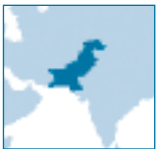


be collaborators with Israeli forces. An April Human Rights Watch (HRW) report documents arbitrary arrests and detentions, torture, maiming by shooting, and 32 extrajudicial executions by alleged members of Hamas forces. And in July, Hamas officials initiated what they called a “virtue” campaign, saying they were concerned about increasing “immoral” behaviour in Gaza. Gaza residents told HRW that Hamas forces have questioned women seen socializing with men in public places and beaten three young men for swimming without shirts.

The UK will continue to make clear to the Israeli government that the situation in Gaza is unacceptable. We shall continue to press it to open the crossings into Gaza for the legitimate flow of humanitarian and reconstruction materials, trade and people. We shall continue to call on Hamas to halt abuses within Gaza, renounce violence and to release Gilad Shalit.

Pakistan



Pakistan’s civilian government has faced a series of challenges in 2009, exacerbated both by a serious economic crisis and a concerted and violent campaign by terrorist groups.

This has included a campaign of suicide attacks by violent extremists in major cities throughout the country. Despite this, the Pakistani government has made some progress on improving the human rights situation. But serious concerns remain and we continue to urge the Pakistani government to fully guarantee the fundamental rights of all Pakistani citizens as laid down in the Pakistani constitution. Early in 2009, the Pakistani government restored the judges removed by former President Musharraf in 2007, including Chief Justice Iftikhar Chaudhry, a move which has helped to strengthen the independence of the judiciary. Pakistani civil society, particularly its media, remains strong and vocal, frequently calling the Pakistani authorities to account. Human rights abuses perpetrated by the Taliban galvanised civil society support for military action in Swat. Such abuses, particularly against women and girls, cause widespread outrage in Pakistan.

The UK engages with Pakistan on human rights issues in a variety of fora. In April, the Prime Minister initiated the UK–Pakistan Strategic Dialogue with the Pakistani government. This provides for regular summits covering the whole range of issues that concern the UK and Pakistan, including human rights.

The most recent summit was held between the Prime Minister and Prime Minister Gilani in London in December. This engagement is reinforced by the large number of bilateral visits at Ministerial and official level (11 Ministerial visits between Pakistan and the UK in 2009) and multilateral summits, such as that between the EU and Pakistan in June.

We also work closely with our partners in the EU to raise human rights with the Pakistani government, such as in the bi-annual EU demarche on human rights. The most recent EU demarche took place at the beginning of December. It asked the Pakistani government to update the EU on the progress towards meeting human rights priorities. However, Pakistan has not responded to the last three EU demarches; and the EU Presidency with UK support will continue to push hard for a substantive response.

We also engage through the EU Third Generation Cooperation Agreement, which outlines the terms of reference for the relationship between Pakistan and the EU and looks at the whole range of issues where the EU and Pakistan have mutual interests. The EU–Pakistan Summit held on 17 June underlined the critical importance of a stable, prosperous and democratic Pakistan to the EU. The Summit established a Sub-Group on Human Rights and Governance to meet regularly with the Pakistani government. Building on this meeting, we are working with our partners in the EU to deliver a successful follow-up Summit under the Spanish Presidency in Spring 2010, where human rights will be discussed.

This direct dialogue is supported by substantial EU financial commitments. Between 2007 and 2010,



Civil society activists protest the death in custody of a Christian man accused of blasphemy

□ 200 million of general assistance will fund projects focused on specific themes, including humanitarian assistance, democracy and capacity-building for local governments and NGOs. Further support is provided to local NGOs by the European Commission. The UK also strongly supports the EU in requiring that Pakistan sign and ratify all major UN treaties related to human rights, prior to any further trade agreements between the EU and Pakistan.

The UK also funds programmes to promote human rights in Pakistan. These projects aim to raise awareness, benefit vulnerable communities, and engage political attention in order to effect longer-term political reform. For example, in 2009 we funded a project in primary schools to change Pakistani notions of identity and history and to encourage mutual tolerance, critical thinking and conflict prevention. The Citizen's Archive of Pakistan uses interactive media to teach children about alternative perspectives on Pakistani history. Using material gathered from older members of the community, the Archive seeks to teach children how to think more analytically about history, their identity and where this comes from, and works to disperse myths about the divisions between Muslims and non-Muslims. The Archive is working with the Sindh Education Minister and the federal Ministry for Education on including similar citizenship classes in the provincial curriculum.

UN Human Rights Treaties

We continue to urge the Pakistani government to ratify the International Covenant on Civil and Political Rights (ICCPR) and several other key international treaties, including the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment, and conventions relating to Enforced Disappearances and to Refugees. To support this we have funded a study, which was completed in 2009, into the legislative changes required to incorporate the ICCPR into Pakistani law. This study has been passed to Pakistani legislators in the National Assembly and the Ministry of Foreign Affairs. During 2009, we worked with civil society to build momentum around ratification of the ICCPR, using the report as a basis for our activity.

Independent Assessment of Human Rights

Key to any effective democracy is independent oversight of state activities. In 2009, we continued to press for the establishment of a National Commission for Human Rights. A draft bill for such a commission was approved in late 2008 by the Cabinet and is currently with the National Assembly Standing

Committee for Human Rights. We have briefed the media and civil society on the benefits of this Commission. We urge the Pakistani government to work to secure its passage and to ensure it is established in line with the Paris Principles of 1991, which relate to the functioning of national institutions involved in the protection and promotion of human rights.

Minority Rights

Pakistan must uphold the rights of all its citizens, including religious and other minorities. At federal level there are ten reserved seats out of 340 in the National Assembly for minority representatives. However, across wider Pakistani society there is no real legal or administrative protection offered to Pakistan's ethnic, social or linguistic minorities who are often the target of persecution and discrimination.

In 2009, we continued to see instances of discrimination against religious minorities in Pakistan. There are reports of enforced coercion of the Ahmadiyyas who are not allowed to practise their religion freely. Religious discrimination is often predicated on the abuse of the blasphemy legislation, by accusing those following minority religions or sects of blasphemy, which is a criminal offence. It is vitally important that work is undertaken by the Pakistani government to ensure that the blasphemy laws – which are designed to protect all faiths – are properly applied. There is currently no requirement for credible and objective evidence to be used to prove blasphemy allegations against an individual. This encourages abuse of the system for personal vendettas or gain.

Attacks against religious minorities have been a feature of Pakistani society since its formation. However, such attacks have increased in intensity over the past few years, which highlights the urgency of reform of the blasphemy laws and the effective protection of such religious minorities. The attacks on Christians in Gojra, Korian and Sialkot in Punjab were sparked by accusations brought using the blasphemy legislation. We commend the action taken by the federal Pakistani government and the provincial Punjabi government to launch an investigation into the attacks, which has recently resulted in a series of recommendations to both local police forces and the federal Pakistani government about ensuring that these attacks are prevented in the future.

The federal Pakistani government has confirmed that they have appointed the Minister for Minorities as a

Activists protest violence against women in Lahore on 9 April



member of the Cabinet, implemented a five per cent quota for minority employment within government offices (two per cent more than the actual percentage of the population), and are working on amendments to blasphemy legislation to ensure that the laws are not abused in the future. The Pakistani government has also created a National Day for Minorities on 11 August and initiated Inter-Faith committees at local level to resolve disputes before they spark into violence. To support the federal and provincial Pakistani governments in addressing the misuse of the blasphemy laws, we are funding a project analysing their socio-political impact. This will increase the capacity of law enforcement officials, government representatives and civil society to implement and monitor proper procedures in blasphemy cases. Part of this project includes setting up an oversight group to monitor whether the correct procedures are followed to safeguard victims charged under blasphemy laws. In addition, we are funding a local media company to produce a short documentary raising awareness on blasphemy legislation and the impact of this abuse, which will be shown on national TV channels.

Women's Rights

More must be done to promote and protect women's rights in Pakistan. The World Economic Forum Global Gender Gap Report for 2009 ranks Pakistan 132 out of 134 countries in terms of the division of resources and opportunities between men and women. Recent conflicts have also left women more vulnerable to

abuse. The influence of the Taliban and a distorted interpretation of the codes of Islam as they apply to women has impacted on women in Pashtun communities, where horrific abuse, such as acid attacks, public flogging and beheading, has become more frequent. The UK continues to urge the Pakistani government to implement the recommendations of the CEDAW Committee, particularly those concerning the overhaul of all legislation that discriminates against women.

Many legislative instruments, such as the Hudood Ordinances, conflict with the equal rights laid out in the Pakistani Constitution and codify gender-based discrimination against women (the Hudood Ordinances were passed in 1979 as part of General Zia Ul-Haq's "Islamisation" of the laws of Pakistan, and implemented aspects of Sharia in Pakistan). The national legal framework does, however, offer increasing protection to women. In 2009, the government introduced the Bill for Protection Against Domestic Violence and the Bill on Protection Against Sexual Harassment in the Workplace, both of which should, if properly implemented, significantly improve women's rights.

To address the lack of support from the authorities for women facing abuse and violence within their own communities, the UK is working to increase awareness among police officials of gender-based violence and forced marriage in Punjab province. This work focuses

on a core group of 60 senior and junior officers to ensure they have an enhanced capacity to address such cases and can go on to train their colleagues. We also fund a media campaign based on animated narratives about forced marriage to support our Consular efforts to assist British nationals of Pakistani origin forced into marriage.

We are also working to build a Women Councillors' Network, which provides women across the political spectrum with a base to promote liberal and democratic values. In 2009, around 20 per cent of both the National Assembly and provincial assemblies were women, which is an increase on previous years.

Children's Rights

Following its ratification of the UN Convention on the Rights of the Child (CRC), the Pakistani government is implementing a National Plan of Action to address children's rights. However, serious human rights problems remain, including the employment of children in hazardous industries from a young age. Despite legislation dating from 1991, no employer has been successfully prosecuted and only small fines are paid. Many children are also born into or become bonded labour (slaves) to repay family debt. UNICEF estimates that in 2009 there were over three million children working in this way. Government sources admit it is likely to be higher.

Pakistan is also a source, destination and transit country for child prostitution and trafficking, although the government, through specially created anti-trafficking units, continues to work closely with NGOs and regional partners, such as the United Arab Emirates, to tackle this problem. This has resulted in the repatriation of hundreds of children over the last few years.

Progress on access to education for the poorest remains a significant challenge. Enrolment has, however, increased sharply over the past few years, with 20 million children now attending primary school. The UK is providing a £250-million programme for education and skills training over the next five years. A UK–Pakistan Education Task Force was set up in late 2009, headed by education reform expert Sir Michael Barber. This is working with the Pakistani government to improve educational delivery, as one of the commitments made under the UK–Pakistan Strategic Dialogue.

Border Areas: a Humanitarian Crisis?

The Pakistani government continues to face a challenging security environment in the Federally Administered Tribal Areas (FATA). In 2009, the Pakistan Army has conducted major operations in both Swat and South Waziristan against militants, resulting in an estimated current total of 460,000 internally displaced people. We continue to urge Pakistan to meet its humanitarian obligations to minimise the impacts of operations.

Lasting peace and security will require military gains to be maintained by reconstruction and development and commitment to a long-term political strategy for improving governance, justice and services. We work through the Friends of Democratic Pakistan, a group of international partners who have a keen interest in supporting democracy in Pakistan, to support the government to deliver this. We also continue to encourage the implementation of the Malakand Strategy, which aims to address long-term, post-conflict needs for rehabilitation and reconstruction in the Malakand division, and provides a model for the reconstruction of other post-conflict areas. At the EU–Pakistan Summit held on the 17 June, emergency humanitarian funding was increased to £124-million to help the most vulnerable citizens displaced from the Swat valley and other areas of Pakistan.

We are seriously concerned by reports of extrajudicial killings of militants and civilians by Pakistan's security forces. We have raised the importance of proper investigation of these claims with senior military and government figures and will continue to pursue this issue. We call on the Pakistani government to ensure that all operations occur within the parameters of international humanitarian and human rights law.

Death Penalty

In 2009, the death penalty was applicable to 27 different crimes. According to the UN Office on Drugs and Crime, 7,046 prisoners are currently on death row, where the detention regime is harsh and cells severely over-crowded. An influential NGO, the Human Rights Commission of Pakistan reports that 106 people were sentenced to death in 2009. In October, President Zardari sought the views of provincial governments on commuting all death penalty sentences to life, apart from offences related to terrorism. While this consultation period continues, there has been a de facto moratorium on the death penalty, which we strongly welcome. However, together with EU partners we are continuing to



Students from an FCO-funded workshop on “Educating the Young for Active Citizenship” in the Punjab

urge the Pakistani government to commute all death penalty sentences, revise the list of crimes for which the death penalty is applicable in line with the terms of the ICCPR, and improve legal safeguards surrounding capital cases.

Access to Justice

The Pakistani Constitution guarantees the right to a fair trial and all levels of the judiciary are nominally independent. However, inordinate delay, the inefficiency of the courts and the high cost of litigation constitute a major obstacle to justice. A defendant's right to counsel is limited. Most are not represented. Legal assistance is only available during the investigative phase if the accused can pay. A court-appointed defence lawyer is only available in capital cases. There is no provision for legal aid in any other type of case. Amendments to the Anti-Terrorism Act further weaken the legal safeguards for the accused by placing an evidential burden of proof on the accused.

The US State Department Human Rights Report, published in 2009, reports that many cases are referred to traditional forms of justice, such as jirgas or hujras, which tend to discriminate against women or other marginalised groups. The substantive and procedural frameworks are outdated and of poor quality. The legal profession suffers from low levels of proficiency and widespread corruption inhibits the

fair administration of justice. Awareness of the rights guaranteed under national law is very limited among the general population.

Torture

Torture is widely reported in Pakistan. A large number of incidents reportedly occur in police custody in attempts to extract confessions or force cooperation with a criminal investigation. Often this torture is combined with illegal or arbitrary detention, as police evade the legal obligation to present arrested persons before a magistrate within 24 hours. The actual incidence of torture is not documented, as most cases are never officially reported or recorded. This picture is supported by the allegations made by British nationals who have been detained in Pakistan.

During 2009, previous allegations of UK complicity in the torture or mistreatment of terrorist suspects in Pakistan (dating back to at least 2006) featured in press and NGO reports. The UK rejects in the strongest possible terms the suggestion that it is pursuing a policy of complicity in torture. We unreservedly condemn the use of torture as a matter of fundamental principle and work hard with international partners to eradicate this abhorrent practice worldwide. Our clear policy is not to participate in, solicit, encourage or condone the use of torture or inhuman or degrading treatment for any purpose. There is a limit to what can be said on

specific cases for various reasons, including that some are the subject of ongoing legal proceedings. However, English courts have rejected claims that UK complicity in ill-treatment resulted in an abuse of process in two cases.

Improving Detention Conditions in Pakistan

Conditions in prisons and police custody in Pakistan remain of serious concern. They are often overcrowded and under-resourced, leading to a variety of human rights abuses. These include inadequate access to food and medicine and cases of mistreatment. Delays in the judicial system mean many detainees – including young children – are kept in remand for years while they wait for their trial to come to court. The UK has a number of nationals detained in prison in Pakistan, whom we visit regularly to monitor and support their welfare.

As well as raising these issues via the EU and bilaterally, the High Commission in Islamabad is supporting several projects to tackle these issues, including:

- > funding a local organisation to create a dialogue between those who make the policy on criminal justice and those who have suffered because of flaws in the system;
- > supporting the Pakistani authorities in improving police handling of detainees by funding the UK National Police Improvement Agency to carry out an in-depth assessment of the Sindh Police, which we envisage leading to concrete improvements in their operational methods and structure;
- > encouraging a close dialogue between the UK and Pakistani police and prison authorities through several visits to the UK by senior officials from different provinces to share best practice on investigation and detention procedures; and
- > supporting Pakistan's development of forensics capability that will give them the tools to collect evidence, which can help reduce reliance on confessions in securing prosecutions.

The British High Commission, working closely with international partners, will continue to build on this work to support reform of the judicial and criminal justice system

Russia



We are clear that the human rights situation in Russia is serious. While we welcome the positive agenda set out by President Medvedev and the limited reforms achieved so far, the situation

on the ground has, in many areas, shown little sign of improvement. In some areas, such as attacks on human rights defenders and journalists, there has been a sharp deterioration. As a result, we have raised our concerns frankly with the Russian government throughout the year.

Our annual bilateral human rights talks with Russia were held in Moscow on 16 January. Discussion covered the rule of law; NGOs, civil society and the protection of human rights defenders; freedom of expression; equality and minorities; international institutions; and human rights in the context of counter-terrorism. We raised particular concerns about human rights violations in the North Caucasus, implementation of European Court of Human Rights (ECtHR) judgments, journalists' safety, and treatment of ethnic minorities in South Ossetia and Abkhazia. There was wide-ranging discussion of human rights practice in the UK. We have pursued follow-up action with the Russian authorities and are preparing for the next dialogue.

The Foreign Secretary visited Moscow from 1–3 November. He reiterated our concerns about human rights, including the risks faced by human rights defenders and journalists, specifically in the North Caucasus, with Foreign Minister Lavrov. The Foreign Secretary particularly stressed the importance of effective investigations into such attacks. He heard at first hand from NGOs and civil society about their experiences of the human rights situation in Russia and reasserted that the UK will continue raising human rights concerns as part of a comprehensive dialogue with the Russian authorities.

The UN Human Rights Council carried out its Universal Periodic Review of Russia's human rights record on 4 February. All UN members were able to ask Russia questions and make recommendations. The UK, along with a significant number of other states, raised concerns, including the lack of an independent media, enforced disappearances, prison conditions, racial discrimination, freedom of NGOs, treatment of minorities, violence against women, use of torture in the Chechen Republic, security of journalists and human rights defenders.