

Disappearances

2009 marked the 10th anniversary of the disappearance of three opposition representatives, Yuri Zakharenko, former Minister of the Interior, Victor Gonchar, former Vice-President of the Belarusian Parliament, and businessman Anatoly Krasovski. The Belarusian authorities have failed to open an independent investigation into these disappearances.

We support the efforts of activists in Belarus to maintain public awareness of the disappearances, including through a monthly Day of Solidarity since 16 September 2005, the anniversary of the 1999 disappearance of Gonchar and Krasovski. Although the EU suspended most of the travel restrictions on the Belarusian authorities in 2008, we have maintained restrictions on four people identified by the Council of Europe's 2004 Pourgourides Report as key actors in the disappearances and the cover-up that followed.

Death Penalty

Belarus continues to use the death penalty. EU Member States are working with local and international NGOs to promote public debate, and publicise EU views on the death penalty. We continue to urge Belarus to abolish the death penalty or, as an initial measure, to introduce a moratorium.

The Council of Europe (CoE) information point in Minsk has launched a campaign against the death penalty. During a visit in December, Jean-Louis Laurens, the CoE's Director-General for democracy and political affairs argued that no referendum was needed for the introduction of a moratorium, and expressed the hope that no executions would take place for the duration of the campaign. We support the CoE Parliamentary Assembly decision to offer Belarus honorary membership of the Council only after a moratorium is declared.

There are some positive signs. A referendum in 1996 found that 80 per cent of the population were in favour of the death penalty. Encouragingly, independent polling in September found that 55 per cent of people supported abolition. In November, President Lukashenko pledged that an information campaign would be launched to discuss the death penalty, which we hope will lead to a national moratorium.

Politically Motivated Detention

In May, Amnesty International announced that they

considered 11 young people to be prisoners of conscience. They are currently serving sentences of restricted freedom after participating in a peaceful demonstration in January 2008.

We are also concerned about the cases of other activists not recognised as prisoners of conscience. We welcomed the release from prison of Yury Lyavonau in August. But Mikalai Autukhovich and Uladzimir Asipenka remain in pre-trial detention since their arrest on 8 February. We welcome indications from the authorities that their trials will be open, but are urging that these take place as soon as possible.

Burma



"How much longer can Myanmar afford to wait for national reconciliation, democratic transition and full respect for human rights? The cost of delay will be counted in wasted lives, lost opportunities and prolonged isolation from the international community... Myanmar's human rights record remains a matter of grave concern." UN Secretary-General Ban Ki-moon, 4 July

The human rights situation in Burma continued its downward trend in 2009. Daily life in Burma continues to be characterised by the denial of almost all fundamental rights, and a pervasive military and security presence. Expressions of opposition to the regime often result in arrest and extended detention without trial. Despite international pressure, the regime made no attempt in 2009 to engage in substantive political dialogue with the democratic opposition and ethnic groups. Both were disenfranchised by the National Convention process and flawed referendum in May 2008 on the new Constitution, which is designed to ensure continued military control of the country. The key event in Burma in 2010 will be elections, based on the Constitution, that form the final step in the military authorities' seven-step "Roadmap" towards "disciplined democracy". Opposition and ethnic groups now have to decide whether to participate in a skewed electoral process, which offers them little prospect of any real power, or to stand aside. We expect further human rights abuses in 2010 as the regime maintains a tight grip on internal security in the months leading up to elections.

The military remains the major perpetrator of human rights abuses in Burma. However, other actors, including some ethnic militia, business corporations

and illegal groups, for example, involved in drugs and people trafficking, form part of a broader landscape characterised by corruption and little or no accountability for human rights abuses. In this respect, it is telling that Burma has ratified few international human rights conventions. Abuses are particularly prevalent in areas where no ceasefire exists between ethnic groups and the military. We continue to receive credible reports of forced labour, land confiscation, the recruitment and use of child soldiers, rape and disappearance. The regime's economic mismanagement, particularly of the rural economy, means large parts of Burma remain mired in poverty and there are significant unmet needs in those areas most affected by Cyclone Nargis in May 2008.

Throughout 2009, the UK maintained its leading role in international efforts to condemn human rights abuses, and press for the release of political prisoners and a credible transition to democracy. We played a significant role in achieving three strongly worded UN resolutions, at the Human Rights Council in Geneva in March and September and at the United Nations General Assembly in November, highlighting the regime's ongoing human rights abuses, including the plight of Aung San Suu Kyi and fellow prisoners of

conscience. EU sanctions were renewed for a further year with strong UK support in April, and we were instrumental in securing further targeted measures in response to the verdict in Aung San Suu Kyi's trial in August. We also secured a strong statement from G8 leaders at a summit in July, underlining that elections would not be credible unless Aung San Suu Kyi and all other political prisoners were released and able to participate in the political process.

Alongside our political and diplomatic efforts, the UK remains one of the largest donors of humanitarian aid to the people of Burma. Our assistance is channelled through the UN, international NGOs and Burmese community-based organisations. DFID contributed £45million in emergency relief following Cyclone Nargis, which struck Burma in May 2008. In recognition of the desperate needs of people throughout Burma, DFID's regular, non-emergency programme for Burma is increasing from £12 million in 2008–09 to £25 million in 2009–10 to £28 million in 2010–11. We continue to encourage other donors also to increase their efforts. DFID's programme includes funding for the multidonor Three Diseases Fund to fight HIV/AIDS, TB and malaria; basic education; improving the earning capacity of poor



Activists in Cambodia protest against the arrest of Aung San Suu Kyi in May

families in rural areas; support for the development of civil society organisations; assistance for people affected by conflict, including Burmese refugees in Thailand and internally displaced people inside Burma; and emergency aid for people facing food shortages as a result of rat infestations in Chin State.

An improvement in the human rights situation in Burma can only come about through a genuine transition to democracy and national reconciliation. But in the run-up to the 2010 elections, the prospects for progress are poor. The military regime's main aim is to entrench military rule and its leaders are all but impervious to the need for an inclusive political dialogue involving opposition leaders and leaders of ethnic minorities, as the long-term solution to Burma's manifold challenges.

Political Prisoners

At the end of 2009, there were approximately 2,100 political prisoners in Burma and we assess that this number could even increase in the run-up to 2010 elections. In a tactical move intended to deflect international pressure the regime announced "prisoner" releases ahead of the United Nations General Assembly in September. But only a small proportion of those released were political detainees, who were close to the end of their sentences and at least as many people were arrested for their political activities as were freed in 2009.

Aung San Suu Kyi, leader of the main opposition party, the National League for Democracy (NLD), and Burma's most prominent prisoner of conscience, was due to be released in 2009 under the terms applied by the military rulers. In May, she was subjected to a show trial and sentenced in August to a further 18 months' house arrest for being the victim of a lapse in security, which allowed an intruder into her home. The regime's motivation was transparent, using the pretext of the intrusion as the means to prevent her participation in elections planned for 2010. On 24 October, Aung San Suu Kyi began her 14th year out of the last 20 under house arrest.

Throughout 2009, members of Aung San Suu Kyi's party, the NLD, continued to be arrested on an almost weekly basis. An increase in the number of arrests of journalists and editors, social-welfare organisers and civil society actors was also reported towards the end of 2009. Detention without trial remains commonplace. Some detainees are released after a few days; others are taken into custody in unknown

The Show Trial of Aung San Suu Kyi

On 6 May, Burmese authorities arrested American John Yettaw who had swum across a lake to make an uninvited visit to Aung San Suu Kyi's house in Rangoon. As a result, she and her two live-in companions were arrested on 13 May and charged with breaking the rules of her house arrest. They were held in Insein prison and from May to July were placed on trial in a process the UN determined illegal. Diplomats and local journalists were permitted access to a few of the tightly orchestrated sessions, as pressure mounted on the Burmese regime to reach a fair and just outcome to the trial.

The trial concluded on 11 August, sentencing Aung San Suu Kyi to three years' hard labour, commuted to an 18-month-period of further house arrest. The sentence was also imposed on her companions, who until then had no restrictions on their freedom. Setting the tone for the widespread international condemnation of the regime's actions, Prime Minister Gordon Brown described the verdict as "further proof that the military regime is determined to act with total disregard for accepted standards of the rule of law and in defiance of international opinion". With strong UK support, the UN Security Council issued a statement on 13 August making clear its serious concern at the conviction and sentencing of Aung San Suu Kyi and urging the regime to begin a dialogue with all concerned parties and ethnic groups. The Prime Minister also wrote immediately to UN Secretary-General Ban Ki-moon, and all countries represented on the UN Security Council, calling for a global arms embargo against Burma. The UK also worked with EU partners to impose quickly further EU sanctions, targeting the regime's economic interests and the judges involved in the trial.



British Ambassador to Indonesia Martin Hatfull condemns the sentencing of Aung San Suu Kyi to a further 18 months detention, at a press conference in Jakarta

locations, awaiting military trials. People have been sentenced in closed military courts, which not even family members are permitted to attend. A number of prisoners, such as the Generation of 88 Student Leaders, including Min Ko Naing, Ko Ko Gyi and Htay Kywe, were moved between late 2008 and early 2009 from Insein prison to prisons in remote border areas where conditions are harsh. This relocation is a deliberate policy designed to isolate prisoners of conscience from their families and supporters. Some family members must now travel for up to five days to provide the food, medicine and support without which many prisoners would struggle to survive.

The UN Special Rapporteur on Human Rights in Myanmar, Tomás Ojea Quintana focused his September report on the ongoing mistreatment of political prisoners. Access to prisoners remains heavily constrained and the International Committee of the Red Cross (ICRC) has been unable to recommence its independent prison visits, halted in 2006. It does, however, still provide limited financial support to prisoners' families. Our Embassy works with the Assistance Association for Political Prisoners (Burma), the ICRC and other NGOs as advocates for the plight of those in poor health, subject to mistreatment or isolated in prisons remote from their families.

Freedom of Expression

In a small positive development, media censorship reduced slightly during 2009. News journals were able to report more freely on humanitarian

assistance efforts, diplomatic relations, elections and constitutional affairs. Independent radio stations began broadcasting in the two main cities, Rangoon and Mandalay, and attracted much popular support. Despite this, no criticism of the regime was tolerated. Several editors and a number of journalists were detained in 2009, accused of being social activists and of being critical of the government. According to a December report by the Committee to Protect Journalists, Burma is one of the five worst countries in the world for imprisoning journalists, with nine currently detained. Others have been freed but can now no longer work for their previous publications. Military intelligence and surveillance remains pervasive. Phone lines are regularly tapped, use of mobile phones severely restricted, and some internet sites blocked. A number of bloggers have been arrested, most recently in November. In many towns and villages, local security officers frequently visit homes late at night to check for unregistered house guests. Individuals under suspicion, whether foreign or national, are constantly tailed. NLD and other opposition members face particular harassment, and sometimes physical assault, and have been prevented from opening party regional offices. U Win Tin and NLD leaders are under constant surveillance. Members of social, cultural or educational organisations routinely risk harassment and arrest for their activities.

Freedom of Religion

Burma is a predominantly Buddhist country. However, since Buddhist monks led the protests against rising



A September protest in the Philippines calling for the release of Burma's many political prisoners

Digital Diplomacy – 64 for Suu and the Political Prisoners Campaign

During Aung San Suu Kyi's trial, the FCO worked with NGOs to deploy innovative new media to campaign for her release. 64forSuu.org was the first political campaign to use Twitter with an integrated website to harness the influence of key world figures and support diplomatic efforts by making clear the depth of public outrage. Over 18,000 people contributed 64 words of support for her 64th birthday on 19 June, including the British Prime Minister Gordon Brown, Paul McCartney, Bono, HM Queen Rania Al Abdullah of Jordan, George Clooney and many others. We estimate that the campaign message reached five million people in its first five days alone. You can still add messages of support at: <http://www.64forsuu.org/>

Of course many of Burma's political prisoners are less well known. On 7 December, the FCO, working with the Assistance Association for Political Prisoners (Burma), Human Rights Watch and Burma Campaign UK, launched a web campaign to highlight the plight of the more than 2,100 prisoners

of conscience in Burmese jails. Weekly profiles put faces and names to those whose continued imprisonment prevents their participation in the political process. As Foreign Office Minister Ivan Lewis said on the 11th anniversary of the 1988 student uprising, "What these political prisoners have in common with each other, and what the regime has against them, is an unwavering commitment to peace and national reconciliation... Their incarceration demonstrates how much human potential goes unrealised in Burma". For more information see: www.fco.gov.uk/en/global-issues/human-rights/burma-campaign/burma-prisoners.



Aung San Suu Kyi's image projected onto the EU Parliament building in June as part of worldwide campaigning for her release

fuel and food prices in late 2007 (the so-called Saffron Revolution), the Burmese Buddhist community and individual monasteries have been targeted for surveillance. In October around 30 monks were arrested. Monastic schools are constantly monitored by military security.

The population is four per cent Muslim and four per cent Christian, and there continued to be reports of discrimination by the Burmese authorities against these communities in 2009. Christians from the Chin ethnic group working in government are allegedly denied promotion unless they change their religion. Pastors are singled out for forced labour and there are reports that it is extremely difficult to obtain permission to repair churches.

Forced Labour

The military regime continues to use forced labour in parts of the country, particularly the central dry zone and ethnic-minority border areas. Under-age military recruitment continues, including by some ethnic militias, although the International Labour

Organisation (ILO) made some progress in returning child soldiers to their families. During 2009, the ILO complaints mechanism, through which victims of forced labour can seek some redress from the authorities, continued to offer some limited assistance. The ILO has worked to increase awareness and 71 new cases were received by October, 40 more than at the same point in 2008. But this number remains tiny in view of the scale of the problem and the mechanism had little or no impact in non-ceasefire areas, where forced labour is most widespread. Cooperation from the authorities remains inconsistent. The regime tends to view complaints as politically motivated, making resolution difficult, and those facilitating complaints risk arrest.

The trafficking of children and women for sexual exploitation, as domestic servants or factory labour, continues to be a serious issue of concern, particularly in border areas near China and northern Thailand, as well as Malaysia. The ILO assesses that trafficking within the country is also a serious problem, although the Burmese authorities deny this.



Recently arrived Karen refugees on the Thai–Burma border in June

Ethnic Groups

Despite a number of ceasefire agreements in place since the 1990s, ethnic and minority groups continue to be subjected to a range of human rights abuses, including forced displacement and the use of violence against civilians. Ethnic groups are largely excluded from the political process, passed over for social and economic infrastructure and investment and their language and cultural rights denied.

During 2009 the regime sought to subsume the military wings of all cease-fire groups into a border guard force under the control of the Burmese army in order to consolidate its control in advance of elections in 2010. This risks provoking further conflict with serious impact on civilians. The Burmese army's attack on the Kokang in August provided a foretaste, resulting in a number of civilian deaths and casualties, and an estimated 30,000 refugees fleeing over the border into China. There are already an estimated 150,000 Burmese refugees in camps in Thailand, and around half a million internally displaced people in eastern Burma.

We were deeply concerned about developments in Karen State in June when up to 4,000 people were forced to flee to Thailand because of an offensive by the Burmese army. Numerous civilian casualties resulted, adding to the suffering of the Karen people. The EU issued a strong statement condemning the attacks. We were also gravely concerned at the attack by the Burmese army in Shan State in July. There were credible reports that Burmese troops had burned down houses and granaries, forcibly relocating ethnic Shan people.

In Northern Rakhine State on the border with Bangladesh, the Rohingya people continued to face particular oppression. The regime's refusal to recognise them as citizens means they have few rights to work, to access the few basic services on offer or to travel outside their villages. This continues to result in significant numbers of Rohingya fleeing to neighbouring countries. The UK and the EU have encouraged regional governments to treat arrivals in accordance with international law and to help address the root cause through their greater influence with the Burmese authorities.

China



China's human rights record remained a serious cause for concern in 2009. China has made good progress on economic and social rights in the last 30 years, bringing more people out of poverty than any country in history. But progress has been far slower on civil and political rights with a marked deterioration in some areas. In February, the Universal Periodic Review (UPR) process provided a valuable opportunity for international engagement on China's human rights record. UN Member States made a number of recommendations. Regrettably, China accepted none with any timeline attached and rejected many without giving reasons. We were extremely disappointed that China rejected all four UK recommendations: ratification of the International Covenant on Civil and Political Rights (ICCPR); restricting the use of the death penalty; providing a standing invitation to UN Special Rapporteurs; and greater access to Tibetan areas. China adopted some positive recommendations made by countries such as the Netherlands and Japan. For instance, Japan recommended that China continue its efforts to further ensure ethnic minorities the full range of human rights, including cultural rights.