

In January 2010, Google issued a statement claiming that an attempt had been made to access the accounts of human rights activists and signalling its willingness to withdraw its Chinese website. We are committed to promoting freedom of speech, including online, and will continue to monitor developments closely.

North Korean Refugees

China does not recognise as refugees undocumented North Koreans crossing into China. Consequently, they do not have legal status in China. There are reportedly 20,000 to 40,000 North Koreans currently in this position. Many may be there for economic reasons but it is impossible to confirm their status, as the UNHCR is denied access to the border region. They live under constant fear of deportation. Each month hundreds are believed to be forcibly repatriated. A majority are women, many of them trafficked into China to work in the sex industry or sold into marriage to Chinese men. Children born to North Korean parents in China are effectively stateless and cannot access education and healthcare services. We are concerned that these migrants are subjected to torture if they are returned to Democratic People's Republic of Korea (DPRK).

However, there are some small signs of progress. The Chinese now allow North Korean children with a Chinese parent to be registered as Chinese residents. This allows them access to education and healthcare. However, this can depend on the status of the Chinese parent and such children remain vulnerable. We raise our concerns regularly with Chinese officials encouraging them to grant UNHCR access to the border region. Most recently Ivan Lewis raised this issue during his visit in September. We also work actively through the EU to raise specific cases with the Chinese and to apply pressure on China to review its policy towards North Korean refugees.

Colombia



The overall human rights situation in Colombia remains a serious concern. The government has made efforts to strengthen the rule of law in areas previously controlled by illegal groups.

However, as the UN Universal Periodic Review (UPR) report on Colombia in March highlighted, there remain some underlying structural problems which limit the full enjoyment of human rights, particularly with regard to exclusion, marginality, poverty, inequality, land ownership, impunity and a lack of access to justice.

In 2009, the Colombian government did take a more open and cooperative approach to engaging on human rights, including extending official invitations to the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary executions; the Special Rapporteur on Human Rights Defenders; the Special Rapporteur on the Human Rights of Indigenous People; the Special Rapporteur on the Independence of Judges and Lawyers; and the Secretary-General's Special Representative on Human Rights Defenders. Colombia also voluntarily accepted the implementation of the Mechanism to Supervise and Present Reports contained in Security Council resolution 1612 on Children in Armed Conflict.

Despite attempts by the government to strengthen the rule of law, the activities of illegal armed groups and drug traffickers continue to have a severely negative impact. Illegal armed, terrorist and guerrilla groups continue to kill and abuse. An increase in new armed groups and supposedly demobilised paramilitaries returning to criminal ways was of great concern in 2009. We support the Colombian government's determination to tackle these threats in accordance with international humanitarian law.

In March, the Foreign Secretary announced the results of a policy review of UK bilateral assistance to Colombia. The most important change to take place as a result of this review was the ending of the UK's bilateral human rights projects with the Colombian Ministry of Defence. We judged that the project had achieved its objective of developing a roadmap to promote Colombian military adherence to international humanitarian law. The responsibility now falls to the Colombian government to ensure this is embedded and consistently practised by the armed services.

Human Rights Defenders and Civil Society Groups

As a result of their human rights activity, many human rights defenders and civil society groups, including trades unionists, journalists and members of NGOs, face the risk of attack from illegal armed groups and criminals. The environment in which civil society groups operate has been worsened by messages, often from high-level government officials, equating their human rights work to support for terrorist organisations, thus putting their lives at risk. The resulting mutual distrust has contributed to the continued suspension of dialogue on the coordination and implementation of the National Action Plan on



The Foreign Secretary meeting Colombian human rights lawyer Eduardo Carreno on 27 October

Human Rights for 2007–10. The National Action Plan, to be agreed with civil society, was meant to cover issues such as the right to life, freedom and integrity; human rights culture and citizenship; access to justice and the fight against impunity; economic, social and cultural rights; the fight against discrimination; and the promotion and respect of cultural identities.

The Colombian government has increased its protection programme for individuals at risk but civil society groups do not believe that this will be sufficient, particularly without the withdrawal of previous damaging statements. The UK has encouraged the Colombian government to make statements in support of human rights defenders, including trades unionists, and their right to freedom of expression. In addition, the confidence of civil society in government has suffered as a result of the systematic surveillance and illegal wire-tapping of civil society organisations, journalists, high court officials and opposition members by the Colombian Department of Administrative Security.

The UK is working to bridge this breakdown in trust by funding an Oxfam project that promotes the participatory role that civil society can play in engaging with municipal authorities on human rights issues. The UK makes regular representations about the plight of human rights defenders to the Colombian government. Individual cases are highlighted during these exchanges and assurances requested either for suitable security measures to be put in place to guarantee their security or for the

expedition of thorough investigations. The British Embassy in Bogotá also visits the offices of human rights organisations to visibly demonstrate our support.

We are involved in a number of activities to help human rights defenders in Colombia. Foreign Office Minister, Chris Bryant, visited Colombia in October and urged President Uribe to ensure that human rights defenders in Colombia were properly supported and protected. The Foreign Secretary also met Eduardo Carreno, a Colombian human rights lawyer, during his visit to the UK in October, to discuss the problems human rights defenders face and to launch an international campaign in the House of Commons on the work of human rights defenders in Colombia. In August, Embassy officials organised a visit to the city of Popayan to meet family members of the murdered human rights activist Ever Gonzales and discuss the investigation with the authorities. The visit led to the reopening of cases, which had been filed due to lack of progress.

Impunity

Although there has been some progress in judicial investigations into key human rights cases, impunity remains a serious problem. The judicial system faces huge backlogs, with witnesses, judges and prosecutors open to threats, intimidation and corruption. The new accusatorial justice system is helping to speed up the judicial process. In 2009, the UK funded an evaluation of this system in an effort to help relevant institutions develop legal and regulatory

Violence against Trades Unionists

Colombia continues to be a dangerous place for trades unionists. Violence and intimidation of union members throughout Colombia remain one of the most serious issues the country faces. We reported on the dangers and difficulties faced by trades unionists in our 2008 Annual Report, and this trend continued in 2009. While reports of the number of trades unionists killed vary, conservative estimates suggest that at least 28 union members were murdered in 2009.

The UK remains deeply concerned at this situation. We continue to press the Colombian government to take further action to tackle it. We have urged them to provide greater protection for trades unionists and their families, to reduce the length of time taken to investigate murders and forced disappearances of unionists, and to work with unions and employer organisations to strengthen labour relations in Colombia.

We, along with a number of other international donors, are currently supporting an independent research project under the auspices of the UN Development Programme (UNDP) to look into the history and causes of anti-trades unionist violence in Colombia, with a view to formulating recommendations to reduce these attacks and strengthen labour relations dialogue.

adjustments to improve its effectiveness further. Concern has also been voiced over the application of the Justice and Peace Law, which formed the cornerstone of the government's demobilisation programme, and the low number of convictions resulting from its application. Out of 3,637 individuals facing charges under the law, fewer than half had started giving their testimonies by the end of 2009. Furthermore, only 20 of those have been partially indicted and, to date, there have been no convictions.

In 2009, the Colombian national police reported over 15,800 homicides in Colombia, a 2 per cent decrease from the previous year. Despite the efforts made by the Colombian government to investigate, prosecute and punish homicides, an EU-funded report on impunity in Colombia, published in February, estimated that there was a conviction rate for murderers of only 2.7 per cent.

The UK currently supports five initiatives to strengthen public institutions and develop public policy proposals

to improve the performance of the criminal justice system. One example is our support for a project via the UN Office on Drugs and Crime, which seeks to increase the ability of the criminal justice system to tackle impunity and operate in accordance with international human rights standards. Currently being implemented in one pilot judicial district, it involves the training of all actors in the judicial process, from police investigators to lawyers and judges.

Internally Displaced Persons

Officially, Colombia has 3.3 million Internally Displaced People (IDPs), although the real figure is more likely to be around 4.5 million (including over two million children). This is the second highest rate in the world. Indigenous and Afro-Colombian communities are particularly vulnerable, mainly because they occupy land of strategic importance to guerrilla groups, cocaine cultivation or narco-trafficking. Of these displaced people, 82 per cent are considered to live below the poverty line. In 2009, the Colombian government reported a 56 per cent reduction in the forced displaced population compared to the previous year, and estimated that 80 per cent of this population had access to basic health services. In 2009, around 30,000 IDPs were able to return to place of origin. The government also reported investing over £20.2 million in income-generation projects for IDPs. Colombia needs to redouble its efforts to ensure that all those displaced receive the full attention of the state, both socially and economically. Ending impunity for those responsible for their forced displacement will be essential to achieving a lasting solution.

The UK is currently working to assist displaced people realise their rights by:

- > strengthening the Ombudsman's Office's ability to protect housing, land and property rights for displaced people by developing a pilot plan on land protection and restitution that can be rolled out nationwide; and
- > increasing the Colombian military's knowledge and awareness of displacement issues to help them better understand their role in protecting these vulnerable groups.

Indigenous Rights

The UN Special Rapporteur on the Human Rights of Indigenous People visited Colombia in July. He congratulated the government for the "significant



A child walks amidst empty coffins during a demonstration to protest the murder of 12 members of the indigenous Awa community in August

initiatives” undertaken, particularly in the area of health and education, to improve the extremely difficult situation faced by the indigenous community. But there remains a significant way to go in realising the rights of indigenous people, particularly in the areas of right to land, forced displacement, nutrition, threats and murder. The Awa community has been particularly affected. The Awa were the victims of three massacres and mass displacements in 2009: In two attacks in February, 27 members of the community were murdered and in August, 12 were killed, including seven children. These events were roundly condemned by the international community. A number of measures were called for, including increased prevention and protection measures for vulnerable groups and a swift investigation into the incidents.

The UK has funded a small project to support the National Indigenous Organisation of Colombia, which included the visit of the UN Special Rapporteur on the Human Rights of Indigenous People. We hope this will encourage a change in the critical situation facing indigenous people in Colombia.

Extrajudicial Killings

Between 2001 and 2009, 465 cases and 940 victims of extrajudicial killings were reported in Colombia, including 197 registered extrajudicial killings in 2008 alone. Following his visit in June the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions described these killings as systematic, carried out by significant elements within the military. But he confirmed that there was no evidence to suggest they were carried out as a matter of official government policy.

The number of extrajudicial killings has decreased dramatically in 2009. A Colombian research organisation reported that only four new cases were registered during the first six months of 2009, with an additional 82 victims reported from 48 cases that occurred in previous years. The international community has called for further evidence that the measures put in place by the Colombian Ministry of Defence to address extra judicial killings at the end of 2008 are being implemented and for the rigorous and rapid investigation of allegations. We will continue to follow progress and to lobby on individual cases where necessary.