental Rights, 62, 73–4
 Burma and, 46, 47, 75, 132, 133
 CFSP, 75–6, 180
 Charter of Fundamental Rights, 62
 death penalty and, 116, 117–18
 Economic Partnership Agreements, 74
 election observations, 111, 167
 enlargement, 46, 62–72
 EU–China Human Rights Dialogue (October 2007), 135, 137
 EU–India Experts’ Seminar on Minorities (2007), 94
 EU–Iran Human Rights Dialogue, 154
 EU–Russia human rights consultations, 171
 EU–Sudan Human Rights Dialogue, 110, 174, 177
 European Neighbourhood Policy, 62, 72–3, 103–4
 Free Trade Agreements, 74
 General Affairs and External Relations Council, 57
 human rights defenders and, 109, 110, 111, 191
 Human Rights Group, 179
 Instrument for Democracy and Human Rights, 67, 109
 Palestinian territories and, 159, 162–3
 Police Mission, 69, 125
 racism within, 73–4
 Reform Treaty (2007), 76
 rights of the child guidelines, 101
 Security Sector Reform Mission (EUSEC), 123
 Stabilisation and Association Agreements, 57, 68, 69
 Temporary International Mechanism, 159, 162
- Treaty on European Union, 62
- Troika, 76, 126, 165
- UN Human Rights Council and, 46, 48, 50–1
- weapons export licensing, 10, 16, 17
- Working Group on Conventional Arms, 10–11
- executions
 arbitrary/extra-judicial/summary, 16, 31, 40, 47, 52, 122, 139, 148, 169
 collective, 151
 on grounds of sexual orientation, 99, 151
 of juveniles, 52, 151
 public, 148, 151
 Saddam Hussein, 118
 stonings to death, 151, 153
see also death penalty
- export licensing in arms industry, 10–11, 16–17, 89
- extractive industries, 22
- Extraordinary Chambers in the Courts of Cambodia, 58–9
- F**
- Fair Trials Abroad, 87
- faith groups, 21, 28, 42
see also religion
- Fakhruddinov, Rukhiddin, 183
- Falkland Islands (UK Overseas Territory), 81
- Falun Gong practitioners in China, 135
- Fariñas, Guillermo, 143
- Fatah (political party), 40
- Fayyad, Prime Minister (Palestinian Authority), 40
- Fiji, 78
- financial crime, 61
- Finland, 18
- fistula, 146
- flogging, 153, 172
- Food and Agriculture Organization, UN, 25
- food rights and security, 21, 24, 25, 27, 28, 51, 52, 148, 189, 190, 191
- forced abortions, 98, 136, 148
- forced labour, 21, 22, 92, 93, 130, 136
- forced marriage, 9, 85–6, 98, 168
- Forced Marriage (Civil Protection) Act (July 2007), 85
- Forced Marriage Unit (Home Office/FCO), 85–6
- forced psychiatric treatment, 169, 185
- Forces Démocratiques de la Libération du Rwanda, 31
- Forces Nationales de Libération (Burundian), 31
- Foreign and Commonwealth Office (FCO)
 Advisory Panel on Freedom of Expression, 102
 bicentenary of Abolition of the Slave Trade Act (2007), 91–2, 93
 child rights and, 39, 92, 100, 101
 death penalty abolition projects, 116–17
 Forced Marriage Unit, 85–6
 Freedom of Religion Panel, 106
 International Health Partnerships, 28
 mission statement, 7
 Podgorica Embassy, 69
 policy goals, 7–9, 10–80
 Stabilisation Unit, 35–6
Stakeholder management plan for business, 22
 strategic framework, 7, 29
 support for British citizens and nationals abroad, 85–7, 167
 training courses, 11, 15
 TUC Advisory Council, 23
 website, 17, 19, 22, 23, 25, 27, 93, 99, 100, 116
see also Conflict Prevention Pools; Global Conflict Prevention Pool and; Global Opportunities Fund, FCO (GOF)
- foreign secretary, 15, 19, 22, 39, 87, 88, 111, 120, 141, 166
 China and, 110, 137, 138

- climate change and, 23, 25
 Guantanamo Bay and, 13, 14
 former Yugoslavia, International Criminal Tribunal for, 57, 64, 68, 69, 70
 Forum for the Future (Dead Sea, Jordan, 2006), 12
 Forum of National Human Rights Institutions, Commonwealth, 76–7
 Forum on Minority Issues (UN Human Rights Council), 51
 France Cooperation Internationale, 145
 Free Trade Agreements, EU, 74
 freedom of assembly, 128, 149, 170, 178, 189
 freedom of association, 73, 134, 136, 140, 145, 149, 151, 154, 178, 187, 189
 freedom of expression, 102–6
 Afghanistan and, 126
 China and, 135, 138
 Cuba and, 143
 in Democratic Republic of Congo, 145
 DPRK and, 149
 Iran and, 151–3, 154
 Nigeria and, 103
 in Pakistan, 105, 167
 Turkey and, 66–7
 Turkmenistan and, 180
 Vietnam and, 102, 186–7
 Zimbabwe and, 104, 190
 freedom of movement, 40, 110, 149, 158, 162, 178, 180, 183, 184, 187
 Freedom of Religion Panel, FCO, 106
- G**
- G8, 12, 60
 Gambari, Ibrahim, 130, 132, 133
 Gambia, 97
 Gateway Protection programme, 95–6
 Gaza, 39, 40, 48, 158–9, 161, 162, 163
 Alan Johnston kidnapping, 102, 105, 161, 162
 Gedhun Choekyi Nyima, 136
 gender equality issues, 26, 37, 42, 62, 63, 70, 88, 114, 126, 142, 152
 Beijing Platform for Action, 98
 CHOGM Kampala communiqué, 77–8
 in education, 50, 52
 Turkey and, 65, 66, 68, 97
see also women
 gender identity, 50, 99, 110, 170
see also lesbian, gay, bisexual and transgendered (LGBT) people; sexual orientation
 General Affairs and External Relations Council, EU, 57
 General Assembly, UN, 18, 19, 20, 36, 48, 49, 91
 Third Committee, 49, 52–3, 99, 116, 129, 154
 Geneva Convention (1951), 96
 genital mutilation, female, 98
 genocide, 30, 56, 57, 68, 70, 77
 prevention, 30, 59, 77
 Ghana, 22, 25, 50, 61, 93, 191
 Gibraltar (UK Overseas Territory), 81
 Global Compact, UN, 21, 22
 Global Conflict Prevention Pool, 19–20, 30, 43–4, 71, 164, 168, 171
 Colombia and, 139, 140
 DPKO and, 37
 Global Opportunities Fund, FCO (GOF), 63, 64, 65, 98, 102, 129, 138, 168, 173
 children's rights and, 100, 101
 Engaging with the Islamic World strand, 11–12
 environmental democracy projects, 27–8
 globalisation, 21–2
 Glover, Dame Audrey, 112
 Gonchav, Viktor, 128
 González Leiva, Juan Carlos, 143
Governance, development and democratic politics (DfID policy paper, May 2007), 25
 Governance and Transparency Fund (DfID), 26
 Government Diamond Office, 21, 22
 Government Equalities Office, 97
 Great Lakes region (Africa), 31, 38, 146
 Guantanamo Bay, 12–14
 Guatemala, 111, 118
 Guinea, 95
 Guinea-Bissau, 36
 Gül, Abdullah, 66
- H**
- Hague Convention, 85
 Haiti, 51
 Hamas, 40, 158, 161, 163
 Hamidi, Ibrahim, 179
 Harare Declaration (1991), 76, 78
 Haroun, Ahmed, 56
 Hashim, Sultan, 156
 health, 27, 28, 50
 HIV/AIDS, 25, 37, 50, 52, 98, 106, 132, 190, 191
 maternal health, 25
 mental illness, 63, 64, 117
 Hebel, Herman von, 58
 High Commissioner for Human Rights, UN, 36, 45, 46, 50, 110, 118, 140, 150, 154, 168, 180
 Burma and, 46, 47
 Colombia and, 122, 139, 141
 in Cuba, 142, 143
 Nepal and, 164, 165
 High Commissioner for Refugees, UN (UNHCR), 71, 73, 95, 96, 115, 149, 157

- High Commissioner on National Minorities, OSCE (HCNM), 42, 181
- High Level Dialogue on Interreligious and Intercultural Understanding and Co-operation for Peace (2007), 106
- High level Task Force on the Right to Development (UN), 21, 26
- Hijazi Sufis in Saudi Arabia, 107
- HIV/AIDS, 25, 37, 50, 52, 98, 106, 132, 190, 191
- Hizballah, 39
- Hmong refugees in Thailand, 115
- Holmes, Sir John, 31
- Home Office, 61, 65, 85–6, 92, 95, 96
- Honduras, 118
- Hong Kong, 138
- honour crimes, 68, 98, 155, 161, 168
- Hoon, Geoff, 170
- House of Commons Foreign Affairs Committee, 7, 9, 12, 17, 124
- How to reduce maternal deaths: Rights and responsibilities* (DfID guidance, 2005), 25
- Howells, Dr Kim, 60–1, 173
- Hu Jintao, Chairman, 138
- Human Dimension Implementation Meetings, ODIHR, 42, 91, 110, 181
- Human Dimension of Global Climate Change conference (Maldives, November 2007), 25
- human rights approach to prison management: handbook for prison staff, A* (Andrew Coyle, 2nd ed. 2007), 118
- Human Rights Council, UN, 9, 26, 45, 46–51, 108, 124, 129, 136, 140, 150, 166, 191
- Burma and, 46–7, 75, 132, 133
- Commonwealth secretariat and, 77
- countries' voting records on key resolutions, 54–5
- Darfur conflict, 47–8, 176
- Durban review conference (2009) and, 90
- elections to (17 May 2007), 51
- Forum on Minority Issues, 51, 94
- indigenous populations and, 51, 93, 94
- International Convention for the Protection of All Persons from Enforced Disappearance, 116
- Occupied Palestinian Territories and, 49
- sexual orientation and, 99
- slavery and, 93
- Universal Periodic Review system, 46, 48, 52, 53
- human rights defenders, 41, 47, 50, 88, 100, 109–11, 132, 144, 152, 164, 188
- in China, 109, 110, 134
- in Colombia, 140, 141
- deaths of, 34, 145, 170
- in Democratic Republic of Congo, 109, 110, 145
- imprisonment of, 33, 109, 110, 139, 177, 178, 179, 183, 186, 189
- threats and violence against, 34, 110, 111, 139, 145, 170, 183, 190, 191
- in Uzbekistan, 109, 183–4
- Human Rights Forum, 120
- Human Rights Group, EU, 179
- Human Rights Unit, Commonwealth secretariat, 76, 77
- Human Rights Watch, 39, 110, 164, 172, 178, 179, 189, 190
- human trafficking, 42, 59, 61, 64, 68, 71, 77, 91, 92–3, 168
- of children, 33, 61, 71, 92, 141
- Council of Europe and, 68, 80
- Russia and, 122
- of women, 71, 92, 98, 149
- Huridocs International, 111
- Hussain, Mirza Tahir, 87, 167
- Hussein, Khalil, 178
- Hussein, Saddam, 118, 155, 156
- I
- Ibadullah, Nasrullah Ibn, 182
- Impact of armed conflict on children* (Graça Machel report), 39
- Improving opportunities, Strengthening society* strategy, 42
- impunity, 8, 29, 31, 33, 34, 38, 102, 120, 130, 156, 158, 183
- in Democratic Republic of Congo, 145, 146
- in Nepal, 110, 164, 165
- in Sudan, 174, 176
- in Turkey, 65, 66
- war crimes/crimes against humanity and, 56, 57
- India, 19, 25, 43, 47, 74, 85, 94–5, 133, 136
- freedom of expression and, 102, 104–5
- Kashmir issue, 33–4
- Indigenous Peoples' Forum (NGO), 95
- indigenous populations, 51, 93–4, 95, 111, 139, 140, 146
- Indonesia, 34, 43, 47, 107, 117
- inequality and equality, 8, 9, 11, 18, 23, 29, 59, 88, 90–101
- see also* gender equality issues; poverty
- Institute for Democracy in South Africa (NGO), 44, 123
- Institute for Development and Research, UN, 20
- Instrument for Pre-Accession Assistance, EU, 62
- Intelligence and Security Committee, 15
- intelligence and torture, 12
- Inter-American Court of Human Rights, 104, 122
- Intergovernmental Panel on Climate Change, 23
- internal displacement, 34, 38, 47, 96, 114, 130, 145, 146, 191
- in Colombia, 139, 140, 141
- in Iraq, 155, 156, 157
- see also* refugees

- International Bill of Rights, 45, 77
- International Centre for Prison Studies, 118, 119
- International Cocoa Initiative, 21, 22
- International Committee of the Red Cross, 12, 38, 96, 130, 143, 156, 160, 181, 184
- Democratic Republic of Congo and, 146, 147
- Palestinian territories and, 159, 163
- International Compact for Iraq, 155
- International Conference on Population and Development, 136
- International Convention for the Protection of All Persons from Enforced Disappearance, 116
- International Court of Justice, 70
- International Covenant on Civil and Political Rights (ICCPR), 45, 77, 81, 117, 125, 142, 148, 166
- China and, 134, 137, 138
- Iran and, 151, 152
- International Covenant on Economic, Social and Cultural Rights (ICESCR), 21, 25, 26, 45, 77, 81, 136, 142, 148, 152, 166
- International Criminal Court, 8, 30, 56–7
- Sudan and, 48, 56, 176
- International Criminal Tribunal for Rwanda (ICTR), 57–8
- International Criminal Tribunal for the former Yugoslavia (ICTY), 57, 64, 68, 69, 70
- International Health Partnerships, 28
- International Labour Organisation (ILO), 81, 92, 93, 94, 128, 130, 132, 140, 152
- International Monetary Fund (IMF), 22
- International News Safety Institute, 102
- International Security Assistance Force (ISAF), 125
- international tribunals, 8, 38, 39, 46, 56–9
- ICTY, 57, 64, 68, 69, 70
- UN Working Group on Tribunals, 57–8
- International Tribunals (Sierra Leone) Act (June 2007), 38, 58, 106
- internet, 21, 135, 143, 152, 179, 185, 187
- Iran, 46, 51, 52, 53, 60, 151–4
- death penalty, 118, 151, 154
- Iraq, 31, 43, 95–6, 106, 118, 155–7
- Iraqi Higher Tribunal (IHT), 156
- Isaias, President (Eritrea), 106
- Islamic faith, 11–12, 42, 107, 151, 152
- Ahmadi branch, 108, 167, 173
- Danish cartoons (2006), 108
- Organisation of the Islamic Conference (bloc at UN), 48, 49, 50–1
- in Saudi Arabia, 107, 172, 173
- Sharia law, 85, 87, 173, 177
- in Uzbekistan, 107, 185
- Islamic Human Rights Commission, 87
- Ismailiyah in Saudi Arabia, 107
- Israel, 39, 49, 158–61, 162
- barrier construction, 40, 158, 160, 162
- Beit Hanoun actions (8 November 2006), 39, 48, 158
- Gaza humanitarian situation and, 158–9, 162, 163
- Middle East peace process, 39–41
- use of cluster munitions, 39, 40
- use of force in Palestinian Territories, 39, 48, 158, 162
- Issa, Mahmoud, 178
- Istanbul Protocol, 122
- It's a free world* (Ken Loach film, 2007), 42
- J**
- Jahangir, Asma, 107, 108, 109, 166
- Jamaica, 60, 61, 86, 93
- Janatantrik Terai Mukti Morcha (armed group in Nepal), 164
- Japan, 18, 56, 118
- Jehovah's Witnesses, 107, 185
- Jilani, Ms Hina, 34
- Johnston, Alan, 102, 105, 161, 162
- Jordan, 11, 12, 73, 157
- Journaliste En Danger (NGO), 110
- journalists, 31, 34, 64, 102–5, 114, 126, 145, 179, 184–5, 187, 190
- in China, 135
- deaths of, 67, 102, 103, 170
- imprisonment of, 102, 103, 185
- in Russia, 169, 170
- see also* media freedom issues
- Jowell, Tessa, 135
- juveniles, 82, 119
- death penalty and, 52, 151, 154
- K**
- Kabuga, Felicien, 57
- Kadeer, Rebiya, 136
- Kadirov, Saidburkhon, 185
- Kampala CHOGM, 76–8
- Kapogu, Ibrahim, 67
- Karadzic, Radovan, 57
- Karen National Union in Burma, 130
- Karimov, Jamshed, 185
- Karimov, President Islam (Uzbekistan), 183–4
- Karma Nirvana (NGO), 86
- Karuna faction (Tamil Tigers breakaway group), 34
- Karzai, President Hamid (Afghanistan), 125, 126
- Kashmir, 33–4, 166
- Katana, Gege, 109
- Katanga, Germain, 56
- Kaymaz, Ahmet, 66
- Kazakhstan, 102, 104, 107, 112, 117, 121
- Kazulin, Aleksandr, 128
- Kelly, Ruth, 108
- Kenya, 18, 89, 95, 97, 114
- Khamrayev, Bakhtior, 183–4
- Khamrayev, Ikhtior, 183, 184
- Khamrayev, Ikhom, 183
- Khasanov, Bakhtior, 185
- Khasanov, Dadakhon, 183
- Khaydarov, Ulugbek, 184–5
- Khmer Rouge Tribunal, 58–9
- Kholjigitov, Norboy, 184

- Kibaki, Mwai, 89
- kidnappings in Palestinian Territories, 102, 105, 158, 161, 162
- Kilo, Michel, 178
- Kimberley Process, 21, 22
- Kirsch, Judge Philippe, 57
- Kivu region (Democratic Republic of Congo), 145, 146
- Klimau, Andrei, 128
- Koenigs, Tom, 126
- Konare, Alpha Oumar, 79
- Kosheeb, Ali, 56
- Kosovo, 70–2, 112
- Krasovsky, Anatoly, 128
- Kristen Church in West Papua, 107
- Kufuor, John, 79
- Kutliev, Jamal, 185
- Kwinjo, Bronislawa, 190
- Kyarisov, Geldy, 182
- Kyrgyzstan, 42, 104, 117
- L**
- landmines, 140
see also cluster munitions
- languages, 41, 65, 67
- Laos, 115
- Larijani, Mohammad-Javad, 151
- Latin American Institute for the Prevention of Crime and the Treatment of Offenders, UN, 118
- Lausanne Convention (1923), 68
- Lebanon, 11, 48, 114, 157
2006 conflict, 39
cluster munitions, 17, 18, 39
Damascus–Beirut Declaration (May 2006), 178, 179
- Lembarki, Hamdi, 33
- lesbian, gay, bisexual and transgendered (LGBT) people, 50, 99–100, 110, 170, 171
see also sexual orientation
- Lesotho, 86
- Liberia, 38, 49, 51, 58, 95, 97, 106
- Libya, 119
- Liechtenstein, 120
- Light, Dr. Richard (OBE), 101
- Lisani, Abbas, 153
- Litvinenko, Alexander, 169
- Lloyd, Tony, 111
- Lord's Resistance Army (Uganda), 30, 31, 32, 44, 56, 59, 176
- Lugovoy, Alexander, 169
- Luong, Le Manh, 188
- M**
- Macdonald, Sir Ken (QC), 108
- Macedonia, 62, 64–5
- Machel, Graça, 39
- Maheshe, Serge, 145
- Making governance work for poor people* (DfID White Paper, 2006), 25
- malaria, 132
- Malawi, 25, 97, 117
- Malaysia, 47, 87
- Maldives, the, 120
- Mali, 97
- Maliki, Prime Minister (Iraq), 155
- Malloch-Brown, Lord, 58, 110, 137, 174
- Mann, John, 91
- manual on effective investigation and documentation of torture and other cruel, inhuman or degrading treatment or punishment, The* (first published in *The Lancet*, 1999), 122
- Maoists in Nepal, 164, 165
- marriages, forced, 9, 85–6, 98, 168
- Masih, Younis, 167
- maternal health, 25
- Mauritania, 95
- Mauritius, 97
- Mbeki, President (South Africa), 190
- McCartney, Ian, 23, 50, 92, 99–100, 102, 107, 108, 137, 144, 166–7
- McGuire, Anne, 101
- Mecca Agreement (February 2007), 40
- Medellin vs Dretke* (USA death penalty case), 117
- media freedom issues, 31, 42, 67, 68, 69, 70, 73, 102, 145, 149, 174, 185
Commonwealth and, 78
Cuba and, 143
in Iran, 151–2
in Pakistan, 167
in Russia, 169, 170
in Saudi Arabia, 172–3
Syria and, 178–9
Vietnam and, 186–7, 188
Zimbabwe and, 190
- Media Institute of Southern Africa, 190
- medical investigation and torture, 11, 15
- Memorial (Russian human rights group), 171
- Mendez, Juan, 59
- mental illness, 63, 64
- Mexico, 24, 27, 102, 120
- Middle East, 43, 46, 48, 114
- peace process, 23, 39–41
see also Israel; Palestinian territories
- migration, 50, 52, 95–7
- Miliband, David (foreign secretary), 14, 25, 137
see also foreign secretary
- Military Commissions Act, US (2006), 13
- military technology export licensing, 10–11, 16–17, 89
see also weapons
- Millennium Development Goals, 21, 23, 28, 77
- Miller, James, 158
- Milosevic, Slobodan, 70
- Mines Advisory Group, 39
- Ministry of Defence (MoD), 20, 31, 35–6, 37, 43, 44, 127
- Ministry of Justice (UK), 86, 138
- minorities, ethnic/religious, 42, 62, 63, 88, 93–5, 106–8
in Belarus, 129
in Burma, 130
in Croatia, 64

- education and, 63, 69, 70
 in Iran, 153
 in Iraq, 155, 157
 in Israel, 160–1, 162
 in Kosovo, 70–1, 72
 Morocco and, 73
 in Pakistan, 108, 167
 in Russia, 169, 170
 in Saudi Arabia, 173
 in Serbia, 70
 in Syria, 178
 in Turkey, 65, 66, 67–8
 UN Forum on Minority Issues, 51, 94
 in Uzbekistan, 185
- Missick, Doreen Quelch, 82
- Mission for the Referendum in Western Sahara, UN (MINURSO), 33
- Mladic, Ratko, 57
- Mohamed, Binyam, 14
- Moldova, 64, 120
- Moloudzadeh, Makwan, 154
- Monitoring places of detention: A practical guide* (manual, 2002), 121
- Montenegro, 62, 69, 97
- Montserrat (UK Overseas Territory), 82
- Morel, Pierre, 180
- Moreno-Ocampo, Luis, 176
- Morocco, 11, 33, 73, 119
- Mostar Declaration (2004), 69
- Movement for Democratic Change (Zimbabwe), 189, 190
- Mozambique, 118
- Mugabe, President Robert (Zimbabwe), 189, 190
- Mukhamedov, Ortikjon, 185
- Multi-Country Demobilisation and Reintegration programme, 38, 147
- Multi-donor Expanded Support programme for HIV and AIDS, 191
- Munir Said Thalib, 34
- Munn, Meg, 61, 81, 99, 144
- Muntarhorn, Vitit, 150
- Murphy, Jim, 91
- Musharraf, President Pervez (Pakistan), 33, 78, 124, 166
- Muslims *see* Islamic faith
- N**
- Namazov, Ortikali, 185
- narcotics *see* drugs trade, illegal
- Nasibullin, Farid, 184
- National Preventative Mechanism, UK (NPM), 120, 121
- Nepal, 25, 30, 38, 43, 50, 102, 104, 110, 136, 164–5
- New Zealand, 120
- Nguyen Van Ly, Father, 186
- Nhan, Le Thi Cong, 186, 188
- Nicaragua, 86, 118
- Niger, 44
- Nigeria, 22, 25, 26, 44, 61, 103, 106, 107
- Niyazov, Saparmyrat, 180, 181
- Niyazova, Umida, 109, 184
- non-government organisations (NGOs)
 Bangladesh and, 95
 in Belarus, 128, 129
 central Asia and, 111
 China and, 76, 149
 in Colombia, 139, 141
 in Commonwealth countries, 79
 in Democratic Republic of Congo, 146
 in DPRK, 150
 India and, 95
 in Iran, 152
 Israeli, 159, 160, 162
 Jordan and, 73
 in Montenegro, 69
 in Nepal, 164
 in Pakistan, 168
 Palestinian, 161, 162
 Papua province of Indonesia and, 34
 in Russia, 169–70, 171
 in Sudan, 176
 in Syria, 178, 179
 Turkey and, 66
 in Turkmenistan, 181, 182
 in Uzbekistan, 184, 185
 in Zimbabwe, 189, 190, 191
- North Atlantic Treaty Organization (NATO), 64, 68, 69, 72
- Norway, 50
- Nubian Jak Community Trust, 92
- nuclear non-proliferation treaty, 10
- Nur Hassan Hussein, 32
- O**
- Odinga, Raila, 89
- Office for Democratic Institutions and Human Rights (ODIHR), 41–3, 100, 180
 election observations, 42, 111, 112, 169, 184
- Office for Disarmament Affairs, UN, 20
- Office for the Co-ordination of Humanitarian Affairs, UN (UNOCHA), 146, 158, 160, 161
- Office of the Third Sector, 137
- Office on Drugs and Crime, UN (UNODC), 60, 92, 141
- Olmert, Prime Minister (Israel), 40, 41
- ombudsman, Colombian, 139, 140, 141
- Optional Protocol of CAT (OPCAT), 118, 120, 121
- Oran, Professor Baskin, 67
- organ transplants and sales, 134–5
- Organisation for Economic Co-operation and Development (OECD), 20, 22, 26
- Organisation for Security and Co-operation in Europe (OSCE), 20, 36, 41–3, 91, 100, 102, 103, 124, 129
 Bucharest conference on tolerance and non-discrimination (June 2007), 42
 election observations, 66, 111–13
 Human Dimension Implementation Meeting (Warsaw, 2007), 91, 110
 Turkmenistan and, 180, 181, 182
 UK Parliamentary Delegation to, 111
see also Office for Democratic Institutions and Human Rights (ODIHR)

- Organisation of the Islamic Conference (bloc at UN), 48, 49, 50–1
 organised crime, international, 46, 59–61
 Ormond, Julia, 92
 Oslo Accords (1993), 160
 Oslo Process, 17, 18
 Osman, Salih Mahmoud, 110
 Ossanlou, Mansour, 153, 154
 Ottawa Convention, 140
 Ouagadougou peace agreement (Côte d'Ivoire, 2007), 32–3
 Overseas Territories, UK, 9, 15, 81–4
- P**
- Pakistan, 9, 12, 16, 19, 25, 43, 105, 108, 124, 166–8
 abductions and forced marriages, 85, 86
 death penalty and, 87, 108, 166–7
 illegal drugs trade and, 60
 Kashmir issue, 33–4
 suspension from the Commonwealth (2007), 78
 Palestinian territories, 39–41, 48, 49, 158, 160, 161
 Agreement on Movement and Access (2005), 158, 162
 attacks on Israel from, 40, 158, 161
 Egyptian crossing points, 159, 163
 freedom of movement in, 158, 162
 intra-Palestinian violence, 40, 158, 161
 Israeli attacks on, 39, 48, 158
 women in, 98, 161, 168
 Panchayat administration (Indian-administered Kashmir), 34
 Papua New Guinea, 117
 Papua province of Indonesia, 34, 107
 Paris Principles
 on children in armed conflict, 38
 on National Human Rights Institutions, 164, 165
 Partnership for Rio Principle 10, 27, 28
 Payá, Oswaldo, 142, 143, 144
 Peace Brigades International, 110, 164
 peacebuilding, 29, 35–7, 44, 98, 146, 177
 see also Africa Conflict Prevention Pool; Global Conflict Prevention Pool; peacekeeping missions
 Peacebuilding Commission, UN, 36
 Peacebuilding Fund, UN, 36–7
 Peacekeeping missions, 8, 29, 37, 122, 147
 Darfur, 30, 44, 59, 174, 177
 Peaceworks (NGO), 44
 Pedro Luis Boitel Organization of Political Prisoners, 142
 Penal Reform International, 121
 people smuggling *see* human trafficking
 Peru, 28, 97, 117, 120
 Philippines, 47, 103
 Pinheiro, Paulo Sérgio, 53, 75, 132
 Pitcairn Islands (UK Overseas Territory), 82
 Plan of Action for Gender Equality, Commonwealth, 78
 police and security forces, 111, 114, 121–3, 146, 183
 Afghanistan, 125, 127
 in Bosnia and Herzegovina, 69
 in Cambodia, 61
 in China, 134
 corruption and, 89, 157
 in Cuba, 143
 EU Police Mission, 69, 125
 in Iran, 60, 152, 154
 in Iraq, 155, 156, 157
 in Kosovo, 70–1
 in Libya, 119
 in Pakistan, 108, 167
 in Palestinian Territories, 163
 religious police in Saudi Arabia, 172, 173
 in Romania, 64
 in Russia, 99, 122, 170, 171
 in Sri Lanka, 35, 122
 in Turkey, 65, 66
 Ugandan, 44
 in Vietnam, 188
 violence and abuse, 33, 108, 111, 114, 121, 128, 134, 152, 154, 170, 171, 183, 189
 in Zimbabwe, 111, 189–90
 Police Mission, EU, 69, 125
 Polisario (Western Sahara pro-independence group), 33
 political prisoners
 arbitrary detention, 16, 47, 134, 148, 169, 170
 Belarus, 128, 129
 Burma, 130, 132
 Cuba, 142–3, 144
 Iran, 154
 Pakistan, 166
 Sudan, 174, 176
 Syria, 178
 Vietnam, 186
 Politkovskaya, Anna, 170
 Pooled Fund, UN, 146
 pornography, child, 52, 61
 Post Conflict Reconstruction Unit (now Stabilisation Unit), 35–6
 post-conflict societies, 8, 19, 29, 35–9, 78, 98, 111, 114, 171
 Conflict Prevention Pools and, 43, 44
 see also peacebuilding; peacekeeping missions
 Pott, David, 92
 poverty, 8, 21–2, 23, 24, 50, 59, 71, 93, 153, 171
 in Burma, 130, 132
 Millennium Development Goals, 21, 23, 28
 reduction of, 25–6, 28, 62, 105, 147, 186
 prime minister, UK, 18, 21, 22, 28, 30, 132, 133, 135, 137, 166, 168
 prison reform, 118–19, 173
 Prison Service of England and Wales, 119
 prisoner transfer agreements, 86
 prisons
 in Afghanistan, 125

- in China, 134
 in Cuba, 142–3
 inhumane, 89
 in Iraq, 155–6, 157
 Israeli, 160
 in Russia, 171
 in Saudi Arabia, 172
 in Syria, 178
 in Uzbekistan, 184, 185
 Proceeds of Crime Act (Jamaica, 2007), 61
 prostitution, 52, 61, 149
 Protocol to Prevent, Suppress and Punish
 Trafficking in Persons, Especially
 Women and Children, UN (2000), 92
 Protracted Relief programme (DfID), 191
 Public Diplomacy Fund, 168
 Public Service Agreement countries,
 DfID, 25
 Putin, President (Russia), 118, 169, 170
 pygmy populations, 146
- Q**
- Qana incident (Lebanon, 2006), 39
 Quan, Le Quoc, 186
 Quartet, Middle East, 40, 159–60, 161
- R**
- Raahi Legal Centre (Iran), 152
 racism and xenophobia, 50, 51, 53, 88,
 90–1, 145, 170, 171
 Durban World Conference Against
 Racism (2001), 50, 51, 53, 90
 EU Agency for Fundamental Rights,
 73–4
 UN Convention on the Elimination
 of All Forms of Racial Discrimination
 (CERD), 81, 90
 Radio Okapi (in Democratic Republic of
 Congo), 145
 Ramon Magsaysay Human Rights Award,
 110
 rape/sexual violence, 32, 33, 47, 52–3,
 98, 122, 176
 in Democratic Republic of Congo, 145,
 146
 Rashid, Hussein, 156
 Red Crescent, 32, 157
 Red Cross, International *see* International
 Committee of the Red Cross
 re-education through labour (RTL)
 in China, 134, 135, 137
 Reform Treaty, EU (2007), 76
 refugees, 44, 47, 95–7
 Burmese, 132
 in Côte d'Ivoire, 32
 in Croatia, 64
 from DPRK, 148, 149, 150
 Hmong refugees in Thailand, 115
 Kosovo and, 71
 Palestinian, 162, 163
 West Saharan, 33
see also internal displacement
 Regional Centre on Small Arms (Nairobi),
 20
 Register of Conventional Arms, UN, 20
 Relief and Works Agency, UN, 159, 162–3
 religion, 50–1, 52, 53, 88, 106–8, 135,
 181, 182
 in DPRK, 149
 in Iran, 153
 Lausanne Convention (1923), 68
 minorities in Turkey, 67–8
 in Pakistan, 167
 in Saudi Arabia, 107, 172, 173
 in Tibet, 136
 US Commission on International
 Religious Freedom, 180
 in Uzbekistan, 185
 in Vietnam, 187
see also minorities, ethnic/religious
 rendition, 15–16
 “repudiation, acts of” (in Cuba), 143
 Responsibility to Protect concept, 30, 47,
 59, 77
reunite International Child Abduction
 Centre, 85
 Revolutionary Armed Forces of Colombia
 (FARC), 140
 Rice, Condoleezza, 14
 Richey, Kenny, 87
 Rio declaration on environment and
 development, 27, 28
 road map for peace, Middle East, 41, 160
 Rodley, Professor Sir Nigel, 35
 Roma people, 63–4, 65, 70, 71
 Romania, 63–4
 Roque, Pérez (Foreign Minister of Cuba),
 142
 Royal Commonwealth Society, 61
 Royal National Institute for the Deaf, 137
 Ruggie, Professor John, 22
 rule of law, 7, 8, 10, 27, 29, 35, 41, 60, 88,
 116–23
 Alexander Litvinenko murder and, 169
 Bosnia and Herzegovina and, 69
 in China, 137, 138
 in Iran, 154
 in Iraq, 155–7
 Syria and, 178
 Russia, 19, 41, 42, 43, 80, 99, 109, 118,
 133, 169–71
 elections, 42, 112, 169, 171
 human trafficking and, 122
 policing in, 122
 Ruzimuradov, Jusuf, 185
 Rwanda, 30, 31, 57–8, 117
- S**
- Sakharov Prize for Freedom of Thought,
 110
 Salehi, Mahmoud, 153
 Sameur, Abdennour, 14
 Sancho, Ignatius, 92
 Santos, Vice-President Francisco
 (Colombia), 140
Saratovskiy Reporter (Russian newspaper),
 169
 Saudi Arabia, 12, 40, 107, 172–3
 Save the Children, 44, 70

- Sawers, Sir John, 106
- Search for Common Ground (NGO), 44
- Secretary-General, UN, 18–19, 176
- Peacebuilding Fund, 36–7
 - Special Adviser for the Prevention of Genocide and Mass Atrocities, 30, 59
 - Special Representative for Afghanistan, 126
 - Special Representative for Burma, 130, 132, 133
 - Special Representative on Children and Armed Conflict, 38, 39, 130
 - Special Representative on Human Rights and Transnational Corporations, 21, 22
 - Special Representative on Human Rights Defenders, 34
 - Special Representative on violence against children, 53, 101
- Security Council, UN, 25, 92, 102–3, 125, 156
- Africa and, 32, 33, 56, 147, 174, 176, 191
 - Burma and, 75, 132, 133
 - Kosovo and, 70, 71
 - Lebanon conflict (2006) and, 39
 - Peacebuilding Commission, 36
 - Responsibility to Protect concept, 30, 59
 - UK permanent seat, 29
 - Vietnam and, 186
 - Women, Peace and Security resolution (October 2000), 37, 42, 78
 - Working Group on Children in Armed Conflict, 38
 - Working Group on Tribunals, 57–8
- Seif, Riad, 178
- Sen, Professor Amartya, 78
- Senegal, 95, 120
- Serbia, 57, 62, 70, 114, 115, 120
- Serious Organised Crime Agency, 59
- sexual orientation, 50, 64, 88, 99–100, 151
- Yogyakarta Principles, 99
 - see also* lesbian, gay, bisexual and transgendered (LGBT) people
- sexual violence/rape, 32, 33, 47, 52–3, 98, 122, 176
- in Democratic Republic of Congo, 145, 146
- Shalit, Corporal (Israeli Defence Forces), 161
- Shammar, Suleiman, 178
- Sharia law, 85, 87, 173, 177
- Sharon, Ariel, 160
- Shestakov, Dimitri, 185
- Shi'a Islam, 107, 173
- Shohidov, Dilshod, 185
- Shumba, Gabriel, 79
- Sierra Leone, 36–7, 38, 58, 95, 97, 106, 114
- Singapore, 47
- Singh, Dr Manmohan (India), 33, 34, 104–5
- Slave Britain (Anti-Slavery International/ UNICEF exhibition, 2007), 42
- slavery, 51, 92–3
- bicentenary of Abolition of the Slave Trade Act (2007), 42, 61, 91–2, 93
 - see also* human trafficking
- Slovenia, 120
- Solana, Javier, 180
- Soler, Gutiérrez, 122
- Somalia, 31–2, 38, 44
- South Africa, 25, 27, 50, 101, 189, 190, 191
- South Korea, 74, 117, 149, 150
- Southern Africa Development Community, 190
- Special Adviser for the Prevention of Genocide and Mass Atrocities, UN, 59
- Special Court for Sierra Leone, 58
- special educational needs, 63
- Special Immigration Appeals Commission, 14
- Special Rapporteurs, UN, 49, 154
- on Contemporary Forms of Slavery, 51, 93
 - on DPRK Human Rights, 150
 - on Extra-judicial, Summary or Arbitrary Executions, 151
 - on Freedom of Expression, 50
 - on Freedom of Religion or Belief, 51, 107, 108, 109, 166, 180, 182
 - on Health, 136
 - on the Human Rights of Indigenous People, 94
 - on the Human Rights Situation in Burma, 46, 47, 53, 75, 132
 - on the Human Rights Situation in the Sudan, 47, 51, 176
 - on Torture, 15, 50
 - Yogyakarta Principles and, 99
- Srebrenica massacre (1995), 57, 69
- Sri Lanka, 34–5, 43, 50, 105, 122
- Stabilisation and Association Agreements, EU, 57, 68, 69
- Stabilisation Unit (previously Post Conflict Reconstruction Unit), 35–6
- Stern, Sir Nicholas, 23, 24
- stoning to death sentences, 151, 153, 174
- Sudan, 47, 49, 51, 95, 110, 174–7
- Comprehensive Peace Agreement (2005), 37, 47, 174, 177
 - EU–Sudan Human Rights Dialogue, 110, 174, 177
 - International Criminal Court and, 48, 56, 176
- suicide bombings, 40, 126, 161, 167
- Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, UN (1956), 92
- Survivors Network (for escapees from forced marriage), 86
- sustainable development, 18, 24, 25, 27–8
- see also* development
- Suu Kyi, Daw Aung San, 130, 132, 133
- Syria, 48, 72, 178–9

- T**
- Tajikistan, 101
- Tamil Tigers, 34
- Tandare, Gift, 189
- Tanzania, 25
- Tatchell, Peter, 99
- Taylor, Charles, 38, 58, 106
- Technical Aid to the Commonwealth of Independent States (TACIS), 171
- Tejenov, Kakabay, 182
- Temporary International Mechanism, EU, 159, 162
- Tera, Flora, 114
- terrorism, 7–8, 10, 11–16
 - within Ethiopia, 32
 - financial crime and, 61
 - in Pakistan, 166
 - Palestinian, 161
 - see also* counter-terrorism
- Thai hill tribes in Brazil, 101
- Thailand, 47, 87, 95, 101, 115, 132, 149
- Than Shwe, 130
- Third Committee of UN General Assembly, 49, 52–3, 99, 116, 129, 154
- Third High Level Forum on Aid Effectiveness (OECD, September 2008), 77
- Tibet, 134, 135, 136–7
- Tojibayeva, Mutabar, 184
- Tolimir, Zdravko, 57, 68, 69
- Toliphujayev, Akroorkhuza, 184
- Torres, Dairo, 141
- torture, 89, 120–2
 - Burundi and, 31
 - CAT (UN), 14, 15, 16, 73, 81, 118, 120, 121, 125, 166, 177, 188
 - China and, 134
 - Colombia and, 98, 122
 - Darfur conflict, 47
 - deportation from UK and, 7, 14–15
 - in DPRK, 148
 - EU CFSP and, 75–6
 - intelligence provenance and, 12
 - in Iran, 152, 153
 - medical investigation and, 11, 15
 - Morocco and, 73
 - Russia and, 169, 171
 - Syria and, 178
 - Turkey and, 65, 66
 - UK National Preventative Mechanism (NPM), 120
 - UN Third Committee and, 52
 - USA and, 12–13
 - in Uzbekistan, 183, 185
 - women and, 98
 - in Zimbabwe, 111, 120, 190
- trades unions, 21, 23, 136
 - in Belarus, 128, 129
 - Colombia and, 140
 - in Iran, 152–3, 154
 - in Turkey, 65
 - in Zimbabwe, 190
- Transfer Control Initiative, 19, 20
- Triesman, Lord, 111
- Triet, President Nguyen Minh (Vietnam), 186, 187
- Troika, EU, 76, 126, 165
- Tsvangirai, Morgan, 50, 189
- tuberculosis (TB), 132
- Tunisia, 73
- Turayeva, Gulbahor, 109, 184
- Turkey, 62, 65–8, 97, 98
- Turkmenistan, 107, 180–2
- Turks and Caicos Islands (UK Overseas Territory), 81, 82
- Turlibekov, Yadgar, 183
- Tuychiev, Bakhtior, 185
- U**
- Uganda, 26, 32, 44, 56, 95, 106, 114, 117
 - Lord's Resistance Army, 30, 31, 32, 44, 56, 59, 176
- UK National Contact Point, 22
- Ukraine, 64, 73, 98, 112, 114, 115
- Umarov, Sanjar, 184
- UNICEF, 35, 38, 39, 42, 61, 94–5, 96, 182, 191
- United Kingdom (UK)
 - arms trade and, 10–11, 16–17, 18, 19, 20, 89
 - asylum policy, 96–7
 - CAT and, 14, 15, 16
 - Child Exploitation and Online Protection Centre, 61
 - children and armed conflict aid, 38
 - Council of Europe and, 80
 - development partnerships, 26
 - election observations, 111, 167
 - Financial Action Task Force compliance, 61
 - human rights record, 7
 - International Tribunals (Sierra Leone) Act (2007), 38, 58, 106
 - Iraq and, 155, 156–7
 - London terrorist attacks (July 2005), 10
 - OSCE and, 41–3
 - Overseas Territories, 9, 15, 81–4
 - Palestinian economy fund and, 41
 - projects in Turkey, 65
 - rendition and, 15–16
 - sustainable development strategy, 27–8
 - terrorism policy, 7–8, 10, 11–16, 166
 - Transfer Control Initiative, 19
 - UK–China Human Rights Dialogue, 110, 137
 - UN Security Council permanent seat, 29
 - Women, Peace and Security UN resolution (October 2000), 37, 42
 - Zimbabwe and, 189, 190–1
 - see also* Department for International Development (DfID); Foreign and Commonwealth Office (FCO)
- United Nations Interim Force in Lebanon (UNIFIL), 39
- United Nations (UN), 77
 - Action 2 programme, 26

- Charter of, 124
 Committee against Torture, 183, 185
 Common Humanitarian Fund, 177
 Conventions *see* Conventions, UN
 Darfur Peacekeeping force, 30, 44, 59, 174, 177
 death penalty moratorium, 52, 53, 116
 Declaration on the Elimination of All Forms of Intolerance and Discrimination based on Religion or Belief, 106, 107
 Declaration on the Right to Development (1986), 26
 Declaration on the Rights of Indigenous Peoples, 93, 94
 Development Programme (UNDP), 148
 Economic and Social Council, 99
 Educational, Scientific and Cultural Organization, 106
 Food and Agriculture Organization, 25
 Global Compact, 21, 22
 High Commissioners *see* High Commissioner for Human Rights, UN; High Commissioner for Refugees, UN (UNHCR)
 High level Task Force on the Right to Development, 21, 26
 Human Rights Council, 9, 26, 45, 46–51
 Institute for Development and Research, 20
 International Bill of Rights, 45, 77
 International Convention for the Protection of All Persons from Enforced Disappearance, 116
 International Covenants *see* International Covenant on Civil and Political Rights (ICCPR); International Covenant on Economic, Social and Cultural Rights (ICESCR)
 Latin American Institute for the Prevention of Crime and the Treatment of Offenders, 118
 Mine Action Co-ordination Centre (South Lebanon), 18, 39
 Mission in Kosovo (UNMIK), 70, 71, 72
 Mission in the Democratic Republic of Congo (MONUC), 146, 147
 NGO Committee, 99
 Office for Disarmament Affairs, 20
 Office for the Co-ordination of Humanitarian Affairs (UNOCHA), 146, 158, 160, 161
 Office on Drugs and Crime (UNODC), 60, 92, 141
 organised crime and, 59, 60
 Pooled Fund, 146
 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2000), 92
 Register of Conventional Arms, 20
 Relief and Works Agency, 159, 162–3
 Special Envoy to Kosovo, 71, 72
 Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery (1956), 92
 Under-Secretary-General for Humanitarian Affairs, 31
 Working Group on Economic, Social and Cultural Rights, 26
 Working Group on the Right to Development, 26
 World Summit (2005), 30, 36, 45, 59
see also General Assembly, UN; Secretary-General, UN; Security Council, UN; Special Rapporteurs, UN
 United States of America (USA), 12–13, 19, 41, 52, 115, 180
 death penalty and, 87, 117
 Guantanamo Bay and, 12–14
 International Criminal Court and, 56
 rendition and, 15–16
 Universal Declaration of Human Rights (1948), 1, 9, 45, 77, 120, 124, 143
 Universal Periodic Review system (UN Human Rights Council), 46, 48, 52, 53
 Uribe, President Alvaro (Colombia), 139, 141
 Uruguay, 104
 Uzbekistan, 51, 52, 103, 107, 109, 183–5
- V**
- Venezuela, 60
 Vienna Convention on Consular Relations, 117
 Vietnam, 47, 87, 102, 149, 186–8
 Vollebaek, Knut, 42
- W**
- Wahlstrom, Margareta, 130
 Walsum, Peter van, 33
 war crimes, 8, 30, 56, 57, 59, 64, 68, 70, 77, 106, 125
 Warsaw Summit (2005), 79, 80
 Wassenaar Arrangement, 10, 20
 water and sewerage, 21, 24, 25, 27, 28, 50, 125
 Palestinian territories, 159, 160, 161
 in Zimbabwe, 189, 190, 191
 weapons, 10–11, 19–20
 arms trade, 16–20
 cluster munitions, 17–18, 39, 40
 export licensing, 10–11, 16–17, 89
 of mass destruction (WMD), 10, 11
 small arms and light weapons, 19–20, 43
 websites
 Council of the European Union, 109
 Cuban Ministry of Foreign Affairs, 144
 DfID, 25
 Extractive Industries Transparency Initiative, 22
 Extraordinary Chambers in the Courts of Cambodia, 59
 FCO, 17, 19, 22, 23, 25, 27, 93, 99, 100, 116
 ICTR, 58
 International Criminal Court, 57
 number10.gov.uk, 28
 Special Court for Sierra Leone, 58
 sustainable development, 27

- UNICEF, 39
 UNODC, 92
 Weisskirchen, Gert, 42
 Western Sahara, 33
 Westminster Foundation for Democracy, 88, 114–15
 Wicks, Malcolm, 182
 Wilton Park arms treaty seminar (December 2007), 19
 Womankind (NGO), 126
 women, 25, 50, 77–8, 97–8
 in Afghanistan, 11, 126
 Convention on the Elimination of All Forms of Discrimination against Women, 45, 77, 81, 97, 98, 148, 177, 181
 domestic violence and, 26, 63, 82, 85, 98, 122, 178
 in DPRK, 149
 education equality, 50, 52
 forced abortion, 98, 136, 148
 genital mutilation, 98
 honour crimes and, 68, 98, 155, 161, 168
 in Iran, 152, 154
 in Iraq, 155, 157
 in Israel, 162
 in Jordan, 73
 in Kenya, 114
 in Pakistan, 98, 161, 168
 Palestinian, 98
 political participation, 12, 26, 79, 114
 prostitution, 52, 61, 149
 refuges, 85, 86
 in Saudi Arabia, 172
 sex education of girls, 98
 sexual violence against, 32, 33, 47, 52–3, 98, 122, 145, 146, 176
 in Sudan, 176–7
 in Syria, 178
 trafficking of, 61, 71, 98, 149
 in Turkey, 65, 66, 68, 97
 violence against, 21, 26, 37, 52, 68, 71, 82, 85, 98, 177
 Women, Peace and Security UN resolution (October 2000), 37, 42, 78
 see also gender equality issues
 Women's National Commission, 97
 Woolf, Lord, 80
 Working Group on Economic, Social and Cultural Rights, UN, 26
 Working Group on the Right to Development, UN, 26
 World Bank, 22, 38, 159, 163
 World Food Programme, 148, 191
 World Health Organization, 184
 World Press Freedom Day, 102, 105
 World Summit, UN (2005), 30, 36, 45, 59
 World Trade Organization (WTO), 74
- X**
 xenophobia *see* racism and xenophobia
 Xinjiang Uighur Autonomous Region, 134, 135, 136
- Y**
 Yabloko (Russian political party), 169
 Yakubov, Talib, 183
 Yang Jiechi, 137
 Yar'Adua, President Umaru (Nigeria), 103
 Yemen, 11, 25
 Yklimova, Maral, 180
 Yogyakarta Principles, 99
 young people's rights, 16, 21, 25, 26, 79, 136
 see also juveniles
 Yuan Weijing, 110
 Yudhoyono, President (Indonesia), 34
 Yusuf, President (Somalia), 31
- Z**
 Zainabiddinov, Saidajon, 183–4
 Zakharenko, Yury, 128
 Zambia, 95
 Zaradsky, Dmitry, 128
 Zimbabwe, 23, 44, 46, 50, 79, 104, 111, 120, 189–91

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Rex Features

Front cover, 63, 100

P.A. Photos

129

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