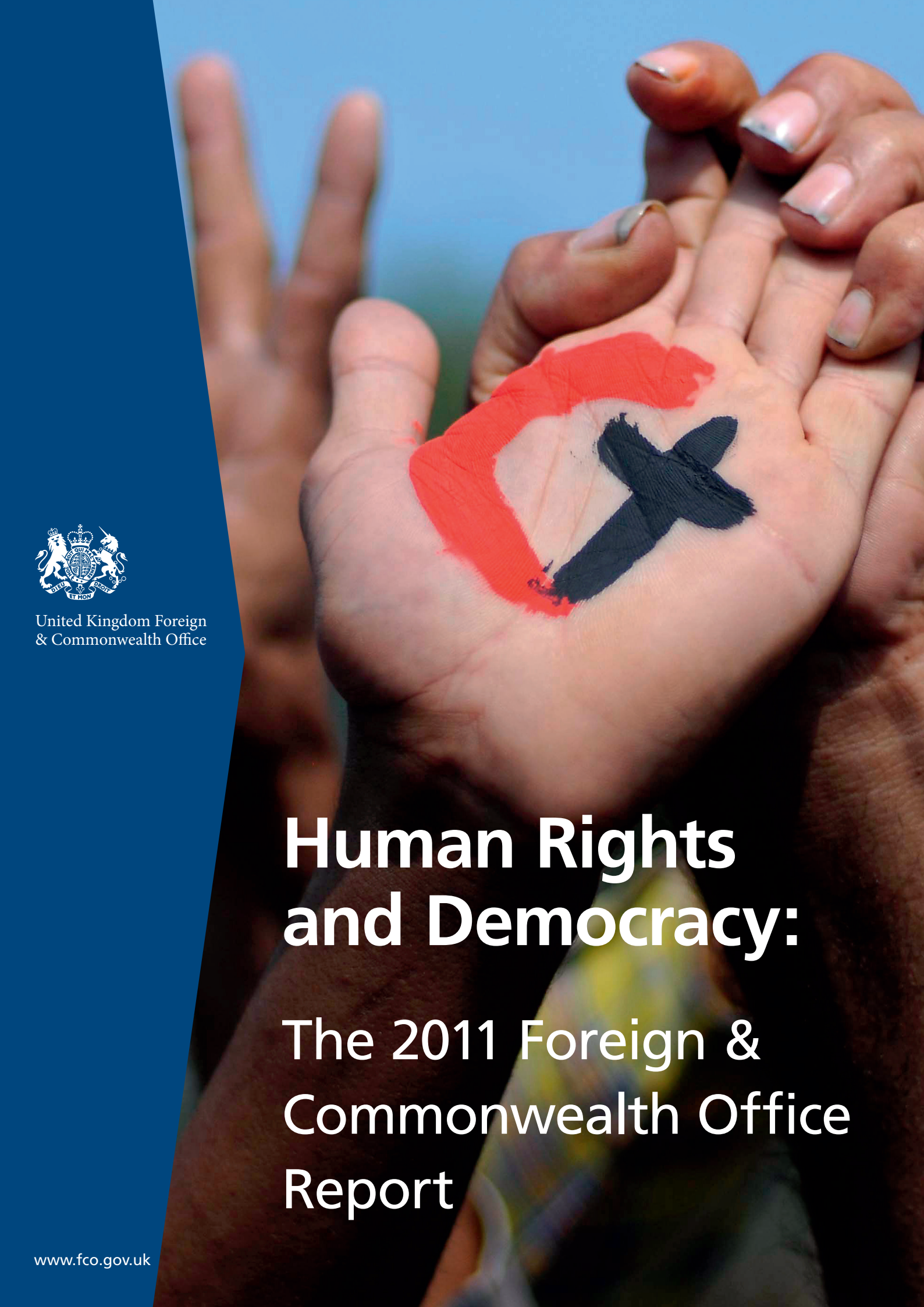

United Kingdom Foreign
& Commonwealth Office

Human Rights and Democracy:

The 2011 Foreign & Commonwealth Office Report

www.fco.gov.uk

United Kingdom Foreign & Commonwealth Office

Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report

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

April 2012

Cm 8339 £47.25

Any enquiries regarding this publication should be sent to us at:
Human Rights and Democracy Department
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

This publication is available for download at www.official-documents.gov.uk

ISBN: 9780101833929

Printed in the UK by The Stationery Office Limited
on behalf of the Controller of Her Majesty's Stationery Office

ID 2485043 04/12 20081 19585

Printed on paper containing 75% recycled fibre content minimum.

FCO 2011 HUMAN RIGHTS AND DEMOCRACY REPORT

CONTENTS

CASE STUDIES

Foreword by Foreign Secretary William Hague

The promotion and protection of human rights is at the heart of UK foreign policy. We are determined to pursue every opportunity to promote human rights and political and economic freedom around the world. Individual demands for a better life can only truly be satisfied in open and democratic societies. The values we cherish inform our policy choices every day as we seek to increase Britain's security and prosperity, and to protect British citizens overseas. I am delighted to introduce the FCO's 2011 Annual Human Rights and Democracy Report.

We made three significant changes to this year's report. First, we have added a section specifically devoted to the Arab Spring. Events over the last year in many countries of the Middle East and North Africa hold the greatest prospect for the enlargement of human freedom and dignity since the end of the Cold War. They have, at the same time, highlighted the many obstacles people continue to face. In this section we look at the way the demand for human rights was a catalyst for events, and the UK's Arab Partnership programme, working with those in the region who want to put in place the building blocks of more open, free societies, underpinned by vibrant economies. The fund of £110 million is enabling us to respond rapidly to events in the region.

Second, this report includes a statement of our priorities. This explains the significance of human rights in our foreign policy together with the resource and effort we are devoting to it.

Finally and most significantly, we have developed a set of case studies to complement our detailed analysis of 'countries of concern'. We have included a total of 28 countries in the 'of concern' category, the highest ever with the inclusion of Fiji and South Sudan. I hope and expect that in the years ahead the countries in that category will change and ideally go down as governments make the changes that we and their citizens are so keen to see. The case studies identify issues of particular importance in countries where we judge their overall human rights record does not currently merit inclusion in the Countries of Concern section. This reflects the real

complexity of the challenges faced in different countries and allows us to move beyond a simple characterisation of countries as of 'concern' or not.

Of the countries of concern, two stand out for me, illustrating both the hopes and the challenges of the Arab Spring. First Libya, where the UK acted in defence of the human rights of the people of Libya. We were instrumental in negotiating UN Security Council resolutions that paved the way for the NATO action to protect civilians threatened by Qadhafi's forces. We led the way to the Special Session of the UN Human Rights Council which took the unprecedented step of expelling Libya from the Council. And we are now working closely with the transitional authorities and our international partners to help ensure that Libya's future is one governed by the rule of law and respect for human rights. And second Syria, where we have undertaken groundbreaking work to send UK experts to the region to document human rights abuses, and where we are at the forefront of international efforts to secure an end to the violence and political transition.

It is also important that we acknowledge where real progress has been made in other parts of the world. The year ended with signs of real hope for genuine and lasting change in Burma. I visited Burma in January 2012, and witnessed first-hand the changes we are now seeing. I met the president and members of the government, who committed to implementing a programme of reform, and Aung San Suu Kyi, where I stressed the UK's support for her and the National League for Democracy's (NLD's) struggle for democratic freedoms. I also heard the concerns and aspirations of different ethnic minorities, including the Shan, Kachin, Karen, Karenni, Chin, Mon, Rakhine and Rohingya communities. Following my visit, the Burmese government signed a historic initial peace agreement with the Karen National Union after 63 years of conflict, and released a significant number of prominent political prisoners. We will continue our efforts to support these positive developments in Burma, and work to support other governments around the world to uphold their international human rights obligations.

In 2012, we will continue our close engagement on human rights with emerging powers such as Brazil and South Africa. In our shifting international landscape, the circle of international decision-making is quite properly widening. We welcome this

and look forward to developing a strong and equal relationship with these countries which share our values.

You can also view latest developments and actions on the countries of concern, as they are updated by our embassies and high commissions every quarter. We gave a commitment to make our reporting current and interactive, which I hope we have achieved by encouraging comments by the public and responding to them on a regular basis. You can also follow our latest work on Twitter: @FcoHumanRights.

Foreword by Minister of State Jeremy Browne

This has been a momentous year for human rights and democracy. The extraordinary events of the Arab Spring have reaffirmed the Government's commitment to embed human rights at the core of our foreign policy. Britain stands for democratic freedoms, universal human rights and the rule of law. As our values are essential to and indivisible from our foreign policy, each minister takes an active interest in human rights, and we raise these issues at every appropriate opportunity.

This report reflects the actions that we, in conjunction with other government departments, have taken to promote our values. As Minister responsible for human rights policy within the Foreign and Commonwealth Office (FCO), I have overseen much of this work. I continue to be proud of our achievements and of the commitment and dedication of our staff in London and overseas in pursuit of our human rights priorities.

The FCO's work on human rights in 2011 has been against the backdrop of the significant events unfolding in the Middle East and North Africa. Once again, these events have shown that the demand for human rights for all is not an imposition of the West, but reflects the legitimate aspirations of people everywhere. The Arab Spring has shown that only reform that embraces human rights under the rule of law will bring long-term stability and prosperity. Free elections were held in Morocco, Tunisia and Egypt. Libya now has a new government after more than 40 years of dictatorship. And we are starting to see positive reforms in Jordan, and in Bahrain with its steps to implement the conclusions of its commission of inquiry into the violence we saw earlier in the year.

But we have a long way to go. Human rights violations are still being reported across the region (including in Bahrain). The Arab awakening was always going to be a long process, taking different forms in different countries, in line with their different histories. The task for us is to remain steadfast in our support for the people of the region who demand their human rights and greater democratic freedoms. Our most immediate problem is Syria, where more than 7,500 people

have been killed and many tortured, with the real possibility of a further descent into conflict. The UK Government along with other countries uses a multilateral approach in its pursuit of human rights. We are, for example, leading EU partners in maintaining pressure on Syria and have urged the UN Security Council for a response to end the violence. The UK was a principal supporter of resolutions at the UN Human Rights Council and the UN Security Council that resulted in authorising military intervention in Libya. We have taken a lead role in securing EU sanctions in Iran, where the regime continues to violate human rights with impunity.

The Arab Spring calls for freedom of expression and democracy have been inspiring for the rest of the world – thousands turned to social media, and bloggers became human rights activists. The importance of defending freedom of expression on the internet was reinforced during the London Conference on Cyberspace, where more than 700 participants from 60 countries took part – including governments, industry and civil society.

One unwelcome side of events in the Middle East, however, has been increased harassment and persecution of religious minorities, as we saw with the violent attacks on the Coptic Christian population in Egypt following the fall of the Mubarak regime. In response, we have stressed the importance of protecting the freedom of religion or belief for all, including the ability to worship in peace, as a vital component of any society.

These changes have brought great opportunity but also risks for women, which the UK is working to address. Through our Arab Partnership Initiative, the UK is supporting greater political and economic participation for women. The UK remains a key supporter of UN Security Council Resolution 1325, the founding resolution for the "Women, Peace and Security" agenda, which aims to protect and empower women in conflict situations. We are actively furthering this work in Afghanistan, Iraq and the Middle East, and in the UK's own security operations. And we are promoting a cross-government approach to tackling violence against women and girls overseas and increasing women's political participation, including through the work of Lynne Featherstone, Ministerial Champion for Tackling Violence Against Women and Girls Overseas.

This year, the Government has taken a number of initiatives to strengthen and improve activity across our global network. We published election guidance, torture-reporting guidance, and global strategies to abolish the death penalty and on torture prevention. We believe the UK is also the first country in the world to publish human rights guidance for our overseas security and justice sector work, which provides a framework to help government officials consider the human rights implications of all the security and justice assistance the UK delivers overseas.

In November, the UK took over the six-monthly chairmanship of the Council of Europe. We have used this opportunity to tackle court reform and place the issue of human rights at the centre of our agenda. We will do this with care and responsibility in a way that seeks to strengthen and not to undermine the important work of the court. This work will continue in 2012, and we are determined to reach agreement on a package of reforms in April.

The UK played a leading role in supporting development of the UN Guiding Principles on Business and Human Rights, which were endorsed by the UN Human Rights Council in June. The Government is committed to working with business and civil society to implement these principles and to promote them overseas. We aim to publish a cross-government strategy in 2012 setting out how we will put this commitment into action.

Despite all our combined efforts, many people around the world are still denied the most basic of human rights on a daily basis. But the events of the last twelve months show that human rights are more important than ever and that governments that ignore this do so at their peril.

SECTION I: The Arab Spring

The Arab Spring has brought an historic opportunity, created and led by the people of the region, to build more open, prosperous societies in the Middle East and North Africa (MENA). Change has been most pronounced in Egypt, Libya and Tunisia, where regimes have been toppled by the power of the people. Yet no country has escaped the reverberations of the Arab Spring. Whilst some countries may gradually be progressing towards more open and democratic societies, in other parts of the MENA region, including Syria and Iran, repression, violence and instability continue.

At its core, the protests that swept the region are about citizens demanding their legitimate human rights and dignity. These universal rights cannot be taken for granted in many countries in the MENA region, where for decades they have been denied by narrowly based security regimes focused on survival and patronage politics.

If the Arab Spring eventually brings more open and democratic societies, it will be the greatest gain for human rights and freedom since the end of the Cold War. If it falters, it risks dangerous instability on Europe's doorstep, and reversion to more authoritarian regimes, conflict and terrorism.

The UK has been and will continue to be clear about our values. The response of governments to the legitimate demands of their citizens must be non-violent. That is why in Libya, we acted swiftly to prevent the massacre of citizens in Benghazi, Misrata and across the country. In Syria, we are working with other nations and the Arab League as it attempts to broker an end to the appalling violence unleashed by the regime.

We are committed to working with the region to help create the building blocks of democratic societies underlined by respect for the universal rights of all citizens.

UK policy prior to the Arab Spring

As set out in last year's report, the Government raised concerns in the course of 2010 about violations and abuses of fundamental human rights in Iran, Iraq, Libya, Saudi Arabia, Syria, Yemen, the Occupied Palestinian Territories and Israel. We urged these countries to provide protection for religious and racial minorities, respect for the rights of women and promotion of the rule of law, and highlighted the need for increased political participation.

The underlying issues driving discontent in the region are long-term and well-documented, for example in reports on human development in the region since 2002. The FCO had introduced policies to respond to these as detailed in the FCO White Papers of 2003 ("UK International Priorities: a Strategy for the FCO") and 2006 ("Active Diplomacy for a Changing World"), which acknowledged the need to support peaceful political, economic and social reform in the Middle East through the work of the "Engaging with the Islamic World" programme fund.

In late 2009, the FCO undertook a policy project to draw together an evidence base and proposed recommendations on what more we could do in partnership with international and regional partners to address root causes of discontent in the region. In July 2010, with Foreign Secretary William Hague's approval, the FCO's director for the Middle East and North Africa established a new team – which is now the Arab Partnership Department – to take this work forward, beginning in autumn 2010.

Although we did not foresee when the Arab Spring would begin, nor the specific catalyst – as no other international actor, academic analyst or opposition group was able to do – the UK was well placed through the Arab Partnership to respond, as we had already prioritised the need to address some of the underlying drivers of discontent in the region.

The causes of the Arab Spring

No single cause was behind the Arab Spring. The demands made by protestors were wide-ranging, and also evolved as protest movements developed. In Tunisia, protests which began primarily over economic frustration, injustice and indignity grew

to voice anger at the impunity of the security authorities and endemic corruption in ruling families and elites.

On 17 December 2010, a Tunisian street vendor, Mohamed Bouazizi, set himself alight in protest at his harassment and humiliation by a Tunisian official who had confiscated his vegetable cart. He died in hospital on 4 January. Mohamed Bouazizi rapidly became a symbol of the frustrations and sense of injustice and indignity felt by many in the region. Whilst his actions were the catalyst for protests in Tunisia, the rapid manner in which they spread across the country and the impact they had across the broader region, particularly in Egypt and Libya, were driven by a range of interrelated demographic, economic and political issues.

The MENA region faces the combined challenge of rapidly growing young populations, rising prices and unemployment. According to figures released by the UN Development Programme (UNDP) in 2009, the region's population more than doubled between 1975 and 2005 to 314 million (UNDP Arab Human Development Report 2009). In 2010, more than 50% of the population was under 25, with large numbers living in poverty.

Economic growth is not keeping pace with population growth and so does not provide sufficient jobs for those entering the labour market. Regional youth unemployment stands at 23%, nearly double the world average of 13%. As an example, unofficial estimates say that young people make up 83% of Egypt's unemployed (Soraya Salti of INJAZ al-Arab, an organisation helping to build entrepreneurial skills among the region's youth, in interview).

The population of Arab states is expected to rise to 380 million by 2015, (UNDP Arab Human Development Report 2009) and the World Bank has predicted that 100 million new jobs will be required by 2020. Abuse of state power through the channelling of public resources for private gain by ruling families and elites was also a key driver of revolutions in Tunisia, Egypt and Libya, where calls for an end to corruption around the ruling families were central to protests. In Morocco, an end to corruption has also been a key demand of the youth-based February 20 movement.

Alongside economic demands and a call for an end to corruption, protesters have also demanded greater political freedom. According to Freedom House, the Middle East and North Africa has the highest ratio of "not free" countries of any region in the world, at 78%

Voice and accountability indicators are consistently low across the MENA region. (UNDP Arab Human Development Report 2009, Annex II, Table 2.) The region is characterised by limited space for political parties, weak legislatures with little authority, elections lacking legitimacy, tightly controlled media environments and restrictions on freedom of speech.

Although not an underlying cause of the Arab Spring, rapid growth in internet penetration and social media networks acted as a driver for protests by allowing new avenues for debate outside state control. In 2010, Egyptians rallied around the cause of Khaled Said, who died in police custody in Alexandria. The Facebook group "We are all Khaled Said" became a focal point for dissatisfaction. Once the Arab Spring began, alongside traditional media and international satellite media channels, online social media played a facilitating role in mobilising protestors.

Khaled Said fell victim to police brutality in Egypt, reflecting the impunity with which security and enforcement agencies were free to act under the former regime. Arbitrary arrest, indeterminate detention, torture and even death in custody were all characteristic of the behaviour of Egyptian security and enforcement agencies. This was the case in all three of the countries (Egypt, Tunisia and Libya) where revolutions have taken place.

The UK's response

The Arab Spring has shown that demands for political and economic freedom will spread more widely and by themselves, not because Western nations advocate these values, but because they are the natural aspirations of all people everywhere.

In his speech to the National Assembly in Kuwait on 22 February, the British Prime Minister set out the parameters of the UK's approach to the Arab Spring – an

approach based on upholding universal values, rights and freedoms, with respect for the different cultures, histories and traditions of the countries in the region.

This approach is both a reflection of UK values and the surest route to achieving long-term stability and prosperity in the region. This does not mean that our policy response is the same in each country – each nation is different and our approach varies accordingly. However, we remain consistent in our belief that more inclusive and open societies underlined by respect for universal human rights are the only guarantors of security and prosperity in the MENA region.

The UK's Arab Partnership, announced in February and expanded in May to a joint FCO–Department for International Development (DFID) endeavour backed by a £110 million fund, has placed the UK in a strong position to respond strategically and rapidly to the Arab Spring, both bilaterally and through the multilateral mechanisms of the EU and G8. The FCO's public diplomacy work in the region is supporting the response – including efforts to improve digital communications, already well advanced before the Arab Spring began.

In our values-based approach to the Arab Spring, human rights are indivisible from our foreign policy. Our ministers and officials have consistently raised human rights issues with their counterparts, and we will continue to push for the further reforms and advances that the people of the region are demanding, which will also bring countries into line with their international legally binding obligations.

Since the Arab Spring began, our support for both socio-economic and political human rights concerns in the region has encompassed a wide range of areas.

Employment and dignity

Our Arab Partnership Economic Facility, overseen by DFID, has partnered with international financial institutions such as the International Monetary Fund and the World Bank to support economic inclusiveness through job creation and better governance.

We are working through strategic partners such as the British Council to improve employability amongst the region's youth. In Jordan, we have partnered with civil society organisations tackling youth employability by providing training and mentoring.

Rule of law

We have been clear in our desire to see the rule of law and due judicial process respected across the region.

In countries where we believe governments are committed to reform, the Arab Spring offers an opportunity to reset relations between the people of the MENA region and their security services. We have offered assistance for security sector reform in Egypt, Libya and Tunisia. In Egypt, the Ministry of Interior has enthusiastically responded to our offer of support; however, it remains to be seen whether this will lead to implementation of reforms. We judge this unlikely until a new Cabinet has been formed later in the year.

We have urged transitional governments to ensure that those who are responsible for atrocities committed during protests be held to account, including those in senior positions of authority. It is primarily for the countries concerned to prosecute and try those responsible for such atrocities. However, we have been clear that we believe that everyone, including former Egyptian President Hosni Mubarak and Saif al-Islam Qadhafi, son of former Libyan leader Muammar Qadhafi, has the right to a fair trial. We have been clear on our long-standing opposition to the death penalty in all circumstances.

In Bahrain, following allegations of torture and other human rights violations committed by security forces during protests in the capital, Manama, we spoke out against the use of Special Military Tribunals for civilian cases and disproportionate sentencing. The government of Bahrain has long been a close ally of the UK, and as a friend we have been forthright in our condemnation of the human rights violations highlighted by the findings of the Bahrain Independent Commission of Inquiry. We have urged the government to ensure full implementation of the inquiry's findings

and have offered practical assistance drawing on UK expertise in the rule of law and human rights.

We are providing support to countries in meeting international norms and standards. Through our Arab Partnership, the UK is helping to fund the International Centre for Prison Studies to build the capacity of the government of Algeria in bringing their prisons up to international human rights and security standards, as well as working with a prominent local civil society organisation to support the development of a more effective juvenile justice system. In Egypt, our support for the Southern Forum for Human Rights and Freedoms helped raise awareness of norms and procedures to be followed during police interrogation. In the Occupied Palestinian Territories, we have provided UK expertise to take forward community-based sentencing as an alternative to custodial sentences.

Case study: Bahrain

Long-standing concerns about discrimination, corruption and marginalising of Bahrain's majority Shia population (lack of job opportunities, access to courts, senior government positions) came to a head in Bahrain in February and March. Protestors took to the streets calling for political and economic reform. The movement quickly spread following the deaths of protestors, and then grew more militant and sectarian as the Bahraini security forces and some protestors responded violently. This led to further unrest and the deaths of 35 people. An estimated 1,950 were arrested after a State of National Safety was declared (see p.264 of the Bahrain Independent Commission of Inquiry report).

In July, King Hamad established the Bahrain Independent Commission of Inquiry (BICI) to look into allegations of human rights abuses that took place during the unrest. The commission had a credible and independent membership, and published its report on 23 November. Its observations concluded that many detainees were tortured to extract confessions, in violation of Bahraini and international law. Mistreatment and physical and psychological abuse while in state custody were noted, including blindfolding, beating, punching, sleep-deprivation, standing for prolonged periods, threats of rape to the detainee or their family members, verbal abuse and religious insults.

King Hamad accepted the commission's findings and promised to act on its recommendations. Just before the report's publication, the Bahraini Cabinet announced a set of amendments to Bahraini law, making all forms of torture criminal offences, imposing stricter sentencing on those committing torture, and lifting the limitation period for claims of torture. Investigations had also been carried out by the Bahraini authorities into allegations of human rights abuses, leading to the intended prosecution of 20 police officers.

Bahrain has announced the establishment of:

- an independent National Commission to oversee implementation of the BICI report;
- a National Human Rights Commission tasked with promoting and enhancing human rights;
- a National Fund for the Reparation of Victims to compensate families of deceased victims; and
- a review of the State of National Safety decree by the Constitutional Court.

Bahrain's human rights performance has shown improvements since the first half of the year, and we recognise that steps have been taken to implement reforms based on the commission's recommendations. But violent clashes continue, as do some reports of beatings and deaths in disputed circumstances. We therefore urge the authorities to deliver on the king's commitment of full implementation to ensure that these abuses will not be repeated. We continue to press all parties to exercise restraint during demonstrations and to show real leadership in order to prevent further violence.

Public voice

An integral part of any society in which citizens' voices can be heard is a free media. After many years of state stranglehold on media outlets, in some countries the Arab Spring has seen a larger space opening up for political debate in the media.

The Arab Partnership has supported projects to enhance accountability by creating new opportunities for public debate, such as the "New Arab Debates" series, which has hosted televised debates on political issues in both Cairo and Tunis, presented by British television journalist Tim Sebastian. We have worked with the BBC Arabic Service, in collaboration with Media Action, to develop new regional programming encouraging political and social debate in which members of the public can hold their leaders to account. In Jordan, Tunisia and Egypt, the Arab Partnership has supported a programme led by the British Council and the Anna Lindh Foundation to provide young people with the skills and opportunities they need to participate in political and social debates.

Political participation

We have provided support for the first elections following political transition in both Egypt and Tunisia. In Egypt, we led support for the Carter Center, enabling them to observe the Egyptian elections, one of the few external bodies permitted to do so by the Egyptian authorities. We supported BBC Media Action and Thomson Reuters to work with Egypt's independent and state media to help ensure fair and balanced election coverage, including through establishing a voluntary code of conduct for the media. In Tunisia, we provided support to a programme of electoral assistance led by the UN Development Programme and have provided expert advice through the International Foundation for Electoral Systems to the Tunisian High Commission for Political Reform.

The UK is committed to the development of democracy and we will, of course, respect the choices of the people of the region. We believe that all parties taking part in politics should follow democratic process and have a clear commitment to human rights, the rule of law and non-violence. We engage with all political groups who meet these criteria.

Case study: Egypt

In Egypt, political, economic and social tensions had been growing for some time before the onset of the protests which resulted in Mubarak's downfall on 11 February. The Foreign Secretary visited Egypt in November 2010 and stressed the importance of a strong secular opposition in ensuring stability. From the early days of the protests, the UK made clear that an orderly transition to a democratic system, through the creation of a broad-based government including opposition figures, was the only way to meet the legitimate aspirations of the Egyptian people. We repeatedly stressed in our engagement with Egyptian interlocutors that, in the short term, it was essential to avoid violent repression and lift restrictions on freedom of expression. We reiterated our strong concerns about the mistreatment of protesters, journalists, religious minorities and human rights defenders.

Following Mubarak's resignation, decision-making power passed to the Supreme Council of the Armed Forces (SCAF), who committed to transfer power to a new civilian and democratically elected government and uphold international and regional treaty obligations. We pressed the Egyptian authorities to put in place a clear timetable to move towards elections and, as part of that process, engage constructively with all opposition movements committed to a peaceful democratic process. The British Prime Minister, accompanied by a trade delegation from the oil, gas and retail sectors, was the first international leader to visit Egypt after the uprising. He conveyed the UK's support for the democratic transition and willingness to develop economic cooperation.

We continued to follow the human rights situation closely throughout the transition. Despite initial improvements in the space available for public debate, we were concerned by increasing limits being imposed on freedom of expression by the authorities. Other areas of concern included an increase in the number of prosecutions of bloggers and activists for criticising the authorities; use of unacceptable violence against peaceful protesters; increasing use of military trials for civilians; virginity tests on women; and allegations of torture and cruel, inhuman or degrading treatment at the hands of the security services. Regrettably, the transition period saw an upsurge in sectarian violence, including in the Cairo district of Imbaba in May and in the Maspero area of Cairo on 9 October, when violent clashes resulted in the deaths of 25 people, the majority of whom were Coptic Christians.

Freedom of association has been progressively restricted over the year, with some civil society groups, particularly those working on human rights and transparency, facing government obstruction and harassment, culminating in raids in late December against local and international organisations. While we recognise the need for regulation of civil society, we have urged the government to ensure that this takes place in a transparent and fair manner.

Ministers raised our concerns about these human rights issues with the Egyptian authorities at every opportunity. The Prime Minister, Foreign Secretary and Deputy Prime Minister all called upon the Egyptian authorities to end the state of emergency during their visits to Egypt. We will continue to urge the Egyptians to put in place legislation that is compliant with international standards on human rights and fundamental freedoms in dealing with public order issues. We will also encourage them to pass new legislation governing the regulation of NGO activity in Egypt.

We believe that Egypt will need to address and improve respect for human rights, through the implementation and enforcement of new legislation and protection in the new constitution.

Religious freedom and rights of minorities

Aside from in Bahrain, where sectarian tensions have been a feature of splits within society for many years, protests across the region in 2011 were generally characterised by an absence of sectarian division.

However, in Egypt particularly, insecurity for the Christian Coptic community has increased over the past year. During the 9 October protest in Cairo against an attack on a church in Aswan province, 25 people died. The Egyptian government has announced that it will issue a new Unified Law on the construction of places of worship, which is to be equal for both Copts and Muslims. We will be watching this carefully. Consultations are ongoing on the draft law. The Egyptian government has also announced new legislation banning protests around religious sites and criminalising sectarian attacks, and an intention to draft a new anti-discrimination law. However, since this was announced, no further developments have been made public.

We welcome efforts led by Al-Azhar, the leading Sunni Muslim institution based in Egypt, under the Beit Al Aila ("Family Home") initiative to encourage constructive dialogue between Christian and Muslim communities to address areas of conflict. We will continue to urge the Egyptian authorities to create the conditions for pluralist and non-sectarian politics and to establish policies which prevent discrimination against anyone on the basis of their religion.

In Tunisia, early signs from the Islamist Ennahda Party, the largest party in the new Constituent Assembly, are positive. Their leader, Rachid Ghannouchi, has publicly advocated a "world that takes account of religious diversity" and has condemned the use of violence against other religious groups. He met Jewish leaders following the elections. Ennahda will be under close scrutiny both at home and abroad to deliver on their promise to take Tunisia down the path of democracy. We will continue to emphasise the utmost importance we attach to respect for the rights of all minorities.

In Libya, recent attempts to re-establish the Jewish community by a Libyan Jew, whose family left Tripoli after attacks on the Jewish community in 1967, have been met with armed resistance from some militia and there is concern that the Muslim

majority are resistant to a multi-religious society. Chairman of the National Transitional Council Abdul-Jalil said in response that all Libyans have "the right to enjoy all rights" and that freedom of religion will be enshrined in the future constitution. We will continue to emphasise to the transitional government the importance of building the future of Libya on a foundation of respect for the human rights of all sectors of society.

In Morocco, the new constitution has enshrined important new minority rights, for example establishing Berber as an official language.

When the Foreign Secretary met with Syrian opposition activists towards the end of the year, he underlined our values-based approach and called for any future Syria to be built on equal rights for all, regardless of religious or racial background.

Rights of women

Gender equality is a key area of focus in response to the Arab Spring. Women played a prominent role, alongside men, in protest movements across the region. Women's participation is a key part of supporting transitions and building stability in the region.

In Libya, the UK funded the first national women's conference, organised by the Voice of Libyan Women, held in Tripoli in mid-November. In Tunisia, we have worked to strengthen women's political and economic participation, including through a voter-outreach programme targeting women voters in rural areas. Throughout our programme approach, we have worked with project partners to ensure that gender issues are taken into account, for instance by working to ensure that training courses for journalists have gender-balanced participation.

In the Occupied Palestinian Territories, we are supporting improved access to family protection units for female victims of domestic violence and developing specialist courts to deal with cases of violence against women.

In Syria, the Foreign Secretary's envoy to the Syrian opposition raised women's rights when meeting senior Syrian opposition figures from across the political

spectrum. Since September, we have ensured that female Syrian activists have been involved in our training for documentation of human rights violations.

Rights of people with disabilities

In Jordan, we worked to strengthen the capacity of the Higher Council for the Affairs of Persons with Disabilities. We are working in Algeria with Handicap International and local partners to strengthen social inclusion of youth with disabilities, including in the provision of education, and to ensure compliance with the international Convention on the Rights of Persons with Disabilities (CRPD).

Countries of concern in the MENA region

In 2011, countries of concern in the MENA region included Iran, Iraq, Israel and the Occupied Palestinian Territories, Libya, Saudi Arabia and Syria. In Iran and Syria, where we have unfortunately been less able to influence the change on the ground that is so desperately needed, our efforts have focused on international scrutiny and raising individual cases. We regret that our human rights work in Iran has had additional constraints placed upon it by the closure of the British Embassy in Tehran, following the overrunning of the Embassy on 30 November by regime-backed paramilitaries. However, we will support the work of the new UN Special Rapporteur for Human Rights in Iran and call on the Iranian authorities to allow the same rights for those in Iran as it claims to support in other countries in the region.

The situation in Syria, despite the presence of Arab League observers, continued to deteriorate in 2011. Increasing violence inside the country hampered our ability to work with local partners in promoting human rights and reforms in accordance with our values. However, we are working with Syrian organisations outside the country and other nations to strengthen the Arab League's efforts to broker an end to the appalling violence.

Future policy – looking ahead to 2012

Our policy approach to protecting and promoting universal human rights in the MENA region in 2012 will remain consistent with the approach we successfully set out in 2011 through the Arab Partnership. We will maintain our values-based approach to the region, based on support for universal rights. Through the Arab

Partnership, we will work towards a more open, democratic and prosperous MENA region, including via our £110 million Arab Partnership Fund, our influencing work with multilateral organisations, particularly the EU and G8, and our support to reformers in the region.

In 2012 we will focus on issues including the protection and promotion of human rights in political systems in transition, and the development of new constitutions. In Egypt, Libya and Tunisia we will work to ensure that fundamental universal rights are enshrined in new constitutions and legislation, including the rights of women and minorities. In Libya, we will work alongside the UN and with the Libyan transitional government to provide support to build a fair and transparent justice system and with civil society to establish an effective system of democratic checks and balances.

In Bahrain, we are ready to help the government to implement the recommendations of the Bahrain Independent Commission of Inquiry and to ensure that there is greater accountability against those who commit human rights abuses.

We will work closely with the UN Human Rights Council, the UN Security Council and the Arab League to end the appalling human rights violations against civilians in Syria.

In Yemen we aim to continue working with international partners to support ongoing political transition and the promotion of international human rights standards. This includes the Yemeni government fulfilling its commitment to investigate credible documented allegations of human rights violations and abuses, and bringing to justice those responsible.

We will maintain our focus on providing support across the region for the rights of minorities, including religious minorities, and the rights of women. We hope to strengthen current ties with local groups and seek to build new partnerships in support of political and socio-economic rights across the region.

SECTION II: The FCO's Human Rights Priorities

The promotion of human rights, democracy and the rule of law is at the heart of Britain's foreign policy. As the Foreign Secretary has said, "It is not in our character as a nation to have a foreign policy without a conscience; neither is it in our interests." The British public expects its Government to act with moral integrity but it also expects the Government to use taxpayers' resources wisely in pursuit of our national interests. For the FCO, these interests are expressed through our three policy priorities: protecting our national security, promoting our national prosperity and providing services to our citizens overseas.

In a networked world our fortunes are intertwined with those of others around the globe. The greatest threats to the UK's security come from societies where governments are not accountable and where human rights abuses go unchecked, which generates the conditions for conflict and instability. By contrast, stable, secure and corruption-free trading and investment environments minimise the risk of political or economic shock, and provide the legal underpinning for the sustainable, long-term business development which is vital to our prosperity. British citizens are safest when visiting, living and working in peaceful, stable societies.

Our approach seeks to ensure consistency in the promotion of our values, and we pursue our strategic objectives, raising human rights violations wherever and whenever they occur and working through the rules-based international system. We focus our resources for proactive work on priority countries and priority issues where we believe the UK is best placed to effect transformational change.

This prioritisation is informed by the Foreign Secretary's Human Rights Advisory Group of eminent experts from civil society, academia and the legal profession, which meets every six months. It has covered three themes that ministers have chosen as policy priorities: freedom of religion or belief; women's rights; and business and human rights. The group's work has been expanded through the establishment of three sub-groups on priority issues where it called for deeper engagement: the abolition of the death penalty; the prevention of torture and cruel,

inhuman and degrading treatment; and freedom of expression, especially on the internet. These thematic priorities are explored in more depth in Section III.

It is essential for us to work with other like-minded countries, and to strengthen the rules-based international system in support of our values. We believe maximum impact will come only if we are effective at mobilising international institutions to protect and promote human rights. The UK is well placed to act through its membership of the United Nations, the European Union, the Commonwealth, the Council of Europe and the Organization for Security and Co-operation in Europe. A key priority is to continue to influence the UN Human Rights Council while working hard to ensure that the UK is re-elected to the council for 2014–16. Another is to use the current UK chairmanship (November 2011–May 2012) of the Council of Europe to drive forward much-needed reform of the European Court of Human Rights.

Our democracy-promotion work focuses on supporting societies seeking to exercise the right to determine how they are governed and the right to hold their governments to account. Our aim is to support the consolidation of democratic transitions without imposing a particular vision of democracy. We seek to use the UK's wealth of expertise flexibly in response to the demands of those going through transitions as, for example, through our response to the Arab Spring.

There are of course other thematic issues that are important in particular countries or regions; we do not neglect these but encourage our embassies and high commissions to decide the priority issues on which to work locally. In countries with poor human rights records and/or lacking effective democratic institutions, part of the focus may be on encouraging reform. In emerging democracies and economies, it may be about spotting and generating opportunities for working together to promote a progressive stance domestically and/or internationally on human rights and democracy. It can be both.

Among the resources we apply to our global priorities is £5 million of dedicated programme money, which we use to support projects run by our embassies and high commissions with local partners. Local priorities are more often pursued through

projects funded through country-specific funds administered by our embassies and high commissions.

Human rights represent an integral part of our foreign policy. All the FCO's embassies and high commissions have a responsibility to monitor and promote human rights. The amount of staff resource devoted varies over time because these responsibilities are carried out at different levels of seniority, in response to developments. For individual staff this work is normally one part of a broader role. We estimate that we have approximately 240 full-time employees equivalent (FTEs) working on human rights across the network, both in the UK and overseas. This includes 25 permanent staff, plus one contracted Human Rights Adviser within the Human Rights and Democracy Department in London.

We will continue to pursue our human rights priorities as part of Britain's foreign policy in a way that remains true to our values. We seek to act in a way that appreciates the complexity and dignity of other nations, and that champions human rights in a principled but effective way. There is more detail on how we have pursued our priorities in the 28 countries of concern in Section IX, and case studies of work on particular themes in Sections III–VIII.

Section III: Promoting British Values

Britain's foreign policy demonstrates to the world who we are and what are our core beliefs. It is rooted in and guided by the values we share and that have been shaped by our history, our culture and our society. These values, engrained in our constitution and institutions, are the essence of modern Britain. They are democratic, progressive and liberal. They reflect the respect for others that runs through our society, and it is this respect that drives the approach we take to human rights both at home and abroad.

As a government and as the FCO we are proud of our long tradition of staunchly and transparently defending and promoting human rights. Our approach to this work will continue to be guided by commitment, pragmatism, transparency and ambition.

Democracy

In the past it has been asserted that democracy is a cultural phenomenon, unique to the West. These assertions have always been wrong, and the events of 2011 – from the eruption of democratic voices across the Arab world to peaceful presidential elections in the Kyrgyz Republic and the first voluntary handover of power in the Central Asian region – have proved them to be so. Calls for democracy have come entirely from within states, affirming that political freedom and democratic government are the natural aspirations of all people everywhere.

The UK believes that democracy is the system of government that provides the best route to building accountable and responsive states able to safeguard human rights and promote development. This belief underpins our Building Stability Overseas Strategy as well as our wider work to advance democracy worldwide. While supporting elections and electoral processes has been central to our encouragement of democracy, we have worked to help protect and promote freedom of expression, a free media and a strong civil society, with particular emphasis on promoting women's political participation.

The unprecedented rise of movements for democratic change seen in 2011 has not yet led to a new wave of democratisation. Democracy remains a highly uncertain prospect. Over the past five years there has been some notable backsliding on previously attained progress in areas such as media freedoms. In 2012, we will therefore continue to work in support of transitions towards democracy and for the increase in democratic norms and freedoms worldwide.

Elections and election observation missions

Peaceful, credible elections that express the genuine will of the voters are the signature of a functioning democracy. They are seen as a key test of the effectiveness of a nation's institutions in upholding fundamental political and civil rights. But if held in isolation from other democratic reforms, or poorly sequenced, they do not guarantee democratisation, and can even generate conflict. They need to be held in an environment of transparency and respect for the rule of law. They are meaningless unless citizens are able to make free and informed choices. A key part of supporting democracy lies in promoting free and fair elections throughout the entire electoral cycle. The UK has done this by providing financial and technical support to projects that strengthen electoral institutions and by supporting international organisations that carry out election observation missions, in particular the EU, the Commonwealth and the Organization for Security and Co-operation in Europe (OSCE).

Election observation helps to increase the legitimacy of elections and reduces the risk of fraud and violence in the transfer of power. In 2011, **the EU** observed elections in Sudan, Tunisia, Chad, Uganda, Niger, Nigeria, Peru, Zambia, Nicaragua and the Democratic Republic of Congo. EU election observation involves the assessment of the strengths and weaknesses of an electoral process, and the presentation of independent recommendations that aim to provide an important basis for improving future elections and deciding on further assistance after the elections.

The **Commonwealth** sent election observation missions to observe elections in Uganda, Nigeria, the Seychelles, Zambia, Cameroon, the Gambia and Guyana. Commonwealth observer groups are independent, but report to the Commonwealth

secretary-general on whether the elections have been conducted according to the standards for democratic elections to which the country has committed itself as a member of the Commonwealth, and provide recommendations on how the process can be further improved. The UK has provided in-country support for Commonwealth observer missions. To further strengthen their efforts, the Commonwealth has created a network of national election management bodies to promote good practice for election management across the Commonwealth. They held a number of working groups during the past year, and will organise a network pan-Commonwealth conference in 2012.

The **OSCE** observed elections in Kazakhstan, Albania, Moldova, Macedonia, Latvia, Bulgaria, Kyrgyzstan and Croatia. We were pleased to receive the Office for Democratic Institutions and Human Rights (ODIHR) report on the May 2010 UK election. The UK welcomes the opportunity to receive independent commentary from international electoral observers who have experience of various systems and processes. As always, ODIHR came up with some thoughtful conclusions to be considered as part of the future development of our electoral system: an example of ODIHR's cooperative and impartial work with OSCE member states.

The continuing value of ODIHR election observation missions was shown most recently by the ODIHR observation of the **Russian** parliamentary elections in December. ODIHR provided a clear and balanced assessment of the conduct of the elections and offered recommendations. The FCO provided support for the work of Golos, the independent Russian electoral rights non-governmental organisation (NGO). This included funding projects such as the online "Map of Violations", a website which enabled people to upload evidence of electoral violations. During the election campaign Golos received over 7,000 complaints, and their observers concluded that the elections "were not free and fair" and "did not comply with Russian electoral legislation [or] international electoral standards".

In 2011, the UK supported elections worldwide including in Sudan, Uganda, Nigeria Zambia and Tunisia. The year began with the January referendum in **Sudan**, where the UK led efforts among the international community in pressing for the referendum to take place peacefully and according to international standards. The Foreign

Secretary chaired a high-level Security Council meeting, which adopted a strong statement in support of full and timely implementation of the Comprehensive Peace Agreement. The UK committed over £10 million to help support technical preparations for the referendum, including civic and voter education and training in professional media reporting. FCO ministers spoke to leading figures in Khartoum and Juba to encourage them through the process, and we enabled the referendum commission to be present to see the ballot papers being printed in the UK. The referendum was hugely successful with a 99% turnout in the South and 60% in the North; 99% of voters voted in favour of secession and, on 9 July, South Sudan gained independence to become the world's newest country. The EU election observation mission, joined by British Embassy staff, judged that the vote was free and fair and met international standards.

In **Uganda**, the UK provided support to the parliamentary and presidential elections in February. Our support, delivered jointly with other donors through the Deepening Democracy Programme, focused on enabling a more informed and pluralistic participation of Ugandan citizens in the political process, so that citizens can hold the state accountable. The programme included technical support to political parties and the Electoral Commission, and support to media to promote accountability. The EU electoral observer mission report found that the elections "showed some improvements over the previous elections held in 2006", whilst noting that there remained some avoidable shortcomings in the administration of the process.

In April, **Nigeria** held its most successful presidential and state-level elections yet. Around 40 million people voted in the presidential election. The UK support helped with a new voter register of 73 million people (up from 35 million in 2007). Together with the US Agency for International Development, the UK supported the world's largest-ever parallel vote tabulation, an IT/text messaging-based system to verify the credibility of voter registration and election-day polling. This system gave us confidence that the election result was in fact credible.

The first democratic elections in **Tunisia** were held on 23 October. Prior to the elections, the UK worked rapidly through the Arab Partnership Fund to provide support. We contributed to a UN Development Programme-led elections assistance

package, supported a voter outreach campaign led by Electoral Reform International Services and worked with the BBC World Service Trust to support reform of the state broadcaster to facilitate impartial electoral coverage. The elections were monitored by the EU, as well as the Council of Europe, the OSCE and others. The EU's chief observer said the elections were an "encouraging first step to democracy", and were generally well-conducted, transparent, underpinned by a strong political consensus and accompanied by extensive freedom of expression. This was an encouraging result, and a positive example for the wider region.

In 2012, the UK will continue to support elections and electoral processes, as well as broadening and deepening democracy programmes, bilaterally, with other donors, and through the work of international organisations.

The Westminster Foundation for Democracy

The Westminster Foundation for Democracy (WFD) is a non-departmental public body sponsored by the FCO. Working with and through partner organisations, it seeks to strengthen institutions of democracy overseas, principally political parties (through the work of the UK political parties), parliaments and citizens' engagement in democratic processes. For the financial year 2011/12, the FCO provided WFD with funding of £3.5 million, and the foundation also attracted £2.1 million funding from other sources such as DFID, the British Council and the EU.

In 2011, WFD adopted a new Strategy and Corporate Plan. This set out a fresh strategic vision for the organisation: "to see functioning multi-party democracies delivering for their citizens" and three strategic priorities including contribution to democracy in post-conflict countries and fragile states, and improving engagement in political processes in weak, emerging or developing democracies.

We can see WFD's strategic vision in action in some of the programmes it undertook in 2011. In **Sierra Leone**, WFD drew on the experiences of Westminster and regional parliaments in Ghana and Uganda to develop a programme to assist Sierra Leone in building skills for its parliamentarians and clerks. In **Kenya**, the foundation helped the Centre for Parliamentary Studies and Training to develop its institutional capacity in readiness for the implementation of a bicameral system after

the 2012 elections. WFD began programmes in **Albania** where it brought together MPs from across the political divide to develop an action plan to strengthen parliament, and in **Serbia** worked with the National Assembly to strengthen the secretariat's support to MPs and committees.

Throughout 2011, WFD increased its presence in the **Middle East**. Through its programme in **Lebanon**, an advisory unit was established inside the parliament to support the two central committees by providing analysis and studies for bills. WFD started new programmes, funded through the Arab Partnership Fund, to support democratic transition in **Tunisia** and **Egypt**. On a regional level, WFD's work with Arab Parliamentarians Against Corruption continued to promote the development of a regional parliamentary ethics system. The foundation also worked to improve female political participation and set up regional benchmarks for public policy development.

The Westminster political parties each have their own business plans, which are complementary to WFD's strategic objectives. These aim to develop mass membership and policy-based political parties in new and emerging democracies, and provide real political choice to the electorate.

For 2012, WFD intends to strive for improved effectiveness in delivering its strategic priorities through better-integrated and multi-year programmes and to be a leader in the field of democracy assistance.

Freedom of expression

Freedom of expression and a free media are fundamental building blocks of democracy, and the gateway to the realisation of many other human rights. Freedom of expression allows space for challenge and innovation; supports transparency and deters corruption; exposes human rights violations; and ensures that people can exchange ideas and make informed decisions.

In a year when many ordinary citizens across the Middle East and North Africa found their voices using social media and blogs, freedom of expression has continued to be repressed. According to studies by both Freedom House and The Economist

Intelligence Unit, there has been a noticeable decline in media freedoms worldwide. This has been true of both the print media, which is often under state control or heavy state influence, and on the internet, where there has been an increase in blocking and censoring. Journalists, bloggers and others have been obstructed in their work by being harassed, monitored, detained or subjected to violence. According to the NGO Reporters Without Borders, 66 journalists were killed in 2011 – 16% more than in 2010 – and 71 were kidnapped; 199 bloggers and netizens (those actively involved in online communities and issues) were arrested and 62 physically attacked.

Throughout 2011, the FCO therefore promoted freedom of expression as an essential element of our work on democracy and human rights. We continued to speak out in favour of freedom of expression, and pressed countries with the most serious attacks to uphold their international obligations. We worked bilaterally, with like-minded governments and through international institutions, raising individual cases where appropriate.

Case study: Rwanda

Rwanda has continued to make impressive progress in social and economic development since the devastating genocide of 1994. But about half of Rwanda's 10 million population remain poor, and over a third of Rwandans, mostly in rural areas, are extremely poor. Given that Rwanda's needs are still very considerable, the UK is increasing its aid to Rwanda. However, we remain concerned about the pace of its democratic transition and respect for human rights.

In January, the Rwandan government's performance was examined under the UN Human Rights Council's Universal Periodic Review (UPR) process. Many countries commended Rwandan progress, such as the abolition of the death penalty, though the UK also expressed concern about its replacement with life imprisonment in solitary confinement. Of 73 Universal Periodic Review recommendations, Rwanda accepted and committed to implement 67. Areas where Rwanda has engaged with the recommendations include:

- **freedom of association**: responsibility for registering political parties (and local NGOs and religious organisations) will be transferred from the Ministry of Local Government to the independent Rwanda Governance Board;

- **freedom of expression**: self-regulation for print media will be introduced. The Media High Council reformed and its remit changed, the Media Law reviewed, and the state media agency replaced with a public service broadcaster.

The UK regularly meets opposition politicians and follows attempts by new political parties to register themselves. A key test of democratic space will be whether genuinely independent parties can register in time for the 2013 parliamentary elections.

The British High Commission in Rwanda chairs the international contact group attended by human rights defenders groups, where our encouragement of open discussion and working with government has resulted in progress on the understanding and expectations of civil society.

Rwanda's commitments on freedom of expression form the basis of an ongoing media reform package announced in June, which the UK has encouraged. But suppression of free media continues. The result of an appeal by two journalists who were sentenced to 7 and 17 years in February for publishing anti-government articles will be another key indicator of media freedom. Defamation remains criminalised in Rwanda, although the maximum prison sentence has been reduced. Rwanda has also signalled it intends to revise the controversial genocide ideology law, often used in high-profile criminal cases against journalists and political opponents, and we are actively encouraging this.

Following incidents of concern in 2010, the UK has sent a clear signal to the Rwandan government that threats to its opponents living in the Rwandan diaspora are not acceptable.

On World Press Freedom Day on 3 May, the Foreign Secretary paid tribute to journalists, bloggers and media workers, who often work at great personal risk in countries with widespread press censorship and restrictions on freedom of expression. In a video message marking the day, FCO Minister Jeremy Browne underlined the importance of having a free and open media. On Human Rights Day on 10 December, the Foreign Secretary renewed Britain's pledge to support freedom of expression worldwide, including on the internet. We invited a range of experts to give their perspectives in a podcast on the role of social media and digital technologies in helping people around the world claim their basic freedoms.

We raised concerns about the treatment of foreign journalists in **China** in February, when several were physically intimidated or detained without explanation. In **Azerbaijan**, support from the UK and others resulted in the release and pardon of blogger Eynulla Fatullayev on 26 May. In July, FCO Minister David Lidington condemned attacks in **Belarus** where more than a dozen journalists were detained, beaten and their equipment broken during peaceful protests. In October, following strong international pressure, including from the UK, the authorities in **Tajikistan** reduced charges against BBC journalist Urunboy Usmonov, who had been arrested for alleged membership of a banned Islamist group. Although found guilty on lesser charges, he was released under a presidential amnesty, again in part due to international interest in the case**.**

We worked through international institutions such as the UN, the OSCE and the Council of Europe to protect the erosion of existing obligations on freedom of expression. At the UN Human Rights Council in February, the Foreign Secretary spoke of the right of people "to raise, gather and express views without the dread of violent retribution". We supported the UN Special Rapporteur on Freedom of Opinion and Expression, Frank La Rue, including through backing the renewal of his mandate in March and welcoming his thematic report on freedom of expression and the internet in June. At the OSCE ministerial in Vilnius in November, David Lidington met Dunja Mijatovic, the Special Representative on Freedom of the Media, and welcomed her constructive approach to engagement with all OSCE participating

states. He spoke of the need “to enable journalists to carry out work vital to functioning democracies without fear of violence or intimidation”.

Our Human Rights and Democracy Programme supported a number of projects to strengthen freedom of expression worldwide. These included efforts to reform media laws in **Vietnam**, working with parliament and the media in **Uzbekistan** to improve understanding of freedom of expression issues, projects in **Azerbaijan, India** and **Sri Lanka** to strengthen freedom of expression on the internet, and a project in **Mexico** to strengthen the media working in dangerous regions.

A particular focus for the UK during 2011 was freedom of expression on the internet. The internet and social media has allowed people who would otherwise never meet to forge new connections, mobilise behind ideas and change the course of history. While the debate around online freedoms mirrors that in the offline world, it is increasingly fuelled by fear among some governments who saw how social media was used during the Arab Spring.

We believe that the right to freedom of expression applies, in principle, with equal force in cyberspace as elsewhere. Britain has worked with other countries to build a wider consensus about freedom of expression on the internet and to guard against the growing trend of the use of the internet as a means of political repression. To assist in the development of our policy, the Freedom of Expression on the Internet Expert Group, chaired by Minister Jeremy Browne, was created and met for the first time in July. This is a sub-group of the Foreign Secretary’s Advisory Group on Human Rights and brings together UK-based experts from NGOs, academics, the media and the business sector. During 2012, we will build on the productive discussions of its initial meetings.

Discussions in various forums throughout 2011 helped to build momentum towards establishing a like-minded international coalition, and promoted working with and between business and civil society. Ministers and UK government officials took part in a wide range of multi-stakeholder conferences including in Stockholm, Silicon Valley, Vienna and The Hague. The London Conference on Cyberspace on 1–2 November provided a further opportunity to discuss openly many of these issues.

We continued to work closely with the Council of Europe, which has significant expertise in ensuring that existing rights and freedoms are respected, and supported the adoption of their Internet Governance Principles. We are taking this work forward as a priority under the UK Chairmanship of the Council of Ministers. We welcomed the multi-stakeholder approach to developing the Organisation for Economic Co-operation and Development (OECD) Principles for Internet Policy Making and supported their formal adoption in December.

Freedom of expression, including on the internet, continues to be a priority for the FCO in 2012. The challenge will be to reframe the international debate firmly around rights rather than restrictions. To do this will we will work bilaterally and with regional organisations such as the Council of Europe and the OSCE; engage with businesses, civil society and states; support the extension of voluntary principles for business; and fund projects to promote and protect free expression.

Case study: London Conference on Cyberspace – Freedom of Expression

The London Conference on Cyberspace on 1–2 November followed the Foreign Secretary's call for an inclusive dialogue between those with a stake in the internet. More than 700 participants from 60 countries took part – including governments, industry and civil society.

Our aim was to make the conference as interactive as possible. During the conference panellists responded to questions directly from the public online; participants tweeted as the debate took place; the event was live-streamed and debated worldwide on social media platforms. More information, including a series of podcasts and the Foreign Secretary's closing remarks, can be found on the FCO website.

The Foreign Secretary opened a panel discussion on freedom of expression on the internet. He spoke of the positive influence of both the internet and social media, but cautioned that too many states around the world are seeking to go beyond legitimate interference, restricting freedom of expression to deter political debate. Many supported the principle that human rights are universal, and apply online as they do offline. Many welcomed the internet's contribution to freedom of expression and its ability to expose human rights abuses as they happen. There was general affirmation that cyberspace must remain open to innovation and the free flow of information. There was recognition, however, of the complexity of the issue and the significant new challenges it poses.

The conference outcome, the London Agenda, has firmly established the importance of promoting freedom of expression online as a key enabler of the social and economic benefits of the internet.

Human rights defenders

Human rights defenders are individuals or groups who act to promote or protect human rights, and include NGOs, lawyers, journalists, academics and politicians. Last year saw the ongoing struggle by many who worked tirelessly to advance personal freedoms, often at great personal risk of harassment, arrest, detention or death. As well as surveillance and physical attacks by the police and security forces, governments have employed other tactics, including restrictions on funding, restrictive registration processes, travel bans and campaigns of defamation and slander.

In 2011, the UK joined other international donors in establishing "Lifeline: the Embattled NGO Assistance Fund". This aims to provide emergency assistance and small grants to civil societies worldwide who are facing increasing repression and harassment because of their work in promoting human rights. The fund is run by a global consortium of international NGOs, but overseen at arm's length by a donor steering committee, of which the UK is a member. To date, seven civil society organisations have been provided with either emergency or advocacy support, allowing them to respond rapidly to crackdowns on civil society, quickly return to work and draw international attention to continuing threats.

We have taken action in support of human rights defenders in international and regional forums such as the UN, the OSCE and the Council of Europe. In April, we supported the renewal of the mandate of the UN special rapporteur on the situation of human rights defenders. In November, despite sharp opposition, we were at the heart of discussions at the 3rd Committee of the UN General Assembly that secured the bi-annual resolution on human rights defenders, calling upon states to "ensure that human rights defenders can perform their important role in the context of peaceful protests". In a statement to mark Human Rights Day on 10 December, the Foreign Secretary paid tribute to the role of human rights activists campaigning for peaceful social and political change via the internet on social networking sites.

The FCO has continued to encourage governments to see human rights defenders as legitimate actors working in the interests of their countries. We remain committed to working with and protecting human rights defenders by implementing the EU

guidelines on human rights defenders. Where appropriate, ministers and senior officials have raised individual cases of persecution or harassment with host governments, and our staff overseas have observed trials and public gatherings.

On 15 December, the Foreign Secretary met Tawakul Karman, the **Yemeni** political activist and recipient of the Nobel Peace Prize. She has been a prominent activist and advocate of human rights and freedom of expression for the last five years and has led regular protests and sit-ins calling for the release of political prisoners. On 11 April, the Deputy Prime Minister raised the case of **Chinese** human rights defender Ai Weiwei and other cases of concern with visiting Shanghai Party Secretary Yu Zhengsheng. On 30 December, Minister of State Browne, in response to raids on the offices of a number of NGOs in **Egypt**, urged the Egyptian authorities to avoid taking action that would make the democratic process less inclusive and inhibit the positive work of these organisations.

We have continued to support human rights defenders in **Belarus**. Minister for Europe David Lidington met Dr Irina Bogdanova, sister of former presidential candidate Andrei Sannikov, and Elena Edwards, the sister-in-law of ex-presidential candidate Aliaksei Mikhalevich, on 30 June. He met the Belarusian Opposition on 15 December and reassured them that the UK would continue to pursue all means possible to maintain the pressure in support of human rights. In a letter published in the *Independent* newspaper on 19 December, the Foreign Secretary joined his counterparts from Germany, Poland and Sweden in expressing concern about repression in Belarus. He raised particular concern about political prisoners Andrei Sannikov, Mikalai Statkevich, Zmitser Dashkevich, Dzmitry Bandarenka and Ales Byalyatski.

In **Kyrgyzstan**, the case of human rights activist Azimzhan Askarov, imprisoned for life in June 2010 for participating in “mass violence and murder”, remains of particular concern. International observers of the original trials reported serious violations, including the failure of the authorities to respond adequately to intimidation of defence witnesses and lawyers, and to visible signs of ill-treatment. On 26 December, we joined EU colleagues in expressing concern about the decision by the Supreme Court to uphold his conviction.

On 13 September, the Foreign Secretary paid tribute to those working to improve the human rights situation in **Iran** at the "Imprisoned in Iran" event organised by *The Times* newspaper. He met Iranian human rights defenders who have had to flee Iran, and civil society groups and journalists who have been campaigning to highlight human rights abuses in the country.

In 2012, we will continue to support human rights defenders, in line with EU and UN guidelines and resolutions on human rights defenders, working to help improve their situation locally, taking action to raise individual cases, and encouraging governments to recognise the role civil society can play.

Case study: UK support for human rights in Mexico

Mexico's military has been deployed domestically since 2006 to tackle violent drug gangs and organised crime. Increasing numbers of civilians, including journalists, human rights defenders, migrants and politicians, have been affected by the violence. Whilst most observers believe that the majority of the 47,515 drugs-related deaths between January 2007 and September 2011 were the result of intra-gang violence, there have also been accusations of human rights violations by the Mexican state. We recognise that the Mexican government has embarked on a series of human rights reforms, such as the decision in June 2011 to give constitutional status to all human rights guaranteed in international treaties to which Mexico is party. Nevertheless, the UK is worried about the number of drugs-related deaths in Mexico.

Human rights are therefore an important plank in our bilateral relationship. The UK, particularly in conjunction with EU partners, will continue to raise human rights concerns and work with the Mexican government and NGOs in support of attempts to stem the violence. On a bilateral basis, during 2011 we discussed these issues with the Mexican government on various occasions at ministerial, ambassadorial and parliamentary level. The Embassy worked with the Mexican authorities on police investigation and judicial capacity-building, in support of the Mexican government's implementation of criminal justice reform. This has directly increased the capacity of the Mexican judicial system in its transition to adversarial justice in Oaxaca, Guerrero and Hidalgo states. In support of freedom of expression, we have worked with NGOs Article 19 (to develop guidelines on provision of information in violent contexts) and Peace Brigades International (to develop protection plans for NGOs who face security risks in Mexico). The Embassy works closely with the EU delegation in the country, conducting EU human rights observation missions to states with specific human rights challenges such as Chihuahua and Tabasco, and issuing public statements on cases of concern.

Criminal Justice and the Rule of Law

Human rights and the rule of law are inextricably linked. What we mean by the rule of law encompasses representative government, an independent judiciary, laws that are consistent with human rights standards and proper systems of accountability. These elements are crucial to the safeguarding of human rights, to ensuring that individuals are treated equally before the law, and to prevent those in power from acting in an unfettered or arbitrary way. The events of the Arab Spring were an important reminder of the anger and frustration felt by individuals when the elements essential to enable the genuine rule of law are not in place.

The international human rights framework documented in the Universal Declaration of Human Rights, and in instruments such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, provides the basis by which we judge human rights in other countries. This is particularly important for countries that have signed and ratified these instruments, thus voluntarily accepting these legally binding principles. We are committed to ensuring that our own actions accord with our values and match those enshrined in international human rights law. In order to assist with our adherence to and promotion of these laws and values, in 2011 we published guidance for staff on reporting information or concerns about torture or mistreatment overseas, as well as guidance for UK Government officials on ensuring that the human rights implications of our security and justice assistance work overseas are fully considered – the Overseas Security and Justice Assistance (OSJA) Human Rights Guidance. We have likewise strengthened our work on promotion of good practice, updating and extending our Strategy for Abolition of the Death Penalty to 2015, and developing and publishing a Strategy for the Prevention of Torture.

The death penalty

It is the long-standing policy of the UK to oppose the death penalty in all circumstances as a matter of principle. We consider that its use undermines human

dignity, that there is no conclusive evidence that it has any value as a deterrent, and that any miscarriage of justice is irreversible and irreparable.

Global abolition of the death penalty continues to be a priority for the UK Government. The international trend towards abolition of the death penalty was maintained in 2011 and we are keen to see this trend continue. The updated Strategy for Abolition of the Death Penalty, published in October 2011, sets out the Government's three goals to support our overarching objective of global abolition of the death penalty. Firstly, we aim to increase the number of abolitionist countries, or countries with a moratorium on the use of the death penalty. Secondly, we want to secure further restrictions on the use of the death penalty in retentionist countries and reductions in the numbers of executions. And, thirdly, we aim to ensure that EU minimum standards on the death penalty, such as fair trial rights and non-execution of juveniles, are met in countries which retain the death penalty. Following careful review, our priority countries (China, the US, Belarus, Commonwealth Caribbean and Iran) remain the same.

In 2011, we worked to achieve our goals through three main channels – bilateral initiatives, through the EU, and through the UN. The Government raised the death penalty bilaterally with a number of our priority countries at both official and ministerial level, including **Japan, the Commonwealth Caribbean, Belarus** and **Singapore**. We made bilateral statements on a number of issues, including on executions in **Belarus** and **Iran**, and encouraged **India** not to break its seven-year de facto moratorium. We have seen signs of progress over the course of the year. In the **USA**, Illinois became the 16th state to abolish the death penalty, and Oregon announced a moratorium in November. **China** revised its criminal code to reduce the number of capital crimes from 68 to 55.

In January, Minister of State Jeremy Browne established the Sub Group on the Death Penalty to the Foreign Secretary's Advisory Group on Human Rights. The group's main objective is to seek advice from experts drawn from academia, the legal profession, NGOs and Parliament, in order to help shape the implementation of our strategy. The group met twice during the year, and discussions focused on

minimum standards on the use of the death penalty and how we might make progress towards abolition in **Kenya**, **Japan** and the **Commonwealth Caribbean**.

On 10 October, we marked the ninth anniversary of the World Day Against the Death Penalty and the fourth anniversary of the European Day Against the Death Penalty. In London and in many of our overseas missions, we worked to promote awareness of our aim of global abolition of the death penalty and focused in particular on the importance of minimum standards on the use of the death penalty. We marked the day with a series of events, blogs, video messages, a podcast and media articles.

We have worked with the EU to create an international voice for abolition. We have raised a number of cases of third-country nationals who are facing the death penalty, including cases in the **USA**, **Iran** and **Belarus**. We have raised the issue of the death penalty through the EU's political dialogues, for example with **Tajikistan**.

In April, the Government introduced controls on the export to the **USA** of three drugs used in the execution process, in addition to the control which we introduced on the export of sodium thiopental to the USA at the end of 2010. Following UK prompting, comparable controls were introduced on an EU-wide basis in December. The UK will continue to work with the commission to improve the effectiveness of the regime in 2012.

We believe that the UK has most directly impacted on progress towards global abolition of the death penalty through our **project work**. For example, in 2011 we funded a project in the Middle East and North Africa region covering **Tunisia**, **Morocco** and **Jordan**, which advocated the abolition of the death penalty and ran training workshops that helped empower local experts and civil society groups to promote abolition. This work has already resulted in enhanced possibilities for civil society to engage with government and policy makers to explore alternatives to the death penalty. In **China**, project work has focused on the use of evidence in death penalty cases, with the aim of subjecting evidence used in criminal cases to more rigorous examination. We worked with a provincial university law school, and local judges, to examine alternative penal policies. Our project work in Commonwealth

countries is described in the text box “Countering the death penalty in the Commonwealth”.

Through the UN, we continued to raise the death penalty in the Universal Periodic Review process, and encouraged countries including **Trinidad and Tobago**, **Singapore** and **Antigua** to formally establish moratoriums on the use of the death penalty with a view to abolition.

In 2012, we will continue to implement our strategy and its three goals. We will work hard to ensure that the biennial UN General Assembly Resolution on the Moratorium on the Use of the Death Penalty again achieves record support, as it did in 2010. This will truly reinforce the international trend towards global abolition.

Case study: Countering the death penalty in the Commonwealth

The Commonwealth is a key channel for furthering our objectives on the death penalty, and in 2011 the FCO sought to enhance its work in this area.

Out of the 58 retentionist countries in the world, 36 are in the Commonwealth. Of those, 15 states are abolitionist in practice and only 11 have carried out executions since 2000. In the last two years, only four Commonwealth member states executed prisoners: Bangladesh, Botswana, Malaysia and Singapore. However, with more than 11,000 people still on death row in the Commonwealth, much work remains to be done. While the Commonwealth Lawyers Association actively pursues an abolitionist policy, many Commonwealth members remain very sensitive about the issue.

In 2011, we raised the death penalty on numerous occasions both bilaterally and in Commonwealth forums. Ministers and officials discussed the issue with a number of countries in the Commonwealth Caribbean as well as others including Singapore, India, Malaysia and Botswana. Our posts undertook a wide range of activity over the year, with particular focus on the World Day Against the Death Penalty on 10 October. We encouraged a lively discussion through a number of seminars, public debates, a podcast, blogs and by funding a public opinion survey in the Caribbean. The Minister of State for Justice raised the death penalty at the Commonwealth Law Ministers' meeting in July, and the Foreign Secretary at the Commonwealth People's Forum at the Commonwealth Heads of Government Meeting in Perth in October. By continuing to keep the subject on the agenda, we hope to foster further debate on the use of the death penalty within the Commonwealth.

We funded a number of projects in 2011 in Commonwealth countries in Africa and in the Caribbean. In Malawi, Kenya, Nigeria, Zambia, Tanzania, Sierra Leone and Ghana we funded the Death Penalty Project to provide assistance for prisoners under sentence of death, and with the aim of introducing further restrictions to the death penalty in these countries.

We funded the Death Penalty Project to conduct work in Trinidad and Tobago and Barbados, providing assistance to prisoners on death row and looking for opportunities, through legislation, to abolish the mandatory death penalty and to introduce further legal restrictions to its use. As a result of this project work, the privy council ruled that the mandatory death sentence for felony murder in Trinidad and Tobago was unconstitutional.

A further project in Nigeria, led by the Legal Defence and Assistance Project, sought to move Nigeria towards abolition of the death penalty through capacity-building for judges, legislators and civil society in six states, and by challenging the use of the mandatory death penalty in specific cases.

The Commonwealth will remain a focus for 2012, when we hope to build on the trend towards abolition.

Torture prevention

The United Kingdom has long held that torture is an abhorrent violation of human rights and human dignity and that its impact on individuals and societies is devastating. There is an absolute prohibition on torture in international law, which is contained in various treaties and is a rule of customary international law, binding on all states. The UK Government consistently and unreservedly condemns torture.

Preventing torture and tackling impunity for those who torture are essential components of safeguarding Britain's security; and they are integral to fair legal systems and the rule of law. Torture prevention work also supports our consular work by helping to reduce the mistreatment of British nationals imprisoned abroad.

FCO policy on torture prevention was strengthened during 2011. In March, the FCO updated and reissued guidance for staff on reporting information or concerns about torture and mistreatment overseas. This is to ensure that our institutional response to torture and mistreatment is as strong as it can be. The guidance reiterates the long-standing policy that our staff must report any abuses they learn about so that, when appropriate, we can take action.

In June, Minister of State Jeremy Browne established the Sub Group on Torture Prevention to the Foreign Secretary's Advisory Group on Human Rights. The group will meet twice per year and comprises members of the Foreign Secretary's advisory group as well as academics, UN and Council of Europe experts and representatives from Amnesty International, the Association for the Prevention of Torture, Freedom from Torture, Human Rights Watch, the International Centre for Prison Studies, Penal Reform International, REDRESS and the World Organisation Against Torture. In 2011, the group discussed the need for consistency across domestic and international policies against torture, opportunities for torture prevention work arising from the Arab Spring and the importance of the UK playing to its strengths in its torture prevention work by making the most of the UK's practical experience of human rights compliant practices, for example, in policing and prison management.

The sub-group discussed in detail the draft of the FCO's first torture prevention strategy, which went on to be published in October as the *FCO Strategy for the*

Prevention of Torture 2011–2015. The strategy outlines three main goals: ensuring that there are legal frameworks in place which are enforced to prevent and prohibit torture; developing states' political will and capacity to prevent and prohibit torture; and helping organisations on the ground, including government and non-government actors, to get the expertise and training they need to prevent and prohibit torture.

Our central torture prevention activity continues to be to encourage states to sign, ratify and implement the UN Convention against Torture (CAT) and its Optional Protocol (OPCAT). As part of this, the FCO funded a project by the Association for the Prevention of Torture in support of national initiatives to ratify and implement OPCAT.

The project activities were focused in Brazil, Colombia, Egypt, Indonesia, Lebanon, Morocco, South Africa and Tunisia. For example, the Association for the Prevention of Torture submitted comments on draft legislation in Lebanon and delivered training to judges, police officials and members of the National Human Rights Institution in Papua, Indonesia. The project funded the Global Forum on OPCAT in November, which brought together representatives from governments and national, regional and international experts and NGOs. Regional groups used this opportunity to draft action plans for torture prevention and implementation of OPCAT.

We supported action against torture through bilateral work to develop and strengthen national preventive mechanisms (domestic bodies that monitor places of detention) and multilateral engagement in the EU and UN, for example, by raising torture as an issue in the Universal Periodic Review process, as well as practical support to criminal justice reform.

We oppose torture in all contexts, but the strategy refocuses our effort on countries where we have serious concerns based on reporting under the FCO Torture and Mistreatment Reporting Guidance, consular cases, UN, NGO and other reports. We will consider where we can make the greatest difference, such as where there is already momentum to implement CAT or OPCAT or make reforms; where we can collaborate with others or are already well established as donors; and where we

have other interests such as security, prosperity and British nationals in prison abroad.

The strategy describes torture prevention activities that UK embassies and high commissions can pursue, including through police, prison and judicial reform and rule of law work. Approaches to torture prevention need to be different for individual countries. In seeking positive changes we must work in partnership with governments and non-government actors in ways appropriate to the societies we are working with. The activities in the strategy contribute towards preventing other cruel, inhuman or degrading treatment or punishment.

In 2012, we will continue to promote the updated Torture and Mistreatment Reporting Guidance and to advance the Strategy for the Prevention of Torture.

International justice system

The Government is committed to the principle that there should be no impunity for the most serious international crimes. The United Kingdom is unique in being actively engaged with all six existing international criminal tribunals: as a State Party to the Rome Statute of the International Criminal Court; as a member of the Security Council, which oversees the International Criminal Tribunals for the former Yugoslavia and Rwanda; and as a major donor and member of the management bodies of the voluntary-funded tribunals for Sierra Leone, Cambodia and Lebanon.

International Criminal Court

Since the International Criminal Court (ICC) was set up in 2002, it has established itself as a cornerstone of international justice. In 2011, its profile was further raised. In February, the United Nations Security Council referred the situation in **Libya** to the court; in October, the court opened an investigation into events in **Côte d'Ivoire**. Both these investigations moved swiftly, with the court issuing arrest warrants in June on charges of crimes against humanity for Colonel Qadhafi, Saif Qadhafi and Abdullah al-Senussi, and the transfer in November to ICC custody of the former Ivorian President Laurent Gbagbo. There was progress in the investigation into the post-election violence in **Kenya** in 2007–8, with the voluntary appearance of six leading Kenyan politicians and government officials at initial hearings in The Hague

(charges against four of the six were confirmed in January 2012). The UK has had a long-standing reputation for promoting and supporting the work of the court, and played a major role as a permanent member of the United Nations Security Council in ensuring that it had the international backing it needed to take forward these investigations. We continue to respond to requests from the court's Office of the Prosecutor for practical assistance, in particular in areas such as financial investigations and access to witnesses.

We made a donation of £500,000 to the court's Trust Fund for Victims, which will assist victims to rebuild their lives and communities. We will continue to explore opportunities to provide further support for victims and for developing national capacity and action to combat impunity.

Throughout 2011, the UK worked to support and develop management and oversight of the court, helping to ensure that it continues to mature as an efficient and effective institution. We played a leading role in the negotiations at the International Criminal Court's Assembly of States Parties in December to agree a budget which reflected the court's increased workload, but which also requires the court to operate efficiently and effectively with a robust and transparent management system.

The first judgment arising from the court's investigation into the situation in Darfur will be produced in 2012, with two other ongoing trials continuing and the first trial opening. Further trial and pre-trial activity is likely to take place on the court's new investigation in Libya, as well as in Côte d'Ivoire. We will work closely with key partners to ensure that the court continues to receive international support and cooperation, and to combat attempts to undermine it.

Sir Adrian Fulford, the UK's judge at the ICC, will come to the end of his term in 2012 and will step down when he completes his current work on the Thomas Lubanga Dyilo trial. He will be replaced by Howard Morrison QC, who was elected during judicial elections at the Assembly of States Parties in December. Judge Morrison is a highly qualified judge and will bring many years of experience, including from the International Criminal Tribunal for the former Yugoslavia. His election ensures that,

following on from Judge Fulford's term of office, the UK will have been continuously represented on the judicial panel for the first eight years of the court's existence.

International Criminal Tribunals for the former Yugoslavia and Rwanda

In 2011, the UK continued its leading role in promoting and assisting the work of the UN's International Criminal Tribunals for the former Yugoslavia (ICTY) and Rwanda (ICTR). We provide regular practical support to the tribunals, including in accessing records and witnesses with links to the trials, and sentence enforcement.

This was a landmark year for the ICTY. The last two remaining fugitives (Ratko Mladić and Goran Hadžić) were both apprehended by the Serbian authorities and transferred to the tribunal to stand trial. This was a seminal moment for international justice and an important step for regional reconciliation. Continued cooperation with the ICTY remains important for progress towards EU membership for the countries of the Western Balkans. We supported the International Commission on Missing Persons to continue its work with the tribunal for the former Yugoslavia and domestic courts, providing DNA reports and expert testimony for war crimes cases.

The UK supports the work of the ICTR in tackling impunity and bringing justice to the Rwandan people. We continue to support the tribunal's efforts to capture all remaining ICTR fugitives.

The UK supports the development of an International Residual Mechanism for Criminal Tribunals (IRMCT). The IRMCT plans to safeguard the legacy of both the ICTY and ICTR, as they complete their trials and appeals. This process includes work to ensure that remaining fugitives face justice, that witnesses remain protected, and that appropriate arrangements are made for the management of each tribunal's archives. As evidence of our support, a UK candidate (Ben Emmerson) was put forward and successfully elected to serve as a judge on the IRMCT.

Extraordinary Chambers of the Court of Cambodia

Case two commenced in November 2011 amid huge public interest. On trial are three of the four remaining senior leaders of the Khmer Rouge regime (the fourth was declared medically unfit to stand trial). The case has been split into three

segments: crimes against humanity (in relation to the forced movement of people out of cities in 1975–6); genocide (of Cham Muslims and Vietnamese); and war crimes (including prison camps). The first segment of the case (crimes against humanity) is expected to last two years.

Following the resignation of the court's lead co-investigating judge in October 2011, a review is under way into his decision not to carry out any further investigations in respect of case three. We, like millions of Cambodians, await the outcome of this review. We also await the outcome of court investigations into a possible case four. Both cases three and four concern alleged senior officials of the Khmer Rouge regime.

In February 2012, an appeal upheld the conviction of Kaing Guek Eav, also known as Duch, who was sentenced to 35 years' imprisonment in case one of crimes against humanity. We will fund a one-off TV programme in Cambodia covering the appeal verdict – the conclusion of a wider TV series which provided information to more than two million rural Cambodians each week on the trial's proceedings.

Throughout 2011, we provided practical support to the court and we supported its efforts to raise funds, which are pledged on a voluntary basis. We will continue to do so throughout 2012.

Special Court for Sierra Leone

With trial activity in Freetown already completed, the only remaining trial at the court is that of Charles Taylor, the former Liberian president. This has now concluded in The Hague and we await a verdict. Mr Taylor is charged with crimes against humanity and war crimes in Sierra Leone. If convicted, he will serve his sentence in the UK under a 2007 sentence enforcement agreement.

Agreeing funding for the Special Court for Sierra Leone, also pledged on a voluntary basis, has grown increasingly difficult in recent years. However, we helped to mitigate the problem in 2011 through securing emergency funding from the UN and led efforts to secure further UN funding for 2012. We will continue to play an active role on the court's management committee throughout 2012, working towards the

establishment of a cost-effective residual mechanism for the court, to ensure that essential functions, such as witness protection and security of the archives, can continue effectively.

Special Tribunal for Lebanon

The past year saw the Special Tribunal for Lebanon (STL) issue its first four arrest warrants for persons suspected to be involved in the assassination of former Lebanese Prime Minister Rafiq Hariri and the death of 22 others in February 2005. No arrests have so far been made. As a strong supporter of the STL, the UK announced a £1 million funding contribution for the tribunal, which brought our total contribution to £2.3 million. We believe it is important that the tribunal process continues to help end impunity for political killings in Lebanon.

International humanitarian law (IHL)

A strong UK delegation actively participated in the 31st International Conference of the Red Cross and Red Crescent which took place from 28 November to 1 December in Geneva. This was an important opportunity to further UK IHL and humanitarian policy objectives, and we made a number of focused pledges on actions that we intend to take in the coming years.

In December, Professor Charles Garraway was re-elected to the International Humanitarian Fact-Finding Commission (IHFFC), an international institution which seeks to ensure the respect for, and faithful implementation of, IHL. Out of the 73 high-contracting parties to the IHFFC, only 15 have members on the commission.

Human rights offenders and entry to the UK

Britain welcomes visitors from around the world – this year even more than ever. But not those who have perpetrated human rights abuses. Foreign nationals from outside the European Economic Area may only come to the United Kingdom if they satisfy the requirements of the Immigration Rules. Where there is independent, reliable and credible evidence that an individual has committed human rights abuses, the individual will not normally be permitted to enter the United Kingdom.

Equality and Non-discrimination

Freedom of religion or belief

Protecting religious freedoms and preventing discrimination on grounds of religion or belief are priority human rights issues for the UK Government. The UK strongly supports the right to freedom of thought, conscience, religion or belief and the right to freedom of opinion and expression as set out in such key international human rights instruments as the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) and the 1981 United Nations Declaration on Religious Intolerance.

Freedom of religion and respect for religious plurality is at the core of British society. In countries around the world, religious freedom is often crucial to ensuring conflict prevention and post-conflict peacebuilding. Indeed, many conflicts have their roots in the tensions between different religious communities. Violence against a religious group can be a forewarning of wider conflict. Freedom of religion or belief is therefore important to achieving the UK's wider security agenda.

At the first meeting of the Foreign Secretary's Advisory Group on Human Rights in December 2010, freedom of religion or belief was identified as a key human rights issue. We worked to strengthen our policy throughout 2011. As part of this, Parliamentary Under-Secretary of State Alistair Burt hosted a conference in July (see the case study on the Wilton Park Conference) entitled "Promoting religious freedom around the world" to discuss how the international community can strengthen its ability to protect religious freedom, and to identify practical actions that can be taken to support those wishing to exercise their right to peaceful worship.

Since 2009, the FCO has been using a freedom of religion or belief "toolkit" to help posts implement our policy in this area. Our embassies and high commissions are encouraged to draw on the toolkit in raising our concerns about religious freedom with host governments whenever issues arise and in taking action on cases of persecution or discrimination. We lobby for changes in discriminatory practices and laws.

In addition, as restrictions on religious freedom vary widely from country to country, we are increasing our focus on how we work in individual countries to ensure that this takes better account of the local situation. We have identified several pilot countries where we will be more focused and proactive in promoting freedom of religion or belief, including by supporting local activity with dedicated funding.

Each of the countries of concern (see Section IX) in this report has a sub-section on freedom of religion or belief which records the issues and developments in 2011. Examples include the murders of high-profile politicians in Pakistan for their views on the treatment of religious minorities and the misuse of Pakistan's blasphemy laws to target specific individuals, deadly bomb attacks on Shia pilgrims in Iraq, and the action we took in response to the death sentence passed on Iranian Church leader Pastor Yousef Nadarkhani, after he refused an order to recant his faith.

In the wake of the Arab Spring, concerns have been raised about the impact on religious diversity in some countries in the Middle East and North Africa. We regularly stress to countries undergoing transitions that respect for human rights and dignity are universal rights which must underline all political systems, without exception, benefiting all. Furthermore, as reiterated by the Minister of State Lord Howell of Guildford, during a debate in the House of Lords in December on Christians in the Middle East, the UK Government believes that the treatment of religious minorities will be a valuable litmus test of whether we are watching a truly democratic process unfold in the region. Sections I and IX of this report contain more detail on specific country issues in the region.

There have been significant developments in other regions. In October 2011, President Nazarbayev signed a new law on religious activities and religious organisations in **Kazakhstan**. It is justified by the authorities as allowing improved regulation of the increased number of religious groups in the country (4,500 estimated) while protecting Kazakh citizens from extremist ideology. We are concerned, however, that it may restrict the freedom of religion for religious activities and organisations through its onerous requirements for registration, its removal of any legal basis for religious groups with fewer than 50 worshippers, its

criminalisation of unregistered religious activity, and its requirement for vetting of religious texts.

We welcome encouraging progress on issues related to religious freedom in **Turkey**. The Turkish government took decisive action in amending the 2008 Law on Foundations, which will see the return of properties confiscated from religious minorities since 1936, and we support their efforts in implementing the new legislation. The return of church services in Sumela Monastery and the Church of the Holy Cross in Akhdamar demonstrated greater freedom of worship. There was continued dialogue with non-Muslim religions. We continue to urge the government of Turkey to address outstanding issues surrounding discrimination against non-Muslim religious communities and to implement the necessary legal frameworks in line with the European Convention on Human Rights and European Court of Human Rights judgments.

Indonesia's constitution provides for "all persons the right to worship according to his or her own religion or belief". In practice, all Indonesians are required to identify themselves with one of six faiths: Islam, Protestantism, Catholicism, Hinduism, Buddhism or Confucianism. Although Indonesia has a strong tradition of religious diversity and tolerance, there has been a rise in the number of attacks on places of religious worship with links to minority faiths in recent years. We frequently raise freedom of religion with the government of Indonesia. For example, on 28 November our Ambassador met the deputy minister for religious affairs and raised UK concerns about religious freedom specifically in relation to the Ahmaddiya and Christian communities. At the most recent EU–Indonesia Human Rights Dialogue on 9 March, the EU condemned attacks on the Ahmaddiya community and incidents of Christian churches being attacked. In response to the sentencing of those involved in an attack on the Ahmaddiya community in Banten in February, the UK fully supported the EU statement of 29 July, which expressed strong concern that "sentences imposed for violent crimes against religious or other minorities should always be commensurate with the gravity of the crimes committed". We will continue to call for religious tolerance across Indonesia and support the efforts of those working to promote pluralism and freedom of religion.

Religion plays an important part in the lives of most Nigerians, and the government of **Nigeria** respects and protects their right to practise and exercise the religion of their choice. The increasing number and scale of attacks on both Christian and Muslim places of worship are of concern because, amongst other things, they raise religious tensions in the country.

The UK took advantage of various opportunities in a number of multilateral organisations in 2011 to raise further the profile of freedom of religion or belief as a priority human rights issue.

The **EU** adopted council conclusions in February reaffirming its strong commitment to the promotion and protection of freedom of religion or belief. These conclusions expressed concern about the increasing number of acts of violence and terrorism against religious communities and called for enhanced EU bilateral and multilateral action to promote freedom of religion or belief.

There were significant developments at the **UN** in 2011**.** The March session of the UN Human Rights Council saw the adoption by consensus of a resolution against religious intolerance, discrimination on religious grounds and negative stereotyping. This marked a welcome break from the focus in recent years on whether the international community should adopt a new international legal standard on "defamation of religions", which the UK opposed as impinging on freedom of expression, and indeed on the right to freedom of religion or belief itself. We are pleased that this new approach was consolidated by a follow-up resolution adopted at the UN General Assembly in December. We will work with international partners to promote more constructive debate on these lines during 2012.

The UK continued to support the EU's UN focus on freedom of religion and the elimination of religious intolerance. The UN General Assembly adopted by consensus the EU's annual resolution on "the elimination of all forms of religious intolerance and of discrimination based on religion or belief." This resolution advocates practical action and reform by states to protect and promote freedom of religion or belief and religious worship, and to ensure non-discriminatory access to public services. It emphasises the positive relationship between freedom of religion

or belief and freedom of expression, and their importance in the fight against all forms of intolerance and discrimination.

In September, the UK hosted a side event at the annual Human Dimension Implementation Meeting of the **Organization for Security and Co-operation in Europe (OSCE)**, aimed at developing a strategy for securing freedom of religion or belief in the OSCE region.

In 2012, we will continue to highlight and condemn all instances of violence and discrimination against individuals because of their beliefs, wherever they occur. In particular, we will assess the impact on religious minorities of political transitions. We will look to build on the bilateral approach to developing our freedom of religion policy, employing more broadly the lessons learned from our pilot countries. We will look at how we can better train FCO staff in the importance of understanding the way that religion influences policy in many parts of the world.

We will continue to promote freedom of religion or belief in international forums. We will ensure that freedom of religion is included in relevant EU country human rights strategies and dialogues, and encourage the development of an EU freedom of religion or belief toolkit for use by EU diplomats overseas. At the UN we will continue to support the EU's resolution on "the elimination of all forms of religious intolerance and of discrimination based on religion or belief" and look to strengthen its language where possible.

Case study: Wilton Park Conference, 3–5 July – Promoting religious freedom around the world

Parliamentary Under-Secretary of State Alistair Burt hosted this event to discuss how the international community could strengthen its ability to protect religious freedom and to identify practical actions that can be taken to support those wishing to exercise their right to peaceful worship.

With many religious communities under threat from discrimination or violence around the world, the conference challenged the international community to demonstrate a willingness to address the core issue of freedom of religion or belief for all. Delegates stressed that a multi-layered approach to religious freedom was needed, combining the human rights aspects with conflict resolution, development and interfaith measures. Governments were urged to address freedom of religion or belief as a mainstream human right inseparably linked with other fundamental freedoms. Participants felt that embassies provided a valuable role in reporting the situation on the ground.

There was a desire at the conference to harness the power of religion in order to promote this universal human right. It was noted that as well as governments, religious groups have a role to play in standing up for the rights of all faiths. Religious leaders have a responsibility with regard to their own communities to speak out against atrocities committed in the name of a particular religion. There needed to be a clear message that an attack on one religious minority was an attack on all. One example offered was the statement issued at an Iraqi religious emergency summit in January by various religious leaders, including Sunni and Shia Muslims as well as Christians, directed at the Iraqi government, that Christians were a fundamental part of the Iraqi people and it is an Iraqi responsibility to defend the Christians and their rights.

We are looking in 2012 at how best to implement the recommendations arising from the conference, including though a possible ministerial-led meeting with leaders of different faiths to examine the scope for greater involvement in supporting our efforts to strengthen the universal commitment to religious freedom. We will focus particularly on encouraging religious leaders to publicly defend the religious freedom of all groups with a view to promoting greater tolerance and respect for all faiths.

Women's rights

Discrimination and violence affect the lives of millions of women and girls worldwide. It impedes their full participation in society and prevents them from realising their full potential. Equality is fundamental to building strong economies and fairer, stable societies. Gender equality and women's empowerment is therefore a human rights priority for the FCO. The UK is a key player in advancing women's rights internationally through our work to promote and protect the rights of women and by encouraging other countries to fully implement their international gender equality commitments. The UK has played a key role in promoting the women, peace and security agenda (see Section IV).

This was an important year for women's rights globally. In March, the Government launched its new cross-government action plan to tackle violence against women and girls. This includes specific actions to underpin the international commitments in the cross-government strategy "Call to End Violence Against Women and Girls", launched in 2010. A progress review of the action plan was published in November, which identified that the majority of actions were either completed or on target to meet their completion date. March also marked the 100th anniversary of International Women's Day. The FCO celebrated the day with activities in London and overseas. Our embassies and high commissions worldwide used this opportunity to participate in a range of local activities to highlight women's rights issues. Activities included ministerial statements, blogging and press articles. In **Russia** the Ambassador held a roundtable discussion with human rights activists who set out long-standing concerns over honour killings, bridal abductions and enforced dress codes in Chechnya and other republics in the North Caucasus. In **Turkey** the consul-general published a women's rights article in a local newspaper. In **Lebanon** the Ambassador held a series of meetings with Lebanese politicians to discuss women's rights. In **South Africa** the High Commissioner gave a speech at a "women and finance" dinner and was interviewed by a local radio station on women's rights issues. In **Cuba** the Ambassador met with Cuban specialists and women ambassadors to discuss the empowerment of women and women's participation in leadership roles.

Lynne Featherstone, Ministerial Champion for Tackling Violence Against Women and Girls Overseas, visited India and Nepal in June 2011, where she met with senior government officials and ministers to discuss a wide range of women's rights issues and to share best practice. She visited Brussels in October to share progress made in the UK on this agenda, and to discuss European-level work with the commissioner (Development, European Commission), the Director General (Justice, Fundamental Rights and Citizenship, European Commission), and members of the European Parliament. In December, Home Office Minister Lynne Featherstone attended the Civil Society Forum on Afghanistan, in Bonn, where she reiterated the importance of the protection of women's rights.

International institutions play a fundamental role in the promotion and protection of women's rights. The UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), ratified by the UK in 1986, is a legally binding international treaty to end gender inequality and promote women's empowerment. In June, the UK submitted its seventh periodic report on progress made over the last four years to comply with our commitments and obligations under CEDAW. The UK Government's in-depth oral examination of the seventh report by the CEDAW committee, who oversee compliance of the convention, is expected to take place in 2013.

In January, the new United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) came into operation. The UK is the second largest donor to UN Women and we have been actively engaged in the development of the agency through our membership of its executive board. We welcomed UN Women's announcement of its intention to make "violence against women" and "women, peace and security" priority issues. The UK actively participated in the annual United Nations Commission on the Status of Women (CSW) meeting in February. CSW is the principal global policy-making body dedicated to evaluating progress on gender equality, identifying challenges and agreeing global standards.

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence opened for signature in May. The convention accords with the Government's strong commitment to combating violence against

women and promoting women's rights more broadly. The UK is generally supportive of the principles underpinning the convention; however, a cross-government consultation has identified a number of areas that need further consideration before a final decision can be made on whether to sign the convention. Consultations will continue in 2012.

We worked to support women's equality through the Commonwealth. Commonwealth Heads of Government committed at their meeting in October to improving gender equality and the empowerment of women in the Commonwealth. This includes working to eliminate gender-based violence and to intensify efforts to promote women's decision-making roles at all levels. They pledged to implement international instruments and agreements on women's rights, including the Convention on the Elimination of All Forms of Discrimination against Women. Her Majesty The Queen highlighted the need for more progress on gender equality in her speech. Historical advancement in the rights of women was made during the Commonwealth Heads of Government Meeting (CHOGM) when heads of government agreed unanimously that laws governing succession to the throne in the UK and in other Commonwealth realms would be changed to allow girls born to future monarchs the same rights as boys.

Our embassies and high commissions worked directly with individual countries to support programmes and projects that encourage the full implementation of international standards to address the structural causes of violence and discrimination against women. Our Embassy in **Uruguay** worked with a local NGO to launch the campaign "investing in women", which linked local businesswomen with vulnerable groups of women to help the latter develop business skills and encourage financial stability and independence. In **Ecuador** the Embassy supported a project which reinforced the Municipality of Quito's campaign "I want to walk in peace – streets without crime". This aimed to reduce harassment of women in public spaces and on transportation by raising awareness of women's rights, including through the use of street theatre. In **India** the High Commission funded an innovative information and communications technology project with the aim of improving coordination and communication between those agencies dealing with the prevention, rescue and rehabilitation of women and children who are victims of

trafficking. The project has been directly responsible for the rescue of a number of trafficking victims, and the new system is being used by various Indian authorities and civil society. The FCO supported a project to build human rights capacity to support extension of CEDAW in the **Overseas Territories** with the aim of working with individual territories to identify the obstacles to extension, and to develop an action plan to help surmount them. In **Rwanda** the High Commission worked with a local organisation to tackle violence against women in minority groups in the Gicumbi region and to encourage women's participation in resolving community disputes. The FCO supported a regional project to strengthen women's rights, with particular focus on violence against women and property rights, in **Sub-Saharan Africa**. This included strengthening capacity of regional lawyers to argue international and comparative human rights law relevant to women's human rights before domestic and regional forums, and increasing understanding of the applicability of new instruments such as the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women. The UK Government worked to tackle female genital mutilation through support of efforts in partner countries that aim to reduce the practice.

Case study: Guatemala – promoting women's rights

Guatemala is one of the world's most violent countries, with much of the violence emanating from a "culture of violence" first experienced in the home. This early learning stays with young people throughout their lives, and many Guatemalans grow up believing that violence is normal. Rompe el Ciclo (Break the Cycle) is a campaign led by young people for young people, which aims to bring about real generational change to these perceptions.

Our Embassy in Guatemala City has provided financial, logistical and practical support to this group for the last two years. In 2011 the Embassy helped to publicise the campaign around Guatemala, using social networks and a modern approach to diplomacy, including the hands-on support of the Ambassador. We helped Rompe el Ciclo to prepare for a spectacular event that took place at the start of 2012: a human chain reaching from the bottom to the top of the iconic Agua Volcano, giving the message, loud and clear, that violence in the home is not acceptable.

The UK has been instrumental in supporting young Guatemalans involved in Rompe el Ciclo to start to bring about a change of attitude. The campaign now has more than 29,000 followers on Facebook and is supported by numerous organisations, businesses, NGOs and the government. Meanwhile, thanks partly to the Embassy's efforts throughout the year, the volcano climb was fully subscribed, helping Rompe el Ciclo to grow further and deliver its vital messages on stopping violence in the home.

Looking ahead, the hope is that the success of the volcano climb will help the project to grow and possibly go regional. Human chains will be formed on a different volcano each year for the next decade, the time it takes to start generational change, and to begin to make domestic violence history.

Children's rights

Children are a particularly vulnerable group in society. Discrimination and violence against children can impact on their health and education and put them at higher risk of abuse, exploitation and trafficking. The FCO works through international institutions, including in Europe and the UN, to promote and protect the rights of children

In early 2011, the FCO chaired a UK cross-government meeting on child trafficking, which brought together other government departments working on this issue to discuss the UK response to tackling trafficking both domestically and internationally. The Government's Human Trafficking Strategy, which includes child trafficking, was published in July and recognises the need for diplomatic engagement with other countries to tackle this international issue. The UK's application to opt in to the EU Directive on Human Trafficking was accepted on 14 October. The new directive takes a victim-centred approach to combating trafficking, including steps to protect child victims.

In March, the UN Human Rights Council discussed and adopted a resolution on a holistic approach to the protection and promotion of the rights of children working and/or living on the streets. The EU will co-host a full-day panel discussion on children and the administration of justice at the Human Rights Council in 2012. In 2011, the EU Working Party on Human Rights (COHOM) began to review the EU Guidelines on the Rights of the Child (2007). These discussions will continue in 2012. The UK played a key role within the EU in ensuring that robust language, including on the elimination of child labour, was included in the 2011 UN General Assembly resolution on the promotion and protection of the rights of the child.

In 2011, the UK submitted a report on the measures we have taken to comply with our obligations under the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and another report on measures to eliminate the worst forms of child labour, both in the UK and internationally under International Labour Organization Convention 182. Discussions on the draft Third Optional Protocol to the Convention on the Rights of the Child to establish a complaints and communication mechanism, under which children will be

able to bring allegations of violations directly to the UN Committee on the Rights of the Child, concluded in June. The text was adopted by the UN General Assembly in December and the Optional Protocol will be opened for signature by member states in 2012. The UK Government will be considering, in consultation with the devolved administrations, the implication of the final instrument for the UK and our next steps in 2012.

Our embassies and high commissions play an important role in our work on children's rights. Our embassies in **Cambodia**, **Thailand**, **Vietnam** and **Philippines** worked together with the UK Child and Online Protection Agency to protect children from exploitation, to take action to deter travelling sex offenders and to contribute to the development of the International Child Protection Network (ICPN). Activities have included knowledge transfer to law-enforcement agencies regarding best practice on case management when offences are suspected, and training around 800 people from child-related agencies and NGOs on safeguarding children and supporting child victims. The ICPN brings regional partners closer together, and has started supporting British companies in the region to develop child protection policies. In **Ghana** the High Commission supported a project to train unemployed youth in the Eastern Region in craft skills, with the aim of encouraging self-employment and deterring youth migration. On completion of training, participants are linked to the Municipal Assembly's self-support programme to help them establish their businesses and identify a suitable market for their products. Information on children and armed conflict can be found in Section IV.

Case study: A multi-agency approach to protecting vulnerable children within the Jamaican criminal justice system

The British High Commission in Jamaica is funding a child protection project aimed at reducing the trauma suffered by child victims of abuse within the Jamaican criminal justice system. The project is introducing new structures, systems and procedures for the reporting and investigating of child sexual abuse cases. Under the first phase of the project in 2008, an audit was conducted of child protection systems in Jamaica as a result of a visit by the then children's advocate and the executive director of the Family and Parenting Centre to the Child Protection Conference in Havana, Cuba in January 2008. This was followed in 2009/10 by the development of a strategic development plan, based on recommendations from the audit, to guide the current implementation phase.

Building on FCO-funded work, in 2009 DFID provided funding to the Jamaica Constabulary Force to refurbish interview suites, install video-recording equipment and train 24 police officers to use the equipment to interview child victims and witnesses. Judges, magistrates and clerks have been trained in the use of video-recorded testimony as evidence in chief in child abuse cases. Full implementation of this is awaiting amendments to the Evidence Act now before parliament.

The current phase of FCO work (2011/12) is focused on piloting a multi-agency approach for investigating reports of child abuse. Working with the Office of the Director of Public Prosecutions (ODPP), the project is addressing procedures to divert suitable cases from the criminal justice system to welfare and rehabilitation, where the alleged offender is in a relationship with the victim and is less than 18 years of age, and to reduce the number of appearances of child victims at preliminary court hearings. Schools guidance counsellors have now been incorporated into the model, and the health services will be integrated shortly.

As a result of the success of the pilot project, which was implemented in Kingston in January 2011 and evaluated in October 2011, the multi-agency model was rolled out to three parishes around Montego Bay in January 2012.

British High Commission funding to date is £205,000.

Lesbian, gay, bisexual and transgender rights

The Government is committed to the promotion and protection of the rights of lesbian, gay, bisexual and transgender (LGBT) people as an integral part of its wider international human rights work. It is our view that to render consenting same-sex relations illegal is incompatible with international human rights law, including the International Covenant on Civil and Political Rights (ICCPR). Despite this, same-sex relations continue to be criminalised in over 70 countries, and discrimination and violence against LGBT people because of their sexual orientation and gender identity continues, including in countries where legislation exists to protect LGBT people.

The UK believes that human rights should apply equally to all, and in this regard we oppose all forms of violence and discrimination against LGBT people. We promote and protect the rights of LGBT people through international institutions including the UN, EU, Council of Europe and the Commonwealth. Through these institutions and through our embassies and high commissions we take action on individual cases where persecution or discrimination has occurred and lobby for changes in discriminatory practices and laws. In March the Government published *Working for Lesbian, Gay, Bisexual and Transgender Equality: Moving Forward*, an action plan to underpin implementation of the commitments in the cross-government strategy launched in 2010. In November, the Government launched its first ever action plan to advance transgender equality, *Advancing Transgender Equality – a plan for action,* which includes international commitments to advance transgender equality through the UN.

Our embassies and high commissions lobby and work with civil society organisations to change attitudes and behaviour towards LGBT people. For example, to mark International Day Against Homophobia and Transphobia, our Embassy in **China** raised awareness of LGBT rights through a media and online digital campaign. In **Hungary** our Embassy hosted the LGBT Business Forum, which brought together different groups and companies to share experience and explore initiatives that could be implemented in the workplace to support their LGBT employees. The Embassy issued a joint statement with several like-minded embassies in support of the Budapest Pride Festival and flew the rainbow flag during the Pride March. In

Slovakia the Ambassador participated in a panel discussion on LGBT rights. The event resulted in raised awareness among Slovak policy makers on human rights issues and contributed to better acceptance of the LGBT community by the mainstream society in Slovakia.

The UK played an instrumental role in building international support for the UN statement on "Ending acts of violence and related human rights violations based on sexual orientation and gender identity" in March. The statement was issued on behalf of 85 countries worldwide – the highest ever number of signatories to a UN statement on this issue. **South Africa** introduced the first UN resolution on "Human rights, sexual orientation and gender identity" at the UN Human Rights Council. Despite strong opposition, including contrasting views from their regional neighbours, this resolution was adopted in June. This is the first time that violence and discrimination on the basis of sexual orientation and gender identity has been addressed by a UN resolution. As FCO Minister of State Jeremy Browne said following adoption of the resolution: "This is a groundbreaking achievement and one which should be celebrated." The resolution called for the High Commissioner for Human Rights to commission a global study on human rights violations on the basis of gender identity and sexual orientation, and to provide guidance on how existing human rights law can be used to end violations against LGBT people. The UK welcomed the publication of the results of this study in December. An expert panel and interactive session to discuss the results will take place at the Human Rights Council in March 2012.

At the Commonwealth Heads of Government Meeting in Perth in October, the Government worked pragmatically to support open and frank discussion on the situation of LGBT people in the Commonwealth, while underlining our own commitment to the global decriminalisation of homosexuality. Government ministers took every opportunity to raise LGBT rights at all levels. The Foreign Secretary was clear about the UK's position when he told the Commonwealth People's Forum that "The UK would like to see the Commonwealth do more to promote the rights of its lesbian, gay, bisexual and transgender citizens." In November, the UK took over the chairmanship of the Council of Europe. Combating discrimination on the grounds of

sexual orientation and gender identity has been identified as one of our priority areas for our six-month chairmanship.

There were positive developments during 2011 to advance the rights of LGBT people in some countries. For example **Liechtenstein, Sao Tome and Principe, Nauru, Seychelles** and **Brazil** launched or announced plans to introduce legislation to further recognise same-sex relations. The **United States of America** repealed the "don't ask, don't tell" policy for homosexuals serving in the US military.

However, we do have concerns about developments in some countries. In **Russia** we have worked with the EU and Council of Europe to lobby the government against introducing a law banning literature promoting homosexuality. In **Cameroon** we were instrumental in EU efforts to raise human rights concerns with the government, including for minority groups such as LGBT people. In **Nigeria** we have urged the government not to introduce legislation criminalising same-sex marriage. We are also concerned to see the return in early 2012 of a Private Members Bill which would strengthen the anti-homosexuality legislation in **Uganda**. We have lobbied strongly against the bill and continue to do so. We are working closely with Ugandan civil society groups on this issue, and continue to raise our concerns at the highest levels of the Ugandan government.

Disability rights

The Government is committed to equality for disabled people, and aims to remove barriers and create opportunities for disabled people to fulfil their potential and be fully participating members of society. The UN Convention on the Rights of Persons with Disabilities, now ratified by 109 countries, not only creates legal obligations for states parties, but also provides a basis on which to promote equality for disabled people in the UK and all over the world. We are using our role as host nation of the Olympic and Paralympic Games in 2012 to highlight the power of sport to deliver the vision of the convention.

In March, the UK Mission in Geneva organised a three-week exhibition focused on the London 2012 Paralympic Games, with images, films and displays of Paralympic medals and memorabilia demonstrating how sport can be used to deliver the aims of

the Convention on the Rights of Persons with Disabilities and empower disabled people. The event was launched by International Paralympics Committee President Sir Philip Craven, together with Ban Ki-moon's Special Adviser on Sport for Peace and Development, Wilfried Lemke, and British Paralympic swimming legend David Roberts.

UK embassies around the world used the Paralympics theme to mark the International Day of Persons with Disabilities on 3 December. Activities included a "walkathon" in Dhaka, organised with the Bangladesh Olympics Association and local disability groups, and a talk by famous Paralympian Natalie du Toit in Pretoria. FCO Minister Jeremy Browne highlighted these and other activities in his statement to mark the day, where he repeated the UK's commitment to making London 2012 the most accessible games ever.

The Government continues to work towards equality and inclusiveness for disabled people in other ways. In November, the UK submitted its report to the UN Committee on the Rights of Persons with Disabilities, the body which monitors implementation of the convention. Having developed a system of review to address the issue of safeguards in the arrangements enabling the appointment of a person to collect and claim benefits on behalf of someone else, the UK was able to withdraw its reservation to Article 12.4 of the convention in November.

We are supporting the candidacy of British expert Diane Mulligan for election to the committee in 2012. If elected, she will bring a wealth of experience and skills to its work.

In the UN General Assembly, the UK supported a resolution granting a permanent increase in meeting time to the Committee on the Rights of Persons with Disabilities, in recognition of the committee's requirements for reasonable accommodation. We supported a resolution convening a Heads of State and Government-level meeting in 2013 focusing on how to ensure the inclusion of persons with disabilities in all aspects of development. We were concerned that some states were reluctant to allow full participation by civil society representatives at the meeting, and for this reason the UK, along with EU partners, did not co-sponsor the resolution. We

believe that open dialogue with a wide range of organisations will be an important aspect of the meeting in 2013, and we will be working hard to ensure full participation for civil society groups.

Indigenous rights

Indigenous and tribal peoples are often among the most marginalised individuals in society. With little local government representation, many have experienced the loss of tribal lands or damage to their communities by the activities of others. They can be the victims of local aggression and violence.

The Government is committed to promoting and protecting human rights for indigenous people, helping them participate in civil society or through democratic processes to achieve land restoration or to tackle the issues that face their communities.

In **Colombia**, we worked with Christian Aid to promote land restitution and to encourage local communities to participate in the democratic process for restitution of land rights. In **Cambodia,** we funded a project by a Cambodian non-profit, non-governmental organisation, the Advocacy and Policy Institute, to secure changes in regulations to protect the fishing rights of indigenous communities and to promote more effective collaboration between these communities and the Cambodian government. In **Guatemala,** our Embassy continues to work with the EU Filter Group on Human Rights to monitor and promote the rights of members of indigenous communities. In **Bolivia,** we funded a preventative educational campaign to combat violence against women in the indigenous communities in Tarija. Its objectives are to empower victims to speak out and to train leaders to deal with incidences of violence. In **Brazil,** our work on indigenous issues is coordinated with our EU partners through the local EU Human Rights Group. We participated at the high-level EU–Brazil Human Rights Dialogue in May, where indigenous issues were discussed as an agenda item. As a result of the priority placed on this work, the EU is currently funding four projects, totalling £379,000, to promote indigenous rights across Brazil.

Racism

The UK Government remains fully committed to the international fight against racism. Our priority in international discussions is to focus attention on the real and pressing problems faced by racial minorities in all parts of the world, and to do so while protecting well-established human rights, and using credible and objective monitoring mechanisms.

We strongly believe that the UN Committee for the Elimination of Racial Discrimination (CERD) is a key mechanism for combating racism globally. During August, the UK's record was examined by the committee. We held a positive dialogue with them and were pleased that they welcomed the notable efforts we have taken to tackle racial discrimination and inequality, and the important progress we have made in this area. The Government will give careful consideration to CERD's recommendations. In a year's time, we will, as requested by the committee, provide further information on four of their recommendations.

In other UN forums, we welcomed the renewal of the mandate of the UN Special Rapporteur on Contemporary Forms of Racism at the March meeting of the UN Human Rights Council. Looking forward, we accepted a request by the UN Working Group of People of African Descent to visit the UK in 2012.

We did not attend the high-level meeting at the United Nations in New York in September to commemorate the 10th anniversary of the 2001 World Conference against Racism. Despite our strong commitment to action to combat racism, we preferred not to be associated with the commemoration of an event which was tainted by anti-Semitism and intolerance. We joined a number of other countries in not participating in the September meeting, including the United States, Canada, Israel, France, Australia and Germany.

Although we did not attend this meeting, the UK is continuing to play an active role in the intergovernmental working group tasked with following up the 2001 conference. We are committed to remaining at the heart of the UN racism agenda and to following up our Durban commitments. We contributed to the group's sharing of best

practice on combating racism by providing information about legislative and other measures that the UK had taken to prevent and combat racism, racial discrimination, xenophobia and related intolerance, including against migrants. An example was the adoption of comprehensive legislation on hate crime, and measures taken to promote racial equality. We were pleased that the group was able to find consensus on an agreed way forward.

During the autumn session of the UN General Assembly, greater flexibility from the Group of 77 countries allowed us, with EU partners, to abstain on the final resolution on follow-up to the Durban Conference instead of voting against it, as in 2010. We will continue to work for improvements to this annual resolution, which continues to include unwarranted infringements on freedom of expression, and to pay selective attention to the needs of some victims of racism over those of others. Meanwhile, we moved from an abstention to a vote against the annual Russian resolution on "contemporary forms of racism", in response to much stronger language restricting freedom of expression.

The OSCE held a number of meetings and high-level events throughout 2011 to maintain a focus on combating racism, with particular emphasis on public discourse. These included meetings on the topic of "Confronting Anti-Semitism in Public Discourse", a high-level meeting on "Preventing Hate Incidents and Crimes Against Christians" and a meeting to discuss "Confronting Intolerance in Public Discourse". The OSCE held a supplementary human dimension meeting on the "Prevention of Racism, Xenophobia and Hate Crimes through Educational and Awareness-Raising Initiatives" at which Mrs Doreen Lawrence, mother of murdered British teenager Stephen Lawrence and founder of the Stephen Lawrence Charitable Trust, was the keynote speaker. The meeting included a roundtable on contemporary forms of racism and xenophobia affecting people of African descent in the OSCE region.

In 2012, the Irish Chairmanship-in-Office plan to make racism in sport one of their priorities for action during the year. We will be offering our full support to this initiative.

Roma

We are concerned about the continuing violence and discrimination that Roma face in many parts of Europe. While the primary responsibility for promoting their inclusion lies with individual countries, we believe that international cooperation has an important role to play. In 2011, our embassies across Europe took a number of actions to help to promote the rights of Roma people.

In **Hungary**, the Embassy sponsored a number of activities to promote the integration of the Roma community and raise awareness of the importance of human rights in general. The Embassy supported and hosted the launch of the Roma Police Union's youth programme initiative, through which disadvantaged Roma children in the countryside are provided with after-school activities organised by Roma law-enforcement officers. The Ambassador opened an Embassy-sponsored Tolerance without Boundaries event, which highlighted the importance of mutual acceptance of different nationalities and ethnicities. The Embassy worked with the Chance for Children Foundation to improve the opportunities for Roma children in schools.

In **Romania**, the Embassy brought experts from the UK-based NGO Equality to share best practice in Roma education with local authorities and education professionals. The Embassy co-funded a conference for health mediators to improve access for the Roma to the Romanian healthcare system. The Embassy has regularly raised the situation of the Roma with State Secretary Valentin Mocanu, who has responsibility for coordinating the Romanian government's strategy on the Roma, and hosted a briefing by State Secretary Mocanu and EU embassies on Romania's Roma inclusion strategy.

In May, the EU adopted Council Conclusions on an EU Framework for National Roma Integration Strategies up to 2020. The conclusions are designed to improve the situation of the Roma in member states' territories by combating social exclusion, discrimination and inequality. Given the differences in size and the social and economic situation of the Roma populations, the conclusions acknowledge that member states are free to pursue policies on Roma inclusion that fit their national circumstances. The conclusions provide latitude to member states to tailor

their approaches to national needs by preparing, updating or developing sets of policy measures within broader social inclusion policies by the end of 2011, as an alternative to developing national Roma integration strategies. In a UK context, the definition of "Roma" used in the council conclusions includes Gypsies and Travellers.

The Organization for Security and Co-operation in Europe (OSCE) Human Dimension Implementation Meeting in October held a Special Day on Roma and Sinti, which focused on effective responses to intolerance and on partnership between participating states and representatives of Roma and Sinti groups in the implementation of integration policies. The special day was particularly timely and relevant this year, coming shortly after a number of anti-Roma protests in the OSCE area.

The Government will continue to oppose discrimination and barriers to the exercise of fundamental rights in 2012. The EU will review the status of the Roma inclusion strategies and the headline targets in the fields of employment, education and social inclusion in 2012.

The UN High Commissioner for Human Rights expressed concern in 2011 regarding the clearance of unauthorised pitches at **Dale Farm** travellers' camp in Essex, UK. The Foreign Secretary replied, stressing that this was a long-standing unlawful development and explaining that the outcome had been tested through an extensive legal process, including reconsideration through appeals and judicial review. He added that it was important that the law applies equally to everyone.

Anti-Semitism

In accordance with our commitment to combat all discrimination on the grounds of race or ethnicity, the Government is committed to confronting anti-Semitism wherever it is found. The UK cross-government working group on anti-Semitism, which includes representatives of Jewish community organisations, is focusing on taking forward the recommendations of the 2006 All-Party Parliamentary Inquiry into Anti-Semitism. In December 2010, the Government presented its first progress report on this process, with input from the FCO on work we have done to raise anti-Semitism issues in international forums. The United Kingdom has recognised the damage caused by anti-Semitism and other expressions of hate on the internet, where it can incite hatred more widely and promote hate crime. As well as working to establish legislation that promotes free speech but protects against threatening behaviour which stirs-up hatred, the UK has been working within international bodies to promote shared activity to reduce the harm such hatred causes.

The Organization for Security and Co-operation in Europe (OSCE) continues its efforts to promote international cooperation to combat anti-Semitism. UK Government representatives attended a high-level OSCE meeting on Confronting Anti-Semitism in Public Discourse in Prague in March. Confronting hate speech on the internet was one of the themes for the meeting, along with the role of the media and political and civil society actors in promoting tolerance and preventing hate crimes. The UK national point of contact on combating hate crimes will continue to represent the Government in this forum, including by contributing towards the OSCE's Office for Democratic Institutions and Human Rights' annual report on hate crime in the OSCE region.

In October, the UK Parliament hosted the first meeting of the Internet Task-force of the Inter-parliamentary Coalition to Combat Anti-Semitism. The task-force includes strong UK representation and will take forward work to bring parliamentarians, experts and industry representatives together. The goal is to identify global solutions to reduce harm whilst protecting free speech. The task-force will report in 2012.

Post-Holocaust issues

In accordance with the Stockholm Agreement of 2000, the UK Government remains strongly committed to ensuring that the Holocaust is never forgotten and that its lessons are learned by future generations. The Foreign Secretary's Envoy for Post-Holocaust Issues, Sir Andrew Burns, continued his work to draw together activity across government and with academic and non-governmental experts, to provide a clearer British international profile, presence and influence, and to respond to the concerns of Holocaust victims and their families.

A busy year culminated in three major developments in December. The Task Force on International Cooperation on Holocaust Education, Remembrance and Research (ITF), of which the UK is a founding member, met in The Hague to agree a new multi-year work programme and stronger mutual pressure on all member states to improve the ways in which they teach, research and commemorate the Holocaust. The new work programme will give priority to the study of the killing sites across Europe (where more Jews died than in the extermination camps), to renewing efforts to open up closed public and private archives, the wider dissemination of good practice in Holocaust teaching in schools, and on raising the profile of Holocaust remembrance days. The organisation agreed to change its name to the International Holocaust Remembrance Organisation (IHRO) with effect from March 2012.

Secondly, the Government signed the new agreement to modernise governance of the International Tracing Service's (ITS) unique archive from the era of National Socialism. The archive, situated at Bad Arolsen in Germany, consists of millions of records from wartime concentration camps and from post-war displaced persons' camps in the three Allied sectors of Germany, as well as the results of enquiries into individual cases made over the past 65 years. Sir Andrew Burns is leading the search for a new director of the ITS in Bad Arolsen to take over when the International Committee of the Red Cross steps down from that role at the end of 2012.

Finally, the Foreign Secretary hosted a reception to mark the agreement to bring to the UK a digitised copy of the ITS archive. The digital copy will be housed in The Wiener Library Institute of Contemporary History, which already holds the UK's

largest collection of documentary materials from the Holocaust and Nazi era. It will allow remaining Holocaust survivors, refugees and their families, as well as British historians and researchers, unparalleled access to this unique body of material. We hope that the archive will become publicly available as soon as possible in 2012, and we are encouraging those with an interest in the archive to support it financially.

Other work included continued efforts to promote implementation of the Terezin Declaration, which encouraged the 46 signatories to address Holocaust-era restitution issues more vigorously. The European Shoah Legacy Institute (ESLI), which should take a lead, has been slow to get off the ground, and we have raised our concerns about lack of implementation of the declaration with a number of European governments, especially Poland. We are discussing with the US and other governments, and with interested NGOs, whether a proposed conference in 2012 can make practical and measurable advances.

In May, the UK pledged £2.1 million towards the Perpetuity Fund of the Auschwitz-Birkenau Foundation to ensure the conservation, restoration and long-term maintenance of the memorial site, which is visited by many thousands of British school children and other visitors each year. The Rt Hon Eric Pickles, Secretary of State for Communities and Local Government, visited Auschwitz-Birkenau, the Oskar Schindler Factory Museum and Jewish Community Centre in Krakow in December.

Numerous activities in the field of post-Holocaust issues have been carried out by our academic and non-governmental partners in the British delegation to the International Task Force. The Government pays tribute to all its partners. One example is the London Jewish Cultural Centre, a leading provider of Jewish education and culture in the UK, which launched a unique new Holocaust education website at the FCO in January with the participation of Secretary of State for Education the Rt Hon Michael Gove and Minister of State Alistair Burt. The website is designed to help school children aged between 11 and 14 with their studies on the Holocaust.

On Holocaust Memorial Day, the Foreign Secretary called for an active approach to preserving the memory of the Holocaust. The theme of the Holocaust Memorial Day Trust's main event was Untold Stories, which focused on using the written or oral testimonies of survivors and the stories of their lives to gain a better understanding of the experiences of the families, communities and friends who were lost. The goal of the trust is to commemorate the victims and help to translate the lessons learned into contemporary action in the UK. The theme for 2012 is Speak Up, Speak Out.

SECTION IV: Human Rights in Safeguarding Britain's National Security

The security of the United Kingdom is inexorably linked with events overseas – particularly conflict. The current international terrorist threat has its roots in current and recent conflicts. It was violence in Libya that drove the UN Security Council Resolution that led to UK military forces being committed to action.
Human rights violations are often the cause, as well as a symptom, of modern conflict in fragile states; terrorist organisations frequently cite perceived human rights violations as a core part of the narrative justifying their actions. It is therefore vital that human rights considerations continue to be a key part of our national security work overseas. That may mean helping other countries to remove potential drivers of conflict; or it could mean seeking to resolve, or at least minimise, the impact of conflicts where they already exist. It certainly means ensuring that the Government continues to hold itself to the highest standards as we conduct our own national security business at home and overseas.

Countering Terrorism

The UK Government is clear that our work overseas must always be proportionate and consistent with our commitment to human rights. Success in counter-terrorism depends on international collaboration. This is crucial to our efforts to stop terrorist attacks in the UK and against our interests overseas by detecting and investigating threats at the earliest possible stage, disrupting terrorist activity before it can endanger the public and, wherever possible, prosecuting those responsible.
In July, the Home Secretary published a revised version of CONTEST, the UK's counter-terrorism strategy. This revision reflected the changing nature of the threat to the UK from international terrorism, and the latest developments in Government policies on counter-terrorism such as the review of counter-terrorism and security powers. The aim of CONTEST is to reduce the risk to the UK and its interests overseas from terrorism, so that people can go about their lives freely and with confidence.

The leadership of al-Qaeda is probably weaker now than at any point since 9/11. Al-Qaeda's ideology was largely irrelevant in the recent political changes in North Africa and the Middle East. But al-Qaeda, and groups sympathetic to its aims, continues to pose a significant threat. Terrorist attack is the greatest security threat to the 2012 Olympic Games in London.

Overseas Security and Justice Assistance (OSJA) Human Rights Guidance

In December, we published guidance for UK government staff on assessing the human rights implications of our security and justice work overseas. The guidance is part of a package of improvements that responds in large part to the events of 2011, and our wider commitment to strengthen and uphold the record of the United Kingdom as a defender and promoter of human rights and democracy. The guidance will ensure greater consistency in the human rights approach to security and justice assistance overseas across government; it will help our staff to identify applicable legal obligations; and it will ensure that our security and justice activities, whilst meeting the UK's national security priority, are consistent with a foreign policy based on British values, including human rights.

UK security and justice assistance to international partners to tackle threats such as terrorism, serious organised crime and conflict, and to support sustainable development, remains crucial to implementing our foreign policy and development priorities. This type of work strengthens our relationships with other governments, increases our prospects for future cooperation with security institutions, and can have a direct impact on our security interests.

At times, security and justice assistance means working with countries, institutions or units where we have concerns about their adherence to and respect for human rights and democracy. Often, it is these very countries or institutions where security and justice assistance is most needed. While it is in our national interest to continue to provide such assistance, in doing so we must ensure that such assistance supports our values and is consistent with applicable domestic and international human rights obligations.

The OSJA guidance is a reflection of our determination to ensure that when we provide assistance in these countries, we do so in a manner that promotes, rather than undermines, human rights and democracy.

The Government is committed to being as clear as possible about the standards under which our officials operate. It is for this reason that we published the *Consolidated Guidance to Intelligence Officers and Service Personnel on the Detention and Interviewing of Detainees Overseas, and on the Passing and Receipt of Intelligence Related to Detainees* in 2010, and why we took the decision to publish the *Overseas Security and Justice Assistance (OSJA) Human Rights Guidance* in 2011.

Counter-terrorism Programme work

Countering terrorism is one of the Government's key priorities at home and abroad, with resources devoted to it by a number of departments and by the intelligence agencies. The Counter-terrorism Programme (CTP) is the FCO's largest strategic programme fund, reflecting our focus on safeguarding Britain's national security. Human rights are fundamental to the CTP and in particular to our work to improve the capacity of overseas agencies to detect, investigate and disrupt terrorist threats. At times, we cannot tackle the terrorist threat at source, overseas, without building this capacity in countries where we have concerns about respect for human rights. Many of our projects target these concerns directly, aiming to improve human rights compliance. In all cases we ensure that the assistance we provide is supported by our values and is consistent with our domestic and international human rights obligations.

In 2011, we funded projects developing forensic and crime-scene-management capacity, where the aim was to help relevant agencies overseas to generate usable evidence in counter-terrorism investigations, including where previous practice was to rely on forced confessions. Training funded by the CTP in 2011 will lead to improved practice in Pakistan, Somaliland and Kenya, amongst other places. In 2011, we funded the training of police and other units in a range of countries involved in detaining terrorist suspects. In all cases, the training has emphasised

compliance with international human rights standards and the importance of securing convictions through legal means.

In 2012, we will initiate activity aimed at improving legal compliance through key stages of the criminal justice process, focusing on terrorism prosecutions, and working with governments in East and West Africa and in South Asia. Human rights will feature strongly in all training and advice provided.

Case Study: Ethiopia – Anti-terrorism Proclamation

Ethiopia faces a genuine terrorist threat. In August 2009, the Ethiopian government signed into law the Anti-terrorism Proclamation (ATP). While sharing similarities with UK anti-terrorism legalisation, the ATP broadened the definition of terrorism, extended both police and prosecution powers, and allowed for suspects to be held without charge for up to four months. The ATP has drawn significant criticism from human rights groups, who claim the government uses it to stifle dissent, with harsh penalties including death or life imprisonment for those convicted.

In 2011, approximately 200 grassroots opposition and 45 senior opposition leaders and independent journalists – including two Swedish journalists – were arrested under the ATP. Two opposition-party spokesmen had met representatives from an international human rights group days before their arrest.

British government officials have observed a number of ATP-related trials. The evidence presented in court suggests that some of the accused have done no more than attempting to build support for anti-government demonstrations. Such charges would not constitute a crime under UK legislation.

A number of independent journalists operating in Addis Ababa complain that they are fearful of being charged with terrorism while taking part in genuine journalistic work, causing them to self-censor.

In the context of defending its citizens' safety, the Ethiopian government – as with any government in the world – must ensure that those same citizens' fundamental rights are not compromised. Ethiopia is one of the UK's most significant development partners. Senior UK Government officials and ministers regularly raise human rights issues – including the implementation of the ATP – with the Ethiopian government.

Deportation with Assurances

In 2011 we continued with our policy of Deportation with Assurances (DWA). The year began with Lord MacDonald QC's review of Counter-terrorism (CT) Powers, which endorsed our approach on DWA and recommended that it should be continued and extended. The Government's revised CT Strategy, CONTEST, reaffirmed extending DWA as a Government priority.

DWA is an alternative action available to us when our preferred option of prosecution is not possible for foreign nationals who threaten our national security. However, we will never deport an individual if there are substantial grounds for believing that there is a real risk of torture or other cruel, inhumane or degrading treatment in their destination country, or where the death penalty will be applied.

With DWA, we will seek public and verifiable assurances from the country concerned that the individual's human rights will be respected on their return. We have existing DWA arrangements with Algeria, Jordan, Lebanon and Ethiopia and, in September, the Foreign Secretary signed a DWA-related Memorandum of Understanding (MOU) with Morocco; negotiations over the monitoring arrangement are still ongoing. These arrangements include independent monitoring mechanisms, for which the UK has funded capacity-building. For example, in 2011 we supported the training of monitoring bodies in Ethiopia and Jordan, in assessment and reporting on judicial processes and detention practices in those countries.

We recognise that DWA attracts criticism from the human rights community. However, individuals have the right to appeal against deportation. DWA cases are closely scrutinised by the UK courts, who have endorsed our approach as compliant with the European Convention on Human Rights. For example, in July 2011 a Ethiopian terrorist suspect, designated J1, had his appeal dismissed at the Special Immigration Appeals Commission (SIAC). In March 2011, a group of seven Algerians whose appeals had been dismissed by the Court of Appeal were granted permission to appeal to the Supreme Court; their cases will be heard early in 2012.

On 17 January 2012, the European Court of Human Rights found that the proposed deportation to Jordan of Abu Qatada would be in violation of his Article 6 rights (the

right to a fair trial), because there was a real risk that evidence obtained by torture would be used against him in a criminal trial on his return to Jordan. However, the court found that deportation to Jordan would not be in violation of Article 3, noting the strength of our MOU with Jordan and sharing the view of our domestic courts that the assurances given by Jordan could be relied upon.

We will continue to seek new DWA arrangements in 2012, including considering DWA cases without an overarching framework arrangement, and conduct an independent review.

The Detainee Inquiry

The Prime Minister is committed to ensuring that the serious allegations made about the UK's past role with regard to the treatment of detainees held by other countries, and in respect of the illegal transfer of detainees from one country to another, are examined thoroughly and lessons are learned. The Government stands firmly against torture and cruel, inhuman and degrading treatment or punishment. We do not condone it, nor do we ask others to do it on our behalf.

In August, following the publication of the terms of reference and protocol, a number of NGOs and lawyers representing former Guantanamo Bay detainees announced that they would not participate in the Gibson Inquiry. The Foreign Secretary particularly values the knowledge and expertise of the NGOs on detainee issues, and was therefore disappointed by this decision.

On 12 January, the Metropolitan Police Service announced further police investigations of new allegations of ill-treatment. The Government therefore decided to bring the work of the Gibson Inquiry to a conclusion, as there appeared no prospect of it being able to start without considerable further delay. Sir Peter Gibson agreed that the inquiry would provide the Government with a report on its preparatory work to date, highlighting particular themes or issues which might be the subject of further examination. The Government intends that as much of this report as possible will be made public.

The Government proposes to hold an independent judge-led inquiry into these issues, once all police investigations have concluded, to establish the full facts and draw a line under these matters. The Foreign Secretary is clear that consideration of such sensitive information will always require a fine balance to be struck between public scrutiny and national security.

Guantanamo Bay

The UK Government believes that the indefinite detention of detainees is unacceptable, and it remains the view of the Government that the Guantanamo Bay detention facility should be closed as soon as possible. No detainees were released from Guantanamo Bay during 2011. The last remaining former UK resident in Guantanamo Bay is Shaker Aamer. The UK Government is clear in its desire to see Mr Aamer released and returned to the UK, and is committed to using its best endeavours to secure this result.

His case was raised with the US at both ministerial and senior-official levels throughout the year. This included seeking further information from US authorities when we received specific reports of ill health or allegations of mistreatment. The Foreign Secretary raised this case with the US Secretary of State in May and December. Ultimately, the decision on whether to release Mr Aamer remains one for the US authorities. We are examining the 2012 National Defence Authorisation Act to see what impact it might have on the prospects for his release and the eventual closure of Guantanamo Bay.

Green Paper on Justice and Security

On 19 October, the UK Government published a Green Paper on Justice and Security. Responding to an increase in the number, range and complexity of cases where sensitive material is relevant, the Green Paper makes proposals on the way in which sensitive material is dealt with in the full range of civil judicial proceedings. The proposals are designed to enable the courts to consider material which is too sensitive to be disclosed in open court, thereby enabling the Government to be held to account and defend its actions properly.

To ensure that the public has confidence that the Government's national security work is robustly scrutinised, and that the bodies that undertake this work are as credible and effective as possible, the Government has taken the opportunity provided by the Green Paper to examine options for strengthening independent oversight arrangements for our security and intelligence agencies.

In developing proposals, the Government is guided by a series of key principles, which protect rights to justice and fairness and uphold the Government's commitment to transparency, whilst ensuring that our security and intelligence agencies can continue to keep the public safe.

Public consultation on the Green Paper closed on 6 January 2012. Following a thorough analysis of these responses, the Government will prepare legislation for Parliament.

Counter-proliferation of Weapons

The UK Government supports a responsible defence industry that helps to meet states' legitimate defence needs. But there remains a risk that governments intent on internal repression or territorial expansion, as well as international terrorist organisations and organised crime networks, may seek to acquire weapons, either legally or illegally. The effect of these weapons can remain long after their use; for example, mines, cluster munitions and other unexploded remnants of war can stay in the ground for decades.

The Government remains committed to ensuring that the legitimate arms trade is properly regulated. Our export-licensing system responded effectively to reduce the risk of arms exports being used for human rights abuses. The year saw important progress toward a global Arms Trade Treaty. We continue to work with UN member states, and with civil society, towards our shared goal of a robust and effective treaty. We continue to be strong advocates for the inclusion of human rights and international humanitarian law in the treaty.

Export licensing

A rigorous, responsible and transparent export-licensing process is vital to ensure that arms exports uphold the stability and security of recipient countries and the human rights of their people.

The Department for Business Innovation and Skills (BIS) is the licensing authority for strategic arms exports from the United Kingdom. The Foreign and Commonwealth Office (FCO), and others act as policy advisers, providing BIS with advice and analysis of the foreign, defence and international development policy aspects relevant to the consideration of each licence application. Each export licence application is assessed on a case-by-case basis against the Consolidated EU and National Export Licensing Criteria and in light of the prevailing circumstances. The criteria have at their core the UK's determination to support the responsible arms trade, which is in line with our international obligations and our opposition to internal repression and external aggression.

When making export-licensing decisions, the Government takes into account the nature of the equipment, the end user and information about how similar equipment has been used in the past. We consult widely across our teams in the UK and abroad and use information from NGOs and the media. We aim to make a full assessment of, amongst other considerations, whether there is a clear risk that the proposed export might be used for internal repression. If that is the case, we will not issue a licence. The Government has also introduced a new licensing-suspension mechanism to suspend consideration of licence applications to countries experiencing sudden conflict or significant turmoil.

As the events of the Arab Spring unfolded, the fast-changing nature of events across the region meant that it was increasingly difficult to make full and predictable assessments about in-country situations, and it became clear that there was an increased risk that equipment we had already licensed might be used to suppress protests in ways inconsistent with the licensing criteria. As a result, the Government quickly decided that it was necessary to review extant licences to these counties (i.e. licences already issued but for which the goods had not been exported) alongside applications for new licences. Further to these reviews, we revoked a number of

licences for countries in the region where we felt circumstances had changed significantly so as to lead to a change in the level of risk since the original decision had been made. These were licences where we assessed that there was now a clear risk that the equipment in question might be used for internal repression or that the equipment could provoke or aggravate existing tensions in the country. We continued to assess new applications for licences on a case-by-case basis taking into account the rapidly changing circumstances in the region.

We reviewed all extant licences to **Egypt** in February, following the violent unrest in Cairo, and revoked 36 standard individual licences. We judged that a number of licences remained consistent with licensing criteria such as naval navigation and radar equipment. Since the unrest we have continued to monitor the situation in Egypt closely, paying particular attention to the risk that goods might be used in internal repression or to aggravate existing tensions in the country.

When demonstrations in **Libya** escalated in mid-February, the Government immediately reviewed all valid licences for Libya and quickly revoked a number of extant licences for riot-control equipment, ammunition and tear gas in view of the deteriorating situation. The Government had always taken particular care when approving licensing decisions for Libya, for example agreeing to licences where the provision of equipment was accompanied by training or to very specific end users. Nevertheless, following the events of February, it became clear that the risks of exporting to Libya had changed significantly and, as the large-scale violence continued into late February, it was decided to take a more cautious approach for all military licences. BIS had revoked all remaining licences for military-rated equipment as well as crowd-control equipment to Libya by the end of February.

The UN imposed an arms embargo on Libya through UNSCR 1970 (2011) and 1973 (2011) on 26 February and 17 March respectively, and these measures were brought into force in the UK by subsequent EU council regulations. This prohibited the export of military or paramilitary equipment to Libya unless allowed by the terms of the embargo – for example for humanitarian purposes, the media, or for UN peacekeeping. As amended by UNSCR 2009 (2011), exemptions can now be

applied to equipment that is used to support the objectives of Libya's transitional government.

FCO Review of Arms Export Policy

On 16 March, the Foreign Secretary announced to the Foreign Affairs Select Committee that the Government would review the sales of arms which could be used in internal repression. This followed concerns expressed by Parliament, non-governmental organisations and the media about the possibility of UK-origin military goods being misused in conflicts across the region.

All relevant FCO officials and ministers were involved in the review, which considered evidence supplied by all relevant government departments and British embassies. The review found no information to suggest that any of the controlled military goods used by governments in the Middle East and North Africa region against their own populations were supplied from the UK.

The review indicated a number of areas where the export-licensing process, already one of the world's most robust, could be improved. The Foreign Secretary announced a package of proposals to Parliament on 13 October, including a new mechanism which would allow immediate licensing suspension to countries experiencing a sharp deterioration in security or stability. Export licence applications in the pipeline for such a country would be stopped and no further licences issued, pending ministerial or departmental review. Suspension would not be automatic or invoked lightly, but triggered, for example, when conflict or crisis conditions changed the risk, or made conducting a proper risk assessment difficult.

The Foreign Secretary proposed the introduction of a revised risk categorisation, based on objective indicators and subject to regular review, which keeps pace with changing circumstances, including human rights violations. This will increase oversight by ministers, including of individual licence applications.

As a result of these changes the FCO will ensure that export-licensing policy is more responsive to rapidly changing circumstances, particularly political instability. The changes will bring more structure and consistency to the gathering of export-related

information. Our embassies and high commissions will be able to provide more information on the human rights situation in-country, including by following the new Overseas Security and Justice Assistance guidance. We will encourage embassies and high commissions to undertake or facilitate the more difficult task of end-use monitoring of controlled military goods, particularly in high-risk countries, bearing in mind both the practical and resource limitations.

Since the review, government officials have worked to implement the proposals, including referring more licences to ministers for goods with a possible use in internal repression which are destined for Middle East and North African countries and elsewhere.

Cluster munitions

Cluster munitions can have a devastating humanitarian impact on civilian populations. Mines, cluster munitions and other unexploded remnants of war can remain dispersed and undetected for decades, threatening the lives of civilians and hampering post-conflict reconstruction and development.

In 2008, a number of governments, including the UK, came together to negotiate and adopt the Convention on Cluster Munitions (CCM). This important treaty prohibits the use, development, production, acquisition, stockpiling and transfer of cluster munitions. The UK became the 32nd state party to the CCM in 2010. By the end of 2011, less than two years after coming into force, the CCM already had 111 signatory states – a clear example of what can be achieved when governments and non-governmental organisations work together.

The UK withdrew all cluster munitions from operational service in 2008. By the end of 2011, two thirds of these munitions (some 25 million sub-munitions) had been destroyed. Under current plans it is our intention to destroy the remainder by the end of 2013, which is five years ahead of the deadline imposed by the CCM. This represents an early and dedicated effort to realise, as quickly as possible and in a safe, secure and environmentally responsible manner, our obligation to destroy munitions that are prohibited under the convention. We have shared the

experiences gained and lessons learned from this stockpile destruction programme with other signatories.

The UK continued to play a full role in delivering our treaty obligations with regards to international cooperation and assistance during 2011. Between 2010 and 2013, we have committed more than £30 million to international mine action work. This includes the clearance of mines, cluster munitions and other unexploded remnants of war. We have allocated significant additional funding for mine action work in Afghanistan and Libya.

We continued to use relevant bilateral and multilateral meetings in 2011 to encourage non-signatories to join the CCM. In October, the UK, in partnership with non-governmental organisations and the International Committee of the Red Cross, hosted a workshop for Commonwealth countries, opened by Foreign Office Minister Lord Howell.

The UK played an active part in the Second Meeting of States Parties to the CCM, which took place in Beirut from 13 to 16 September, using the opportunity to reiterate our continued full commitment to the convention and to globalising the ban on cluster munitions.

The Arms Trade Treaty

Securing a robust and effective, legally binding Arms Trade Treaty (ATT) to regulate the international trade in conventional arms is a priority for the Government. In 2011, the UK maintained its leading global position on an ATT, playing an active and constructive role in the UN Preparatory Committee meetings, with ministers and senior officials regularly raising the treaty in bilateral and multilateral meetings. We continued to work with civil society and the UK defence industry in support of the treaty, funding a range of ATT-related projects such as research into implementation issues, and raising awareness with the international defence industry. The FCO minister responsible for the ATT, Alistair Burt, made clear – including during an ATT parliamentary reception in February – the importance we attach to ensuring that the treaty contains provisions on human rights and international humanitarian law.

The constructive atmosphere that characterised the start to negotiations continued at the UN Preparatory Committee meetings in February and July, with the majority of UN member states positively engaged. The UK was instrumental in securing the first P5 (the five permanent members of the UN Security Council) statement in support of the UN process on an ATT at the July meeting.

We are now entering a crucial phase of the UN process on an ATT, with the diplomatic conference taking place in New York from 2 to 27 July 2012. We continue to work with UN member states, and with civil society, towards our shared goal of a robust and effective treaty. We continue to be strong advocates for the inclusion of human rights and international humanitarian law in the treaty, as well as sustainable development and prevention of corruption. We are pushing for a comprehensive scope, including small arms, light weapons and ammunition. There remain some significant challenges to overcome, including reconciling the different views on what the treaty should contain and how it should operate. However, with the widespread international support for an ATT, we remain confident that we can secure a successful outcome to the UN process.

Reducing Conflict and Building Stability Overseas

Over 1.5 billion people live in fragile and conflict-affected states or in countries with very high levels of criminal violence. Instability and conflict prevent economic development, trap people in poverty and undermine their human rights. No low-income fragile state has achieved a single millennium development goal. People living in fragile and conflict-affected areas are particularly vulnerable to human rights abuses. A lack of governance and weak national institutions mean that abuses can often be committed with impunity, and victims have little access to justice. Helping to build robust civil societies in these states is a key element to improving the lives and opportunities of their populations.

In July, the Foreign Secretary, Defence Secretary and Development Secretary launched the **Building Stability Overseas Strategy**. This strategy focuses on how

to best use the UK's diplomatic, development and defence tools to address instability and conflict overseas. It identified three key areas where the Government can concentrate efforts in order to make a difference:

- **Early warning:** improving our ability to anticipate instability and potential triggers for conflict. This includes developing internal watch-list systems to monitor actual and potential conflict countries.

- **Rapid crisis prevention and response:** taking fast, appropriate and effective action to prevent a crisis or stop it from escalating, including using a new early-action facility within the Government's Conflict Pool resources, and further developing the model of stabilisation response teams, as deployed in Libya.

- **Investing in upstream prevention:** helping to build strong, legitimate and robust societies in fragile countries, including effective and accountable security and justice systems.

The UK has invested in its own stabilisation capacity through developing a dedicated **Stabilisation Unit** to help build the resilience of fragile states, so that they provide a safer living environment for their citizens. The Stabilisation Unit maintains a list of over 1,000 civilian experts who are able to deploy to fragile states to provide specific expertise in a range of areas, from reform of prisons to reintegrating combatants, or advising governments on how to create jobs for young people. They aim to build, rather than replace, national efforts. In 2011, the Stabilisation Unit had up to 200 people deployed around the world at any one time, including the first Stabilisation Response Team sent to Benghazi in May to support the Libyan people through the period of transition.

We remain committed not only to building the stability of fragile states, but also to increasing others' ability to do so. In 2011, the UK contributed over £100,000 to the United Nations to help fund a review of international civilian capacity, which is intended to increase the global availability of civilian experts. We hope that, in future, many countries will be able to share civilian expertise to help build functioning states which respect human rights.

The responsibility to protect

At the UN 2005 World Summit, governments recognised that each state has a "responsibility to protect" (R2P) their own population from genocide, war crimes, ethnic cleansing and crimes against humanity. They declared that the international community should encourage and help states to fulfil this responsibility, and would be prepared to take action if a state failed to do so.

The Government is committed to implementing R2P. In 2011, our objectives were to help build a shared understanding of the concept within the international community; to continue to work to encourage and help states to build capacity to exercise their responsibility; to improve our early-warning systems to enhance our ability to spot potential conflicts; and to ensure that agreement on R2P is translated into a willingness to act speedily and appropriately in specific cases.

In June, we participated in the annual UN General Assembly interactive dialogue on R2P. We joined the majority of member states in reaffirming our support for R2P and acknowledged the key role of regional organisations in supporting the international community's efforts to prevent or halt mass atrocities, for example by identifying warning signs and taking appropriate action in their neighbourhood.

We participated in a number of other international meetings and seminars on R2P, including a ministerial meeting organised by the NGO Global Centre for the Responsibility to Protect, which was attended by UN Secretary-General Ban Ki-moon.

We supported increased funding in 2012 of the Joint Office of the UN Secretary-General's Special Advisers for Genocide and Responsibility to Protect. We continued to provide financial support to the Global Centre for the Responsibility to Protect for R2P advocacy and research activities aimed at further strengthening understanding of the concept.

We provided political and financial support through the UN Stabilisation Mission in the Democratic Republic of Congo (MONUSCO) for protection support cells. UK

Government funding and lobbying helped convince the government of the DRC to tackle impunity for mass rape by instigating the most important trials in recent times. The trials led to the conviction and imprisonment of serving military personnel for sexual and gender-based violence.

The UK implemented R2P as an EU member, for example through the EU Rule of Law Mission to Kosovo, to develop and strengthen the delivery of multi-ethnic justice, police and customs services free from political interference. The EU provided financial and political support to the African Union to develop its Continental Early-Warning system, and to African Union-led Peace Support Operations in Somalia and Central Africa.

Following the publication of the *Building Stability Overseas Strategy*, we have strengthened our cross-government early-warning and early-action systems to identify those potential conflicts during which mass atrocity crimes might be perpetrated. We supported improvements to the UN's early-warning capability, including through the Joint Office of the Secretary-General's Special Advisers for Genocide and Responsibility to Protect. A UK presidency initiative in November 2010 ensured that a briefing by the UN Department of Political Affairs on emerging or growing conflicts was included on the agenda for each rotating UN Security Council presidency in 2011. This has strengthened the UN Security Council's focus on preventing as well as resolving conflict.

In 2011, as a UN Security Council member, we supported a number of resolutions aimed at protecting populations from mass atrocities. In those resolutions, the Security Council recalled specific states' responsibilities to protect their populations – for example in Libya and Yemen; decided to assist states to fulfil their responsibilities – for example, South Sudan; and mandated action to protect civilians in Libya and Côte d'Ivoire.

Some members of the international community disagreed with how UN Security Council Resolution 1973 on Libya was implemented. Nevertheless, we believe that action taken by NATO after the passing of that resolution was necessary, legal and

morally right. NATO's intervention saved thousands of people from becoming victims of mass atrocities.

In Côte d'Ivoire, legislative elections passed off peacefully in December, highlighting the progress that the Ivorian government has made in addressing peace and stability issues since the end of the crisis in April. This included the establishment of a Truth and Reconciliation Commission in September. The new government also reconfirmed the country's acceptance of the jurisdiction of the International Criminal Court (ICC), and in October the ICC prosecutor opened an investigation covering the situation in Côte d'Ivoire since 28 November 2010. This led to the arrest in November of former president Laurent Gbagbo for crimes against humanity.

At the UN Human Rights Council in March, we supported a statement on R2P, urging states to implement their responsibility to protect and highlighting the crucial role of the Human Rights Council in this effort.

We supported Human Rights Council resolutions on Libya and Syria, in February and August respectively. In both cases, this led to the establishment of independent, international commissions of inquiry, tasked to investigate alleged violations of international human rights law and, where possible, to identify those responsible. The aim is to ensure that perpetrators of violations are held accountable. The situation in Libya was then immediately referred to the International Criminal Court by the UN Security Council. On 4 October, the UN Security Council voted on a draft resolution on Syria, which condemned the Syrian regime's use of force, called for an end to violence, and threatened sanctions if the situation did not improve. We regret the decision of Russia and China to veto this. In November, the interim report published by the independent Commission of Inquiry on Syria expressed concern that the widespread human rights abuses in Syria could amount to crimes against humanity. We welcome the efforts by the Arab League to bring an end to the violence there.

Over the course of 2011, members of the international community continued to hold differing views on the application of R2P in situations where prevention had failed. The UK consistently advocated that the international community's response needed

to take account of the situation on the ground. Some other states' responses were motivated by their own national interests and a range of concerns including other states' primary motives for supporting action, the infringement of other states' sovereignty, and how best to protect populations in the long term. A lack of consensus on these issues was one of the factors which thwarted a collective response by the international community to the situation in Syria in 2011.

In 2012, we will continue to make progress on the objectives we pursued in 2011, particularly encouraging greater international focus on the prevention of mass atrocity crimes. We will work to maintain and strengthen the international community's ability to take action in a timely and decisive manner in response to mass atrocities.

The Conflict Pool

The Conflict Pool is a tri-departmental fund of the FCO, DFID and the MOD. The pool continued to support programmes in Afghanistan, Africa, the Middle East and North Africa, South Asia, and wider Europe as well as supporting reform and capacity-building of international organisations. The Conflict Pool's overall budget in the financial year 2011–12 was £180 million.

In **Afghanistan**, the Conflict Pool funded the Afghanistan Independent Human Rights Commission's work on human rights education and advocacy, and their monitoring and investigation of allegations of human rights abuses, providing a total of £500,000. This money was aimed at building the commission's capacity, including its ability to provide oversight to the Government. The pool funded work on support for electoral institutions and processes, as well as the development of political parties. Finally, the pool funded justice projects, including support for the Afghan Independent Bar Association and, in Helmand Province, initiatives to promote non-Taliban informal justice systems.

In **Africa**, the Conflict Pool programme focused on three thematic areas: African conflict prevention at the continental and regional level; addressing the underlying causes of conflict in a number of priority sub-regions and countries; and improving

security sector reform. The pool supported peacekeeping, including in Somalia, Sudan, Kenya, the Central African Republic and the Democratic Republic of Congo.

Interventions that specifically supported human rights included funding four positions in the EU advisory and assistance mission for security reform in the Democratic Republic of Congo.

The mission promotes policies that are compatible with human rights and international humanitarian law, including on gender issues and children affected by armed conflict. The pool helped with democratisation by supporting electoral processes, including by providing funding for election observers in **Liberia** and **Côte d'Ivoire.**

In **the Middle East and North Africa**, the Conflict Pool focused on four priority areas: Iraq, Israel and the Occupied Palestinian Territories, Lebanon, and Yemen. In response to the Arab Spring, it widened its remit to include Libya, Jordan, Syria and the Gulf.

In Iraq, the pool supported the development of an effective, just and non-discriminatory police and criminal justice system**,** by training the police (including more than 100 women officers) in the investigation of crimes and the gathering and analysis of forensic evidence, and training judges in the use of scientific evidence. In Israel and the Occupied Territories, the pool funded the International Peace and Cooperation Centre (IPCC), which helps Palestinians to legalise their rights to land and property in the West Bank and East Jerusalem and gain planning permission for new housing developments, thereby preventing demolitions. We supported the IPCC in its work with Bedouin communities and the Israeli authorities to prevent a number of Bedouins from being forcibly transferred to make way for a settlement that would destroy communities and their livelihoods.

We continued to assist Israeli and Palestinian NGOs that provide legal support, improving access to justice and fair trials for Palestinian juveniles detained by the Israeli defence forces, and leading to improvements in the treatment of juveniles in Israeli military courts. We fund the Palestinian Independent Commission for Human

Rights to monitor and investigate allegations of arbitrary detention, violations of the criminal code and torture by Palestinian security officials.

We have partnered with the UK Task Force of Israeli NGOs to co-fund initiatives which empower Israel's Arab citizens and help integrate them into society. A particular focus has been to facilitate engagement by Arab Israeli youth in the hi-tech sector, alongside their Jewish counterparts.

In Lebanon, the pool funded training of security personnel to develop and implement a human rights policy and code of conduct for police, which was officially adopted and launched by the Lebanese government in 2011. The pool funded Palestinian NGOs to help develop joint mechanisms for redress for alleged violations experienced by Palestinian refugees, especially those in camps. Our work with the Lebanese armed forces and the border force helped lead to improved treatment of Syrian refugees fleeing the violent conflict in Syria.

In Yemen, the pool focused on two kinds of projects: those which help to improve the treatment of Somali refugees and improve relations between them and settled Yemeni communities; and those which build local capacity to manage and resolve conflicts, particularly disputes between local communities. In the Governorates in which we have worked, 2011 saw a marked reduction in conflicts between camp-based refugees and local communities. This has been achieved through greater integration between incomers and the host population, and a better understanding between different sectarian groups over traditional sources of dispute such as land and water.

In **South Asia**, the Conflict Pool has supported human rights, conflict prevention and peacebuilding in Pakistan, Sri Lanka, Maldives, Nepal, and Indian-administered Kashmir.

In Pakistan, the pool funded initiatives to build the capacity of community-based organisations and political workers on human rights and democratic governance.

In Sri Lanka, the pool supported work to secure language rights of minorities through building community lobby groups, public interest litigation and advocacy work as well as increasing public debate and awareness of language rights. The pool supported Tamil language training for 350 police officers this year, as part of a larger community-policing project.

In Maldives, the pool has worked to strengthen democracy by helping to ensure that legislation passed by the People's Majlis (parliament) conformed to international human rights standards and democratic principles.

In Nepal, the pool promoted security-sector reform, respect for human rights and an inclusive constitutional process. One of the key unresolved issues of the peace process is the fate of the former Maoist combatants who have been living in cantonments since 2006. At the request of all the major parties, the pool funded a project to assist the multi-party technical committee to develop key documents outlining how demobilisation and integration of the combatants into the Nepalese security forces could be managed. This project should help to pave the way for an agreement on this critical issue.

In Kashmir, the Conflict Pool worked on both sides of the Line of Control. Officials in our high commissions in New Delhi and Islamabad regularly discussed the situation in Kashmir with the Indian and Pakistani governments, and with our contacts in Indian and Pakistan-administered Kashmir. We continue to encourage India and Pakistan to seek a lasting resolution that takes into account the wishes of the Kashmiri people. We called for an end to all external support for violence in Kashmir. We continue to urge the government of Pakistan to take action against the presence and activities of militant groups in Pakistan-administered Kashmir. Levels of reported militant violence in Indian-administered Kashmir have been declining since 2008, but Indian authorities report continued infiltration across the Line of Control.

In **wider Europe**, pool-funded projects focused on improving access to justice and developing a more effective rule of law; post-conflict reconciliation, including dealing with war crimes issues; and promoting inter-ethnic relations and minority rights.

In Serbia, projects included security-sector reform work. A project by the Belgrade Centre for Human Rights helped to change attitudes towards the ICTY and to promote awareness of war crimes in Serbia, Croatia and Bosnia and Herzegovina, including a high-profile conference in Croatia opened by the president.

In Bosnia and Herzegovina, the UK supported a number of activities in the justice sector, including secondments to assist work on war-crimes cases from Srebrenica and to support EU activity.

In Kosovo, projects included successful work supporting the return of displaced people, reintegration of minority communities, and resolution of post-war property claims. The pool supported a number of secondments to support capacity-building, particularly through the EU rule of law mission.

In Georgia, we funded several projects working with local civil society and media groups, enhancing engagement across conflict divides.

In the Nagorno Karabakh region, we supported the capacity-building of civil society, business and the media, with a focus on challenging stereotypes and opening dialogue.

In the Ferghana Valley region of Central Asia, our projects supported participatory community-safety approaches, improving access to legal assistance and building awareness of human rights. The Conflict Pool supports human rights work in the North Caucasus region of Russia (see Russia in Section IX).

Women, peace and security

The FCO, DFID, the MOD and the Stabilisation Unit worked together to deliver the commitments of the UK's National Action Plan on UN Security Council Resolution 1325, dealing with women, peace and security. This work involved close coordination with the newly appointed Ministerial Champion for Tackling Violence Against Women and Girls, Home Office Minister Lynne Featherstone, as well as with civil society. In 2011, the FCO developed a Women, Peace and Security Toolkit,

which has been widely circulated among its embassies and high commissions to help them develop country-based activity on these issues

Work has continued in the three countries targeted for bilateral action in the National Action Plan. In **Afghanistan**, with UK support and training, there are now four women on the Helmand Provincial Council and five women on the Nahr-e-Siraj District Community Council. In December, the Ministerial Champion attended the Civil Society Forum on Afghanistan, held in Bonn, Germany, where she reiterated the UK Government's commitment to an inclusive political process in Afghanistan and the importance of the protection of women's rights. We continue to lobby the government of **DRC** to implement legislation against sexual violence and a zero tolerance of human rights abusers. The DRC authorities prosecuted nine FARDC (Congolese Army) troops for their role in a mass rape committed in Fizi in January 2011. In June, the Ministerial Champion visited a UK-funded paralegal centre providing protection, mediation and legal services to women and children in **Nepal**.

The Arab Spring showed the potential for new conflicts, and for new threats to women and girls. The Government's Arab Partnership Initiative has supported projects to strengthen the role of women in the political process.

In October, at the annual UN Security Council open debate on women, peace and security, the UK led on the drafting of a presidential statement, which highlighted the importance of the increasing role of women in conflict prevention, resolution, mediation and peacebuilding.

To mark International Women's Day on 8 March, and the UN International Day for the Elimination of Violence against Women on 25 November, the FCO, DFID and the Stabilisation Unit held joint seminars on women, peace and security, which were well attended by NGOs.

In October, the Annual Review of the National Action Plan was presented to Parliament through a written ministerial statement. Government officials met with the Associate Parliamentary Group on Women, Peace and Security (APG WPS), and representatives from civil society, including Gender Action Peace and Security

(GAPS), to discuss the annual review and to seek their views on next steps. A revised UK National Action Plan was published in February 2012.

Protection of Civilians Strategy

The UK Protection of Civilians Strategy covers the period 2010 to 2013. It sets out UK Government action to ensure full respect for the rights of the individual, in accordance with international humanitarian law, human rights law, refugee law and criminal law, in all its political, security and humanitarian work. In December, the first report of the strategy was published, summarising progress against the strategic goals from April 2010 to March 2011. The FCO, DFID and MOD will review how best to extend the strategy beyond 2013.

The UK takes the lead in coordinating UN Security Council activity on the protection of civilians in armed conflict, including by chairing an expert group comprising other Security Council members and the UN Office for the Coordination of Humanitarian Affairs. This group looks at how best to deliver the protection of civilians in specific UN peacekeeping operations. In 2011, the focus was on improving peacebuilding mission-wide planning, and monitoring and evaluation of protection of civilian efforts, for peacekeeping missions with a protection mandate.

This year has seen unprecedented activity at the UN Security Council to address civilian protection concerns, most notably in **Libya** and Côte d'Ivoire. In April we convened a Wilton Park Conference on "Libya Human Rights, The Way Forward", which invited leading practitioners, lawyers and parliamentarians to discuss the protection of civilians during and post conflict. In **Côte d'Ivoire,** the UK strongly supported the robust position of the UN mission (UNOCI) in implementing its mandate to prevent the use of heavy weapons and to protect civilians. In **Syria** the UK was at the forefront of repeated initiatives calling for strong Security Council action to protect civilians, expressing very clearly that the Assad regime's horrific repression of its people was utterly intolerable.

Children and armed conflict

Children are among those most vulnerable to the effects of conflict. The Government takes direct action to help protect children in conflict zones, by applying

diplomatic pressure and by funding projects to help protect and rehabilitate children. We have spoken out publicly against those governments and groups that abuse children's rights – for example, in July at the UN Security Council Open Debate on Children in Armed Conflict.

The UK is a member of the United Nations Security Council Working Group on Children and Armed Conflict, which leads the international response on this issue. This includes pressing offending states to enter into concrete action plans to verify and release child soldiers. In 2011, the UK continued to support the work of the Special Representative of the UN Secretary-General for Children and Armed Conflict. In July, we worked closely with partners to secure adoption of UN Security Council Resolution 1998, which expands the remit of UN monitoring of children affected by armed conflict, to include attacks on schools and hospitals.

Through DFID, the UK supports programmes to reduce both direct and indirect impacts of conflict on children, including on their education, employment, health, nutrition, water and sanitation. DFID almost doubled its core funding to UNICEF in 2011–12, to £40 million per year. From 2009 to 2011 children were among the beneficiaries of a £20 million Disarmament, Demobilisation and Reintegration programme in Sudan. In Pakistan, UK support will help five million more children attend primary school, and ensure that 500,000 young people benefit from better technical and vocational training by 2013. In Nepal, DFID is providing £9 million from 2009 to 2013 to an employment fund providing skills training to 35,000 young men and women from disadvantaged groups.

Peacebuilding

The UK remains strongly committed to strengthening the UN's capacity to address post-conflict peacebuilding challenges. In October, the UN Secretary-General briefed the Security Council on progress made since his 2009 Report on Peacebuilding in the Aftermath of Conflict. The UN has sustained its momentum on integrated mission-planning processes but more work needs to be done, especially on defining clear roles and responsibilities for peacebuilding in the UN.

The UK continues to support the work of the UN's Peacebuilding Commission, the Peacebuilding Support Office and the Peacebuilding Fund to promote stability in countries including Sierra Leone, Liberia, Burundi, the Central African Republic and Guinea Bissau.

The Peacebuilding Commission has an important role in resource mobilisation, but also in encouraging countries to address issues including the rule of law, corruption, impunity, access to justice, and respect for human rights. There has been good but modest progress in Liberia, including 61 magistrate judges graduating in 2011 as part of wider activities to strengthen the rule of law.

The UN Peacebuilding Fund (PBF) fills a gap in the international system to help stop countries relapsing into conflict. The PBF is an important UN system-wide mechanism that fills the gaps that other funding mechanisms cannot or will not address. In 2011, the PBF supported 193 projects in 22 countries, including a quick-start programme in Guinea to support community-level early-warning efforts to defuse, through mediation, local tensions arising during legislative elections. The UK's *Multilateral Aid Review*, published in early 2011, found that the PBF represented good value for money and merited further UK funding, leading to a new UK commitment in August of up to £55 million in core support over the next four years.

Private military and security companies

The private military and security company industry provides essential security services for governments, humanitarian agencies and private companies in difficult and dangerous environments. Although they are not used for offensive operations, the fact that they are often armed can carry serious human rights risks. We are therefore working at a national and an international level to raise the standards of such companies in order to minimise the risk of human rights abuses.

The Government confirmed on 21 June that, following a public tender, it had appointed the Aerospace, Defence and Security Trade Association as its partner in the development of standards and the transparent regulation of UK-based private security companies working in hostile or dangerous environments on land or at sea.

UK standards, which will be prepared in 2012, will be based on the International Code of Conduct for Private Security Service Providers, which was agreed in November 2010 under Swiss facilitation, and commits signatory companies to operating in accordance with international human rights principles and humanitarian law. Since then, the rise of piracy has led to the formation of many private security companies, particularly in the UK, who operate at sea and/or on land. Although the code was prepared with land-based companies in mind, UK standards will be drafted to incorporate maritime provisions, including consideration of any maritime-specific provisions included in the interim guidance from the UN Contact Group on Piracy off the coast of Somalia.

Over the course of 2011, the code has become an important source document, used by a wide range of organisations, governments and associations as they set standards, formulate procurement policies or draft legislation. The code has now been signed by 266 companies, up from 60 in 2010, of which almost 40% are UK-based. Throughout 2011 we have played a leading role, in partnership with representatives from the Swiss, US and Australian governments, civil society and the private security industry, to create an independent governance body that will set standards and monitor compliance by signatory companies. Following a period of public consultation, we expect the governance body for the code to be established in summer 2012. Signatory companies will then be able to begin to seek full certification under the code. The Government has publicly committed only to employ companies certified under the code. We have embarked on an outreach campaign to persuade other buyers of private security services to do the same, in an effort to ensure that only those private security companies that maintain high standards can continue to operate at a global level.

SECTION V: Human Rights in Promoting Britain's Prosperity

The promotion of our country's prosperity is a priority for the FCO. Sustainable trade is vital for the economy, supports UK jobs and promotes British and global growth. At the same time, human rights values are intrinsic to our foreign policy and we will not promote trade at the expense of human rights. We see our trade promotion and human rights work as mutually supportive – it is in the UK's interests to work towards a world that is prosperous, fair and stable, and our ability to promote human rights effectively ultimately rests on our economic strength as a nation.

There are many countries around the world whose record in terms of human rights is less than perfect. It is in our national interest, and in the interest of the people of these countries, that we continue to engage with them at all levels, including through trade and investment links. We are of course careful to ensure, through the export-licensing system, that we do not export anything where there is a clear risk that it may be used for internal repression – this is an absolute commitment that we make regardless of how lucrative the business may be. We are clear that we will raise our concerns about human rights wherever and whenever they arise, including with countries with whom we are seeking closer commercial ties. This is particularly necessary where UK companies are operating in conflict areas.

We work with governments, businesses and civil society to encourage the evolution of more sustainable market environments in which commerce can flourish. We believe that respect for human rights helps to create the conditions for a more stable business environment. Good business practice can help raise standards of behaviour, tackle disadvantage and remove incentives to abuse, as well as strengthen communities. It reduces risks of reputational damage or litigation for companies. Irresponsible corporate behaviour – including actions that lead to human rights harm – corrupts the integrity of those who practise it and the markets in which they operate. It is unfair to the weak, poor and vulnerable – those least able to stand up for themselves; it leads to reputational damage for the company and for the UK, and undermines the credibility of government policy.

Issues of trade, investment and human rights involve a number of government departments. The FCO works closely with them to ensure that Government policy is coherent and promotes internationally agreed business and human rights standards as effectively as possible. We are working with relevant departments to develop the Government's first strategy on business and human rights.

International organisations are important to this agenda. The adoption of the UN Guiding Principles on Business and Human Rights marks a step-change in the UN's engagement on these issues. EU multilateral trade agreements improve market access for UK companies and include important political and human rights clauses, which are useful in encouraging states to improve their human rights records. The OECD is also active in this field.

We work to encourage companies to adopt responsible business practices and policies, including human rights due diligence and anti-bribery practice. The UN Guiding Principles on Business and Human Rights provide an overarching framework applicable to all sectors and sizes of enterprise. We encourage relevant businesses to sign up to voluntary initiatives such as the OECD Guidelines for Multinational Companies and the Voluntary Principles for Security and Human Rights. These are useful to companies operating in areas of conflict or weak governance, providing frameworks to help them respect human rights and avoid contributing to conflict.

However, under international human rights law, states retain the primary responsibility for the protection and promotion of human rights within their jurisdictions. We will therefore continue to encourage other countries – in their domestic legislation – to pursue higher standards of business accountability and responsibility, as well as measures to implement effectively their human rights obligations. We are determined to show that prosperity and human rights objectives can be pursued side-by-side with vigour and commitment and achieving progress in both.

Promoting Responsible Business Practice

The UN Guiding Principles on Business and Human Rights

The UK has been a strong supporter over the last six years of the UN Secretary-General's Special Representative on Business and Human Rights, Professor John Ruggie, as he has worked to produce the UN Guiding Principles on Business and Human Rights, also known as the "Protect, Respect and Remedy" Framework. These principles were endorsed at the United Nations Human Rights Council in June. The principles comprise three pillars: the state duty to protect against human rights abuses by third parties, including business; the corporate responsibility to respect the human rights of others; and the need for greater access by victims to effective remedies. A UN Working Group on Human Rights and Transnational Corporations and Other Business Enterprises was established after the endorsement. We wrote to the working group in December to offer our support in defining their mandate and in increasing awareness and understanding of the guiding principles among states and businesses.

Following endorsement of the principles, the FCO established a cross-government steering group to develop an agreed UK strategy on business and human rights, to be launched in mid-2012, coinciding with the first anniversary of the endorsement of the principles.

With direct input from civil society and the business community, this strategy is intended to provide clear guidelines to British businesses about the Government's expectations of their behaviour overseas in respect of the human rights of people who contribute to or are affected by their operations. We expect companies to pay attention to the human rights issues relevant to the country where they are active, and the sectors in which they do business, to ensure that their activities do not compromise human rights. This will be particularly important in countries where the human rights situation is known to be poor, but also relevant in countries where higher standards generally prevail and yet where abuses such as exploitation of children or migrant labour still occur.

As part of this strategy, we will reinforce training on business and human rights for government staff who come into contact with UK companies at home and abroad. We will re-launch the Business and Human Rights Toolkit, which has been an important resource for commercial staff in our embassies, high commissions and consulates since 2009, to take into account the UN guiding principles and to reflect updates in business and human rights guidance. We will update the Overseas Business Risk Service, a joint FCO-UKTI (UK Trade and Industry) website for UK businesses, with a view to providing country-specific guidance on human rights issues in overseas markets. We will signpost business to other voluntary initiatives, guidance and best practice such as the OECD guidelines or the Voluntary Principles for Security and Human Rights.

During 2011, the FCO set aside £100,000 from its Human Rights and Democracy Fund for work on the UN guiding principles around the world, with projects so far planned for Burma, China and Colombia. The objective is to explore how the UN guiding principles might be implemented in the business environments in these countries, and to learn lessons to roll out more work in this area in more countries from 2012 onwards.

OECD Guidelines for Multinational Enterprises

The Organisation for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises set out a series of voluntary principles and standards of corporate behaviour in areas such as human rights and combating bribery.

In 2011, the UK National Contact Point (NCP) for the guidelines, based at the Department for Business, Innovation and Skills (BIS), considered four complaints about the behaviour of UK businesses overseas. Of these, two complaints related to labour and human rights issues in Uzbekistan, and both were successfully resolved through UK National Contact Point-sponsored professional mediation. The other two complaints – one in respect of a company operating in Azerbaijan, Georgia and Turkey, and another in respect of a company in Malaysia – related to environmental issues and labour rights respectively. In these cases, the UK National Contact Point concluded that the companies did not act in accordance with the OECD guidelines.

Following the UK National Contact Point's recommendations, the companies involved took some steps to strengthen their existing procedures to ensure that they complied with the guidelines. Details of the steps undertaken by the companies are available on the website of the UK National Contact Point.

The main policy objective for 2011 was for the OECD and adhering countries to agree an updated version of the guidelines, and to implement these changes in the UK. BIS officials and the UK NCP attended regular meetings at the OECD. In mid-2011, the OECD endorsed an updated text of the guidelines, which now includes practical guidance to help companies respect human rights, including in their supply chains, and to improve the effectiveness of National Contact Points and of the complaints procedure across the OECD. The UK National Contact Point applied the updated text with effect from 1 September.

The focus of the UK National Contact Point's work in 2012 will be to promote a level playing field for British companies across the OECD and beyond by working with other National Contact Points and the OECD to apply the updated guidelines and ensure that the guidelines are applied consistently across adhering countries; to support the work of other countries interested in adhering to the guidelines; and to raise awareness of the guidelines amongst UK businesses, trades unions and NGOs.

Voluntary Principles on Security and Human Rights

The Voluntary Principles on Security and Human Rights (VPs), established in 2000 by the FCO and the US State Department, provide advice to oil, gas and mining companies on how to engage with public and private security providers, so as to ensure that their security operations do not lead to human rights abuses or exacerbate conflict.

During 2011, the UK played a leading role in supporting reform of the voluntary principles' governance, administrative and financial arrangements. These reforms should make it easier to encourage more government, civil society and corporate participants from a wider range of countries to join the initiative. This will ensure greater global impact and increased protection for people living in fragile or conflict-

affected states by ensuring that more extractive companies in more countries are carrying out effective risk assessments and improving respect for human rights standards amongst public and private security personnel.

In addition to these reforms, a number of participant companies began work on a pilot project to develop an external assurance mechanism to measure extractive companies' performance against the voluntary principles standards. Such a mechanism is important for improving the credibility of the voluntary principles, and the UK is taking part in consultations with the companies to ensure that the process is as robust as possible.

The FCO's overseas network worked throughout the year to raise awareness of the voluntary principles in Africa, Asia and Latin America and to persuade more governments to join the initiative. In **Indonesia** the Embassy worked with a local NGO, the Indonesia Centre for Ethics, to raise awareness about the voluntary principles with senior government officials and police officers and large international companies. In the **Democratic Republic of Congo**, UK officials discussed with other participant governments how to implement the voluntary principles, and agreed to approach the new government about joining the scheme after the elections. In **Australia**, UK officials met Australian government officials to encourage them to sign up to the initiative. In **Peru**, UK officials attended meetings with NGOs, companies and other governments to discuss how best to engage the Peruvian government.

In 2012, the UK will continue to support and undertake efforts to improve the accountability and impact of the voluntary principles through the development of the external assurance mechanism, and will work through our overseas network and other voluntary principles partners to encourage more countries to join the initiative. We will seek to persuade more UK-based extractive companies to join.

The Kimberley Process

The Kimberley Process Certification Scheme is an important conflict-prevention mechanism that regulates the global trade in rough diamonds. The Kimberley Process was established in 2002 to tackle the problem of rebel groups trading in rough diamonds in order to fund armed conflicts. The Kimberley Process now has

50 members representing 76 countries and accounts for over 99% of the global production and trade of rough diamonds. The UK is represented in the Kimberley Process by the European Union.

The Government Diamond Office (GDO), based in the FCO, and the UK Border Agency and Customs are responsible for preventing illicit diamonds entering or leaving the UK. In 2011, the GDO worked with the UK's rough diamond industry to provide expert advice and oversight of industry compliance with Kimberley Process minimum standards. GDO officials carried out inspections of diamond shipments on selected imports and exports. The GDO worked with industry and other Kimberley Process member governments to ensure effective implementation of the scheme around the world, for example by providing advice to the Irish government on compliance issues.

Experts estimate that since the Kimberley Process was established "conflict diamonds" have reduced from 15% to less than 1% of the global trade in rough diamonds. But significant challenges remain. The process has struggled to deal with human rights abuses, because it was established to tackle the problem of rebel groups trading in rough diamonds to fund armed conflict, and it does not have a clear mandate to address human rights violations by states in relation to the diamond trade.

In November, Kimberley Process participants reached agreement on exports from Kimberley Process-compliant diamond mines in the Marange region of Zimbabwe. Diamond exports from Marange had been halted by the Kimberley Process in 2009 following serious human rights abuses in the diamond fields in 2008 (though some limited exports of Kimberley Process-compliant diamonds were permitted in 2010). The UK consistently argued for a robust agreement which would commit Zimbabwe to meeting its Kimberley Process responsibilities before allowing it to resume exports. The new agreement, which establishes an independent monitoring team and a monitoring role for civil society, ensures that only diamonds mined in accordance with Kimberley Process standards can be exported. Zimbabwe renewed its commitment to take steps to bring diamond mining in the whole of Marange into compliance with Kimberley Process standards. Violence in Marange has decreased

significantly since the Kimberley Process took action, although media and NGO reports of human rights abuses in the Marange region continue. The UK will continue to monitor the situation closely, and progress will be reviewed at the next Kimberley Process Plenary meeting in November 2012.

In 2012, the UK will continue to work with EU partners, other governments, industry and civil society, to identify ways to strengthen the Kimberley Process to ensure that it remains a credible and effective mechanism for the prevention of conflict, and to consider how human rights violations might be taken more explicitly into consideration.

Bribery and corruption

We see bribery as a major contributor to market failure and hugely damaging to emerging economies. We recognise its impact on the most vulnerable in society, and the link between corruption and human rights abuses.

The Bribery Act came into force on 1 July and signals the UK's strong commitment to combating bribery and corruption, as well as strengthening the UK's reputation as one of the least corrupt countries in the world. Prior to the Act coming into force, guidance was issued to our embassies and high commissions to ensure that they had the tools required to advise British business effectively. Ministry of Justice guidance was circulated on 30 March, and a toolkit of advice was placed on our intranet site on 19 April.

Since the Act came into force, our embassies, high commissions and consulates have been active in providing advice to British businesses on meeting their obligations under the new legislation. For example, our consulate general in Hong Kong delivered a seminar on the Act involving a panel discussion for business with Lord Goldsmith and the Director of the Serious Fraud Office. We expect more awareness-raising work to take place in 2012.

In July, Lord Green hosted the launch of our Overseas Business Risk website, a service run jointly by the FCO and UKTI, which offers country-specific advice to British companies to help them manage risks such as bribery when operating

overseas. The website contains information on over 90 markets and links through to advice provided by other government departments.

The UK actively supports the raising of standards of anti-corruption legislation and enforcement in our trading partners through the Organisation for Economic Co-operation and Development (OECD), United Nations and Council of Europe Conventions against Corruption. We adhere to these same standards ourselves. Following an evaluation visit in October, we expect the OECD to publish a report on how we enforce anti-bribery legislation toward the end of March 2012, and we will respond to their findings in due course.

Arms export licensing

In addition to helping safeguard UK national security, robust and effective arms export controls promote our prosperity by enabling British defence and security industries to compete effectively in the global defence market. See Section IV for more details.

EU Trade and Human Rights

The human rights "essential element" clause

Since 1995, the EU has incorporated a human rights clause as an essential element in all agreements with third countries, except sector-specific agreements such as steel and fisheries. Despite there being no requirement for sector-specific agreements to contain such clauses, a number of fisheries agreements concluded in 2011 included a human rights clause. The clause provides an opportunity for dialogue on human rights issues, allowing the EU to engage positively with third countries on human rights.

All EU member states agreed a formal position on the inclusion of such human rights clauses in all EU–third-country agreements. To date, 47 agreements containing such a clause have been agreed with more than 122 countries. In extreme

circumstances, the agreement can also be suspended in the event of a serious breach of the clause.

Third-country free trade agreements

All agreements on trade or cooperation with non-EU countries contain either a clause stipulating that human rights are an essential element in relations between the parties, or are linked to a cooperation agreement that contains such a clause. Trade agreements with third countries therefore provide important leverage for the EU to advance global respect for human rights. The most comprehensive is the Cotonou Agreement – the trade and aid pact which links the EU with 79 countries in Africa, the Caribbean and Pacific (the ACP group). If any ACP country fails to respect human rights, EU trade concessions can be suspended and aid programmes curtailed. The EU sees democratic political structures as a precondition for reducing poverty – the main objective of its overseas development policy. It applies the same principles to other partner countries.

In February 2011, negotiations for a free trade agreement with Libya were suspended, and in September, the EU Association/Cooperation Agreement with Syria (which dates back to 1977) was suspended on human rights grounds.
No new trade agreements with the EU were signed in 2011, although there are a number under negotiation.

Generalised System of Preferences

The Generalised System of Preferences (GSP) is an important human rights instrument available to the EU. It links trade concessions to the human rights performance of countries. There are three tiers of benefits: the standard GSP, the special arrangements for sustainable development and good governance (GSP+) and the Everything But Arms (EBA) initiative.

Under the GSP Regulation, the European Commission may launch an investigation if there is evidence that a qualifying GSP country has committed grave and systematic violations of the international human rights and labour rights conventions cited in the GSP Regulation.

GSP+ offers additional incentive arrangements to developing countries which have ratified and effectively implemented 27 core international conventions on human rights, labour rights, environment and good-governance principles, allowing them to export goods to the EU at preferential tariff rates. Fourteen countries are currently receiving additional preferences under GSP+. Cape Verde successfully met the criteria for GSP+ in 2011 and will benefit from the enhanced preferences from 2012.

The EU's proposed reform of GSP was published in May. From a human rights perspective, one positive change in the commission's proposal is to widen the economic eligibility criteria for GSP+ allowing more countries access, provided they ratify and implement the relevant international conventions. In addition, the reform provides greater clarity on what is expected in terms of human rights and good governance standards for GSP+.

We have been working closely with the commission, the European Parliament and other member states on the proposed reform of GSP and will continue to do so in 2012.

Sanctions

UN and EU human rights-related sanctions may restrict EU or worldwide trade with certain countries, individuals or organisations with a view to coercing and constraining them towards behaviour change and sending a political signal. When negotiating with such regimes, the FCO consults relevant government departments to ensure that the economic and commercial impacts are considered and minimised where possible while preserving the effectiveness of the sanctions.

For example, in 2011 we lifted asset freezes against Libyan oil companies shortly after Colonel Qadhafi's death to help get revenue flows moving again, and we negotiated a humanitarian exemption to the EU asset freeze against Côte d'Ivoire ports, which allowed a limited number of goods to continue entering the country.

SECTION VI: Human Rights for British Nationals Overseas

Supporting British nationals in difficulty around the world sits at the heart of FCO activity as one of the UK Government's three foreign policy priorities. An integral part of the support provided by our global network of consular staff is promoting and protecting the human rights of British nationals overseas. We provide advice and support to British nationals facing the death penalty and those in detention who allege mistreatment or who have concerns about the fairness of their trial or travel ban; and we will press governments, police and prison authorities to respect individual human rights, meet international fair-trial standards and, with the permission of the British nationals involved, investigate allegations of abuse. We assist British nationals who have been forced into a marriage against their will, suffered any form of crime or assault, or whose children have been abducted by a former partner. In all cases we work closely with human rights non-governmental organisations (NGOs), both in the UK and abroad to complement and add to the support the FCO can provide.

The death penalty

It is the long-standing policy of the UK to oppose the death penalty in all circumstances, and we will use all appropriate influence to prevent the execution of any British national. We will intervene at whatever stage and level is judged appropriate and will use high-level political lobbying when necessary. Our past interventions have included submitting amicus curiae briefs (a process whereby an interested group, who are not party to a case, can volunteer to offer information to a court in deciding a matter before it) to foreign courts and making senior-level representations jointly with other European countries to foreign governments. We work in partnership with the NGO Reprieve and the detainees' local lawyers to seek to prevent British nationals receiving a death sentence; or where such sentences have been imposed, to seek their review or commutation.

In 2011, we made representations on behalf of British nationals in a number of countries including in the Democratic Republic of Congo, Indonesia, Malaysia, Pakistan, Thailand and the US. In several cases we assess that our interventions

helped towards either preventing the British national being sentenced to death, or in delaying an execution date, providing further opportunity for us to make additional representations.

At the end of 2011, there were 13 British nationals sentenced to death and awaiting execution, and approximately 40 British prisoners facing charges that may attract the death penalty, an increase on last year's figures. We will continue to intervene in these cases to help prevent the execution of a British national.

Overseas prisoners

As of 30 September, we were aware of 2,572 British nationals detained in 87 countries overseas.

Consular staff aim to contact British detainees within 24 hours of being notified of their arrest or detention, and to visit them as soon as possible afterwards if they would like us to. Unfortunately, in some countries we are often not notified of the detention of British nationals. Through persistent lobbying we work hard to encourage these countries to meet their consular notification obligations under the Vienna Convention on Consular Relations or under any bilateral agreements they have with the UK.

Our role is to monitor the detainee's welfare and to provide basic information about the local prison and legal system, including a list of English-speaking lawyers and interpreters, and the availability of legal aid. We offer information and referral to our NGO partners who can help British nationals during their detention and facilitate contact with family members.

We work closely with Prisoners Abroad, Reprieve, Fair Trials International and others, to help ensure that those detained overseas get the expert assistance they need. In 2011, we worked closely with Reprieve on a case in the US to help ensure that the death penalty was not sought for a British national. Reprieve worked with local lawyers and we coordinated high-level lobbying of the government. The British national was sentenced to life imprisonment, a result we measure to be largely due to our combined efforts. We worked with Prisoners Abroad to ensure that a number

of British prisoners received medication to stabilise life-threatening illnesses in cases when the prison refused to provide them.

British nationals are detained in many countries with varying judicial systems. During 2011, we intervened in a number of cases where British detainees were not being treated in line with internationally accepted standards, most notably in a case where a British national had been detained for ten years without standing trial. After frequent representations on the delay of proceedings, the trial has now taken place.

Numerous instances of mistreatment were reported to us in 2011 by British nationals detained overseas. These ranged from being verbally threatened by a police officer to reports of serious torture where a prisoner alleged he was brutally beaten to extract a confession. Where we had the individual's permission, we raised the allegations with foreign authorities, often repeatedly. We take all allegations of mistreatment very seriously and will continue to approach foreign authorities if British nationals are not treated in line with internationally accepted standards.

The end of 2011 saw a positive conclusion for one British prisoner with serious health concerns, who had been detained abroad on drugs charges. He was incarcerated in awful conditions for many years and access to medical assistance was often difficult to secure. We intervened repeatedly to seek better treatment. Given the compelling compassionate circumstances of the case we worked hard to secure clemency for this prisoner. As a result, after nearly 20 years of imprisonment, he was pardoned.

In 2012, we will continue to work closely with others to offer assistance to British nationals detained overseas, and help to ensure they are treated in line with internationally accepted standards.

Forced marriage

Forced marriage is an appalling and indefensible practice and is recognised in the UK as a form of violence against women and men. It is a serious abuse of human rights and, where children are involved, child abuse. Victims of forced marriage can

suffer physical, psychological, emotional, financial and sexual abuse, including being held captive unlawfully, assaulted and repeatedly raped.

The UK continued to lead globally in tackling forced and early marriage through the work of the Forced Marriage Unit – a joint initiative of the Foreign and Commonwealth Office and the Home Office. This is coordinated closely with the UK Government's wider work to tackle violence against women and girls. The Forced Marriage Unit supports victims of any nationality in the UK, as well as helping British nationals who are at risk abroad. The unit helps people who have already been forced into marriage and are being forced to sponsor a visa for their spouse.

In 2011, the Forced Marriage Unit provided help and support in 1,468 cases of potential or actual forced marriage; 78% of these calls were regarding female victims and 22% involved men. Victims under the age of 18 were involved in 29% of cases, and 4.5% involved victims with disabilities. Minors accounted for 298 cases. This work often involved helping victims return to the UK. For example, one 19-year-old boy was rescued from a city in South Asia having been told that he was going to be forced to marry his cousin. He had recently told his family in the UK that he was gay. He contacted the Forced Marriage Unit in London who worked with our High Commission to find him safe accommodation, an emergency travel document and a flight back to the UK. He is now rebuilding his life away from his family.

The Forced Marriage Unit worked closely with NGOs and community groups to increase the protection and support available to victims of forced marriage in the UK. For example, in November, they provided funding for the development of a range of social media projects including web pages, text messaging and smartphone applications to raise awareness and support peer mentors.

Embassies and high commissions around the world continue to conduct outreach programmes aimed at tackling the practice of forced and early marriage. For example, in 2011, the British High Commission in Islamabad funded local NGO SACH (Struggle for Change) to run a major awareness campaign. They ran workshops for local government officers and human rights activists.

The UK continues to lobby internationally for commitment to tackling forced and early marriage. At the Commonwealth Heads of Government Meeting in Perth in October, the UK worked with the NGO Plan UK and the Royal Commonwealth Society to secure Commonwealth commitment to addressing child and forced marriage for the first time.

In October, Prime Minister David Cameron announced plans to criminalise the breach of Forced Marriage Protection Orders (FMPO) in the UK. He set out proposals for a public consultation on the criminalisation of forced marriage. This was launched by the Home Secretary in December and will run until March 2012.

Female genital mutilation

The Female Genital Mutilation Act 2003 made it an offence for UK nationals or permanent UK residents to carry out female genital mutilation abroad, or to aid, abet, counsel or procure its practice abroad, even in countries where this is legal.

In 2011, the FCO co-funded with the Metropolitan Police a project by the NGO Kids TaskForce to produce a schools resource pack including a short film to raise awareness of female genital mutilation (FGM) amongst school-age children. The film was launched in July and is being used to help British girls prepare for trips abroad, to alert girls to the potential risk of a family visit to certain countries where the act of female genital mutilation is common.

Child abduction

International parental child abduction causes unimaginable distress to those affected. Children who are wrongfully removed or retained overseas may suffer from the negative effects of the abduction for many years, even after they have been returned to their home country. For this reason the UK Government firmly believes all countries should sign and ratify the 1980 Hague Convention on the Civil Aspects of International Child Abduction, an international treaty which aims to ensure that abducted children are returned to where they normally live for matters of residence and for contact to be resolved by the local courts. The alternative, in countries that have not implemented the convention, is an often complex process involving

expensive and lengthy court proceedings, which may not ultimately be successful in securing the return of the abducted child to their home country.

In 2011, we assisted in 356 cases of child abduction, where our help ranged from offering general advice and information, to conducting consular visits, to ministers making political representations. In one case, a mother contacted us about her infant son who was abducted by his father from the UK to a country in Southeast Asia. We assisted by offering advice and support to the mother as she navigated an unfamiliar legal system to regain custody of her child. We then lobbied the local authorities to ensure that the court's ruling was enforced. At the end of the year, the mother was making arrangements to travel overseas to be reunited with her son, and we continued to be on hand to give her assistance.

As well as offering support on individual cases, we continued throughout 2011 to encourage foreign governments to sign and ratify the 1980 Hague Abduction Convention. We worked closely with the governments of Russia and Japan, among others, to share our expertise in operating the convention, including through hosting a delegation of Russian officials in June.

We continued our cooperation with Pakistan by funding two regional workshops to increase understanding amongst the Pakistani judiciary of the UK–Pakistan Protocol, a bilateral judicial agreement on child abduction. In 2012, we plan to launch an advocacy campaign to encourage Pakistani judges, politicians, government officials and NGOs to explore how the convention might be operated in Pakistan.

Unfortunately, we anticipate a rise in parental child abductions in 2012 and even greater demand for our assistance. This reflects a consistent pattern of rising numbers of child abductions year-on-year. We are focusing more effort on raising awareness of the problem, and taking preventative steps, as we believe that this is the most effective way to reduce the incidence of child abduction in the long term. Building on two highly successful annual media campaigns in 2010 and 2011, we have made links with parenting groups, police, lawyers' bodies and other groups who can multiply our impact in the prevention of child abduction. We hope that by working closely with other organisations to develop a holistic approach to tackling

child abduction, we can better assist our existing cases as well as help to stop more children and parents being affected by child abduction in 2012.

SECTION VII: Working Through a Rules-based International System

Effective international institutions are essential for promoting respect for human rights and the rule of law. The UK works in international institutions including the UN, the EU, the Commonwealth, the Organization for Security and Co-operation in Europe (OSCE), and the Council of Europe to encourage the implementation of human rights standards and to strengthen the international response to human rights violations.

We work to improve the implementation by UN member states of their human rights obligations under the major UN human rights treaties. We encourage the UN to promote human rights in practice and to address all human rights violations. This was an unprecedented year for the UN Human Rights Council and UN General Assembly. Although we are no longer a member of the Human Rights Council, we played an active part in negotiations that saw the council strengthen its ability to respond robustly to situations and issues of concern. We are standing for re-election to the council in 2013. We strongly support UN special procedures including the work of special rapporteurs and treaty-monitoring bodies and the independence of the High Commissioner for Human Rights and her office.

Human rights are at the heart of the EU. The EU's commitment to human rights, democracy and the rule of law was embedded in its founding treaties and reinforced in the Treaty of Lisbon in 2007. The Charter of Fundamental Rights became legally binding in December 2009. We support the work of the EU to promote human rights, both within its 27 member countries and in its external relations. The EU has powers at its disposal to ensure that existing member states adhere to the high standards of democracy, rule of law and respect of fundamental freedoms laid out in the EU's founding treaties. The EU monitors whether aspiring accession states adhere to those standards – which are pre-requisites for becoming members of the EU. We welcome the commitment of the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission, Catherine Ashton, to ensuring that human rights is mainstreamed across all of the EU's external action.

The UK sees the Commonwealth as an important partner for promoting and protecting human rights. Commonwealth membership is based on the shared common values of democracy, human rights and the rule of law. We are determined to strengthen the Commonwealth's capacity to promote democratic values and human rights, and believe that the reforms adopted at the Commonwealth Heads of Government Meeting in Perth in October 2011 were a positive outcome in this regard.

The OSCE is the largest regional security organisation in the world. It has 56 participating states including the EU, the US, Russia and countries of Central Asia and the Southern Caucasus. We support the OSCE's work to promote regional stability through three "dimensions" of security, covering political and military work; economic and environmental activity; and the "human dimension" encompassing human rights, democracy, fundamental freedoms and the rule of law.

The Council of Europe works to promote human rights, democracy and the rule of law across Europe. With 47 members, it works through a system of "peer review" under which member states review one another against their legal commitments. The UK assumed the chairmanship of the Council of Europe in November 2011. Under an overarching theme of promotion and protection of human rights, our priorities are reform of the European Court of Human Rights; reform of the Council of Europe as an organisation; strengthening the rule of law; freedom of expression on the internet; combating discrimination on the grounds of sexual orientation and gender identity; and streamlining the Council of Europe's activities in support of local and regional democracy.

United Nations

This has been an unprecedented year for action to promote and protect human rights at the UN Human Rights Council and UN General Assembly. The UK played an active part in negotiations that saw the council strengthen its ability to respond robustly to situations and issues of concern.

The evolving Arab Spring saw the council meet in special session to address the human rights situation in **Libya** in February, resulting in a consensus resolution condemning the actions of the Qadhafi regime and mandating an independent international commission of inquiry. This was closely followed by the UN General Assembly taking the historic step to suspend Libya's membership of the Human Rights Council in March. The UN General Assembly restored Libya's full membership rights in November, and throughout the process we worked closely with our partners to ensure a strong response from the international community.

In April, the focus of the council turned to **Syria**. We supported US efforts to secure a special session of the council, which adopted a strong resolution requesting the Office of the High Commissioner for Human Rights to establish a fact-finding mission. Syria withdrew its candidacy for election to the Human Rights Council in May after a second special session, this time led by the EU. The resulting resolution mandated a commission of inquiry, whose hard-hitting interim report, released at the end of November, triggered a third special session of the council in December. Once again, the EU led the call for action, with strong input from the UK and Arab partners. The resolution, one of the toughest ever passed by the council, strongly backed the work of the Arab League, paved the way for the Office of the High Commissioner for Human Rights to set up a field presence, and created a new Special Rapporteur on Human Rights in Syria.

In the autumn, the UK, France and Germany tabled a resolution on the human rights situation in Syria at the UN General Assembly. This was adopted by a large majority in late November and garnered significant Arab support. The resolution called on Syria to comply with the League of Arab States' Plan of Action and the Human Rights Council-mandated Commission of Inquiry. We will continue to look for opportunities to ensure that the human rights situation in Syria remains under international scrutiny and the focus of UN efforts in 2012.

Action in the Human Rights Council on the Arab Spring in 2011 did not focus only on Libya and Syria. At the March regular session, the EU worked with **Tunisia** to produce a resolution that acknowledged recent changes and encouraged further reform. We had concerns at the September council that the text on **Yemen** was too

weak, and we worked with the French to try and secure stronger language. However, we were unsuccessful and, whilst the resolution was adopted by consensus, the UK was not a co-sponsor.

The Human Rights Council continued to focus on countries of concern around the world in 2011. The UK was instrumental in the passing of a resolution at the March regular session that established a Special Rapporteur on **Iran** – a major step forward, but it remains to be seen whether Iran will allow the rapporteur to visit. The council extended the mandates for the special rapporteurs on **Burma** and **DPRK,** and in June passed a strong EU-led resolution condemning the human rights situation in **Belarus**.

At the 66th session of the UN General Assembly in 2011, we were pleased that even more member states came together to condemn human rights abuses in **Burma**, **Iran** and **DPRK**. All three resolutions passed with increased margins of support. We hope that the countries concerned will take heed of this strong message from the UN membership. The General Assembly is the UN's only universal membership human rights body and allows the world's smaller nations, which do not have the capacity to run for a seat on the Human Rights Council, to express their views.

As well as addressing countries of concern, the council adopted several resolutions mandating technical support to help countries to improve their human rights record. An Independent Expert was created in June to support the government of **Côte d'Ivoire**, and the mandate of the Independent Expert on **Sudan** was renewed in September. In light of **South Sudan** having seceded from the North, the council agreed a consensus resolution in September that mandated the High Commissioner for Human Rights to submit a report on South Sudan to the council in June 2012. Resolutions mandating technical support for **Somalia**, **Haiti**, **Kyrgyzstan**, **Burundi**, **Cambodia** and **Guinea** were agreed. In 2012, we will continue to defend the ability of the council to address countries of concern and provide states with technical support.

Whilst 2011 was significant in its focus on countries of concern and technical support, we were nevertheless disappointed that the council did not discuss **Sri Lanka** and continued to focus disproportionately on **Palestine** and **Israel**.

Several important thematic issues were the subject of council attention in 2011. In June, the outgoing Special Representative on **Business and Human Rights** presented his guiding principles. The principles were endorsed by the council in a resolution, and a five-person working group was established to promote their dissemination and implementation. We represented the EU during negotiations and were pleased to see the resolution passed by consensus. In 2012, we will continue work to integrate the principles into the UK's business and human rights strategy and will encourage other states to do the same.

We warmly welcomed in March the council's decision to take an alternative, consensual approach to **freedom of religion**. This landmark achievement was further consolidated at the 66th session of the UN General Assembly, when the third committee adopted by consensus a similar text to the Geneva resolution, presented by the Organisation of Islamic Cooperation. We look forward to working with our international colleagues in both the council and the General Assembly to further the right to freedom of thought, conscience, religion and belief in 2012.

Significant movement on international debate about **lesbian, gay, bisexual and transgender rights** took place in 2011. Over 80 states sponsored a strong statement on ending acts of violence and human rights violations based on sexual orientation and gender identity during the March council session. This was followed at the June council session by a groundbreaking South African resolution on sexual orientation and gender identity, which we were very pleased to support.

With the **Olympics** fast approaching in 2012, the UK and Brazil ran a joint resolution at the September council session on "Human Rights and the Olympics". This was adopted by consensus and secured agreement for a panel discussion at the council in March 2012, based on the theme of promoting human rights through sport and the Olympic ideal.

Despite significant improvements in the council's performance in 2011, it has remained difficult for us to achieve our objectives. Indeed, it would appear that our unprecedented success in securing council action on Libya and Syria has made some council members more wary of our efforts. The UK and like-minded states remain in a voting minority on many issues, and we still have to work hard to persuade other members that the UN should address human rights situations in specific countries. We believe that this is essential to the council's credibility, and we have been working with partners outside our traditional group of allies to build constructive relationships in order to ensure that the council remains effective.

A review of the Human Rights Council, which began at the end of 2010, was formally adopted by the council in March and concluded in the UN General Assembly in June. As expected, the review did not see any significant improvements to the functioning of the council, and as negotiations developed, even maintaining its current capability was a challenge.

The UK's membership of the Human Rights Council expired in June 2011 after the maximum permitted two consecutive terms, but we plan to run again for membership in 2013. Despite our no longer being a member state of the council, we remain actively engaged in the council's activities, and will continue to work with international partners to achieve our objectives in 2012.

In addition to its main sessions, the council met in January, February, May and October to conduct reviews of the human rights records of 49 UN member states, under the Universal Periodic Review (UPR) mechanism. This marks the end of the first cycle of reviews, with all UN member states having taken part since its inception in 2008. Overall, the Universal Periodic Review system is working well and looks likely to facilitate wider acceptance of international human rights standards. This is often the first time a state has had the opportunity to carry out an open, self-critical review of its human rights obligations. We were pleased to see the majority of states reviewed in 2011 took the process seriously and engaged constructively. We believe the Universal Periodic Review is a crucial tool for states who want to improve their record on human rights, and as the second round of reviews start we will look at how we can help states to implement their commitments in 2012.

We continue to see the Universal Periodic Review as an opportunity to raise publicly our key human rights concerns in a constructive manner, and as a vehicle to develop an effective bilateral dialogue on human rights. Our embassies and high commissions have worked hard in 2011 to engage governments and civil society before, during and after reviews.

The UK undergoes its second Universal Periodic Review in May 2012, having had its first in April 2008. The FCO is working closely with the Ministry of Justice, which has lead responsibility for the UK's own review. We aim to seize the opportunity to set the standard for how states engage during the second round of examinations and help to ensure that the Universal Periodic Review beds down as an effective international mechanism to improve human rights on the ground.

In 2011, British experts, who work independently of the UK Government, continued to serve on a number of the human rights treaty-monitoring bodies. In January, Patrick Thornberry was re-elected to the Committee on the Elimination of Racial Discrimination. In 2012, we hope a British expert will be elected to the Committee on the Rights of Persons with Disabilities and that Sir Nigel Rodley and Malcolm Evans are re-elected to the Human Rights Committee and Sub-Committee on Prevention of Torture respectively. We believe that the UN human rights treaty-monitoring system is essential to the protection of individual rights globally and will continue to engage actively in discussions to improve its effectiveness in 2012.

We maintained our support for the operational structures of the UN in 2011, providing more than £2.5 million of voluntary, unearmarked funding to the Office of the High Commissioner for Human Rights on top of our contribution to the regular UN budget. We donated a further £166,000 to the Office of the High Commissioner for Human Rights to support her work on Contemporary Forms of Slavery, Universal Periodic Review and the Emergency Response Fund, which played a vital role in Tunisia in 2011. In our statements to the Human Rights Council and the General Assembly, we made clear our firm commitment to the continued independence of the High Commissioner, her office and the special procedures. We particularly welcome the briefings the High Commissioner gave to the UN Security Council on the human

rights situations in Libya, Syria and Côte d'Ivoire. The year saw a significant increase in the number of UN Security Council briefings given by the High Commissioner and her office, a welcome development that we will continue to support in 2012. We welcome the publication of the Human Rights Due Diligence Policy on UN support to non-UN security forces, and we will continue to encourage and support efforts to champion human rights in the wider UN system in 2012.

Case study: Universal Periodic Reviews in the Commonwealth and Sierra Leone

In 2011, we continued to support the work of the Commonwealth Secretariat's Human Rights Unit to strengthen member states' engagement with the Universal Periodic Review process. The Secretariat's work included regional seminars that enable Commonwealth countries to discuss, develop and share good practices and lessons learned. This support has helped us enter into longer-term dialogues about human rights with Commonwealth countries such as Sierra Leone.

On 5 May, Sierra Leone undertook its first Universal Periodic Review and engaged in an admirably self-critical way. The British High Commission in Freetown took every opportunity to work with both the government and civil society in the lead up to the review, and they felt that it was one of the most rewarding issues they had worked on.

At the formal adoption of the working group report on 22 September, Sierra Leone accepted 106 recommendations in full, including UK recommendations on ratifying the Optional Protocol for the Convention against Torture, establishing a committee on the follow-up to the Truth and Reconciliation Commission's Report, and measures to stop the practice of female genital mutilation. Other accepted recommendations included stopping discrimination against women and preventing child labour. Some recommendations, such as halting the death penalty, have been accepted subject to a constitutional review.

Based on the approach the government took towards the review, including extensive civil society consultation, we are hopeful that this experience will effect a positive change in the human rights situation in Sierra Leone. But this is not the end of the process, and the High Commission will continue to work with the government and civil society to ensure that Sierra Leone lives up to the commitments it made and maintains focus on human rights during the November 2012 elections and beyond.

Sanctions

UN and EU sanctions are an important means by which the international community contributes to promoting human rights. The UN currently imposes sanctions against human rights violations in the Democratic Republic of Congo. The EU currently imposes appropriate and restrictive measures against human rights violations in Iran, Syria, Burma, Zimbabwe, Belarus, Côte d'Ivoire, China and Guinea.

Multilateral sanctions are not intended to punish, but to coerce and constrain those they target with the aim of changing their behaviour, and to send a political signal. Because they must be enforced by all UN or EU member states, they have a stronger impact than bilateral sanctions. They are always targeted specifically at individuals and organisations responsible for a situation, to minimise negative humanitarian impacts.

However, they are increasingly vulnerable to legal challenge on human rights grounds if the individuals and organisations targeted are not given clear and specific reasons for being listed under the sanctions. In response, the FCO is reviewing all multilateral sanctions with a view to mitigating the risk of legal challenge and improving the justifications provided for individual designations under sanctions.

Multilateral sanctions are most effective at meeting their aims when they have clear objectives which they can realistically be expected to achieve; are combined with other foreign-policy instruments, not used in isolation; are supported by regional and global powers; and are properly enforced and monitored. The prospect of lifting of sanctions can be an effective incentive to encourage re-engagement and alter behaviour.

Examples of such multilateral action in 2011 are UN and EU sanction measures to constrain the Syrian and Côte d'Ivoire regimes by reducing their access to financial resources with which to fund repression, and by encouraging their supporters to change sides through economic sanctions and targeted asset freezes and travel bans against individuals.

We expect all the above-mentioned regimes to be renewed in 2012, though with some amendments; for example, we expect that the Burma and Zimbabwe regimes might be lightened in response to political developments, and the Syria and Belarus regimes are likely to be strengthened.

The European Union

The EU remains the world's largest aid donor. This, together with the EU's importance as a global economic actor, means that it is well placed to use its collective weight to promote respect for human rights and democracy across the globe. The EU has a wide range of mechanisms and policies at its disposal to promote and uphold human rights internationally, including human rights guidelines on key issues such as torture prevention and the death penalty; more than 40 human rights dialogues with third countries, which are increasing year-on-year; human rights clauses in political and economic agreements with third countries; sanctions; and programme funding and development aid.

The High Representative for Foreign Affairs and Security Policy continues to speak forcefully in line with the EU's commitment to respecting and promoting human rights and democracy in its external action. A detailed account of the EU's actions in 2010 can be found in the *EU Annual Report on Human Rights and Democracy in the World in 2010*. It covers EU policies and initiatives, EU action in third countries and the EU's performance in multilateral institutions, including the UN. The *EU Annual Report on Human Rights in 2011* will be published in 2012.

We work with the EU to make a difference to the human rights enjoyed by individuals globally. Through focused EU policies and effective use of its levers, the EU is in a good position to complement action by the UK and others to influence third countries and provide practical support to encourage adherence to international human rights obligations. We believe the EU can strengthen its influence in this field through continuing to develop more coherent policies taking a strong stance on human rights in line with its values, and ensuring that the EU funding mechanism for human rights and democracy is deployed effectively. We have worked closely with the EU this year in a number of areas to develop effective policy and practice.

In December, the commission and the High Representative issued a joint communication on “Human Rights and Democracy at the Heart of EU External Action – Towards a more effective approach”. The new communication is in part intended to set the strategic context for the EU’s role in promoting human rights for the next five years. The objective of the communication is to open a discussion with the other European institutions on how to make the EU’s external policy on human rights and democracy more active, more coherent and more effective. EU member states, as well as other EU institutions, will have an opportunity to participate in the development of the communication, building on the ideas contained in it, with a view to reaching an agreed EU approach. The UK will play an active role in those consultations.

In 2011, for the first time, the EU began to develop human rights country strategies, enabling the EU to target its activity more specifically to the country in question. Over 90 country strategies have already been developed or are at well-advanced stages of agreement, and by mid-2012 over 150 human rights country strategies will have been agreed. The strategies set priorities for human rights work in each country and help to provide a framework for deploying the EU’s human rights programme fund, the EIDHR (European Instrument for Democracy and Human Rights). The strategies look at social, economic and cultural rights as well as civil and political rights and deal with more traditional areas as well as newer aspects, such as human rights and business. We will be encouraging an initial review of the country strategies and their implementation once they are all in place. EU delegations will be required to report on progress annually.

EU member states have agreed sets of common human rights policies which provide guidelines and toolkits for activity by the External Action Service (EAS) and EU member states in third countries. These policies have been in place for a number of years and cover the death penalty, torture, human rights defenders, human rights dialogues, children, violence against women, children in armed conflict and international humanitarian law. They are not legally binding but they express the EU’s political commitment to carry out systemic and sustained action in these areas. Under this framework, the EU has frequently spoken out on particular cases or areas of concern and has lobbied many governments on their human rights records and on

individual cases. In 2011, the guidelines on torture and mistreatment, and on children's rights, were reviewed and updated. The council agreed a set of conclusions to set a framework for action on Freedom of Religion or Belief, and we will be working closely with the EU in 2012 to ensure that these are properly implemented.

EU enlargement

The European Union is founded upon the values of "respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities". The treaties stipulate that any European state that respects and is committed to promoting these values may apply to become a member of the EU. EU enlargement is therefore a powerful mechanism for helping to improve human rights records in countries wishing to join the EU.

The UK Government strongly supports EU enlargement, and is committed to supporting the membership aspirations of any European country that meets these criteria. We encourage the EU to conclude accession negotiations only when we are confident that a candidate country is able to meet the political, economic and legal obligations of membership. These obligations include the protection of human rights.

We are active in determining how the membership criteria are met, for example through setting benchmarks, and ensuring difficult rule of law and fundamental rights issues are tackled at an early stage in the process, including through the "New Approach" endorsed by the EU General Affairs Council on 5 December. We work to influence the allocation of EU pre-accession assistance to ensure that aspirant countries have the tools to effectively address those issues that matter most to us, including human rights violations. Alongside this, we provide bilateral support for human rights reform in order to help aspirant countries meet EU standards.

In 2012, we will continue to ensure that accession and pre-accession processes facilitate and encourage the protection and promotion of human rights in candidate and pre-candidate countries.

In **Croatia**, we have worked with the government and NGOs on improving access to justice and court administration, and tackling corruption. Our work to promote an independent judiciary and fundamental rights has helped Croatia to make considerable progress in reforming its judicial system.

Handling of domestic war crimes trials is improving, with new dedicated chambers. Croatia has implemented measures to increase tolerance in society and reconciliation between ethnic groups, with awareness-raising and training, particularly for the police on hate crimes. Reintegration of refugee returnees has continued. Croatia fully cooperated with the International Criminal Tribunal for the former Yugoslavia by fulfilling regular requests for assistance from the prosecution.

Through the EU, we will continue to monitor these areas in the run-up to accession in 2013. It is vital that the Croatian authorities maintain momentum on reforms, and make additional progress in establishing a strong track record of human rights implementation.

In **Serbia**, we are addressing the continued under-representation of ethnic minorities in state institutions by funding an internship programme for young Bosnians, Albanians and Roma. Other projects have helped towards the opening of an economics faculty in Bujanovac in southern Serbia, which provides ethnic Albanian students with tertiary education in their first language. The cancellation of the 2011 Belgrade Pride parade was disappointing and happened despite UK financial and political support for protection of LGBT rights. We will continue to support projects with this goal, as well as projects promoting ethnic minority rights, inter-ethnic reconciliation, access to justice, and the role of civil society.

Serbia's continued progress towards EU accession provides additional encouragement to human rights promotion. The European Council's conclusions in December stated that Serbia had reached a "fully satisfactory level in its cooperation with the International Criminal Tribunal for the former Yugoslavia" and we welcomed Serbia's arrest of the remaining ICTY indictees in 2011.

In **Bosnia and Herzegovina,** we focused on improving the ability of institutions to implement legislation and tackle human rights violations more effectively. We supported the authorities' work to ensure an efficient and sustainable system for processing war crimes cases before the State Court and State Prosecutor's Office, particularly focusing on crimes committed in Srebrenica**.** Other projects included assisting institutions in improving their witness-protection measures, prevention of human trafficking and strengthening the rule of law, on which we will continue to focus in 2012. We look forward to the implementation of reforms which would align Bosnia and Herzegovina's constitution more closely with the European Convention on Human Rights.

Kosovo made some progress on the human rights agenda in 2011. The election of Atifete Jahjaga as president has improved the position of women in politics and brought women's issues to the forefront. A new office set up in the Office of Kosovo State Prosecutor now deals specifically with victims of domestic violence, trafficking and other offences against women and their families.

The UK remains the biggest bilateral donor in Kosovo supporting the return of internally displaced persons and refugees so that all communities are able to exercise their primary right to live in their place of origin. We have funded housing, returns and reintegration assistance and efforts to resolve property disputes relating to the 1999 conflict. We supported the integration of minority communities through a project aimed at increasing educational success among Roma, Ashkali and Egyptian children. The UK remains a significant contributor to the EU Rule of Law Mission to Kosovo, which aims to develop and strengthen the delivery of multi-ethnic justice, and police and custom services free from political interference.

In **Macedonia,** we continued to be strong supporters of the country's multi-ethnic fabric. This year saw the tenth anniversary of the signature of the 2001 Ohrid Framework peace Agreement (OFA), which paved the way for a decade of peace in Macedonia, and importantly has provided a generation with a set of values to which future generations can aspire – tolerance, inclusion and respect for the human rights of all minorities. We supported one of the key pillars of the OFA, languages, through funding a project implemented by the British Council and supporting an international

academic conference on OFA to discuss progress in the past decade and challenges ahead.

The UK's National Offender Management Service and the UK Ministry of Justice helped to establish, and provided training for, a probation service. We also supported a feasibility study on applicability of public private partnership (PPP) within prisons.

The UK funded the participation of two Macedonian government officials at the regional workshop on the UN Convention on the Rights of Persons with Disabilities, held in Croatia. The Macedonian government subsequently ratified the UN Convention on the Rights of Persons with Disabilities in December.

Our work in **Albania** has focused on transparency, democracy and justice. We fielded six teams of monitors in support of the Organisation for Security and Co-operation in Europe (OSCE) for the May local elections. We are now working with the OSCE and the Albanian parliament on electoral reform. We funded a high-level mentoring project, which works closely with judges to improve the efficiency and transparency of the Albanian Supreme Court. We pushed for a settlement to the long-standing political impasse between the government and the opposition, and are funding work by the Westminster Foundation for Democracy to improve the parliamentary rules of procedure.

We have worked with the British Council to promote diversity and equality, including through support to the qualification campaign of Albania's first Paralympian for London 2012. We have lobbied consistently for improved gender equality and increased efforts by the Albanian authorities to tackle domestic violence more effectively.

We continued to support Turkey's EU accession process and welcomed some significant reforms. The Turkish government's ratification of the Optional Protocol to the Convention against Torture was a positive step in the prevention of torture and ill-treatment. Progress was made on freedom of worship, and we were heartened by amendment of the 2008 Law on Religious Foundations in relation to confiscated

property and continue to encourage its implementation. We maintained funding for projects that improve the awareness of the rights of children and women, and LGBT rights. The EU's Instrument for Pre-accession Assistance, to which the UK contributes, supports work in these areas.

On freedom of expression, the UK shared the concerns about the arrests and lengthy detention without trial of journalists noted in the European Commission's annual progress report. We have been encouraged that the Turkish Ministry of Justice is preparing an action plan on freedom of expression to resolve some of the problems arising from existing legislation. Along with our EU partners, we are urging Turkey to address these issues urgently and to take full advantage of the opportunities offered by the process of constitutional reform to address broader human rights issues.

The European Neighbourhood Policy

The European Neighbourhood Policy is the EU's main framework for engaging with the 16 countries which share its borders to the east and south. Human rights and democracy are a core element of the policy. Through the EU's Neighbourhood Policy, the UK can extend its reach considerably in pursuit of its human rights objectives.

In 2011, the UK played a leading role in the review of the European Neighbourhood Policy, which now forms the backbone of the EU's response to the events of the Arab Spring. It gives the EU more effective tools to tackle some unwelcome developments in the field of human rights in its eastern neighbourhood.

UK ministers worked to ensure that the revised Neighbourhood Policy included a bold, ambitious offer of trade liberalisation and economic integration as well as additional financial assistance for those partners who engage in meaningful political reforms, including in the field of human rights. The European Neighbourhood Policy now incorporates a much stronger element of "conditionality" – so that the further and faster a country progresses in its internal reforms, the more support it will get from the EU. For those countries which fail to achieve benchmarks for political as well as economic reform, the EU will scale back its cooperation and even reduce its

funding or redirect funding towards civil society partners as opposed to state organisations. This goes further than the EU has ever gone before, providing additional incentives to our neighbours in both the east and the south to respect and uphold their international human rights obligations.

The EU and neighbourhood countries have agreed action plans which detail reforms in democratisation, human rights and the rule of law. These action plans will, in future, include detailed benchmarks and indicators to measure partners' progress and to allow the EU to adjust its support according to their performance. Progress reports are published annually.

The EU holds a constructive and regular dialogue with **Georgia** on human rights issues. The fourth such dialogue took place on 20 June. Talks focused on Georgia's national framework for the protection of human rights; the reform of the judiciary, elections and electoral framework; freedom of expression and information; freedom of assembly and association, including the functioning of civil society; rights of minorities and internally displaced persons; and the human rights situation in the Georgian regions of Abkhazia and South Ossetia. In July, the Georgian parliament adopted an amendment to the civil code, which granted legal status to minority religious groups in Georgia for the first time. This move has been welcomed by human rights organisations. We have raised our concerns with the Georgian government about the disproportionate use of force by the police handling demonstrations in Tbilisi in May, in which four people (including one police officer) lost their lives. We remain concerned about the lack of judicial independence and encourage the Georgian government to address the need to reform the judicial process. One area of particular concern is the high rate of convictions reached through plea bargaining.

Armenia has made some notable progress in 2011, especially in relation to freedom of assembly issues by allowing opposition rallies in central Yerevan. It will be important that further progress is made towards the conduct of the elections in 2012 and 2013 by addressing the concerns raised by the OSCE election observation mission in 2008, including on media freedom and broadcasting reforms.

On 19 December, **Ukraine** concluded negotiations on an association agreement with the European Union that includes human rights requirements. This marked the end of a year in which Ukraine's respect for democratic principles and the rule of law had been called into question, principally over the detention, trial and convictions of opposition political leaders. Independent experts, including the Danish Helsinki Committee, identified serious flaws in trials that were widely judged to be politically motivated. The Prime Minister told the House of Commons that the treatment of former Prime Minister Tymoshenko was "disgraceful" and the Foreign Secretary issued a statement expressing his deep concern. The Minister for Europe issued a similar statement when an appeal court upheld Ms Tymoshenko's conviction and sentence. The UK and the EU have made clear that to ensure that the association agreement is ratified, Ukraine must demonstrate that it can live up to EU principles.

The Republic of **Moldova** was the subject of a UN Human Rights Council Universal Periodic Review (UPR) in October. It recognised the efforts of the Moldovan government to ensure respect for human rights and made 122 recommendations for further improvements, most of which were accepted by the Moldovan government. The key human rights challenges remain the introduction of anti-discrimination legislation, changing public perceptions of minority groups, strengthening the independence of the judiciary, inclusion of the disabled, freedom of religion, domestic violence and human trafficking. The Moldovan government does not have *de facto* control over the Transnistrian region, and this continues to complicate efforts to ensure country-wide enforcement of human rights standards and implementation of international conventions to which the Republic of Moldova is party.

Other countries of interest falling within the scope of the European Neighbourhood Policy are covered elsewhere in this document, notably under the sections on the Arab Spring and on countries of concern.

The Commonwealth

The UK sees the Commonwealth and its networks as a valuable and increasingly important partner in protecting and promoting human rights globally, and in helping to deliver UK human rights policy. Commonwealth membership is based on the

shared common values of democracy, human rights and rule of law, as set out in the Harare Declaration in 1991, which includes the commitment to respect fundamental human rights.

In 2011, the UK worked closely with the Commonwealth Secretariat, wider network and member states to strengthen the Commonwealth as a focus for promoting democratic values, development and prosperity. This included supporting the work of the Eminent Persons Group (EPG), established at the Commonwealth Heads of Government Meeting (CHOGM) in 2009 to review and strengthen the work of the Commonwealth, and the review of the Commonwealth Ministerial Action Group (CMAG), which deals with serious or persistent violations of the core values. The UK supported a series of outreach events across the Commonwealth to engage with governments and civil society organisations on the EPG recommendations and build support ahead of the Commonwealth Heads of Government Meeting held in Perth, Australia, in October.

At the meeting, leaders agreed to reform CMAG, which will give the Commonwealth more power to proactively address human rights violations, and to develop a Commonwealth Charter, refocusing the organisation on its core values. There was agreement to develop proposals for a Commissioner for Democracy, the Rule of Law and Human Rights, to monitor all member states and encourage all to aspire to higher standards. The final communiqué urged members to consider becoming parties to all major international human rights instruments and to implement fully the rights and freedoms set out in the Universal Declaration of Human Rights.

In 2012, the UK will engage with Australia, as Commonwealth chair-in-office, the Commonwealth Secretariat and other member states to ensure that CHOGM mandates are implemented to help achieve a stronger organisation focused on its core values, and benefit all member states.

Sri Lanka will host the next CHOGM in 2013. We are looking to Sri Lanka to demonstrate its commitment to upholding the Commonwealth values of good governance and human rights. A key part of this will be addressing long-standing issues around accountability and reconciliation after the war. The Lessons Learnt

and Reconciliation Commission contains many constructive recommendations. More details can be found in Section IX.

The Commonwealth is a valuable forum in which the UK can raise sensitive human rights concerns and seek to increase debate on these issues within and among Commonwealth countries. These matters include sexual orientation and gender identity and the death penalty. Women's rights are another key priority. More on these topics can be found in Section III. The Commonwealth continues to be active in election monitoring (see Democracy in Section III) and supporting member states through the Universal Periodic Review (UPR) process (see the discussion under United Nations in this section, above).

The Organization for Security and Co-operation in Europe

The UK Government remains a committed supporter of the Organization for Security and Co-operation in Europe (OSCE): a forum for political discussions on wider European security issues, including the protection and promotion of human rights across the whole OSCE area. We fully support the work of the OSCE's Office for Democratic Institutions and Human Rights (ODIHR), notably through election observation, the Representative on Freedom of the Media and the High Commissioner on National Minorities.

The UK's 2011 OSCE human rights priorities matched closely those of the Lithuanian chairmanship-in-office and other EU partners. We continued to provide UK nationals to fill key roles within the OSCE, including in most of the OSCE's 17 field offices. We funded British nationals to take part in ODIHR election observation missions in several OSCE states, including Albania, Kazakhstan, Kyrgyzstan, Macedonia, Moldova and Russia, and welcomed the ODIHR report on the May 2010 United Kingdom election.

We supported the work of the OSCE's independent human rights institutions, publicly condemned serious human rights violations, sought to make OSCE activities more focused on core human rights issues, and helped to protect the important role of civil society in holding governments to account.

In April, the UK and 13 other participating states invoked the “Moscow Mechanism” against Belarus. The Moscow Mechanism is a formal means of promoting the observance of and respect for human rights, fundamental freedoms, democracy and the rule of law through dialogue and cooperation. This action was taken in response to serious concerns at the conduct of the 19 December 2010 presidential elections and at the ensuing crackdown by the government of Belarus against opposition candidates, civil society representatives and journalists.

Serious concerns were raised about human rights violations committed by the police in Kyrgyzstan before, during and after the unrest there in 2010. As a result, the UK will contribute £200,000 to the OSCE’s ongoing Community Security Initiative in Kyrgyzstan for 2011 and during 2012, working with the Kyrgyz police to promote protection and respect for human rights.

The UK continued to lead in the OSCE in 2011 in countering hate crime, through legislative, political and criminal justice responses. Our support included the development of the “TAHCLE” law-enforcement officers’ hate-crime training programme, which is due to be delivered in several OSCE participating states in 2012.

As chair of the OSCE in 2011, Lithuania had set an ambitious work programme building on the outcomes of the December 2010 Astana Summit, with an emphasis in the area of human rights on the safety of journalists, freedom of expression on the internet, and freedom of the media. We strongly supported this focus and worked for progress on each of these issues across the OSCE area. However, the background political dynamic in the OSCE remains a barrier to progress. In practical terms, the need for unanimous agreements can frustrate, hamper and delay. We were deeply disappointed when it was not possible to reach consensus on any new ministerial agreements or decisions in the Human Dimension at the OSCE annual Ministerial Council in Vilnius in December 2011. Specific high-profile issues for the UK in this area include digital-media freedoms and the safety of journalists.

Despite these setbacks, the UK remains committed to making a full contribution in 2012 to the OSCE's work to protect and promote human rights, particularly where democracy remains fragile or basic human rights appear under threat.

Case study: ODIHR election monitoring

The United Kingdom was pleased to receive the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) report on the May 2010 United Kingdom election. The UK welcomes the opportunity to receive independent commentary from international electoral observers who have experience of varying systems and processes. As always, ODIHR came up with some thoughtful conclusions to be considered as part of the future development of our electoral system: an example of ODIHR's cooperative and impartial work with OSCE member states. The continuing value of ODIHR election observation missions was shown most recently by the ODIHR observation of the Russian parliamentary elections in December. ODIHR provided a clear and balanced assessment of the conduct of the elections and offered recommendations which can be used to help improve electoral processes.

The Council of Europe

At the Council of Europe, 47 European governments agree common standards on human rights, democracy and the rule of law for the whole European continent, and hold one another to account. The UK assumed the chairmanship of the Committee of Ministers (the Council of Europe's decision-making body) for a six-month period on 7 November. In addressing the Committee of Ministers at the handover of the chairmanship, the Foreign Secretary said that, as a founder member of the organisation and the first country to ratify the European Convention on Human Rights, the UK was very proud to be taking on this responsibility. The Foreign Secretary announced that the overarching theme of our six-month chairmanship would be the promotion and protection of human rights.

On 25 January 2012, the Prime Minister gave a keynote speech to the parliamentary assembly of the Council of Europe on our key chairmanship priority of reform of the European Court of Human Rights. The Prime Minister made clear the UK's deep historical commitment to human rights, to the court and the European Convention on Human Rights. He argued that the court needed urgent reform to help it deal with its backlog of around 150,000 applications, and to ensure that the court focused on the most important cases, coupled with better implementation of the convention at national level. The UK's aim is to agree a declaration on reform of the court at a ministerial conference in Brighton in April 2012 to be hosted by the Justice Secretary.

The work will not, however, finish there. The UK will continue to work closely with subsequent chairmanships throughout 2012 and beyond, to ensure that the agreed reforms are implemented, including, where relevant, by amendment to the operational parts of the convention.

As part of our chairmanship we will be making a contribution to the Human Rights Trust Fund, which finances activities that support member states' efforts in implementing the European Convention on Human Rights.

Our other chairmanship priorities are to support Secretary-General Thorbjørn Jagland's programme of reform of the Council of Europe; to develop practical

guidelines for strengthening the rule of law; to promote freedom of expression on the internet; to promote measures combating discrimination on the grounds of sexual orientation and gender identity; and to streamline the Council of Europe's activities in support of local and regional democracy.

In April, the Committee of Ministers agreed the Council of Europe's policy towards its neighbouring regions. This policy opens the way for emerging democracies in Europe's neighbourhood to use the Council of Europe's expertise in the fields of human rights, democracy and the rule of law. Programmes are currently being drafted and implementation will commence in 2012.

Two new Council of Europe conventions opened for signature during 2011: the Convention on Preventing and Combating Violence against Women and Domestic Violence, and the Convention on the Counterfeiting of Medical Products and Similar Threats to Public Health. The UK played an active part in the negotiation of both instruments, which add significantly to international regulation in their respective fields. One issue included in the 2010 Human Rights Annual Report remains on the table: talks on EU accession to the European Convention on Human Rights have not yet concluded. The UK will keep working to make sure that the terms of accession are right.

The Committee of Ministers issued three statements during the year. The first on political prisoners in Belarus, the second on the impending execution of Troy Davis in the USA, and the last – issued during the UK chairmanship – on the death sentences given to Dzmitry Kanavalaw and Uladzislaw Kavalyow in Belarus. Belarus and Kosovo remain the only countries on the European continent which are not members of the Council of Europe. The detention of political prisoners and the retention of the death penalty remain significant barriers to Belarus's accession.

SECTION VIII: Promoting Human Rights in the Overseas Territories

The UK Government has responsibility for the international relations, internal security, defence and good governance of the Overseas Territories, as well as the well-being of their peoples. There are 14 UK Overseas Territories: Anguilla; Bermuda; the British Antarctic Territory; the British Indian Ocean Territory; the British Virgin Islands; the Cayman Islands; the Sovereign Base Areas of Akrotiri and Dhekilia in Cyprus; the Falkland Islands; Gibraltar; Montserrat; the Pitcairn Islands; St Helena, Ascension and Tristan da Cunha; South Georgia and the South Sandwich Islands; and the Turks and Caicos Islands. There is no right of abode on Ascension Island and consequently no permanent settled population. The British Antarctic Territory, British Indian Ocean Territory and South Georgia and the South Sandwich Islands have no permanent settled populations.

The Overseas Territories have their own constitutions and domestic laws, with a substantial measure of responsibility for the conduct of their internal affairs. The protection and promotion of human rights in each territory is thus primarily the responsibility of the territory government. But the UK Government is ultimately responsible for ensuring the territories fulfil their obligations arising from international human rights treaties which have been extended to them.

The UK Government's long-standing objective is for the governments of the Overseas Territories to abide by the same basic human rights standards that British people expect of the UK Government.

New Overseas Territory strategy

In September, the Foreign Secretary announced the main principles of a new strategy for the Overseas Territories, agreed by the National Security Council. He said that the UK Government's fundamental responsibility and objective was to ensure the security and good governance of the territories and their peoples.

The Foreign Secretary said that the UK Government had reviewed the constitutional status of the Overseas Territories and had concluded that the fundamental structure

of the UK's constitutional relationships was the right one, in that powers were devolved to the elected governments of the settled territories to the maximum extent possible, consistent with the UK retaining powers necessary to discharge its sovereign responsibilities. The UK Government's strategy was therefore to ensure that the constitutional arrangements worked effectively to promote the best interests of the territories and of the UK.

Constitutional development

Since 1999, the UK Government has been working through a process of modernising the constitutions of the inhabited territories. All territory constitutions agreed since then have included a bill of rights, including a non-discrimination clause that reflects the European Convention on Human Rights and the International Covenant on Civil and Political Rights.

A new constitution for **Montserrat** came into force on 27 September. This was the culmination of a long process of consultation and negotiation which started in 2001. The new constitution gives more power to the government of Montserrat in the field of international relations, and strengthens and expands the fundamental rights and freedoms of those living in Montserrat, reflecting the European Convention on Human Rights and the International Covenant on Civil and Political Rights. The constitution establishes a number of new commissions to deal with complaints, integrity, mercy and elections. It establishes a new National Advisory Council, and retains the existing Public Services Commission. These are all designed to enhance democracy and good government, and to give greater powers to local politicians and senior civil servants.

Turks and Caicos Islands

In 2009, following a commission of inquiry into systemic corruption, the ministerial government and the House of Assembly of the Turks and Caicos Islands, along with parts of its constitution, were suspended and the governor tasked with restoring good governance, sustainable development and sound financial management in the territory.

In December 2010, UK ministers set out eight milestones to be met before elections could take place. The UK continues to hope that these elections can take place in 2012.

The Turks and Caicos Islands government continues to make progress towards restoring the principles of good governance in the islands. Following a series of public consultations in the Turks and Caicos Islands in early 2011, constitutional talks between the United Kingdom and a Turks and Caicos Islands delegation concluded on 16 June. The Privy Council made an order in council containing a new constitution on 13 July, which was laid before the UK Parliament on 20 July. The new constitution will be brought into force when UK Government ministers judge that conditions are right. Under the constitution, elections must be held within 30 days of it coming into force. The new constitution will increase protection of human rights, for example by adding a specific right to equality before the law, which did not exist previously.

Supporting the Extension of the International Human Rights Conventions to the Overseas Territories

Most of the Overseas Territories are small islands or island groups that face resource and capacity constraints which affect their ability to consider or implement treaties. Within this context, we continue our long-standing policy of encouraging territories to agree to the extension of UN human rights conventions that the UK has ratified.

DFID and the FCO are jointly funding a project designed to help those territories that have not already done so to have the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) extended to them. This includes reviewing existing legislation, policy and national gender strategies for compliance with CEDAW in each participating territory, and producing a timeline of necessary actions for Overseas Territories' governments to enable them to request extension. We had hoped that the government of Bermuda would be ready to request that CEDAW be extended to it in 2011, but the process has taken longer than expected. We hope that both Bermuda and the Cayman Islands will be in a position to request extension in 2012.

Building human rights capacity

The FCO continues to support the DFID-funded Building Human Rights Capacity project in the Overseas Territories in the Caribbean, Pacific and South Atlantic.

This cross-territory project is managed by the Commonwealth Foundation. Its purpose is to increase multi-sectoral support for human rights in the territories in partnership with the UK Government. It focuses on helping governments to improve their implementation of human rights through a range of training workshops and through specialist assistance and advice. The project works with civil society, in particular looking at their role in the protection of human rights and ways of raising awareness of the issues amongst territory citizens. Some examples of the work carried out by the project include providing funding for a human rights awareness-raising poster and booklet campaign in the Falkland Islands; delivering human rights training for 246 civil servants, police and social workers in the British Virgin Islands; a seven-day workshop in Pitcairn that resulted in participants reviewing a number of laws and policies in relation to their constitutional rights; and providing support and advice across the territories to enable them to complete their national action plans by the end of the project in early 2012.

Safeguarding children

The Safeguarding Children in the Overseas Territories (SCOT) project has been running for nearly three years in Montserrat, Anguilla, the Turks and Caicos Islands, the British Virgin Islands, St Helena, Ascension Island and the Falkland Islands. This project is designed to improve policy making, implementation and professional practice with regard to the protection of children, young people and their families by promoting greater Overseas Territory government recognition and ownership of the safeguarding agenda; strengthened inter-agency collaboration; and more effective regional collaboration.

During 2011, Anguilla and St Helena put protocols in place for professionals working with children and families to encourage effective inter-agency cooperation in child protection cases. These protocols were produced following extensive public consultation, thereby also raising the profile of child safeguarding within the

community. St Helena and Ascension Island introduced legislative changes in 2011 to support families and protect children from abuse. The project has overseen extensive training activities during 2011, including behaviour-management training for teachers in Anguilla and for front-line community workers in Montserrat.

The training of pastors and Church leaders, carried out in the Turks and Caicos Islands in 2010, was extended to Montserrat and Anguilla in 2011. The training was designed to cover their role and responsibilities should cases of child abuse surface either within their congregations or involving Church leaders. Church leaders are involved in raising awareness of human rights within their churches and in the wider community.

Outside the SCOT project, the UK Government introduced a series of measures to improve child safeguarding and offender monitoring on the Pitcairn Islands following the conviction of nine men on child sex abuse charges through Operation Unique in 2006. In June there was a follow-up to the 2009 Pitcairn Child Safety Review. This assessed the safeguarding measures introduced over the last two years as effective, and recommended that these structures be maintained.

Both the Building Human Rights Capacity project and the SCOT project are due to end in March 2012, with most activities having terminated in December 2011. There has been a significant level of training and support provided, but one outcome of the project's work has been to identify gaps where further work needs to be done. These areas include the need for improved reporting to the various UN human rights treaty bodies; further specialised training of police, judiciary, Attorneys Generals' chambers and social workers; structural changes such as the introduction of gender and child welfare departments; creation of non-discrimination legislation; and policy reforms to ensure that all the inhabitants of a territory have equal human rights.

We are working closely with DFID and the Commonwealth Foundation to assess future human rights needs in the territories and ways in which we can continue this important work. We will continue focusing on the areas highlighted above in order to sustain the momentum we have built up over the last couple of years.

SECTION IX: Human Rights in Countries of Concern

This section contains our review of human rights developments over the course of 2011 in 28 countries where there are wide-ranging human rights concerns.

In identifying which countries to include in this section, we consulted our embassies and high commissions and FCO country desks. Along with a country's overall human rights performance during 2011, we considered whether the UK had been particularly active on human rights issues in each country and whether its inclusion in the report might be beneficial in stimulating debate and potential change.

The countries covered are the same as those included in last year's report, with the addition of Fiji and South Sudan. In Fiji, the military dictatorship remains, and we have received allegations of torture and ill-treatment at the hands of the military, as well as violations of the rights of women and children. We have included South Sudan because of the ongoing insecurity and conflict, which has led to civilian deaths, large-scale displacements of population and reports of rape, looting, arbitrary arrests and summary executions.

We have not removed any countries this year, but have aimed to indicate where we believe countries are making significant improvements. We will continue to review these countries each year, and where we consider sufficient progress has been made they may be removed from the list.

The list is in alphabetical order, and does not aim to be exhaustive. We continue to have human rights concerns about other countries that do not feature in the report, where we raise human rights issues and carry out projects. This year we have aimed to make clearer which countries are a particular focus of UK action and have included more detail on projects undertaken in each location. We have ensured that the entry for each country contains a section on each of our thematic human rights priorities (elections, prevention of torture, women's rights, freedom of religion or belief and freedom of expression).

For the first time, in 2011 we published quarterly updates on each of the countries of concern on the main FCO website; we will maintain these updates in 2012. This allows us to report in more detail and in a timelier manner on developments in each country. We will continue to raise our concerns about human rights issues wherever and whenever they occur.

Afghanistan

Human rights remain high on the agenda in Afghanistan, particularly in the context of protecting progress made by the Afghan government as we support them in taking forward a political settlement process. Whilst the Afghan government's National Priority Programme (NPP) on human rights and civic responsibilities was endorsed by the Joint Coordination and Monitoring Board – a body which is chaired by the United Nations and the Afghan government and is responsible for monitoring progress on development priorities – more work needs to be done by the Afghan government across the board to implement its human rights obligations. This was highlighted by several international reports throughout the year, including the International Committee of the Red Cross report on civilian casualties and the United Nations Assistance Mission in Afghanistan (UNAMA) report on the Implementation of the Elimination of Violence Against Women law, all of which raise concerns about human rights in Afghanistan. Women's issues continue to remain a concern, particularly Afghan women's participation in the political process.

We continue to work with the Afghan government and institutions, local and international NGOs and civil society organisations to promote increased respect for human rights in Afghanistan and to support the work of the Afghan government to implement its NPP on human rights. We work to improve the role and status of women in Afghanistan so that they can participate as fully as possible in a future, stable Afghan state. In 2011, we have focused our work on empowering Afghan institutions such as the Afghan Independent Human Rights Commission (AIHRC), and DFID launched a five-year programme to strengthen Afghan civil society and promote a more accountable and responsive government.

At the International Afghanistan Conference in Bonn in December, the Afghan government committed itself to upholding all its human rights obligations. We will continue to press them to do so. In his intervention at the conference, the Foreign Secretary reaffirmed the UK's long-term commitment to Afghanistan and our support for the Afghan government's work to uphold human rights.

The UK is committed to supporting Afghan democratic institutions and processes as the Afghan government builds a democratic, secure and viable Afghan state. We continue to work with the Afghans and with international partners to build the capacity of the Independent Electoral Commission (IEC) and the Electoral Complaints Commission (ECC). We have made it clear to the Afghan government that we are ready to assist it to advance the electoral-reform agenda in line with the commitments made at the Kabul conference, and respond to the lessons learned from both the 2010 and 2009 elections. We look forward to helping the Afghan government reach this commitment.

Elections

The Special Court was established in December 2010 to look at cases of fraud and corruption in the 2010 parliamentary elections. Following months of uncertainty over who had jurisdiction on the final election results, the president issued a degree in August 2011 that clarified the Independent Election Commission's role as the final arbiter. The decree shut down any other investigations into the 2010 parliamentary elections, except in respect of criminal cases. The IEC reversed the decision of the Electoral Complaints Commission to disqualify nine members of the Afghan parliament, who had originally been successfully elected, on the basis of new evidence.

Freedom of expression and assembly

While the principles of free speech and free media are enshrined in the Afghan constitution and the mass-media law, the Afghan media continue to operate in a restricted environment. Journalists still face intimidation and uncertainty, and often revert to self-censorship.

During 2011, there were mixed developments affecting freedom of expression and media freedom. On 1 June, Afghan religious leaders released a statement which called for the closure of Tolo TV station and a newspaper for distributing un-Islamic content. The Afghan Media Complaints Commission later agreed to the removal of a Turkish soap opera on Tolo TV and a further series on One TV, also on the grounds of un-Islamic content. No action was taken against the newspaper. In early September, some senators in the Meshrano Jirga (upper house of parliament) called

on the Minister of Information and Culture to impose a ban on private Afghan TV channels broadcasting immoral and un-Islamic programmes. Despite these incidents, in what can be seen as an encouraging sign of the Afghan government upholding freedom of expression and the media, the minister of information and culture defended the role of the Afghan media, and the programmes they broadcast.

UK officials regularly remind the Afghan government of its international and domestic commitments on human rights, including freedom of expression.

Civil society

Afghan civil society continues to grow and increase its influence in raising human rights issues in Afghanistan. This was highlighted by its effective engagement, with the international community, to lobby and raise concerns with the Afghan government on the draft women's-protection-shelters legislation, which resulted in a revised regulation that now reflects their suggested amendments. We have continued to work on capacity-building initiatives with civil society throughout the year. We supported the visit of three female members of Afghan civil society organisations to the UK in March to attend a workshop to build relationships and networks with national and international civil society organisations and to meet UK officials and parliamentarians to discuss human rights issues in Afghanistan.

Afghan civil society participated in the traditional Loya Jirga in October and the Civil Society Forum in Bonn in December, ensuring that their voices were heard both nationally and internationally. The UK continues to provide financial support to human rights defenders in Afghanistan, with £400,000 funding allocated to the Afghan Independent Human Rights Commission (AIHRC). Our support to the AIHRC is provided through a multi-donor trust fund, and the AIHRC provide quarterly and annual reports on their accounts.

In October, the Secretary of State for International Development launched "Tawanmandi" (meaning "strengthening" in Dari), a five-year programme funded by the UK, Denmark, Norway and Sweden. It will provide grants to civil society organisations across Afghanistan to help them engage more effectively with the Afghan government and help to make the Afghan government more accountable and

responsive to its citizens, particularly women. Human rights, access to justice, action against corruption, peacebuilding and the media will be major themes of the programme.

Access to justice

Much needs to be done by the Afghan government to improve access to justice and strengthen justice institutions. In 2011, we worked extensively with them to improve the justice system.

The UK continued to support national judicial reform through building the capacity of the Criminal Justice Task Force and providing specialist mentoring support to the Afghan Attorney General's office. We continued our work with the Afghan government and the international community to implement the new criminal procedure code. We provided an international adviser to the Afghan Independent Bar Association, and funded training and outreach events for defence lawyers.

In Helmand Province, we continued to support improved local administration and promote better access to the state-administered justice sector. We provided mentoring and case-tracking support to judges, prosecutors and Huquq representatives (Ministry of Justice officials whose role is to act as intermediaries between the formal and the informal justice systems), coupled with support for prosecutors. We provided training for legal professionals on criminal procedure, judicial ethics and fair trials, and funded lawyers to give legal aid to defendants in criminal cases.

Rule of law

Tackling corruption in Afghanistan is a long-term effort. In May, the Afghan government launched an independent monitoring and evaluation committee (MEC) to tackle corruption. Since its inauguration, the MEC has agreed anti-corruption benchmarks for the Afghan government to work towards.

We continued to support the Afghan government on tackling corruption through law enforcement and management of public finances. This included developing the capacity to investigate cases of corruption within the police force, and building

internal and external accountability mechanisms. We continued to provide support to the major crimes task force.

Developing the Afghan National Police (ANP) is a pre-requisite for a successful handover of security responsibility to the Afghans and for long-term stability in Afghanistan. Their respect for human rights plays a key part in building trust between the Afghan government and the Afghan people. For many Afghans, the police are the public face of the government, and interaction with the police is the only contact they have with the government.

With support from the international community, the Afghan government is working to ensure that Afghan police receive training on human rights, including the use of force, proportionality and appropriate professional behaviour. The standards expected of Afghan police are set out in the Afghan National Police Code of Conduct and include a promise to respect the Universal Declaration of Human Rights.

The government of Afghanistan is working to create opportunities for women within the police force. By mid-2011 there were approximately 1,200 female officers in the ANP.

In 2012, we will continue to provide senior advisers to the Afghans on issues such as community policing. We aim to help the Afghan police become more responsive and accountable to the public. We will continue to provide personnel to the European Union Police Mission (EUPOL), which supplies senior leadership, professional standards and investigative training to the ANP. British members include the deputy head of mission, the head of training centre development and the leads on community-policing pilot projects in Kabul. One staff member teaches professional standards to senior ANP officers at the EUPOL Staff College. This includes awareness of human rights and the ANP Code of Conduct.

On 12 September, Human Rights Watch published a report on the Afghan Local Police (ALP) which alleged that they had committed human rights violations. An August 2011 report by the United Nations Assistance Mission in Afghanistan documented concerns over the ALP's recruitment and vetting procedures. We agree

with the Human Rights Watch report recommendation that the ALP should be "well trained, properly vetted security forces that operate within the rule of law and are held accountable for their actions". We will continue to urge the Afghan government to investigate fully allegations of human rights violations.

Prisons and detention issues

It is vital that the human rights of detainees and prisoners are protected. British mentors from HM Prison Service have provided training and mentoring to prison officers in the Afghan Central Prison Directorate and the National Directorate of Security (NDS) to improve respect for the human rights detainees.

On 10 October, the UN Assistance Mission in Afghanistan published a report containing allegations of widespread torture and mistreatment of those detained by Afghan security forces. UNAMA found evidence that 46% of detainees interviewed who had been in NDS detention had experienced torture; 35% of ANP detainees interviewed had been mistreated.

These allegations are very serious. Torture and mistreatment are illegal under the Afghan penal code and absolutely prohibited under international human rights law. The Afghan authorities are investigating the allegations made in the report. We have raised our concerns about the report's findings and continue to press the Afghan authorities to ensure that their investigations are full, independent and transparent.

In November, the FCO began to fund the UK's National Policing Improvement Agency to train NDS investigators in interview skills and using evidence. This training aims to help NDS develop alternative sources of evidence for conviction, rather than confessions. The FCO is funding additional improvements to conditions in NDS detention centres. The UK funded the construction of a provincial prison in Lashkar Gah that conforms to international standards. International funding has been secured to build a dedicated rehabilitation centre alongside the main prison, and completion is expected in late summer 2012. The focus will be to provide education and vocational training for all prisoners in the hope of diverting them away from criminal or insurgent-related activities.

Due to concerns about torture and mistreatment, UK forces did not transfer individuals detained during military operations to the 16 facilities where UNAMA found evidence of torture and ill-treatment by NDS and ANP officials. UK forces monitored the well-being of the detainees transferred to other Afghan facilities through a programme of regular visits. Detainees transferred were interviewed in private, and where there was reason to believe abuse had taken place, with the detainee's consent, we raised our concerns with the Afghan authorities, calling on them to investigate the allegations and to prosecute the individuals responsible.

In 2012, the UK will continue to support the Afghan authorities in tackling torture and mistreatment and to establish processes that reduce the risk of abuse of detainees. We will support legal and institutional reform and invest in training, including on human rights, for personnel in the Afghan criminal justice system.

Conflict and protection of civilians

The UNAMA report on civilian casualties in Afghanistan, published in July, stated that there had been 1,462 non-combatant deaths in Afghanistan in the first six months of 2011, with insurgents responsible for 80% of the killings. This is an increase against the figure of 1,271 non-combatant deaths during the same period in 2010. UN Security Council Resolutions (UNSCR) 1943 and 2011 condemned in the strongest terms all indiscriminate targeting of civilians. UNSCR 2011 expressed serious concern about the increased number of civilian casualties in Afghanistan, in particular casualties among women and children, the majority of which are caused by Taliban, al-Qaeda and other violent and extremist groups.

The protection of civilians remains at the core of the International Security Assistance Force's (ISAF) military strategy. ISAF forces take stringent measures to ensure the protection of civilians and to counter the threat posed by the insurgency. ISAF will continue to work with the Afghan government to ensure the most effective measures possible to protect the local population as the transition process continues and Afghan National Security Forces begin to take lead responsibility for security across the country.

Freedom of religion or belief

There has been no change in the situation outlined in 2010, and we continue to remind the Afghan government of its duty to abide by its national and international commitments on freedom of religion or belief, and to respect the freedom of worship as enshrined in the Afghan constitution. During his visit to Afghanistan in January, the Attorney General, Dominic Grieve MP, raised the issue of freedom of belief with the Afghan Attorney General. In February, our Embassy in Kabul sponsored a visit to the UK of a group of influential religious leaders, including the Deputy Minister for Hajj and Religious Affairs, Mr Abdul Hakim Munib. During this visit, the delegation gained first-hand exposure to the importance that the UK places on religious tolerance and freedom. In July, the Embassy sponsored the attendance of Mr Farid Arifi, a leading Afghan academic and Islamic scholar at a Wilton Park Conference on promoting religious freedom worldwide.

Our Embassy in Kabul continues to work with international partners, including the EU, to monitor the situation of Afghan Christians and to raise issues of concern with the Afghan government.

Women's rights

Despite Afghanistan's national and international commitments to promoting and protecting women's rights, implementation is weak. Afghan women continue to face significant challenges. In addition, the high illiteracy rates amongst Afghan women make it difficult to raise awareness of women's rights. It is important that the Afghan government implements the legislation to which it has committed, to ensure that any progress made on the situation for women in Afghanistan is not lost. During his visit to Afghanistan in January, Mr Burt, FCO Minister with responsibility for Afghanistan, met with civil society groups and women's rights advocates and reaffirmed the UK's support for their work.

In January, the Afghan government issued a draft regulation on women's protection shelters, jeopardising the shelters' independence by bringing them under government control. The UK worked with international partners, Afghan official institutions and civil society organisations to lobby the Afghan government, raising concerns and suggesting amendments to the regulation. The Afghan government

subsequently reviewed and approved a revised regulation which included some of the amendments suggested by civil society organisations. We will continue to work with international partners and civil society organisations to monitor legislation affecting women, including this regulation once it becomes law.

During 2011, there have been some encouraging signs of the Afghan government's efforts to include women in the political process. There was strong female Afghan participation in the traditional Loya Jirga held in November, where at least one woman participated on each of the 41 committees. Afghan women comprised nearly half the Afghan civil society delegates who attended the Civil Society Forum on Afghanistan in Bonn in December, ahead of the International Conference on Afghanistan. One of the two civil society representatives who participated in the main Bonn conference was a woman. The official Afghan delegation for Bonn comprised approximately 30% women, above the 25% quota requested by civil society. This demonstrates the progress that women in Afghanistan have made over the past ten years towards participating as fully as possible in the political process.

We continue our work to improve the role and status of women in Afghanistan through our defence, development and diplomatic activities in our country action plan for Afghanistan under UN Security Council Resolution 1325 on Women, Peace and Security. During 2011, our work included continued funding for a "Gender and Political Empowerment" project to provide support and training for Afghan female parliamentarians, participation in the Afghan Independent Human Rights Commission donor group and support for a Kabul women's legal-aid centre, which provides legal assistance to female and child victims of violence and discrimination.

Minority rights

Article 22 of the Afghan constitution makes clear provision for the equal rights of all Afghan citizens. There have been further reports of violent tensions between Hazaras and Kuchis during the annual Kuchi migration through the Hazarajat, and we continue to encourage all parties to engage in dialogue to find a solution to this dispute. We regularly remind the Afghan government of the need to ensure the security of all Afghan citizens.

Children's rights

During 2011, we maintained our support for the work of the United Nations to protect children in armed conflict. In February, the UN released the report of the secretary-general on Children and Armed Conflict in Afghanistan covering the period 1 September 2008 to 30 August 2010. The report noted the positive steps taken by the Afghan government on children's rights, which included the signing (in January 2011) of an action plan against the recruitment and use of children in the Afghan National Security Forces. The report highlighted the continuing risks to Afghan children including their recruitment and use by anti-government forces, the killing and maiming of children, and attacks on schools.

The UN Working Group on Children and Armed Conflict visited Afghanistan in June. During the visit the delegation met the Afghan Independent Human Rights Commission, the High Peace Council, the Ministry of Foreign Affairs and civil society organisations. Our Embassy in Kabul participated in a number of these meetings. The delegation discussed the Afghan government's progress on implementing its obligations under the action plan and promoted the protection of children and greater safety and accessibility for schools.

We recognise that there remains much work to be done to combat child sexual abuse in Afghanistan and the protection of child rights in general. The UK will continue to press the Afghan government to take further steps to tackle this problem and we will support them in doing so.

Belarus

There was a continued decline in human rights and democracy in Belarus during 2011. The majority of the approximately 700 people detained for protesting on the night of the 19 December 2010 presidential election were released early in the year. However, 43 people, including five presidential candidates, were charged with organising or taking part in "mass riots", and over 30 were sentenced to jail terms of between two and six years. Some detainees made credible allegations of torture and other ill-treatment. Following international criticism and a request from Belarus for an IMF loan to help manage a growing economic crisis, all but eight political prisoners were released by September 2011. Credible reports suggest that those remaining in prison are under intense psychological and physical pressure. In the meantime, the regime continued to suppress all efforts to express dissent, breaking up silent protests, introducing legal amendments to reduce still further the right to freedom of assembly and association, and tightening the restrictions on civil society receiving assistance from abroad. In 2011, two men were executed and a further two sentenced to death. In March 2012, the two men accused of perpetrating the April 2011 Minsk Metro bombings which killed 15 people were executed.

In view of the critical political and human rights situation, UK objectives for 2011 focused on damage limitation, including working for the release of political prisoners and trying to mitigate the effects of the deteriorating human rights situation. At the EU, we argued for the reintroduction and strengthening of the EU sanctions regime. We were one of 14 participating states who invoked the Organization for Security and Co-operation in Europe's (OSCE) "Moscow Mechanism", which triggered an independent fact-finding mission to review the human rights situation in Belarus. Although the Belarusian government refused to cooperate with the OSCE, the result was a comprehensive report covering serious, gross and systematic human rights violations. At the UN, we strongly supported the UN Human Rights Council Resolution on Belarus in June, which ensured closer UN scrutiny of the situation. At the same time as increasing pressure on the regime, we and our international partners stepped up our support for civil society. The Deputy Prime Minister and Minister for Europe met groups of civil society representatives and members of the

political opposition in September, on the margins of the Warsaw Eastern Partnership Summit. The Foreign Secretary and Minister for Europe hosted a group of opposition figures at the Foreign and Commonwealth Office in December.

The resumption of large-scale subsidies from Russia has taken some of the pressure off the regime to improve its performance with regard to basic standards of human rights and the rule of law. Nonetheless, we will continue to pursue our objectives in 2012, with a new focus on seeking improved electoral standards linked to the parliamentary elections due to take place in autumn 2012. The UK will support a strong OSCE election-monitoring mission. We will continue to press for expanded EU sanctions to target those responsible for serious human rights violations and those who back the regime financially. We will continue to support civil society. We will oppose Belarus' non-avowed *de facto* travel ban imposed in March 2012 on selected opposition and civic activists and independent journalists, which prevents them leaving Belarus via national borders. While the immediate prospects for those seeking to support democratic reform in Belarus are dim, we are proposing that the EU draw up an enhanced package of measures and assistance that can be offered to Belarus should it follow the path of democratic and human rights reforms. We will be lobbying in favour of securing a UN Special Rapporteur on Human Rights in Belarus, and we will continue to call on Belarus to uphold its OSCE commitments and international obligations.

Freedom of expression and assembly

During 2011, court proceedings were launched to shut down Belarus' two remaining independent national newspapers – *Nasha Niva* and *Narodnaya Volya* – but were subsequently withdrawn, possibly due to external pressure. However, these and other independent media organisations continue to be targeted by the authorities through the use of fines and intimidation of potential advertisers. Opposition and independent media websites were subjected to massive cyberattacks, especially before and after public protests.

One of the opposition parties, the Belarus Popular Front (BPF), was evicted from its headquarters in July. The Belarusian Ministry of Justice has denied registration to the "Tell the Truth" movement, headed by former presidential candidate Neklyayev.

The authorities took an increasingly repressive approach to the so-called “silent” protests that took place in around 50 Belarusian towns during the summer. Although those involved did not shout slogans or display placards – they simply clapped – the authorities responded by sanctioning up to 2,000 people through fines or short periods of detention.

In November, the authorities implemented new legislation designed to silence public protest and preclude foreign assistance to any NGO or other organisation not sanctioned by the regime, with penalties of up to three years in prison for involvement in unsanctioned public protests and up to two years in prison for receiving foreign assistance for political activities or for keeping any financial resources abroad. The definition of treason – a capital offence – has been widened to include assisting foreign states and international organisations with any activity perceived as jeopardising the national security of Belarus. Legislation was implemented which gives the security services (KGB) a wide scope of discretionary powers without judicial checks and balances. On 19 October, Minister for Europe David Lidington publicly expressed his concerns about these legislative amendments.

Human rights defenders

Although the majority of political prisoners have been released, the charges against them have not been dropped. This has damaging implications for their future work or education prospects as well as their ability to exercise their right to participate in political activity.

Political prisoners who remain in detention are ex-presidential candidates Andrei Sannikov and Mikalai Statkevich; political activists Zmitser Bandarenka and Paval Sevyarynets; head of the “Youth Front” Zmitser Dashkevich and “Youth Front” member Eduard Lobau; and long-term political prisoner Mikalay Awtukhovich. Relatives of the prisoners have told us that significant physical and psychological pressure continues to be put on them and several have experienced serious health problems. Their lawyers are not always allowed access to the prisoners, and supervision often prevents confidentiality in consultations. On 28 September, the

Minister for Europe publicly expressed his serious concerns over the continued detention and treatment of political prisoners.

We will continue to call on the authorities to release all political prisoners and drop all charges against them and those who have already been released.

In November, prominent human rights defender Ales Bialiatski, chair of the respected human rights organisation Viasna, and vice-president of the International Human Rights Federation (FIDH), was sentenced to four and a half years of hard labour for alleged large-scale tax evasion on his personal income, and the offices of Viasna were confiscated as part of his property. With other Western embassies, we attended parts of the trial, which we assessed did not meet international standards of a fair trial. On 24 November, the Minister for Europe condemned the conviction as further evidence of the Belarusian regime punishing human rights defenders. The EU added to the sanctions listings the names of the prosecutor and judge involved in the trial.

In December, the authorities arrested Syarhei Kavalenka, an opposition activist under a suspended sentence for planting the historic white-red-white flag of Belarus on a Christmas tree. Following alleged violations of the terms of his sentence – for attending the silent protests and for being detained with the white-red-white flag on 19 December, he was sentenced to over two years in prison in February 2012. There is grave concern about his condition in the light of a sustained hunger strike since the date of his arrest.

The regime is taking steps to close down the Belarus Helsinki Committee (BHC), claiming that the BHC owes tax arising from running EU projects.
Article 193-1, under which it is illegal to organise or participate in any organisation not registered with the authorities, remains in place. All attempts at official registration by new parties and organisations which might follow an independent line from the government continue to be declined by the Belarusian Ministry of Justice.

Access to justice and the rule of law

The year was marked by a series of political show-trials. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) monitored the trials of those charged in connection with the protests in December 2010, and reported serious concerns regarding the treatment of detainees and their access to counsel. Several were denied the right to counsel during lengthy periods in KGB detention awaiting trial. Particularly worrying was that judges failed to follow up allegations that statements were made under duress, intimidation, inhumane treatment and, possibly, torture. No independent inquiries were ordered.

ODIHR had concerns about the excessively close relationship between prosecutors and judges in these trials, and the influence of the executive on the judiciary. There were significant concerns over the right to a presumption of innocence, and the lack of public access to the verdicts was considered inconsistent with the right to a public trial. The rights of some were hampered when the Belarusian Ministry of Justice revoked the licences of several lawyers who had raised allegations of maltreatment in detention. Although alternative lawyers were found, ODIHR considered this to be undue interference by the executive. Our Ambassador and her staff in Minsk monitored the trials, and their accounts support that of OSCE ODIHR.

In August, Justice Minister Kenneth Clarke was one of 11 ministers from across Europe who signed an open letter to the Belarus Minister of Justice expressing serious concerns at the ongoing reports of harassment and persecution of lawyers in Belarus. This was in response to the introduction of extraordinary qualification exams for qualified lawyers that might lead to them being disqualified for political reasons.

During the year, we noted what appeared to be a growing and concerning pattern of the police, almost unquestioningly supported by the courts, engineering detentions, arrests and imprisonment through unsubstantiated petty allegations. On the first anniversary of the 19 December elections, 46 people were arrested in Minsk to prevent public disorder and 32 were charged and sentenced for offences ranging from neglect of a child to organising an unsanctioned mass event.

Death penalty

On an unknown date between 14 and 19 July two Belarusian citizens, Aleh Hryshkawtsow and Andrey Burdyka, were executed by shooting following convictions for aggravated murder and kidnap. Their families were not formally informed, and they found out through the media. The executions were carried out despite a request for a stay of execution from the UN Human Rights Committee pending a review of the condemned men's appeals to the committee. The Minister for Europe expressed his concern at the continued use of the death penalty on 29 July and called on the Belarusian authorities to establish a moratorium.

In November, Dzmitry Kanavalaw and Uladzislaw Kavalyow were sentenced to death for allegedly carrying out the bombing of the Minsk Metro on 11 April, which killed 15 people and injured more than 200. They were found guilty of two bomb explosions in Vitsyebsk in 2005 and the bomb attack at an Independence Day concert in Minsk in July 2008. International and local independent human rights organisations judged the standard of the conduct of the trial and evidence presented as weak. On 2 December, the Minister for Europe called for Belarus to commute these sentences immediately, due to concerns about the fairness of the trial, and to establish a formal moratorium with a view to abolishing the death penalty. Our Ambassador made a démarche to the Belarusian authorities on 9 December and the Permanent Under-Secretary of the FCO summoned the Belarusian Ambassador on 12 December to express the UK's concerns in person. Both men were executed on 14 March 2012 despite a request from the UN High Commissioner for Refugees (UNHCR) not to carry out the punishment until it had considered an application from one of the men to comment on the fairness of the proceedings against him. Belarus refused to engage with the UN because it argued that the plaintiff had not exhausted all national remedies first. However, despite the fact that an application for reviews was still before the national courts, the execution was carried out on the day the president announced his refusal to grant clemency.

Belarus is one of the top five priority countries and regions identified in the UK Government's Strategy for Abolition of the Death Penalty. We will continue to work through our Embassy and international organisations to lobby against the death penalty in Belarus and on all individual cases. Our Embassy will continue to work to

stimulate debate about the death penalty and to highlight the issues it raises. It is our aim to encourage the establishment of a moratorium on the death penalty in Belarus as a first step to its eventual abolition. Abolition in Belarus would make Europe the first death-penalty-free region in the world.

Torture

Former presidential candidate Ales Mikhalevich was released on 19 February on the basis that he would stay silent about his time in detention and collaborate with the KGB. On 28 February, he made a public statement about the torture he endured and he subsequently submitted an application to the UN Committee against Torture. Having been called for further questioning by the KGB, Mr Mikhalevich fled Belarus and has been granted political asylum in the Czech Republic. Other political prisoners have since claimed that they were tortured in custody.

Lesbian, gay, bisexual and transgender (LGBT) issues

LGBT groups continue to face severe challenges similar to those faced by other civil society organisations in Belarus. The annual Gay Pride march planned for 22 October was banned by the Minsk City Executive Committee.

On 29 December, the Ministry of Justice denied the registration of LGBT rights group Alternative Plus Human Rights Centre, because of minor inaccuracies in its application. In reality, this appears to be another example of the authorities blocking an organisation wanting to tackle homophobia and promote tolerance and acceptance within Belarus.

Freedom of religion or belief

There were no improvements in freedom of religion in 2011. The situation remained as in 2010.

Burma

2011 was marked by some unexpected and positive political developments in Burma, although significant long-term challenges remained. In March, a new civilian government was inaugurated following flawed elections at the end of 2010. Many of its members had belonged to the former military regime, including the new President, Thein Sein. Democratic opposition leader Aung San Suu Kyi's National League for Democracy (NLD) party was threatened with dissolution. Burma completed the Universal Periodic Review process, rejecting many important human rights recommendations. The situation in some ethnic minority areas worsened. But from the middle of the year we witnessed a change of direction in several areas. In July, the Burmese government opened up a process of dialogue with Aung San Suu Kyi. She made a political tour outside Rangoon the same month, with the cooperation of the government. Media and internet restrictions were relaxed to some extent. UN Special Rapporteur Tomás Ojea Quintana was granted a visa to visit Burma in August. The president suspended the construction of a controversial dam in Kachin State, seemingly influenced by the concerns of civil society. The October parliamentary session saw new labour laws passed, allowing for the establishment of independent trade unions. An amendment of the Political Party Registration Law paved the way for the NLD, and Aung San Suu Kyi herself, to run in by-elections planned for 2012. In October, over 200 political prisoners were released from detention, although several hundred remained. Aung San Suu Kyi told us that she believed the president was genuinely committed to reform. Looking ahead to 2012, there is some evidence to suggest that the government plans to push on with its reform programme.

The UK's human rights objectives in Burma during 2011 were to work towards an improvement on human rights in a range of areas, including prison conditions; the treatment of civilians in conflict areas; forced labour and freedom of association; accountability for human rights abuses; the rights and freedoms of ethnic minorities and media freedom; and encouragement of democratic reform, including through support to political parties and civil society. Working with the Department for International Development (DFID), we aimed to improve human security, promoting

responsible social and economic policies. Although we saw movement in many of these areas, at the end of 2011 serious concerns remained, especially regarding ethnic minority areas, notably Kachin State.

The UK took forward a range of activities to advance these goals. Our Ambassador regularly met Burmese ministers in Nay Pyi Taw, raising our human rights concerns directly with the government. Our staff in Rangoon developed a network of contacts throughout Burma, which included the government, representatives of the ethnic communities, political parties and civil society. Our Ambassador spoke regularly to Aung San Suu Kyi. The Embassy provided regular updates on the situation in-country, and their reporting helped us to ensure that the resolutions on human rights in Burma at the Human Rights Council and the Third Committee at the UN General Assembly were well-evidenced and reflected positive progress as well as detailing concerns that remain. We helped to secure the renewal of the EU's restrictive measures on Burma, with some minor amendments which opened the door for increased engagement with the new government. Our Embassy managed a programme of projects worth £350,000 focused on strengthening civil society and supporting human rights and democracy.

Ministerial visits have marked a new level of engagement with the Burmese government. The International Development Secretary went to Burma in November, and the Foreign Secretary visited on 5–6 January 2012 – the first British Foreign Secretary to do so since 1955. When he met the Foreign Secretary, the President committed to releasing all political prisoners, holding free and fair by-elections, and making progress on national reconciliation. A week later, on 12 January, we saw the signing of an initial peace agreement with the Karen National Union after 63 years of conflict. Other ethnic groups have also agreed similar trust-building agreements with the government, but this process remains fragile and will remain so in the absence of political dialogue between the government and ethnic groups. On 13 January, a significant number of political prisoners, including key "88 Generation" activists and ethnic leaders, were released, although significant numbers remain in jail.

We acknowledge that there is more work to be done to address the serious human rights concerns that remain, In 2012, our human rights objectives will build on the

progress in 2011; we will focus on ensuring the effective implementation of the commitments made by the Burmese government during the previous year.

Elections

The new ministers appointed to the Burmese government in March were required to resign their parliamentary seats before taking up their positions. As a result, by-elections, for 48 parliamentary seats in total, will be held on 1 April 2012.

In January, the NLD lost their appeal against dissolution and in May the government pronounced that they no longer had legal status as a political party. On 4 November, the president approved amendments to the Political Parties Registration Law, which removed the NLD's objections to registration. The NLD decided to re-register as a political party on 18 November, and announced that they would contest all seats in the by-elections.

Freedom of expression and assembly

There have been improvements in media freedoms during 2011. Following the partial relaxation of censorship laws, certain categories of private newspapers including health, children's, business, technology and sports journals no longer needed to submit copy for advance censorship. Political and news journals must still do so. *De facto* censorship has become less rigorous and topics which were once taboo are now featured, including ethnic affairs and interviews with opposition politicians. Aung San Suu Kyi's image is now sold openly on roadsides, and can often be found on front covers of newspapers. The state media dropped their propagandist condemnations of the BBC and Voice of America, and reporters from both organisations were allowed to report officially inside the country. Burmese ministers have given unprecedented interviews with exiled Burmese media organisations barred from operating in-country.

Some topics still remain heavily censored, including direct criticism of the government and references to certain historical events. The head of the Press Censorship Committee has indicated publicly that he would like to see an end to censorship, and we understand that a new media law is currently being drafted

accordingly. Nine jailed reporters were released in a prisoner amnesty in January 2012, but at least three journalists reportedly remain in jail.

Internet restrictions were tightened in May, with new regulations instructing internet cafes to monitor usage. Some restrictions were eased in June and August, with access granted to thousands of previously banned internet sites. However, around 30,000 websites reportedly remain banned, mostly adult sites.

Censorship in the film sector remains strict, although government ministers have indicated that this will be an area of reform in 2012. From 31 December 2011 until 4 January 2012, an unprecedented "Freedom Film Festival" was organised in Rangoon, chaired by Aung San Suu Kyi. Films were not submitted in advance to the censorship board, and films on sensitive topics such as censorship processes and life in prison were shown openly; this was a significant development, and something that we look forward to becoming the norm.

The UK has supported the development of journalism through several workshops on issues of concern. The British Council has continued to promote freedom of expression and information through its English teaching and library and IT facilities. British Embassy-funded millennium centres in 19 locations across Burma are an important source of English-language materials and activities.

Civil society has played an increasingly vocal role in advocating for and against government decisions. Notably, civil society activism, in the form of literary festivals and newspaper articles, was likely to have influenced President Thein Sein's decision in September to suspend construction of the controversial Myitsone dam in Kachin State. There have been open debates over the merits of the Dawei deep sea-port project. However, activists working in Rakhine State to raise awareness of the Kyauk Phyu port project have continued to be harassed by authorities, and have been prevented from speaking freely on the matter.

The new parliament has passed legislation on a right to peaceful protest. This legislation has yet to be tested, and the police authorities have advised that they are still amending their own procedures in light of the law. Earlier in the year, a

procession to mark the fourth anniversary of the 2007 protests was dispersed by police, and on 27 October a protest in downtown Rangoon against land confiscations was broken up by police, with several leaders detained for questioning and banners confiscated.

A labour organisations law was passed by parliament in October, giving Burmese workers the right to strike, which the International Labour Organization (ILO) welcomed as an important step. The test in 2012 will be in the implementation of these laws, and the Embassy will be monitoring the situation closely, in liaison with the International Labour Organization.

Human rights defenders, political prisoners and torture

President Thein Sein announced two amnesties through the course of 2011. In May, around 40 political prisoners were released; in October, around 270 were liberated. The UK has consistently called for the release of all political prisoners, including during the Secretary of State for International Development's visit in November.

Prison conditions have slightly improved in recent years for political prisoners but overall are far from meeting international standards. There continue to be reports of harsh interrogation techniques, solitary confinement, prisoners held in cells intended for military dogs, and overcrowding. Political prisoners have been deliberately held many miles away from their families. Hundreds of prisoners each year are forced to act as porters for army units in conflict zones; many prisoners have died or suffered serious injuries as a result. The International Committee of the Red Cross (ICRC) continued to be denied access to detainees in prison. In July, the ICRC was granted access to three prisons for technical assessments of water and sanitation systems but could not meet with prisoners. The Ambassador has pressed the government to allow independent access to prisons to monitor conditions.

Access to justice and the rule of law

Burma's existing laws are in many cases outdated, sometimes contradictory and in need of amendment. Judges, police and other officials often have limited knowledge of the law, and corruption remains a major problem. Citizens have little trust in the legal system and little knowledge of the laws under which they live. Access to legal

assistance is often unaffordable. Criminal cases are still held, in some instances, behind closed doors. Arbitrary revocation of lawyers' licences continues. The lack of legal framework for redress results in human rights violations, for example around land confiscations, and environmental damage.

In 2011, the Burmese parliament began a project to review and, where necessary, amend or revoke existing laws, in part to address concerns over legal uncertainty.

The UK has supported the development of rule of law through a number of projects over the course of the year, bringing in overseas expertise, and working to develop legal information that is easily understandable to the general population. In 2012, further work on rule of law, taking advantage of greater freedom in Burma, will be a priority for the UK Government.

Conflict and protection of civilians

In March, the Burmese army moved into areas of Shan State held by ethnic armed forces. We received reports that seven villages were razed to the ground, and civilians indiscriminately targeted. An estimated 30,000 people fled their homes.

In June, conflict broke out in Kachin State, bringing a 17-year ceasefire to an end. Human rights abuses targeting civilians were reported, including torture, rape and unverified reports of murder. There were allegations that the Kachin Independence Army was also using forced portering and child soldiers. Land mines, laid by both sides, remained a serious issue. By the end of 2011, hostilities continued and nearly 50,000 people had been internally displaced from Kachin State.

During 2011, we received further reports of regular clashes between the military and the Karen National Union in eastern Burma. Refugees continued to flow, in relatively small numbers, across the border to Thailand, although there was movement in both directions throughout the year.

Towards the end of the year, the government started to reach out to ethnic groups, although it had yet to meet their demands to establish a nationwide ceasefire and collective, national-level peace talks. In early September, ceasefire agreements with

the Wa and Mongla groups were signed in Shan State. In December, a ceasefire was signed with the Shan State Army-South. The government held initial talks with members of the United Nationalities Federation Council, an alliance of several armed ethnic groups.

At a UN Security Council debate on protection of civilians in November, the UK called for the Burmese army and ethnic militia to make every effort to protect civilians and bring to account those responsible for human rights abuses against them. We ensured that the Burma resolutions passed by the Human Rights Council in March and the General Assembly in November reflected our concerns.

Freedom of religion or belief

The 2008 constitution and election laws enacted in 2010 forbid the "abuse of religion for political purposes" and bar members of religious orders from running for public office, from voting and joining political parties.

We received reports in November of attacks by the military on Christian churches and of restrictions placed on religious gatherings in Kachin State. The UK raised these issues directly with the government, including in November when our Deputy Ambassador accompanied the former Archbishop of Canterbury to a meeting with the Burmese minister of religious affairs. The Ambassador relayed our concerns about freedom of religion to the Burmese Human Rights Commission in November.

Women's rights

Burma is a state party to the Convention on the Elimination of All Forms of Discrimination against Women. The government has drafted a National Plan of Action for the Advancement of Women for 2011–15 and is working with the UN Population Fund in its finalisation. We understand that at the end of 2011 they were in the process of drafting new legislation on women's rights. The Burmese government has stated its commitment to the Millennium Development Goals and is on track to meet some of its gender-equality goals, such as school enrolment for girls. Under its 2011–15 Operational Plan for Burma, DFID is undertaking programmes to improve maternal and child healthcare, to enable women to avert

unintended pregnancies, and to make available micro-finance services to poor women in rural areas.

Women's participation in public life, and notably in government, is limited. The British Embassy is working with Action Aid on a project to promote women's participation in public affairs.

We have continued to receive reports of gender-based violence by the military in conflict areas; the Burmese government has done little to investigate these cases. During Burma's Universal Periodic Review session at the UN, we urged the government to end impunity for human rights violations. At the Human Rights Council in March and the UN General Assembly in November, we supported text which strongly called on the government to take urgent measures to end the targeting of civilians in military operations, and rape and other forms of sexual violence.

Burma has acceded to the UN Convention against Transnational Organised Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons. The UK has utilised its willingness to engage on this issue, and supports a Karen women's NGO to strengthen its capacity to combat human trafficking.

Minority rights

State and divisional parliaments came into being in March 2010, in accordance with the 2008 constitution. Several ethnic minority parties have substantial blocs of elected MPs within those parliaments. However, as yet the extent of these parliaments' legislative authority remains unclear, state-level budgets have not been allocated, the chief ministers are appointed centrally by the president, and democratic politicians have been disappointed by the lack of opportunity for debate within parliament.

The situation of the Rohingya minority remains of great concern. The Rohingya community were not included as one of Burma's "national races" under the 1982 Citizenship Laws. In 2011, they continued to be denied basic civil and political

rights, with restrictions on freedom of movement, limited access to education, permission required to get married, and widespread social discrimination

At the end of the year, minority rights remained perhaps Burma's greatest challenge, requiring an inclusive and credible process of national reconciliation, involving political dialogue and, most likely, constitutional amendments, along with economic development to address existing inequalities.

Children's rights

The UN Convention on the Rights of the Child is one of only two UN conventions that Burma has ratified. The Burmese government has cooperated with UNICEF and a number of NGOs, such as Save the Children, in implementing their programmes in Burma and has established a National Committee on the Rights of the Child. At the end of 2011, the Burmese government was in the process of drafting new legislation on children's rights, but further information is not yet available.

Serious concerns remain. In 2011, many children in Burma continued to receive inadequate education, healthcare or social protection, with children among the internally displaced population in particular lacking access to services. The Special Rapporteur for Human Rights in Burma reported in March that fewer than 60% of children complete primary education.

The use of child soldiers continued to be a problem in the Burmese military and some armed ethnic groups. Many children continued to work, largely due to poverty, and there remained no code of conduct to protect working children. There is little protection under the law for how children are treated within the Burmese police justice system.

Throughout the year, we worked closely with civil society organisations and UN agencies on children's issues. DFID's Operational Plan for 2011–15 aims to support more than 200,000 children through primary school in Burma.

National Human Rights Commission

In September, the Burmese government announced the establishment of a 15-member National Human Rights Commission, all ex-government employees, including diplomats and academics. The commission, which began accepting complaints in early October, has said that it intends to cooperate with international organisations, and operate in line with international human rights principles.

The commission issued a number of public statements in the state media calling for releases of “so-called political prisoners”, and sent a delegation to Kachin State in December to coordinate humanitarian aid. But the extent to which it can operate impartially, and its appetite to investigate serious abuses, remains to be seen. Our Embassy has met several times with the commission and has encouraged it to play a credible role in investigating abuses and calling authorities to account where appropriate.

Chad

The UN Development Programme "Human Development Index" (HDI) ranked Chad as one of the least developed countries in the world: 183rd out of 187 countries, placing Chad well below the regional average for Sub-Saharan Africa. Chad has slightly improved its HDI value (0.323 in 2009 to 0.328 in 2011) but has fallen in its overall ranking because of greater improvements by other countries and additional countries being included in the HDI. The ranking reflects Chad's post-conflict status and long history of conflict. (Whilst there is certainly a long way still to go, we have seen evidence that Chad, post-conflict is improving its human rights record.) Chad has twice granted the International Committee of the Red Cross (ICRC) access to the notorious Koro Toro prison, in line with recommendations in the UN's Universal Periodic Review. Legislative and presidential elections in 2011 were deemed largely acceptable by international and domestic observers. Other positive developments included Chad's taking a regional lead against the use of children in conflict, including by signing up to an action plan to end the recruitment and use of child soldiers; some improvements to press freedom; and a halt to forced evictions following international pressure.

The rhetoric surrounding Chad's approach to development and human rights is positive. President Deby's inaugural speech, following his re-election in April, made direct reference to youth and women, education and health, and fighting poverty and corruption. Such statements are welcome, but the arrest of a human rights activist in December for denouncing the obstruction of an investigation, despite his subsequent release, implies that some parts of the government remain nervous about dissent. The events in Libya have exacerbated the already difficult conditions in northern and eastern Chad due to the influx of Chadian returnees and the loss of vital remittances. In addition, there is the developing food crisis in the west and a reduced harvest around the diminishing Lake Chad.

UK interests in Chad are limited. Our High Commissioner to Cameroon is accredited as non-resident Ambassador to Chad. As we do not have permanent representation in Chad, we work primarily through the EU, UN, local NGOs and with other

diplomatic missions on the ground. Our bilateral development-programme funding for Chad is limited. We therefore support development funding through our normal contributions to the UN and European Union.

Our objectives for 2011 were to help guard against any deterioration in peace and stability following the departure from eastern Chad of the UN peacekeeping force in December 2010. We increased our engagement further following events in Libya, and continue to monitor their impact on Chad.

There are a number of issues which could have a direct impact on human rights in 2012, both positively and negatively. Local elections took place in January 2012 (for the first time in Chad's history.) Following lessons learned from the largely peaceful legislative and presidential elections this year, we understand that the government is working to meet opposition parties' demands to promote transparency. The fallout from events in Libya has the potential to impact negatively on Chad's economy, security and humanitarian situation. Chad is at risk of being the worst-affected country in the region for food insecurity due to poor harvests. There are continued internal political risks linked to decisions to reduce the size of the armed forces. There is an outstanding, although diminished, risk from rebels operating within Chad or from neighbouring countries. We are encouraged by signs that Chad is committed to putting reforms in place, but the country is fragile and progress will probably remain slow.

Elections

Legislative elections were held on 13 February and presidential elections on 25 April. International observers praised the peaceful legislative round, which had a turnout of 56.6%. These were widely considered the most free elections Chad had ever seen. Observers noted some logistical shortcomings and allegations of isolated fraud but judged that most of the failings were technical, due to a lack of capacity and understanding of the electoral process by election officials and politicians.

In the run-up to the presidential elections, following extensive negotiations with the ruling party, three of the five opposition candidates announced that they were boycotting the polls. Following a minor delay, the presidential elections took place

peacefully on 25 April. There were allegations of fraud in the turnout calculation initially declared by the Electoral Commission, revised down from 64% to 51% by the Constitutional Court. Civil society provided around 3,000 election observers who, alongside observers from the African Union and La Francophonie, expressed satisfaction that the preparations allowed for generally free and fair elections and that most of the technical difficulties of February's legislative elections had been resolved.

Freedom of expression and assembly

Three student protesters were charged in September for distributing anti-government leaflets during protests in May. Another 150 were arrested in September following student protests against non-payment of scholarship grants. The majority of those arrested were released after one day in detention. A few were charged and sentenced for destruction to property and disturbance of public order.

State funding for the Media House in 2011 facilitated new office buildings, allowing journalists, politicians and civil society to interact more easily. The print media, in the run-up to the different elections, was also permitted to report freely, though the general situation still requires improvement.

Human rights defenders

On 19 December, Daniel Deuzoumbe Passalet, the President of Chadian human rights organisation Droits de l'Homme Sans Frontieres (Human Rights without Borders), was arrested and charged following an interview he gave on Radio France Internationale, denouncing the obstruction of an investigation into the deaths of 10 men in the south of Chad. He was released on 30 December by the Chadian court but the government has appealed against the decision.

There are over a dozen known active human rights defenders and organisations. They cannot operate freely as the authorities often deploy intimidation, arbitrary arrest and illegal detention to deter their activities. Many more are considered to exist but do not make their activities widely known due to difficulties in operating freely.

Access to justice and rule of law

In December, for the first time in two years, Chad took part in the European Union–Chad political dialogue. One of the main topics of discussion was the progress of justice-sector reform in which the EU has invested through its Support to Justice Programme. With political and financial support from the Chadian government, this has made some progress in providing training, setting up scientific and technical police departments and improving infrastructure. But wider investment is needed in the criminal justice system, which is characterised by severe delays in resolution of cases due to a lack of new magistrates, often leaving defendants in excessively long pre-trial custody. Yet there has been a real reduction in the Ministry of Justice budget from 1.53% of government expenditure in 2009 to 1.02% in 2011.

Chad is a state party to the International Criminal Court (ICC). However, its much improved relationship with Sudan, with which it continues to work to stabilise the border with Darfur, has made the government reluctant to enforce its obligation to arrest President Bashir of Sudan under the ICC arrest warrant when he visits Chad. Our Ambassador continues to remind Chad of its responsibilities under the Rome Statute.

Hissène Habré

Former President Hissène Habré is alleged to be responsible for widespread human rights violations during his rule from 1982 to 1990, including the systematic use of torture, extrajudicial killings and ethnic cleansing. Habré was sentenced to death in absentia in 2008. The Senegalese government announced in July its intention to reverse its decision to return Habré to Chad for fear of his mistreatment on return. The Senegalese courts are considering a request supported by the government of Chad, the African Union, European Union and international and Chadian NGOs to extradite Habré to Belgium to stand trial for crimes against humanity. The UK supports the call for Habré to stand trial in Belgium, and our Embassy in Dakar and High Commission in Yaoundé continue to monitor developments.

Death penalty

A number of individuals remain under sentence of death, although we are not aware of any executions in 2011. Following an announcement by President Deby at Chad's 50th anniversary celebrations in January, the government released several political prisoners, as well as several on death row. We continue to oppose the use of the death penalty in Chad and support action on this by EU partners.

Torture

The UN's Universal Periodic Review in 2009 recommended that Chad should grant access to the International Committee of the Red Cross (ICRC). In May, the ICRC was granted access to the previously closed Koro Toro prison facility and made a follow-up visit in November. The ICRC confirmed they were pleased with the cooperation and support received from Chadian authorities. We welcome this development but we urge the government to formalise the ICRC's access to Koro Toro prison as well as other Chadian prisons.

Conflict and protection of civilians

The international community and NGOs alike have been struck by the positive progress made by the Chadian authorities, and in particular the security force Détachement Intégré de Sécurité (DIS), to sustain and improve security and protection of civilians on the Darfur border. With financial support from the UN Development Programme (UNDP) and UN High Commissioner for Refugees (UNHCR), as well as the Chadian government, the DIS has increased in size and now includes women on the force. They have been trained in human rights awareness and are gaining more trust from the citizens in the camps for refugees and independently displaced persons. Whilst isolated incidents such as cattle rustling continue, DIS has also provided sufficient deterrence to bandits to allow the aid effort in the east to continue more effectively than the dark days of 2008–9, when access was so highly constrained.

In May, the governments of Chad, Sudan and the Central African Republic issued a declaration establishing a partnership between the three countries to promote comprehensive peace and sustainable development. This included the

establishment of a tripartite force to protect the borders between the three countries, to work together and promote peaceful coexistence between the tribes of the common borders, the resolution of the conflicts between the pastoral tribes across borders, and the voluntary return of refugees. This built upon an existing joint Chadian-Sudanese border force that had secured the Chad-Sudan border, preventing incursions in both directions.

Thousands of Chadian residents in Libya fled the fighting there, some alleging mistreatment by armed forces. The UN and NGO community moved quickly to establish reception centres in Chad. The International Organisation for Migration (IOM) estimated that over 90,000 of a possible 300,000 Chadians resident in Libya had returned to Chad. It is impossible to gather accurate information on conditions for the Chadian returnees. But there are some indications of increased social tensions, particularly in urban centres like N'Djamena, as well as some shortages of goods, a general lack of work and high living costs. Potential for increased conflict in camps and villages is heightened because of this influx, and risks being further exacerbated by poor harvests.

Children's rights

In the past two years, since the end of conflict in Chad, 1,125 children have been demobilised from the Chadian armed forces. On 16 June, witnessed by the UN Special Representative of the Secretary-General for Children and Armed Conflict, Radhika Coomaraswamy, Chad signed an action plan with the UN in which it committed to ending the recruitment and use of children in its national army and security forces. President Deby gave his personal commitment to implementing the plan. The Office for the Coordination of Humanitarian Affairs commended the government of Chad for their efforts, and in the UN Security Council debate on children and armed conflict in July highlighted the progress that has been made with the reintegration of 191 children in Chad this year. There is still a long way to go, but building on this progress, we continue to work with organisations such as UNICEF to encourage the authorities to step up their action.

President Deby's inaugural speech in August acknowledged that the country's youth were the "hope of Chad" and he pledged to increase the National Fund in Support of Youth, in return for hard work and the "spirit of excellence". Whilst universities have been built, there is anecdotal evidence that there are insufficient teachers and students to fill them.

Other issues

Last year we reported that the Chadian government was forcibly removing inhabitants from their homes in N'Djamena, claiming they were built on government property, despite some tenants holding evidence of ownership. Following pressure from international groups such as Amnesty International, these evictions have now ceased, although issues around compensation remain unresolved in many cases.

China

Sustained rapid economic growth over the last three decades means that China has made great progress in improving the economic and social freedoms of its citizens. Personal freedoms, such as the freedom of individuals to choose where they work and live, have grown, and despite pervasive censorship, technology has rapidly expanded the space for public debate. But in recent years China's progress on civil and political rights has stalled. In 2011, following the events of the Arab Spring early in the year, the Chinese government responded harshly to online calls for a "Jasmine Revolution" in China. Public order and security bodies detained and harassed lawyers, bloggers, human rights campaigners and other activists, without allowing them recourse to their legal rights. These events have highlighted that there remain inadequate protections in place in China to guarantee access to justice, or to ensure the transparent and consistent application of the rule of law. China made some incremental improvements to areas of its criminal justice system in 2011, as well as to regulations governing labour disputes and its management of civil society organisations. These positive steps could be taken to indicate that, within parts of the Chinese system, there is a genuine interest in the benefits of reform.

The FCO's approach to human rights in China is one of constructive long-term engagement, with the aim of supporting the process of modernisation and internal reform. Our objective is to improve the human rights situation by encouraging China to lift the barriers that still remain to its ratification of the International Covenant on Civil and Political Rights (which it signed in 1998), focusing particularly on the abolition of the death penalty, criminal justice reform, freedom of expression, and the development of civil society.

In 2011, our approach remained unchanged and was delivered through three main pillars: high-level lobbying and engagement, the bilateral human rights dialogue, and financial support to projects in-country. We consistently raised human rights concerns directly with the Chinese leadership, both publicly and in private.

In January, the 19th round of the UK–China human rights dialogue was held in London and Cardiff. The UK took a constructive but robust approach and a wide range of sensitive issues were discussed, including the rights of detainees, migrant rights, capital punishment, freedom of expression, freedom of religion, China's plans for ratification of the International Covenant on Civil and Political Rights, the situation in Tibet and Xinjiang, and a number of individual cases. There were detailed discussions on the role of police in criminal trials and the use of minority languages in education, with respected experts facilitating full and frank exchanges. The dialogue remains our main bilateral channel for raising the full range of our concerns at senior levels, and is a vital part of our long-term strategy for encouraging incremental progress on key human rights reforms. It supports the other pillars of our engagement, providing opportunities for follow-up project work, informing our high-level lobbying and helping to strengthen our working relationships with relevant ministries. Throughout the year we continued to run a portfolio of projects, worth around £2 million in the period 2008–12, which enabled us to work directly with Chinese officials, academics and civil society to address issues including death-penalty sentencing, torture prevention, prison reform and media freedom. We have used traditional and social media platforms in China to highlight the issues on which we work, ensuring that we reach the widest possible audience.

In 2012, we will continue to engage constructively and to speak out when we disagree, both in private and in public. We will continue to fund project work on the ground.

Elections

According to its constitution, China is a multi-party socialist state under the guidance of the Communist Party of China (CPC). China's top leaders have consistently rejected the prospect of a separation of powers, and China operates essentially as a single party state. The party controls the entire political system, including the army. Direct elections, launched in 1988, take place only for village councils and local People's Congresses. Electoral lists are dominated by party members.

The latest round of direct elections throughout the country took place in the course of 2011, the beginning of a process which will lead to the appointment of a new

National People's Congress in 2013. For elections in Beijing, held on 8 November, 9 million city residents were eligible to vote and the Chinese government reported an average turnout of around 95%. No independent monitoring of the elections occurred, and we have received reports which indicate that significant numbers of independent candidates were prevented from standing.

Freedom of expression and assembly

The spread of technology accelerated in 2011, enabling unprecedented public discussion of political issues and much greater scope for public expression of grievances. However, the party has imposed limits through coercion and censorship, so that, despite being guaranteed in the Chinese constitution, freedom of expression continues to be severely restricted in practice. Journalists, bloggers, intellectuals and others have been harassed, threatened or imprisoned for exercising their right to free speech. This harassment was heightened in the period immediately following the Arab Spring. Online calls for "Jasmine" protests in China were censored by the Chinese government and a number of bloggers and journalists were detained. Many high-profile activists, including Nobel Peace Laureate Liu Xiaobo, continue to serve prison sentences for speaking out on issues of political freedom and human rights. International social networking websites, including YouTube, Twitter and Facebook, continued to be blocked. Foreign news and human rights NGO websites are regularly blocked. In February, there were accounts of foreign journalists being detained without explanation, and being physically intimidated or assaulted in Beijing.

The UK Government raised its concerns on freedom of expression regularly in 2011. At the UK–China summit in June, in his joint press conference with Premier Wen, the British Prime Minister made clear his belief that freedom of expression is an essential underpinning of prosperity and stability. We raised the treatment of foreign media in conjunction with EU partners and bilaterally through senior officials in London and Beijing.

Restrictions remain on freedom of association, collective bargaining, and the right to strike, both in law and in practice. Political protests are quickly suppressed. On 30 November, the Chinese government unveiled the new Regulations on Consultation

and Mediation for Labour Disputes in Enterprises, which entered into force on 1 January 2012. The regulations are a positive step, which should go some way to improving the resolution of labour disputes.

Human rights defenders

The Chinese authorities increased their use of unlawful and arbitrary measures to target activists during the first six months of 2011. These measures included the use of detention at locations away from police stations and suspects' homes, increased instances of mistreatment while in detention, and an extension of harassment to the families of suspects. Human rights organisations reported that over 200 individuals were subjected to such measures. While precise statistics remain a secret, human rights research groups have indicated that convictions under the poorly defined "endangering state security" legislation remain at historic highs.

On 3 April, artist and human rights activist Ai Weiwei was arrested and held for 81 days at an unknown location. On 4 April, the Foreign Secretary released a public statement calling on the Chinese government to clarify Ai Weiwei's situation and well-being, and expressing the hope that he would be released immediately. Ai was released on 22 June, and has subsequently been charged with "tax avoidance". Lawyers have been particularly targeted. On 10 January, the Associated Press published an account by lawyer Gao Zhisheng, detailing his claims of torture suffered while in detention. On 22 December, China announced that Gao, who has not been seen since April 2010, was having his probation withdrawn and that he would have to serve three years in prison. Minister of State Jeremy Browne released a public statement on 21 December expressing concern at Gao's mistreatment and the nature of his detention, and urged the Chinese authorities to provide information regarding his well-being and location as a matter of urgency.

Human rights lawyer Chen Guangcheng remains under *de facto* house arrest more than a year after his release from prison. Visitors, including diplomats and foreign journalists, have been forcibly prevented from entering his village. Lawyers Teng Biao, Tang Jitian and Jiang Tianyong were all subjected to periods of enforced disappearance. Lawyer Ni Yulan, arrested on 7 April along with her husband, was tried in Beijing on 29 December despite serious health concerns. UK diplomats were

denied permission to attend her trial. No verdict has been announced and Ni remains in detention.

Many other activists have been detained without charge during this reporting period. Sakharov Prize Winner Hu Jia, and activist Mao Hengfeng, were both placed under house arrest after finishing their respective prison sentences, and remain subject to surveillance and harassment. The wife of Nobel Prize winner Liu Xiaobo, Liu Xia, is under house arrest, even though no charges have been brought against her. The ethnic Mongolian activist Hada was scheduled to finish his prison sentence on 10 December 2010, but has reportedly been transferred to another detention facility instead of being released.

Ministers, including the Prime Minister, Deputy Prime Minister and Foreign Secretary, have all raised their concerns regarding specific individuals during discussions with their Chinese counterparts.

Access to justice and the rule of law

On 30 August, the National People's Congress published a draft amendment to China's Criminal Procedure Law, the first substantial revision for 15 years. The draft contains a number of welcome steps in areas such as the exclusion of illegal evidence, access for defence lawyers – including at the final review stage of death sentences by the Supreme People's Court – and an expansion of provisions for legal aid. The draft encourages the participation of witnesses, currently rarely present in Chinese trials, by setting up a witness-protection scheme, a witness economic compensation scheme and a punishment scheme for those who refuse to present.

However, the draft amendment contains some significant retrograde steps, particularly in cases pertaining to charges of "endangering state security", terrorism and major corruption cases. In these cases lawyers will need permission to meet their clients, with no appeal if permission is refused. The draft amendment to rules on residential surveillance would allow police to hold suspects in a designated location outside their home for up to six months without, in certain situations, their family being informed of their location or the charges against them. This increases

the risk of torture and mistreatment. There are concerns that these measures would legitimise enforced disappearances.

In 2011, China continued to make widespread use of the form of arbitrary detention known as “re-education through labour” (RTL), which lacks adequate legal safeguards. Public security organs can order the administrative detention of an individual without trial under an RTL order for up to three years, with the possibility of up to a year’s extension. Although RTL is meant to be used to punish minor offences, it continues to be used to silence activists, petitioners, Falun Gong practitioners and human rights defenders such as Mao Hengfeng and Shi Enhao. There were reports of the use of torture and abuse against detainees in RTL facilities.

The UK welcomes the work undertaken by the Chinese government in 2011 to improve the systems for collection and use of evidence, with particular reference to improvements in the use of scientific evidence and technological methods for gathering evidence. Nationwide, 250 laboratories have been established for the analysis of DNA evidence, and 40,000 technical personnel have been trained. At the county level, police now have access to an online database of fingerprints, and a system has been established for finger printing suspects on arrest. Work took place to install audio-visual recording equipment in interrogation suites in most cities to improve supervision of evidence collection. By improving the ability of police forces to collect evidence scientifically, this should reduce dependence on confessions to secure a conviction, and reduce the risk of prisoners to mistreatment or torture at the hands of the police to obtain one.

A delegation of UK Supreme Court judges visited China and Hong Kong at the end of September, following invitations from the President of the Supreme People’s Court of China and the Chief Justice of Hong Kong. Their visits to courts and law schools included discussion on the rule of law in China, judicial independence, and the role of courts in enforcing the regulation of international business. We will continue to support exchanges of this nature with a view to sharing UK experience and best practice in the area of the rule of law.

Death penalty

While exact numbers are a state secret, in 2011 China almost certainly continued to execute the highest number of people in the world. Estimates for the number of people executed in the last year range from several hundred to over 5,000.

The UK welcomed the decision by the Chinese government, announced in February, to revise the Chinese criminal law to reduce the scope of the death penalty. These measures will end its use for 13 non-violent offences, leaving 55 capital crimes in place. This is a positive step and we hope that China will continue to limit the scope and application of the death penalty.

In 2011, we funded a number of projects on the death penalty in China. These sought to build partnerships with relevant Chinese judicial bodies and universities, and brought European experts to China to share views and undertake technical legal exchanges (see Section III). On 10 October, our Embassy in Beijing hosted a series of events in collaboration with the French Embassy to mark World Day Against the Death Penalty, including film screenings and a seminar with Chinese academics.

Torture

Some detainees in China continued to face a high risk of torture and other ill-treatment. In particular, there were regular reports that human rights lawyers, bloggers, journalists and activists were subjected to torture. The transfer to, and holding of prisoners at, unspecified locations outside official detention facilities remains a particular concern in this context as we have received reports that this is where instances of torture often occur.

The draft amendment to China's Criminal Procedure Law (CPL), described above, contains some provisions which, properly enforced, could help to prevent torture. It codifies the Rules on the Preclusion of Illegal Evidence introduced in 2010. It requests that police should transfer suspects to pre-trial detention centres within 24 hours and that follow-on police interviews should be carried out there. There is increased provision for the recording of interviews in the most serious cases. It reinforces the message that police officers should be called as witnesses in court when there is an allegation of torture of suspects or defendants.

Recognising the excessive use of pre-trial detention (over 90% of suspects are currently held in custody), the draft CPL revision proposes to limit the use of pre-trial detention and expand the use of bail and residential surveillance, although specific changes on residential surveillance for cases involving "endangering state security" and terrorism charges, as described above, risk having the opposite effect and increasing the possibility of torture for detainees.

In 2011, we supported a number of projects aiming to help prevent torture and mistreatment of detainees. These have assisted Chinese officials conducting pilot independent monitoring of pre-trial detention facilities, carrying out prison reform, improving the treatment of those with mental health conditions in the criminal justice system, and supporting the exclusion of illegally obtained evidence in criminal trials.

Freedom of religion or belief

The number of people practising religious beliefs is growing rapidly both within officially sanctioned religious organisations and in informal "house church" movements. There are five official religions (Buddhism, Taoism, Islam, Catholicism and Protestantism) governed by their own state-sanctioned bodies. Churches, mosques, monasteries and temples must be officially registered. These official religions do not have capacity to serve the demands of the religious population (for example, in Beijing there are only about twenty registered buildings serving 150,000 registered Christians). This has led to a large growth in unofficial "house churches". Those who practise outside the official boundaries often face serious restrictions or harassment.

On 10 April, Chinese police and security forces detained around 170 members of the Shouwang Protestant Church as they arrived for worship, and detained another 50 on 17 April. Minister of State Jeremy Browne wrote to the Chinese Ambassador in London regarding the Shouwang arrests on 3 May. Officials raised our concerns with the Chinese Embassy in London and the Chinese authorities in Beijing. Meanwhile, in June Pastor Shi Enhao, deputy chairman of the Chinese House Church Alliance, was sentenced to two years re-education through labour for "holding illegal meetings and organising illegal venues for religious meetings".

Pastor Shi, who oversees several hundred house churches with thousands of members, disappeared on 12 June before police confirmed his detention on 21 June.

Women's rights

There have been reports of the continued use of forced abortions and sterilisations in China. In his 2011 Work Report to the Nation, Premier Wen announced that China would progressively improve the basic state policy on family planning and promote balanced population growth. We believe this was the first time that senior Chinese leaders had publicly announced plans to improve family planning policy. Although sex-selective abortion is illegal in China, reports suggest that the practice of aborting female foetuses continues to be widespread, particularly in rural areas. In August, the Chinese government launched an eight-month nationwide campaign to curb non-medical foetal gender determination and sex-selective abortion. Department of Health Minister Anne Milton raised our concerns regarding these aspects of the One Child policy with Vice-Chairperson Cui Tuili of the Chinese National Population and Family Planning Commission, during her visit to China in November.

Refugees and asylum seekers

We are aware of a number of reports in 2011 of Uighurs and Tibetans being deported to China from neighbouring countries. We have sought assurances from the Chinese government that returnees from third countries have been afforded due process before China accepts them back, and asked that the relevant UN agencies be allowed access.

Civil society

At the end of 2010, there were around 440,000 registered NGOs in China, and a growing number of fundraising foundations. Despite this the sector remains under-developed, due in part to a number of stringent restrictions on establishment and fundraising. Groups involved in advocacy or working in sensitive areas are often shut down or subjected to pressure by the authorities.

The Chinese Ministry of Civil Affairs' 12th Five-Year Plan, issued in July, has made some positive steps in continuing to expand the space for civil society. It recognises

the need to do more to encourage charitable giving (including via tax incentives), raise awareness about charities, and improve the regulatory environment, which currently makes it difficult for NGOs to register or raise funds. The Five-Year Plan emphasises the need to develop policy on volunteering, to develop government partnerships with NGOs through the outsourcing of service delivery, to improve transparency and accountability, and to promote corporate social responsibility. In addition, relaxations of regulations on NGOs were announced in Guangdong on 24 November, and came into effect on 1 January 2012. These are experimental and confined to one province for the time being, but should make it easier for NGOs and service delivery organisations to be set up.

Tibet

The Chinese authorities continued to invest significant financial resources into Tibetan areas in 2011, in pursuit of their twin goals of development and social stability. But tensions in some regions have been high, with the grievances of local Tibetans aggravated by restrictive or exclusionary policies in the areas of religious practice, language and culture, and education. Development indicators for Tibetan areas remain the lowest in China, significantly below the national average. To address this, the Chinese authorities have stated that they will pursue "leapfrog development" in Tibetan areas, targeting an annual GDP growth of 13% (compared to a national target of 7.5%) under national and provincial five-year plans. The central government has approved investment in 255 infrastructure projects worth over RMB 600 billion over the next five years, and has promised to deliver growth by upgrading agriculture, developing indigenous products such as traditional medicine and promoting tourism. There is evidence that investment is reaching local communities. However, local Tibetans have reported that ethnic Han Chinese residents are often better placed to benefit from the resulting opportunities.

Restrictions on the practice of Tibetan Buddhism have remained a particular area of concern. On 16 March, a young monk at the Kirti Monastery, in a Tibetan area of Sichuan Province, immolated himself in a protest against policies enacted since 2009 to strengthen government control over normal religious practice. The resulting stand-off between police and monks was broken on 21 April, when police raided the monastery, reportedly removing 300 monks for "Patriotic Re-education" and beating

to death two locals who tried to intervene. Since March there have been eleven subsequent self-immolations, six of them by monks connected to the Kirti Monastery. Two further monks and two nuns immolated themselves in Tibetan areas of Sichuan, and the eleventh immolation was by a monk from Chamdo County in the Tibet Autonomous Region.

On 29 November, the Foreign Secretary set out to Parliament his concerns regarding the self-immolations, and urged the Chinese government to work with local communities to resolve the grievances underlying these actions. On 15 November, Minister of State Jeremy Browne raised his concerns about the immolations with Chinese Vice-Minister Fu Ying. Lord Howell did the same during his meeting with the deputy party secretary for the Tibet Autonomous Region, Hao Peng, on 7 December, and requested access for diplomats and foreign journalists to the affected areas. Officials from the FCO have raised their concerns regarding these immolations repeatedly with the Chinese Embassy in London and the Ministry of Foreign Affairs in Beijing throughout the reporting period, and have kept in frequent contact with the Foreign Affairs Office in Sichuan and local Public Security Bureau offices regarding access to these areas. Diplomats from the Embassy in Beijing and Consulate in Chongqing have made regular visits to Tibetan areas. On 7 December, Foreign Office Minister Henry Bellingham made a full statement about the Government's human rights concerns in Tibet, in response to a Westminster Hall debate. There was no progress reported in 2011 in negotiations between China and representatives of the Dalai Lama.

Xinjiang

China's Xinjiang Uighur Autonomous Region saw serious outbreaks of violent unrest during 2011 – there were reports that at least some of these incidents had an ethnic dimension. Serious violence shortly before the beginning of Ramadan resulted in the deaths of a number of passers-by, police and the assailants themselves. On 18 July, a group of armed rioters attacked a police station in Hotan, leaving at least 18 people dead. The weekend of 30–31 July saw further violence in the city of Kashgar, in which over 20 people died. There were reports of smaller-scale unrest in other parts of Xinjiang during this period. Chinese state media have blamed these incidents on Uighur terrorists, and said that the incidents were "planned,

premeditated and organised". This account of events was disputed by Uighur groups outside China. The Xinjiang Public Security Department announced a "Strike Hard" campaign from 1 August to 15 October, to "crack down on violent terrorist crime".

In 2011, China combined significant increases in security spending in Xinjiang with continued high levels of investment. Kashgar was the target of a government campaign to promote "leapfrog development" in the region by making it a Special Economic Zone twinned with Shenzhen, one of China's richest cities. Infrastructure investment saw the launch of a passenger-train service from Hotan to Kashgar, running on nearly 500km of newly built track.

However, China's Muslim Uighur population have frequently expressed discontent with Chinese policies in the region. Uighurs often face difficulties accessing the benefits of the region's economic development, and there are reports of increasing restrictions on their cultural and religious freedoms. We have received reports that some imams have been prevented from taking on new students, and that fewer pilgrims are being allowed to participate in the Hajj. The demolition of traditional houses in Kashgar, the confiscation of farmland for redevelopment, and continuing resentment over the detention and execution of young men following previous unrest in 2009 have all contributed to tensions. UK diplomats visited the region in 2011, and have raised their concerns with Chinese officials.

Hong Kong

The UK Government continues to take seriously its commitments under the Sino-British Joint Declaration. The latest of the FCO's six-monthly reports to Parliament on the implementation of the "One Country, Two Systems" model concludes that 14 years after the handover the rights and freedoms guaranteed in the joint declaration have, in general, been respected. The rule of law and the independence of the judiciary continue to be upheld.

Hong Kong has made gradual progress towards democratisation since 1997. In 2011, a number of significant constitutional developments took place, including the passage through the Legislative Council of measures which will increase popular

participation in the 2012 elections for Hong Kong's next chief executive and Legislative Council. In his foreword to the latest Six-Monthly Report on Hong Kong, the Foreign Secretary welcomed these developments and said that he looked forward to further substantive progress towards full universal and equal suffrage for elections in 2017 and 2020.

Colombia

In 2011 we have been encouraged by the Colombian government's commitment to zero tolerance for human rights violations. A joint declaration on human rights was agreed between the UK and Colombian governments during President Santos's visit to the UK in November, in which the Colombian government made significant commitments. The President met parliamentarians and NGOs to discuss human rights issues. Colombia is not the only country in Latin America where we have human rights concerns; however over 50 years of internal conflict have left particular challenges. When he took office in August 2010 President Santos was faced with an overloaded justice system, powerful illegal armed groups, extrajudicial killings by members of the armed forces and a weak state presence in some parts of the country. Against this background his government made notable achievements in 2011, such as the passing of the Land Restitution and Victims Reparations law and an increasing number of prosecutions of civil servants, members of the armed forces (including in senior positions) and politicians who have committed human rights violations. Yet, a number of difficult problems persist, critically the security situation for human rights defenders, which has if anything worsened with increasing threats and violence from illegal armed groups that go largely unpunished. A high number of alleged cases of extrajudicial killings are yet to be prosecuted. Additionally, the process for creating a national human rights policy and centre has yet to develop momentum.

In 2011, our main human rights objectives were to support the Colombian government's efforts to create and implement an effective land restitution policy; to work with business groups to ensure that respect for human rights was at the heart of their activities; to improve the efficiency of its justice system; and to improve the environment for human rights defenders.

Our Embassy funded various projects including supporting communities to develop legal claims in emblematic land restitution cases, supporting a Congressional Committee to monitor implementation of the Land and Victims law, and implementing a decree outlining the protection measures available to human rights

defenders. We funded a joint venture involving businesses, government and civil society to advise how the UN Guiding Principles on Business and Human Rights could be implemented in Colombia, and developed pilot projects with the Prosecutor's Office to streamline case-management systems. Success in changing the situation on the ground for human rights defenders has been mixed.

We have regularly raised individual cases concerning human rights defenders with the government of Colombia, working closely with non-governmental organisations and other embassies to follow major cases such as the displacement of communities in Curvaradó in northern Colombia and the case of the indigenous Awá group on the Ecuadorian border.

The Colombian government engaged proactively with the UK on human rights in 2011. In response to the 2010 report they provided a comprehensive update on all the legislation passed and measures planned to tackle humanitarian problems. In 2012, the Colombian government needs to make concrete progress on the commitments given in 2011. Particularly important will be the future of the Presidential Programme on Human Rights and plans for a human rights unit leading on human rights policies across the government. The UK will continue to support a strong role for the Office of the UN High Commissioner for Human Rights, whose mandate is due for renewal. Our strategy will continue to focus on the Colombian government's 2011 priorities mentioned above. We will look to assist the Colombian government to implement the UN Guiding Principles on Business and Human Rights and increase our work on promoting women's rights.

Elections

On 30 October, local elections were held across the country. As well as incidents of violence, there were allegations of vote-rigging, vote-buying and voter intimidation. The Colombian government responded to these concerns by offering protection measures for at risk candidates, working with a Colombian think tank to draw up a list of candidates with presumed links to illegal armed groups, and requesting that political parties withdraw their support from these candidates. The National Electoral Council also revoked the right to vote of over 150,000 people because of voter registration fraud.

British Embassy officials observed the election process in three Colombian departments. Whilst the process was generally deemed to be free and fair on the day, the Electoral Monitoring Mission reported that 41 candidates were killed in the run-up to the elections, more than double the number in the last local elections in 2007, and 157 acts of violence were recorded against candidates. Many candidates who had been disqualified from parties due to presumed links with illegal groups were able to register as independents, and evidence suggests that these groups played a significant role in the violence. Nevertheless, attacks on polling stations were minimal and there were no incidents of entire communities being prevented from voting by the Armed Revolutionary Forces of Colombia (FARC), as happened in 2007.

Freedom of association

Government figures state that in 2010, over 30 trade unionists were killed in Colombia. The level of unionisation is also low – by some estimates as low as 4% of the workforce – and collective bargains are made with non-union groups of workers. The government has made moves to address these issues and in April, President Santos signed an "Action Plan on Labour Rights" guaranteeing further protection for labour rights, such as the right to collective bargaining and also greater resources for the security of trade unionists.

Approximately £11 million was spent on protection measures for 1,450 trade unionists in 2011, including communications equipment, bodyguards and even relocation. The statistics of the Presidential Programme for Human Rights show that this has achieved a reduction by one third of homicides of unionist leaders in the period January to October 2011, compared to the previous year. However, the three central Colombian union groups report that there were still over 400 separate abuses of the rights of unionists in this same period. There have been a record number of strikes this year protesting the level of threats and lack of government action, culminating in a general strike by the three central union groups in October.

Human rights defenders

Providing a secure environment for human rights defenders has been a priority for the Colombian government in 2011. However, this was always going to be a significant challenge given hostility to the work of human rights defenders from powerful illegal groups, and the government has been unable significantly to improve the situation on the ground. According to the Presidential Programme for Human Rights, between January and October 2011, 50 leaders of communities and social groups were killed – exactly the same number as in the same period in 2010. In the final months of 2011, stigmatisation of human rights defenders in the media as enemies of the state has increased, again undermining their security. This was partly as a result of statements made by senior government figures over "false victims" in the Mapiripan massacre and Las Pavas land restitution cases.

In June, civil society groups withdrew completely from the National Working Group on Guarantees for Human Rights Defenders, a forum which discusses security for these campaigners. They protested that measures to protect the lives and freedom of human rights defenders were inadequate and that impunity levels for those making threats remained unacceptably high. The Colombian government responded quickly and the president and minister of the interior both became personally involved in the issue, meeting the groups concerned and agreeing new specific protection measures. Subsequently, the Ministry of the Interior has developed a new decree on protection and prevention of violence against human rights defenders, creating a new agency and bringing together 10 previously separate schemes.

Our Embassy has implemented a high-profile programme of activities to support human rights defenders under threat, including a project to increase awareness amongst human rights defenders of the protection measures available and meetings with threatened organisations to demonstrate UK support. In May, Minister of State Jeremy Browne hosted a reception for human rights defenders in Colombia, and discussed their security during his meetings with the Colombian government. The Ambassador met the Jose Alvear Restrepo lawyers collective on several occasions, whose members receive frequent threats. The Embassy continues to highlight the work of human rights defenders in its bi-monthly human rights bulletin.

Access to justice and the rule of law

One of the most significant barriers to effective protection of human rights in Colombia is the lack of resources and capacity within the criminal justice system to investigate, prosecute and punish human rights violations and serious crimes. Colombia has made advances in this area in 2011. The new prosecutor-general has increased resources for the human rights unit and has centralised the management of these cases. She has also created new specialist units to deal with the crimes of forced displacement and enforced disappearance, following on from the recommendations of a project funded by our Embassy. In 2011, the Embassy worked with the Prosecutor's Office to improve the system for assigning cases and to increase the number of cases settled through alternative dispute-resolution mechanisms.

Conviction rates for crimes, especially those committed by state agents, have risen this year. Eight soldiers have been convicted in the emblematic "Soacha" case, where 17 civilians were killed and subsequently dressed up as guerrilla combatants. Jorge Noguera, ex-director of the Administrative Department of Security (DAS), was also sentenced to 25 years in prison in September for links to a paramilitary group. The DAS itself is being disbanded following numerous high-profile scandals, and a new intelligence agency created. By June, the Extrajudicial Killings Sub-Unit in the Prosecutor's Office had made convictions in 138 cases, up from 48 cases in 2010. However, to illustrate the scale of the challenge remaining, there are some 1,400 investigations still open. Congress recently made proposals to move initial investigations of extrajudicial killings, and other human rights violations committed by members of the armed forces, from the ordinary justice system to the military process. The details of the new system are currently being debated, but we are concerned that this will lead to weaker judicial scrutiny of the military actions.

Women's rights

Women in Colombia make up a disproportionately large percentage of the victims of certain crimes such as forced displacement and are almost exclusively the victims of sexual and domestic violence. The majority of cases go unreported, but latest figures from Colombian women's rights groups show that approximately 70,000 cases of intra-familial violence and 17,000 cases of sexual violence are reported

each year. The government has set up a working group with civil society organisations to discuss a gender-specific focus for women in its public policies, and aims to pass framework legislation on this in early 2012.

November saw the first ever sentences for paramilitaries accused of sexual violence, with three men being sent to jail. There are over 700 other denunciations of sexual violence by paramilitaries before the Justice and Peace unit in the Prosecutor's Office.

Minority rights

The Colombian constitution guarantees extensive rights to indigenous and Afro-Colombian groups, over their traditional territories and to protect their culture. However, such groups face threats from armed groups and illegal businesses seeking to exploit their territories for mining or drug trafficking, and they often lack economic opportunities. In November, the office of the UN High Commissioner for Refugees unveiled a statue in Bogotá highlighting the 32 indigenous groups in Colombia whose cultures were at risk of extinction.

The Colombian government takes these issues seriously and there is a presidential programme for indigenous and Afro-Colombian peoples; the government meets regularly with both groups. They are constitutionally required to consult with both groups on issues that may affect their territories, as was done for example when designing the implementing legislation for the Land and Victims law. The government has set up a working group with the Awá community to look at how to provide them with security.

The Embassy met with indigenous and Afro-Colombian groups in Bogotá throughout 2011, particularly the Curvaradó and the Awá indigenous communities, supporting their territorial rights and their demands for adequate government protection schemes. The Embassy has worked with Oxfam to champion the Awá case with the government, and this resulted in the launching of a joint government and community working group to design a plan to give physical protection to the community and to support their economic and social development.

Children's rights

Children in Colombia are particularly vulnerable to the effects of the ongoing internal armed conflict, including forced displacement and also forced recruitment. This latter practice is widespread amongst guerrilla groups, and increasingly with criminal bands. The armed forces are also accused of using minors as messengers in rural areas. The government has called for the Armed Revolutionary Forces of Colombia (FARC) to stop recruiting child soldiers as a precondition of a peace process, and has set up several programmes to increase opportunities for vulnerable minors and to rehabilitate former child soldiers.

National human rights policy

As part of its commitment to tackling Colombia's human rights problems the government committed to holding a national conference on human rights, leading to a national centre and national human rights policy. This process has been led by the vice-president and is scheduled for 2012, in order to allow for preparatory forums in Colombia's 32 departments. These have been well organised and given a much appreciated space for civil society, community leaders and human rights defenders to recount their experiences and suggest solutions to local and national authorities.

The Embassy has worked closely with the vice-president's office, and in his capacity as president of the G24 group of countries, the Ambassador represented the international community at the working group on the conference. There is currently a lack of clarity over what the eventual human rights centre and policy will look like, as well as lack of clarity over the budget for the process in 2012.

Land restitution and victims reparations

The Land and Victims law was passed in June. It aims to recognise three million people who have been victims in Colombia's decades-long internal armed conflict, regardless of who committed violence against them, and to provide them with compensation. It aims to return some six million hectares of illegally seized or abandoned land to those who have been forcibly displaced. Colombia has the second-highest number of internally displaced people in the world, and the law created a process that, over the course of 10 years, will attempt to address this massive problem. The UK has provided full political support on this issue and has

funded two projects providing technical assistance to the Colombian authorities on the key issue of land registration.

Implementation of the law started on 1 January 2012. NGO groups have criticised the amounts of compensation for which victims will be eligible (between about £3,000 and £7,000) for being significantly lower than the compensation available through the courts. The government has said that financial compensation alone is not sufficient and that a variety of other measures including support on health and employment issues will be available, but has yet to provide details. The decree also stated that in 2012 approximately 14,000 claims will be prepared by a new restitution unit and approximately 2,000 of these will receive judicial decisions. Ensuring that progress is made on this scale will be a significant challenge for the government in the face of opposition from some sectors, and will be a key indicator of their success in tackling forced displacement.

Cuba

There were some improvements in the human rights situation in Cuba during 2011, although there are still significant areas of concern. All remaining prisoners of conscience were released and there were welcome steps on religious freedom, lesbian, gay, bisexual and transgender (LGBT) rights and efforts to tackle corruption. The Cuban government's domestic economic-reform programme led to a number of new economic freedoms, while free universal access to education and healthcare was maintained. However, the ruling Cuban Communist Party continued to silence dissent and deny basic civil and political rights. Media freedom and internet access remain heavily restricted. There is no judicial independence. Of particular concern was the sharp increase in the use of politically motivated short-term detentions in the second half of the year.

Our aims in 2011 were to encourage further progress on political and economic freedoms, including through the release of all political prisoners, a reduction in short-term detentions, greater tolerance towards the opposition, and the introduction of new economic rights. The results have been mixed. The release of the remaining prisoners of conscience in March was a major step forward on human rights in Cuba, as was the large-scale release of prisoners announced by President Castro in December, including many convicted of "crimes against the state". The new economic freedoms announced during the year were welcome developments. But short-term detentions and low-level harassment of activists increased as the government, seeking to preserve stability and prevent public protest, employed a combination of detentions, threats and fines to intimidate the opposition.

Throughout 2011, the UK continued to engage with the Cuban government, human rights defenders, broader civil society (including the Catholic Church) and international partners, to encourage positive change on human rights. We frequently raised human rights concerns with the Cuban authorities, including representations by the Foreign Secretary during his meeting with his Cuban counterpart at the UN General Assembly in September, and made a number of public statements on specific human rights issues. Our Embassy in Cuba met with opposition figures

within Havana and across the country and regularly monitored demonstrations against the regime. We played a strong role in the EU, both in Brussels and Havana, arguing for a robust but constructive position on human rights coupled with practical engagement on other areas. We ensured that human rights were included as a priority area for dialogue in the new UK–Cuba Declaration on Bilateral Cooperation, signed in July.

In 2012, we will continue to promote progress on human rights priorities, both bilaterally and through the EU. We will maintain our engagement with key actors and use the space created by the Bilateral Declaration as an opportunity to raise concerns with the Cuban government within the context of our wider political engagement. We will maintain a dialogue with opposition activists and continue to monitor peaceful opposition demonstrations. We expect that the government will continue tentatively to expand economic freedoms, tackle corruption and oversee limited advances on LGBT and religious rights. Restrictions on Cubans' freedom of movement may also be eased. But the Cuban government is likely to continue to deny its citizens basic civil and political rights as it seeks to prevent public protest and preserve stability. The media and judiciary are likely to remain largely subordinate to the interests of the ruling Communist Party. Possible senior leadership changes may breathe fresh life into reform efforts, while there is an outside risk that rising economic discontent, partly resulting from economic reforms that envisage cutting over one million jobs from the state payrolls, could bubble to the surface.

Freedom of expression and assembly

Freedom of expression and assembly remained severely restricted in 2011. There is no legal right to strike, and independent trade unions are not permitted. Short-term detentions of those expressing anti-government views were increasingly used to intimidate activists and prevent them attending planned public demonstrations, which are banned. The human rights monitoring group Cuban Commission for Human Rights and National Reconciliation, which is illegal but tolerated, reported around 4,000 such detentions in 2011, up from an estimated 2,000 in 2010.

There was more open debate and criticism in the media over economic failures, partially reflecting President Raúl Castro's calls for greater debate between people with different opinions. However, Cuba maintained its poor record on media freedom and was ranked 166 out of 178 in the Reporters Without Borders Press Freedom Index. Internet censorship was eased slightly and Cubans are in theory now able to access blogs critical of the government. But there are few internet access points and using them is prohibitively expensive ($6–8 per hour; average wages are $20 per month). The International Telecommunications Union (ITU) estimates that 14% of Cubans have access to the internet, but this includes the heavily restricted Cuban intranet, and the real figure for open access is likely to be lower. A proposed fibre-optic broadband cable from Venezuela was welcomed by the ITU and received extensive press coverage, but the government sent mixed messages over whether it would lead to greater internet access.

Human rights defenders

In March the Cuban government completed the release of all 52 prisoners of conscience who remained from the "Group of 75" opposition activists jailed in the 2003 "Black Spring". This followed a process that began in 2010 and involved the Cuban Catholic Church and Spain. Most travelled directly to Spain, while 12 remained in Cuba on parole. Their release was publicly welcomed by Foreign Office Minister Jeremy Browne on 28 March. In addition, the authorities released a further 74 prisoners and former prisoner of conscience Néstor Rodríguez Lobaina to Spain.

There are now no internationally recognised prisoners of conscience in Cuba. However, opposition groups maintained that over 50 political prisoners are still in Cuban jails. This is difficult to verify given the lack of transparency and the designation of some serious crimes such as terrorism and piracy as "counter-revolutionary"; human rights activists define these as political charges. The major release of prisoners in December included many convicted of "crimes against the state".

Human rights defenders continued to be harassed in 2011, through short-term detentions, house arrests, fines and blackmail. There were some reports of physical abuse. The number of reported short-term detentions rose sharply ahead of the

anniversaries of the death of hunger striker Orlando Zapata Tamayo (23 February) and the Black Spring (18 March), the planned "National March for Freedom" (15 September) and the run-up to Human Rights Day (10 December). Our Ambassador in Havana released a statement on 29 September publicly expressing concern about increased reports of detentions

Prominent activist group Damas de Blanco ("Ladies in White"), made up of female relatives of ex political prisoners, were permitted to continue their regular marches in Havana on Sundays. However, they were subjected to repudiation acts on several occasions – in which they were surrounded by up to 150 pro-government supporters chanting abusive slogans and preventing them from marching. Damas de Blanco leader Laura Pollán died on 14 October. Foreign Office Minister Jeremy Browne publicly recognised her role campaigning for human rights in a statement on 16 October.

The year also saw a general increase in the frequency of short-term hunger strikes, often to protest against poor prison conditions or the detention of fellow activists. In January 2012, prisoner Wilman Villar Mendoza, who had participated in opposition demonstrations, died following a prolonged hunger strike that had begun in November. Many details around the case remain unclear, although his situation highlights concerns about judicial transparency and prison conditions.

Access to justice and the rule of law

There remained a profound lack of any meaningful judicial independence. There is no separation of powers and there are no independent lawyers; in political cases the courts are frequently subordinated to the Communist Party's interests. Cubans trying to offer independent legal advice faced harassment from the security services. There were some reports of forced interrogations and of suspects being obliged to sign statements before being allowed access to legal counsel.

The Cuban government continued its welcome tough stance on corruption in 2011, and several high-ranking Cubans and foreign business people were dismissed or given stringent jail terms. Low-level corruption is endemic, and nearly all Cubans rely on the black market to subsidise their insufficient state income.

Death penalty

The Cuban government maintained its moratorium on the death penalty, last used in 2003. Capital punishment remains in Cuban law but there are no prisoners currently facing the death penalty. There have been no indications that Cuba will re-employ the death penalty in the near future.

Prison conditions

During 2011, we received several reports of poor prison and detention conditions, inadequate exercise and denial of family visits. Opposition activists have complained about punishment cells, poor sanitation and insufficient food and water. Cuba maintains that its prisons meet UN standards. However, diplomats cannot freely access Cuban prisons, and the authorities have failed to organise a visit by the UN Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, despite having extended an invitation in 2009.

Freedom of religion or belief

Following its crucial involvement in the political-prisoner release process, the Catholic Church maintained an influential role in Cuban politics. Large crowds turned out to accompany the procession of the statue of Cuba's patron "Our Lady of Charity" in late 2011. In December, the Vatican announced that the Pope plans to visit Cuba before Easter 2012. Other religious groups enjoy comparable levels of religious freedom.

Lesbian, gay, bisexual and transgender rights

There were a number of welcome advances in the area of LGBT rights in 2011. Cuba saw its first ever independent Gay Pride march to celebrate the International Day Against Homophobia and Transphobia. Cuba supported a historic resolution on sexual and gender discrimination at the UN Human Rights Council. The government recognised for the first time, in a public consultation document preceding the Communist Party National Conference in January 2012, a need to address discrimination on the basis of sexual orientation.

Freedom of movement

Cubans' freedom of movement, particularly to travel overseas, is restricted. There are reports of local authorities preventing government opponents from leaving their provinces. Cubans who remain outside Cuba for over 11 months without special authorisation often find it difficult to return; if they are able to, they may only stay in Cuba for short periods. Critics of the regime, such as the prominent blogger Yoani Sanchez, are systematically denied permission to travel abroad.

Democratic People's Republic of Korea (DPRK)

The human rights situation in the DPRK still appeared to be amongst the worst, if not *the* worst, in the world in 2011. There were consistent reports of serious and systematic abuses, which suggest that there was little change and definitely no improvement. Equally, there continues to be large-scale and chronic malnutrition in the DPRK, especially among vulnerable groups. The regime indirectly admitted its inability to feed its population by appealing to the international community for humanitarian assistance. It is, however, devoting considerable resources to show-case projects to celebrate the 100th anniversary of late President Kim Il Sung in April 2012, which suggests that the welfare of its own people is not a priority of the regime. Reports suggested that political prison camps are expanding, public extrajudicial executions continue, as do clamp-downs on the possession of unauthorised information and on freedom of movement. The year ended with the regime acclaiming Kim Jong Un as the new supreme leader, without any reference to public opinion or any democratic vote.

The DPRK continues to assert that it has its own system for protecting human rights violations and that any transgressions are adequately dealt with. It claims that reports on abuses produced outside the country are no more than inventions of opponents of the regime. However, it also makes it impossible to get an accurate picture of the full extent of human rights abuses in the DPRK. It heavily controls access of those who work in and visit the country and refuses to accept visits by independent human rights observers, such as the UN's Special Rapporteur on Human Rights in the Democratic People's Republic of Korea. Because of this, much of the information on the human rights situation in the DPRK comes from defectors who have limited access to up-to-date information on developments in country.

The DPRK continues to reject any formal dialogue on human rights with the UK or EU because of the annual human rights resolutions that we support at the Human Rights Council and in the UN General Assembly. The DPRK also continues to fail to provide the international community with details of how it is implementing

recommendations made by the UN Human Rights Council during its Universal Periodic Review of the DPRK.

During the year, our Embassy in Pyongyang held regular discussions on human rights with DPRK officials, including the President of the Presidium of the Supreme People's Assembly and the Foreign Minister. The UK contributed to and supported the DPRK human rights resolutions at the UN Human Rights Council and in the UN General Assembly – which were both passed by even larger majorities than in previous years. The former expressed "serious concern at ongoing grave, widespread and systematic human rights violations" in the DPRK and its lack of will to cooperate fully with the UN special rapporteur. Obtaining access for the special rapporteur remains a key focus for the FCO, which we continue to pursue through bilateral and multilateral channels.

Human rights were a key component of all British Embassy-sponsored officials' trips overseas – including officials from the Ministry of Foreign Affairs and the Workers' Party of Korea, and the speaker of the Supreme People's Assembly. During these trips, we aimed to increase understanding of UK policy and the importance of dialogue through, for example, meetings at the Foreign and Commonwealth Office and visits to Parliament.

The Embassy implemented humanitarian projects with the goal of having a direct impact on the human rights of vulnerable groups. These included one aimed at helping to improve the nutritional status and health of children at kindergartens, nurseries and hospitals in three counties and a second focused on breaking down barriers for deaf people in the DPRK through the provision and promotion of sign-language training. A further project, to support training in the treatment of spinal injuries, will take place in early 2012. With the Embassy in Seoul, the Embassy in Pyongyang assisted in human rights work focused on the defector community in the Republic of Korea (ROK), including English-language training and the first Chevening scholarship for a North Korean defector. The British Embassy in Seoul also hosted an event to launch reports on violence against women in the DPRK and to encourage the integration of DPRK defectors in South Korea.

The DPRK has shown no sign of changing its human rights policy, and the FCO will therefore maintain its existing strategy of critical engagement – with the aim of encouraging change in the long term. We will continue to highlight DPRK human rights problems internationally, pushing for access for UN and other agencies and a formal dialogue with both the UN and EU. We aim to expose DPRK officials to UK thinking, by explaining our policy and raising concerns about reported abuses, and taking practical action at a local level.

Elections

On 18 December, the DPRK regime announced that Kim Jong Un was the "great successor, an outstanding leader of our party, army and people". He took over as leader without any elections or reference to public opinion. Among the leading organs of the state, only the Supreme People's Assembly is directly elected, although it seems that only one candidate stands in each constituency and voting is not secret. But the assembly's meetings seem to be a mere formality as they last for only a few days every year and rubber stamp decisions made elsewhere rather than being a forum for public discussion of the wishes of the people.

Freedom of expression and assembly

The regime maintained tight control of information flows, even within the country, by restricting travel, with many check points manned by armed military at district boundaries and on bridges. The local media is all government-controlled with access to foreign broadcasts and print media severely limited. Reports suggested that citizens found in possession of unauthorised information, especially from the Republic of Korea, were subjected to punishment including imprisonment, and that whole families, rather than the individuals involved, can be punished.

There is little evidence of freedom of association or assembly. Reports suggested that small-scale public protests occasionally took place, mainly in response to controls being imposed on market activity, but that these were quickly broken up. The population seems to spend much of its spare time in activities arranged by the regime, from cleaning kerb stones to practising for mass displays. This not only limits the amount of time that individuals have to do what they want to do, but also shows the priority given to group unity, rather than individual freedom.

Human rights defenders

There were no human rights defenders within DPRK due to the pervasive presence of the security apparatus. Some North Korean refugees, including some who have settled in the Republic of Korea, were involved with NGOs in pushing on human rights and provided many of the reports on abuses.

Access to justice and the rule of law

Corruption seemed to be rife, with many reports of payments made to those in authority in order to get around the regulatory system, and even officials in prisons reportedly taking bribes. The judicial system is not independent, it being constitutionally bound to protect the existing socialist system. Reports suggest that the defence counsel provided to defendants focuses more on obtaining admissions of guilt rather than providing a legal defence.

Death penalty

The DPRK explained that public executions took place as a penalty against the most violent of crimes. There are 22 crimes which are officially punishable by death, which are ambiguously defined in law. The DPRK does not provide official statistics but reports suggest that executions continued to take place in 2011, with some being extrajudicial public executions.

Torture

As FCO Minister of State Jeremy Browne heard during his meeting with defector Shin Dong Hyuk in October, torture and other abuses including public executions and sexual exploitation were rampant in political prison camps in the DPRK. MPs who heard Mr Shin's story were appalled at his treatment, and several raised this with a visiting delegation from the ruling Workers' Party of Korea in December. According to a recent Amnesty International report, the political prisons have been expanding and hold an estimated 200,000 people.

Freedom of religion or belief

Believers are given access only to a small number of state-controlled places of worship, with those involved in proselytising being subject to imprisonment and other punishments, including execution.

Women's rights

Despite formal equality, the traditional subservient role of women is common in Korean society. Domestic abuse and sexual violence seem to be common with few, if any, practical measures taken to stop them.

Minority rights

There are no LGBT rights in the DPRK. The authorities deny that LGBT people exist and consider their behaviour "unnatural".

Children's rights

Some of the most basic rights, including access to food and education, were not adequately fulfilled. Relatively young children were subjected to military drills, and consistent reports suggested that children had to undertake work and provide goods and services if they were to receive the free education to which they were formally entitled.

Other issues

The DPRK refuses to reform its food production and distribution system although this means that it is unable to feed its own people and has led to chronic malnutrition. The UK has been involved, with international partners, in undertaking an independent assessment of the food situation in the DPRK, to ensure that any international food assistance provided is carefully targeted at the most vulnerable and that there is a monitoring regime in place that minimises the potential for diversion or stockpiling. Lobbying for this has helped international aid organisations to gain better access to the country than ever before and implement more effective checks.

Democratic Republic of Congo (DRC)

In 2011, security forces and illegal armed groups in the Democratic Republic of Congo (DRC) continued to commit human rights violations and abuses against the country's civilian population. The main underlying factors remain the ongoing conflict in the east of the country, a lack of state authority in many areas, and weak institutions. There is generally strong legislation covering human rights issues but implementation is weak and impunity remains a major problem. The DRC authorities took some positive steps to address this in 2011, with successful prosecutions and long sentences handed down for serious offences including mass rape and the murder of human rights defenders. However, much remains to be done. The key events of the year were the presidential and parliamentary elections held on 28 November.

Our main human rights objectives for 2011 were working towards peaceful and transparent elections; ensuring that the UN peacekeeping force in DRC (MONUSCO) had an effective mandate; supporting essential reform of the security sector; and continuing work to address sexual violence. We were concerned by violence before and after the elections, restrictions on freedom of expression, and reported irregularities throughout the election process. We pushed to retain the protection of civilians as MONUSCO's first priority when its mandate was renewed. Our political and financial support for security sector accountability and police reform programmes led to a number of activities, including human rights training for the Congolese police. However, overall progress on security sector reform was hindered by continued lack of constructive engagement from the DRC government. There remained shockingly high levels of sexual violence.

We continued to engage with the highest levels of the DRC government, including President Kabila and senior ministers. The Minister for Africa publicly expressed concern on human rights issues, including mass rapes, election-related violence and freedom of expression. We worked closely with key members of the international community and the UN to ensure a joined-up approach on issues such as the MONUSCO mandate, preparations for the elections, and security sector reform. We

provided bilateral support through the Department for International Development (DFID) to help strengthen DRC institutions and governance.

In late 2011, President Kabila was re-elected for a second five-year term. Following parliamentary election results in January 2012 a new government was formed. It is not yet clear how this will affect the DRC government's handling of human rights issues. Key events in 2012 will include the provincial assembly elections and the annual renewal of the MONUSCO mandate, which is scheduled for June.

In March 2012 the International Criminal Court delivered its verdict for the case of Thomas Lubanga, who was found guilty of recruiting and using child soldiers in the DRC. As the first to be delivered by the court, this judgment was a landmark in international criminal law. In 2012, we will continue to focus on the core issues that underlie the majority of human rights abuses in DRC – conflict, impunity, and the state's capacity to address human rights issues. We will push for the continued presence of MONUSCO in a form which allows it to fulfil its mandate effectively. We will continue to press the DRC government to bring the perpetrators of human rights violations to justice, and offer support where we can to strengthen the rule of law. The UK will continue to support DRC institutions and democracy through DFID. We will work to ensure that peaceful and credible provincial assembly elections take place.

Elections

Presidential and parliamentary elections were held in the DRC on 28 November. The run-up to the elections was marked by a rise in threats to freedom of expression, delays in the process, reports of irregularities and unrest as opposition supporters clashed with the Congolese security forces. The Congolese Electoral Commission (CENI) was accused of bias by the main opposition parties, who also alleged that President Kabila used state resources to boost his campaign. There were concerns over access to media space for opposition candidates and the effectiveness of the new media regulatory body. The EU and Carter Center observation missions both praised the good turnout and largely peaceful conduct of polling day, but raised

serious concerns over reports of irregularities. At the time of writing, the international and domestic election observation missions have yet to publish their final reports.

The Congolese police clashed with opposition supporters on several occasions, which led to a number of deaths. One of the most serious incidents occurred on the weekend before polling day when 18 people, including bystanders, were killed when the presidential guard opened fire on demonstrators. Polling day itself was largely peaceful, though NGOs have reported that the security forces were responsible for further casualties in the following days. We were concerned by the use of inflammatory language by both opposition and President Kabila's party (PPRD) candidates during the campaign, which led to increased tensions.

The UK was the largest bilateral donor to the election process. Our aim was to ensure as wide a participation as possible, focusing on voter education and strengthening of the CENI. We pushed strongly for an EU observation mission to monitor the elections, and we funded an independent election expert to accompany the Southern African Development Community Council of NGOs observation mission. We lobbied successfully to ensure that the EU funding to the elections would be disbursed in tranches based on the situation on the ground, including human rights.

The Minister for Africa called on the DRC authorities to ensure that the elections were free, transparent and democratic, and to investigate and resolve all reported irregularities. Both before and after polling day we pressed strongly for CENI to address irregularities, such as reports that some registered voters were under age, and a lack of transparency in the compilation of presidential results process. We urged CENI to take confidence-building measures to allay concerns about transparency, and to ensure the elections were peaceful and credible. Following lobbying by the UK and others, CENI published results from each polling station when it announced the provisional results in the presidential elections, giving greater transparency to the compilation process. We will continue to press for CENI to improve its processes as a key institution of democracy in DRC.

To address security concerns during the elections we, along with others including the EU, France, Belgium and the US, took steps to build the capacity of the Congolese police. We provided training in community policing, as well as support to strengthen the communications and logistics capacity of the police. We provided support to the Ministry of Interior, Ministry of Security, and civil society to enable monitoring of police performance. We lobbied strongly for MONUSCO to provide logistical support to the DRC government in preparation for the elections, and to ensure that it was ready to fulfil its mandate to protect civilians throughout the election period. With the EU and other key partners we condemned all electoral violence and called upon those responsible to ensure free, transparent, democratic and peaceful elections in DRC. The Minister for Africa urged all parties and their supporters to maintain calm, and for the Congolese security forces to behave professionally and avoid escalating tensions.

Freedom of expression and assembly

There was an increase in violations against the right to freedom of expression during 2011. Opposition candidates, parliamentarians, political activists, journalists, CENI officials and human rights defenders faced increased harassment, intimidation and arbitrary arrests by a variety of state agents.

Civil society and opposition parties also raised concerns that President Kabila was using state TV resources for his election campaign. The DRC authorities appointed a new regulatory body for the media with a responsibility to ensure that all parties received fair access to media space. However, this was criticised for failing to ensure even-handed media coverage during the campaign period. It was criticised for bias, as it closed a number of opposition TV stations whilst taking no action against the state broadcaster.

With France and Sweden, we contributed to a media fund, through DFID, aimed at building an independent, well-regulated, more diverse and professional media sector. This funding went towards supporting community radio stations, newspapers and TV stations. Part of this funding also went to the new media body, but in view of concerns over its performance, DFID is now reviewing this element of the funding.

Human rights defenders

Human rights defenders continue to face insecurity, harassment and violence. With the EU and others in the international community, we continued to press the DRC authorities to protect human rights defenders. We provided funding to the Carter Center to strengthen the capacity of human rights defenders by providing training and technical assistance to Congolese civil society organisations. In August, the DRC Senate adopted recommendations for the protection of human rights defenders, formulated at a roundtable session which the Carter Center had organised as part of this project.

In October, seven NGO workers were killed near the town of Minwembe in South Kivu by a militia group (reportedly Mai Mai Yakutumba). The UK pressed for MONUSCO to investigate the incident, but security issues have so far prevented investigators visiting the area. We helped one of the survivors to receive treatment in the UK. President Kabila condemned the killings. However, as yet no one has been brought to justice for the attack. We continue to follow this case.

In June, the trial for the murder in 2010 of Floribert Chebeya, a prominent human rights activist, concluded with convictions of five police officers. We welcomed this as a demonstration of action against impunity. There was criticism that former Inspector General John Numbi did not face trial: Mr Numbi was the senior police officer alleged to have played a direct role in the murder of Floribert Chebeya.

Access to justice and the rule of law

The judicial system in the DRC lacks resources, independence and capacity. It suffers from corruption at all levels. As a result, few cases reach court, and impunity for the perpetrators of human rights crimes remains a serious problem. The DRC authorities did take some positive steps in 2011, securing convictions of senior members of the police and army for human rights violations. And in May, the DRC authorities arrested Bernard Munyagishari, a commander in the Interahamwe militia, and handed him over to the International Criminal Tribunal for Rwanda to face charges of genocide.

We provided funding for the UN peacekeeping mission to DRC (MONUSCO) rule of law programme, contributing to the creation of prosecution support cells comprising

international experts. These will be deployed in the eastern provinces of DRC where the need to reinforce investigations and prosecutions is most acute.

Death penalty

The DRC retains the death penalty, but since 2003 there has been a moratorium on carrying it out. We continue to lobby for DRC to abolish the death penalty, and our Ambassador raised this with the minister for justice. However, a bill to abolish the death penalty was rejected by the Congolese National Assembly in November.

Torture

While it is not officially sanctioned, there are widespread anecdotal reports of the security forces using torture in DRC. In July, President Kabila passed a law criminalising torture. This is a welcome step but will require attention to ensure that it is properly implemented.

Conflict and protection of civilians

The DRC has continued to suffer the effects of over 15 years of conflict. In the east of the country, the presence of illegal militia groups and Congolese army operations against them still pose a serious threat to civilians. In 2011, a number of serious atrocities, such as mass rapes, were committed by both militia groups and Congolese army soldiers. UK policy is to support building the capacity of the state to address security issues, while also pressing the DRC government to implement urgent reforms to the security sector and improve the application of rule of law.

Reform of the DRC security sector is essential for reducing violations committed by both the Congolese army and police, and for improving their capability to provide security for the population. We provide support through the EU army reform and police reform missions, and work with the DRC government to ensure that they make the best use of international support for security sector reform.

DFID has a £60-million programme for improved security sector accountability and police reform. In 2011, this included the provision of basic training for nearly 1,000 police officers to improve responses to cases of sexual violence. It involved work with the Ministry of Interior, Ministry of Security and provincial authorities to improve

police policy and oversight. DFID provided support to strengthen civil society monitoring of police performance, and funded citizens' forums to facilitate dialogue on community safety and security priorities.

MONUSCO is the largest UN peacekeeping force, and it remains a key instrument of protection for civilians in the east of the country. In June, we lobbied successfully for the renewal of the MONUSCO mandate, and to ensure that protection of civilians remained the mission's first priority. We pushed for MONUSCO to make the best use of its resources to fulfil effectively its mandated tasks and provided the mission with funding for helicopters, which will allow them to respond more quickly to incidents in remote areas.

Women's rights

Women in DRC face extraordinarily high levels of sexual violence, including conflict-related rapes and domestic abuse. The problem is compounded as women in DRC suffer widespread disempowerment, lack of access to education, reduced political participation and severe poverty. We have produced a National Action Plan to address women's peace and security in the DRC. Our report of progress against this plan is available online.

In 2011, a number of mass rapes were committed by Congolese soldiers and illegal militia groups, including multiple incidents in January around the town of Fizi. There were reports of a further mass rape committed in July in the same area. The DRC authorities made a welcome step towards addressing impunity and the implementation of their zero-tolerance policy on sexual violence, with the arrest, trial and conviction of a senior commander in the Congolese army, Lt Col Mutuare Daniel Kibibi, and eight other soldiers for their role in the mass rapes committed in Fizi in January. However, more needs to be done, as the majority of sexual violence crimes in the DRC still go unpunished.

We continued to press the DRC authorities to end impunity for sexual violence. We called upon the DRC authorities and MONUSCO to investigate reports of a mass rape in July, allegedly committed by Congolese army soldier Colonel Kifaru. However, so far this investigation has been inconclusive. In November, the UK's

recommendation led the UN to impose sanctions against Commander Ntabo Ntaberi Sheka, leader of the Mai Mai Sheka militia group, for his part in the mass rapes committed in Walikale in August 2010. In June, to help address non-conflict-related sexual violence, we funded the "Vrai Djo" campaign. This used male role models to promote positive attitudes towards women.

DFID encouraged greater participation for women in the elections, as both voters and candidates. While we were pleased that women made up 50% of registered voters, we were disappointed that there were no female presidential candidates and only 12% of parliamentary candidates were women. DFID is now reviewing this programme to learn lessons on how best to improve women's participation in the DRC provincial assembly elections, which are scheduled to take place later in 2012.

Lesbian, gay, bisexual and transgender rights

Culturally, homosexuality is not widely accepted in the DRC. A draft law which would criminalise homosexuality was introduced to parliament in 2010. The bill made no progress in 2011. We continue to monitor this issue and will lobby strongly should it appear to make any progress.

Children's rights

The lack of development, poor infrastructure and high levels of poverty mean that children in the DRC face serious challenges, including lack of access to education and healthcare. DFID is working to address the needs of children through a variety of programmes including provision of healthcare and supporting development of infrastructure and schools.

The recruitment and use of child soldiers by illegal militia groups, such as the Lord's Resistance Army (LRA) and The Democratic Forces for the Liberation of Rwanda (FDLR), remains a problem. There are child soldiers in the Congolese army, a problem which has been made worse with the integration of former militia groups.

We continued to press the DRC government to make progress on security sector reform, which is essential in removing all child soldiers from the army. However, there was little progress in 2011, partially due to a lack of Congolese political will.

We will maintain funding for an EU biometric census project, which is helping to improve personnel record-keeping and accountability in the Congolese army, and will help to prevent the future conscription of child soldiers.

Eritrea

The human rights situation in Eritrea showed no sign of improvement in 2011. Whilst recognising the need for change, the Eritrean government continued to insist that the "no war, no peace" situation, because of the ongoing border dispute with Ethiopia, limited any progress they could make on human rights. There was some progress in the provision of education and healthcare.

Our four-year goal for Eritrea is to improve human rights practices, especially with regard to freedom of expression, freedom of religion and application of the rule of law, with the overall objective of Eritrea adopting a national human rights strategy. In pursuit of this aim, we have expressed our concerns on Eritrea's human rights record at a senior level throughout 2011. Our Ambassador has raised human rights issues in all meetings with the Eritrean Ministry of Foreign Affairs and senior ruling party members, including with President Isaias in June. Human rights were raised in regular meetings with the Eritrean Ambassador in London. In all meetings we stressed the importance of taking positive steps to improve human rights to support Eritrea's development goals and reduce the increasingly high number of Eritreans leaving the country.

We drew attention to our serious concerns about human rights in Eritrea in two statements made in June and September at meetings of the Geneva-based UN Human Rights Council. The September statement specifically touched on the so-called G11, a group of senior politicians and parliamentarians and a number of independent journalists detained without charge since 2001. In addition, human rights concerns were raised as part of a regular political dialogue between the EU and the Eritrean government. The issue was the sole discussion point in the last dialogue session of 2011. A number of specific cases were raised, including political and religious prisoners, freedom of the press and religious freedom.
The significant milestone in 2011 on human rights was the tenth anniversary of the detention without trial of the G11. Minister for Africa Henry Bellingham issued a statement to mark the anniversary on 23 September, urging the government of Eritrea to afford all Eritreans in detention the right to human dignity, to fundamental

freedoms, and to legal due process. He raised the issue with the Eritrean foreign minister in New York in September 2011. The UK supported an EU statement which urged the government of Eritrea to release unconditionally those in detention. The government of Eritrea did not react to either statement.

During 2012, we will continue to engage with the Eritrean government, both bilaterally and through the EU. We will urge the Eritrean government to recognise the importance of human rights and implement the human rights conventions they are party to. Eritrea has accepted some of the key Universal Periodic Review recommendations on accession to additional human conventions, including the Convention against Torture. We will encourage Eritrea to respond positively to the five outstanding requests for visits by UN special rapporteurs. We will continue to work with partners and other agencies to influence the government of Eritrea to accept development assistance programmes to address human rights in the country. Eritrea could receive further attention in the Human Rights Council in 2012.

It is not easy to address human rights issues in Eritrea. There is a lack of reliable information inside the country and travel is restricted. There are no independent journalists in Eritrea and the Ministry of Information tightly controls access to information and does not engage with embassies. Meetings between diplomats and religious leaders are tightly controlled. Over the next year we can expect Eritrea to prioritise economic development without recognising the need to address human rights issues.

Elections

Eritrea is a one-party state. The Eritrean constitution ratified in 1997 provides for an elected national assembly, but the constitution has not been implemented. There have been no national elections since independence in 1993. Regional elections, which should have taken place in 2009, have yet to be held.

Freedom of expression and assembly

The Eritrean state controls all media outlets, meaning that only officially approved views are heard. There are no independent journalists. The Reporters Without Borders Press Freedom Barometer for 2011 reports that four Eritrean journalists were detained in 2011, bringing the total number of journalists detained without trial to 34. In December, the first article critical of the government's progress appeared in a local-language newspaper. To date there has been no reaction to the publication.

Assembly during religious festivals and national celebrations is tightly policed. Unauthorised assembly is not tolerated.

Human rights defenders

No active NGOs or human rights groups operate in Eritrea. Civil society is tightly controlled with no effective fully independent civil society groups. The government of Eritrea does not grant permission for human rights groups to visit the country.

Access to justice and the rule of law

The judicial system in Eritrea is opaque, often arbitrary and harsh. Where trials do occur they are conducted in secret, often in special courts where judges also serve as prosecutors. For the most part, those detained are not brought to trial. The Eritrean government does not allow access to most of its prisons and there are no accurate figures on the number of prisoners. The number of those in detention on political and religious grounds could be in the tens of thousands. These include the so-called G11, senior government figures imprisoned without trial since September 2001 and a number of journalists detained around the same time. There are unconfirmed reports that many detainees have died in captivity, but the government of Eritrea refuses to give details on the whereabouts and fate of any of them, citing national security grounds. The Eritrean government has ignored frequent calls for them to be brought to justice or released.

Death penalty

There were no reports of the death penalty being used in 2011. The government of Eritrea operates a "shoot to kill" policy along the border against those Eritreans seeking to leave the country illegally.

Torture

In March, the UN Special Rapporteur on Torture expressed concern about the well-being of a number of named individuals and stated that the conditions of their detention, including solitary confinement, amounted to inhumane and degrading treatment. Since 2009, the Eritreans have not responded to any written requests for information nor responded to three outstanding requests for visits to the country by the UN Special Rapporteur on Torture. As the Eritreans do not allow access to prisoners by family members or human rights organisations, we are reliant on reports from those escaping detention, or from prison guards who have left the country, for evidence of torture and inhumane treatment. Reports of people dying in detention, including an unconfirmed report of the death of Dawit Isaak, an Eritrean-Swedish journalist detained since 2001, have not been acknowledged by the government of Eritrea.

Conflict and protection of civilians

The number of refugees entering Eritrea appeared to decline in 2011. As of 30 October, the number of refugees in Eritrea totalled 4,031, including 3,685 Somalis, 89 Sudanese and 77 Ethiopians. The government of Eritrea continues to work with the UN High Commission for Refugees to ensure adequate provision of education and healthcare. The Eritrean government does not operate a system of forced repatriations, but works with the UN High Commission for Refugees to return to their country of origin those who express a desire to go home, and cooperates on arrangements for the departure of those offered settlement in a third country. A group of Somalis, accepted by Australia for resettlement, were assisted to leave in 2011.

Freedom of religion or belief

There has been no relaxation on the tight control over religious groups in Eritrea during 2011. Throughout the year there were reports of Eritreans detained for worshipping religions not authorised by the government. The most high-profile group is the Jehovah's Witnesses. In March, the government issued an order that students or priests belonging to any one of the recognised religions should report for national service. This order was later rescinded following an intervention from the Vatican.

Women's rights

The Eritrean government continues to make progress on gender equality, recognising the rights of women. They have implemented programmes to support the mainly female-headed households in rural communities, improving their access to water and sanitation and livelihoods. DFID funds programmes run by UNICEF on water, sanitation and the provision of a supplementary feeding programme, assisting women in rural communities.

Minority rights

Relations between the government of Eritrea and the Kunama and Afar remain tense. The Kunama and the Afar consider that their tribal culture is not recognised by the Eritrean government. The Afar would like an "autonomous" Afar region, and there have been reports of skirmishes along the border with Ethiopia between Afar opposition groups and government troops. The government has tried to address some of the problems with the Kunama through the construction of schools and the implementation of a programme to improve the provision of basic education. However, reports indicate that the programme has not been fully successful with many schools under-utilised.

Freedom of movement

Between January and June, the government of Eritrea imposed tighter restrictions on travel for diplomats. The restrictions were lifted in June but travel permits continue to be frequently denied. The travel restrictions for Eritreans within Eritrea have eased; the restrictions on holding a passport or travelling outside the country remain.

Development assistance

Eritrea's progress in a number of areas is severely hampered through its refusal to accept international development assistance. During 2011, the Eritrean government took the decision to restrict UN agency programmes to three priority areas – water, sanitation and healthcare – and refused to agree to renew the United Nations Development Assistance Framework. International NGOs operating within Eritrea were instructed to end all programmes by December 2011, resulting in most closing their operations and leaving the country. This included Oxfam GB and Norwegian Church Aid. In November, the government requested the closure of all programmes under the tenth European Development Fund, effectively closing all EU-funded programmes. However, UNICEF programmes continue to operate, and DFID has provided a grant of £5 million for 2011–12. Our Embassy in Asmara supported a food-security programme operated by the UN Food and Agriculture Organisation (UNFAO). Funding small projects through local agencies and NGOs has been difficult due to bureaucratic registration procedures and a limited operating space.

Fiji

There has been little improvement to the human rights situation in Fiji in 2011. An unelected military-led interim government has ruled through presidential decree since the military coup in 2006, and Fiji remains without a parliament or a constitution since its abrogation in 2009. The development of new legislation lies exclusively in the hands of the interim government, thereby lacking transparency and accountability. Decrees are passed without public debate or discussion, including the Essential National Industries Decree promulgated in June. This decree, alongside the Media Industries Development Decree and the Public Emergency Regulations, greatly restricts the human rights of the people of Fiji. Of particular concern are limitations on freedom of expression and freedom of assembly, arbitrary detention and media censorship.

In 2011, Fiji made little progress against the 97 recommendations accepted following the UN Universal Periodic Review (UPR) in 2010. Fiji demonstrated little progress towards commitments agreed with the EU under Article 96 of the Cotonou Agreement, including commitments on the respect for democratic principles, human rights and the independence of the judiciary. Fiji remains suspended from the Commonwealth and the Pacific Islands Forum.

The UK's overriding objective for Fiji in 2011 was the lifting of the Public Emergency Regulations, to enable the public and civil society organisations to assemble for an inclusive dialogue on the new constitution, which is a pre-requisite for the restoration of democracy. In addition, we aimed to increase understanding of human rights issues, in particular gender equality and non-discrimination. Progress against our objectives in 2011 was limited and will continue to be so while the interim government remains unwilling to lift the Public Emergency Regulations, commence a constitutional dialogue or investigate alleged human rights violations. In addition, the Fiji Human Rights Commission is no longer compliant with the UN Paris Principles on national human rights institutions as it takes instructions directly from the interim government and has no commissioners since their appointments were terminated following the abrogation of the constitution. Along with international partners,

including the EU and the UN, the UK raised human rights concerns throughout 2011. We publicly condemned arbitrary detention and the continuing restrictions placed on trade unions and the Methodist Church. We regularly called for the restoration of democracy and the lifting of the Public Emergency Regulations. In addition, the British High Commission in Suva attended the opening ceremony of a campaign arranged by the Fiji Ministry of Social Welfare, designed to highlight activism against domestic violence affecting women and children, which ended on 10 December to mark Human Rights Day. Other work included a project designed to empower rural women by providing them with a dedicated place to sell local produce in Suva. The UK provided financial support to the Citizens' Constitutional Forum, which is a strong advocate for human rights.

Potentially, 2012 could be a defining year. It started positively with the lifting of the Public Emergency Regulations on 7 January 2012, which allowed a constitutional dialogue to start in February 2012. But this positive step was counteracted by the promulgation of the Public Order (Amendment) Decree on 5 January 2012. This decree preserves the power of the interim government to restrict public assembly and freedom of expression, and gives the military and other law-enforcement personnel powers of arrest and detention that are out of line with international human rights standards. Although government censors were removed from press rooms in January 2012, media censorship can still be imposed through the Media Industry Development Decree, and also self-censorship is likely to continue because of a fear of intimidation. A constitutional dialogue that is inclusive, transparent and not pre-judged would be a clear sign that the interim government is committed to free and fair elections, alongside their commitment to establish an electronic voter registration system by June 2012. We hope that the interim government, with assistance from the UN, will demonstrate progress against Universal Periodic Review commitments, including the ratification of key human rights conventions during 2012.

Elections

There was little progress towards constitutional dialogue or democratic elections in 2011. The independence of the Elections Office continues to be questionable, as it sits under the Ministry of Justice, and key officials such as the supervisor of elections or election commissioners are yet to be appointed. There is continuing concern over

the “militarisation” of the civil service with military officers holding senior positions such as the commissioner of police, commissioner of prisons, the chief of protocol and all the divisional commissioners. In addition, three out of nine ministers and seven out of 22 private secretaries are military officers.

One sign of progress was a commitment by the interim government in September to establish an electronic voter registration system and a subsequent request for financial and technical assistance from the diplomatic community and the UN. Funding was reserved in the 2012 budget for the electronic voter registration system and for the “development of a constitution”. But there has been no progress in key electoral preparations, including the re-establishment of the boundaries commission, civic education or a constitutional dialogue.

Freedom of expression and assembly

Freedom of assembly is restricted in Fiji owing to provisions within the Public Emergency Regulations that allow law-enforcement officials to prohibit or disperse any procession, meeting or assembly of more than ten people in any place or building, whether public or private. They are further authorised under the regulations to use force at their discretion and are guaranteed immunity if this force causes harm or death. Media censorship continued under the Public Emergency Regulations with state censors installed in media establishments. The police also banned 26 short films from screening at the Fiji National University’s Film and Music Festival in September because of their focus on race, politics and democracy. In November, the editor-in-chief and publisher of the *Fiji Times* were arrested and charged with alleged contempt of the High Court following an article which touched upon the inadequacy of the judicial system in Fiji.

In June, the president promulgated the Essential National Industries (Employment) Decree, which prohibits professional unions from operating in essential industries such as telecommunications, aviation, electricity, utility companies and banks. This decree restricts industrial action and freedom of association, including the right to form and join trade unions. The Public Emergency Regulations also allow for restrictions on the right to freedom of movement and have been used to impose travel bans on human rights activists, lawyers and trade unionists. One high-profile

case involved a travel ban being issued to the National Secretary of the Fiji Trades Union Congress in November, following seven days of detention which resulted in no criminal charge. The Methodist Church has also been targeted under the Public Emergency Regulations, with meeting permits not being granted by the interim government and their annual conference being cancelled at the last minute in August. There is a continuing court case against the president and the general secretary of the Church for holding meetings without permits.

The interim government did not respond to a request to visit from the UN Special Rapporteur on Freedom of Association and Assembly in September.

Human rights defenders

Many civil society organisations, such as the Fiji Women's Rights Movement and the Citizens' Constitutional Forum, are active human rights defenders but are regularly subject to harassment and intimidation. One public advertisement for the website of the Citizens' Constitutional Forum was declined for publication by the local print media in September, as it directed readers to online articles that could not appear in print media owing to state censorship. Turnout for the Fiji Women's Crisis Centre's "Reclaim the Night" march, for International Women's Day in March, was hit (50 rather than the 300 people expected) by the unreasonable delay in issuing the permit. In July, the Fiji Women's Rights Movement alleged harassment following the dispersal of its annual retreat by police, who claimed the movement had violated the Public Emergency Regulations by not applying for a permit. Fiji Women's Rights Movement's staff were questioned then released without charge. The organisation provided the police with the meeting agenda and attendee list upon request. A senior police officer subsequently acknowledged that a permit was not required for this meeting but claimed that since the Fiji Women's Rights Movement were "activists" they had to be checked on.

Access to justice and the rule of law

Fiji's justice system does not meet the standards of an independent judiciary compliant with the rule of law since the abrogation of the constitution in 2009. Fiji's legal system is defined by presidential decrees, which are passed without public debate or discussion. All decrees are subject to the Administration of Justice Decree of 2009, which prohibits legal challenges against any decree promulgated since December 2006. The appointment of judges, magistrates and other judicial officers continues to be at the president's discretion, rather than through an independent selection process. In July, three prosecutors working for the Fiji Independent Commission Against Corruption reportedly resigned owing to the lack of independence in the justice system. The interim government continues to prohibit an International Bar Association delegation from visiting the country to evaluate the independence of the judiciary. The interim government has yet to respond to a 2007 request to visit from the UN Special Rapporteur on the Independence of Judges and Lawyers.

Death penalty

The death penalty has been abolished for all civilian crimes; however, it remains in place for crimes against the Military Code. The interim government claims that this issue is under consideration as part of its response to the Universal Periodic Review recommendations.

Torture

The UK continues to be concerned about the arbitrary detention and mistreatment in custody of individuals in Fiji, despite commitments made by the interim government at the UN Human Rights Council in 2010. Our High Commission, alongside the UN, EU and other international partners, continues to follow a prominent court case involving a businessman allegedly tortured by the military during interrogation. The High Commission attended the initial proceedings in February and will continue to act as an independent observer.

In January, a female lawyer reportedly suffered head injuries as a result of physical assault during her brief detainment by the military. In February and March, Amnesty International reported that a dozen politicians, trade unionists, government critics

and other Fijians had been detained and subjected to severe physical mistreatment and other forms of torture. Amnesty International reported that some human rights activists and family members, who requested the release of some of these individuals, were allegedly threatened and physically mistreated at the military base. It is widely believed that these arrests were linked to the distribution of pro-democracy DVDs and an alleged counter-coup attempt in October–November 2010. The UK, EU and France asked for a political dialogue meeting with the interim government in March, in an effort to prevent further arrests and intimidation. The interim government has yet to carry out an investigation into these allegations.

The interim government continued to intimidate and increase pressure on trade unionists. In February, there were reports of arbitrary detention and alleged mistreatment against several trade union officials. The president and the national secretary of the Fiji Trades Union Congress were both detained twice in 2011, under the Public Emergency Regulations, following their offices being monitored by state officials. In February, together with another trade union official, they were taken to a private residence and subjected to beatings and other forms of torture. This alleged mistreatment was apparently witnessed by a *Fiji Times* journalist who was detained at the same time. The Fiji Trades Union Congress (FTUC) President was again detained in August and charged with unlawful assembly, and faces another legal challenge in 2012 for alleged acts of sedition. In November, the national secretary was detained for seven days by the police before being released without charge, and then subjected to a travel ban.

Freedom of religion or belief

Fiji lacks a legal framework for the protection of religion or belief. The Methodist Church continues to be targeted by the interim government under the Public Emergency Regulations. This involves restrictions on Church meetings without government permits, including the Annual General Conference in August, which was cancelled one day before the meeting. In August, there was alleged discrimination against the Hindu community through the imposition of meeting restrictions, including prayer gatherings held in private homes.

Women's rights

Gender inequality continues in a Fijian male-dominated society. Women remain under-represented in the political system and there was only one female minister in the Cabinet of the interim government in 2011. On 26 April, the interim government announced that civil servants would be exempt from the majority of provisions under the Employment Relations Promulgation 2007. Any disputes against the state will be processed through the Public Service Disciplinary Tribunal, which is widely perceived to be a state-controlled entity. Female civil servants were adversely affected, as legal provisions protecting them from discrimination and sexual harassment have been removed. Provisions on maternity leave have been abandoned, thus creating further barriers for the advancement of women within the civil service.

Domestic violence continues to be a serious concern despite Fiji being party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The interim government established a Women's Plan of Action (2009–18), which provides a framework for the promotion of gender equality and the elimination of discrimination against women. However, few domestic violence cases are heard in court and those that are generally result in short sentences, or are dismissed by the judge in favour of family reunification. In March, a High Court judge deplored the lack of commitment on the part of law-enforcement officials to implement the Domestic Violence Decree. Between January and September, the Fiji Women's Crisis Centre received 552 reports of domestic violence, 9 rape cases and 33 sexual harassment cases. They recorded an 8% increase in domestic violence in January and February; however, the police claimed in the media that domestic violence had decreased over the same period.

NGOs such as the Fiji Women's Crisis Centre, the Fiji Women's Rights Movement and FemLink provide exemplary awareness and advocacy programs. However, their capacity to report and investigate cases is limited owing to resource issues and the interim government's unwillingness to act.

Iran

There has been no improvement in the human rights situation in Iran in 2011, and in some areas there has been deterioration. The rate of executions over the last 12 months continued at an exceptionally high level, with the minimum standards required in international law rarely applied. Iran regained the status of having more journalists in prison than any other country in the world. A number of political opposition leaders remain detained without charge since February. Non-government sponsored protests were brutally crushed. Ethnic and religious minorities faced systematic crackdowns. Human rights defenders and lawyers continued to be detained or forced to flee the country.

Iran still displays a lack of will to cooperate with the international community on human rights issues. Despite assurances to the contrary, Iran has not accepted any visits by UN special rapporteurs or the High Commissioner for Human Rights since 2005, has responded to only 30% of correspondence from rapporteurs, and has failed to focus on implementing the recommendations of the Universal Periodic Review carried out in 2010.

Our objectives for 2011 centred on persuading Iran to meet its international obligations on respecting the human rights of its people. In response to its failure throughout 2011 to do so with any serious intent, the international community has increased its scrutiny of Iran's human rights record. In the UN Human Rights Council, the UK supported the establishment of a Special Rapporteur for Human Rights in Iran. This passed by 22 votes to seven, and Dr Ahmed Shaheed, former Foreign Minister of Maldives, was appointed to the role in June. At the UN General Assembly in December, the annual resolution on human rights in Iran passed by an increased majority of 89 votes to 30. In the EU, the UK supported the introduction of restrictive measures against individuals in the regime responsible for human rights violations.

In 2012, we are not expecting an improvement in the human rights situation, though we will continue to work for this. The Iranian authorities have indicated that they

intend to accept the visit of the UN High Commissioner for Human Rights and the visits of two special rapporteurs in 2012. It is important that the country-specific Special Rapporteur for Iran is one of the visits permitted, and that all are given full and completely unrestricted access to any areas or persons they request.

In 2012, the UK will support the renewal of Dr Shaheed's mandate as Special Rapporteur in the UN Human Rights Council. Additional constraints have been placed on our human rights work as a result of the closure of the British Embassy in Tehran and the Iranian Embassy in London – a necessary step following the invasion of our Embassy compounds by Iranian regime-backed paramilitaries. However, the UK will continue to highlight abuses publicly and ensure that Iran's record is subject to international scrutiny. The UK will work with EU partners to ensure that the perpetrators of human rights abuses do not enjoy impunity. We will support the extension of existing restrictive measures against individuals where evidence of their involvement in abuses is available.

Freedom of expression and assembly

Iran drew worldwide condemnation for its crackdown on peaceful, legitimate protest in 2011. In February, Iran praised protests carried out across the region, while at home, several people were killed and hundreds arrested in a heavy-handed response by security forces to protests on February 14 by opposition groups in Tehran. For months following these protests, gatherings were met by a pre-emptive deployment of security forces. Prior to the start of these protests, two opposition leaders (and presidential candidates in 2009), Mir Hossein Mousavi and Mehdi Karroubi, were detained in their homes. They have been held incommunicado since, with only sporadic visits by family members permitted. Despite a large security presence at their homes to prevent them from leaving, there have been several instances of gunfire targeting their properties, with no arrests made. On 15 February, Iranian parliamentarians chanted in parliament for them to be tried and executed – with the call for a trial echoed by the president. These moves to undermine the opposition were condemned in a statement by the Foreign Secretary, who called for their release and warned of strong consequences if their safety was threatened. This call was mirrored by the EU, G8, international NGOs and politicians around the world.

The detention of these two leaders is all the more concerning given the parliamentary elections in 2012 and presidential elections in 2013. It is important for the credibility of both elections that they are held in a transparent manner, with all potential candidates free to participate.

Iran witnessed other protests and subsequent violence by security forces throughout the year. The worst of these was seen in Khuzestan, where local Arabs planned to march in solidarity with other protests across the region. Reports indicated that several hundred protestors were arrested and live ammunition was used, with more than 30 people killed. Protests occurred in Azerbaijan province in north-western Iran against the Iranian parliament's rejection of a bill to maintain a natural salt-lake in the area, Lake Orumiyeh.

In August, Iran released over 100 political prisoners who were thought to have been arrested following the protests over the disputed elections in 2009. While a positive move, we remain concerned about the fate of the thousands of others arrested for their part in protests since 2009 and call for their release. Iran should initiate a full investigation into the deaths and violence that have occurred during peaceful protests since the start of 2009, releasing the full findings. We are not aware of charges having been brought against many of those responsible for violently suppressing peaceful protests, nor of those that were detained following protests having served a sentence. We are aware of sentences being handed to a number of security personnel at the Kahrizak Detention Facility, though again we are not aware that the sentences were ever served.

During 2011, the authorities further tightened controls on media and the internet. At least seven national newspapers and magazines were closed, some temporarily and some permanently. Restrictions on viewing foreign satellite broadcasts continued, with intensified jamming of broadcasts and destruction of satellite dishes by the security forces. Satellite companies confirmed that jamming of international broadcasters, including the BBC Persian Service, emanated from Iranian territory.

The Iranian authorities worked to reduce access to information through the blocking of further internet pages, including the British Government's Farsi language website. Other tactics included banning and blocking the use of virtual private networks (VPNs) and software used to evade censorship controls.

Journalists and bloggers were targeted by the authorities. In addition to the suspension of *Etemad* newspaper for printing an interview criticising conservative politicians and elements of the regime, a large number of journalists were detained in 2011. The Committee for the Protection of Journalists released a report at the end of 2011 showing that Iran has once again more journalists in jail than anywhere else in the world. The arrests of six journalists in September and October, accused of working for the BBC and of espionage, were particularly concerning. We understand that all have now been released. However, too many others remain in prison.

Human rights defenders

The crackdown on human rights defenders and lawyers continued in 2011 with arrests and detentions and the targeting of family members as a means of exerting pressure. As the year progressed, the pattern moved from the detention of high-profile lawyers, many of whom had already been imprisoned or forced to flee Iran, to journalists. In one example, two reporters, Maryam Majd and Pegah Ahangarani, known for their activism, were arrested and detained when attempting to travel to Germany to cover the Women's Football World Cup as journalists. The increasing use of a prison term followed by a ban on a lawyer or journalist exercising their profession is a particularly disturbing form of sentence, and ensures that human rights defenders are unable to resume their work long after they have been released from jail.

The year began with the sentencing of two high-profile human rights defenders, Nasrin Sotoudeh and Shiva Nazar-Ahari, to eleven- and five-year jail terms respectively for their work in promoting human rights. Due to the nature of her charges, treatment in custody and the sentence passed down, the case of Nasrin Sotoudeh, a prominent lawyer, was of particular concern. She was arrested in August 2010 and held in solitary confinement. On 9 January, she was sentenced to 11 years in prison with a further 10-year ban on practising law on charges of acting

against national security, spreading propaganda against the regime and cooperating with a banned organisation (Nobel Prize Winner Dr Shirin Ebadi's Defenders of Human Rights Centre). This sentence was later reduced to a six-year jail term on appeal. Narges Mohammadi, deputy head of the Defenders of Human Rights Centre, first arrested and detained for one month in 2010, was also sentenced to 11 years in jail in September.

Similarly vague and illegitimate charges are often levelled against human rights defenders in Iran. The UK government continues to draw attention to these two key cases as they are symptomatic of the persecution of human rights defenders in Iran. Minister for the Middle East and North Africa Alistair Burt called for both Nasrin Sotoudeh and Shiva Nazar-Ahari to be released. FCO and EU officials have requested further updates from the Iranian authorities throughout the year. The EU High Representative, Catherine Ashton, also released a statement at the time of their sentence, and has referred to them in other statements throughout 2011. The Foreign Secretary gave a keynote speech at the "Imprisoned in Iran" event organised by *The Times* newspaper in London in September, and met a number of human rights defenders at the event, including Shadi Sadr, winner of the Dutch government's human rights award, and Mohammad Mostafaei, former lawyer to Sakineh Mohammadi-Ashtiani.

Access to justice and the rule of law

Lack of access to justice continues to underpin the majority of human rights abuses in Iran. A large proportion of cases are highly politicised, with reports of intimidation used as a means to extract confessions, lack of access to legal counsel, failure to disclose the charges to the defence or accused, restricted consular access and arbitrary sentencing from judges. There have been numerous reports in 2011 of cases where the application of the death penalty by local courts has been rejected by the Supreme Court, only to have the same application continuously returned until accepted. Televised confessions in high-profile cases have continued, prejudicing trials prior to their hearing. Many courts still operate in a closed fashion, with some refusing even to issue written orders of a sentence until after it has been carried out.

Corporal punishment in Iran has again been under the spotlight in 2011. In May, reports emerged of the imminent blinding of two convicts by having drops of acid put in their eyes, and in one of the cases, having part of their ear removed by a surgeon. The barbaric nature of these punishments prompted an international outcry. Although the sentence was postponed in one case, that of Majid Movahedi, the courts attempted to proceed with the punishment in July. The punishment was withdrawn at the last moment at the request of the accuser, who has the right to request, or withdraw the "qisas" – an eye for an eye – punishment as they wish.

Death penalty

We were once again extremely concerned by Iran's use of the death penalty in 2011, including the scale of its use, methods of implementation and its application to juveniles. Reliable NGO reports and local media reporting suggest at least 650 people were executed in Iran in the course of the year. This once again gives Iran the highest rate of executions per capita in the world and puts them second in overall figures, behind China. The vast majority (roughly 85–90 %) of executions were once again related to drugs trafficking, with the vast majority of the remainder related to violent crime or terrorist charges. NGOs again presented strong evidence that such charges had been falsely applied to secure the death penalty for opponents of the regime, including in the execution of a Dutch-Iranian dual national in January, who was arrested during political protests in December 2009.

Iran continues to implement the death penalty in ways that contravene international law. The most frequently used example of this is suspension strangulation, in which the condemned is winched slowly upward. This barbaric method prolongs the suffering of the condemned and is frequently used during public executions. Despite public assurances from all levels of the Iranian government, at least 14 people remain under stoning sentence in Iran. Although a stoning sentence has not been carried out by Iran for three years, the threat of a sentence being implemented remains. The British Government has consistently called on Iran both bilaterally and in the UN to remove the sentence from its penal code.

We have seen the disturbing practice of the execution of juveniles continue in 2011. This included the public execution of Alireza Molla-Soltani, a 17-year-old boy

accused of murder in July, who was hung by suspension strangulation in front of a reported crowd of 15,000 people. The practice of executing minors is prohibited under the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights, both of which Iran is a party to. This was specifically mentioned once more in the annual UN General Assembly Resolution on Human Rights in Iran.

Torture

NGOs reported numerous cases of torture and other ill-treatment against detained persons in 2011. The UN Special Rapporteur on the Situation of Human Rights in Iran highlighted in his report of 23 September that he had received reports that "frequently communicated the use of physical and psychological mistreatment and torture". In one of the most serious of the cases reported by NGOs, Javad Houtan Kian, former lawyer of Sakineh Mohammadi-Ashtiani, who was condemned to death by stoning for adultery and whose case received international media attention, wrote an open letter about his experience in jail detailing the horrific conditions and brutal abuse received at the hands of his interrogators. The mistreatment described in his letter matches that described in other letters and testimonies of those imprisoned in Iran and it is likely that such treatment is state-sanctioned rather than the independent actions of prison officials. FCO officials have highlighted concerns over the alleged treatment of Mr Kian to the Iranian government, urging them to ensure his safety while in custody and to investigate thoroughly any accusations of mistreatment.

Migrants and refugees

Iran remains home to the second-largest group of long-staying refugees in the world, the majority of whom are Afghans. The most recent estimates from the Iranian Ministry of Interior and the UN Office of the High Commissioner for Refugees put the number of registered Afghan refugees in Iran at 1,027,339. There are estimated to be a further two million refugees who remain unregistered. Many of these have been in Iran since the Soviet invasion of Afghanistan in 1979. Iran continues to provide some level of support to Afghans living in Iran, assisted by the office of the UN High Commissioner for Refugees. However, shifts in economic policy, and the removal of blanket subsidies on basic food stuffs, means many of the most vulnerable groups

within the refugee population faced particular hardship in 2011. Iran's attempt to better regulate the refugee and economic migrant population shifting between Iran and Afghanistan has also had a negative impact on the refugee population. Uncertainty, and a lack of transparency in the means by which Afghan refugees can apply to remain in Iran legally, has resulted in many refusing to re-register as legal refugees, losing access to education, healthcare and livelihood support provided to them by the Iranian government. Through the Office of the UNHCR, the international community continues to encourage Iran to maintain support for its refugee population and to continue to improve its regulation of economic migration in the region.

Freedom of religion or belief

The year began with the continuation of the arrests of a large number of Christians involved in the setting up of house churches, and those worshipping at them. NGOs focusing on religious freedom in Iran report that in 2011 over 400 Christians were arbitrarily arrested for forming and attending house churches. A number of reports and quotes from those detained also indicate that the majority of these were put under pressure to recant their faith and convert to Islam. The Foreign Office raised these concerns with the Iranian authorities throughout the year, making clear that such behaviour is entirely unacceptable and contradicts the Iranian constitution and international conventions to which Iran is a party.

The troubling case of Christian Pastor Yousef Nadarkhani highlighted the plight of Christians and other religious minorities in 2011. He was arrested and sentenced to death in 2010, by a judgment delivered orally, on apostasy charges. At the time, the Foreign Office raised concerns about this sentence directly with the Iranian government, making clear that such a charge and sentence contravened international law, urging Iran to rescind the sentence, or face an international outcry. Iranian interlocutors for their part denied the sentence and said his case was ongoing. In September 2011, an official written version of his verdict surfaced and fears were raised that Pastor Nadarkhani's sentence would be carried out imminently. The Foreign Secretary released a statement condemning this sentence, and Foreign Office officials summoned the Iranian Chargé d'Affaires in London to protest at the sentence once more. A global campaign to save Pastor Nadarkhani

began. Current information suggests that his case is under review by the Iranian judiciary.

The Baha'is have remained a target for persecution from the Iranian authorities throughout 2011. They are not recognised as a religion in Iran and are regarded with extreme hostility and suspicion by the state. In April, the Iranian courts decided to re-try and re-sentence seven Baha'i spiritual leaders who had been sentenced to 20 years in prison in September 2010, on allegations of security-related crimes, but later had the terms reduced, with a number of charges overturned. Their re-trial happened suddenly and behind closed doors, with NGO reports stating that the accused were not given the opportunity to discuss their case with their lawyers. Their original 20-year sentences were reinstated. The Foreign Secretary released a statement condemning this and calling for the leaders' release. They remain in jail, with Iran ignoring international requests for information on their case. The Iranian authorities also stepped up their campaign to close the premises of Baha'i Institute of Higher Education (BIHE) across Iran. BIHE was set up in 1987 as a result of the Iranian authorities' attempts to prevent declared Baha'is from receiving Iranian state education. In 2011, there was an increase in the frequency of raids on the homes and workplaces of faculty members. Seven key faculty members were tried and convicted, reportedly on the grounds of practising the Baha'i faith and on charges relating to national security. They were all sentenced to between four and five years in prison. A request by EU embassies to observe the trial, which the Iranian authorities claimed was open, in line with Iranian law, went unanswered. In July, it was reported that Baha'is in Sanadaj were summoned by authorities and warned against taking part in "the 19-day feast", a regular Baha'i devotional gathering. Foreign Office officials highlighted these reports to the Iranian Embassy in London, pointing out that this would breach international law protecting freedom of religion or belief.

Sunni Muslims continue to face repression from state authorities who continue to refuse to allow construction of a Sunni Mosque in Tehran. Reports from worshippers indicate that the authorities are actively trying to prevent them from being able to worship in acceptable alternative locations.

There have been a number of incidents reported in 2011 against other recognised religious minorities. Several occurrences of the desecration of graves in Jewish cemeteries were reported, including in a cemetery in Damavand in April. NGO reports have also suggested that Jewish worshippers also continue to be monitored closely under suspicion of spying for Israel – a charge that is frequently used against religious minorities during arrests.

Women's rights

Iranian law discriminates against women, whose testimony is worth only half that of a man's. Gender discrimination also remains prevalent in employment, with only 20% of Iranian women graduates finding employment in their sector upon completion of a degree. Many of the country's top political positions are also closed to women. Of particular concern, the new Iranian penal code, which was still awaiting clearance at the end of 2011, continues to prescribe the age of criminal responsibility for girls at nine years old.

Women's rights activists and journalists were targeted for harassment and intimidation in 2011. Maryam Majd, a photojournalist, was detained at the airport on her way to Germany to cover the Women's World Cup. Her family were not informed of her whereabouts until after it became clear she had not left Iran. She was held over a month without charge and then released when her physical condition deteriorated. Fereshteh Shirazi, a prominent member of the Million Signatures Campaign for women's rights, was detained in September. On 31 December, reports emerged that she had been sentenced to three years in prison for her women's rights-related work. We are concerned by her arrest, detention and the poor prison conditions she has been subjected to. Both of these cases are higher-profile examples of the intimidation that activists and peaceful protesters alike have faced in 2011. In July, the Foreign Secretary condemned this behaviour, highlighting the cases of several other women's rights activists, whose conscientiousness and achievement should be celebrated, but instead they are behind bars.

Gender inequality in the workplace, in law and in society continues. Iran has made no progress in addressing this in 2011.

Minority rights

Iran is an ethnically diverse country. Along with a Persian (51%) majority, the population is made up of Azeris, Kurds, Arabs, Baluchis, Turkmens, Armenians, Assyrians, Jews, Afghans and Georgians. Despite this diversity, Iran's ethnic minorities regularly suffer discrimination on account of central and local-level government policies. Although the constitution guarantees equality, ethnic minorities in Iran are subject to discriminatory practices, including property confiscations, denial of state education and employment, and cultural and linguistic restrictions. Iran's ethnic minorities continue to be affected by apparent government bias, fuelling ethnic-based political violence, in particular among Iranian Kurds and Baluchi communities.

Lesbian, gay, bisexual and transgender rights

LGBT people continued to be repressed by the law and in society. We received numerous reports in 2011 of people who had been executed under article 108 of the Iranian penal code, which prohibits sexual intercourse between men. In addition to the clear objections that we have about such persecution, we also remain concerned by the propensity for these charges to be falsely applied by those seeking to manipulate the courts. While we continue to call for Iran to remove all discriminatory laws, it is important that Iran safeguards the rights of all to a fair trial.

Iraq

Iraq continues to deal with the legacy of decades of appalling human rights violations under Saddam Hussein's regime, as well as institutional deficiencies and the fallout of the 2003 Iraq War. The precarious security situation and political tensions within the Iraqi government have made progress and engagement on human rights difficult, and we have not yet reached the point where a culture that respects human rights is ingrained in Iraqi society. Significant problems remain, in particular with the administration of justice and the rule of law. Corruption remains widespread. Unemployment and a lack of access to basic public services still affect large numbers of the Iraqi population. Demand for better delivery of essential services in February resulted in demonstrations across Iraq. However, some progress towards improving human rights over the past twelve months has been made. The passage of legislation in the Kurdistan Regional Assembly in August banning domestic violence was a welcome development. We hope that such legislation can eventually be extended to the whole of Iraq.

In 2011, the promotion of human rights played a major part in our overall strategy for Iraq. Our priorities included strengthening and improving governance, the rule of law and education across Iraq, and supporting the implementation of the UN Human Rights Council's Universal Periodic Review (UPR) recommendations, including the establishment of the Independent High Commission for Human Rights. But despite some preparatory steps the High Commission is still not established and the government has not yet published its three-year National Action Plan on implementing the Universal Periodic Review recommendations.

The UK funded a number of projects to promote human rights across Iraq. These included training programmes for the police and women's shelter staff in the Kurdistan Region, and work with the Kurdistan Regional Government to improve the protection of women's rights in legislation. The UK funded an independent human rights adviser to visit Iraq in November, to conduct a scoping study, during which she had consultations with the government, parliamentarians and civil society. The UK is also helping to strengthen parliamentary oversight of the government's actions by

building the capacity of parliamentary scrutiny committees, including the Human Rights Committee, which visited Westminster in September as part of this project. Throughout 2011, we regularly raised human rights concerns with senior members of the Iraqi government and encouraged them to take appropriate action where necessary, for example over the possible closure of Camp Ashraf, home to approximately 3,400 Iranian residents belonging to the Mujahedin e-Khalq (MeK), who claim to be the Iranian opposition in exile.

Following the withdrawal of US troops, 2012 will test the government of Iraq and its ability to promote the rule of law and to manage an effective criminal justice system. The UK will continue to work towards the establishment of an Independent High Commission for Human Rights that complies with the UN Paris Principles, including a fair and transparent process for appointment of commissioners, and encourage the government to finalise and implement its National Action Plan on the Universal Periodic Review recommendations. The Iraqi minister for human rights visited the UK in January 2012, providing us with an opportunity to outline our concerns and consider further mutual cooperation in promoting human rights. We will also continue to provide training and funding to various human rights projects across Iraq, focusing on improving areas such as the rule of law, women's rights and freedom of expression.

Freedom of expression and assembly

In early 2011 in Iraq, as elsewhere in the region, protestors took to the streets to demand improved public services and an end to corruption. In many cities demonstrations are believed to have passed off relatively peacefully. However, we were concerned by reports that the police used violence in clashes with protestors in certain parts of the country. On 10 March, Foreign Office Minister Alistair Burt expressed the UK's concern "at a number of reports of harassment of protestors, including political groups associated with the protests, and of violence against journalists and media offices across Iraq. We call on the Iraqi and Kurdish authorities to investigate these incidents and to protect the right to freedom of expression and assembly." In September, we funded anti-riot-control training in the Kurdistan Region aimed at improving standard police operating procedures and use of non-lethal crowd-control measures.

Iraq continues to be ranked as one of the worst countries in the world for freedom of expression, with statistics indicating a rise in abuses against journalists in 2011. On 8 September, Hadi al-Mahdi, a prominent and well-respected journalist, was assassinated at his home in Baghdad. Mr Mahdi was often critical of the Iraqi authorities and his radio show tackled a range of sensitive subjects ranging from corruption to the lack of basic public services. He was the seventh Iraqi journalist to be murdered in 2011. Even in Iraqi Kurdistan, where the security situation is calmer, there has been a worrying spate of attacks on media and journalists. The UK has called on the Iraqi and Kurdistan regional authorities to investigate these incidents and to protect rights to freedom of expression.

The "Journalists Rights Law" was passed in August. Whilst this law contains some positive elements, it also includes some worrying provisions that could reduce media freedom, including vague wording prohibiting journalists from "compromising the security and stability of the country" and allowing the suspension of publications making "provocative or aggressive statements". Ten pending laws relating to media freedoms and access to information are also at various stages of development, and we should see progress in 2012. These include the Freedom of Expression Law, Iraq Media Network Law, Telecoms Law and Cyber Crime Law. However, along with the UN and Iraq NGOs, we remain concerned that many of the pending and recent laws contain inconsistent and contradictory provisions.

The UK has provided funding to a number of projects in this area. One with the Journalistic Freedom Observatory, the only independent media NGO in Iraq, aimed at increasing its reach and output, with capacity to monitor and defend press freedoms. Another worked with the Independent Media Centre in Kurdistan to improve governance and accountability through effective media. We have made clear to the Iraqi government that much more needs to be done to protect journalists in Iraq.

Access to justice and rule of law

The UK continues to have serious concerns about the administration of justice and the rule of law in Iraq. Some fundamental flaws remain in Iraq's legal framework,

which continue to undermine its effectiveness. The Criminal Procedure Code and the Counter-terrorism law have repeatedly been used to detain people indefinitely without charge or trial. Corruption continues to be widespread; Iraq was ranked 175 out of 182 countries in Transparency International's "Corruption Perception Index" for 2011.

The UK has funded a number of rule-of-law projects, including training on human rights for the police and judiciary in Iraq and the Kurdistan Region, and we contributed to a UN-led project to train human rights defenders in Kirkuk. The project aimed to increase the capacity of 30 local human rights NGOs (members of the established Kirkuk Protection Working Group) and 30 lawyers to monitor the human rights situation in Kirkuk governorate (including grave children's rights violations), report on abuses and support victims. Our broader efforts to train the police and security forces included the establishment of police forensics laboratories in Baghdad, Basra and Erbil. This multi-year project was completed in 2011. It has helped to encourage the reform of the Iraqi criminal justice system so that it develops an ethical, principled and comprehensive approach to criminal evidence and moves away from over-reliance on confessional evidence.

Detentions and prisons

It remains difficult to build up an accurate picture of the overall state of the criminal justice system owing to the security situation in Iraq and the limited access of foreign governments and NGOs. However, independent reports suggest that suspects are frequently arrested and detained without warrants and that detainees are often held with no access to legal counsel, for prolonged periods without charge or trial. Prisons are often overcrowded and unsanitary.

According to Iraqi law, the Ministry of Justice has full control and authority over all detention facilities in Iraq, except for those administered by the Ministry of Defence for military purposes. However, this law has still not been fully implemented and the Ministries of Interior, Defence and Labour and Social Affairs continue to operate separate detention facilities. Some progress was made in improving conditions in the prisons under the Ministry of Justice's control in 2011. However, reports suggest

that conditions generally remained poor in the Ministry of Interior and the Ministry of Defence detention facilities, mainly due to overcrowding and poor sanitation.

Following the opening of the Basra Central Prison in 2010, the UK funded a new library for inmates in order to help improve facilities available.

Along with Amnesty International, the UK remains concerned over Ramze Ahmed, a dual British/Iraqi national who has been in detention in Iraq for over two years. He has had a number of court hearings in recent months, most recently on 15 December 2011 and 15 January 2012. In both cases the charges against him were dismissed. He has two outstanding hearings to go. The UK continues to provide consular assistance and raise allegations of mistreatment with the Iraqi Ministry of Foreign Affairs, and has requested the outcome of a promised investigation into Mr Ahmed's case.

Death penalty

Iraq defends robustly its right to use the death penalty and in December was again one of a minority of states that voted against a UN General Assembly resolution calling for a worldwide moratorium on executions. A total of 63 executions had occurred in Iraq from November 2011 to January 2012. During 2011, we continued to raise our opposition to the death penalty with the Iraqi government at the highest levels.

To mark the World and European Day against the Death Penalty, the European Union Delegation in Iraq issued a statement on behalf of the EU calling again for the government of Iraq to introduce a moratorium on the use of the death penalty, with a view to its eventual abolition. As a prelude to this action, the statement further encouraged the government of Iraq to adhere to the international minimum standards for the use of the death penalty.

More positively, the Kurdistan Regional Government has included a recommendation to accelerate the issue of abolition of the death penalty law, according to the current draft with Al-Shura council in its proposed Human Rights Action Plan.

Torture

The Iraqi constitution prohibits physical torture and inhumane treatment and states that no confession made under force, threat or torture shall be used as evidence. Iraq is also a party to the International Covenant on Civil and Political Rights, which prohibits torture. In 2011, Iraq finally also became a party to the Convention against Torture (CAT). However, credible allegations of mistreatment and torture in Iraq's prison system remain widespread, particularly in prisons controlled by the Ministry of Interior and Ministry of Defence. According to a Ministry of Human Rights report, 653 allegations of torture were reported during 2011, although some of these allegations concerned incidents which took place before 2011. The majority of these incidents took place in Ministry of Interior facilities.

We remain concerned over allegations by Human Rights Watch of secret prisons operating in Iraq; and in particular over the situation at Camp Honor, where detainees were allegedly tortured with impunity. Attitudes around the principle of torture continue to be dismissive, with Prime Minister Al-Maliki publicly stating at a human rights event in May that people who violate others' human rights should lose the right to have their own human rights and dignity respected. Reports of coercion through torture to extract a false confession remain extremely common.

In 2011, the UK contributed to a UN-led project to develop the skills of NGOs and other groups promoting rights-based advocacy to conduct and report impartial and accurate research into human rights abuses. The project aimed to strengthen the credibility of human rights reports, particularly around allegations of torture and systematic abuse.

Conflict and protection of civilians

Despite a steady improvement in the security situation since 2007, large-scale attacks continue to occur on a regular basis. There was a slight increase in the number of deaths in Iraq from 2010 to 2011, which can be almost directly attributed to the withdrawal of the US military, whose last troops departed on 18 December. Since the withdrawal, Iraq has experienced a number of high-profile attacks, causing major concern over the stability of the county, but it remains too early to say whether the human rights situation overall has worsened. Sunni groups have been targeting

Shia areas as well as Awakening movement leaders in response to Prime Minister Al-Maliki's political manoeuvres. Following the 22 December coordinated bomb attacks in Shia-dominated areas across Baghdad, the Foreign Secretary released a statement condemning the violence and urged Iraqi leaders from across the political and sectarian spectrum "[to] pull together to establish a dialogue to ensure Iraq's political stability and to build a stable future". Addressing public concerns and the creation of an effective civil society will both play their part in reducing sectarian tensions. The Iraqi security forces' ability to maintain security, guarantee the rule of law and respect human rights will be a key test of the current government in 2012. On 5 January 2012, Minister for the Middle East Alistair Burt condemned the attack on Shia pilgrims in Nasiriya and further bombings across Iraq, reiterating the Foreign Secretary's message for Iraqi political parties and leadership "to renew their efforts to break the current political impasse so that together they can focus on the reconstruction of Iraq and bring security and stability and raised quality of life to its citizens".

Freedom of religion or belief

The Iraqi constitution provides for freedom of worship and the protection of places of worship. Following the attack on the Our Lady of Salvation Church in 2010, in which 58 people were killed, the government of Iraq has made clear its commitment to protecting vulnerable minority groups. Iraq has taken steps to safeguard its minority communities, including through increased security at places of worship and greater security on the streets of Baghdad. These steps helped to ensure that there were fewer large-scale attacks on Christians and other minorities in 2011. However, the situation for minority religious communities remains precarious, as they continue to remain vulnerable in a fragile security situation.

Iraq featured heavily during the Wilton Park Conference in July on "Promoting Religious Freedom around the World", and during December's House of Lords debate on Christians in the Middle East. The UK continues to encourage the government of Iraq to honour its commitments to minority communities and assure them the same rights and freedoms as the rest of its citizens.

In 2011, the UK supported efforts to encourage dialogue between religious communities through its funding of a "Grassroots Religious Reconciliation Initiative". The ongoing initiative included a series of meetings between local religious leaders from across the sectarian divide to promote non-violence and engagement in the democratic process. The UK has agreed to fund a further meeting of the High Council of Religious Leaders in Iraq; their January 2011 meeting in Copenhagen produced a fatwa outlawing violence against religious minorities and promoting tolerance across all faiths.

Women's rights

Despite Iraq's commitment to improving the situation for women in Iraq, women continue to suffer significant human rights abuses. Human Rights Watch claim that the recent deterioration of security has promoted a rise in tribal customs and religiously influenced political extremism, which have had a negative effect on women's rights, both inside and outside the home. The number of so-called "honour killings" still remains unacceptably high across Iraq.

In a speech on the International Day for the Elimination of Violence against Women, on 25 November, Prime Minister Al-Maliki said that Iraq's laws were not currently sufficient to prevent violence against women. He underlined the need for more education and reform to protect the rights of women. We wait to see whether these statements translate into action.

Following the 2010 UK-funded project to tackle female genital mutilation (FGM) in the Kurdistan Region, the Kurdistan Regional Government has passed new legislation outlawing domestic violence, including FGM. Foreign Office Minister Alistair Burt released a statement supporting this development. It is a big step forward in protecting women's rights in the Kurdistan Region, and is a law that we hope will eventually be adopted across Iraq.

In 2011, the UK continued its work to promote women's rights through a variety of projects across Iraq. In Baghdad, we have funded training for judges and judicial staff in gender concepts and how to deal with cases involving gender-based violence. In the Kurdistan Region, UK experts have been working with women's

shelters to improve facilities and the care they give residents, and with the Kurdistan Regional Government to develop and implement strategies for protecting women's rights. In Basra, a UK-funded project aimed to equip Baswari women with basic health, nutrition and first-aid training and provide them with agricultural and business expertise so that they may provide for their families.

Camp Ashraf

Camp Ashraf (now renamed "Camp New Iraq" by the Iraqi authorities) is home to approximately 3,400 members of the Mujahedin e-Khalq (MeK). On 8 April, according to the UN Assistance Mission for Iraq, 36 residents were killed and many more injured in an attack on the camp by the Iraqi government. Subsequently, the Iraqi government announced its intention to close Camp Ashraf by the end of 2011. The UK publicly condemned the actions of the Iraqi government and continued throughout 2011 to urge them to ensure that the residents of Camp Ashraf are treated in accordance with the rights and protections they enjoy under international human rights and domestic Iraqi law. We have encouraged the government and the leadership of Camp Ashraf to engage in constructive negotiation to reach a peaceful and durable solution over the future of the residents of the camp and continue to show flexibility over the deadline to close the camp.

In December, Prime Minister Al-Maliki announced the extension of the deadline for the camp's closure until April 2012, on the condition that the residents started moving to a new temporary location in Iraq. We hope that the peaceful relocation of the residents will begin soon so that the UN High Commission for Refugees can conduct a refugee status determination process for the residents in accordance with its mandate. The UK supports the efforts of the Special Representative of the UN Secretary-General, Martin Kobler, to try to find a peaceful solution to the problem.

Israel and the Occupied Palestinian Territories

Although we welcomed the steps that Israel and the Palestinian Authority took to protect human rights during 2011, the situation in Israel and the Occupied Palestinian Territories (OPTs) continued to be of concern to the UK. Our particular concerns included Israeli demolitions and evictions of Palestinians in East Jerusalem and the West Bank; the human rights effects of restrictions on Gaza; the increase in the number of attacks by extremist Israeli settlers; the treatment of Palestinian suspects within the Israel justice system; the high proportion of civilian casualties and fatalities resulting from Israeli airstrikes on Gaza; an increase in indiscriminate rocket fire from Gaza; reports of human rights abuse under the *de facto* Hamas rule in Gaza, including the imposition of the death penalty; and the allegations of abuse of detainees in Palestinian Authority prisons.

Many of our concerns about the human rights situation stem from Israel's occupation of Palestinian territories. The Minister for the Middle East Alistair Burt raised our worries during his visits to Israel and the Occupied Palestinian Territories in January and July. He made clear the need to make urgent progress on a two-state solution to the Israeli–Palestinian conflict before the window to such a solution closes. We will take every opportunity to help promote peace. Our goal is a secure, universally recognised Israel living alongside a sovereign and viable Palestinian state, based on the 1967 borders, with Jerusalem the future capital of both states, and a fair settlement for refugees. The specifics of these should be agreed by both sides through negotiations.

Compared to Israel, East Jerusalem or the West Bank, it is comparatively more difficult to acquire reliable information on human rights in Gaza; however, we remain deeply concerned about reports of human rights abuses under the *de facto* Hamas rule in Gaza, including arbitrary detention, restrictions on religious freedoms for non-Muslims and the use of the death penalty. Palestinian human rights NGOs reported that senior judicial positions in Gazan courts were filled by political appointment by the *de facto* Hamas government, calling into question the independence of the judiciary in Gaza. In addition, there were reports of the mistreatment of detainees

during interrogation, leading to doubts about reliability of evidence. Civil society organisations have difficulty operating due to the requirement for prior approval of all marches, demonstrations and private meetings by the *de facto* Hamas authorities. We are concerned at the ongoing threat to Israel's civilian population of indiscriminate rocket fire from Gaza.

Whilst the overall human rights situation in Israel and the Occupied Palestinian Territories has not improved, and has in some cases worsened, there have been some limited positive developments. The UK welcomed the government of Israel's decision to raise the age of legal majority for Palestinian children in the Israeli military justice system. The UK welcomed the release on 18 October, as part of a deal between Israel and Hamas, of Gilad Shalit, who had been held by Hamas without access to the International Committee of the Red Cross (ICRC) or contact with his family for over five years.

We welcomed Prime Minister Netanyahu's decision to suspend discussion of proposed legislation to limit foreign funding of NGOs. This legislation would have a serious impact on projects funded from the UK and elsewhere to support universal human rights and values and would be seen as undermining the democratic principles upon which the Israeli state is founded.

In 2012, we will continue to focus on the treatment of Palestinian prisoners in Israeli prisons, including human rights defenders; the increase in internal oppression in Gaza under Hamas rule; settlement expansion and violence; demolitions and evictions; the status of Israel's Arab minority; as well as the integration of human rights training into the "professionalisation" of the Palestinian security forces.

Freedom of expression and assembly

We remain concerned about the policing of peaceful demonstrations in the West Bank, which often involves using tear gas and rubber-coated bullets. Palestinian protester Mustafa Tamimi was killed on 9 December during a non-violent protest in the West Bank village of Nabi Saleh. A number of injuries have also been reported recently through the firing of high-velocity tear gas canisters directly at demonstrators. Following a visit by Foreign Office Minister Alistair Burt to Nabi

Saleh in June, we raised our concerns with the Israeli Ministry of Defence and have subsequently called for a full investigation into the death of Mr Tamimi.

A cousin of Mustafa Tamimi, Basem, is still in prison while his trial continues for allegedly inciting protests in the same village. The EU, including the UK, is concerned that Basem's arrest was intended to put pressure on the non-violent protest movement, and has designated him a human rights defender. We have concerns about the way the evidence was gathered, including the testimony of two children who did not have a lawyer or parent present during a long interrogation. On 28 November, the British consul-general attended Basem's trial with his German, French and Spanish counterparts.

Access to justice and the rule of law

We remain concerned over the subjection of all Palestinians (except East Jerusalem residents) to the Israeli military court system, irrespective of the charge. In contrast, Israeli settlers who commit violence against Palestinians and their land have been dealt with by Israel's civil justice system. In December, the Israeli government announced that it would try in military courts extremist settlers responsible for violence. We welcome this development, which will provide a more even-handed approach.

Concerns persist about the widespread use of administrative detention by the Israeli authorities, which, according to international law, should be used only when security makes this absolutely necessary, and as a preventive rather than a punitive measure. According to the NGO B'Tselem, 2011 saw an increase in the number of Palestinians in Israeli administrative detention, with 283 detained without charge by the end of November.

Cases heard before the military court system are frequently based on secret evidence not made available to detainees and their lawyers. Many convictions are based on confessions – either from the defendants themselves seeking a shorter sentence under plea bargaining or from the evidence of minors also facing detention. The Israeli NGO Yesh Din reported that more than 95% of convictions in military courts are plea bargains based on confession through interrogation. Access to

lawyers is often restricted, with many lawyers not being able to meet their clients until they see them in the courtroom. Our officials continued to attend military court hearings in 2011 as part of an EU rotating team monitoring cases of Palestinians identified as human rights defenders.

To improve access to justice within the Israeli judicial system, the UK has contributed to the translation of military laws into Arabic, training of Palestinian lawyers on Israeli military law, and access to Palestinian lawyers for prisoners.

We continue to be concerned by instances where Palestinians have been killed or wounded by Israeli security forces. For example, in 2011, a 67-year-old Palestinian man was shot by the Israeli Defence Force (IDF) during an operation in the West Bank to arrest members of Hamas. While the IDF held an internal operational inquiry into this and similar incidents, no independent investigations have been opened into any of these deaths. We urged Israel to ensure that all cases where Palestinians are killed by Israeli security forces are investigated openly and transparently.

Since the formation of the Palestinian Authority, we have had concerns that Palestinian civilians were being brought before Palestinian military courts rather than the civilian criminal justice system. Progress occurred in January, when the General Intelligence Agency announced that it would stop bringing civilians before the military courts. This was followed by a transfer of several hundred cases from the military prosecution to its civilian counterpart. While it is difficult to get a clear overview of the current situation, it appears that the change in practice is holding and civilians are no longer ending up in the military courts. We will continue to monitor the implementation of this decision and make direct representations to the Palestinian Authority if necessary.

Death penalty

Israel does not practise the death penalty. While the Palestinian Authority penal code permits its use, a moratorium has been in place since the end of 2009 after President Abbas undertook not to ratify any death penalty sentences. The Palestinian Ministry of Justice, working closely with Palestinian legal and human

rights NGOs, is working on a new penal code. The current draft abolishes the death penalty. The new penal code would need to be ratified by presidential decree to become law.

In 2011, three people were executed by the *de facto* Hamas government in Gaza and others remain on death row. We made clear our opposition to the imposition of the death penalty in Gaza through an EU local missions statement issued on 27 July.

Torture

There are continued allegations of mistreatment of Palestinian detainees during arrest and in Israeli prisons and detention centres. A joint report produced by Israeli NGOs Hamoked and B'Tselem detailed testimonies from 121 prisoners held in Petah Tikva prison who reported being held in poor conditions, denied basic hygiene and in some cases deprived of sleep for long periods. Some 56% reported being threatened by interrogators, including with violence. Since 2001, Hamoked have submitted 645 complaints to the Israeli Ministry of Justice, but none has led to a criminal investigation. In 2011, Palestinians from the West Bank were routinely detained in prisons inside Israel or on the Israeli side of the separation barrier, in contravention of the Fourth Geneva Convention. Wives of security prisoners are not entitled to apply for a permit to enter Israel, so are unable to make prison visits. In addition, security prisoners are not allowed to receive letters or phone calls from home. We have raised our concerns about the treatment of Palestinian detainees with the Israel authorities, including the minister of justice.

Palestinian and international NGOs, including Human Rights Watch and Amnesty International, have made detailed allegations of mistreatment of detainees by the Palestinian Authority security forces. Most allegations refer to physical abuse and the use of stress positions and other coercive interrogation techniques. We take such allegations extremely seriously. In all cases of detention, we called on the authorities to take immediate action to ensure that due process was adhered to, that all cases were reviewed by a court in accordance with fair procedures and that detainees' rights were upheld.

In 2011, the UK funded training for Palestinian security forces to improve their professionalism and adherence to international human rights standards. We helped to deliver leadership courses, including International Committee of the Red Cross human rights training, to senior and intermediate Palestinian Authority security forces. We provided funding to the Independent Commission for Human Rights Palestine section to monitor Palestinian places of detention and provide guidance on improving standards to internationally recognised levels.

Conflict and protection of civilians

The ongoing Israeli–Palestinian conflict and the occupation of Palestinian territory remained the chief source of human rights violations and abuses. This included violence by extremist Israeli settlers; demolitions and evictions by the Israeli authorities; movement and access restrictions, including those associated with the Israeli separation barrier; rocket and missile fire; and hostage-taking.

We were concerned at violent attacks by extremists among the Israeli settler population in the West Bank and East Jerusalem against Palestinians and their property in 2011. We saw an increase in the number of so-called "price tag" attacks – a reaction by some extremist settlers to Israeli government policies that they see as against their interests – including vandalism of Muslim and Christian cemeteries in Jaffa, hate graffiti on the homes and offices of Peace Now activists, and arson attacks on mosques. We have condemned these incidents; Mr Burt described the "intentionally provocative attack" on a mosque in Tuba Zangria, northern Israel as "appalling". We have welcomed the Israeli government's statements that it is determined to deal with the perpetrators of these attacks and bring them to justice. By the end of 2011, several arrests had been made, with some recent cases resulting in convictions. Investigations are ongoing for other cases.

We condemned the murder, in March, of five members of the Fogel family, including three children – one a baby – after they were stabbed to death in their home in the Israeli settlement of Itamar in the West Bank. The Foreign Secretary called this "an act of incomprehensible cruelty and brutality".

Also concerning were what appeared to be a sharp increase in the level of demolitions of and evictions from Palestinian homes and public buildings, including schools, in Area C – the Palestinian territory under Israeli military and civilian control. House demolitions and evictions in the Occupied Palestinian Territories are, in all but the most limited circumstances, in breach of Article 53 of the Fourth Geneva Convention.

According to UN statistics, 515 structures were demolished in 2011. Between 700 and 1,000 people were displaced in the West Bank, surpassing the number displaced during 2010 (594 people). The UN estimated that by the end of the year there were more than 3,000 demolition orders outstanding in Area C, including 18 issued to schools. On average, only 4% of building permits requested by Palestinians for Area C were approved. All of these were given for construction in heavily built-up Arab areas, encouraging the movement of Palestinians from open areas to small urban enclaves. In contrast, since 2001 (according to Israeli NGO Peace Now), over 18,000 housing units were built in Israeli settlements. In 2011, we provided £1.3 million to the Norwegian Refugee Council legal aid programme to support Palestinians facing demolition/eviction to challenge those decisions in the Israeli legal system. Our support will continue next year at the same level.

We are concerned by plans to forcibly relocate 2,300 Bedouins in Area C. We encourage the Israeli authorities to meet their commitment to consult fully, and to ensure that any decision reached on the movement of Bedouin communities is made with their full consent.

We remained deeply worried about restrictions on freedom of movement between the West Bank and East Jerusalem. It remained difficult for Palestinians from the West Bank to enter East Jerusalem for work, education, medical treatment or religious worship. They must apply for a permit, which often takes a long time to obtain and can be refused without explanation. They must enter the city only through certain limited checkpoints, at which there are often lengthy queues. The opening times and operating procedures for the checkpoints can change suddenly and unexpectedly.

Within the West Bank, according to UN Office for the Coordination of Humanitarian Affairs, there are now 519 obstacles which restrict Palestinian access, compared with 505 at the end of 2010. This negative trend is worrying, particularly in the Jordan Valley and Palestinian lands on the Israeli side of the separation barrier, where access is becoming increasingly restricted.

The Israeli-constructed separation barrier contributes to the isolation of East Jerusalem from the West Bank. By separating families and denying farmers access to their land, it has caused great distress and understandable anger amongst the Palestinian population. We recognise Israel's right to defend itself but the Israeli separation barrier, where it is constructed on the Palestinian side of the UN-recognised 1949 armistice line delineating Israel's borders (known as the Green Line after 1967), is illegal under international law. The Israeli courts have held that parts of the barrier constructed outside green-line Israel should be re-routed. We look to the government of Israel to comply fully with the courts' decisions.

Palestinians from East Jerusalem risk losing their permanent right to live in East Jerusalem if they cannot prove residency for the previous seven years. According to Israeli NGO Hamoked, many of those whose residency rights have been revoked are students who have been studying abroad and who will now not be able to rejoin their families in East Jerusalem. Records show that more than 14,000 Palestinians have lost their Jerusalem residency status since the Israeli annexation of East Jerusalem in 1967. There has been a freeze on family reunification permits allowing West Bankers to move to Jerusalem since 2000. In addition, Jerusalemites who move to the West Bank risk losing their Jerusalem residency status. We note that Israel applies no similar restrictions to Israeli residents of Jerusalem.

Many of these human rights concerns are rooted in the continued expansion of Israeli settlements in the Occupied Palestinian Territories. Settlements are illegal under international law and in direct contravention of Israel's commitments under the 2003 Quartet Roadmap for Peace. Settlements are a major obstacle to peace. The Israeli government's policy of connecting settlements to already scarce water supplies and restricting Palestinian movement and access in occupied territory, including establishing a secondary road system to separate Palestinian and Israeli

traffic, make matters worse. As the Foreign Secretary has made clear, we call for a complete cessation of all settlement activity in both the West Bank and East Jerusalem.

The human rights consequences of the Israeli restrictions on movement of people and goods to and from Gaza, including on access to agricultural and fishing areas, continued to cause concern. Gaza has the highest aid dependency per capita in the world – the UN's Office for the Co-ordination of Humanitarian Affairs reported in September that 75% are dependent to some extent on aid for some of the basics of life – food, water, shelter or medical treatment. Over 90% of mains water is unfit for drinking. Unemployment is among the highest in the world at 37.4%. Restrictions on building materials mean only a small minority of the 40,000 homes needed in Gaza have been built. Agricultural exports in 2010, although ten times greater than in 2009, were still less than one tenth of what they were in 2006.

Following changes announced by the Israelis in June 2010 to the access regime to allow goods into Gaza, the package of measures agreed by Quartet Representative Blair and Prime Minister Netanyahu in February was another step in the right direction. However, while unemployment has come down and the economy has continued to grow, the UN reports that this has brought no fundamental change to Gaza. We are working closely with the UN, the Office of the Quartet Representative and the EU to coordinate the international community's continued involvement in seeking to relieve the situation in Gaza. But movement and access restrictions continue to hamper efforts. By late 2011, contrary to Israeli assurances, approvals for UN national staff were worse than before June 2010, and some international NGOs still wait two to three months for approval to enter Gaza.

We believe that the restrictions do not serve their avowed objective of weakening Hamas and other extremist groups in Gaza. According to the Israeli Defence Force, during 2011, 758 rockets and mortars were fired at Israel. This is an increase from 2010. Rocket attacks are indiscriminate and target civilian populations. The Foreign Secretary reiterated his "utter abhorrence of the cowardly attack" which caused the death of Daniel Viflic, a 16-year-old dual British/Israeli national, whose school bus was hit by a missile from Gaza on 7 April. We have condemned all such attacks,

urged Israel to exercise restraint in its response, and called on all parties to respect the ceasefire.

Children's rights

We are concerned about the treatment of Palestinian children under the Israeli military court system. At the end of 2011, 106 Palestinian children were being held in Israeli prisons under administrative detention with adult administrative detainees. Palestinian child detainees are often transferred to prisons located within Israel, in breach of the Fourth Geneva Convention.

We welcomed Israel's decision on 4 October to raise the age of legal majority for Palestinian children in the Israeli military justice system from 16 years of age to 18, a move we had advocated. When fully implemented, this will be an important step towards protecting children's rights in the West Bank. We continue to lobby the Israeli government for further improvements, including a reduction in the number of arrests that occur at night, an end to shackling and the introduction of audio-visual recording of interrogations.

In 2011, we funded a project run by the NGO Defence for Children International to monitor, defend and promote the rights of Palestinian children, and to reduce the number directly and indirectly affected by the Israeli–Palestinian conflict. We funded a delegation of UK lawyers to Israel and the Occupied Palestinian Territories, led by Baroness Scotland, which focused on sharing best practice on child-detention issues with the Israeli authorities.

Palestinian children are indiscriminately affected by movement and access restrictions, demolitions and evictions in the Occupied Palestinian Territories. During 2011, more than half of the 1,000 newly displaced Palestinians were children.

Minority rights

Israel's Declaration of Independence calls for the establishment of a Jewish state with equal social and political rights for all citizens, irrespective of religion, race or sex. We welcome the efforts, including by the Israeli government, to tackle discrimination and inequality between Jews and Arabs in Israel. But we are

concerned by a growing climate of intolerance. A series of proposed laws before the Israeli Knesset, and measures already passed, could discriminate against individuals belonging to minorities within Israel. This includes draft legislation to ban mosques from using loudspeakers during the call to prayer, a law on family unification, and the anti-boycott law. We have raised these issues with the Israeli government.

We are further concerned that the government of Israel has not sought to implement the recommendations from the 2003 Or Commission to tackle discrimination against Israel's Arab community, or the 2008 Goldberg Commission, which recommends recognition of most of the remaining unrecognised Bedouin villages. On the latter issue, during 2011, we followed closely the consideration by the government of Israel of the Praver Plan which could lead to relocation of a large number of Bedouin in the Negev. We have discussed this question with the Israeli government and the speaker and deputy speaker of the Knesset. We have encouraged and welcomed government efforts to engage Bedouin leaders in consultations on this issue, which we hope will lead to an agreed and satisfactory solution to the long-standing issue of the unrecognised Bedouin villages.

We worked with a range of partners in Israel to address the issue of inequality and promote coexistence between Jews and Arabs in Israel, including through education, sport and technology. The UK–Israel Technologies Hub was launched in October 2011. Hi-tech is Israel's biggest growth sector, but one in which Arab Israeli citizens are under-represented. As part of the British Embassy in Tel Aviv's continued commitment to, and support of, the Arab Israeli community, the Hub's purview will include Israeli Arab entrepreneurs, start-ups, operating companies and technologies. We allocated £225,000 to Arab Israeli projects designed to help Arab Israelis be part of Israel's society and economy. The Israeli government has launched a series of initiatives to achieve the same goal, particularly in the hi-tech sector. The UK has welcomed these initiatives and is keen to support and work with them.

Libya

The desire of the Libyan people to see their basic human rights respected after 42 years of repression was one of the key factors leading to the February 17 revolution and ultimately the overthrow of the Qadhafi regime on 23 October. The intervening period saw fierce fighting throughout the country threatening the lives of civilians. Allegations of war crimes and crimes against humanity committed by forces loyal to Qadhafi and, on a more limited scale, by the Free Libya Forces, have emerged and are being investigated by the International Criminal Court (ICC) and the United Nations Human Rights Council (UNHCR) Commission of Inquiry. Arrest warrants for Qadhafi, Saif al-Islam Qadhafi and Abdullah al-Senussi were issued by the ICC on 27 June.

Libyan expectations that their new state will be built on respect for human rights are high. The National Transitional Council and transitional government have consistently stated that human rights will be a cornerstone of the new Libya. An ambitious timetable to draft a new constitution and organise democratic elections by April 2013 has been set by the new Libyan authorities. The constitution will set the tone for the treatment of women and ethnic and religious minorities and is a key moment for the development of human rights in Libya.

Given the situation on the ground in Libya in the early stages of the revolution, our primary objective was the protection of civilians. The UK called for and led a special session of the Human Rights Council in late February and was at the forefront of negotiations in the United Nations Security Council. The resulting UN Security Council Resolutions 1970 (2011) and 1973 (2011) provided the international community and NATO with a mandate to take all necessary measures to protect civilians and civilian-populated areas under threat of attack in Libya and enforce a no-fly zone. Through its military contribution, the UK played a central role in implementing that mandate.

Through support from the Department for International Development, the UK helped repatriate 12,700 migrant workers from the Libyan borders; evacuate 4,800 injured

civilians and migrant workers from Misrata; provide 1,400 tents and 38,000 blankets for people at border camps and a further 2,110 tents and 7,700 blankets for people displaced within Libya; and (through support to organisations such as the International Committee of the Red Cross) we provided medical care, food and other basic supplies to hundreds of thousands of civilians affected by the conflict.

Mines, ammunition, cluster bombs and other unexploded remnants of war continue to be a threat to thousands of Libyans. The UK is supporting the Mines Advisory Group and the UN Mine Action Service to help identify and dispose of unexploded material to prevent a secondary wave of death or injury and to allow ordinary Libyans to return to their homes. UK support will help to protect over one million people from the dangers of these devices.

Shortly after closing our Embassy in Tripoli, the UK established a mission in Benghazi and later moved back to Tripoli shortly after it was liberated by Free Libya Forces on 12 September. Key diplomatic staff have worked to build contacts and provide assistance to the National Transitional Council and the newly flourishing civil society in order to help them take forward their commitments to human rights. The UK funded a project to provide Libyan lawyers and selected judges with human rights training, and co-funded a women's conference in Tripoli from 11 to 15 November.

Opportunities and challenges will arise during 2012 – a year that could well define the shape of Libya in years to come. Our strategy will be to support the transitional government to establish central control of the judicial sector, which is essential to addressing some of the outstanding human rights issues; create a democratic framework to promote basic freedoms and rights; and tackle legacy issues including establishing a fair process to deal with detainees and former Qadhafi supporters. We will be offering UK support through the tri-departmental Conflict Pool and through the Arab Partnership Fund.

Transitional justice presents the greatest challenge in the immediate future. Stability will depend on the transitional government's ability effectively to disarm, demobilise and reintegrate militias into Libyan society. It will be important to provide the Libyan

people with a transparent and fair judicial process to enable outstanding issues from the Qadhafi era to be dealt with quickly and justly. The threat of reprisals and revenge attacks will increase if the judicial system is perceived as weak and ineffective. We will work with the UN Support Mission in Libya (UNSMIL) to provide the transitional government with assistance in building up a credible and transparent judicial sector.

A key objective for 2012 will be to continue to support women and ethnic and religious minorities to advocate their rights effectively in the new Libya. We will continue to engage with and offer support in building longer-term structures to youth and women's groups, to ensure that they are adequately represented in the democratic process and can advocate protection of their rights.

Elections

After years of dictatorship, Libya faces the challenge of building its democratic institutions from a very limited base. Much has already been achieved with the early formation of the National Transitional Council to represent the aims and objectives of the Free Libya movement and the subsequent draft constitutional declaration published on 3 August. The transitional government was formed within the prescribed 30 days after the declaration of liberation and the Libyan authorities are working to meet an ambitious timetable culminating in parliamentary elections in April 2013.

The next key goals are the holding of elections for the National Congress in June 2012 and the drafting of a constitution to be considered in a referendum by the Libyan people in September 2012. It is for the Libyan people to campaign for and draft their constitution, but the United Nations Development Programme is leading the international community's support for the Libyan authorities and providing technical assistance to put in place the necessary framework to meet the ambitious timetable.

Civil society is flourishing across Libya but needs assistance to structure itself and organise effectively. We are working with a range of organisations to provide expertise and guidance to enable newly formed civil society groups to advocate for

their rights. This includes support to legal advocacy organisations providing forums for key Libyan campaigners and advocates to examine the practical implications of draft electoral legislation and look at options for a new Libyan constitution. We are promoting links between established UK-based civil society organisations and their Libyan counterparts to provide assistance and mentoring.

Freedom of expression and assembly

Under the Qadhafi regime, freedom of expression and assembly were severely limited. The media was tightly controlled, internet use was monitored, and many websites, including social networking sites such as Facebook and Twitter, were blocked. Only demonstrations in support of the regime were tolerated by the authorities and protests against the regime were broken up by the security services, which often used overwhelming force against unarmed protesters. As the revolution gained momentum in February, the security forces used live fire and heavy weapons against unarmed civilians.

Freedom of expression and assembly have improved significantly since liberation. Hundreds of new media outlets have been formed and internet usage, including social media, has increased. The new authorities allow people to gather and demonstrate against them, and there were small protests in cities across Libya towards the end of 2011. The transitional government has stated its commitment to protecting freedom of expression and assembly.

However, some areas of concern remain. There is currently no regulatory framework to govern the media, and no formal system for allocating broadcast licences and frequencies, which means that decisions are being made on an ad hoc and informal basis by local town and militia councils. There have been isolated reports of some media outlets being denied a broadcast licence by these councils. There are also a small number of reports that people have been intimidated by militia groups for criticising some of the militia leaders. The European Union is providing the transitional government with technical assistance to form a free, transparent and vibrant media sector. A UK expert, funded by the Government, is an integral part of the team and will work with the transitional government to build capacity.

Access to justice and the rule of law

Under the Qadhafi regime, access to justice was limited and usually dependent on links to, or the patronage of, Qadhafi or his supporters. During the eight-month conflict, the central judicial system collapsed and was replaced by regional militia councils or local officials dealing with issues on an ad hoc basis. The judicial system has yet to come under the central control of the transitional government and many prisons remain in the hands of militias. The Foreign Secretary raised this when he visited Tripoli in October. There are signs that the Ministry of Justice is taking action to bring prisons under its command but the process is likely to take time.

We are very concerned about the findings of an Amnesty International report, published on 13 October, detailing worries about treatment of detainees held in Libya's prisons. Credible allegations of physical abuse were reported. A United Nations Support Mission in Libya report presented to the UN Security Council at the end of November stated that around 7,000 detainees, many of them African migrant workers, were currently being held without due process. We have consistently raised these concerns at the highest level and the transitional government has promised to tackle the issue. The vice chairman of the National Transitional Council confirmed that a Committee of Detainees had been established and that 300 prisoners had already been released due to lack of evidence. The International Committee of the Red Cross is being given access to prisons and families and has been granted permission to visit prisoners. But more needs to be done; we continue to urge the transitional government to take concrete action and are providing assistance where required. We will work alongside the UN to provide the Ministry of Justice with technical assistance to rebuild the judicial sector and we aim to restart our prison reform programme.

A programme of disarmament, demobilisation and reintegration (DDR) has begun and is intended to provide those who remain under the command of various militia units with the opportunity to integrate into the mainstream judicial sector. The UK is working alongside UNSMIL and with the Libyan authorities to provide bespoke assistance, including funding a former assistant chief constable to work closely with the Libyan Ministry of Interior to build capacity and provide advice.

UN Human Rights Council Commission of Inquiry

The UN Human Rights Council set up a commission of inquiry in February to investigate alleged violations of international human rights law committed during the conflict in Libya. The commission published its first report on 1 June. The report concluded that there was evidence that a number of serious violations, including war crimes, crimes against humanity, torture and cruel, inhuman or degrading treatment (CIDT), sexual violence, enforced disappearances and arbitrary detentions, had been committed by Qadhafi-regime forces and supporters. There was evidence that war crimes had been committed by Free Libya Forces, although the commission concluded that these were not part of a widespread or systematic attack against civilians. The commission of inquiry presented an oral update to the Human Rights Council on 19 September detailing allegations of killings and disappearances, extrajudicial killings and arbitrary arrests. The Office of the High Commission of Human Rights has agreed that a UN gender adviser will assist the commission in its investigations into allegations of sexual violence. The commission has reported that it received good cooperation from the Libyan authorities, and presented a full report to the Human Rights Council in March 2012.

Death of Colonel Qadhafi

The National Transitional Council announced that it would set up a committee to investigate Colonel Qadhafi's death. We have made clear that it is important that any investigation is carried out in an open and transparent manner and that anyone guilty of abuses is held to account.

Capture and trial of Saif al-Islam Qadhafi

The capture of Saif al-Islam Qadhafi, son of the country's former leader, on 19 November was an important step in bringing an end to the Qadhafi regime. It will be equally important to ensure that Saif al-Islam is held by a legitimate Libyan authority and has access to a legal adviser. We welcome the fact that the Libyan government is liaising closely with the International Criminal Court and we await details of where and when Saif will face trial. It is important that any trial is in line with international standards.

Death penalty

Libya retains the death penalty. We will make the case to the new Libyan authorities to impose a moratorium on the use of the death penalty leading to the longer-term objective of abolition.

Minority rights

The majority of Libya's population is Arab and Muslim but there are significant minority groups including the Tuareg, Amazigh and Tebu. Whilst they were often marginalised and some were considered ineligible for Libyan nationality despite residing in Libya for generations, many joined the Libyan army and were perceived as supportive of the former Qadhafi regime. There is some concern that the majority Arab population will not look favourably on a campaign to protect minority rights.

The primary concern of Libya's minority peoples is to protect their rights under the new constitution and ensure the official use of their languages in schools and for administrative purposes in areas in which they are the majority. It will be important to provide minority groups with advocacy opportunities in order to protect their rights. We will work with minority groups as part of our wider support for civil society.

Freedom of religion or belief

Libyan Jews were expelled from Libya in the late 1960s. There have been attempts to re-establish the Jewish community in Libya since the end of the conflict but these have met with resistance from armed groups. The Libyan authorities must make good on the commitment made by Chairman of the National Transitional Council Abdul-Jalil that all Libyans have "the right to enjoy all rights" and to ensure that freedom of religion is protected in the constitution.

Women's rights

Women played a key role in the revolution and have expressed a strong desire to be fully involved in the democratic future of Libya. Women have organised themselves quickly and have expressed their demands in a powerful and coherent manner. Building on UK support to the National Women's Conference in November, we are working with women's groups to provide assistance in setting up effective advocacy

mechanisms and to offer technical advice to ensure that women play an integral role in the evolving democratic process.

The UK was very concerned about the allegations that sexual and gender-based violence was widely used during the conflict. A UN gender adviser is assisting the commission of inquiry in investigating the allegations. The commission reported its final findings to the Human Rights Council in March 2012.

Pakistan

Despite some positive steps in 2011, there continue to be serious concerns about human rights in Pakistan, including the rule of law; investigation of allegations of torture; freedom of religion or belief; the death penalty; women's rights; children's rights; extrajudicial killings; access to water, healthcare and education; and free and fair elections. Reporting on the International Covenant on Economic, Social and Cultural Rights (ICESCR) is seriously delayed. Pakistan remains near the bottom on a range of crucial indicators, including the UN Human Development Index (at 145 out of 183, Pakistan is a low-development country), gender gap (133 out of 135) and corruption (134). Reporting by Human Rights Watch, Amnesty and others continues to highlight human rights violations in Pakistan.

Concerns persist about the primacy of parliament within the Pakistani system, especially the extent of civilian government control over the military and intelligence services, and the threat of the government being undermined through extra-constitutional means. With federal and provincial elections due by May 2013, important questions remain about Pakistan's ability to run free, fair and credible elections.

However, there was important progress in some areas. In September, following lobbying from the UK, EU and others, Pakistan removed the majority of the reservations that it lodged when ratifying the International Covenant on Civil and Political Rights (ICCPR) and the UN Convention against Torture (CAT) in June 2010. These treaties create binding legal obligations for Pakistan. In December, legislation was passed criminalising discriminatory and violent practices against women, and a National Commission on Human Rights was established. The engagement of the Supreme Court on human rights issues has meant that a number of high-profile cases of human rights violations have been addressed through the legal system.

In 2011, the UK worked to help Pakistan consolidate its progress towards a more stable and inclusive democracy. Senior UK visitors, including the Prime Minister, Foreign Secretary, Home Secretary, International Development Secretary, FCO

Minister for South Asia and Baroness Warsi, engaged with senior figures in Pakistan on a range of human rights issues.

Specific UK Government-funded programmes focus on supporting human rights, in particular women's rights, and access to basic services. For example, during the annual Development Partnership Agreement talks, with support from the FCO, the Department for International Development (DFID) focused on the need to implement international human rights standards effectively. The UK lobbied the government (along with EU and other international partners) to remove the reservations lodged when ratifying ICCPR and CAT; continued to help develop strong links between the UK and Pakistani parliaments in order to share best practice regarding parliamentary procedure; and supported civil society to work with the government to share the recently submitted Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) report with citizens and to undertake action on women's rights, forced marriage, electoral reform, adoption rights, freedom of expression and freedom of religion or belief.

Human rights will remain a priority for the UK's engagement with Pakistan, and we will continue to intervene on human rights issues in Pakistan where we believe we can make a positive difference. In 2012, our priorities will be to work for improvements in the rights to freedom of expression and religion or belief; to encourage Pakistan to implement the human rights instruments that it has ratified; to support the development and extension of democracy through effective electoral systems; to continue our cooperation with both the federal and provincial governments to improve the rule of law; and to lobby for better legislation and structures in the areas of child and maternal health and women's rights. As federal and provincial elections draw nearer, we hope to see a media that is reporting accurately and free from government influence. We will engage with Pakistan's second Universal Periodic Review at the UN Human Rights Council in Geneva, including the extent to which Pakistan has acted upon recommendations it accepted at its first review in 2008.

An important priority is to ensure that all of the support that the UK provides to Pakistan is consistent with the UK's human rights obligations and does not contribute

to human rights violations in Pakistan. We do this within the framework of the Overseas Security and Justice Agreement, approved by the UK Government in October.

Elections

Since the 2008 elections, the Electoral Commission of Pakistan (ECP) has been working to implement its five-year strategic plan, with assistance from the international community, to implement the recommendations made by the missions that monitored those elections. The UK has provided funding to a range of civil society groups focusing on electoral issues and working in conjunction with the ECP.

The ECP continued to make progress on its objectives under the strategic plan, including undertaking a voter education and registration campaign, and creating and verifying a new voter list. However, by the end of 2011 the ECP was behind schedule on the verification of the voter list, which will increase the risk of elections being held with an inaccurate electoral roll. The inability of the electoral framework to match changing demographic patterns is another potential cause for political discontent, and possibly violence.

Freedom of expression and assembly

Pakistan's media environment continued to develop and, in many cases, flourish in 2011. Since opening up in 2008, the number and range of media outlets has proliferated, so that Pakistanis now have greater access than ever before to a range of broadcasting through print, television and online media. The increased media penetration into most aspects of Pakistani life has created challenges as well as opportunities, as both the journalistic community and politicians and officials build their understanding of effective freedom of expression and responsible reporting. And in 2011, Reporters Without Borders listed Pakistan as one of the ten most deadly places to be a journalist. There were frequent threats against journalists, and on 31 May Shahzad Saleem, an Islamabad-based journalist, was found dead with his body displaying signs of torture. Media reports suggested that his death could be linked to articles he had written relating to a militant attack on a Pakistan naval base in Karachi.

The proliferation of the media in Pakistan since 2008 has brought a massive increase in the number of journalists operating in Pakistan. It is vital that the right to freedom of expression is fully upheld by the government of Pakistan. This was highlighted by an event supporting freedom of expression run by the European Union in Pakistan in September, which the UK supported.

There were also concerns regarding censorship in Pakistan during 2011. In November, cable operators stopped broadcasting BBC World in Pakistan following a documentary series critical of Pakistan's role in the fight against terrorism. In the same month, access to the online news site Baloch Hal was blocked by the Pakistan Telecommunication Authority for allegedly publishing "anti-Pakistan" material (the site covered human rights violations, including enforced disappearances). The Pakistan Telecommunication Authority also attempted to ban the use of nearly 1,700 "obscene" words from text messages, though it is now reconsidering, following public complaints.

Access to justice and the rule of law

The dire situation of the justice system in Pakistan continues to provide cause for concern, including in areas such as case handling, trial procedures, bail arrangements, the time taken for sentencing, prison conditions and parole. During 2011, there were continued reports of allegations of extrajudicial killings and other ill-treatment and torture by state agencies, particularly in Balochistan. We continue to emphasise to the Pakistani authorities the importance of ensuring compliance with international human rights instruments, and the need to investigate thoroughly any accusations of extrajudicial killings or torture.

Media attention on accusations of human rights violations has resulted in increased appetite for official investigations in some cases. The passing in the National Assembly in December of a bill creating a National Commission on Human Rights should help to investigate such violations, and the federal and provincial governments' responses to them. In June, Karachi-based rangers shot 17-year-old Sarfraz Shah for alleged robbery. He later died from his injuries. Following intense media scrutiny of the case, in August anti-terrorism courts convicted a number of

rangers personnel of the unlawful killing, assisted in part by the willingness of eye witnesses to engage in the trial.

In another case, the Balochistan High Court continues to investigate the killing of five Russians and a Tajik at a security checkpoint in May. Those responsible had initially claimed that the foreigners were suicide bombers and were armed with bombs and other weapons. This appeared to be contradicted from evidence of witnesses, including photographic evidence. However, witness protection remains a concern, highlighted by the murder in December of a doctor who had been a key witness in this case.

The summer months saw considerable sectarian violence in Karachi, and over the course of the year over 1,500 deaths have been reported, along with serious human rights violations. At the end of August, the Supreme Court of Pakistan expressed its concerns at the levels of violence in Karachi, and emphasised the authorities' constitutional requirement to protect the lives of Pakistanis. At the time of the violence, the UK engaged with politicians and officials at the federal and provincial level to emphasise the importance of a peaceful resolution.

In September, courts convicted a total of 22 people for lynching two brothers in Sialkot, Punjab Province, in August 2010. The lynching took place in the presence of police officers, who have subsequently been convicted of dereliction of duty for failing to prevent the assembled mob from undertaking the attack. Of the 22 convicted, seven have been given death sentences, six life sentences, and the remaining nine, all policemen, were sentenced to three years in prison.

We condemn extrajudicial killings wherever and whenever they occur. In our engagement with the government of Pakistan we regularly raise with senior military and political figures the vital need to maintain human rights and the rule of law in fighting terrorism.

Death penalty

A *de facto* moratorium on carrying out the death penalty has remained in place since October 2009. But we are concerned that death sentences are still handed down.

Numbers on death row continued to grow during 2011, and included those convicted of offences under the blasphemy legislation. We will maintain our efforts with international partners, including the EU, to encourage Pakistan to work towards ending the death penalty within the justice system.

Torture

The ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT) is an important step in addressing torture and other ill-treatment. It is vital that Pakistan effectively implements this important human rights instrument, and that it abides by the reporting mechanisms within the convention.

Allegations of torture continued to surface in 2011, despite it being expressly prohibited under the constitution of Pakistan, as well as international instruments. The body of murdered journalist Shahzad Saleem found in May, for example, displayed signs of torture.

Freedom of religion or belief

In early 2011, two politicians – Salman Taseer and Shahbaz Bhatti – were assassinated in Islamabad. Salman Taseer, the governor of Punjab Province, was shot by one of his own bodyguards at a market in Islamabad in January. Shahbaz Bhatti, the Minister for Minority Affairs, was killed by the Pakistan Taliban while leaving his home in March. Both had called for the blasphemy laws to be reformed. Pakistan's blasphemy laws are frequently abused by individuals as a means of carrying out personal vendettas through making unfounded accusations against other members of their communities. These accusations are most often levelled at Muslims by other Muslims, but are also regularly used to target religious minorities.

The response to their assassinations caused widespread concern, both in Pakistan and the UK. The killer of Mr Taseer justified his actions by highlighting the former's support for reform of the blasphemy laws and his support for a Christian woman sentenced to death under these laws. While swiftly condemned by all mainstream political parties in Pakistan, his killer was feted by many for his religious conviction, and benefited from several high-profile supporters during his subsequent trial. In October, he was sentenced to death for the assassination. While the UK opposes

the death sentence handed down in the case, we welcome the conviction. A number of religious parties protested against the court decision and the magistrate who awarded the sentence left Pakistan following threats against him. On 26 August, Shahbaz Taseer, the son of Salman Taseer, was kidnapped while driving to work in Lahore.

Further blasphemy cases were lodged in 2011, and the UK continues to engage with the federal and provincial authorities in Pakistan on specific cases, such as Asia Bibi, a Christian woman sentenced to death on blasphemy charges. There remain considerable concerns regarding the integrity of the case against her, the fairness of her trial, and her safety and treatment in prison. The UK supported EU démarches to the government of Pakistan following the Taseer and Bhatti assassinations, and with EU partners continues to raise concerns over the need for the government of Pakistan to uphold and protect the rights of all its citizens, regardless of their religion or belief, as laid out in the International Covenant on Civil and Political Rights ICCPR and the constitution of Pakistan.

Mr Burt, FCO Minister for South Asia, visited Pakistan in May. During his visit he met Dr Paul Bhatti, the Prime Minister's Adviser on Interfaith Harmony and Minority Affairs, to express his condolences of the killing of Dr Bhatti's brother, Shahbaz Bhatti. Mr Burt attended a meeting of the Interfaith Council, which brings together leading figures from all of the major sects and religions across Pakistan. The High Commission in Islamabad and the FCO in London has held meetings with representatives from the Christian, Ahmadi and Hazara communities to hear of the persecution that they face, and has had regular engagement with the Ministry of Human Rights and civil society groups engaged in promoting religious tolerance and dialogue, many of whom have received death threats. In July, Dr Bhatti and the Pakistani Prime Minister's Adviser on Human Rights, Mustafa Khokhar, attended the Wilton Park Conference on promoting religious freedom.

Women's rights

The situation facing many women in Pakistan remains acute, as is shown by Pakistan's position of 133 out of 135 on the Global Gender Gap Index. Pakistan was labelled the third most dangerous place in the world for women by the Thomson

Reuters Foundation in 2011, owing to the prevalence of domestic violence, so-called "honour" killings, forced marriages, rape and physical and sexual abuse. Half of Pakistan's children are out of school and at least 60% of these are girls. Adult female illiteracy rates are around 70% and up to 97% in some remote areas. In April, the Supreme Court in Pakistan acquitted five of the six men who were found guilty of gang-raping a 12-year-old girl, Mukhtaran Mai, in 2002. The rape was sanctioned by a local council as part of the collective punishment of her brother, who was charged with adultery. Mukhtaran's case has received widespread publicity. Following this decision, the European Union expressed its deep concern to Prime Minister Gilani.

Against that backdrop some important steps were taken at the end of 2011 towards legally enshrining and defending women's rights in Pakistan. On 12 December, the Senate passed the landmark Prevention of Anti-Women Practices Bill and the Acid Control and Acid Crime Prevention Bill, which was signed into law by President Zardari on 22 December. The Prevention of Anti-Women Practices Bill was originally tabled in 2008, and had been held up by bureaucratic resistance. It is a key piece of legislation, which amends outdated laws and prescribes tough sentences for domestic violence and forced marriage and exchange of women for debt. It outlaws the practice of Haq Bakshish, which forces women to "marry" the Holy Quran and is used to prevent girls from marrying men to keep property within the family. The Acid Control and Acid Crime Prevention Bill will also afford greater protection to women in Pakistan. Violence against women is an acute problem in Pakistan; acid attacks are among its most shocking manifestations. The new legislation means sentences of at least 14 years for assault with corrosive substances and places greater controls on the production and use of such substances. Important legislation on domestic violence is pending, another crucial step on the road to protecting women from violence and ensuring equality between the sexes in Pakistan. In addition, the federal and provincial authorities in Pakistan must ensure that the provisions within these bills are fully implemented, and that the necessary legislation and structures are developed at provincial level in order to ensure enforcement.

Prior to the Commonwealth Heads of Government Meeting in Perth in October, the UK held a seminar with Pakistan's Foreign Minister, Hina Rabbani Khar, and hosted 270 women from all walks of life in Pakistan at a reception that highlighted the contribution of women to Pakistani society. DFID used December's "16 days of activism to end violence against women" to highlight that by ignoring the talent and productivity of its female population Pakistan was holding back its economic growth and opportunity. During her visit to Pakistan in November, the Home Secretary raised women's issues with the government, discussed the legislative framework with women parliamentarians, and hosted a dinner for Pakistani women in business.

Minority rights

This year has seen further incidents of discrimination against minorities in Pakistan, including against the Hindu and Hazara populations. In particular, we are concerned about targeted attacks on the Hazara population in Balochistan in the second half of 2011 and the Ahmadi community in Pakistan. Provisions within the constitution of Pakistan prevent Ahmadis from openly practising their religion, or identifying themselves as Muslims. We will continue to press the government of Pakistan to uphold the rights of all of its citizens, regardless of their faith, ethnicity or belief.

Russia

The human rights situation in Russia continued to be of concern in 2011. Although President Medvedev emphasised the importance of the rule of law, the Russian government's support for human rights often appeared ambivalent. Reports of grave human rights abuses in the North Caucasus continued; Russian human rights defenders and journalists remained at high risk; and the rule of law was still weak in many respects. Legislative change to reduce corruption and increased accountability in the police service represents a step in the right direction, but needs to be successfully implemented. The December, State Duma parliamentary elections were the key test of Russia's democratic credentials in 2011 but only reinforced concerns about Russia's implementation of international commitments on human rights and democracy. In the run-up there were numerous reports of harassment of independent NGOs and media organisations. The OSCE's Office for Democratic Institutions and Human Rights (ODIHR) was permitted to observe the elections and concluded that they had been "slanted in favour of the ruling party". Protests immediately following the elections resulted in over 1,000 arrests in Moscow, including of leading opposition figures. Recordings of private telephone calls made by a prominent member of the opposition appeared on the internet. There were further protests on 10 and 24 December, the majority of which were sanctioned and took place peacefully.

Our human rights objectives in 2011 focused on democratic rights, including supporting free and fair elections, freedom of expression and freedom of the media; support for conflict resolution in the North Caucasus; support for NGOs in monitoring, reporting and prosecution of human rights abuses, and better support for human rights defenders; strengthening the rule of law; and making progress towards greater equality and reduced discrimination. The context of this work was often difficult, particularly in the North Caucasus region. But funding and support for human rights organisations working on these issues achieved incremental progress and some concrete results, for example enabling more Russians to access justice through the European Court of Human Rights, use free media through online news

agencies, and register complaints of electoral violations with independent election observers.

Prime Minister David Cameron raised human rights issues with President Medvedev in Moscow in September and showed support for civil society when he met Russian human rights activists at the Sakharov Memorial Centre. During bilateral discussions between senior officials at the UK–Russia annual human rights dialogue in January 2011, we discussed areas of concern in detail. British Embassy officials worked closely with EU partners to assess the human rights situation on the ground, including monitoring political rallies and lesbian, gay, bisexual and transgender (LGBT) rights demonstrations. We also worked with the EU to lobby Russia on supporting freedom of expression and fully implementing European Court of Human Rights judgments. Our work with Russian human rights organisations complemented this bilateral engagement, including through funding for projects supporting human rights and democracy, on which we spent £1.25 million in the 2011–12 financial year.

Presidential elections on 4 March 2012 saw victory for current Prime Minister Putin with 64% of the vote according to official results. The OSCE/ODIHR observer mission concluded that voters' choice was limited, electoral competition lacked fairness and an impartial referee was missing. A parallel count conducted by independent domestic observation organisations indicated significant fraud on election day. In 2012 we will look to the Russian government to fulfil its international obligations by preventing and investigating electoral fraud; ensuring equal access to all media; and permitting freedom of assembly. We will act to support developments in this direction, including through funding international and Russian election monitors, supporting independent media and journalist protection work, working to help develop Russian civil society and support human rights defenders, and offering assistance with judicial reform and strengthening the rule of law. We will maintain support for efforts to resolve conflict in the North Caucasus, for example by funding the work of Russian human rights and post-conflict reconciliation organisations in the region. We will continue to help fight discrimination against minorities, women, lesbian, gay, bisexual and transgender groups and disabled people. We anticipate providing a similar level of funding for human rights and democracy work in 2012–13.

Elections

Regional and parliamentary elections held during 2011 highlighted concerns about the state of democracy in Russia.

In June, the Russian Ministry of Justice refused to register the opposition Party of People's Freedom (PARNAS), citing technical grounds. This decision prevented the party from competing in the Duma elections and was part of a trend where opposition parties were denied access to the mainstream political system. In response, Minister for Europe David Lidington called on Russia to allow all political groups to participate in the electoral process, stating that preventing opposition parties from competing raised serious doubts about the extent to which elections in Russia could be considered free or fair.

Russia fulfilled some of its commitments as an OSCE member state by inviting an ODIHR observation mission to monitor the Duma elections. The Russian government permitted 200 observers, fewer than the 260 that OSCE formally requested and less than half the 460 originally proposed. The UK contributed 12 observers to the overall mission, as part of our objective to support free and fair elections.

The ODIHR election observation mission highlighted serious concerns over the conduct of the Duma elections, in particular a convergence of state institutions and the ruling party, restrictions on political competition, and unequal access to the media. The Russian electoral rights NGO Golos received over 7,000 complaints of electoral violations during the campaign. Golos observers concluded that the elections "were not free and fair" and "did not comply with Russian electoral legislation or international electoral standards". The Minister for Europe expressed our concerns about alleged electoral violations and highlighted the need for a rapid and transparent investigation. Despite President Medvedev's acknowledgement of the need to do so, few complaints of violations have been addressed.

Golos also reported repeated harassment of its staff in the run-up to the elections. Our Embassy continued to support Golos, including through funding projects such as

the online “Map of Violations”, which enabled people to upload evidence of electoral violations.

Freedom of expression and assembly

The NGO Reporters Without Borders ranked Russia 142 out of 179 countries in their Press Freedom Index 2011, with the safety of journalists remaining a major concern. According to the Glasnost Defence Foundation, a Russian NGO, 6 journalists were killed and a further 82 attacked during 2011. Journalists remain at risk in the North Caucasus. In December, the journalist Hadjimurad Kamalov, founder of the independent newspaper *Chernovik*, was shot dead in Dagestan. Representatives of the OSCE and EU expressed concern that the murder targeted a newspaper known for its investigative reporting, and urged the Russian authorities to investigate the case and bring those responsible to justice. The year ended more positively as President Medvedev signed into law new measures which specifically criminalise the obstruction of journalists’ work through violence, or threats of violence. It is important that the new measures are now implemented in full.

We continued to support the work of the independent media agency Caucasian Knot, which provides objective reporting of news from across the Caucasus region. More than 20 million people accessed the Caucasian Knot website in 2011. We funded the media freedom NGO Article 19 through a project aiming to increase protection for journalists in Russia.

For the most part there were few restrictions on the internet in Russia, and independent bloggers played a prominent role in drawing public attention to shortcomings in the conduct of the Duma elections. But on the day of these elections, and in the days that followed, the websites of several NGOs and independent news outlets were disabled by cyberattacks. We funded the work of Russian NGO Agora in building legal protections for the freedom of online media, and we will monitor this area closely in 2012.

The Russian authorities continued to place arbitrary restrictions on freedom of assembly in 2011. “Strategy 31” rallies held in support of freedom of assembly were frequently refused permission and dozens of demonstrators were detained, whereas

pro-government counter-demonstrations were granted permission. In September, the Council of Europe's commissioner for human rights, Thomas Hammarberg, expressed concern at the police response to some demonstrations, saying, "Force has often been used, at times excessively, and participants in assemblies have been apprehended and brutally treated by the police, even during peaceful events."

Immediately following the Duma elections, protests against electoral fraud took place. In Moscow there were over 1,000 arrests, including of prominent opposition figures Boris Nemtsov and Alexei Navalny. Recordings of Nemtsov's private phone calls appeared on the internet. Human rights organisations called on the Russian authorities to release those detained and expressed concern about illegal restrictions being imposed on the right to freedom of assembly.

However, on 10 December over 100,000 people protested in 98 cities across Russia followed by further large protests on 24 December. The majority of these protests were sanctioned by the authorities and passed off peacefully.

Human rights defenders

In 2011, there were some positive developments in cases against Russian human rights defenders. In June, Oleg Orlov, head of NGO Memorial, was acquitted of slandering the president of Chechnya in a trial which human rights groups welcomed as fair and impartial, although the case now continues on appeal. Following previous refusals, human rights defender Aleksei Sokolov was released on parole in July. He had been sentenced in 2010 for theft, charges that human rights groups believe were fabricated in response to his work in defence of prisoners' rights. April saw the conviction of those responsible for the 2009 killings of human rights lawyer Stanislav Markelov and reporter Anastasia Baburova.

However, there was no apparent progress in prosecuting those responsible for the 2009 murder of human rights defender Natalya Estemirova. More than five years after her murder, the case of Russian journalist Anna Politkovskaya is yet to be concluded, although in October Russian prosecutors announced new charges against suspects allegedly involved in organising her murder. The Prime Minister raised this case with President Medvedev during his visit to Moscow, calling on the

Russian authorities to take further steps to bring all perpetrators to justice. We remain deeply concerned about threats and attacks on human rights defenders in Russia, especially in the North Caucasus, and continued to raise this in bilateral talks, including at the 2011 UK–Russia human rights dialogue.

Access to justice and the rule of law

The Russian government's efforts on reform in this area made some limited progress in 2011. On 1 March, a new law came into force which included measures to reduce corruption and increase the accountability of the police. This may prove to be a positive first step in the reform of Russia's law-enforcement agencies, but it remains too early to assess whether the law will ensure fundamental change.

Several serious and high-profile criminal cases remained unresolved. In July, the Presidential Council on Human Rights published a report which found that Sergei Magnitsky, the Russian lawyer who died in pre-trial detention in November 2009 after nearly a year in custody, had been denied medical treatment and beaten while in detention, contributing directly to his death. Before his arrest, Mr Magnitsky had been working to uncover an alleged tax fraud against the Russian state by certain Russian law-enforcement officials, a number of whom are alleged themselves to have been involved in the investigation and detention of Mr Magnitsky. The Russian Investigative Committee's completion of its findings into Mr Magnitsky's death has been postponed four times and is currently due to issue on 24 April 2012 . To date, no one has been held accountable for Mr Magnitsky's death while in the custody of the Russian state.

Death in pre-trial detention is a systemic issue in Russia; around 50–60 people die in pre-trial detention facilities annually. Our Embassy is providing financial support to the human rights NGO Social Partnership Foundation, which is working to tackle the underlying causes of such cases and prevent further cases occurring.

In May, the Moscow City Court rejected the appeal of former Yukos CEO Mikhail Khodorkovsky, upholding the guilty verdict passed in December 2010. In response, the Minister for Europe expressed further concerns about the way the Khodorkovsky case had been conducted and the implications it had for the application of the rule of

law in Russia. In July, prison authorities refused the parole applications of Khodorkovsky and Platon Lebedev on the grounds of minor infringements, such as the loss of a pair of prison trousers. Amnesty International recognised Khodorkovsky and Lebedev as “prisoners of conscience” in May.

The Prime Minister discussed the Magnitsky and Khodorkovsky cases with President Medvedev in Moscow, and during a speech at Moscow State University he said that strengthening the rule of law was essential to Russia's future stability and prosperity. The UK and Russian Ministries of Justice took forward cooperation on judicial reform and strengthening the rule of law by establishing a new Judicial Cooperation Fund.

Conflict and the protection of civilians

The situation in the North Caucasus remained of serious concern in 2011. Although the war in Chechnya is formally over, the region remains a conflict zone. Throughout the year, Dagestan was in a state of widespread civil conflict, including almost daily confrontations between state security forces and militant groups, yet some other regions were largely calm. According to Caucasian Knot there were over 1,205 victims of the conflict in the North Caucasus up to November 2011 with 683 killed and 522 injured.

Most concerning were further reports of grave human rights violations in 2011, including allegations of extrajudicial killings, torture and disappearances committed by Russian security forces. In May, Amnesty International noted the “complete lack of effective investigations” conducted by the Russian state to address these violations. The persistent pattern of impunity is among the most intractable human rights problems of the North Caucasus. Russia’s continued non-implementation of European Court of Human Rights judgments relating to violations in the North Caucasus therefore remains of particular concern. We called for Russia to fully implement these vital judgments, and highlighted individual cases through the Council of Europe’s Committee of Ministers.

We supported projects that sought long-term solutions to the conflict with almost £900,000 of funding from the UK Conflict Prevention Pool. These focused on building respect for human rights and fostering dialogue between conflicting groups.

We also supported the award-winning NGO Committee against Torture to investigate independently grave human rights violations, and the New Eurasia Foundation's work to build trust between young people from different ethnic groups.

Women's rights

Women in Russia still face high levels of domestic and sexual violence. Human rights activists highlighted this issue at an event at the British Embassy to discuss women's rights in Russia ahead of International Women's Day on 8 March. We supported the development of a legal framework for protecting women against domestic and sexual violence, and funded a visit for Russian legislators to London in October to compare the UK's legislative and practical approach.

In the North Caucasus, women continued to face threats including honour killings, bridal abductions and enforced dress codes. We funded the Russian NGO Anna Centre to train law-enforcement agencies and build the capacity of local communities to tackle these violations.

Minority rights

Draft legislation was introduced in several regions of Russia, most recently in November in St Petersburg, which called for the regulation of lesbian, gay, bisexual and transgender (LGBT) "propaganda" and caused concerns about discrimination based on sexual orientation and gender identity. EU diplomats raised the issue with the St Petersburg authorities and in November emphasised concerns at the EU–Russia human rights consultations. We will follow this issue closely in conjunction with Russian LGBT groups.

In May, Moscow authorities denied permission for a Moscow Gay Pride march, despite the European Court of Human Rights previously ruling that this was illegal discrimination. The UK worked with EU partners to address the issue, including discussing our concerns with a Russian delegation in Brussels and monitoring the march with representatives of other EU embassies. We gave support to LGBT groups during 2011, including funding the Side by Side LGBT International Film Festival and hosting events in support of LGBT rights at the British Consulate in St Petersburg.

Ethnic minorities still face discrimination and violence. The Sova Center's preliminary figures for 2011 show that 20 people were killed and 130 injured across Russia as a result of racist and xenophobic violence during the year.

Although Russia signed the UN Convention on the Rights of Persons with Disabilities in 2008, ratification was not secured in 2011. Disabled people in Russia continue to face barriers in everyday life. This includes in accessing democracy; wheelchair users often have to vote at home due to the absence of appropriate physical access, and there are no subtitles or deaf language interpreting provided for election debates. During the Duma elections, we supported a project run by the NGO Society Without Barriers to enable disabled people to vote freely at polling stations.

Saudi Arabia

Overall, the Saudi Arabian government's approach to human rights, led by the king, has been to continue making incremental improvements, while recognising the tensions between reform and tradition in this inherently conservative kingdom. Despite encouraging signs of improvement and some notable announcements by the Saudi Arabian government in 2011, the human rights situation in Saudi Arabia remains of concern. On a positive note, the policing response to protests and demonstrations in the Eastern Province from the Shia community voicing their aspirations for greater economic, social and political equality, and calling for the release of Shia prisoners and the return of Saudi forces from Bahrain appears to have been proportionate. However, a revised media law was introduced, placing further restrictions on criticism of religious and government figures, and there was an alarming rise in the number of executions. While judicial reform has continued to be a priority for the Saudi Arabian government, the length of detentions without trial remains a concern. A leaked copy of a draft counter-terrorism law suggested a move toward clamping down on dissent as well as terrorist activity, and a further shifting of power from the judiciary to the Ministry of Interior – our understanding is that this draft has since been substantially amended.

Women's rights featured prominently. King Abdullah announced that women would be allowed to vote and stand in the next elections and he stated his intention to appoint women to the Shura Council in 2013. In addition, the king announced a number of measures to increase the employment of women. We note that the "Riyadh Declaration", issued at the end of the December Gulf Cooperation Council Summit (GCC), stressed, among other points, the need to speed up the process of development and comprehensive reform in GCC countries so as to achieve greater participation of all citizens, men and women. There was a renewed interest in the issue of women driving in the summer, supported by social network campaigns, although there has been no move by the government to encourage its social acceptability.

In 2011, our goals included taking every opportunity to raise our priority issues of women's rights, the death penalty, the rights of foreign workers, and judicial reform; gaining acceptance of our right to raise specific concerns either bilaterally or with partners; encouraging the Ministry of Rural and Municipal Affairs to proceed with plans for municipal elections and pressing for women's participation; working with the National Family Safety Programme in support of its campaign in schools on children's rights; and supporting the Shura Council in their wish to learn more about parliamentary oversight procedures.

Our strategy remains to work with Saudi society, advocating reform within the existing constitutional framework, to build support for full application of human rights standards. In 2011, this involved organising visits and meetings with key Saudi Arabian interlocutors to deepen mutual understanding on human rights issues. The Foreign Secretary, Minister for the Middle East Alistair Burt, and our Ambassador engaged in dialogue with Saudi Arabian ministers, officials and human rights organisations to raise our concerns and understand Saudi perceptions of the issues and the pace of change. We welcomed the positive announcements on women's rights and the Shura Council's decision to recommend a minimum age of 17 for marriage, following a campaign supported by the UK for greater children's rights. Our objective of increasing understanding of parliamentary oversight was met by exchange visits to the UK and Saudi Arabia by members of the Shura Council and the UK All-Party Parliamentary Group for Saudi Arabia, which the UK Government facilitated.

Looking ahead to 2012, we expect further demonstrations during the course of the year. The internal debate in Saudi Arabia regarding women's rights is also likely to continue, including issues such as the right to drive and greater equality in the workplace and wider society. We expect the Saudi justice system to move towards greater transparency and openness, particularly in corporate law.

Elections

The second local council elections were held in Saudi Arabia in September, closely followed by the king's decree on women's participation next time around in 2015. While these elections were a further step forward in improving the participation of

Saudi citizens in governance issues, moving beyond extensive traditional methods of consultation including majlis-style meetings conducted by senior Saudis, turnout was extremely low. Of the 7% who registered to vote, only 25% actually voted, which was significantly lower than in 2005. It is likely that one of the key issues is the limited powers of the councils, a question which needs to be addressed with as much focus as the broadening of the franchise. We understand that draft legislation on this issue is currently under consideration in the Shura Council. The UK will continue to encourage further progress.

Freedom of expression and assembly

All public demonstrations are illegal in Saudi Arabia. In this context, we followed closely the unrest in Saudi Arabia in the early part of 2011, particularly events in the Eastern Province which culminated in two planned "days of rage", apparently in support of uprisings elsewhere in the region. The protests passed relatively peacefully, although reports suggest that the police fired small-arms rounds above the heads of the crowds and used other non-lethal means (percussion grenades) to disrupt the gatherings. Isolated and small-scale violent demonstrations occurred in October and November, again in the Eastern Province. Four civilians died, and there were reports of injuries among security forces and civilians. Despite coming under increasing levels of violence from protestors with rocks, Molotov cocktails and sporadic use of live ammunition, the police appear to have responded proportionately with evidence they are using rubber bullets when necessary with little use of live rounds. There have been no signs of protests spreading beyond the Eastern Province. Nevertheless, the Saudi authorities have yet to address the concerns of some Eastern Province Shia regarding economic, social and political equality, and Amnesty International alleges that some civilians are being detained without charge.

The parameters of freedom of expression have widened significantly since King Abdullah came to the throne, although significant restraints remain in place. The media now reports on issues previously considered unacceptable, such as social problems and the performance of ministries. But limits remain, particularly affecting criticism of individual members of the government and issues of religion. Online activists also fear that an electronic publication law introduced in February is

curtailing freedom of expression. This law requires online newspapers to obtain a licence from the Information Ministry. It expands state control so that online news and commentary websites can be fined or blocked if they are deemed offensive, compromising the nation's economy or security, or violating Islamic Sharia. In June, an online campaign calling for women to drive (which is regarded as socially unacceptable in Saudi Arabia) was disrupted when the campaign Facebook pages were blocked. Amnesty International's website was also blocked in July following the organisation's criticism of a draft anti-terror law that had the potential to stifle peaceful protest in the kingdom. The UK will continue to monitor developments in 2012.

Access to justice and the rule of law

The United Nations is concerned by reports that court proceedings in Saudi Arabia often fall far short of international fair trial standards. In addition, international human rights organisations continue to condemn the Saudi Arabian justice system for its lack of transparency and clear accountability. The UK shares these views.

However, as part of a broader reform agenda, £1.2 billion has so far been spent on new court houses, technology, and judicial training, with specialist courts envisaged in family, commercial and labour law. The Appeal Court and new Supreme Court have increased access to justice and a new arbitration department has been formed to reduce the number of trial cases. In addition, the Ministry of Interior is considering licensing female lawyers. Nevertheless, the legal system will remain Sharia-based. In discussions with the Saudi authorities, our Ambassador has highlighted the importance of bringing defendants to court in a timely manner. In October, the UK Ministry of Justice hosted a visit by a delegation of judges from the Saudi Arabian Board of Grievances to learn more about the English legal system, which included discussion of the use of ICT and observation of proceedings at the Royal Courts of Justice.

Despite Saudi Arabia's efforts to reform, it remains associated with harsh and sometimes extreme forms of punishment. In December, the UN Office of the High Commissioner for Human Rights expressed grave concern at the sentence of "cross amputation" handed down to six men convicted on charges of highway robbery in

December. The Saudi Arabian Supreme Court upheld the sentences, which will involve amputation of the men's right hands and left feet. The High Commissioner called on the authorities to halt the use of such extreme forms of punishment; sentiments the UK Government shares. Saudi Arabia is party to the Convention against Torture and is bound by the absolute prohibition against the use of torture and other cruel, inhumane or degrading treatment or punishment.

Death penalty

The number of executions rose sharply to 77 in 2011 from 27 in 2010; 21 people were executed in October alone, mostly for murder. A number of executions caught the attention of the media, including the beheading of a man who killed his drinking partner while drunk; the beheading of a man for possession of hashish and narcotic pills; and the beheading of a woman in her 60s for "sorcery" – stated as taking money for treating illnesses. This rise in executions is against the backdrop of a previously downward trend since 2007 when 157 people were executed. We raised the issue of the death penalty formally with Saudi authorities, as did the EU, and pressed for reductions in its use. In addition, the EU delivered a formal démarche protest concerning the specific case of Rizana Nafeek, a Sri Lankan national sentenced to death for killing a baby in her care when she may have been under 18 years old.

The Saudi Arabian government encourages families to show clemency by waiving their private right under Sharia Law to have their relative's killer executed. However, the principle of the death penalty remains enshrined in Sharia Law and there appear to be no prospects of its abolition in the near future. There is an ongoing debate around how the death penalty can be mitigated in particular cases, for example where it is applied at the discretion of the judge. This is an avenue the UK will be pursuing in 2012.

Torture

Allegations of the use of torture to obtain confessions are common, but reports of torture are difficult to verify. One such example is that of Fadel Mekki Al-Manasef. Front Line Defenders, the international foundation for the protection of human rights defenders, reported to the FCO that his rights while in detention were not being

respected, especially as regards access to his family and lawyer. Moreover, they allege that Mr Al-Manasef was tortured and ill-treated as punishment for his human rights work. Mr Al-Manasef was conditionally released from prison on 22 August. Amnesty International's report on human rights in Saudi Arabia published in December 2011, *Saudi Arabia: Repression in the name of security*, reports that torture and other ill-treatment of individuals arrested in the crackdown on protests in the Eastern Province, facilitated by solitary confinement, remains rife. The report contains many examples of cases where individuals are alleged to have been tortured recently. Amnesty also argues that the problem of torture is exacerbated by the acceptance by the courts of "confessions" forced out of detainees using beatings, electric shocks and other forms of torture and ill-treatment. We will seek to verify such allegations. EU Ambassadors raised allegations of torture in their meeting with the justice minister in December. His response was that torture does not occur in Saudi Arabia and that any accusations relating to torture would be fully investigated.

Freedom of religion or belief

There are long-standing tensions between the Sunni majority and some minority Shia communities in Saudi Arabia's Eastern Province. The Saudi authorities maintain that all forms of Islam are permitted in Saudi Arabia, although civic and religious freedoms such as the building of mosques are restricted. Non-Muslims are not permitted to worship openly or establish places of worship since the authorities take the view that this is contrary to Sharia Law in the Land of the Two Holy Mosques. The king's interfaith dialogue, which has been promoted internationally, has so far brought little change domestically. The UK will continue to press for greater, more open religious freedoms in 2012 through dialogue with Saudi human rights organisations and directly with the Saudi Arabian government.

Minority rights

Shia Muslims, who make up about 20% of the population, are subject to economic and social discrimination and lack equality of opportunity. Shia communities express concerns related to freedom of worship, as detailed above. The UK raised minority rights issues with the Saudi authorities on a number occasions, encouraging more work in this area. However, we did not make as much progress as we would have liked. We shall be encouraging the EU to address this in 2012.

Women's rights

The rights of women in Saudi Arabia are principally affected by the guardianship system, under which women's freedom to participate in society is greatly restricted; women need the consent of a male relative to travel, work and study. However, attitudes have begun to change with women gaining greater access to the workplace. The most recent notable development was King Abdullah's landmark speech to the all-male, all-appointed Majlis Ash Shura (Consultative Council) on 25 September, promising women appointees in 2013, and female participation in the 2015 municipal elections both as candidates and as voters. The decision represents a major change in Saudi Arabia's conservative society and it is still unclear exactly how it will be implemented in practice. The announcement contrasted starkly with a court judgment a few days later sentencing a woman found guilty for driving a car to ten lashes. This was perceived as an intentional challenge by an individual judge to the pace of the king's reforms and was quickly rescinded. Separately, the Saudi Arabian government has announced that Saudi women will be able to compete for places in the Saudi Arabian Olympics team for London 2012 and there are welcome plans afoot to permit women's attendance in stadiums to watch football matches. As a priority issue for the UK, we shall continue to work with the Saudi authorities to push for further reforms and greater equality for women in 2012.

Migrant workers

There are an estimated eight million foreign workers in Saudi Arabia, many of whom are treated poorly and given limited rights. The sponsorship system is similar to the guardianship system, whereby passports are commonly confiscated by employers to restrict free movement. In addition to lacking basic employment and freedom of movement rights, a large proportion of migrant workers are non-Muslims and, therefore, their right to practise their religion is severely constrained.

Children's rights

In Saudi Arabia, the age of legal responsibility is puberty, which has implications for the trials of children as adults, including for crimes which carry the death penalty. It gives legitimacy to the concept of child marriage which, while apparently rare, is known to occur. In May, the Shura Council voted to set a minimum age for girls to

marry and, following a rigorous debate, the council recommended the age be set at 17. However, the Shura Council is only an advisory body; the matter now rests with the Ministry of Justice to decide whether to put legislation before the Cabinet. The Saudi Human Rights Council has stated that this is a cultural issue best handled through education rather than legislation.

Somalia

Somalia's human rights record remains poor. The Transitional Federal Government (TFG) has adopted, at least publically, a positive stance on human rights and acknowledges the need to integrate human rights into the work it undertakes. Nonetheless, it continues to lack the power, capacity and political will to defend the human rights of its citizens and tackle the many human rights violations and abuses that still occur, especially against journalists. Impunity and unaccountability remain the most serious human rights concerns. Somaliland and Puntland offer greater stability but reports of human rights violations and abuses are still commonplace. In addition, a significant number of Somalis live in areas controlled by the Islamist insurgent group, Al Shabaab, who continue to perpetrate serious human rights abuses.

The unstable security situation in Somalia in 2011 prevented us from directly monitoring and verifying human rights abuses. However, the UK continued to press for greater focus on human rights capacity-building in Somalia. We actively engaged with human rights and civil society organisations and highlighted human rights violations at international forums. In May, we spoke at the Universal Periodic Review at the UN Human Rights Council in Geneva, where we raised our concerns about inadequate protection of civilians during the ongoing fighting, including the impact of indiscriminate fire. We raised minority rights, women's rights and media freedoms.

There have been some positive developments following the Universal Periodic Review. At the Human Rights Council in Geneva in September, the TFG (which now controls most parts of Mogadishu) agreed to all 155 Universal Periodic Review recommendations, including commitments on security forces and accountability, additional steps to guarantee humanitarian access, steps to tackle gender-based violence, investments in training and the establishment of a commission on war crimes. The TFG has also signed the Convention on the Rights of the Child and agreed to work to ratify the convention, to protect children from unlawful recruitment by armed forces or armed groups.

A Roadmap to the End of the Transition in Somalia was signed at the Consultative Meeting in Mogadishu in September and later endorsed by an international mini-summit at the UN General Assembly, attended by the Foreign Secretary. The roadmap followed the Kampala Accord, which agreed the extension of the transitional period by one year, to August 2012, and sets out benchmarks, timelines and compliance mechanisms for the implementation of priority tasks. It commits the TFG to preventing the presence of children in armed forces and to improve efforts to protect civilians from armed violence by adherence to international humanitarian law and human rights law.

However, the human rights situation in Somalia is unlikely to improve significantly in 2012 – not least because of the huge political and security challenges facing all parts of the country. In the time leading up to the end of the extended transitional period, we hope the TFG will continue to strive for peace, through the development of the security sector and the provision of public services for citizens.

The human rights situation will be addressed in the longer term through effective state building in Somalia. The UK continues to play an active role in international efforts to rebuild and stabilise the Somali state, helping to shape UN Security Council policy, and through active participation in the International Contact Group. The UK hosted a conference on Somalia in February 2012, aiming to build a more coordinated approach to international efforts on Somalia by addressing both the immediate symptoms of Somalia's instability, such as terrorism, piracy and famine, as well as the underlying causes of instability. The measures agreed at the conference to promote stability and improve international coordination of efforts in Somalia should help to improve the human rights environment in the medium term.

As announced by the Foreign Secretary on 11 May, the UK will open an embassy in Somalia as soon as local circumstances allow. We hope that it will be possible to substantially increase our presence in the country in 2012, which will enhance our ability to monitor and improve the human rights situation.

Access to justice and the rule of law

The majority of Somalis do not have access to justice. The TFG's judicial system lacks the capacity to deal with war crimes and crimes against humanity. Law enforcement tends to be conducted at local and clan level and is a mixture of jurisprudence inherited from colonial times, Sharia and clan/customary law, with minimal oversight from the state. The mixture of jurisprudence and inconsistency in implementation can present challenges in access to justice. There are concerns about basic fair trials, particularly military courts, where it has been alleged that civilians have been tried and the defendant's right to appeal denied.

People in Al Shabaab areas of control continue to experience serious abuses of humanitarian and human rights law, including summary executions, unlawful arrest, detention and other inhumane practices such as flogging, stoning, amputation and in worst-case scenarios the death penalty. Many confessions are still made under duress.

The present judiciary in Mogadishu is located in only a few house courts and there is a strong requirement for staff to receive appropriate training. There has been some progress in the form of Mogadishu's first legal training programme in many years. This was launched in April as part of a UN Development Programme (UNDP) effort to bolster Somalia's judicial system. The Somaliland and Puntland judicial systems have more central control, with a hierarchy of courts established up to supreme courts. UNDP is working to promote the required skills, and the first batch of judges, prosecutors and law practitioners graduated this year from a UNDP-backed legal training initiative, which was aimed at strengthening Somaliland's judiciary and promoting human rights awareness.

The UK continued to raise the issue of access to justice. At the Universal Periodic Review, the UK urged the Transitional Federal Government to ensure that human rights were built into Somalia's legal framework.

Piracy

Together with the United Nations Office for Drugs and Crime (UNODC) we are undertaking project work on prisons, prosecutions and transfer agreements. In

October, the UK pledged £2.5 million to the UNODC, which will see investment in Somalia to support the prosecution and incarceration or pirates in conditions that meet international rights standards. This supports general UK efforts to improve aspects of the judicial system within Somalia.

Conflict and the protection of civilians

There was an intensification of conflict in 2011 between Islamist insurgent groups and the TFG, which led to an increase in civilian casualties. Successful offensives by the African Union Mission in Somalia (AMISOM) and TFG forces resulted in the withdrawal of Al Shabaab from most parts of Mogadishu in early August, allowing the TFG to regain control of the capital. Subsequently, Al Shabaab increased its use of asymmetric attacks such as suicide bombs. Infighting between militias also continued to threaten civilians and hinder operations for humanitarian agencies.

AMISOM implemented some positive measures to address human rights concerns and looked at preventative measures to minimise civilian casualties such as the identification of no-fire zones and the training of personnel on humanitarian law and the protection of civilians. The UK continued to support AMISOM, including through contributions totalling over £10 million to the UN Trust Fund.

Freedom of expression

International and local media reporting remained limited and journalists continued to operate in extremely difficult circumstances, with media freedoms often suppressed and intimidation of Somali journalists and civil society by armed groups commonplace. Al Shabaab continued to close and take over radio stations and impose restrictions on reporting. Many journalists and media organisations have reportedly been subject to death threats and assassination attempts, with claims of some successful assassinations.

There have been reports that the Transitional Federal Government was responsible for a number of violations of media freedoms. The National Union of Somali Journalists reported that their offices were raided and alleged that government forces provided no protection for their staff and offices. Other cases included the arrest and detention of two Shabelle journalists in Mogadishu, who were detained and later

released without charge. There have been claims that the Puntland administration restricted media reporting on its conflict with local militia. In Somaliland, there have also been claims that the Somaliland administration restricted the media environment, principally through arrests of journalists.

Women's rights

The UK raised women's rights at the UN Human Rights Council in May and was encouraged by the TFG's commitment to ratify the Convention on the Elimination of All Forms of Discrimination against Women, and subsequent commitment to tackle gender-based violence under its Universal Periodic Review recommendations. But much more progress is needed to ensure that women's rights are respected. Domestic and sexual violence remained widespread with many traditional practices such as female genital mutilation reported across Somalia. Discrimination against women continues to be overlooked, with many women subjected to unfair treatment and human rights abuses. Women continued to face restrictions on their freedom, forced marriages were still common practice and women living in areas under Al Shabaab control were still not permitted to leave the house unaccompanied.

The UN High Commissioner for Refugees reported that many of those fleeing Somalia at the height of the humanitarian crisis were women and their children who were forced to walk for days to reach refugee camps in neighbouring countries. Many displaced women were exceptionally vulnerable to sexual violence in conflict and drought-hit areas. Gender-based violence remain a taboo subject in most communities across Somalia and the stigma attached meant that many cases go unreported. Access to justice remained a challenge for women with many violations being settled by tribal elders.

Children's rights

At the UN Human Rights Council in September, the Somali delegation confirmed that the Transitional Federal Government had signed the Convention on the Rights of the Child and stated that Somalia would now look to ratify the convention to protect children from unlawful recruitment by armed forces or armed groups. In November, the new prime minister of the TFG pledged to the UN Special Representative on

Children and Armed Conflict that the TFG would work towards an action plan to end the recruitment and use of child soldiers.

The widespread recruitment and use of child soldiers remained a concern. The UK actively participated in the UN Working Group on Children in Armed Conflict in February and March, which focused on combating the recruitment of child soldiers by Al Shabaab, who systematically continue to recruit child soldiers and target schools in areas under their control. In May, UNICEF highlighted a rise in children recruited to fight for armed insurgents and called for this practice to cease immediately. There has been limited progress to date.

The ongoing conflict in and around the capital has had a severe impact on the children of Somalia and there have been reports of a sharp increase in the number of child casualties as a result of indiscriminate fire. A key priority for the UK is to work with the Somali authorities, the UN and AMISOM to build a sustainable and more accountable security sector.

Freedom of religion

Minority groups continued to face persecution in Somalia. We do not have adequate reporting to assess whether particular groups are specifically targeted; however, we are aware of reports that minority clans and religions have faced persecution.
Al Shabaab remained responsible for the vast majority of religious freedom violations in Somalia and the TFG lacked capacity to protect religious freedoms or prosecute violations of them.

Humanitarian issues

The human rights situation has been further complicated by the humanitarian crisis in Somalia and the Horn of Africa caused by the drought. In early 2011, famine was declared in regions across Somalia, with millions of Somali people facing an acute food and livelihood crisis. It was estimated that 1.46 million people were internally displaced inside Somalia in 2011 and that 273,000 fled across the borders as refugees to neighbouring countries. The UK announced £124 million of assistance in response to the humanitarian crisis in the Horn of Africa, of which £54 million was for Somalia. Insecurity continues to hamper humanitarian access and there remains

concern that humanitarian gains could be reversed and the number of famine-affected people could rise again in 2012.

Sri Lanka

The human rights picture in Sri Lanka in 2011 was mixed. The Sri Lankan government continued to focus on post-conflict reconstruction, including the resettlement of civilians displaced during the 30-year civil war, and has made progress reintegrating former Liberation Tigers of Tamil Eelam (LTTE) fighters back into society. The Lessons Learnt and Reconciliation Commission's (LLRC) report, published on 16 December, looked into the conflict between the Sri Lankan government and LTTE from 2002 to 2009. It made wide-ranging recommendations including on ongoing human rights issues, which the Sri Lankan government committed to consider. In December, the Sri Lankan Cabinet approved the National Action Plan for the Protection and Promotion of Human Rights (NHRAP). Human rights nonetheless remained a serious concern. At year end, significant progress was still needed to address the institutional weaknesses that allow for frequent human rights violations. Terrorist suspects continued to be held without charge for long periods. There were restrictions on freedom of expression, political violence, reports of torture in custody, further cases of disappearances and almost no progress in investigating past disappearances. No concrete progress was made in holding accountable those alleged to be responsible for violations of international human rights and humanitarian law during the final stages of the war.

In 2011, the UK focused on helping Sri Lanka overcome the human rights challenges resulting from the 30-year conflict. The UK sees accountability for alleged war crimes, respect for human rights and a political settlement as being essential elements in post-conflict reconciliation. In February, Parliamentary Under-Secretary of State Alistair Burt visited Colombo and Jaffna, and in July the then Defence Secretary, Dr Liam Fox, visited. They emphasised the importance of respect for human rights and international humanitarian law.

The UK supports progress on human rights in Sri Lanka in a number of ways. Our High Commission actively monitors human rights around the country, meeting with a variety of organisations and travelling around Sri Lanka to understand better the situation on the ground. We lobby on particular human rights issues and on

individual cases where we believe the Sri Lankan government should be focusing its attention. We fund projects and programmes either specifically designed to improve the human rights situation, or which include a human rights element.

A key focus in 2012 will be follow-up to the LLRC report and National Human Rights Action Plan. The UK will encourage the Sri Lankan government to implement recommendations, and address outstanding questions regarding accountability for alleged war crimes. In September 2012, we will contribute to Sri Lanka's Universal Periodic Review under the UN human rights system in Geneva.

Elections

In March, July and October, staggered local elections were held in most parts of the country. The run-up to the polls was marked by violence and violations of election law, with at least six people killed and a number of people injured in disputes between political factions. In October, a pre-election dispute between two politicians from the ruling party resulted in a shoot-out and several deaths. At all stages of the elections, independent monitors noted unfair campaigning and the misuse of state resources by the government. This included the use of intimidation and reports that the police were not accepting complaints from opposition parties.

Our High Commissioner, along with other EU heads of mission in Colombo, called on all political parties to support a peaceful environment to allow people to choose their political leadership in a free, fair and unbiased manner. Our High Commission also supported election monitoring and regularly raised concerns with the government.

Freedom of expression and assembly

There were no reported killings or disappearances of journalists in 2011. However, Sri Lanka dropped five places in the Reporters Without Borders Press Freedom Index to 163 (out of 179). Covert threats, physical attacks and intimidation were common. In addition, the government faced accusations that it curtailed the right to free expression and assembly by aggressively policing peaceful protests, leading to deaths and injuries. In July, a Jaffna-based newspaper journalist fled the country following a near fatal attack.

The Ministry of Information and Media took a greater role in regulating the media, calling on all news websites to register with the government. Media with dissenting views continued to face significant obstacles. A number of news websites were blocked, including the Lanka E-news website, which also suffered an arson attack on its office in January and the arrest of its new editor and a journalist in April. Our High Commission attended court hearings of the individuals concerned, which had not concluded by the end of 2011. EU heads of missions raised concerns over the attacks and called on the Sri Lankan authorities to ensure that the rights to free media were respected. One of the websites, having agreed to certain restrictions, was unblocked in December.

The majority of attacks against journalists, including the 2009 January murder of the editor of the *Sunday Leader*, remained unresolved. There was no conclusive investigation into the 2010 disappearance of cartoonist Prageeth Ekneligoda. At a UN Convention against Torture hearing the Sri Lankan government said it was "reasonably certain" Mr Ekneligoda had sought asylum abroad. His wife brought a case to admit the statement in court. The EU and our High Commission closely followed the Ekneligoda case, attending court hearings.

Human rights defenders

The environment for human rights defenders in Sri Lanka remained difficult throughout 2011. On 10 December, a group of 42 human rights defenders and political activists from the south were detained by police in Jaffna and prevented from attending a protest to mark Human Rights Day. Police attempted to disperse those gathered at the main protest venue. On 9 December, Lalith Kumar Weeraraj and Kugan Muruganandan disappeared while visiting Jaffna.

The remains of the body of activist Pattani Razeek, who disappeared in January 2010, were recovered, but the criminal investigation remained inconclusive. No progress was made on investigations into the 2008 grenade attack on the home of a local human rights lawyer who was also the former executive director of Transparency International in Sri Lanka or the 2009 post-conflict disappearances of Shankarapillai Shantha Kumar and Stephen Suntharaj, members of civil society

organisations. Our High Commission repeatedly raised disappearances with relevant authorities. The UK supported projects to document issues faced by human rights defenders and to ensure support and protection for them.

Lesbian, gay, bisexual and transgender rights activists raised concerns over increased negative media coverage and harassment, as well as unwarranted scrutiny by law-enforcement authorities. During Pride week our High Commission hosted an event to promote diversity in business.

Access to justice and the rule of law

Sri Lanka has a well-developed judicial system, but there are significant challenges to effective criminal justice and rule of law. The state of emergency was lifted on 30 August, but the practical impact of the removal of emergency regulations remained unclear. The Prevention of Terrorism Act was amended to reproduce many of the powers that lapsed, and continued to provide for prolonged detention without charge. A large number of suspects have been held under this legislation. Parliamentary Under-Secretary of State Alistair Burt raised related concerns with the Sri Lankan foreign minister on a number of occasions.

Disappearances and abductions continued, with a sharp rise in the number of disappearances towards the end of the year. In December, two political activists travelling in the north disappeared. There was almost no progress in resolving past cases of disappearances. The Lessons Learnt and Reconciliation Commission expressed serious concern over the lack of progress in investigations and prosecutions for disappearances, noting that in some cases the police even refused to investigate. The weakening of national institutions during the conflict led to concerns regarding the independence of the judiciary. The LLRC noted that it heard evidence to suggest that “a large number of persons having political patronage had committed offences, but the long arm of the law had not reached them because of the political pressure exerted on law enforcement authorities”.

Following the end of the conflict there was some scaling back of the military presence in the north and east of Sri Lanka. There remained, however, a heavy military presence, as witnessed by our High Commission staff during visits to these

areas. Paramilitary groups also remained active in some areas of the country. On presentation of the LLRC report, the Sri Lankan government committed to further scale down the presence of the armed forces. We continue to urge that powers are transferred to civilian authorities wherever possible. To this end the UK is funding a community-policing project to help build the capacity of the police force.

Former chief of the Sri Lankan army and presidential candidate Sarath Fonseka was found guilty and sentenced to three years in prison in the “white flag” case, which revolved around his reported comments in a newspaper interview that the Sri Lankan defence secretary had ordered the killing of LTTE members carrying white flags. Civil society groups expressed concern that legal action against Mr Fonseka was politically motivated. The UK urged the Sri Lankan government to ensure that the law is fairly and independently applied in all cases.

Torture

In November, 12 NGOs submitted reports to the UN Committee against Torture, which held an open session on Sri Lanka. The committee's subsequent report highlighted ongoing allegations of widespread torture, failure to uphold judicial and procedural safeguards of detainees, the alleged existence of secret detention centres, enforced disappearances and deaths in detention. The LLRC expressed alarm at the large number of alleged abductions, enforced or involuntary disappearances, and arbitrary detention. It raised concern over instances of people detained in custody for long periods of time under the Prevention of Terrorism Act. Amnesty International's report to the Committee against Torture stated that torture and other ill-treatment of criminal suspects by the police were common. Freedom from Torture’s report presented 35 cases in detail of alleged post-conflict torture. All cases pointed to the use of blunt-force trauma, with some signs of burning, threats and forced confessions.

The Sri Lankan government claims that it maintained a zero-tolerance policy on torture. The National Human Rights Action Plan marks prevention of torture as an area of priority, including safety of suspects in custody, victim and witness protection and ensuring that rules relating to evidence do not inadvertently promote torture.

The UK consistently presses the Sri Lankan government for progress on this issue.

Conflict and protection of civilians

The Sri Lankan government continued to focus on post-conflict reconstruction, and made progress in returning internally displaced persons to their home areas and in releasing former Liberation Tigers of Tamil Eelam (LTTE) fighters. Approximately 700 ex-combatants remained in rehabilitation camps without having been formally charged and a larger number were still in detention centres. The government said it was hoping to release all former LTTE fighters from rehabilitation centres by mid-2012. Improved access to camps and rehabilitation centres was granted to foreign embassies. The UK funded a project to support the reintegration of ex-combatants into society following their release from rehabilitation centres.

Physical reconstruction efforts, including the building of bridges and roads, and extensive de-mining, helped to improve the social and economic rights of Sri Lankans. The UK is providing £3 million assistance for de-mining.

In April, the UN Secretary-General's Panel of Experts found that there were credible allegations, which if proven would indicate violations of international humanitarian law and international human rights law by both the LTTE and the Sri Lankan military. In May, the UN Special Rapporteur on Extra-Judicial, Summary or Arbitrary Executions reported that footage of alleged war crimes previously shown on Channel 4 was authentic and that events depicted did occur. In June, Channel 4 broadcast a documentary entitled *Sri Lanka's Killing Fields*, which showed new footage of alleged human rights abuses committed by the Sri Lankan army during the final stages of the military conflict in May 2009. Minister of State Alistair Burt called for an independent, thorough and credible investigation to address allegations that war crimes were committed by both sides.

The UK welcomed the full publication of the LLRC report on 16 December and called for implementation of its recommendations. The UK welcomed the human rights and post-conflict reconciliation components of the report, noting that many of its recommendations could be implemented in a matter of months. However, the report left significant questions unanswered, particularly on the issue of accountability for

alleged war crimes. Minister of State Alistair Burt urged the Sri Lankan government to address these.

Freedom of religion or belief

There are four main religions in Sri Lanka: Buddhism, Hinduism, Islam and Christianity. In 2011, people were generally free to practise their religion without interference. But religious groups complained of onerous administrative burdens placed on certain religions, and religious education that did not take minority faiths into account. A draft Act of parliament presented by a minority party would, if passed, provide privileged status for Buddhism in Sri Lanka. In September, a Muslim religious site in the Buddhist city of Anuradhapura was demolished by mobs, allegedly led by Buddhist monks. There were reports of ministerial interference in religious animal sacrifice at Hindu temples. Our High Commission continues to monitor these matters and discuss issues with religious leaders.

Women's rights

Despite Sri Lanka's established tradition of gender equality in many spheres, the National Human Rights Action Plan recognised that there remained significant discrimination against women, including under the law. Female participation in governance remained relatively low, with only 13 female parliamentarians out of 225. Sri Lanka also slipped from 16 to 31 in the World Economic Forum Global Gender Gap Index ranking.

Women's rights require particular attention in the conflict-affected north and east, where there are up to 90,000 war widows. Our High Commissioner discussed rising crime rates for violence against women with the police in these regions and more generally. In August, a spate of attacks against women in the north and the east by men popularly termed "Grease Yakas" (grease devils) led to widespread fear. The LLRC report highlighted that the extensive military presence often made women feel unsafe. An International Crisis Group report expressed concerns over women's security and right to economic empowerment in the north and east.

Our High Commission maintained regular contact with a range of women's rights organisations and conducted regular visits to areas of concern. In November, our

High Commissioner participated at an event to commemorate International Day for the Elimination of Violence against Women. As part of our ongoing dialogue on human rights with the Sri Lankan government, our High Commission encouraged them to investigate and take action on reported cases of human rights violations and abuse.

Minority rights

In January, the main Tamil party, the Tamil National Alliance (TNA), and representatives of the Sri Lankan government began a series of talks on short- and long-term concerns of the Tamil community. Frustrated by a lack of progress, the TNA delivered an ultimatum in August challenging the government to define its position on core political issues. Following international community encouragement, talks resumed in September. Two further meetings were held, with limited results. The government proposed appointing a parliamentary select committee to develop a political solution, but the TNA said it would only take part in the process if a solution was agreed by both parties by December.

Some civil society organisations have expressed concern about "Sinhalisation" of the north. In particular, they point to changes of place names from Tamil to Sinhala, construction of Buddhist temples, alleged discrimination in favour of southern constructors and contractors, and the settlement of 100 Sinhalese in Jaffna.

The Sri Lankan government has identified the need to increase ethnic minority representation in key state bodies and is seeking to ensure that more state officials are able to speak Tamil. The UK has supported these efforts by providing Tamil language training to police officers as part of a community-policing programme. The UK supported a project through a local organisation which includes capacity-building for minority parties.

Children's rights

Despite significant steps by the Sri Lankan government to implement the UN Convention on the Rights of the Child, activists claimed that sexual exploitation of children remained a problem. According to local media, in 2011 police recorded the highest number of child abuse and rape cases ever seen in Sri Lanka. Some

estimates also suggested that up to 6,000 children were exploited for commercial sex. The Department of Probation and Child Care Services provided protection to child victims of abuse and sexual exploitation, but there were no comprehensive programmes to address the problem.

No prosecutions have yet been initiated against LTTE members allegedly responsible for the recruitment of child soldiers. The whereabouts of 13 children recruited by the Tamil Makkal Viduthalai Puligal during the conflict remains unknown, as does the exact number of children killed or maimed during the conflict. UNICEF's Family Reunifications and Tracing Unit still has 600 outstanding cases of children missing from the final stages of the conflict. The UK continued to raise these concerns, including through the UN Security Council Working Group on Children and Armed Conflict, and encouraged the Sri Lankan government to investigate allegations of violations and abuses as part of its efforts for national reconciliation.

Migration and refugees

There have been allegations in the media of returning migrants and refugees being abused. All such allegations in respect of returnees from the UK were investigated by our High Commission and no evidence was found to substantiate them. Returnees were encouraged to contact the High Commission if they required assistance.

Sudan and South Sudan

The year saw Sudan's division into two countries: the Republics of Sudan and South Sudan. In January, polling took place in an internationally monitored and recognised referendum, with over three million South Sudanese voting overwhelmingly for independence, which followed on 9 July. The peaceful secession of the South, recognised by Khartoum, was the major achievement of the 2005 Comprehensive Peace Agreement. Progress on human rights in Sudan and South Sudan has been slow, and has in some respects worsened during 2011. Ongoing insecurity in Darfur, the outbreak of conflict in Southern Kordofan, Blue Nile and Abyei, and inter-communal conflict in South Sudan have led to civilian deaths, large-scale displacements of population and reports of rape, looting, arbitrary arrests and summary executions. In Sudan, we have seen worrying evidence of reduced freedom of expression. However, we have observed an improvement in civil and political rights in South Sudan, particularly since reconciliation efforts between the South Sudanese government and main opposition party.

Successful and peaceful completion of the referendum and subsequent secession of South Sudan was an important UK objective for 2011. The government of Sudan honoured the outcome of the referendum in January and was the first to recognise South Sudan as a separate state. The UK has continued to press both sides to resolve the outstanding issues from the Comprehensive Peace Agreement, prior to and after secession. We worked closely with international partners in trying to achieve this, providing funding and expertise in support of the African Union High-Level Implementation Panel's mediation efforts. Disappointingly, by the end of the year there had still been no agreement on the crucial issues of oil, border demarcation, citizenship and Abyei, with significant impact on the human rights of the Sudanese and South Sudanese people.

Human rights work was a priority for UK engagement in Sudan and South Sudan in 2011. DFID funding supported our human rights objectives in both countries by helping to provide for basic services, governance and humanitarian needs. We regularly raised our human rights concerns at the highest levels. The Foreign

Secretary, International Development Secretary, Minister for Africa and Parliamentary Under-Secretary for International Development all visited Sudan or South Sudan this year and raised our most pressing concerns with their counterparts. There were some successes in our multilateral work: we secured a robust human rights mandate for the UN Mission in South Sudan (UNMISS) and the renewal of the mandate for the UN Independent Expert on Human Rights for Sudan. The UK used social media channels to draw attention to the human rights situation in Sudan and South Sudan. Through their regular blogs, our Ambassadors to both Khartoum and Juba have been frank on human rights, attracting widespread local media coverage. Both Ambassadors marked Human Rights Day by holding Q&A sessions on social media channels, answering questions from followers on their human rights concerns.

There is a risk that the human rights situation will deteriorate in 2012. Continued conflict and an ongoing lack of humanitarian access in Southern Kordofan and Blue Nile States are of serious concern and are exacerbating the vulnerability of civilians. We will continue to press for humanitarian access to all conflict areas and for an immediate ceasefire, working with international partners including the UN. The outlook for political and civil rights is uncertain given the authorities' clampdown on freedom of expression in the latter half of 2011 in Sudan We will prioritise monitoring and support for political rights in 2012, speaking out against abuses and supporting civil society and human rights defenders.

In South Sudan in 2012, our new Embassy will encourage progress on ratification of, or accession to, regional and international human rights instruments. We will support UNMISS in its mandate to monitor, investigate and verify reports of human rights abuses. We will support development of the government's capacity to address human rights violations, and to harmonise the national legislative framework with international human rights standards.

Furthermore, we will encourage both governments to make full use of the African Union mediation facilities so that they can come to lasting agreements on the numerous outstanding issues from the Comprehensive Peace Agreement.

Sudan

While Sudan is a party to a number of major international human rights treaties and has relevant national legislation, implementation is characterised by a lack of both will and capacity. Opportunities for dialogue between the international community and Sudanese authorities on human rights are limited, particularly following the disappointing decision of the government of Sudan to end the mandate of the UN Mission to Sudan (UNMIS) on 9 July, which has left Sudan without an international presence to carry out human rights monitoring and reporting.

Sudan was the subject of a Universal Periodic Review in May, resulting in 160 recommendations. The Sudanese Ministry of Justice expressed a need for technical assistance from the international community to respond to the report. But they have not yet accepted EU-led requests for meetings to discuss these needs. In September, the mandate for the UN Independent Expert on Human Rights in Sudan was renewed by the UN Human Rights Council. The UK lobbied hard for the renewal of this mandate.

Elections

There were no elections in Sudan in 2011. The referendum in January saw over three million people vote to determine the future of southern Sudan. The process was judged credible by international observers, including an EU observer mission. Post-secession, Sudan is evaluating its democratic and governance structures. The UK will continue to support an inclusive and transparent constitutional process in 2012 and provide experts to advise on options and supporting civil society participation.

Freedom of expression and assembly

There were many restrictions on media freedom, including the arrest and trial of journalists, seizure of newspapers post publication, temporary suspension of media outlets and the closure of newspapers. The UK raised concerns with the authorities

and attended the trial of several journalists representing a radio station, who were later acquitted. We are concerned by the trend of reduced freedom of expression and assembly in Sudan. Bloggers, activists and opposition politicians have been intimidated, harassed and arrested, and there have been violent security responses to protests and demonstrations in Khartoum and elsewhere. Our Embassy funded a number of local organisations in 2011 to carry out activities designed to empower civil society and strengthen awareness of international human rights principles.

Human rights defenders

A number of human rights defenders in Sudan have been detained, interrogated and had their properties searched by security services in 2011. The Embassy maintains regular contact with human rights defenders and raises cases of concern with the local authorities where possible.

Access to justice and the rule of law

The Interim National Constitution, international treaties and national legislation provide important elements of a legal framework for human rights. But implementation is limited in practice as evidenced by well-documented reports of human rights violations. The National Security Act gives wide discretionary powers of arrest and detention to the National Intelligence and Security Services (NISS). Under the law, NISS can arrest and detain people for up to four and a half months without judicial review. Arbitrary arrests and long detentions without trial are common. Improving access to justice is a priority for the UK Government. The Department for International Development provided support through their Security and Access to Justice Programme to fund human rights training for the police and the judiciary in 2011.

Death penalty

The death penalty is applicable in Sudan for a number of crimes, some of which are of a religious or political nature. There are no official numbers of convictions or executions. In November, seven Darfuris were sentenced to death for armed robbery. Along with our EU partners and the African Union–United Nations Mission in Darfur, we are closely monitoring the cases and establishing what rights exist for

appealing against the death sentence. We continue to urge the government of Sudan to establish a moratorium on the use of the death penalty.

Torture

Sudan's Interim National Constitution prohibits torture. But there are widespread reports of torture in Sudan, particularly on the part of the security services, and directed at political opponents, activists, suspected rebels and ordinary citizens. With no independent access or human rights monitoring, it remains difficult to corroborate these claims. We regularly monitor these allegations and raised our concerns with the authorities at a senior level.

Conflict and protection of civilians

We are greatly concerned by continuing internal conflicts in Darfur, Abyei, Southern Kordofan and Blue Nile State which have displaced or severely affected millions of people. The government of Sudan has agreed the Doha Document for Peace in Darfur with one rebel group, and has begun implementing some of its provisions. As yet, there is no sign of a peace process to end the conflict in Blue Nile and Southern Kordofan, nor of improved humanitarian access to these areas. We continue to work closely with our international partners to push for an immediate cessation of hostilities for each of these conflicts, pressing the parties involved to engage in or agree the processes to address the causes of violence.

Freedom of religion or belief

Although the principle of equality and non-discrimination is embodied in Sudan's National Interim Constitution, Islamic law applies to minorities, with some limited exceptions. There continue to be many arrests under Islamic law for offences such as the possession of alcohol and inappropriate dress. This is considered discriminatory by many groups. There were reports in 2011 of increased harassment of Christians, including the vandalism of churches. There have been attempts to prosecute citizens using the charge of apostasy under the 1991 Criminal Code. We have urged the government to take steps to ensure the protection of minorities within Sudan.

Women's rights

Sudan is not a party to the UN Convention on the Elimination of All Forms of Discrimination against Women. Gender discrimination, including in family and property matters, and gender-based violence is widespread, including in Darfur. In 2011, the Embassy funded a women's rights NGO to carry out training in human rights and empowerment. Female genital mutilation/cutting is very prevalent in Sudan with 89% of women and girls aged 15–49 believed to have undergone some form of the procedure. The government of Sudan has stated its commitment to eradicating the practice, through implementation of a national strategy published in 2008.

Minority rights

Following the secession of South Sudan in July 2011, we have concerns over the rights of religious and ethnic minorities in Sudan, who, in the case of those eligible for South Sudanese nationality, have lost their citizenship in Sudan. We are disappointed that Sudan and South Sudan have not yet come to an agreement on flexible citizenship arrangements, which threatens to leave stateless thousands of long-term residents. Many who have chosen to return to the south have found themselves waiting for long periods in transit camps, as transport options to the south are very limited. Parliamentary Under-Secretary of State for International Development Stephen O'Brien raised the issue during his visit to Sudan in November. The UK, through the Common Humanitarian Fund and Central Emergency Response Fund, has contributed £2.36 million ($3.8 million) in 2011 to assist Southern Sudanese returning from Sudan. We continue to urge both governments to adopt a flexible approach to citizenship and free movement between the two countries and their peoples.

Children's rights

Sudan enacted the Child Act in 2010, which represents a major step towards providing a legal framework for the protection of children's rights. It raises the age of criminal responsibility, criminalises child exploitation and abuse, establishes a comprehensive juvenile justice system, prohibits recruitment of children to armed groups and guarantees demobilisation, reintegration and rehabilitation for children

associated with armed groups and forces. We will be encouraging implementation of the Act. Violations of children's rights linked to armed conflict are still widespread.

South Sudan

Elections

There were no elections in South Sudan in 2011. An Elections Act will be tabled in the National Legislative Assembly in early 2012.

Members of the Constitutional Review Commission have recently been appointed to undertake the task of drafting a new constitution. The nine permanent members include a neutral chair and deputy-chair, four members of the ruling Sudan People's Liberation Movement (SPLM) party and three members from other parties. The part-time members include ministers, MPs, representatives from civil society and faith groups. The timeframe for completion of the new constitution has not yet been announced.

Freedom of expression and assembly

In 2011, there were a number of reported cases of intimidation, confiscation of assets and detention of members of the main opposition party. The South Sudanese government has stated its commitment to strengthening the capacity of all political parties.

A number of recent cases of prolonged illegal or arbitrary detention of journalists have raised concerns about the government of South Sudan's commitment to upholding freedom of expression. Concern remains over the ability of individuals safely to voice their criticism of the government without fear of intimidation. Following a call by the South Sudan Union of Journalists for total press freedom, Minister for Information and Broadcasting Dr Barnaba Marial Benjamin described freedom of the press as "the cornerstone of the democratic process", adding that journalists must "feel free to say what they want to say as long as it is within the media laws". The UK has raised its concerns with government ministers and the press, and will continue to monitor the situation.

Human rights defenders

Following attacks on staff and their property, some South Sudan Human Rights Commission (SSHRC) staff attended training on the protection of human rights defenders. There is no legal protection for human rights defenders, although civil society organisations are supporting the SSHRC in pushing for legislation. Poor communications limit organisations' abilities to monitor and report the treatment of human rights defenders and violations. We will maintain an active interest in this area through support to NGOs.

Access to justice and the rule of law

Tackling corruption has become a priority for the government of South Sudan following independence. The UK is coordinating donor efforts to strengthen accountability and transparency and brokered progress at the International Engagement Conference in Washington on 14–15 December where the government of South Sudan agreed to hold a high-level dialogue on accountability. This will be a means for the UK to assist South Sudan in the fight against corruption.

The UK is supporting efforts to strengthen the core security and justice functions of the state, including work to build the capability of the South Sudan Police Service (SSPS) and to ensure that the Sudan People's Liberation Army (SPLA) is more accountable and better managed.

Death penalty

The death penalty applies in South Sudan for a number of crimes, including politically motivated crimes and murder. Since the independence of South Sudan, there have been no executions. We encourage South Sudan to establish a moratorium on use of the death penalty with a view to future abolition.

Conflict and protection of civilians

Inter-communal violence in South Sudan, including a cycle of attacks and reprisals between the Lou Nuer and Murle tribes in Jonglei State, continues to pose a significant threat to civilians. The government of South Sudan is responsible for the protection of its civilians, but has sought assistance from the UN Mission in South Sudan and international partners. The UK urges the government to lead a

reconciliation process to end the cycle of violence and protect civilians who suffer most from the insecurity and lack of basic resources that are exacerbated by these attacks. The UK is supporting the government of South Sudan with a range of stabilisation recovery measures and is also supporting work to reduce the vulnerability of communities to localised conflict and instability.

Women's rights

In South Sudan, upholding women's rights is a significant challenge. Cultural acceptance of certain types of violence against women means that violations are often not reported. Gender-based violence continues to undermine communities' development prospects. During 2011, inter-communal violence in South Sudan saw attackers specifically targeting women and children. The government of South Sudan supports efforts to reduce violence against women, but could do more to implement its human rights obligations. Some police officers have been trained as part of special units within local police stations to deal exclusively with violence against women.

The UK is supporting women's participation in peacebuilding and stabilisation, and the mainstreaming of gender equality in South Sudan's police and security sector reform. DFID has helped with the establishment of the South Sudan Women's Lawyers Association, and is supporting the training of traditional leaders and courts on basic human rights principles, including the importance of women's rights. The UK will continue to push for South Sudan's ratification of the Convention on the Elimination of All Forms of Discrimination against Women in the near future.

Children's rights

The armed forces have shown commitment to the demobilisation and reintegration of child soldiers. There are challenges to identification, as few of these youths possess identity documents with dates of birth. The UK will continue to press the army for evidence of progress on this issue.

Other issues

The UK ensured during UN Security Council discussions that the mandate of UNMISS includes robust mechanisms for human rights monitoring, and support for developing the capacity of national human rights institutions.

Syria

The Arab Spring sparked protests in Deraa in southern Syria in March. These spread quickly across the country, with demonstrators calling for democratic reform and, latterly, regime change. The Syrian government responded with violent repression. UN High Commissioner for Human Rights Navi Pillay reported throughout the year many horrific cases of security forces subjecting civilians, including women and children, to severe human rights violations in their attempts to crush the protests.

The UK's primary human rights objective for Syria in 2011 was to end unlawful killing and repression of civilians. Throughout the year the Prime Minister, Foreign Secretary and Minister for the Middle East condemned the violence and called for the Syrian government to meet legitimate demands for human rights and democracy. In August, Prime Minister David Cameron, German Chancellor Angela Merkel and French President Nicolas Sarkozy condemned the continuing violence and stated that President Assad had lost legitimacy and should step aside in the best interests of Syria and the unity of its people. However, President Assad and his security forces ignored all calls for an end to violence. They continued to repress civilians in an effort to hold on to power.

The UK is at the forefront of international efforts to end the crisis in Syria. In 2011, we worked within the EU to impose sanctions targeting Syrian regime figures responsible for human rights violations. We supported three UN Human Rights Council Special Sessions on Syria, assisted the UN-mandated commission of inquiry and raised concerns in the UN Security Council and General Assembly. We supported the Arab League's efforts to put pressure on the Syrian government to end the violence. The UK has regularly raised our long-standing concerns over human rights with the Syrian government in recent years. As the situation deteriorated dramatically in 2011, opportunities for direct engagement became increasingly limited. But at every opportunity, UK officials raised with Syrian government representatives our concerns about human rights. We also funded

training for Syrian activists to help them document human rights violations to support accountability.

Despite UK and international efforts, the violence continued in Syria as 2011 drew to a close. Early reports from an Arab League observer mission, which visited Syria from 26 December, suggested the Syrian government was intent on continuing its crackdown and also highlighted the increasingly armed nature of the opposition. The UK will continue to support the Arab League's efforts to break the cycle of violence. Should the Syrian government fail to end repression in 2012, there will be increasing pressure for the UN Security Council to take firm action. The UK will continue to work with others in the international community to ensure that those responsible for human rights violations in Syria are held to account.

Elections

Syria has a poor history of electoral democracy. Presidential, parliamentary and municipal elections have been held in recent years but outcomes are tightly controlled, candidates undesirable to the regime are prevented from standing and scheduled elections have often been delayed. Power is concentrated in the office of the president, and Article 8 of the Syrian constitution states that only the Baath Party leads the Syrian state. Other elected bodies, including parliament, have little influence over the running of the country. Freedom House rated Syria as "not free" in 2011 and The Economist Intelligence Unit 2011 Democracy Index ranked Syria 157 out of 167 countries.

The Syrian government announced limited electoral reforms in July. It introduced new legislation which stipulated that elections would be held using a secret ballot and that each Syrian national would have one vote. However, controversial articles of the Syrian constitution, such as Article 8 (mentioned above), remained in force and opposition groups claimed that state security force control over government institutions made these legislative reforms superficial. The first municipal elections held under these new regulations took place in December. Turnout was low, with opposition groups calling for them to be boycotted.

The UK has long urged the Syrian government to introduce reforms. Since protests began we have called repeatedly on the government to meet the Syrian people's legitimate demands for a peaceful transition to a democratic system. We worked with other members of the international community throughout 2011 to increase the pressure on the government to respond.

Freedom of expression and assembly

The Syrian constitution guarantees citizens' rights to freedom of expression and assembly. However, the government has imposed severe limitations on Syrian citizens' ability to exercise these rights. These restrictions increased sharply after the start of the uprising, despite the easing of the 43-year-old state of emergency law in March, which had no beneficial effect in practice.

International and local human rights organisations reported that the Syrian government used criminal charges to arrest, expel and detain scores of activists, journalists and bloggers in 2011. This occurred despite a new media law approved by President Assad in August, intended to uphold freedom of expression.
Online monitoring and censorship of the internet remained commonplace, with frequent allegations made by human rights groups and the independent media that the government blocked access to internet sites. Credible independent reporting suggested that a government-backed "electronic army" monitored opposition social networking sites and posted fake appeals for violence on their pages to discredit protest movements. Transmissions by privately owned TV stations critical of the Syrian government, such as Orient TV broadcasting from the UAE, were cut several times. The state media was uncritically pro-regime.

Freedom of assembly remained virtually non-existent. Those wishing to hold a meeting or demonstration in Syria were required to submit a written request to the authorities outlining the objectives of the gathering and the names of those in charge. Numerous well-documented incidents of civilians being threatened, arbitrarily arrested, detained, tortured and killed in connection with organising meetings and peaceful demonstrations were reported.

The Syrian government continued its efforts to prevent gatherings of oppositionists and activists overseas in 2011. It banned hundreds of human rights defenders from travelling abroad, detained others who attempted to leave and arrested many more on their return to Syria after attending conferences and workshops on human rights issues. Independent groups reported that government workers were threatened with dismissal if they failed to attend pro-government rallies.

The UK consistently called on the Syrian government to end its repression. We supported efforts through the EU, UN and Arab League to bring about an end to the violence against those demonstrating peacefully. However, the government remained unwilling to tolerate any opposition and continued its brutal crackdown.

Human rights defenders

Human rights defenders have limited space to operate in Syria. They face a high risk of arbitrary arrest or detention – usually on spurious charges such as "weakening national sentiments". During 2011, the risk to Syrian human rights defenders increased and many fled the country to avoid imprisonment or violent persecution.

Syria has no independent human rights monitoring body. The Syrian government repeatedly denied access for independent international human rights observers in 2011, including refusing to allow the UN Human Rights Council-mandated commission of inquiry to visit. The government sought to weaken the scope of a planned Arab League mission to assess the situation on the ground. Facing rising international pressure, it eventually allowed the mission to deploy to Syria at the end of December. The UK offered assistance to help the mission fulfil its mandate of overseeing an end violence, the withdrawal of military from cities, the release of political prisoners and the launch of a national dialogue to pave the way for reform.

In 2011, the UK repeatedly urged the Syrian government to allow independent local and international civil society groups to operate. However, our ability to work directly with human rights defenders inside Syria was limited. The government's hostile attitude to civil society means international and diplomatic contact can place human rights defenders at increased risk. The UK therefore provided training to Syrian

human rights activists outside the country in 2011. This training equipped them with the skills and capacity to monitor and document human rights violations more effectively. Their reports on human rights issues in Syria have been well received by the international human rights community.

Access to justice and the rule of law

Syrian citizens have extremely limited access to justice. Although Article 131 of the Syrian constitution makes the president responsible for guaranteeing judicial independence, his role as chair of the High Judicial Council also makes him responsible for appointing judges. Most judges are members of, or affiliated to, the ruling Baath Party. Legislation grants the security forces immunity from prosecution. We are concerned by reports from international civil society organisations that the judicial system is corrupt and inefficient, and that there is little knowledge of human rights standards within the police, security forces or judiciary.

The rule of law in Syria was undermined by the state of emergency, declared in 1963, which granted exceptional powers to the security services. In March, the government announced that this would be lifted and the security forces would be governed by civil law. However, arbitrary arrests and detentions without trial continued and the security forces remained unaccountable. Human rights activists estimate that tens of thousands of Syrian political prisoners were detained in 2011. In November, the UN Human Rights Council's Commission of Inquiry noted that detention conditions remained appalling with many prisoners subjected to horrific physical, sexual and psychological abuse.

UK government ministers have made clear over the course of 2011 that those responsible for gross human rights violations in Syria should not escape justice and must be held to account.

Death penalty

The death sentence exists in Syrian law as a penalty for a range of violent offences and other actions, including deserting the armed forces, verbal opposition to the government and membership of the Muslim Brotherhood. On 21 December, the government introduced a law recommending the death penalty for anyone found

arming terrorists. Civil society groups report that at least 17 people have been sentenced to death since 2010, but it is unclear how many were executed in 2011. The authorities rarely disclose information about executions. The UK has urged Syria to impose a moratorium on the use of the death penalty.

Extrajudicial killings are a serious issue in Syria. In August, Amnesty International reported a sharp rise in reported deaths in custody since the protests began. It is believed that hundreds of civilians died in custody in 2011. Some appear to have been tortured to death and others summarily executed.

Torture

Syria became a party to the UN Convention against Torture in 2004, but has failed to implement the convention in practice. The UN Human Rights Council established a commission of inquiry to investigate alleged human rights violations in August. It released a report in November detailing numerous accounts of torture and other ill-treatment applied to detainees, including women, children and the elderly. Individuals were subjected to severe beatings with batons and cables, electric shocks, sexual abuse and humiliation, and deprivation of food, water, sleep and medical treatment. Human rights organisations have separately documented detailed accounts of these practices from Syrian refugees in Jordan, Lebanon and Turkey.

The UK urged an end to the inhuman practices carried out against civilians in Syria and called for the UN Human Rights Council to consider the situation. In December, UN High Commissioner for Human Rights Navi Pillay condemned the "widespread and systematic nature" of killings, detentions and acts of torture. She stated that it was likely that crimes against humanity had been committed and called for Syria to be referred to the International Criminal Court.

Conflict and protection of civilians

The Syrian government's response to the protests has had a profound impact on the safety of civilians. Navi Pillay stated in December that over 5,000 people had been killed since the uprising began. Human Rights Watch and other international human

rights organisations have documented the deaths of large numbers of civilians, including many bystanders not involved in demonstrations.

In response to the government's sustained crackdown, the final months of 2011 saw an increase in opposition violence. The vast majority of protestors remained peaceful, but isolated attacks occurred, including acts of sectarian retribution against the president's Alawite minority. We have continued to urge all parties to remain peaceful and expressed concern about increasing numbers of sectarian attacks. Over 2011, a steady flow of refugees fled Syria to escape the violence, primarily moving to Jordan and Turkey.

The UK has been at the forefront of international efforts to end the violence against civilians in Syria, including pushing for action at the UN Security Council. The Department for International Development supports humanitarian agencies that provide assistance to Syrian refugees.

Freedom of religion or belief

The Syrian constitution safeguards freedom of religion and this is generally respected. But restrictions exist, for example the Syrian president must be a Muslim and conversion from Islam to Christianity is illegal. The Yezidis, a Kurdish religious minority, face discrimination as their religion is not recognised by the state. Yezidis are registered as Muslims in Syria and receive Islamic religious education in state schools.

The brutal repression of public protests increased sectarian tensions in 2011. The Syrian government claimed early on that popular anti-government protests were part of a fundamental Islamist conspiracy to destabilise the state. They used armed gangs (Shabiha) made up of minority Alawite members to crack down on the majority Sunni protestors. This inflamed divisions between religious communities and led to increasing incidents of sectarian violence. The UK has urged the Syrian government to end its violence and encouraged opposition groups to engage all Syria's communities to ease sectarian tensions.

Women's rights

The Syrian constitution in principle grants full equality to women, but gender inequality remains a problem. Syria ranked 124 out of 135 countries in the World Economic Forum's Gender Gap Index 2011. Syrian women have traditionally participated in public, judicial, academic and business life, but are under-represented. Women held three ministerial positions and the role of vice-president in 2011. Syrian legislation discriminates against women, especially in family issues. The nationality law of 1969, the penal code and the Personal Status Law all contain discriminatory provisions. For example, the current Syrian penal code does not criminalise marital rape and the male perpetrator of extra-marital rape is exempted from punishment if he agrees to marry his victim.

During the 2011 unrest in Syria, there have been disturbing reports, including from the UN Human Rights Council-mandated commission of inquiry, that many women have been killed or detained during the unrest. According to a report from the local coordination committees in Syria, the security forces killed 33 girls and 81 women between 15 March and 15 October. The commission of inquiry also received some evidence suggesting that members of the security forces may have sexually assaulted women, but the commission was unable to reach firm conclusions, in part due to the social stigma that victims would endure if they came forward.

Minority rights and racism

Syria is a diverse society. Some minority groups are defined by religion, others by ethnicity, and some are relatively recent immigrants. Specific demographic data is unreliable, but estimates suggest that Sunni Muslims comprise about 74% of the population, Alawite (a branch of Shi'ia Islam) 11%, Christianity (including Greek Orthodox, Syriac Orthodox, Maronite, Syrian Catholic, Roman Catholic and Greek Catholic) 10%, Druze 3%, and other Muslim (including Ismaili and Ithna'ashari or Twelver Shia) 2%.

Alawite Muslims, who are Syria's largest religious minority and number about 2,400,000, hold key positions of power in business, government and the military. Other minority groups have in general been well-treated in terms of law and social life (including study, employment and the freedom to worship and practise traditions)

and hold some senior positions in government. Secularism is the principal governing ideology laid down in the Syrian constitution. Sharia (Islamic Law) is only found in the Personal Status Law and criminal code, mainly governing domestic and family relation issues.

The most disaffected minority group in Syria has long been the country's ethnic Kurdish minority. Tens of thousands have been stateless since changes to Syria's nationality laws in the 1960s. Human Rights Watch estimates that there are around 300,000 stateless Kurds living in Syria today, who are unable to access publicly subsidised food, travel abroad, or find employment and education in the public sector. Kurds continue to suffer repression and Kurdish political activists have been routinely arrested in 2011. Amnesty International stated in its 2011 report that Kurds faced continuing discrimination and restrictions on use of their language and cultural expression in 2011.

The popular unrest that began in March has exacerbated latent ethnic and sectarian tensions in Syria. Human Rights Watch underlined in a December report that "several defectors and other witnesses expressed concern that the government's continued brutal crackdown had increased sectarian tensions and violence". Both Sunni and Alawite residents of the central governorate of Homs, a predominantly Sunni area with a large Alawite minority, began to report in 2011 an increase in kidnappings by unknown gunmen. Many spoke of their fear of driving through neighbourhoods of a different sect in their cities. The media has reported a number of killings across Syria with an apparent sectarian motive.

During an emergency session on Syria at the UN Human Rights Council on 2 December, Navi Pillay warned that the "Syrian authorities' continual ruthless repression, if not stopped now, can drive the country into a full-fledged civil war". The UK has urged the government to end the cycle of violence in Syria. We appointed an Ambassador-level official to lead our engagement with the opposition in November. Part of her role has been to encourage the opposition to reach out to all minority communities in Syria to reassure them that their rights would be protected in a future Syria.

Children's rights

Children's rights have been seriously affected by the unrest in 2011. Ms Pillay told the UN Security Council on 14 December that over 300 children had been killed since the protests began. The UN's Independent Commission of Inquiry concluded that Syrian state forces showed "little or no recognition of the rights of children in the actions taken to quell dissent". The report documents witness testimony of children as young as two years old killed or injured by security forces during demonstrations; children as young as ten in detention facilities with adults; and torture of children in detention, including sexual torture of boys in front of adult men. It gives evidence of children suffering post-traumatic mental health problems; the government's refusal to allow children medical treatment; the use of schools as detention facilities; and interruption of education. Children's rights organisations have also expressed concern about the welfare of Syrian child refugees in Jordan, Turkey and elsewhere.

The detention, torture and killing of thirteen-year-old Hamza al-Khateeb demonstrated clearly the terrible suffering of children during the recent unrest. His mutilated body was returned to his family in May and sparked a fresh wave of protest. Minister for the Middle East Alistair Burt condemned the killing. After the commission of inquiry's report was issued, the minister repeated his condemnation of the horrific human rights violations against children and called for those responsible to be held to account.

Turkmenistan

While Turkmenistan is a signatory to most international human rights instruments and its national legislation and constitution contain provisions for the protection of human rights, implementation is a problem. There were modest positive developments in certain areas in 2011, including independent access to a detention facility; the provision of information on a small number of individuals in detention; and the granting of Turkmen citizenship to over three thousand stateless persons. However, the human rights situation in Turkmenistan remains generally poor. Several individual cases are of concern, including human rights activists, representatives of the media and others. The media sector continues to be tightly controlled and internet access limited. Corruption and transparency remains a problem. Furthermore, President Berdimuhamedov's commitment in 2010 to introduce a multi-party electoral system has yet to deliver any real progress.

As anticipated in the 2010 report, the Turkmen authorities maintained their policy of committing to reforms but taking only incremental steps. We judge that the authorities were in part discouraged from pursuing reform by the popular uprisings in North Africa and the Middle East over the course of 2011. While the incremental approach adopted by the Turkmen hampered our ability to pursue our human rights objectives, we were still able to take forward important work in areas such as media reform, the rule of law, and transparency and openness. Coordinated lobbying on individual cases achieved some modest positive results.

The UK continued in 2011 to use high-level engagement with the government of Turkmenistan to encourage progress on human rights and related issues. We lobbied on individual cases and encouraged key international partners to use their contacts with the Turkmen to encourage reform. The sharing of information on two high-profile individual cases in April and the amnesty of a Radio Liberty journalist in October (albeit after his disputed arrest a month earlier) were modest positive developments, as was the decision by the Turkmen authorities to allow representatives of the International Committee of the Red Cross to visit a medical unit of a detention facility in July, the first time an independent body has been

allowed access to a detention facility. We continued in 2011 to part-fund the BBC World Service Trust media programme in Turkmenistan, which helped to secure further funding from the EU, and we participated in media seminars and visits. In September, our Embassy in Ashgabat facilitated the first ever event in Turkmenistan on the Extractive Industries Transparency Initiative (EITI). Our Embassy also provided financial support to NGOs in Turkmenistan.

Security and stability is likely to remain the priority for the government of Turkmenistan in 2012, with little change expected in their incremental approach to human rights and reform. The government's concerns about the risk of instability in the wider region will also reduce the prospects for more substantive and accelerated reform. At the time of writing, the presidential elections in Turkmenistan in February 2012 appeared unlikely to meet internationally recognised democratic standards. The UK will continue to use high-level engagement and all other appropriate opportunities to encourage and support reform and progress on human rights issues, making use of programme and other funding sources and partnering with like-minded countries and organisations. We will continue to encourage full and independent access to detention facilities and prisoners. We will lobby the Turkmen authorities on individual cases and encourage Turkmenistan to meet more closely its international commitments, including those relating to the rule of law. We will maintain our efforts to encourage greater openness and the development of civil society by supporting the work of the BBC World Service Trust and engaging with and supporting local NGOs.

Elections

In May 2010, President Berdimuhamedov said that it was time to introduce a multi-party system in Turkmenistan and suggested the formation of an agrarian party. In July, in an unprecedented step the president invited foreign-based opposition groups to return to the country to participate in elections. However, despite these positive statements, progress has stalled on the implementation of a multi-party system, and opposition groups have not returned due to fears for their safety. A new election law was introduced in 2011, though we judge that this is unlikely to contribute to a more democratic electoral process in the short term.

At a Cabinet meeting on 2 December, President Berdimuhamedov commented that the presidential elections due on 12 February 2012 would be held on the basis of the principles of democracy, openness and transparency, with the participation of a number of candidates. There were, however, few subsequent signs of these principles being implemented. The president told the OSCE secretary-general on 4 November that the OSCE would be invited to participate as independent observers. The Turkmen authorities announced that they intended to increase the number of polling stations available compared to previous elections and that the media will have a more substantive role. We will continue to encourage the Turkmen authorities to move towards greater democracy, including through implementing their commitment to move to a multi-party system.

Freedom of expression and assembly

As reported last year, the media in Turkmenistan remains government-controlled, and very few independent journalists are allowed to operate freely. We were concerned, for example, that in the wake of a series of explosions at an arms depot in the town of Abadan (near Ashgabat) in July, credible reports emerged of the Turkmen authorities' efforts to prevent public access to information from non-official sources about the nature and scale of these incidents.

On 5 October, a correspondent of Radio Liberty's Turkmen Service, Dovletmyrat Yazkuliyev, was sentenced to five years in prison for his alleged involvement in a domestic family issue. Radio Liberty issued a statement at the time stating clearly that in their view he was convicted in light of his activities as their correspondent. EU heads of mission in Ashgabat raised the case promptly with the Turkmen Ministry of Foreign Affairs, underlining the importance of adherence to international standards of the rule of law and freedom of expression. We and our EU partners welcomed the news that Mr Yazkuliyev had been released on 27 October as part of an amnesty for 1,700 prisoners to coincide with the 20th anniversary of Turkmenistan's independence. The UK will continue to raise concerns where appropriate and encourage the Turkmen authorities towards greater transparency on individual cases.

While internet access has probably improved slightly over the course of 2011, the sector remains under-developed and there are continued reports of censorship. Mobile phone use remains a problem, not least given the suspension since December 2010 by the Turkmen authorities of the operation of an independent Russian mobile phone and internet operator. It remains impossible to buy international newspapers or any other foreign written media in Turkmenistan. However, satellite dishes capable of receiving Russian, Turkish and many other international news and entertainment programmes are readily available. We welcome the continued Turkmen engagement through a BBC World Service Trust programme on the reform of media regulation and journalism, which continued in 2011 following additional funding from the EU and support from the UK. A new media law is expected to be introduced in the first quarter of 2012.

We were concerned by reports of the forcible dispersal by police of a small demonstration in central Ashgabat in June over the demolition of houses. This action indicates a continued unwillingness by the Turkmen authorities to tolerate legitimate expressions of public protest.

Human rights defenders

We are concerned that human rights defenders are still unable to operate in Turkmenistan. On a number of occasions during 2011, the Turkmen authorities sought to prevent those Turkmen human rights defenders based outside the country from attending international human rights and civil society meetings held outside Turkmenistan. We voiced our concerns to the government of Turkmenistan, both bilaterally and multilaterally, including during the EU–Turkmenistan Human Rights Dialogue held in July.

Access to justice and the rule of law

Corruption and general lack of transparency remains a significant problem in Turkmenistan. Transparency International ranked Turkmenistan 177 out of 183 states surveyed in its 2011 Corruption Perceptions Index. Our Embassy in Ashgabat hosted in September the first ever seminar on the Extractive Industries Transparency Initiative (EITI) in Turkmenistan. Representatives from the Turkmen government and state oil and gas agencies participated, as well as representatives from the business

community and key multilateral organisations. We will look for further opportunities in 2012 to encourage and develop cooperation in this area.

A new penal code was adopted by the Turkmen parliament in late March. The UK provided assistance in the drafting of the new code through technical visits and seminars involving UK experts. This followed the adoption of a new Criminal Procedural Code in 2010. However, we have yet to see evidence of an improvement in sentencing and prison conditions. It remains difficult for individuals to challenge court decisions. We will continue to raise with the Turkmen authorities the issue of adherence to the rule of law, including, where necessary, lobbying on individual cases.

Despite requests, the Turkmen authorities remained unwilling to provide information on the large majority of individual cases, including those sentenced to lengthy prison terms following alleged security incidents in 2002. We will continue to urge the Turkmen authorities to provide information on these individuals and press for their families to be given access. The Turkmen authorities did, however, provide information during 2011 on two individual cases from 2006, including details of family visits and medical attention. Both cases were among those raised in the EU's Human Rights Dialogue with Turkmenistan.

The Turkmen authorities announced on 14 August that they intended to establish an inter-agency commission to monitor the implementation of Turkmenistan's human rights and international humanitarian law commitments. We understand that the government of Turkmenistan is also considering the establishment of an ombudsman system to assist Turkmen citizens in raising grievances, in line with international best practice. The UK has encouraged and supported this and we hope to see substantive progress in 2012.

Torture and other ill-treatment

Given the continued lack of full and independent access for international bodies such as the International Committee of the Red Cross (ICRC) to detention facilities in Turkmenistan, it remains difficult to make a fully accurate assessment of the treatment of prisoners and other detainees. However, there continued to be reports

in 2011 pointing to the use of torture and inhumane practices in Turkmen prisons. A UN report in June raised concerns about reports of widespread torture in places of detention and stressed the need for substantive progress in Turkmenistan's prison system. We understand that the ICRC has provided important assistance with humanitarian law.

Prisons and detention issues

In July, the Turkmen authorities granted the ICRC access to the medical unit of a detention facility. The UK welcomed this development, which was the first time that an independent body had been given access to a detention facility in Turkmenistan. The UK will further encourage the Turkmen authorities to allow full and independent access to detention facilities and individual prisoners. In September, the OSCE organised a visit to Spain by representatives from Turkmenistan's Ministry of Internal Affairs and Presidential Administration, which focused on prison management. The visit was part of a programme aimed at promoting international standards in the penitentiary system, and builds on a visit to the UK in 2010 by senior Turkmen prison-management officials to share UK experience in implementing human rights standards in prisons.

Freedom of religion or belief

We remain concerned about religious freedom in Turkmenistan. Religion is largely government-controlled and any religious organisation wishing to operate in the country is required to register with the authorities. Obtaining registration remains difficult, as does the import of religious material. Jehovah's Witnesses are subject to harassment, and several were imprisoned in 2011 for objecting to military service. There appears little prospect in the short term of a change in Turkmen law that would allow alternatives to military service. As a result of this, those who do not sign up for military service will continue to break the law and be dealt with accordingly.

Minority rights

Although Turkmenistan's legal framework provides for equal rights and freedoms for all citizens, we remained concerned in 2011 by reports of infringements in practice of the rights of national minority groups within the country (particularly ethnic Uzbeks

and Russians) to preserve their national and linguistic identity and exercise freedom of travel.

The Turkmen authorities took forward work with the UN High Commission for Refugees (UNHCR) in 2011 on a stateless persons registration programme. Further to the decision on 8 July to grant Turkmen citizenship to 1,590 stateless persons, President Berdimuhamedov signed a decree on 25 October providing citizenship to a further 1,700 stateless persons. The office of the UN High Commissioner for Refugees welcomed this, and we would encourage Turkmenistan to take further steps to make progress in this area.

Uzbekistan

Uzbekistan is a signatory to most international human rights conventions and has accepted additional human rights obligations as a member of the Organization for Security and Co-operation in Europe. There were some positive signals in 2011 that the Uzbek authorities are taking seriously President Karimov's intention, expressed at the end of 2010, to improve public awareness of the law and human rights – for example, the creation of a new Human Rights Resource Centre at the Ministry of Interior and the growing role of the Uzbek National Human Rights Centre. There remains, nevertheless, a significant gap between government rhetoric, legislation and constitutional provisions on the protection of basic human rights and implementation of these principles.

The UK's ability to work towards its human rights objectives in Uzbekistan in 2011 was hampered by the prosecution in July of a locally engaged member of staff who worked on these issues. The staff member was found guilty and fined for organising meetings with members of civil society at the Embassy without obtaining permission from the authorities. Despite flaws in the case, including relating to the evidence presented and the judicial process itself, an appeal against this ruling was turned down in August. We made clear to the Uzbek authorities that we considered the action taken against our colleague completely unacceptable. The British Embassy, like several others in Tashkent, has for a number of years held informal, routine discussions of this kind with representatives of civil society, in full adherence with the Vienna Convention on Diplomatic Relations and Uzbek law. It is unclear what prompted the authorities' action, though it was consistent with apparent wider efforts in 2011 to obstruct the legitimate activities of human rights defenders and of organisations which supported their right to take an independent view. The decision to close down Human Rights Watch after 15 years in Uzbekistan further demonstrated a deteriorating commitment to the development of civil society. There are now very few international non-governmental organisations able to operate in Uzbekistan.

In spite of these and other challenges associated with working on human rights issues in Uzbekistan, we continued to pursue objectives in this field, seeking constructive cooperation in a range of different areas. We recognised that progress would be incremental and modest, and that obtaining objective and credible information would remain difficult. We focused on support for human rights defenders, criminal and judicial reform, freedom of expression and encouraging the elimination of forced child labour. In our bilateral contacts with the Uzbek authorities we pressed for progress on individual cases of human rights defenders, activists and journalists in detention, in particular where health concerns were especially acute.

Despite the difficult operating environment, human rights will remain a key pillar of UK engagement with Uzbekistan in 2012. We will seek to expand cooperation with the Uzbek authorities, to increase constructive dialogue and to encourage reform where possible. We will maintain close cooperation with international partners, including the new EU Delegation in Tashkent. We will continue to engage with and support a range of human rights defenders, advocating their right to operate freely in Uzbekistan and calling for the release of activists in detention. We will further enhance our bilateral parliamentary links, which provide an opportunity to share knowledge and learn from each other. We will fund agricultural reform projects and champion the efforts of the Ferghana region during 2011's cotton harvest to implement the Uzbek government's stated intention to eliminate forced child labour. We will make use of programme and other funding sources to continue work on freedom of expression and criminal and judicial reform. We intend to work with Uzbekistan's Ministry of Justice and Ministry of Internal Affairs to further support the EU's criminal and judicial reform project in 2012 and 2013.

Elections

No elections were held in 2011. Links built over several years and further cemented in 2011 between Uzbek and UK parliamentarians supported our objective to make progress towards representative government ahead of presidential elections planned for 2014. In December, Uzbekistan's Senate passed legislation to shorten the presidential term of office from seven to five years. This is expected to come into force after the next presidential elections, planned for 2014. The Uzbek constitution currently requires a president to serve no more than two terms.

Freedom of expression and assembly

In 2011, we supported efforts towards greater freedom of expression, working closely with parliamentarians to increase understanding and knowledge and to promote efforts to implement legislation. In this context, we encouraged a visit by Uzbek parliamentarians to the UK in November. We supported a National Democratic Institute project, which will continue into 2012, to strengthen understanding of freedom of expression and how it can help parliament and the media to hold government accountable to its people.

In line with President Karimov's stated ambition in 2010 of encouraging liberalisation in the media, some websites, including the BBC, appeared to have been unblocked towards the end of 2011. This was a positive development. However, it is not yet clear whether this was a permanent step, and several other websites, including Voice of America, remained blocked. Internet usage in Uzbekistan developed rapidly in 2011, with improvements in broadband speed. It was positive, as the OSCE Representative on Freedom of the Media, Dunja Mijatović, noted in November, that there was a public debate in Uzbekistan about the reform of media legislation. But the overall media environment, including the internet, remained tightly controlled by the state. There were proposals in March from the Education Ministry to "filter" information on the internet to help the country's young people develop their "ideological immunity". An "Expert Commission on monitoring of the mass media and internet" was set up by the Uzbek government in August. Its powers included provision to close down any media outlet. These messages and several existing legal and administrative measures contributed to a climate of self-censorship by journalists and online activists in 2011. Those who used the internet to express dissatisfaction were often fined or arrested, including Saida Kurbanova, reportedly detained for online criticism of state-issued debit cards. Official Uzbek media did not cover in any depth the popular uprisings in the Middle East and North Africa during the spring and summer, or the protests in Russia and unrest in Kazakhstan towards the end of 2011.

The treatment of journalists remained a significant cause for concern throughout 2011. Many journalists reported harassment, including physical harm. Others were detained or fined. Pressure continued on journalist Elena Bondar, who was detained

several times at airports and required to hand over her laptop and USB memory sticks. Two positive developments included permission given to Abdumalik Boboev, a Voice of America journalist charged in 2010 with libel and unlawfully crossing the border, to travel to Germany for a scholarship; and the release of Jamshed Karimov, a journalist and member of the Human Rights Society of Uzbekistan, who was held in a psychological hospital for five years.

The Uzbek authorities continued to disrupt attempts by individuals to protest peacefully in 2011. In January, an attempt by human rights activist Abdullo Tojiboy-ugli to protest outside the prosecutor-general's office in Tashkent was reportedly disrupted by police. In October, protesters in Karshi reported that their houses were surrounded by police and that they were unable to attend planned gatherings. Others were allegedly diverted to work in the cotton fields.

Human rights defenders

In 2011, we welcomed the release of a number of prominent human rights defenders and activists. These included writer Yusuf Juma; HIV/AIDS campaigner Maxim Popov; and the former president of the Human Rights Society of Uzbekistan, Norboy Kholjigitov. A major amnesty in December may have released as many as 30,000 prisoners. However, we were concerned that those released did not appear to include any human rights defenders, of whom a significant number remained in detention, many in poor health. The Uzbek government provided information to us on specific cases, including through the annual EU–Uzbekistan Human Rights Dialogue. The activities of those human rights defenders who were not in detention remained strictly regulated and there were consistent reports of harassment and persecution. Human rights defender Elena Urlaeva was allegedly detained and beaten in Namangan in August while attempting to monitor the trial of two journalists. Another human rights defender, Tatiana Dovlatova, was subjected to official pressure throughout 2011, culminating in the arrest of her son on charges that she disputes. Ezgulik, one of Uzbekistan's few registered human rights organisations, was reportedly on the verge of bankruptcy after paying out huge fines on disputed charges and a substantial increase in rent.

Supporting human rights defenders remained an important part of our work in Uzbekistan in 2011. This included our Embassy's discussions with representatives of civil society, for which our member of staff was prosecuted, and continuing to press for progress on a number of individual cases.

Access to justice and the rule of law

According to Uzbek law, trials must be open, unless justified by exceptional circumstances such as the protection of state secrets, victims or witnesses. The year saw a number of trials of alleged Islamic extremists, to which all access was refused. There were concerns in several cases that verdicts appeared to be preordained and defence evidence not taken into account. In August, a military court in Tashkent sentenced a Tajik citizen, Said Ashurov, chief metallurgist at Amantaytau Goldfields, to 12 years in prison for espionage, based on information allegedly carried on a USB memory stick. His lawyers maintain that Mr Ashurov's position in the company meant that he had no access to any sensitive information. We are seriously concerned about the credibility of this case and reports about his health.

We were encouraged by Uzbekistan's participation in an EU-led project on criminal and judicial reform. A separate UK criminal and judicial reform project (which will continue into 2012) focused on supporting judges' and lawyers' capacity to uphold rule of law and international human rights standards in torture cases.

There were a number of high-profile arrests of officials and business people on corruption charges during 2011, and in one case US $2 million was reportedly confiscated by local law-enforcement officers. However, there appeared to be little impact of the crackdown on corruption at the service delivery level, especially in key sectors such as health and education where bribery was regularly cited as a pre-requisite to obtaining services. Uzbekistan was ranked 177 out of 183 states surveyed in Transparency International's Corruption Perceptions Index 2011.

Torture and other ill-treatment

A lack of verifiable information and limited access meant that allegations of torture and other ill-treatment in Uzbekistan were difficult to assess during 2011. Despite

persistent requests by many members of the international community, including the UK, Uzbekistan has not permitted the return of the UN Special Rapporteur on Torture since a visit in 2002, and has yet to ratify the Optional Protocol to the Convention against Torture. In October, an Uzbek human rights organisation, Ezgulik, alleged the existence of special, freezing-cold torture cells in Uzbek prisons. A Human Rights Watch report, published in December, catalogued a number of reported incidences of serious torture. Such allegations of torture in prisons, from credible sources, surfaced consistently over the year, including the case of Azamjon Formonov, chairman of a regional branch of the Human Rights Society of Uzbekistan. The parents of Dilshod Shohidov reported in October that their son had been subjected to brutal, systematic torture during his imprisonment on charges of distribution of extremist literature and theft.

Prisons and detention issues

New legislation "on keeping suspected criminals in custody during the investigation of a crime" came into force at the end of September. The new law has been cautiously welcomed, but it is not yet clear what impact it is having on detention conditions. We remained concerned about the implementation of the habeas corpus legislation introduced in Uzbekistan in 2008. Reports of arbitrary detention were widespread in 2011 and conditions in pre-trial detention were often reported to be very poor. Access by international organisations to prisons remained very limited, although the International Committee of the Red Cross was able to continue its important work in Uzbekistan. There were a number of deaths in prison in 2011, and several cases where bodies were reportedly returned to families with what appeared to be torture marks on them. Of particular concern were the reported deaths in prison of Okikhon Ziyokhonov, Abdullaev Mukhiddin, Umid Batirkhanov and Abdulaziz Mirzaev – detained on charges ranging from attempting to overthrow the constitutional system and religious extremism to theft – and the lack of investigation into these cases.

Freedom of religion or belief

There are reportedly 16 religious denominations registered in Uzbekistan. Restrictions on freedom of religion or belief remained significant in 2011. There were regular reports of abuse and harassment of individuals on religious and belief

grounds. A registered Baptist church in Tashkent was reportedly raided twice in April, as was a Baptist church in Angren in October. It is of particular concern that the harassment of individuals includes children: there were reports that two Baptist school children were warned that if they attended church they would be expelled from their school. Persecution and harassment continued in 2011 of Muslims who did not support the state-sponsored model of Islam. These individuals were particularly vulnerable to arrest on grounds of extremism. Sixteen such individuals were given long prison sentences on charges including "Wahhabism". Their trial, conducted privately, gave rise to concerns that the result was reportedly preordained and the defence's evidence not taken into account. In November, it was reported that artists had been instructed by the country's security services not to use religious themes in their work. According to reports, only 5,080 Uzbek Muslims of a potential quota of around 28,000 were permitted to travel to Mecca for the 2011 Hajj.

Children's rights

In April, the Uzbek government announced a new working group to prevent forced child labour and stated that the economic and social conditions for the use of forced child labour had been eliminated in Uzbekistan. However, International Labour Organization observers were again barred from monitoring the cotton harvest in 2011. Informal observation was undertaken by international organisations and local human rights defenders who reported some pressure on their activities. There were indications that incremental progress had been made in eliminating forced child labour, and efforts – particularly by the authorities in Ferghana region – to reduce the number of children working in the fields were encouraging. In Ferghana, no children under the age of 16 were observed working in the fields; this was a positive development. However, widespread use of children aged between 11 and 15 was reported by credible independent observers across Uzbekistan during the cotton harvest. UK efforts in 2011 focused on supporting agricultural reform and diversification as part of efforts to support the search for sustainable alternatives to dependence on cotton. We initiated a pilot project in Andijan on crop protection and, subject to progress, we will look to expand this work in 2012. We will also support efforts to advocate the economic benefits of reform, including through a World Bank-sponsored study.

Vietnam

There was no discernible improvement in the human rights situation in Vietnam in 2011. As expected, changes to the political elite announced at the Communist Party Congress in January did not lead to greater respect for civil and political rights. Political opposition continued to be outlawed as the party sought to consolidate its position of control as it guides the country through the next stage of economic development following its success in significantly reducing poverty and attaining middle-income-country status. An increasing number of bloggers and peaceful activists were arrested and imprisoned under national security laws for criticising the authorities and new regulations were introduced placing further restrictions on the media.

The UK's overarching human rights objective was to strengthen accountability, which would lead to increased freedom of expression, more effective oversight mechanisms, a more robust response to corruption, a greater role for non-state actors and a better human rights record. Under this objective we focused on four areas: building engagement with the government and party on key areas of concern; supporting the development of the media; enhancing openness and transparency and government accountability; and tackling corruption.

Over the course of the year we were active in all these areas, although concrete outcomes remained hard to deliver. In a challenging economic period where reforms are needed, the party responded by further restricting opportunities for criticism and dissent. Where the authorities saw advantage in making improvements, including developing a more professional media, tackling corruption and building the role of the National Assembly, we achieved more traction.

Through the UK–Vietnam Strategic Partnership, signed in 2010, we encouraged ministerial dialogue on key areas of interest. Our Ambassador in Hanoi regularly raised issues of concern with Vietnamese ministers, and human rights remained a key pillar of DFID's Development Partnership Arrangement. During his visit to Vietnam in April, Minister of State Jeremy Browne's keynote speech at the Academy

of Journalism and Communications focused on the role of media in society. Despite the introduction of tighter media controls, we continued to support media practitioners, educational and training institutions and NGOs operating in this field to build a more professional working environment for local journalists.

The UK continued to support the development of the National Assembly's accountability and oversight role through sharing experiences during the visit of the UK All-Party Parliamentary Group in September; a number of meetings between UK parliamentarians and the president of the National Assembly during the latter's visit to the UK in December; and our ongoing support for the development of this institution. The party and government recognise that a stronger National Assembly that is seen to be fulfilling its challenge function affords them greater credibility with the population. The UK played a prominent role in the fight against corruption, taking over as lead development partner in June. We worked with the government and the rest of the international community to build consensus on key areas for urgent action, which we are now taking forward. DFID Vietnam also continued their successful work with the State Audit of Vietnam.

In the short term, there are no signs that the human rights situation in Vietnam will improve. The party remains firmly in control and is unlikely to relax its tough stance towards free speech and any perceived challenges to its authority. In 2012, we will continue to press the authorities to adopt a more tolerant approach. In doing so, we will continue to stress the link between Vietnam's future macro-economic development and its willingness to encourage free speech, open debate, innovation and creativity – all important catalysts in developing a modern, vibrant industrialised economy.

At the same time, we will encourage further progress in areas where we and the Vietnamese government both agree there is a need for sustained action. This includes our collective efforts to tackle corruption and deliver against commitments agreed in 2011, including improving the enforcement of the existing legislation and broadening engagement to include provincial and local government, civil society, the private sector and individual citizens. We will continue to promote transparency and accountability, particularly the oversight role of the National Assembly, by fostering

links created through the 2011 visits by the UK All-Party Parliamentary Group and the president of the National Assembly and by identifying further opportunities to support the National Assembly and its deputies. We will encourage further developments within the media sector, working directly with the media and the Ministry of Information and Communications.

Elections

May 2011 saw elections for the 13th term (2011–16) of the National Assembly, the legislative branch. While non-Communist Party (party) members were allowed to stand, deputies were only presented for election after being approved by the Fatherland Front, a mass organisation with strong links to the party and government. On election day, official voter turnout was recorded at more than 97%, although in many cases one person voted for their whole family. As in the previous term, more than 90% of elected deputies were members of the party. Despite its lack of independence from the party, the National Assembly has demonstrated an increased willingness to challenge the government.

During his visit to the UK in December, Mr Nguyen Sinh Hung, chairman of the National Assembly, held discussions with parliamentary leaders on accountability and the National Assembly's oversight role. This year, our Embassy and DFID Vietnam continued to support the National Assembly through various projects, including a workshop for deputies on better questioning and the development of a website linking deputies with constituents. DFID contributed towards the United Nations Development Programme's capacity-building work through the One UN Fund.

Freedom of expression and assembly

Freedom of expression and media freedoms remained key areas of concern for the UK. The Vietnamese authorities maintained their tough stance against any form of political dissent and their firm grip on print, broadcast and online media across the country. Despite the restrictions placed on the internet, the number of web users grew to more than 24 million and there were an estimated 1.5 million bloggers. According to state-controlled media sources, the use of social networks in Vietnam

continued to grow, with Zing Me, a popular site, reportedly having more than seven million users and Facebook more than four million.

National security laws were used against bloggers and peaceful political activists. Lengthy prison terms were given to high-profile dissidents convicted of conducting anti-state propaganda, including blogger Vi Duc Hoi, a former party member, and independent online journalist Lu Van Bay. It was not only high-profile individuals who were detained. In May, seven land-rights campaigners were convicted of subversion and sentenced to between two and eight years in prison.

In 2011, the government announced new regulations placing further restrictions on the media. Under Decree 02/2011, journalists faced increased fines for refusing to reveal their sources. The UK and other members of the international community raised concerns about this legislation along with Decision 20/2011, which will require the output of foreign TV broadcasters to be edited and translated by government-licensed agents from May 2012. This is expected to have serious implications for all foreign broadcasters, particularly news channels.

Throughout this period, the UK continued to support the development of the media sector. This included the successful conclusion of the MediaPro project to revise the journalism curriculum at three key educational institutions and to support the Vietnam Journalists Association in drafting a code of conduct. This led national broadcaster Vietnam Television (VTV) to seek UK support for the development of its own code of conduct. We also supported research, awareness-raising and training for journalists with local NGO RED Communication, which will continue in 2012.

At the end of the year, the law on access to information remained on the reserve list of laws to be considered during the 13th National Assembly term. The UK continued to urge the government to speed up the passage of this legislation, highlighting the important role it could play in promoting transparency and openness, particularly in the fight against corruption.

While large-scale protests remained rare, in April there was an incident involving security forces in Muong Nhe, a remote area in the north of the country, where more

than 5,000 predominantly ethnic Hmong had gathered for spiritual reasons. The UK was part of a group of embassies that subsequently visited the region to highlight concerns about the authorities' handling of the incident and to urge greater tolerance and improved openness in the future.

Throughout the year, there were a number of smaller-scale protests. In some cases there were reports of heavy-handed policing and the use of plain-clothes security officers to break up protests. Over the summer months, weekly anti-China protests took place in Hanoi and Ho Chi Minh City, initially attracting hundreds of protesters who had linked up through online chat-rooms and social networks. In August, the Hanoi authorities banned these protests. In November, the Prime Minister announced the drafting of a law on demonstrations. The UK will be monitoring the development of this law closely and encouraging the Vietnamese government to ensure that international human rights norms are applied in its drafting.

Human rights defenders

Human rights defenders continued to face severe sanctions from the authorities for non-violent activities. This included the arrest and imprisonment of bloggers, journalists and peaceful political activists, mostly under Vietnam's national security laws. By the end of the year there were 56 detainees on the EU's local list of persons of concern, an increase of 12 compared to the end of 2010.

In April, human rights lawyer Cu Huy Ha Vu was sentenced to seven years for disseminating anti-state propaganda. In July, dissident Catholic priest Father Ly was returned to prison from compassionate medical leave to complete his eight-year prison term for disseminating anti-state propaganda. In both cases, the UK supported EU action to raise our collective concerns about their convictions and to call for their release. In August, lawyer Huynh Van Dong, who had represented the seven land-rights activists convicted of subversion in May, was disbarred by the Dak Lak Bar Association without the right of appeal. We supported the EU in raising Mr Dong's case with the local authorities. In June, activist Tran Khai Thanh Thuy was released from prison on humanitarian grounds and deported to the US, where she had been granted permission to remain.

Access to justice and the rule of law

Corruption in Vietnam remained systemic, threatening the country's growth and stability as well as its reputation as a place to do business. This continued to have a significant impact on the poor and the vulnerable. Despite the government having made progress in establishing a strong legal framework on corruption, there were serious shortcomings in the enforcement of the legislation, and a lack of openness and transparency hampered anti-corruption efforts.

In June, the UK took on the role of lead development partner on anti-corruption, spearheading the international community's support for the government in delivering the National Anti-Corruption Strategy to 2020. At the 10th Anti-Corruption Dialogue in Hanoi in November there was consensus between the government and development partners on the need to tackle significant bottlenecks around the enforcement of anti-corruption legislation; broaden the anti-corruption coalition to include provincial government, civil society, the private sector, media and citizens; and improve transparency and access to information. The UK is driving forward this agenda to turn these recommendations into reality.

In November, the National Assembly approved a new law on denunciations, which included a chapter on the protection of whistleblowers. This law will take effect from 1 July 2012 and we will be monitoring its implementation closely.

There was limited progress on implementing the Communist Party's Judicial Reform Strategy to 2020. Concerns remained over the judiciary's lack of independence, political interference in court decisions and the failure of the authorities to respect citizens' legal rights. The judiciary continued to face difficulties over the lack of trained court officials, a serious shortage of qualified lawyers and frequent turnover of party-appointed judges.

Death penalty

Figures on the death penalty remained a state secret, although the government maintained that all death sentences were reported in the media. By December, state-controlled media sources had reported that at least 117 people had been sentenced to death and 17 had been executed – an increase on the figures recorded

in 2010, although actual numbers might have been higher. According to media reporting, all of these people had either been convicted of murder or drug trafficking. The UK and our EU partners continued to urge the Vietnamese government to introduce a moratorium on the use of the death penalty and, in the meantime, to adopt a more open and transparent approach to its application.

Torture

During the year, there were reports of the mistreatment of detainees in pre-trial detention and prison. It was impossible to verify these reports due to the lack of any independent inspectorate to investigate such complaints. By the end of the year, the government had still not signed or ratified the Convention against Torture (CAT), despite continued assurances that it intended to do so. We are further concerned that administrative sanction has been used to detain individuals in re-education centres without trial.

In March, a team from the UK Ministry of Justice National Offender Management Service (NOMS) visited Vietnam under an Embassy-funded project aimed at demonstrating UK best practice in the field of offender management. The NOMS group was given restricted access to two prisons where they saw sparse but clean conditions. Inmates were seen outside their cells, which they usually shared with up to 40 fellow prisoners, mostly working on menial manufacturing tasks. According to prison authorities, privileges were given to inmates who worked. They were allowed to receive food parcels from their families and conjugal visits were granted under special circumstances.

In September, more than 10,000 prisoners were released under a National Day amnesty. To be granted amnesty, prisoners had to meet criteria set down by the government, including expressing remorse for their crimes (a *de facto* admission of guilt) and paying any outstanding fines.

In November, the visiting UN Special Rapporteur on the Right to Health criticised the government for its use of administrative detention to hold drug addicts and sex workers in rehabilitation centres. The UK continued to oppose the government's use of such centres, and we focused our efforts on working with the government and

international community to strengthen and scale up community-based approaches, needle and syringe programmes and opiate-substitution programmes. The new draft law on handling of administrative violations removed the provision for sending sex workers to these centres and included instead the provision for community-based approaches, which was a welcome development.

Freedom of religion or belief

The government continued to implement its 2004 Ordinance on Belief and Religion, which protects the right to worship. However, there were ongoing concerns about the implementation of this legislation in some provinces. During their visit to Vietnam the UK All-Party Parliamentary Group (APPG) met religious leaders who complained of inconsistent application of the legal framework at the local level, including delays in registering churches and isolated cases of harassment. The UK APPG subsequently raised these concerns with the National Religious Commission and urged them to take action.

Women's rights

DFID Vietnam was part of a group of donors that carried out the Country Gender Assessment for Vietnam with the government. This identified a number of key strategic gender priorities, including the need for better employment opportunities; improved political participation; reduction in domestic violence; and more effective implementation of the gender equality law and the domestic violence law. These priorities were subsequently embedded into the National Strategy for Gender Equality for 2011–20 and the National Programme for Gender Equality for 2011–15, which were both approved by the government. DFID is working closely with key partners, including UN Women and the World Bank, to coordinate support in implementing these important strategies.

Minority rights

Development outcomes for ethnic minorities, including poverty reduction, still lagged behind those of the majority Kinh. The Vietnamese government continued to invest in the poorest mountainous communities, where many ethnic minority groups live. DFID Vietnam plans to support new approaches, including cash transfers, which are being piloted. At the same time, a concerted effort is needed to ensure that ethnic

minorities have a greater say in which approaches are most effective for them. The special theme on ethnic minority poverty in the upcoming poverty assessment was expected to stimulate debate on how best to tackle this ongoing challenge.

Children's rights

Human trafficking, particularly the trafficking of young women and children, from Vietnam to elsewhere in the region (principally to China and Cambodia) and beyond remained a growing concern. Vietnam introduced anti-trafficking legislation mid-2011 and began to recognise the trafficking of men, women and children. There remained, however, problems with victim identification. The lack of central resources and the requirement of provincial authorities to finance victim reintegration had the effect of denying recognition for genuine victims. There were, however, a number of successful prosecutions of traffickers throughout the reporting period.

Yemen

Yemen's human rights performance was seriously tested in 2011. In late January, widespread political protest was ignited across the country. Tens of thousands of protesters, mainly students, political opposition parties, civil society and human rights activists, gathered to voice their opposition to the Yemeni regime. Parliamentary elections, already postponed in 2009, had been rescheduled for early 2011, but when agreement could not be reached on electoral reform they were postponed again, leading to increased tension and violence. Numerous credible accounts exist of human rights violations perpetrated by government security forces against unarmed civilians, most notably on 18 March in Sana'a, when over 40 peaceful protestors were killed by gunfire, and in Taiz on 29 May. As a result, several members of the Yemeni government (including the minister for human rights) and the military resigned, and a state of emergency was declared. In response, and recognising the inability of Yemeni mediators to resolve the growing crisis, the Gulf Cooperation Council (GCC) formulated and brokered its initiative for political transition. During 2011, hundreds of civilians were killed and injured, largely as a result of the use of lethal force by the security forces and armed supporters of then President Saleh. Following signature of the GCC transition plan on 23 November 2011 and Presidential elections on 21 February 2012, President Saleh was replaced by Abd Rabbuh Mansour Hadi.

There were many examples of media restrictions, intimidation, incommunicado detention, exposure of civilians to armed conflict, large-scale displacement of people, humanitarian crises, torture, an absence of accountability and justice, and the recruitment of children into the ranks of government security forces and the armed opposition.

The UK's overarching priority for 2011 was to encourage peaceful political transition as the most effective way to improve human rights and tackle the growing humanitarian crisis. Our human rights strategy for Yemen focused on protection of civilians in areas of conflict, freedom of association and expression, and gender equality. With the onset of popular opposition to the Yemeni government, the

significant decline in internal security and the subsequent withdrawal of some Embassy staff, UK resources for human rights-related work were stretched. We, along with our international partners (including the UN, EU, US and GCC states), saw the GCC initiative as the most credible plan to achieve stability, political inclusion and a properly mandated government to act in the best interests of all Yemeni people.

Ministers, the British Ambassador to Yemen and other senior officials have frequently engaged Yemeni officials, ministers and then President Saleh to communicate the Government's dismay and shock at the deaths and ill-treatment of unarmed civilians. We have persistently urged the Yemeni authorities and the opposition to act with restraint, to respect the right to freedom of expression and assembly and to bring to justice those responsible for human rights violations and abuses. In response to the alarming escalations in violence, the Foreign Secretary and Minister for the Middle East Alistair Burt repeatedly reminded then President Saleh of his responsibility to fulfil his promise to step down after elections and of his duty to protect civilians and respect fundamental human rights.

Most UK action to achieve a peaceful resolution to the political impasse and to prevent further violence has been in concert with key international states and institutions, particularly the EU, US, GCC states and the UN. We welcomed the visit by a UN human rights mission in June/July and its comprehensive report, and actively participated in the discussions at the 18th session of the Human Rights Council in Geneva in September, which led to the adoption of a resolution that included the condemning of "all violations of human rights in Yemen by all parties". The resolution also noted the announcement by the Yemeni government that they would investigate allegations of human rights violations, and requested the Office of the High Commissioner for Human Rights (OHCHR) to report on progress at the next session of the Human Rights Council. We actively supported the mediation role of UN Special Adviser Jamal Benomar during his seven visits in 2011, and participated in UN Security Council discussions, which ultimately resulted in the unanimously adopted Resolution 2014 in October. This resolution underlined the need for investigations into alleged human rights abuses and violations, and stressed that all

those responsible should be held accountable, as well as the compelling need for political transition.

For transition to succeed in Yemen and stability and security to be successfully re-established, interim presidential elections had to take place. Following these, the second phase of transition will see the convening of a conference of national dialogue and a mechanism (the proposed Contact Committee) to allow greater participation of Yemenis in the political process, including women, all political parties and young people. Yemeni society has expressed a widespread desire for reform, for a more representative government free from corruption and for its grievances to be heard and addressed. The UK will continue to give full support to the new National Unity Government, and to urge popular participation in the political process. We will seek to deter any elements of the former regime from disrupting the transition process.

The UK will take steps to revive the Friends of Yemen process, which we established in 2010, to support and guide Yemen during this time of transition. We will look to bolster the political transition process, for example through providing support with the running of elections and through further humanitarian assistance. The GCC and the UN have been instrumental in facilitating change in Yemen, and the UK aims to work with them, in the UN Security Council, and in particular with the UN Special Adviser on Yemen, to support the successful implementation of agreed transition. Coordinated action with the EU remains vital to delivering strong messages, as we did on proposed changes to Yemeni law governing the freedom of non-governmental organisations (NGOs) to operate in Yemen. During 2011, the UK continued to fund conflict-prevention projects seeking to train mediators, strengthen the capacity of Yemeni civil society, and to foster democratic participation in the political process by young Yemeni people. These projects will continue into 2012 and we will look for further opportunities to fund similar work.

Elections

A system of parliamentary democracy exists in Yemen. However, parliamentary elections, already postponed in 2009 and rescheduled for early 2011, failed to take place. This caused widespread frustration, aggravated by uncertainty over

opposition involvement, a new election law which did not seek to update new voter registration prior to the election and inconclusive national dialogue. The then President Saleh subsequently declared that he would not run for re-election and, in March, announced a proposal to defuse growing tensions, namely to amend the Yemeni constitution to introduce a system of parliamentary democracy, devolution of power to the regions and the holding of a referendum on various measures, including a new election law. However, agreement could not be reached and violence escalated. Presidential elections last took place in 2006 and were not scheduled to take place until 2013. But the GCC initiative and implementation mechanism made early interim presidential elections a crucial phase of political transition. Presidential elections were held on 21 February 2012 with former Vice President Abd Rabbuh Mansour Hadi the successful candidate. The UK fully supported this process and looks forward to the second and final stage of transition which should see the agreement by referendum of constitutional changes and parliamentary elections in early 2014.

Having engaged with the work of the UN Needs Assessment Mission, deployed to Yemen in November, DFID aims to contribute £1.5 million to the UN Development Programme (UNDP) multi-donor fund to ensure timely procurements in advance of the election. Targeted outputs will include the provision of equipment to 742 polling stations, training for 13,200 polling staff, a communications outreach programme targeting women and youth, and radio broadcasts.

Freedom of expression and assembly

Restrictions by the state on media outlets, together with self-censorship and intimidation of individual journalists, are long-standing issues in Yemen. Mass anti-government demonstrations during 2011 and the exposure of human rights violations by the press have resulted in well-documented repressive tactics against independent and opposition media by the state apparatus. According to reports, including by the Committee to Protect Journalists and Reporters Without Borders, five journalists were killed whilst covering demonstrations. Journalists reported receiving death threats, and news agencies were harassed. Al-Jazeera and Al-

Arabiya had transmission equipment seized on the basis that they were “inciting violence” through “biased reporting”. Several foreign journalists were detained and deported for contravening visa rules, whilst many others were denied entry to the country. On 24 March, the offices of Al-Jazeera were shut down by the authorities and the licences of its journalists withdrawn, possibly in connection with its explicit reporting of the use of lethal force against civilian protesters by government security forces.

There are no reliable statistics on the number of civilians killed, wounded and arrested in connection to demonstrations during 2011. In a report in January 2012, Amnesty International stated that the number exceeded 200, whilst Human Rights Watch wrote in October 2011 that 225 had died in attacks by security forces and pro-government gunmen on largely peaceful protests. In its report published in September, following a fact-finding mission in June/July, the Office of the High Commissioner for Human Rights (OHCHR) observed that “hundreds have been killed and thousands have suffered injuries including loss of limbs” as a consequence of the “excessive and disproportionate use of lethal force by the state”. The OHCHR’s observations and recommendations formed the basis for discussions at the Human Rights Council in September, which resulted in a resolution calling for restraint, respect for the freedom of expression and full and independent investigations into human rights violations and abuses. The Human Rights Council will review its resolution at its next session, following a progress report from the OHCHR.

International media reported the deaths of many more civilians in the last two months of the year, including women and children, in Taiz at the beginning of November and on 24 December in Sana’a. On 14 November, FCO Minister for the Middle East Alistair Burt publicly condemned “the killing of unarmed civilians, including women and children” and called on the government of Yemen to “ensure those responsible, including in the government forces, for the killing of civilians face justice and focus on protecting the security of its citizens, including respecting their right to peaceful protest”. Media and NGO accounts of violations and abuses against civilian protesters have detailed the use of snipers, lethal gas, batons, electronic stun guns, polluted water and heavy artillery. There are numerous credible reports that the

main perpetrators were government security forces and armed supporters of former President Saleh. The Yemeni authorities have declared their intention to investigate human rights violations, so far without any concrete results. The UK will continue to monitor events and participate in discussions, and will keep up pressure for full investigations.

Human rights defenders

Yemen civil society and human rights activists have been energetically involved in the protest movement. Tawakol Karman, a political activist, co-founder of Women Journalists Without Chains, and recent recipient of the Nobel Peace Prize, has been a conspicuous participant. She was briefly detained in January, accused of inciting disorder and chaos. Others include the activist Ammar Al-Saqaf, detained in October, and Southern Movement leader Hassan Baoum, who was held by Yemeni security forces without charge from February to December. In the latter part of 2011 many more were allegedly arrested by government security forces as well as by dissident forces led by General Ali Mohsen Al-Ahmar. Intimidation and harassment of human rights activists have been common tactics employed by the Yemeni authorities, and according to Yemeni activists, referred to in Yemeni and international media on 14 December, have resulted in approximately 1,400 detentions since February. According to Yemeni human rights organisations The National Organization for Defending Rights and Freedoms (HOOD and the Yemeni Observatory for Human Rights) many detainees have been subjected to violence and torture. The UK welcomed the announcement in December that the Yemeni interior minister had ordered the release of all detainees held in connection with demonstrations in 2011. Mane Al-Mutairi, a Yemeni activist, informed Reuters in December that it was still not certain whether all detainees had been freed. Demonstrators calling for their release continued in January 2012. We are monitoring the situation and looking to the National Unity Government to fulfil its pledge to release the detainees

Access to justice and the rule of law

Yemenis commonly express mistrust of judicial institutions for their lack of accountability, independence, transparency, consistency and professionalism. DFID had been funding a project designed to improve judicial and police services and their accountability to Yemeni citizens, but in 2011, due to the rapid deterioration in internal security and the threat of civil disorder, staff were withdrawn from Yemen and the project put on hold. DFID hope that successful political transition and the re-establishing of security will allow the programme to recommence in 2012.

Torture

Yemeni human rights organisations allege that the Yemeni authorities frequently use torture and cruel and inhumane treatment against civilians. The mission from the Office of the UN High Commissioner for Human Rights (OHCHR) received reports when they visited Aden of the torture of three detainees, two of whom died following beatings with rifles, electrocution and burning with cigarettes. There was no evidence of any investigations or prosecutions. The mission stated that torture, harassment, threats and violence had also seemingly been used by opposition supporters against those expressing support for the president. The OHCHR report includes an account of a Yemeni poet who was allegedly tortured and had his tongue cut out by armed opposition forces connected to General Ali Mohsen for voicing his support for former President Saleh.

It is estimated by Yemeni human rights organisations and activists that approximately 1,400 protesters were detained during 2011, many of whom remain incommunicado. The OHCHR mission reported that investigations into cases of arbitrary detention were being carried out by the Criminal Investigation Department and the Political Security Organisation (PSO). Whilst the mission was assured that prosecutors were being granted access to detainees, there was no confirmation that this had been extended to all places of detention. Private detention facilities exist outside their jurisdiction, some allegedly controlled by tribal forces and others by the opposition Islah Party and the armed opposition.

Conflict and the protection of civilians

Prior to the popular protests, Yemen already had, according to UN estimates, in excess of 250,000 internally displaced persons (IDPs), resulting from six rounds of conflict in the north of Yemen between the Huthi movement and government security forces. Widespread protests, the withdrawal of central government control, disintegrating state authority and security, and emboldened Huthi militants seeking greater autonomy, all threatened the safety of the IDPs. International aid agencies, without the support and protection of government security forces, found it increasingly difficult to operate. Many agencies withdrew their staff and those remaining were further constrained in their ability to access the displaced by fuel shortages resulting from damage to the Ma'rib pipeline.

Al-Qaeda in the Arabian Peninsula (AQAP) and other militant groups took advantage of the increasingly under-governed areas of southern Yemen. In May they launched an armed offensive on Zinjibar, Abyan Governorate. The UN High Commissioner for Refugees reports that up to 140,000 people have been displaced in southern Yemen since mid-2011 and this presented an enormous challenge to aid agencies and Yemeni infrastructure. It had the effect of limiting access to education due to the high number of displaced persons taking refuge in schools in and around Aden. This represents only a part of the growing humanitarian crisis in Yemen. The UK's response, through DFID, has been to increase humanitarian assistance to over £15 million, delivered through a variety of agencies including UNICEF, the International Committee of the Red Cross and a consortium of NGOs including Oxfam, Save the Children, CARE and Islamic Relief. UK Aid is already helping to treat over 80,000 malnourished children under the age of five and to screen 1.1 million more. DFID is looking to provide a further £5 million of humanitarian assistance in 2012.

Women's rights

According to the World Economic Forum's Global Gender Gap Index for 2011 Yemen is ranked 135 out of 135 countries, unchanged from 2010. Yemen is a conservative society which, despite enshrining guarantees of equality for women in the constitution, has legal and social systems that effectively undermine the ability of women to exercise many economic, social, political or cultural rights.

Women have actively participated in anti–government protests. A notable example is Tawakol Karman, a prominent leader in the protest movement and outspoken critic of former President Saleh and his government. There are many reports of harassment, abuse and threats meted out to women involved in demonstrations, and in a speech in April, then President Saleh seemed to back those opposed to the involvement of women in protest movements by criticising protesters for permitting the mixing of unrelated men and women during marches and in protest camps.

Political transition is an opportunity for women to seek a greater role in political and social affairs in Yemen. Female activists agreed in December to hold a National Women's Conference in March 2012 with a view to pressing for greater participation in political decision-making during transition. Reports indicate that representatives have already met with and received the endorsement of the new Prime Minister, Mohammed Basindwa. The activists will prepare a strategy in parallel to the GCC initiative which seeks to formalise a future role for women in the context of a revised constitution and the forthcoming national dialogue. The UK welcomes this initiative.

Children's rights

Local reporting from Yemen as well as by international NGOs indicates that children as young as 15 years have been recruited by government forces and armed opposition forces to protect anti-government protesters. This was noted by the OHCHR in the report following its investigative mission. The UK fully supports the recommendation to both sides that they take immediate steps to end this practice, demobilise those already recruited and "ensure that no children under the age of 18 years, among their supporters or under their command, participate in checkpoint activities or in protecting protesters".

In 2012, the UK will engage with the new National Unity Government on the subject of the previously shelved plans for raising the minimum age for marriage. According to a Yemeni government and UNICEF survey in 2006, 52% of women marry before the age of 18 years and about 14% marry before the age of 14 years. Child marriage has a well-documented negative impact on the life chances of young women, inhibits their freedom of choice, denies access to education, limits

employment opportunities and can have a serious impact on physical and reproductive health.

Poverty and the right to an adequate standard of living

Yemen is the poorest country in the Middle East and one of the poorest in the world, ranked 133 out of 169 countries on the UN Development Programme's Human Development Index. According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), the number of food-insecure people (defined as having limited or no access to sufficient, nutritious food and eating a poor or borderline diet, according to internationally set standards) is now estimated at 6.8 million, of whom nearly half are known to be severely food insecure (suffering from chronic food shortages). The political impasse in Yemen has exacerbated the already serious situation and further reduced provision of basic services, increased the cost of basic food items and limited the supply of fuel and water.

OCHA has led the formulation of the Yemen Humanitarian Response Plan (YHRP) for 2012, launched on 14 December. The new plan addresses the needs of vulnerable people nationwide (including women, children, internally displaced persons and refugees), aims to address a series of complex emergencies across the country, and includes three separate but complementary response plans for the north, south and central/western regions. The YHRP seeks $447 million to support over 3.7 million people facing acute humanitarian needs. DFID are developing a formal response to this plan.

Zimbabwe

Following a worrying rise in political violence and intimidation at the start of the year, Zimbabwe's human rights situation by the end of 2011 had returned to the relative stability experienced in 2010. The early spate of politically motivated human rights abuses targeting political and civil society groups was believed to have been triggered by calls made by the Zimbabwe African National Union – Patriotic Front (ZANU-PF) for elections to be held in 2011, but declined as the prospect of early elections receded. Reports by reputable civil society groups continued to show a year-on-year decrease in human rights abuses since 2008. Figures from the Zimbabwe Peace Project indicated there were 23,755 incidents reports in 2008, which fell to 14,725 in 2009, 10,703 in 2010 and 9,826 for January to November 2011 (at the time of writing, accurate figures for December 2011 had not yet been released).

However, political tension remained high throughout the year and sporadic harassment of civil society activists continued. In March, the Southern African Development Community (SADC) issued a communiqué condemning the government of Zimbabwe for its violations of human rights and called on it to implement fully the Global Political Agreement (GPA) in advance of any elections in Zimbabwe. On 11 November, leaders of the three political parties represented in the Inclusive Government gave a commitment to stop inter-party violence. One month later, on 8 December, President Mugabe used his speech to the ZANU-PF conference to denounce violence and call for peace. We welcome the rejection of violence and will monitor the impact of these announcements.

In 2011, we continued to pursue our policy of encouraging good governance and advancing democracy. Working with the EU, we encouraged the Inclusive Government in Zimbabwe to fulfil its commitments under the GPA to improve its human rights record. Our Embassy in Harare has worked closely with NGOs, human rights defenders and other diplomatic missions to ensure effective monitoring of the human rights situation and coordination of developmental assistance. Our Ambassador to Zimbabwe has raised concerns about human rights violations with

the government of Zimbabwe, highlighting the damage these were causing to ordinary Zimbabweans and to Zimbabwe's wider reputation. Embassy officials observed several protest marches and court cases involving human rights defenders. We have pursued our policy of maintaining awareness within the international community and we raised our concerns over Zimbabwe's human rights record during its Universal Periodic Review at the UN Human Rights Council in October. The FCO spent £2 million supporting human rights and governance projects in 2011.

Prospects for 2012 will depend in large part on whether elections take place, with the risk of deterioration in the human rights environment remaining high in the run-up to any polls. Full implementation of the GPA ahead of elections will be very important if Zimbabwe is to address its human rights record and make further democratic advances. SADC's continued role as facilitator will be crucial for this to be achieved. We will continue to support the Inclusive Government to fulfil its obligations of essential reforms, in advance of elections, and to support civil society groups. We hope that the implementing legislation for the Human Rights Commission will be passed by parliament in 2012 and will operate in accordance with the Paris Principles on national human rights institutions, as agreed at the Universal Periodic Review. The EU's targeted measures were reviewed in February 2012, and 51 individuals and 20 entities were removed from the visa ban and the asset freeze list. 112 individuals and 11 entities who are still considered to be involved in or associated with policies and activities that undermine human rights, democracy and the rule of law will remain subject to the measures.

Elections

Since the 2000 constitutional referendum, which the government lost, calls for elections have tended to result in a rise in political tensions across the country, including state-sponsored violence. This was the case at the beginning of 2011, following ZANU-PF calls for elections in March, which saw a rise in the targeting of Movement for Democratic Change politicians, including ministers and civil society groups. As the prospect of elections in 2011 appeared less likely, the number of abuses declined. However, at ZANU-PF's annual conference in December,

President Mugabe called for elections in March 2012. While the date has again slipped , the risk of another associated resurgence of political tension remains. Constitutionally, elections must be held by the middle of 2013.

The region has played an important role in its calls for good governance and respect for human rights in Zimbabwe. In March, a SADC troika communiqué condemned the government of Zimbabwe's human rights abuses and its lack of progress on the GPA which was agreed by the parties within the Inclusive Government in 2009. Essential reforms are necessary to avoid a repeat of the violence which marred the elections in 2008.

The referendum on a new Zimbabwean constitution, originally due to take place in early 2011 under the terms of the GPA, was again postponed and the constitution-making process is now 18 months behind schedule. As in 2010, the potential remains for individuals and organisations promoting draft versions of the constitution that are not favoured by hard-line elements to be subject to intimidation. So far, DFID has provided £1.2 million support for the constitutional process via the UN Development Programme through a joint fund with 10 other donors. In 2012, we will continue to encourage the successful completion of the constitutional process laid down in the GPA and the meeting of conditions to allow free and fair elections to take place. We will continue to support civil society organisations to make effective contributions to the process.

Freedom of expression and assembly

Even though most protests and meetings went ahead without problem, activists in Zimbabwe have no guarantee of freedom of expression and assembly. The contentious Public Order and Security Act has been regularly invoked by the Zimbabwean police to prevent or break up public protests, meetings and rallies, including some organised by civil society, senior Movement for Democratic Change (MDC) politicians and ministers. This included two occasions when Prime Minister Morgan Tsvangirai was prevented from holding two such events in Victoria and Lupane in October.

In October, ZANU-PF supporters disrupted a meeting organised by the MDC-T in Harare North. Police fired rubber bullets and tear gas into the crowd. The co-Minister for Home Affairs, Theresa Makone, who was due to address supporters at the event, issued a statement complaining about the police's failure to prevent the violence.

Two protests by civil society group Women of Zimbabwe Arise (WOZA) were similarly disrupted by the police in 2011. On 7 March, WOZA members were arrested following a protest marking International Women's Day. On 10 May, WOZA members campaigning in Bulawayo for cheaper electricity were beaten by riot police.

The uprisings in a number of Arab states this year sparked several arrests as police clamped down on suspected attempts to invoke similar public mobilisation in Zimbabwe. Most notably, on 19 February, police raided a meeting held by the International Socialist Organisation, arresting 45 people watching a DVD of events in Egypt. After over two weeks in police custody, the magistrates court freed 39 of the group without charge. The remaining six, including the organisation's general coordinator, Munyaridzi Gwisai, were released on bail on 17 March. The original charges of treason, which carried the death penalty, were also downgraded to conspiracy to commit public violence. The trial has been ongoing since July.

Media freedom remains restricted in Zimbabwe. The main source of information available to rural Zimbabweans (who constitute the majority of Zimbabwe's population) is via radio which remains under the control of ZANU-PF ministers. In November, the Broadcasting Authority of Zimbabwe issued licences to two commercial radio stations. The process has been widely condemned since the two stations concerned have acknowledged links to ZANU-PF and state media. In urban areas there are now a number of lively daily and weekly independent newspapers which continue to challenge the government. However, the operating environment for journalists remains challenging: independent journalists continue to be harassed and several were targeted in 2011 for writing articles critical of ZANU-PF. One such case, for example, resulted in charges of criminal defamation being brought against the journalist in connection with an article seeking to expose corruption among

specific ZANU-PF ministers. In 2012, we will continue to support Zimbabweans working towards increased media freedoms.

Human rights defenders

The state has sporadically targeted human rights defenders in 2011, with individuals often arrested on contentious charges, or disrupted while carrying out their activities. Jenni Williams and Magodonga Mahlangu of WOZA were arrested on 21 September on charges of theft and kidnapping and were detained in Mlondolozi Prison in Bulawayo until the Bulawayo High Court granted them bail on 4 October. The trial began on 19 December. We will continue to monitor the proceedings. Another example is of Farai Maguwu, a leading civil society activist who covers Zimbabwe's involvement in the Kimberley Process. Mr Maguwu was prevented from leaving Harare on 10 September to attend an international conference in Ireland; state security seized his travel documents and personal property. Two days later, a High Court judge ordered state security agents to return his property but the harassment had already prevented Mr Maguwu from presenting civil society's view at the conference. Mr Maguwu's camera, laptop and cash have still not been returned to him.

Access to justice and the rule of law

A culture of impunity is widespread in Zimbabwe. Victims of politically motivated violence are rarely able to rely on the police to pursue justice on their behalf. The Kimberley Process Focal Point report of October stated that in the Marange diamond-mining area, three local villagers were taken in September by security guards from Mbada mining company to the nearby police base where they were beaten. One of the miners, Tsorosai Kusena, died as a result of the assault.

Court cases in Zimbabwe regularly face delays. Meki Makuyana, MDC-T MP for Chipenge South, was convicted in 2009 for kidnapping and was subsequently suspended from parliament. His appeal hearing has been adjourned several times and has now been put back to 2012.

There have, however, been some positive examples of the courts dismissing cases where insufficient evidence was presented. On 10 May, 10 members of Women of

Zimbabwe Arise, arrested in three batches from 28 February to 7 March, had charges withdrawn by the state after appearing at the Bulawayo Magistrates Court. And the family of Moses Chokuda, an MDC activist killed by ZANU-PF supporters in 2009, were finally awarded some relief when in September four men (including the son of the governor of Midlands province) were sentenced to 18 years' imprisonment for murder. Moses Chokuda's family were finally able to bury him on 23 October.

Death penalty

Zimbabwe retains the death penalty but has observed a moratorium since 2005 when the last execution was carried out. The last death sentence issued was in 2010. There were 59 people on death row at the end of 2011.

Torture

Torture is regularly used by the police when interrogating suspected criminals. The security sector continues to use torture during politically motivated interrogations. In 2011, we continued to provide assistance for victims of torture.

Freedom of religion or belief

Zimbabwe generally displays tolerance towards different religions. However, 2011 saw increased harassment of Zimbabwe's Anglican community in Harare and Manicaland by the self-proclaimed "Bishop" Nolbert Kunonga. The Anglican community were prevented from accessing and worshipping in their properties, which resulted in the closure of churches, eviction of clergy and their families, and disruption to schools, orphanages and hospitals run by the Church. The archbishops of Canterbury, Zambia, Southern Africa and Tanzania presented a dossier to President Mugabe detailing abuse faced by the Anglican community as part of their visit in October.

Women's rights

There has been selective domestic implementation of international human rights obligations relating to gender equality in Zimbabwe, and the government has taken some steps to promote women's rights. Women are represented in many high-profile positions in Zimbabwe, including in politics, the civil service and commerce.

Zimbabwe has achieved gender parity in primary school enrolment, but at secondary school fewer girls than boys proceed to or complete post O level education.

However, many women still suffer both direct and indirect discrimination, particularly in the private spheres such as marriage, inheritance, adoption and guardianship. Large disparities remain between men and women in Zimbabwe in terms of access to health, education (at higher levels), participation in the economy, governance and decision-making processes, and access to legal protection against abuse and gender-based violence.

We maintained a close relationship with several women's rights groups, and through the DFID-funded Gender Support Programme, the UK government supported 11 women's groups working on areas such as decision-making and political leadership; economic empowerment; domestic violence; and disability.

Lesbian, gay, bisexual and transgender rights

Homosexuality remains illegal in Zimbabwe but the state generally prefers to turn a blind eye to the LGBT community. Homophobic comments are not unusual in media coverage and public speeches by ZANU-PF, but no serious cases of abuse against the community were recorded in 2011. Prime Minister Morgan Tsvangirai spoke positively about LGBT rights, which led one state-sponsored newspaper to ridicule his position.

Other issues – land/farm invasions

President Mugabe's violent land reform programme continued to cause suffering to many of the remaining white commercial farmers as well as a smaller number of black commercial farmers who are not aligned to ZANU-PF, and their families. Many such farmers faced sustained intimidation and harassment by those who claimed to have been allocated their land. Farm invasions are illegal under Zimbabwean law and contravene the terms of the GPA, as well as the SADC Tribunal ruling of 2008. The Ambassador and other members of the Embassy have raised cases with the government of Zimbabwe.

In a more positive move, the government of Zimbabwe has for the first time taken steps towards initiating the land audit, with a request to donors for support in a number of priority areas, including land tenure and land surveys.

We will continue to make clear our concerns to the government of Zimbabwe about the ongoing injustices, and encourage progress on a land audit which leads to a secure land tenure system where property rights are respected. This will be essential to sustain Zimbabwe's economic recovery over the longer term and we stand ready to support the process if we judge it to be credible. We have long said that we would support a fair, transparent and pro-poor land reform programme if necessary as part of an international effort.

Foreign &
Commonwealth
Office

Published by TSO (The Stationery Office) and available from:

Online
www.tsoshop.co.uk

Mail, telephone, fax and email
TSO
PO Box 29, Norwich NR3 1GN
Telephone orders/general enquiries: 0870 600 5522
Order through the Parliamentary Hotline Lo-Call 0845 7 023474
Fax orders: 0870 600 5533
Email: customer.services@tso.co.uk
Textphone: 0870 240 3701

The Parliamentary Bookshop
12 Bridge Street, Parliament Square,
London SW1A 2JX
Telephone orders/general enquiries: 020 7219 3890
Fax orders: 020 7219 3866
Email: bookshop@parliament.uk
Internet: http://www.bookshop.parliament.uk

TSO@Blackwell and other accredited agents

www.fco.gov.uk

ISBN 978-0-10-183392-9

9 780101 833929