

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

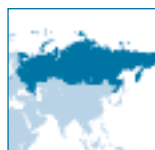
Conditions in prisons and police custody in Pakistan remain of serious concern. They are often overcrowded and under-resourced, leading to a variety of human rights abuses. These include inadequate access to food and medicine and cases of mistreatment. Delays in the judicial system mean many detainees – 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.

Human Rights Defenders

We are appalled at the number of human rights defenders who have been murdered in Russia during the last year. Russia's already poor record in protecting human rights defenders, especially those working in the North Caucasus, has been further damaged by these worrying trends. Both the UK and EU have urged Russia to protect the right of human rights defenders and lawyers to conduct their work without hindrance, intimidation or harassment. We want to see better support for human rights defenders; an end to the apparent impunity for those who attack them; and for all human rights violations against human rights defenders to be investigated fully, promptly and impartially. Those involved should be brought to justice in trials which meet international standards.

On 19 January, Stanislav Markelov, a human rights lawyer, was shot in central Moscow, along with Anastasia Baburova, a *Novaya Gazeta* journalist who was with him at the time. Investigators believe his murder may be connected with his professional activities. Markelov had defended Chechens in a number of high-profile cases, including before the ECtHR, and represented activists from anti-fascist groups. In the weeks before his murder he had received numerous calls and text-message death threats in connection to his work, and he had previously been beaten up by skinheads in a Moscow subway. The then Europe Minister, Caroline Flint supported the EU Presidency statement of 20 January condemning these killings. More recently, two suspects have been arrested and charged in connection with these murders.

Natalia Estemirova, a key figure in getting independent information out about the reality of life in Chechnya, was kidnapped and murdered in Chechnya on 15 July by unknown armed gunmen. Estemirova was the head of Russian rights NGO Memorial's Grozny office, and the most prominent human rights defender in Chechnya. Her murder caused outrage in Russia and internationally. The then Europe Minister made a statement about the murder, which can be found on the FCO website. We pressed the Russian government for a full, transparent investigation and the EU Presidency issued a similar statement and delivered a letter of protest to Russian authorities.

President Medvedev said that "...the crime will be investigated in the most thorough way. It is obviously connected to her professional work. She did very

useful things. She spoke the truth, and openly...this is the value of a rights activist". His comments on the value of Estemirova's work strike a welcome contrast with the Russian government's reaction at the time of Anna Politkovskaya's death in 2006 that her work was "not important in Russia".

In August, an implementing partner for a British Embassy project focusing on disability rights was murdered. Zarema Saydulayeva headed the local NGO "Let's Save the Generation", and worked on humanitarian and human rights issues in Chechnya. She was murdered along with her husband Alik Dzhabrailov. Although investigators have said these murders were unrelated to their professional activities, rights activists have cast strong doubts on this and suspect the involvement of local law enforcement bodies.



A woman laying flowers for human rights lawyer Stanislav Markelov and reporter Anastasia Baburova after their murders in January



Mourners at the funeral of human rights activist Natalia Estemirova on 16 July

The threat to human rights defenders in Chechnya prompted Russia's leading domestic human rights NGO, Memorial, to suspend operations in its Grozny office for five months. Memorial's work in difficult conditions has been recognised through the award of this year's Sakharov Prize for Freedom of Thought. The Sakharov Prize, named after Soviet scientist and dissident Andrei Sakharov, was established in December 1988 by the European Parliament as a means to honour individuals or organisations who had dedicated their lives to the defence of human rights and freedoms.

On 20 July, President Medvedev signed legislation amending Russia's 2006 NGO law. The amendments are designed to simplify registration and accounting requirements and reduce the number of audit checks. We welcome these changes, though limited, as a move in the right direction. While NGOs have welcomed the reduction of onerous reporting requirements, allowing them to focus on their core functions, several have said that the amendments do not go far enough and are still "based on the principle that bureaucracy controls civil society". Restrictions remain tight for foreign NGOs operating in Russia, or those receiving foreign funding.

Media Freedom

The number of attacks on journalists, particularly in the North Caucasus, increased in 2009. There is still a low success rate in investigating and prosecuting crimes against journalists. The Committee to Protect Journalists, an NGO, stated in September that: "Secrecy, corruption, lack of accountability, conflicts of interest and a shortage of political will are the main obstacles to achieving justice in the unsolved,

work-related murders of 17 journalists in Russia since 2000."

In 2009, Russia fell 13 places to 153rd on the press freedom index produced by Reporters without Borders. Pressure from the authorities results in self-censorship by journalists. A report written by the Carnegie Moscow Centre in January stated that "since journalists operate by the grace of the government, self-censorship has become ubiquitous, though the degree of self-restriction may vary significantly".

It was significant that President Medvedev chose to give his first media interview in April to *Novaya Gazeta*, an independent newspaper that challenges the state and uncovers corruption and human rights abuses. Four of its journalists have been murdered, one in 2009, and others have been beaten, arrested and continue to be watched closely by the police. The Canadian Journalists for Free Expression honoured *Novaya Gazeta* with the 2009 International Press Freedom Award for "extraordinary courage and overcoming tremendous odds to report the news". In a meeting with the International Press Institute, a media freedom organisation, on 2 October *Novaya Gazeta's* editor-in-chief, Dmitry Muratov, said: "Following a very nervous discussion with my journalists, I had to limit reporting on the Caucasus region...I cannot guarantee the safety of my journalists."

In 2009, we have also followed the retrial of three men accused of the murder of journalist Anna Politkovskaya in 2006. The Russian Supreme Court on 25 June ordered a retrial which we hope will see those responsible – for both carrying out and contracting the murder – brought to justice through a fair procedure. Through the Strategic Programme Fund we are supporting NGOs working to promote freedom of expression in Russia's regions by empowering media organisations with knowledge of their rights under Russian media-internet law.

North Caucasus

Over the last year there has been widespread recognition, both within Russia and internationally, of the deteriorating security situation in the North Caucasus. Lack of accountability for law-enforcement structures in the region has led to increased human rights violations. The situation is exacerbated by the poverty, corruption and lack of democratic accountability, which pervades the region and undermines long-term security. Media and NGOs in

the North Caucasus are not able to report freely on authorities' actions in the region due to the threat of reprisals and restrictions on their movement.

We welcome President Medvedev's comments during a meeting of the Russian Security Council on the North Caucasus in August:

"You mentioned the influence of several factors, including international ones, such as the feeding of the underground with money, the problems of religious extremism. All these external factors exist, you are right. But the main reason is within the country, as regrettable as this may be. The conditions for the development of banditry and religious extremism were created as a result of the disintegration of the state, the roots are in our way of life, unemployment, poverty, the clans who don't give a damn about the people, who just divide up the streams of money coming here, fight for orders and then settle scores with each other, and in corruption, which has genuinely become very widespread within the law-enforcement agencies. Our task is to eliminate these phenomena."

Medvedev also identified stability in the North Caucasus as a concern during his state of the nation address in November, pledging a mechanism to encourage increased investment, and a new coordinator to assess the effectiveness of government measures in the region.

We regularly remind the Russian government that security measures which do not respect international human rights law are counter-productive, and that putting an end to human rights violations is a vital element in the achievement of a long-term solution to the region's problems.

While counter-terrorism operations came to an end in Chechnya in April as part of moves to normalise the situation there, they are still used on a temporary basis in some districts, as well as in neighbouring Ingushetia and Dagestan. Media and analysts' reports of shootings, explosions and security operations suggest that violent incidents increased rather than decreased in the aftermath of this decision. The Council of Europe's Committee for the Prevention of Torture (CPT) highlighted ongoing allegations of torture by local forces in Chechnya.

This year has seen a dramatic deterioration of the security situation in Ingushetia and Dagestan, to the

point that violent attacks are occurring on an almost daily basis. An assassination attempt was made on Ingush President Yevkurov on 22 June and a suicide bomb attack in Nazran, Ingushetia's main town, on 17 August killed 25 people. Reports of President Yevkurov's attempts to ensure accountability for abuses committed by security forces are encouraging. However, we remain concerned by ongoing reports of violations, including abductions, torture and extrajudicial killings – particularly those carried out by federal law-enforcement bodies in the course of security operations, which are rarely investigated. We have supported a number of NGOs working across the North Caucasus that are helping local people seek legal remedies: first domestically, then at the ECtHR.

Dialogue in the Risk Zone

A project implemented by the Social Partnership Foundation and funded by the Russia/CIS strand of the Conflict Pool, "Dialogue in the Risk Zone", works in North Ossetia and Ingushetia to build dialogue across borders and to develop mechanisms for cooperation between civil society and federal and local authorities for the resolution and mitigation of conflicts in the North Caucasus. On 8 September, it held a roundtable on ways to resolve conflict between the republics. The meeting, which many participants considered to be a first step towards the peaceful resolution of the conflict, brought together representatives from Ingushetia and North Ossetia for the first time in decades. President Yevkurov of Ingushetia, Russian Federation Human Rights Ombudsman Vladimir Lukin and the Council of Europe Human Rights Commissioner Tomas Hammarberg took part.

During 2009, we were able to see at first hand the work of project partners in the Karachay-Cherkessia region of the North Caucasus. The Conflict Pool-funded "Stabilising North Caucasus" project brings together five parts of the region to support local conflict prevention initiatives and building NGO capacity. On 28 September, it held a civil society forum together with federal and local partners, to analyse the options and resources available to civil society to support regional development and maintain inter-ethnic peace and social accord in the North Caucasus. Over 200 civil society representatives, experts, officials and students took part in a wide range of sessions to identify practical tools and solutions for local conflict prevention.



Inspecting a prison with local penitentiary system personnel in Krasnodarsky Krai, southern Russia, as part of an FCO-funded project

In the North Caucasus, funds from the Conflict Pool supports projects run by the NGO Article 19 and local NGOs working to enhance media professionalism and journalists' protection.

Access to Justice

We share Human Rights Watch's concerns raised in their July report about how ECtHR judgments are implemented in Russia. Where Russia has been found responsible for abuses in Chechnya, it has rightly paid compensation. However, Russia has failed to carry out meaningful investigations, fuelling an atmosphere of impunity and increasing the chances that similar cases will occur again.

We fund organisations that work with victims' families in the North Caucasus to improve access to justice through the ECtHR.

Both we and our project partners regularly urge Russia to re-open investigations in those cases where the court has determined that prior investigations were inadequate, and to ensure that progress is being made into those investigations that have been opened. A number of senior judges, and the Justice Minister, have called for more judicial reform to stem the flow of ECtHR cases. We support the Russian government's efforts to reform the domestic judicial system, to provide improved domestic remedies.

We welcome Russia's Constitutional Court decision on 19 November to extend its moratorium on use of the death penalty indefinitely. The current moratorium had been due to expire on 1 January 2010. However, this decision falls short of Russia's commitments to the Council of Europe, and we will continue to press for ratification of Protocol 6 to the European Convention on Human Rights (ECHR).

During the year the ECtHR has taken steps towards addressing Russian concerns on Protocol 14 to the European Convention. We urge Russia to complete ratification to advance reform of the ECtHR. Both the UK and Russia agree on the need for reform of the ECtHR to ensure it functions more effectively. The ECtHR has an increasing backlog of over 118,000 cases pending, of which 28 per cent have been lodged against Russia.

Penal Reform

The death in custody of leading Moscow lawyer Sergei Magnitsky in November highlighted the appalling conditions in which prisoners are kept. Overcrowding, poor living conditions and poor treatment of detainees are common. Figures provided by the Federal Penal Service in January showed that of the 900,000 people in detention, 795,000 are suffering from various diseases. Currently in detention are 14 per cent of all tuberculosis patients and 11 per cent of all registered HIV-infected individuals in Russia. We are concerned over reports that medical treatment is

sometimes deliberately denied to those in detention. We welcome President Medvedev's acknowledgement that detention conditions in some instances are inhumane, as well as recent proposals to reform the penal system, and urge the Russian government to follow through on these pledges.

Our SPF supports work on preventing torture within the penal system. This includes work with the Independent Council for Legal Expertise on raising awareness of the importance of complying with international human rights standards across the criminal justice system, with the aim of preventing torture, the trumping up of evidence, and false charges from being made by law enforcement agencies.

Racism and Xenophobia

Ethnic discrimination and anti-Semitism in the Russian Federation is still a major concern, particularly the level of xenophobic feeling and violent attacks on non-ethnic Russians. According to the Moscow Human Rights Bureau, in 2009, 218 xenophobia-related attacks

and conflicts were registered in Russia, resulting in the deaths of 75 people. This was a decrease in the number of attacks and deaths compared to 2008 (256 attacks and 113 deaths) although it is unclear whether this is due to a decrease in racist violence or a reluctance to report such incidents. It is likely that the violent attacks will continue, especially as nationalist groups seek to exploit increased xenophobia during the economic crisis.

We welcome the fact that the Russian government has acknowledged the problem of extremist attacks in Russia by drafting amendments to the Law on Extremist Activity. However, we remain concerned that these amendments still provide an opportunity to restrict political dissent and that they can be applied to protect public officials against criticism in a way that is contrary to international standards. We believe that there should be more proficient investigation of race-related crime as part of a comprehensive plan to combat racism.

Saudi Arabia



While there have been limited improvements in recent years, we remain deeply concerned about the human rights situation in Saudi Arabia, in particular over the use of the death

penalty, women's rights and the quality of judicial procedure. In 2009, we repeatedly made clear to the authorities our concerns at Ministerial, Ambassadorial and working level.

In addition to Saudi Arabia's Universal Periodic Review (UPR) in February 2009, the Foreign Secretary had a substantive discussion of human rights with the Saudi Foreign Minister Prince Saud al Faisal in April. During this meeting, the Foreign Secretary encouraged the Saudi government to implement the three recommendations made by the UK at the UPR – to end the system of guardianship of women; to set a legal age of majority to prevent the execution of juveniles; and to enact a law of association guaranteeing the right to form civil society organisations. In 2009, we repeatedly encouraged the Saudi government to be ambitious and proactive in taking forward these recommendations. However, progress towards achieving this goal remains slow.

Saudi Arabia received a total of 70 recommendations at its UPR. It rejected 17 outright on four issues: to lift its reservations on the Convention on the

UK Support for Tackling Corruption in Russia

A FCO-sponsored project on Anti-Corruption Analysis of Laws trained law-makers from across Russia to systematically evaluate draft legislation in order to identify and close loopholes, which could be exploited for corrupt practices. As work began, anti-corruption began rising up the Russian government's agenda and the Russian government sought our implementer's help to develop a new anti-corruption law. The Duma passed this law, which makes anti-corruption analysis of laws a compulsory part of the preparation of Russian legislation, in 2009. The ruling party and opposition politicians have recognised the law as significant – an opposition politician said that it was the most important piece of legislation passed in this session of the Duma. Mikhail Dmitriev, head of the economic think tank that advises President Medvedev, commented:

"Anti-corruption analysis of laws was a very successful project. Four years ago, corruption was a low-level concern. The government didn't know about anti-corruption analysis of laws. However, the anti-corruption analysis of laws has made a real breakthrough. To say now that a draft law has passed anti-corruption evaluation significantly increases the value of that piece of legislation."