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# Human Rights and Democracy:

The 2013 Foreign &  
Commonwealth Office Report



# Human Rights and Democracy: The 2013 Foreign & Commonwealth Office Report

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

June 2014



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Print ISBN 9781474106276

Web ISBN 9781474106283

Printed in the UK by the Williams Lea Group on behalf of the Controller of Her Majesty's Stationery Office

ID P002630616      06/14

Printed on paper containing 75% recycled fibre content minimum

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**Front cover:** A young mother crosses the border from Syria and becomes a refugee.  
UNHCR/S. Rich/April 2013

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## Executive Summary

This report provides an overview of activity in 2013 by the FCO and its diplomatic network to defend human rights and promote democracy around the world. It also sets out the analysis on country situations and thematic issues which directs that work.

An important new focus of 2013 was the Preventing Sexual Violence Initiative (PSVI), which will reach another milestone on 10-13 June 2014, when the Foreign Secretary and the Special Envoy of the UN High Commissioner for Refugees, Angelina Jolie, will co-chair a global summit on ending sexual violence in conflict. Other initiatives prioritised in 2013 were:

- the defence of freedom of religion or belief worldwide;
- agreement on the world's first treaty to control the arms trade;
- the UK's election and return to the UN Human Rights Council (UNHRC); and
- the launch of the UK Action Plan on Business and Human Rights.

Our work to underpin democracy, defend freedom of expression, and promote wider political participation has included contributions through election observer missions and the Westminster Foundation for Democracy. In conjunction with many NGOs and civil society organisations, we have supported human rights defenders – courageous people who often face repression and harassment.

The UK has championed the rule of law overseas, working with national and international NGOs and through the UN on torture prevention initiatives. We have campaigned for states to ratify the Convention Against Torture and its Optional Protocol. Abolition of the death penalty remains a top priority, and we continue to lobby against its use in any circumstances, anywhere. Support for international criminal justice continues to be a fundamental element of our foreign policy. We support the International Criminal Court and other tribunals.

Freedom of religion or belief remains under threat. We have taken action, through project work in several countries, at the multilateral level (UN resolutions, EU advocacy), and by bringing together faith and political leaders to extol the benefits of pluralism.

At the Commission on the Status of Women, we took its 2013 theme, “the elimination and prevention of all forms of violence against women and girls”, and worked for agreed standards against which civil society can hold governments to account.

We promoted children's rights through the UN, by co-sponsoring the omnibus resolution and, in this and other *fora*, strove to ban child labour. Bilaterally, we pressed countries to end forced and early marriage, and sexual exploitation.

We advocated a UNHRC resolution to protect lesbian, gay, bisexual and transgender (LGBT) rights internationally and, alarmed by reactionary legislation in several countries, including in the Commonwealth, combined lobbying with funding and working on practical projects to help protect communities at risk. In the EU we have supported the development of lesbian, gay, bisexual transgender and intersex (LGBTI) guidelines, which will be used by EU Delegations globally to promote LGBT rights.

The UK's counter-terrorism work focuses on capacity building with the police and the judiciary, in ways which protect human rights and respect for the rule of law, thanks to our Overseas Justice and Security Assistance Guidance.

The adoption of a legally-binding Arms Trade Treaty was the culmination of seven years of work within the UN. On 3 June, the UK was amongst the first to sign. Underpinning our counter-proliferation efforts is our stringent export licensing regime.

We remain concerned by the number of conflicts worldwide. The UK National Action Plan on Women, Peace and Security will help us reduce the impact of conflict on women and girls, and include them in conflict resolution. We continue to work through the UN on the protection of civilians and children in armed conflict.

Widespread implementation of the UN Guiding Principles on Business and Human Rights is an important and achievable goal. In 2013, the UK became the first country to publish its own Action Plan on Business and Human Rights. We also work through other organisations, such as the EU, the Organisation for Economic Cooperation and Development, and the UN, to promote responsible business practices and combat corruption.

Protecting the human rights of the British community overseas is a priority for us. UK officials work with British nationals on a wide range of issues with human rights implications, from imprisonment to forced marriage, female genital mutilation and child abduction.

The UK takes seriously its responsibility for the security and good governance of the UK Overseas Territories. In 2013, the UK and territory governments pursued their programme to extend core UN human rights conventions to territories where this had not yet happened.

The final section of the report contains a review of the human rights situation in 28 countries where the UK Government has wide-ranging concerns. We will continue to report on the countries of concern on a quarterly basis.



## Foreword by Foreign Secretary William Hague

This report sets out the steps we have taken to promote and protect human rights over the course of 2013. It was a tumultuous year, with setbacks, as well as successes. Human rights opportunities and obligations inspired our diplomats in every corner of the world, and shaped our policies in every forum. For that reason, though long, this report is far from comprehensive. It marshals information from across the Foreign & Commonwealth Office network, partner governments, international organisations and civil society, seeking to highlight themes, trends and priorities.

A key UK human rights objective is to end impunity for sexual violence in conflict, so we have added a new chapter on our efforts in this area. At a global summit in June, we will set out to turn the tide of global opinion so that we make accountability for these crimes the norm. We have expanded last year's chapter on the Human Rights and Democracy Programme Fund to look more widely at the impact of our human rights initiatives: for example, our work on the Arms Trade Treaty and on freedom of religion or belief, publication of our Action Plan on Business and Human Rights, and the UK's election to the UN Human Rights Council.

As before, the report contains a section on "countries of concern". It follows a careful review of all countries with serious human rights problems, and was tested against criteria which are objective and widely-used. Our evidence base is robust. As a result of this analysis, we have added the Central African Republic to the list of "countries of concern".

We have seen more turbulence in the Middle East, with Egypt suffering particular upheaval. South Sudan and Ukraine also stand out as examples of countries where the path to full democracy continues to be difficult. Most tragically of all, we will soon mark the third anniversary of conflict in Syria. A regime that claims to be fighting terrorism is terrorising its own people, using starvation and hunger as weapons of war. The UK has committed £600 million in humanitarian aid, our biggest ever contribution to a single crisis, and has been one of the most active countries in helping to push forward the "Geneva II" process.

I am deeply troubled by reactionary legislation and increasing persecution of the LGBT community in many parts of the world. The UK will remain active, both in close cooperation with expert NGOs and local communities. We will speak up, in public and in private, to protect individuals from discrimination and violence. And we will keep on working to build tolerant and pluralist societies in the long run, which is core business for our diplomatic and development strategies worldwide.

There were some positive developments in human rights during 2013. In January, the Burmese government signed a historic initial peace agreement with the Karen National Union after 63 years of conflict, although we continue to be concerned by the treatment of the Rohingya population in Rakhine state. Tunisia has sustained its democratic transition, and the Prime Minister's decision to go to November's Commonwealth Heads of Government meeting in Sri Lanka helped shine a spotlight on the situation there. We will

work through the UN Human Rights Council to ensure that the search for lasting peace and reconciliation in Sri Lanka benefits from an appropriate international investigation.

As promised during our campaign for re-election to the Human Rights Council, in 2014 the UK will protect those most vulnerable in society, promote human dignity for all, respond proactively to evolving challenges, and keep human rights at the heart of all our multilateral work. I am also determined that 2014 should see progress on what I believe is the greatest strategic prize of the 21st Century: full political, economic and social participation for all women everywhere. Events in many countries show that we can never take for granted the hard-fought gains in gender equality. They must be defended and expanded constantly.

On these and many other pressing issues, I look forward to working in 2014 with the members of my Advisory Group on Human Rights, who provide me with invaluable expertise and frank advice. I and my ministerial team hope this year's report will help make support for action to promote and protect human rights as universal as the rights themselves. They are the most precious thing we have in common.



## **Foreword by Senior Minister of State Baroness Warsi**

Since my appointment as Minister with responsibility for Human Rights at the Foreign & Commonwealth Office in September 2012, I have been constantly torn between pride at what we have achieved, and frustration at how much more needs to be done.

Over the course of 2013, we have made good progress on our six global thematic priorities: women's rights; torture prevention; abolition of the death penalty; freedom of expression on the internet; business and human rights; and freedom of religion or belief.

We have worked hard, with international partners, to end the impunity that surrounds the use of rape and sexual violence as a weapon of war. In April, during our G8 Presidency, we secured an historic G8 Declaration that recalled that rape and serious sexual violence in armed conflict are war crimes and also constitute grave breaches of the Geneva Convention. In June, the UN Security Council unanimously adopted Resolution 2106, strengthening the UN's capability to tackle this issue, while in September, at the UN General Assembly, we put forward a new Declaration of Commitment to End Sexual Violence in Conflict, which has to date been endorsed by 141 countries.

On 26 June, I launched a campaign for increased ratification of the Convention Against Torture and its Optional Protocol. During 2013, Vietnam signed the Convention and both Norway and Burundi ratified the Optional Protocol. We will continue to persuade more states to do likewise in the months ahead.

We have worked with civil society and international organisations to influence those states that still use the death penalty. The most recent vote at the UN reinforced a global trend towards abolition, with 111 states voting in favour of a worldwide moratorium.

We continued to defend freedom of expression, online as in traditional media, and issued a toolkit and guidance to all our embassies about how to support human rights defenders further. We also became the first country to publish an action plan to implement the UN Guiding Principles on Business and Human Rights. By working seamlessly across government and business to show how "human rights due diligence" is good for the bottom line, we will encourage other countries to follow our lead.

As the UK's first Minister for Faith, defending and promoting freedom of religion or belief remains a personal priority for me. The rising tide of persecution across the world has been a particular focus. On 15 November, speaking in Washington, I called for a cross-continent, cross-religion response to a pattern of intolerance and sectarianism which has led to the persecution of minority communities, including a mass exodus of Christians from places where they have co-existed with the majority faith for generations.

In January and September, I brought together foreign ministers and senior diplomats from across the world, to deepen and strengthen the political consensus on Human Rights Council Resolution 16/18. We achieved that. Now is the time to see 16/18 implemented.

Violent episodes around the world have strengthened my conviction that freedom of religion or belief increasingly represents a frontline for promotion and protection of human rights. I am determined to use my position in the UK Government and my network of expert advisers and international colleagues to stem the tide of violence committed in the name of religion.

In July 2013, working with “Remembering Srebrenica”, the UK became the first country to mark Srebrenica Memorial Day. Srebrenica was a stark demonstration of what can happen when hatred, discrimination and evil are allowed to go unchecked. Our commemoration of this genocide underlies our commitment to learn from the past, and to help ensure Bosnia and Herzegovina’s future as a stable, inclusive and peaceful country.

In addition to my responsibilities on human rights throughout the world, three countries where we have significant human rights concerns feature in my portfolio.

When I visited **Afghanistan** in March and November, I was struck by how far it has come since 2001 and the determination of the Afghan people to hold on to the gains made in all areas of society. However, the Afghan people, particularly women and girls, continue to face many challenges in the realisation of what are fundamental human rights. But the UK will remain committed to helping Afghanistan consolidate the progress made over the last ten years.

With regards to **Pakistan**, I congratulate the Pakistani people for placing their trust in democratic institutions in 2013. However, I am mindful of the wide-ranging and serious human rights issues the country still needs to tackle. I have not shied away from raising difficult human rights issues with the Pakistani government, and we will continue to support the people of Pakistan in their fight against terrorism and violent extremism.

In **Bangladesh**, it was hugely disappointing that the January 2014 elections were marred by political violence throughout 2013 and on elections day itself. I have also been deeply concerned by the negative impact labour strikes, protests and disruption have had on Bangladesh’s economy. We continue to encourage political dialogue, greater democratic accountability, and capacity building for participatory elections in the future, without the fear of intimidation or reprisals.

In the battle to translate international obligations and commitments into practical action, I am privileged to work with a wide range of human rights experts through the Foreign Secretary’s Advisory Group on Human Rights, and the sub-groups I chair on torture prevention, abolition of the death penalty, and freedom of expression on the internet. To strengthen this network, we have created a Sub-Group on Freedom of Religion or Belief, which I will also chair. These groups bring together NGOs, academics, parliamentarians and business representatives to ensure that our policies benefit from the best external expertise.

The start of 2014 presented major challenges for human rights, not least in Syria, the Central African Republic and Ukraine. But we remain committed to defending human rights because any violation is a threat to global peace and security. I want to pay particular tribute to the work of the brave women and men who risk their own lives to defend the rights of others. Their voices must be heard, in their own countries, and in every corner of the world.

## SECTION I: Preventing Sexual Violence Initiative

Sexual violence in conflict is widespread. It affects not only large numbers of women, but also men and children. In addition to the physical and psychological trauma suffered by survivors, sexual violence adds to ethnic, sectarian and other divisions, further entrenching conflict and instability. It destroys lives, creates refugees and is often just one of a number of human rights abuses individuals and communities face.

The UK Government believes that combating sexual violence in conflict is an issue of common humanity and an issue of conflict prevention. The culture of impunity that exists for sexual violence in conflict feeds conflict, and undermines peace and security in post-conflict countries. The Foreign Secretary believes that the UK has the moral obligation and the diplomatic power to change this. That is why, on 29 May 2012, he launched the Preventing Sexual Violence Initiative (PSVI) with the Special Envoy of the UN High Commissioner for Refugees, Angelina Jolie.

### What does the Preventing Sexual Violence Initiative seek to achieve?

PSVI aims to address this culture of impunity – and to increase the number of perpetrators held to account – by raising awareness, rallying global action, promoting more international coherence, and increasing the political will and capacity of states to prevent and respond to these crimes. It complements wider government work on women, peace and security, and violence against women and girls.

The Foreign Secretary undertook to use the UK's Presidency of the G8 in 2013 to ensure greater international attention and commitment to tackling the use of sexual violence in conflict, and to secure a clear political statement from the international community of its determination to make real, tangible progress on combating the use of sexual violence in conflict. This political campaign has been supported by a range of practical measures, including continued deployments of the UK Team of Experts, established as part of PSVI in 2012, and further support to the UN and other organisations.

### What progress has PSVI made in 2013?

#### International commitment to tackling sexual violence in conflict

During 2013, the UK has worked to build political commitment and global momentum to tackle sexual violence in conflict. On 11 April, G8 Foreign Ministers adopted a historic [Declaration on Preventing Sexual Violence in Conflict](#). The declaration contained a number of key political and practical commitments. This included agreement from G8 governments that there should be no peace agreements that give amnesty to people who have ordered or carried out rape; that all UN peacekeeping missions should automatically include provisions for the protection of civilians against sexual violence in conflict; that there should be no safe haven for perpetrators of sexual violence; that rape and serious sexual violence in armed conflict constitute grave breaches of the Geneva Conventions, meaning that there is an obligation for states to prosecute suspects regardless of nationality; and that





**The Foreign Secretary speaking at a G8 Preventing Sexual Violence experts meeting in London, 12 February 2013**

there should be new efforts to ensure support and justice for survivors of rape. G8 Foreign Ministers also endorsed the development of a new International Protocol, which will improve global standards in documenting and investigating sexual violence committed in conflict.

Building on the G8 Declaration, the Foreign Secretary sought to generate wider support for the campaign at the UN and in other multilateral and regional organisations. On 24 June, during the UK's Presidency of the UN Security Council, the Foreign Secretary hosted a debate on tackling sexual violence in conflict, which focused on the need to challenge the culture of impunity and hold perpetrators to account. A new **UN Security Council Resolution (2106)** was adopted during the debate. This was the first resolution on the subject in three years, was co-sponsored by 46 states, and contained action to improve the UN response to sexual violence in conflict.

This political campaign culminated in the **Declaration of Commitment to End Sexual Violence in Conflict**, which the Foreign Secretary launched on 24 September in the margins of the 68th session of the UN General Assembly.

The declaration was drafted with a range of countries, who also worked alongside the UK to build wider support for the text. It is action-oriented and ambitious, and expresses a shared commitment and determination to see an end to the use of rape and sexual violence as weapons of war. It has a clear focus on accountability and tackling impunity, but also contains a set of wider political and practical commitments. States also reaffirmed in the declaration that rape and serious sexual violence in armed conflict are war crimes, and

constitute grave breaches of the Geneva Conventions. The declaration has been endorsed by 140 UN member states to date, and we continue to encourage other states to endorse it.

The UK Government has also worked with other multilateral organisations to build international support and coherence. The EU High Representative for Foreign Affairs and Security Policy and Vice-President of the European Commission, Baroness Ashton, supported the G8 Declaration, and has since underlined her continued support to exploring areas for coordination and closer cooperation on PSVI. In response to the African Union's (AU) political commitment to address sexual violence in conflict, the Foreign & Commonwealth Office (FCO) has been working closely with the AU's Peace and Security Department, providing technical advice and funding the position of gender advisor; and through the Commonwealth Heads of Government Meeting in Sri Lanka in November, the UK obtained commitment from the Commonwealth Secretariat and member states to take action to tackle sexual violence in conflict.

### **Supporting political commitments with practical action at the national level**

Our efforts to generate international political support for tackling sexual violence in conflict have been complemented by engagement and action at the national level to deliver the ambitious set of declaration commitments.

The FCO has been working with the Department for International Development (DFID), the UN, and others at national level to deliver these commitments. Work with individual countries varies according to the context, and for each we have assessed where the UK can add value to existing efforts. In particular, we have focused on combining political and diplomatic opportunities at national levels with technical support through the use of international and UK expertise, including deployments of the PSVI UK Team of Experts. We have continued to work closely with the UN Secretary General's Special Representative for Sexual Violence (UNSRSG) and the UN Team of Experts on the Rule of Law to ensure that country engagement is both coherent and sustainable, including through focusing on strengthening national ownership and responsibility, and building local capacity.

Throughout 2013, we have carried out country work in **Bosnia and Herzegovina, Democratic Republic of the Congo (DRC), Kosovo, Libya, Mali, Somalia and Syria.**

### **Case Study: EU Training Mission for the Malian Armed Forces**

The EU Training Mission for the Malian Armed Forces (EUTM) was launched in February 2013 to provide basic military training and advice to the Malian military. The UK has provided the mission's only civilian human rights trainers, deployed from the UK Team of Experts. This long-term placement has delivered training to Malian soldiers on the principles of international humanitarian law, human rights law, and preventing sexual violence in conflict. The deployment has offered an opportunity for the UK to make a tangible difference to the shape and impact of the EUTM, and demonstrate UK expertise on preventing sexual violence in conflict. It addresses a clear need in the Malian Armed Forces, as they prepare to operate amongst populations who have suffered human rights abuses inflicted by a range of actors during the Islamist takeover of northern Mali. To date, four Malian battalions have been trained, amounting to approximately 2,800 personnel.

### **Case Study: UK Response to Reports of Sexual Violence in the Syrian Conflict**

The UN Commission of Inquiry reported that sexual violence has played a prominent role in the conflict in Syria. It occurs during raids, at checkpoints, and in detention centres and prisons across the country. The threat of rape is used as a tool to terrorise and punish women, men and children. Under-reporting and delayed reports of sexual violence are endemic, making an assessment of its scale difficult.

The UK response has recognised the need to support survivors of sexual violence with appropriate humanitarian assistance; to improve the ability of stakeholders to document and investigate crimes of sexual violence; and to ensure that any evidence collected will be made available to the Commission of Inquiry and, where appropriate, in support of transitional justice and conflict and post-conflict resolution. The UK has worked directly with the Chair of the Commission of Inquiry, sharing understanding and developing ideas on how best to ensure that potential peace settlements deal directly with the issue of sexual violence and other human rights violations.

We have run two projects on the Syrian borders with Physicians for Human Rights, an international NGO that uses medicine and science to tackle severe human rights violations against individuals. In both cases, we have deployed members of the UK Team of Experts to improve the capacity of health professionals and human rights defenders to document crimes and human rights abuses, including sexual violence. Case files are being stored, should they be useful in any national or international justice process. We are also supporting the Syrian Commission for Justice and Accountability to build Syrian capacity to investigate allegations of sexual offences amounting to war crimes, and crimes against humanity perpetrated in the context of the current conflict.

### Case Study: PSVI UK Team of Experts

A key strand of PSVI has been the establishment of a UK Team of Experts who have been deployed to conflict areas to help support local responses to conflict-related sexual violence. The team draws on the skills of doctors, lawyers, police, psychologists, forensic specialists and experts in the care and protection of survivors and witnesses. It significantly strengthens the UK's specialist capabilities in tackling these issues.

The team is also available to support UN and other international organisations, and to provide training and mentoring to national authorities to help them develop the right laws and capabilities, as well as to support grassroots organisations, local peacebuilders and human rights activists. Each deployment takes account of the specific context, and ensures that the UK makes a positive contribution to existing international and national efforts.

During 2013, experts were deployed to the Syrian borders with Physicians for Human Rights; to **Bosnia and Herzegovina** to support the Organisation for Security and Cooperation in Europe's training of the judiciary to help combat impunity for wartime sexual violence crimes, and deliver justice to survivors; to **Libya** to assess how the UK can provide further assistance in terms of justice and support for survivors of sexual violence; to **Mali** to strengthen the capacity of the Malian armed forces to protect civilians from human rights violations, including sexual and gender-based violence; to **Kosovo** to train local participants on specific therapeutic issues such as sexual violence disclosure, rehabilitation needs for survivors and documentation of cases; and to the **DRC**, also with Physicians for Human Rights, to build the local capacity of Congolese health, legal and law enforcement professionals to investigate sexual violence crimes through documentation, collection, and preservation of forensic evidence.





**The Foreign Secretary and Special Envoy of the UN High Commissioner for Refugees, Angelina Jolie, visiting Nzolo Displacement Camp, near Goma, eastern DRC.**

The FCO is also working closely with DFID on their work to improve international action to protect girls and women affected by violence in humanitarian emergencies. On 13 November, Secretary of State for International Development, Justine Greening, co-hosted a high-level Call to Action with the Swedish Minister for International Development to secure greater commitment from UN agencies, international NGOs and donors to improve the international response to protecting girls and women in emergencies. They agreed to act, or fund action, to prevent and respond to violence against women and girls from the first phase of an emergency, without waiting for evidence of specific instances of violence to emerge. Ms Greening also announced £21.6 million in new funding to help protect women and girls in emergencies.

### **Support to grassroots organisations working to tackle sexual violence in conflict**

At the launch of the G8 Declaration in April, the Foreign Secretary announced new FCO funding of £5 million over three years to support grassroots and human rights projects on tackling sexual violence in conflict. This funding is part of the FCO Human Rights and Democracy Programme.

In 2013, we allocated nearly £2.7 million to support projects to be carried out in financial years 2013–14 and 2014–15. We used this to support 13 projects working to tackle sexual violence in a number of countries including **Bosnia and Herzegovina, Burma, Colombia, DRC, Guatemala, Iraq, Nigeria, Pakistan, Sierra Leone and Syria**. These projects are

aimed at supporting the work of civil society organisations, including women's organisations and human rights defenders and networks, to improve community-level protection against sexual violence in conflict and post-conflict environments; to help survivors of sexual violence to get better access to justice; and to promote greater accountability by national institutions responsible for tackling sexual violence.

### **Case Study: Responding to Sexual Violence in Burma**

In Burma, the UK is funding an Action Aid Myanmar project to improve access to justice for survivors, as well as to develop community programmes to prevent and respond to acts of sexual violence. The project will benefit survivors in Kachin, Kayah, Rakhine, Meiktila, and Pyapon.

The project will raise awareness of sexual violence in target villages, helping people to understand that sexual violence is unacceptable, and to inform them about their legal rights and how to access services, including access to justice. It will train women on basic legal skills so that they can provide advice to survivors within their communities and will also provide support to legal aid providers. In addition, it will aim to ensure community leaders are aware of their role in preventing sexual violence in their communities.

The project will support our existing work on the wider peace process in conflict areas in Burma such as Kachin State. We hope that our continued engagement will encourage the Burmese government to strengthen its own response to sexual violence in conflict.

### **Case Study: Supporting Survivors of Sexual Violence in Colombia**

In Colombia we are funding grassroots organisations, Liga Internacional de Mujeres por la Paz y la Libertad and Casa Amazonia, which are working to provide support to survivors of sexual violence in three areas of Colombia affected by conflict. They are working with indigenous communities and local government authorities to ensure survivors of sexual violence receive appropriate and coordinated support. They will provide local women's organisations with training to assist survivors in accessing the support they need, including access to justice. The project is being implemented in partnership with a number of government agencies, including the Presidential Programme for Human Rights and the Colombian Institute for Family Welfare, to ensure wider national impact and longer-term sustainability.

## **International Protocol on the Documentation and Investigation of Sexual Violence in Conflict**

A key element of PSVI has been the development of a new International Protocol on the documentation and investigation of sexual violence in conflict. G8 Foreign Ministers endorsed the development of the Protocol in April, and this was reinforced through the Declaration of Commitment to End Sexual Violence in Conflict. The UK is leading the development of the Protocol, drawing on the knowledge of experts from around the world.

The Protocol aims to set out ideal standards for the documentation and investigation of rape and other crimes of sexual violence in conflict. The application of these standards will help to ensure that information collected in conflict and post-conflict settings can support future investigations and prosecutions of sexual violence at the national and international level. These standards will aim to ensure that information is collected in such a way as to increase and preserve its evidentiary value, that survivors receive sensitive and sustained support, and – critically – that those involved in collecting information and working with survivors are doing so in a coordinated and mutually supportive way. It will build on existing local, regional and international guidance and be open to states, the UN system, regional bodies and NGOs for use in training and capacity building programmes.

To develop the Protocol, we have established a number of expert working groups according to thematic areas of expertise. These groups met in May, June and July and have begun working together to draft the Protocol. We also hosted a conference in Geneva in September to discuss the Protocol and to raise awareness of the challenges to documenting and investigating sexual violence in conflict with states, UN agencies, regional organisations and NGOs. In addition to these formal meetings, we have continued to engage informally with key experts on all aspects of the draft. In early 2014, we will carry out grassroots field testing of the Protocol and regional consultation, which will feed into the drafting process.

## **Working through the UN**

A central element of our approach has been close cooperation and support for the work of the UNSRSG, Mrs Zainab Hawa Bangura, and her Team of Experts (ToE) on the Rule of Law. In early 2013, we provided £1 million to support work of the ToE, and have also conducted joint assessment missions with them to the **DRC** and **Somalia**. We have also seconded a member of the PSVI UK Team of Experts to enhance the UN team's knowledge of the **Middle East and North Africa region**, including on aspects of Sharia law. We strongly support the UNSRSG's efforts to build coherence and coordination in the UN's response to sexual violence in armed conflict through the cross-UN initiative, UN Action against Sexual Violence in Conflict, as well as her focus on national ownership and responsibility.

We have also continued our support for the International Criminal Court's (ICC) Trust Fund for Victims, which aims to address directly and respond to victims' physical, psychological, or material needs. In November 2013, the Foreign Secretary announced a UK contribution of an additional £300,000 to the ICC's Trust Fund for Victims. This brings the total UK support to the ICC Trust Fund for Victims since 2011 to £1.8 million.



## Looking ahead to 2014: the Global Summit on Ending Sexual Violence in Conflict

The focus of our efforts in 2014 will be on turning the political commitments secured so far into concrete action on the ground, thereby creating irreversible movement towards ending the use of rape and sexual violence in conflict.

On 10-13 June 2014, the Foreign Secretary and the Special Envoy of the UN High Commissioner for Refugees, Angelina Jolie, will co-chair a global summit on ending sexual violence in conflict. The UK will invite each government that has endorsed the Declaration of Commitment to End Sexual Violence in Conflict, along with representatives from civil society, judiciaries and militaries from around the world.

We want the summit to deliver practical and ambitious agreements that will once and for all shatter the culture of impunity for rape and sexual violence in conflict. It will deliver a set of practical agreements that bring together and focus the efforts of conflict and post-conflict affected countries, donors, the UN and other multilateral organisations, NGOs and civil society.

We want the summit to identify specific actions by the international community in the four areas where we believe greater progress is necessary. These four areas are:

- to improve investigations/documentation of sexual violence in conflict;
- to provide greater support and assistance and reparation for survivors, including child survivors, of sexual violence;
- to ensure sexual and gender-based violence responses and the promotion of gender equality are fully integrated in all peace and security efforts, including security and justice sector reform; and
- to improve international strategic coordination.

We will also use the summit to launch the new International Protocol on the Investigation and Documentation of Sexual Violence in Conflict. In addition, we hope to secure agreement to: revising military doctrine and training; improving peacekeeping training and operations; providing new support to local and grassroots organisations and human rights defenders; developing the deployment of international expertise to build national capacity; improved support for survivors; and forming new partnerships to support conflict-affected countries.

There will be a large accompanying “fringe” of events alongside the formal meetings, which will take place across the world as well as in London. We hope this will be used to discuss a broader range of issues related to sexual violence in conflict, including conflict prevention, women’s rights and participation, men and boys, children affected by conflict, international justice, and wider issues of violence against women and girls. These will be an opportunity to showcase programmes and policies from around the world that have been successful.

## SECTION II: UK Human Rights Initiatives, 2013

Human rights work across the world is never easy, and progress is often measured in decades rather than months or years. Within the Foreign & Commonwealth Office (FCO), much of our human rights work is integrated into the day-to-day operations of our embassies and high commissions overseas and our teams in the UK, sometimes through discrete human rights projects or activities, often through the wider work they do to promote our political, security and prosperity objectives.

In this year's annual report we want to highlight four human rights initiatives which the FCO prioritised in 2013: action to defend freedom of religion or belief around the world; agreement on the world's first treaty to control the trade in arms; our election and return to the UN Human Rights Council (UNHRC); and the launch of the UK Action Plan on Business and Human Rights. These four initiatives marked a successful year for our human rights work, and show the tangible difference that sustained and focused effort can make.


In addition to these initiatives, the Human Rights and Democracy Programme Fund continued to fund a portfolio of human rights projects to catalyse change, support democratic development, and help improve specific human rights situations in over 40 countries worldwide. The Department for International Development (DFID) also continued its work to support the human rights of poor and marginalised people in developing countries, with the objective of ensuring that everybody can enjoy the economic, social, civil, political and cultural rights defined in internationally agreed human rights treaties.

### **Freedom of Religion or Belief**

2013 has seen a rising tide of restrictions on freedom of religion or belief. Baha'is, Shias, Sunnis and Alawites, Hindus, Sikhs, atheists, Christians and many others have fallen victim to a new sectarianism that is breaking out across continents. For that reason, the FCO has ramped up its activities to promote freedom of religion or belief across the world.

We have done this in several ways. First, through multilateral organisations. We have continued our programme to support implementation of UNHRC Resolution 16/18 in individual countries. This resolution lays the foundation for combating discrimination against people based on their religion or belief. Political consensus is crucial in this area, so Senior Minister of State, Baroness Warsi, has brought together ministers and senior officials, from the Foreign Minister of Canada to the Secretary General of the Organisation of Islamic Cooperation, starting in London in January. She then held a further meeting in New York during UN General Assembly week in September. Follow-up meetings are planned in 2014, with an emphasis on building support for widely applicable practical solutions to sectarianism and violence, including the social, economic, and other benefits of pluralism.

Second, through bilateral engagement. Baroness Warsi has made freedom of religion or belief an FCO priority, and now every minister at the FCO is an ambassador for religious freedom, raising and promoting these issues in the countries with which they engage.



Third, through projects. We have worked hand in hand with NGOs, and human rights and faith-based organisations across the world. For example, we have helped to strengthen a network of human rights defenders working on this issue in South East Asia.

And fourth, training and expertise. The FCO is equipping its diplomats with the tools to appreciate and influence the role religion plays in global politics today. In addition, the Foreign Secretary has established a sub-group of his advisory group on human rights, which will focus on freedom of religion or belief. It will meet every six months and bring together a range of experts in the field, chaired by Baroness Warsi. It will make recommendations to the FCO to help us sharpen our work in this area.

In 2014, by these means and others, the FCO will strengthen the role and capacity of political, community and faith leaders to tackle religious intolerance. We will seek to build a cross-faith, cross-continent response to the problem, with a positive, practical focus on promoting the benefits of religious tolerance, pluralism, mutual respect and understanding.

## **Arms Trade Treaty**

After seven years of work, the Arms Trade Treaty was adopted on 2 April 2013 at the UN General Assembly. An overwhelming majority of states (156) voted in favour of the treaty. Only three voted against (**Iran, Syria and Democratic People's Republic of Korea**). This was a significant achievement for British diplomacy. The UK was one of seven countries that launched the campaign for the treaty, and we were one of the first countries to sign the new treaty. At the time of writing, 116 states had signed the treaty and nine had ratified. The UK Government signed on 3 June, and we expect to ratify the treaty early in 2014.

The Arms Trade Treaty now needs to be implemented effectively and globally. It contains the building blocks for a safer, more secure world. It requires states to refuse to export arms if there is an unacceptable risk that they will be used in serious violations of human rights. For the first time, it imposes legally-binding rules on the small arms that cause the greatest harm to innocent civilians. It will increase transparency and create a framework for calling the irresponsible to account. The UK has already pledged more than £400,000 to help other countries meet these standards.

## **UK election to the UN Human Rights Council**

The UNHRC is an intergovernmental body within the UN system responsible for the promotion and protection of human rights around the globe. It is the premier world body on human rights, and has proven its ability to address mass atrocities and human rights violations and abuses across the world. The UNHRC is made up of 47 UN Member States, elected for three-year terms. Membership of the UNHRC brings the opportunity to influence the international human rights agenda, both by speaking and voting on issues brought before it by others, and by promoting within the UNHRC issues important to the UK. Election to the HRC for the term 2014-16 was a priority for the UK Government in 2013.

Baroness Warsi launched our election campaign in December 2012. During 2013, we used our diplomatic network to seek support from as many countries as possible, talking to them about our human rights policy pledges and commitments, which outlined our approach to human rights in the UK and our aspirations for the UNHRC. Our campaign was global, as illustrated by the Foreign Secretary's specially recorded YouTube message.

The elections took place in November in New York. The UK was elected with 171 votes; which gives us a strong mandate as we take our seat on the UNHRC in January 2014.

During 2014, the UK will be active at the UNHRC on country-specific resolutions, and in thematic areas including freedom of religion or belief, preventing sexual violence, and business and human rights.

## **Publication of UK Action Plan on Business and Human Rights**

The UN Guiding Principles on Business and Human Rights (UNGPs) were endorsed by the UNHRC in 2011. This framework comprises a three-pillar structure, distinguishing the state's duty to protect human rights, the corporate responsibility to respect human rights, and access to remedies. On 4 September 2013, the UK published its national action plan, "Good Business", becoming the first country to have such a plan for the implementation of the UNGPs. The **UK Action Plan** was launched jointly by the Foreign Secretary and the Secretary of State for Business, Innovation and Skills, Vince Cable.

The UK Action Plan embodies our commitment to protect human rights by helping UK companies respect human rights wherever they operate, in pursuit of respect for people's human rights and sustainable business environments the world over. We want to help British companies to succeed, and for the UK to continue to show a lead on business and human rights, given the global reach and impact of UK business. The plan was developed in consultation with companies, trade unions, civil society organisations, academics and colleagues across government.

The action plan sets out our commitment to:

- implement UK Government intentions to protect against human rights abuse involving commercial enterprises within UK jurisdiction;
- support, motivate and incentivise UK businesses to meet their responsibility to respect human rights throughout their operations, both at home and abroad;
- support access to effective remedies for victims of human rights abuse involving businesses within UK jurisdiction;
- promote understanding of how addressing human rights risks and impacts can help build business success;
- promote international adherence to the UNGPs, including for states to assume their duties to protect human rights and assure access to remedies within their jurisdiction; and
- ensure policy consistency across the UK Government on the UNGPs.

We will report back each year on progress in the Annual Human Rights Report, and we commit to bring out an updated version of the action plan by the end of 2015.

## The Human Rights and Democracy Programme Fund

The Human Rights and Democracy Programme (HRDP) is a dedicated source of funding within the FCO for human rights work overseas. In the financial year 2013-14, we allocated £6.5 million of funding to support 83 projects (with 26 of them running into financial year 2014-15), ranging in scale from £9,000 to £517,000. Most projects are delivered by civil society implementers working in coordination with the local British Embassy or High Commission.

In 2013, the HRDP had eight specific target areas, aligned with the FCO's human rights priorities. These included preventing sexual violence, after the Foreign Secretary announced on 11 April that the FCO would spend £5 million over three years on projects tackling sexual violence. By focusing our efforts in this way, we believe we achieve greater impact. The areas were:

- discrimination against women;
- freedom of expression;
- business and human rights;
- abolition of the death penalty;
- global torture prevention;
- freedom of religion or belief;
- democratic processes; and
- preventing sexual violence in conflict.

Projects were required to focus on one or more of these issues and dovetail with the human rights work of the local British Embassy or High Commission. We gave priority to projects in countries of concern, or in countries where there were particular opportunities to promote and protect human rights. We encouraged bidding for projects in these countries, and 54% of funding was eventually committed to them.

An underlying objective of the HRDP is to promote the development of local civil society organisations. Even when we work with international implementers, we therefore strongly encourage them to use local partners in order to help expand their experience and develop their capacity.

Examples of HRDP-funded projects can be found throughout this report. Below are some case studies of work the programme supported in 2013.

### Tackling violence against women

In **Colombia**, the British Embassy worked with local NGO Corporación Excelencia en la Justicia (Excellence in Justice Corporation) and the Attorney General's Office to strengthen its capacity to prosecute crimes of sexual violence, and to increase awareness of the services available to survivors. The project delivered to government agencies a diagnosis of the obstacles in the justice system for victims of sex crimes in two main cities of Colombia. This diagnosis fed into a handbook for prosecutors, providing a practical tool to public officers investigating and prosecuting sexual violence, who regularly face a multiplicity of protocols and long manuals. The project outputs feed into a wider reform process led by the

Attorney General, who is developing a new protocol for investigation, and a future capacity-building programme for prosecutors, which the HRDP will support in 2014-15.

In the Kurdish region of **Iraq**, we funded the training of police and civilian staff from Family Protection Units to deliver an introductory course on “an effective police response to violence against women”. The curriculum and training manual was developed in partnership with local police, and is being incorporated into its academy’s own training programmes. The integrated EU rule of law mission (EUJUST LEX) also used the manual in its domestic violence prevention training with the Ministry of the Interior, reinforcing and multiplying the manual’s messages. Through this project we have been able to influence the police training curriculum, strengthening the content covering the response to violence against women.

In **Anguilla** we funded training for all frontline police officers and the Department of Probation on handling domestic violence cases. Selected officers were trained as trainers, who then facilitated comprehensive, high-quality training for the rest of their colleagues. A domestic violence “pocketbook” for officers was also produced. The course has improved the quality and sensitivity of the response to victims, provided specific guidance for officers, and increased awareness of a largely ignored issue. In press events promoting the training, the Minister for Home Affairs in Anguilla committed to passing domestic violence legislation.

### **Ensuring women’s participation in policy making**

Women are under-represented in decision-making and public life in Burma. Through Action Aid and the British Council, we funded an empowerment project which supports and encourages Burmese women to take up leadership roles, promote women’s rights, and participate fully in the decisions that affect them. Participants belonged to different ethnic groups, and came from states and regions across the country. The project also successfully trained 100 senior government officials from a number of departments, including the Department of Social Welfare, on “Gender and the UN Convention to Eliminate All Forms of Discrimination against Women”. This increased their understanding and capacity to implement Burma’s first “National Strategic Plan on the Advancement of Women”, which was officially launched in October, and sets out the country’s priorities in this area from 2013-22.

In **Colombia**, we are helping the Organisation of American States’ Mission with supporting the Victims’ Unit to improve the participation of female victims in policy-making related to services and reparation for victims. The project designed a methodology for capacity building that has been adopted by the Victims’ Unit, and that will be replicated nationally. Action plans with specific commitments by local governments will be delivered in March 2014.

### **Supporting freedom of expression**

The space for political debate has grown in **Burma** over the last couple of years, but existing legislation relating to freedom of expression and freedom of assembly still falls short of international standards. Through Article 19, a London-based international NGO, we funded a project to develop the capacity of legislators, civil society, media and ministries to amend and draft new legislation in this area. By bringing together stakeholders with an interest in promoting freedom of expression, such as media and civil society, a network has been formed to agree an “agenda for change”, which outlines the laws and policies needing



reform in the years ahead. Article 19 also provided an analysis of existing laws which civil society can use for further advocacy activities.

In **Russia**, we are supporting a project aimed at contributing to greater freedom of expression, promoting equality and fighting discrimination, by equipping journalists with the skills to report ethically, responsibly and inclusively on ethnic, race and religious diversity in their regions. The project is being implemented in four Russian regions where there is a high level of ethnic tension: Dagestan, Stavropol, Saratov and Sverdlovsk. As part of the project, the Media Diversity Institute and the Russian Union of Journalists organised a number of training sessions on inclusive journalism and tolerant reporting on diversity for young journalists. One of the most important ways to overcome negative trends, including “hate speech” and labelling, is working together with experts and journalists towards improving the quality of reporting in the Russian media.

### **Torture prevention**

In summer 2013, **Kazakhstan** adopted a National Preventive Mechanism (NPM) law, which should make it easier to prevent and detect torture within the justice system. However, there was concern that implementation would be delayed, as the capacity of the Ombudsman Institution and civil society organisations to form the NPM still needed further development. Through our Embassy, we funded a project implemented by Penal Reform International, based on a partnership between the Ombudsman Institution and civil society. It provided expert support in drafting specific regulations and rules for the formation and operation of the NPM, facilitated the election of its Coordination Council, and contributed to the training of potential NPM members (nearly 100). The Coordination Council, approved in January 2013, largely consisted of civil society representatives and academics, making the council stronger and helping to ensure its independence.

### **Freedom of religion or belief**

In 2013, the British Embassy in **Indonesia** funded a project that focused on raising awareness amongst religious leaders of women’s rights. Human rights activists have reported that some recent by-laws have abrogated certain women’s and minority rights (particularly religious minorities). The project sought to ensure that, through training and awareness-raising, future by-laws will better comply with human rights standards.

Since 2011, our Embassy in **Iraq** has supported the Grassroots Religious Reconciliation Initiative, run by the Foundation for Relief and Reconciliation in the Middle East. The initiative promotes reconciliation in Iraq through dialogue between religious leaders across the sectarian divide at grassroots level. The leaders have established a monthly Peace Council and have had wide outreach, engaging with audiences across the country in key areas of instability. The relationship between the council members from different religious backgrounds is becoming stronger. They are making regular use of each other’s contacts to promote each other’s messages for peace, and to issue joint statements. The religious leaders are continuously working on increasing the reach of their messages endorsing peace, including by expanding grassroots networks.



## **Business and human rights**

We continue to see an increase in numbers of extractive companies and other businesses operating in more isolated regions of **Colombia**. Through HRDP Funds, we have built a three-year relationship with the Colombian government, companies and civil society to implement the UNGPs in the country. The process has led to the development of a draft national Public Policy on Business and Human Rights, which will be incorporated into Colombian national policy on human rights in 2014. Our project work has also resulted in a system for public servants to monitor implementation of the policy and state grievance mechanisms, which will be launched in April 2014.

## **Abolition of the death penalty**

**Morocco** has a *de facto* moratorium on executions; abolition of the death penalty would be a landmark achievement in the region. HRDP funding, in partnership with the NGOs International Bar Association and Ensemble Contre la Peine de Mort, enabled the practical training of over 80 lawyers across Morocco, and the formation of Morocco's first Network of Lawyers against the Death Penalty. It also supported the Moroccan Network of Parliamentarians against the Death Penalty – the first network of its kind in the North Africa region – which has raised the level of media and parliamentary debate about the death penalty. In 2013, the network prepared a draft law on abolition. A recent seminar at the Moroccan Parliament, organised by the Parliamentary Network, was well-attended by MPs from across the Arab World, from Jordan to Mauritania. With UK support, the Moroccan campaign for abolition of the death penalty is not only breaking new ground domestically, but also setting an example for the rest of the region.

## **Supporting peace, development and women's rights**

In the **Philippines**, Bangsamoro (Muslim Mindanao) is one of the most disadvantaged regions in the country. The transition period ahead of the establishment of a system of devolved government for the region in 2016 provides a window of opportunity to embed strong human rights and democratic values in the new government. Over the last year, HRDP-funded work has focused on strengthening the party system for the ministerial form of governance in Bangsamoro, and entrenching women's participation in its Basic Law. The latter project involves a series of consultations with groups of women representing the Bangsamoro region. Once complete, the consolidated findings will be translated into provisions in the draft Bangsamoro Basic Law, thus enhancing women's participation in politics and governance in the region.

## **Protection of journalists and their access to public information**

In 2013, the HRDP funded projects in **Vietnam** that aimed to build a safer working climate for journalists and improve access to information: work by the "Centre for Research on Development Communications" with local authorities in central Vietnam, improving officials' understanding of journalists' rights and strengthening media and government cooperation; a study from the "Centre for Media in Educating Community", revealing that the government acted on less than 10% of public complaints raised through the press, and providing follow-up media training for officials to improve the situation; and a project by The Asia Foundation, strengthening investigative journalism into the environmental impact of construction projects. Media regulation has also improved because of UK development assistance. New legislation now includes an offence of obstructing reporters, protecting for the first time more than 5,000

unregistered journalists, and official penalties for government spokespersons who provide incorrect information, or do not answer press questions.

## **The Department for International Development's Work on Economic and Social Rights**

The realisation of all human rights underpins sustainable development. Through its development programmes, the UK supports civil society and governments to build open economies and open societies in which citizens have freedom, dignity, choice and control over their lives. UK Aid also works to ensure that all segments of society, including the persistently poor, women, ethnic minorities and other marginalised groups, can gainfully participate in growth processes by tackling the specific barriers they face in accessing economic opportunities.

In 2013, the Department for International Development (DFID) continued to implement a range of programmes that protect and promote human rights. Some of these are highlighted throughout this report, for example on strengthening the rule of law, promoting democratic governance, and security, peace and justice. Other major achievements during 2013 included the following.

### **Girls and women**

DFID has put girls and women at the heart of international development. The DFID Strategic Vision for Girls and Women committed us to improving access to financial services for over 18 million women, providing secure access to land for three million women, and helping ten million women to access justice through the courts, police and legal assistance by 2015. In 2012-13, DFID provided at least 8.9 million women with access to financial services, and helped two million women and girls to access security and justice services.

### **Health**

Every year around seven million children under five die needlessly, from malnutrition, HIV/AIDS, malaria, and other infectious diseases. Complications during pregnancy and childbirth kill 1,000 girls and women every day. DFID's work focuses on reaching the poorest with health services, by funding the provision of good-quality, cost-effective, basic health services by public, private and NGO providers. In 2012-13, DFID helped 3.4 million additional women to use modern methods of family planning, ensured that 500,000 births took place safely, distributed 9.8 million insecticide treated bed nets, and fully immunised 48 million children against polio.

### **Education**

Education enables people to live healthier and more productive lives, allowing them to fulfil their own potential, as well as to strengthen and contribute to open, inclusive and economically vibrant societies. Yet more than 57 million children are still out of school, of which 31 million are girls, and at least 250 million children cannot read or count, even if they have spent four years in school. DFID's focus is for children not only to be in school, but also to be learning. In 2012-13, DFID supported 1.5 million children in primary and lower

secondary school, of which 700,000 were girls, and 1.7 million teachers were trained through multilateral programmes supported by the UK.

### **Water and sanitation**

Across the world, 2.5 billion people do not have access to sanitation and 780 million people do not have access to clean water. Inadequate access to water and sanitation is the principal cause of diarrhoeal disease, which kills 4,000 children every day, and is the leading killer of children under five in Africa. During 2012, the UK recognised the right to sanitation as an element of the right of everyone to an adequate standard of living, as provided for under Article 11 of the International Covenant on Economic, Social and Cultural Rights. This is the same basis under which the UK recognised the right to water in 2006. In 2012-13, DFID provided 3.1 million people with sustainable access to clean drinking water, and 3.8 million people with sustainable access to improved sanitation.

### **Economic empowerment**

Around 900 million people are in “working poverty”, defined as living under US\$2 a day, predominantly in Africa and Asia, and 79% of jobs held by women are vulnerable, compared to 63% for men, in Africa. Economic development is key to enhancing economic opportunities and eradicating poverty. Growth is the main driver of long-term poverty reduction through the creation of jobs and higher incomes. More inclusive growth, particularly for girls and women, also requires action to tackle the structural barriers that deny poor people the chance to raise their incomes and find jobs. This includes improving access to finance, land and property markets, and employment opportunities. In 2012-13, DFID improved access to financial services for 19.5 million people, including at least 8.9 million women, helping enable them to work their way out of poverty.

## SECTION III: Democracy

Democracy is fundamental to human rights, the rule of law and good governance. A democratic political system represents the will and interests of the people, sustained by and propagating the principles of transparency, participation, inclusion, and accountability.

The UK works to support democracy in individual countries, taking account of the individual characteristics of each, its history and its culture. Even in countries with significant challenges around the rule of law, it is possible to work to promote democratic values in a way that supports human rights and promotes development.

Democracy rests on foundations that have to be built over time: strong institutions, responsible and accountable government, a free press, the rule of law, and citizens who have a say in how they are governed. We do not seek to promote one particular model of democracy, but we recognise that these elements are valuable in themselves and critical building blocks of development. The way we act to support democracy in each country will differ, depending on the context and needs of the country concerned. Our approach is practical, and recognises where we can have most impact. In 2013, the Human Rights and Democracy Department funded democracy projects in **Cambodia**, **Nepal** and the **Philippines**.

In **Cambodia**, voter education is a key part of the multimedia civic education initiative known as “Loy9” which aims to increase youth access to information about civic life and opportunities for participation. The project, with BBC Media, included TV and radio public service announcements (PSAs) at peak times in the build-up to the National Assembly election in July 2013. The PSAs reached over 2.5 million young Cambodians, who received clear, relevant, practical information about the election procedures, and an explanation of the role of the Members of the National Assembly for whom they were about to vote.

The UK Government also gave funding to the Committee for Free and Fair Elections in Cambodia (COMFREL), which worked to strengthen public confidence before and after the Cambodian National Assembly election on 28 July. Election observers were deployed to polling and counting stations countrywide to monitor whether registered voters were able to exercise their right to vote, and whether election officials performed their duties effectively, including accurate publication of the results. After the election, COMFREL continued to lobby the Cambodian government to implement third-party recommendations on election reform, particularly the 2008 EU Election Observation Mission recommendations.

In November, the Foreign & Commonwealth Office (FCO) funded a visit to **Nepal** by four MPs to observe the Constituent Assembly elections. The long-awaited elections followed a period of political stalemate, when the first Constituent Assembly was dissolved after failing to agree a constitution. Alongside our diplomatic efforts and significant funding from the Department for International Development (DFID) to provide technical support, the MPs’ visit demonstrated the UK’s commitment to a democratic election process in Nepal. The elections were seen by all international and domestic observers as credible, free, fair and largely peaceful.

In the **Philippines**, we continued to share British expertise in conflict resolution and political devolution. This diplomacy was underpinned by small UK Government-funded projects on the ground. Over the last year, these projects focused on political party building, women's participation, and drawing on the UK experience of the Patten Commission. The chief negotiators on the Philippines government side and the Malaysian facilitator were valuable contributors at our Wilton Park conference on Conflict Resolution in South East Asia in November.

Looking ahead to 2014, we will continue our work with the EU, UN, the Commonwealth, the Organisation for Security and Cooperation in Europe (OSCE), embassies and diplomatic colleagues. Together with DFID, we will continue to fund projects aimed at strengthening democratic processes in key countries of concern using the Human Rights and Democracy Programme Fund, Arab Partnership Fund, and Confliction Prevention Pool. We will monitor the impact of such programmes closely.

## **Elections and Election Observation Missions**

The FCO supports election observation missions (EOMs) since they build voter confidence, deter violence, and support the credibility of the electoral process. There is also a clear correlation between peaceful transition of power through elections and longer-term prospects for development. The FCO, along with DFID, provides financial and technical assistance to international organisations that carry out EOMs, particularly the EU, OSCE, and the Commonwealth.

Election observation helps to increase the legitimacy of elections, reducing the risk of fraud and violence in the transfer of power. EU EOMs took place in **Jordan, Pakistan, Paraguay and Kenya**. The EU selected 39 UK observers for EOMs. In 2013, the FCO provided UK observers for OSCE EOMs to **Armenia, Azerbaijan, Albania, Georgia, Montenegro, Macedonia, Mongolia and Tajikistan**. The OSCE also played a crucial role in supporting Serbian presidential elections in **Kosovo**. The Commonwealth sent missions to observe elections in **Cameroon, Grenada, Kenya, the Maldives, Pakistan, Rwanda, Sri Lanka and Swaziland**.

In 2013, **Pakistan** reached a crucial milestone. For the first time, power transferred democratically between one civilian government and another, after a full term. This is a vital step on the path to a strong, stable and democratic Pakistan. Some 50 million people went to the ballot box on 11 May to make a statement about the future they want for their country, based on accountable, democratic government. They clearly rejected terrorist violence and intimidation.

Following an invitation from the Pakistan authorities, the British High Commission established a UK EOM. Consisting of eight teams of observers, it was one of the largest international observation teams and deployed throughout Pakistan. Our teams observed elections in Islamabad, Rawalpindi, Lahore, Murree, Faislabad, Jhang, and Karachi.

Our work on democracy in Pakistan will remain one of our key aims in 2014. The people of Pakistan can be certain of the UK's support for their democratic future. The UK has been a

long-term friend of Pakistan, and these elections have strengthened our commitment to work together, based on mutual trust, mutual respect and mutual benefit. These values have underpinned our relationship in the past, and we will do our utmost to ensure they continue to do so for the future.

The UK EOM was in addition to both the UK's support for the EU EOM and our part-funding of the Commonwealth's election observers. Complementing the EU, the UK EOM observed the electoral process, including the work of the election administration, campaigning activities, the conduct of the media, the process of voting and counting, and the announcement of the results.

These elections were among the most credible in Pakistan's history, with a strong electoral register and the highest ever number of women and new voters. To protect that credibility, we hope that all allegations of malpractice will be thoroughly investigated.

Following the impeachment of President Lugo in June 2012, **Paraguay** held presidential elections on 21 April 2013. The poll was the most observed in the country's history, with more than 300 international and 1,200 national monitors. The EU mission, with 111 accredited observers, had the biggest presence. After the elections, observer missions noted that the elections passed off peacefully, and were judged to have been largely free and fair.

National elections were held in **Cambodia** on 28 July. The EU welcomed their peaceful conduct and high public participation. The opposition made significant gains, but observers noted a number of significant irregularities in the electoral process. These included names missing from voter lists, duplicate names, and manipulation of the count. More broadly, observers highlighted flaws in the campaign environment; notably unequal media access and the misuse of state resources. The opposition rejected the election result and a political standoff resulted, which is still ongoing. The UK, along with other international partners, continues to push for dialogue between the two sides, with the aim of securing agreement on long-term political and electoral reforms, which will strengthen the democratic process in Cambodia.

**Kenya** held elections on 4 March. The determination of the Kenyan people to express their political will was demonstrated by the impressive turnout and the way in which many Kenyans waited patiently for hours to vote. The elections were largely peaceful, in stark contrast to the violence of 2007-08. The courts resolved disputes swiftly and fairly. This is an important part of the checks and balances put in place by the new Kenyan constitution, namely to ensure that disputes are taken to the courts.

Most UK aid (around £16 million) in Kenya was delivered through the UN Development Programme's elections basket fund. The support contributed to production of a more accurate voter register using secure optical mark technology, and put in place an independent parallel vote-counting system. This helped ensure that over 14 million Kenyans were registered to vote, and had greater confidence that their vote counted.

### **Case Study: 2013 Elections in Swaziland**

The September elections in Swaziland attracted international attention. Two high-profile reports were released before the elections, which criticised the governance and human rights picture in the country: Chatham House's "Swaziland: Southern Africa's Forgotten Crisis" and Freedom House's "Swaziland: a Failed Feudal State". Election observers confirmed that the elections passed peacefully but many, including the Commonwealth and the African Union, were critical of aspects of the elections, particularly the ban on participation by political parties. Local chiefs also had influence over the nomination process for candidates. Our concerns remain over the refusal by the government of Swaziland to engage in a genuine process of national dialogue about the role of political parties. This is something we will continue to raise with the government of Swaziland and international partners.

The Commonwealth was actively engaged in Swaziland through the Secretary General's Advisor on Swaziland. The Commonwealth EOM report on the September elections noted that the elections fell short of meeting Swaziland's key international obligations for democratic elections, and recommended revisiting the 2005 constitution to ensure that Swaziland's commitment to political pluralism is clear. We maintain close contact with the Commonwealth team in-country and in the UK.

The September elections also highlighted continuing gender inequality in Swaziland. Only one woman was elected in 55 constituencies. The King's nomination of just three additional women to the lower chamber of parliament leaves female participation in parliament short of the 30% target. Constitutional provisions to increase the number of women when this target has not been met have so far been ignored. The British High Commission in South Africa covers our relations with Swaziland, and continues to work with international partners including the EU, Commonwealth and the South African Development Community to exert international pressure for change.



## Country Case Study: Bangladesh – Political Violence

Bangladesh's 9th Parliamentary elections, in December 2008, restored democracy to the country after nearly two years of military-backed caretaker government. The following five years saw Bangladesh make great progress in economic and social development. However, a confrontational and violent political culture saw little meaningful reform. As a result, the build-up to Bangladesh's 10th Parliamentary elections, held on 5 January 2014, was marked by deplorable levels of violence, intimidation, and economic disruption (enforced general strikes and transport blockades), as parties failed to reach consensus on electoral arrangements.

NGOs suggest over 500 people lost their lives in political violence in Bangladesh in 2013, with many more seriously injured. 215 were reportedly shot dead by law enforcers. Minority communities were once again the targets for vandalism and intimidation. Attacks on property and public transport instilled fear into ordinary citizens who also suffered most from a series of enforced national strikes and transport blockades called by opposition parties. As disruption increased, significant numbers of opposition politicians faced arrest and some restrictions were placed on the right to assembly. Allegations of extrajudicial killings and enforced disappearances continue to be made.

We have repeatedly condemned all forms of violence and excessive use of force. This includes during Baroness Warsi's February visit to Bangladesh and public statements by our High Commissioner on 3 March and by Baroness Warsi on 14 March – in the wake of violence following verdicts announced by the International Crimes Tribunal. We also expressed our significant concerns over violent demonstrations and the use of excessive force in dispersing these demonstrations. In our national statement at Bangladesh's Universal Periodic Review (UPR), at the UN Human Rights Council on 29 April 2013, we urged the government and opposition to refrain from violence. At the UPR we also recommended that the government of Bangladesh thoroughly investigate and, if credible evidence emerged, prosecute all allegations of human rights violations, including disappearances, custodial torture and extrajudicial killings.

In addition to public messages, and action taken in coordination with the EU, we take every opportunity to raise our concerns with both the government and opposition parties in private, most recently during Baroness Warsi's visit on 12 December. The Foreign Secretary also raised our concerns with Prime Minister Hasina when they met in London in July.

Peaceful credible elections that express the genuine will of voters are the true mark of a mature, functioning democracy. To strengthen democratic accountability and improve the long-term stability of Bangladesh, the parties need to put an end to the destructive five-year cycle of one-sided elections, boycotted parliaments, and culture of political violence.

## Country Case Study: Egypt – Post-Revolution Political Upheaval

As a result of political upheaval, the human rights situation in Egypt deteriorated in 2013. Following the removal of then President Mursi, Egypt's first democratically elected president, in July 2013, the Foreign Secretary said that the UK did not support military intervention as a way to resolve disputes in a democratic system, and called on all sides to avoid violence. The military announced a political roadmap for the return to democracy, led by a military-backed civilian interim government.

The political tension led to rising violence in July and August, culminating in operations by the Egyptian security forces to clear pro-Muslim Brotherhood protestors from sit-ins in Cairo, during which about 1,000 people were killed. The Foreign Secretary issued a statement condemning the use of **excessive force in clearing protestors**. On 21 August, he raised his concerns at the EU Foreign Affairs Council, and on 9 September we raised Egypt at the UN Human Rights Council. Ministers continued to call for an independent investigation into the operations to disperse the sit-ins, and the Foreign Secretary requested an investigation into the death of a British journalist who was shot at the sit-ins on 14 August.

In December, Egypt's Constitutional Committee launched a **draft constitution**, to be voted on by referendum in January 2014. It improved protection for religious minorities and women. The military would retain the right to try civilians in military courts, albeit in more clearly defined circumstances. The key test for the constitution will be its ratification and how it is implemented, with many articles requiring additional legislation.

**Political polarisation** continued throughout the reporting period. In November, a controversial new protest law was introduced restricting the right to protest without permission. In December, the Muslim Brotherhood was declared a terrorist organisation by the Egyptian Cabinet. The Foreign Secretary said that, whilst the UK Government does not support any specific political party in Egypt, it strongly supported an inclusive political system which allowed all groups in society to be represented, and in which freedom of association and expression was respected.

Media freedom was limited under President Mursi. However, it deteriorated further after 3 July. There were numerous reports of harassment, detention and prosecution of journalists. We continued to stress that **freedom of expression**, including freedom of the media and the ability for citizens to debate issues and challenge their governments, is fundamental to building a democratic society. We have called on the Egyptian authorities to release political leaders and journalists detained since the events of 3 July, unless there is a credible criminal case to be made against them.

The interim government is facing a **growing terrorist insurgency**, which is spreading beyond North Sinai into other parts of Egypt. The Foreign Secretary condemned the attack on 24 December in Mansoura, which killed at least 16 people and wounded over 100.

**Sectarian violence** and lack of protection for religious minorities continued in 2013. 40 churches were burned and 23 damaged, in an upsurge in Islamist violence against Coptic

Christians. The Foreign Secretary spoke out following these acts, and Minister for the Middle East, Hugh Robertson, discussed the situation faced by Coptic Christians with Bishop Yulios during his visit to Cairo in December. The Bishop was strongly supportive of the new constitution and its safeguards for religious minorities. During Baroness Warsi's visit to Cairo in February, she met Pope Tawadros II, leader of the Coptic Church, and the Shaykh Al Azhar, Dr Ahmed El Tayyeb, and discussed the issue of minorities in Egypt. We continue to raise the importance of respect for religious beliefs and the protection of religious minorities with the Egyptian authorities.

**Women's rights** continue to be a source of serious concern, with a high incidence of sexual violence, sex trafficking of women and forced marriage. There were incidents of sexual assault against women during protests in Tahrir Square in both January, during the anniversary demonstrations, and during further protests throughout the year. There has been widespread failure to prosecute those individuals responsible for these assaults. Through the Arab Partnership, we work with project partners to ensure that gender issues are taken into account, and support projects which aim to strengthen women's political and economic participation. We remain concerned that female genital mutilation is still being practised in Egypt, which is contrary to international conventions and fundamental human rights.



Protests in Cairo, Egypt, 2013. Photo credit: Mohamed Azazy.

## The Westminster Foundation for Democracy

The Westminster Foundation for Democracy (WFD) is the UK's leading democracy-building foundation. Established in 1992, WFD is a non-departmental public body sponsored by the FCO. It works globally to support the institutions of democracy – principally parliaments, political parties and civil society in post-conflict countries and emerging democracies. It is uniquely placed to draw on the expertise of all the UK's principal political parties which work with their overseas counterparts ("sister parties"), in order to develop the skills of politicians and political parties. The overall goal of WFD is to strengthen the institutions of democracy and good governance, including respect for human rights.

During 2013, WFD continued its work on supporting parliaments, multi-party systems and civil society in Africa, Asia, Europe, and the Middle East and North Africa (MENA). Central to WFD's work is the development of more democratic, representative and inclusive governance systems, and strengthening of human rights. Responding to citizen-led demands for more democratic governance and rights in MENA, WFD has significantly expanded its programmes in the region. These include a MENA-wide initiative to support the engagement of women in political life, and develop the leadership skills of women politicians, enabling them to pursue reforms and legislation that protect women's rights. Prevalent among these reform efforts are those to introduce legislation outlawing domestic violence against women.

This programme complements a range of other interventions in the region to secure greater inclusivity by forging closer links between legislators and their constituents and supporting civil society groups in **Iraq, Jordan, Lebanon, Morocco, the Occupied Palestinian Territories, Tunisia and Yemen**. Common to these civil society initiatives is the pursuit of greater accountability on the part of governments to uphold the rights of all citizens. WFD has been advising the Moroccan parliament on the creation of a public accounts committee, which was established in late 2013 in the parliament's rules of procedure. The committee is the first of its kind in an Arab parliament.

WFD undertakes similar work in Central Asia, where it established a programme in **Kyrgyzstan** after uprisings and the eruption of ethnic tensions which resulted in hundreds of deaths. Designed to support greater inclusivity and better representation of citizens, the Kyrgyzstan programme supports stronger engagement between civil society, local councils, and parliament. Two pilot initiatives have been established in Naryn, central Kyrgyzstan, and in Osh, the country's second city and centre of ethnic violence in 2010. Through the programme, the Jogorku Kenesh Committee on Human Rights, Constitutional Law and State Structure (the Kyrgyz Parliamentary Human Rights Committee) initiated the first hearings on torture and migration in Osh.

Support for more representative governance and closer links between legislators and their constituents also forms the core of WFD's programme in **Kenya**. The 2010 constitutional provisions for devolving powers to Kenya's 47 counties followed a highly divisive period of unrest and post-election violence in 2008. WFD supports the new county assemblies to perform their oversight roles in pursuit of a more equitable distribution of resources, and a transition from a centralised unitary government to a devolved one.



Strengthening democracy, human rights, and the rule of law is also the goal of WFD's programme in **Georgia**, where it supports a range of civil society organisations to advocate and engage effectively with legislators on a range of policy issues, addressing the needs of all sectors of society, including poor and marginalised groups. The Georgian programme has assisted civil society organisations to lobby for reform on internal displacement, protection for defendants' rights within the criminal code, women's access to paternity testing, and health care for prison inmates.

In 2013, WFD completed a five-year programme, the Westminster Consortium for Parliaments and Democracy, which worked with six parliaments in Africa, Eastern Europe and the Middle East, resulting in a range of self-sustaining initiatives to strengthen democratic procedures. These included the establishment of parliamentary study centres in **Lebanon, Uganda and Mozambique**, greater representation and inclusivity of civil society, more rigorous parliamentary reporting by the media, the establishment of freedom of information legislation, and a dedicated human rights committee in the Ugandan parliament. The programme significantly contributed to WFD's reputation as a result- and learning-oriented organisation delivering quality programmes that can strengthen democracy, good governance and citizen engagement – a legacy on which WFD intends to build in 2014.

More information on the Westminster Foundation for Democracy and its programmes is available on their website: [www.wfd.org](http://www.wfd.org)

## Freedom of Expression

Freedom of expression on the internet remained one of the FCO's key human rights priorities in 2013. As the UK stated in an address at the November Council of Europe Ministerial Conference on Freedom of Expression and Democracy in the Digital Age, freedom of expression and the media are essential qualities of any functioning democracy. People must be allowed to discuss and debate issues freely, to challenge their governments, and to make informed decisions. The vital role of the media in providing people with reliable and accurate information must also be protected.

2013 saw the threats to freedom of expression being increasingly extended beyond print media to the internet, with increases in blocking and censoring, which either directly restricted freedom of expression or created a broader chilling effect. There was an increase in the number of online journalists, bloggers and others who were obstructed in their work by being harassed, monitored, detained or subjected to violence and threats. Too often, countries referred to the need for "professionalism" and "responsibility" as pre-conditions for the enjoyment of the universal right to freedom of expression. The UK strongly believes that human rights apply online as they do offline, including freedom of expression, and that in the digital age the definition of "journalist" has expanded beyond traditional print media to include other media actors, including bloggers, *netizens* and citizen journalists.

In an address at the Seoul Cyber Conference in November, the Foreign Secretary argued that a free and open internet, one that allows for and enables freedom of expression, and benefits from collective oversight between governments, international organisations, industry and civil society, is the only way to ensure that the benefits of the digital age are expanded

to all countries. State control of the internet often comes from a desire to control expression and curtail political freedom, and not only impedes the free flow of ideas, but also holds back economic growth and development.

To mark World Press Freedom Day this year, the FCO hosted the “Shine a Light” campaign, an online digital campaign to highlight the safety of journalists through the personal testimonies of journalists and bloggers from around the world who have faced harassment and other restrictions to press freedom. The stories, videos and pictures were collated on a bespoke World Press Freedom Day blog, and included material from **Sudan, Zimbabwe, Tanzania, Burma, Nepal, Hong Kong (SAR), Tunisia, Lebanon, Philippines, Iran, Democratic Republic of the Congo, Ethiopia, Jordan, Egypt, Vietnam and Bahrain**. In his statement on the day, the Foreign Secretary highlighted the “debt of gratitude” we owe to the courageous journalists, including citizen journalists, who risk imprisonment, injury and death to report from repressive countries or conflict zones around the world. In parallel, our embassies around the world hosted their own events, including two debates on press freedom co-hosted with the Universidade de Brasilia and Federal University of São Paulo in **Brazil**, as well as a reception for journalists and bloggers hosted by the British High Commission in **Singapore**.

Freedom of expression remained a key priority of the Human Rights and Democracy Programme Fund in 2013. The FCO funded 11 projects around the world, totalling over £800,000. These included a project in **Kazakhstan** aimed at strengthening the expertise of media NGOs, journalists and media lawyers to defend the rights of journalists more effectively; one in **Vietnam** aimed at increasing access to information and broadening public policy debate through strengthened investigative environmental journalism; one in **Russia** to build journalists’ capacity to report on ethnic, race and religious diversity; and one with BBC Media Action in **Zambia** focused on improving the capacity of the media in Zambia to facilitate dialogue and debate between ordinary Zambians and their leaders.

The UK continued to work to promote freedom of expression online through multilateral institutions including the OSCE, the Council of Europe and the UN. The UK co-sponsored two resolutions on the Safety of Journalists at the UN Human Rights Council (UNHRC) in September and at the UN General Assembly in November. In July, during a Security Council debate on the Safety of Journalists, the UK deplored the murder of journalists as an attack on democracy and free speech, and reaffirmed its commitment to the UN Plan of Action on the Safety of Journalists and the Issue of Impunity, encouraging all member states to work together with the UN to implement its provisions. The UK also successfully lobbied to secure language reaffirming the principle that the same rights and responsibilities that people have offline must also be protected online, in particular, freedom of expression, in the Commonwealth Heads of Government Meeting (CHOGM) Communiqué in November.

As well as working through multilateral institutions, the UK raised its concerns around freedom of expression bilaterally throughout 2013. In **Thailand**, we continued to work with EU partners to attend high-profile trials and issue joint statements condemning convictions under the *lèse majesté* law. One prominent example of this was the case of activist Somyot Prueksakasemsuk, who was sentenced to 11 years’ imprisonment in January for publishing articles which allegedly made negative reference to the monarchy. In addition to publicly stating our opposition to such cases, we reinforced the message to the Royal Thai

government that heavy-handed use of *lèse majesté* serves only to undermine the institution it purports to protect.

Freedom of expression also remained a concern in **Kazakhstan**. Although criminal justice reform is ongoing, articles currently remain that could, in principle, further restrict freedom of speech and expression. Our Embassy in Kazakhstan funded a training programme for media lawyers and media NGOs on national legislation, international law and media advocacy.

The human rights situation in **Azerbaijan** remained a concern in 2013, with continued restrictions on freedom of expression and the media, and the extension of the defamation law to the internet. Our Embassy in Baku funded projects investigating the right to a fair trial in freedom of expression cases, and supporting human rights civil society organisations in Azerbaijan. During his visit to Baku in December, the Foreign Secretary raised human rights during meetings with the President and Foreign Minister, including the individual case of Anar Mammadli, Chairman of the Azerbaijani Election Monitoring and Democracy Studies Centre, who was arrested in December.

Growing restrictions on freedom of expression remain a priority in **Russia**. At the Annual Bilateral Human Rights Dialogue in Moscow in May, officials raised concerns about the case of Bolotnaya protestors, many of whom were under house arrest or in detention awaiting trial on charges of organising mass unrest on 6 May 2012, as well as growing limits on the operating environment for NGOs in Russia.

The response by Turkish police to nationwide demonstrations over the summer raised freedom of expression concerns. According to Turkish Interior Ministry figures, 2.5 million protestors took part in 79 cities across **Turkey**. The Turkish police responded by using tear gas, pepper spray, water cannon and plastic bullets to disperse the protestors. The European Commission's Annual Progress Report highlighted concerns over excessive use of force by the Turkish police. According to the report, over 3500 protestors were detained, with 108 detained on suspicion of being a member of a terrorist organisation. The Turkish Human Rights Ombudsman, in its report on the protest, also noted that the police had, on occasion, used excessive force. The UK has launched a joint project with the Ministry of Interior, aimed at supporting the Turkish government to reach a more effective balance between respecting the right to peaceful protest, while ensuring public safety.

The Foreign Secretary's Advisory Group on Human Rights has a Sub-Group on Freedom of Expression on the Internet, chaired by Baroness Warsi. The sub-group brings together representatives from academia, civil society and industry, and it met twice in 2013. In May, the group discussed a new strategy for engaging with middle-ground countries on freedom of expression on the internet, and priorities for the upcoming Freedom Online Coalition Conference. In November, group members debated the impact of the Snowden revelations on the UK's efforts to promote freedom of expression online, and offered their suggestions for the draft EU Guidelines on Freedom of Expression.

The UK continued to play a leading role in the Freedom Online Coalition (FOC), a coalition of like-minded countries committed to promoting internet freedom, including by engaging with other governments, civil society, industry and international organisations. In 2013, the FOC grew in membership, with **Georgia**, **Germany** and **Moldova** joining, bringing the total



membership to 22 countries. Joint action by coalition members included lobbying other governments against adopting restrictive legislation that would violate freedom of expression online.

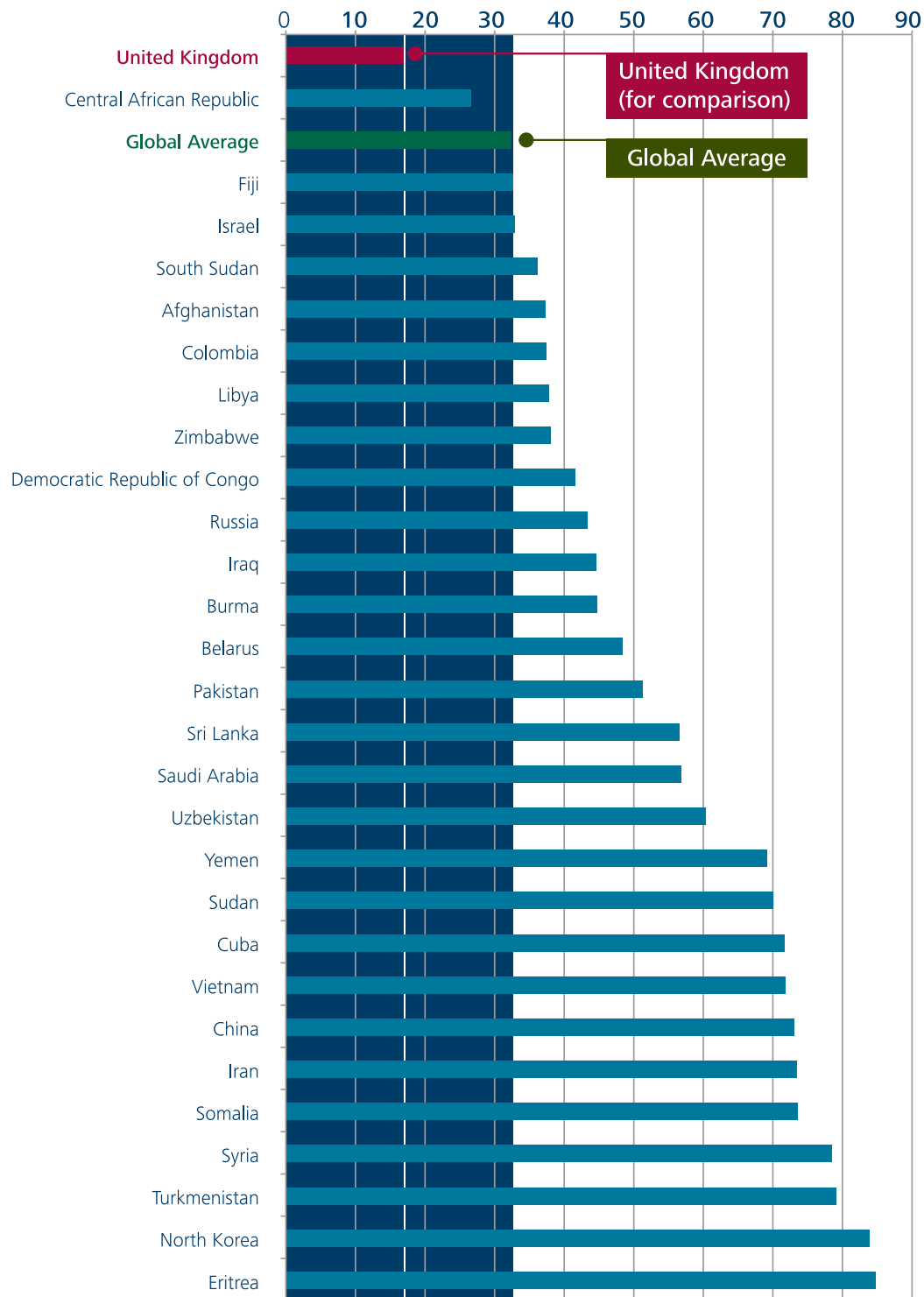
For example, the FOC called on **Vietnam** to make changes to Decree 72, which imposed further restrictions on the way the internet is accessed and used in Vietnam, to ensure that it did not violate freedom of expression online. FOC member states made joint statements in other international *fora*, including the OSCE Human Dimension seminar and Internet Governance Forum (IGF), calling on governments to respect and protect internet freedom and uphold the current multi-stakeholder model of internet governance, which is essential to a free and open internet. The FOC held regular meetings in the margins of other international meetings including the UN Human Rights Council, the Stockholm Internet Forum and the IGF, where it hosted an open session to engage with civil society and hear their suggestions about ways to shape the work of the FOC.

**Tunisia** hosted this year's FOC conference in Tunis, a testament in part to the role of the internet and social media in the Arab Spring. The Tunis conference focused on three key themes: a free and secure internet; privacy and transparency online; and digital development and openness. The 4th FOC conference, to be hosted by **Estonia** in Tallinn in April 2014, will continue to focus on these key themes, and will aim to produce a set of recommendations to governments, industry and civil society.

## Privacy resolutions

Intelligence revelations intensified debate on the right to privacy online and offline in multilateral *fora* including the UN and Council of Europe. **Brazil** and **Germany** co-sponsored a resolution at the UN General Assembly 3rd Committee in November on the Right to Privacy in the Digital Age, which was adopted by consensus. The UK lobbied for the inclusion of language reaffirming that freedom of expression applies online as it does offline, but this was unfortunately not included in the final text. The UK welcomes debate about privacy issues, but will continue to argue that this should not be at the expense of adequate international focus on threats to freedom of expression online.

## Press Freedom in the Countries of Concern



The chart shows the degree of press freedom in each of our “countries of concern”, and includes the UK and the global average for comparison purposes. Zero represents total respect for media freedom, whereas 100 would indicate its complete absence. Data: Reporters Without Borders Press Freedom Index 2013.

## **Country Case Study: Ethiopia – Justice and Treatment in Detention**

The UK is concerned about continuing restrictions on opposition and dissent in Ethiopia, through use of the Anti-Terrorism Proclamation (ATP) and the Charities and Societies Proclamation (CSP). Those detained under the ATP include members of opposition groups, journalists, peaceful protesters, and others seeking to express their rights to freedom of assembly or expression, while the CSP has had a serious impact on Ethiopian civil society's ability to operate effectively.

We are choosing to highlight a number of reports of mistreatment of prisoners in detention. In May, the Ethiopian Human Rights Commission (EHRC), whose mandate and powers are defined by parliament, published a report, "Monitoring Report on Respect of Persons Held in Custody of Ethiopian Police Stations", which described generally poor detention conditions, with some incidents of human rights abuses and unlawful interrogation tactics. The report was based on monitoring of 170 police stations, and inspections were conducted without any prior notification. One institution, the Maekelawi police detention facility, has drawn a high level of criticism from former detainees and international NGOs for alleged mistreatment of its inmates.

Allegations of abuses by the "Special Police" in Somali Region are also a concern. The increased security presence in the region has brought some benefits, including some development of basic services and infrastructure – albeit from a low base. But there have been many reports of mistreatment associated with the Special Police, including torture and execution of villagers accused of supporting the Ogaden National Liberation Front. The UK Government and the UN have pressed the Ethiopian government to articulate a reform plan for the Special Police. The Ethiopian government has agreed this is needed, so we will encourage them to take action.

We have pressed the Ethiopian government to ensure that all prisoners are treated in full accordance with international standards. We have also consistently raised our concerns about the ATP. Recognising the serious threat Ethiopia faces from terrorism, we have explained to the government the differences between the UK's and Ethiopia's legislation in this area. The UK Government also recently supported a high-level visit of Ethiopian ministers and officials from Ethiopia's National Security Council to the UK, in order to showcase issues of accountability, oversight and separation of duties in the security arena.

## **Country Case Study: Rwanda – Freedom of Association and Expression**

In the twenty years since the genocide, Rwanda has made remarkable progress in economic and social development, including rapidly reducing levels of poverty and expanding opportunities for women and girls. However, the UK remains concerned about restrictions on civil and political rights, such as freedom of association and expression.

Parliamentary elections took place in September and were conducted in a peaceful and secure environment. There was, however, a lack of transparency around the consolidation of results, and it was not possible for observers to verify the integrity of the tabulation process and of the final results as issued. Political space for opposition parties and civil society organisations remains constrained. There is a risk that government processes around the registration and regulation of such groups compromise their independence and autonomy. Because of delays in granting registration, the Democratic Green Party was not able to participate meaningfully in the elections. In November, the opposition PDP Imanzi party was not given permission to hold a founding conference.

We are concerned by the role that the Rwandan authorities played in the change in leadership of LIPRODHOR, one of the last remaining independent human rights advocacy organisations in the country. A court case has been initiated, which the British High Commission is following closely, including by attending hearings. Rwanda adopted new media laws in March. The UK welcomes the initial application of the laws and wider steps taken to encourage greater media self-regulation, rather than by the state. But we remain concerned about Rwanda's media environment, and by the negative impact of laws about genocide ideology on legitimate dissent and debate.

We continue to monitor the situation of imprisoned political leaders and activists, such as Victoire Ingabire, Bernhard Ntganda, Anselme Mutuyimana and Sylvain Sibomana. We are aware of allegations by their respective political parties that the sentences handed down are disproportionate and could discourage political debate.

We are monitoring allegations that the Rwandan authorities have used violence against activists and political opponents. We have raised concerns over the slow pace of investigations into the death in July of Gustave Makonene, an employee of Transparency International Rwanda.

The UN Security Council has issued the 2013 annual report of the UN Group of Experts on the Democratic Republic of the Congo (DRC). The report presented evidence of Rwandan support to the M23 armed group in eastern DRC. Following the November defeat of the M23, we continue to discuss with Rwanda how it can play a stabilising role in the region, and to support implementation of the UN's Peace and Security Cooperation Framework. The UK has an ongoing dialogue with the Rwandan government on these and other issues.

## The Arab Partnership

Through 2013, the Middle East and North Africa (MENA) region continued to face complex, political, economic and security challenges. Governments face the long-term task of delivering lasting security, stability and prosperity through institution-building based on respect for human rights. This includes development of an independent and impartial judiciary, a capable and accountable legislature, plural media and civil society.

The joint DFID-FCO Arab Partnership worked across 15 MENA countries to support those building more open, inclusive political systems and economies. We provided practical assistance through the bilateral £110 million 2011-2015 Arab Partnership Fund, and the UK's Chairmanship of the Deauville Partnership, as part of our 2013 G8 Presidency.

Through the FCO-led Arab Partnership Participation Fund (APPF), our priority objectives, all underlined by the promotion of respect for international human rights norms, were to support the following: more inclusive political participation; greater respect and space for public voice; and strengthened good governance. We also supported the rights of women in the region across all three of these themes.

In financial year 2013-14, our APPF funding totalled £13 million. We supported 65 projects ranging from £45,000 to £525,000. Below are some examples of our work, delivered in some cases in difficult country environments.

### More inclusive political participation

In **Jordan**, we funded a project to improve the capacity of political parties and parliament in addressing the concerns of citizens, through strengthening the work of parliamentary committees. In **Egypt**, we supported the Carter Centre and the Electoral Institute of Southern Africa, which fielded observation missions and provided expert analysis around the two referendums. This provided impartial and credible assessments regarding the polls, used by both local and international groups.

### Greater respect and space for public voice

Working with the British Council and the Anna Lindh Foundation, we supported a regional project in **Morocco, Algeria, Tunisia, Libya, Egypt** and **Jordan**, which organised over 190 debates. 1,200 young men and women have been trained to debate policy issues, learning directly from policymakers and experts. Cascade training is increasing the reach further. In **Algeria**, we supported media pluralism through the training of 400 staff from the state radio station, as well as newspaper and television journalists. These outlets have taken advantage of new media freedoms to initiate independent discussion on previously unexplored subjects, such as an in-depth report about sexual harassment on public transport.

### Strengthened good governance

In **Egypt**, we are supporting projects improving service delivery and dialogue between local government and communities. For example, the Egyptian Association for Marketing and

Development has overseen the training of mediators who have contributed to the resolution of 35 corruption cases between local government and community.

### **Women's rights in the MENA region**

In **Libya**, we continue to support the General National Congress's women's caucus to advocate gender-conscious legislation, including an expanded quota for women's representation on the constitution-drafting assembly. A project in Iraq has empowered women in civil society organisations to challenge gender discrimination in Iraqi legislation. In **Egypt**, we have supported the training of 50 women to run in local elections. Although these elections have been postponed, the women have been proactive in setting up popular committees and participating in local civic campaigns.

### **Human Rights Defenders**

The FCO continued to attach great importance to our work with civil society and human rights defenders (HRDs). Our overseas missions worked with EU colleagues locally to support HRDs in line with the EU Guidelines on HRDs, as well as working with colleagues from other like-minded embassies. Our work included meeting HRDs and their families; raising specific instances of abuse or detention with governments; encouraging dialogue between governments and HRDs; speaking out publicly in support of HRDs; and funding projects. In August, the FCO sent an updated guidance note to all UK embassies and high commissions with examples of best practice across the network, and practical advice on implementing the EU Guidelines locally.

In 2013, the UK continued to support "Lifeline: the Embattled NGO Assistance Fund" with a contribution of £100,000. Lifeline provides emergency assistance and small grants to civil society organisations worldwide that are facing repression and harassment because of their work in promoting human rights. It also supports discrete advocacy initiatives to help local NGOs defend themselves against undue government restrictions in difficult environments. In 2013, Lifeline gave 164 grants worth more than US\$1,380,000 to civil society organisations working on human rights issues.

The UK also continued to play an active role in the Community of Democracies Working Group on Enabling and Protecting Civil Society, which focuses on addressing the issue of restrictive laws and regulations that stifle civil society around the world. Over the course of 2013, the UK engaged in several joint lobbying efforts to prevent the adoption of restrictive legislation that hinders the work of civil society.

The UK also contributed £500,000 to the Digital Defenders Partnership (DDP) Fund, established in September 2012 by the US, Netherlands and UK. The DDP Fund aims to protect freedom of expression by offering rapid release grants to help keep the internet open when governments attempt to shut it down in order to suppress democratic debate, as well as funding work to develop tools to enable democracy activists to operate safely online. In 2013, the DDP formally established a governance structure and grant-making procedures, set up its website, and made its first grants. These included a project that aims to provide high-quality legal support to media, journalists and bloggers in South Asia and South East Asia, and one aimed at strengthening the technical capacity of an anti-censorship network.

DDP also carried out two scouting missions to Central Asia and the MENA region to perform research into internet infrastructure, the current situation of surveillance and censorship, and potential attacks and threats in each region.

Bilaterally, ministers and officials continued to raise individual cases of HRDs with host governments, and attend trials and court hearings. In **Bangladesh**, the situation of HRDs has worsened, with activists being arrested for publishing material critical of the government. Adilur Rahman Khan, Executive Secretary of the Bangladesh human rights group, Odhikar, was arrested in August 2013, following publication of a fact-finding report about a police crackdown against a rally led by the Islamist organisation Hefazat-e-Islam. The British High Commission expressed concerns about Khan's arrest to the Bangladesh authorities and issued a statement on 13 August noting that it had conveyed its concerns about his detention, and calling on the Bangladesh authorities to observe due process and respect for human rights. The British High Commission continues to monitor the trial.

### **Case Study: Human Rights Defender Sombath Somphone in Laos**

On 15 December 2012, community development worker and prominent civil society activist Sombath Somphone disappeared in Vientiane in Laos. Police CCTV footage showed Sombath being taken away by unknown individuals after being stopped by uniformed traffic police at a police post. There is still no information on his whereabouts. In the year since his disappearance, FCO ministers and officials have raised his case with the Lao authorities on many occasions, and have offered technical assistance in interpreting the CCTV footage. Most recently, Minister for South East Asia, Hugo Swire, released a statement to mark the one-year anniversary of Sombath's disappearance. The UK, along with other international partners, will continue to raise Sombath's case whenever possible, and to call for a thorough, transparent and impartial investigation into his disappearance in order to make his fate and whereabouts known, and to bring those responsible to justice.



## SECTION IV: Criminal Justice and the Rule of Law

Respect for the rule of law is crucial for peace and security, and the protection of human rights, because it advances accountability and democracy, equality and social justice, and growth and investment. As demonstrated elsewhere in this report, serious human rights violations are endemic in states where the rule of law has collapsed. States in which rule of law is weak – for example where public authority is not held accountable, citizens are not treated equally before the law, human rights are not protected, and citizens cannot access justice – are usually those most prone to instability.

The UK has a long history of supporting the rule of law overseas and considers this to be a key component of sustainable development. In 2013, the Department for International Development (DFID) supported 25 programmes that included a security and justice component, operating in 16 countries overseas, at a value of approximately £50 million per annum. DFID also undertakes rule of law work with regional institutions, and in fragile and conflict-affected states. The primary areas of focus for DFID's bilateral work are improving public trust and accountability in state security and justice institutions, increasing access to justice at the individual and community level, and reducing violence against women and children.

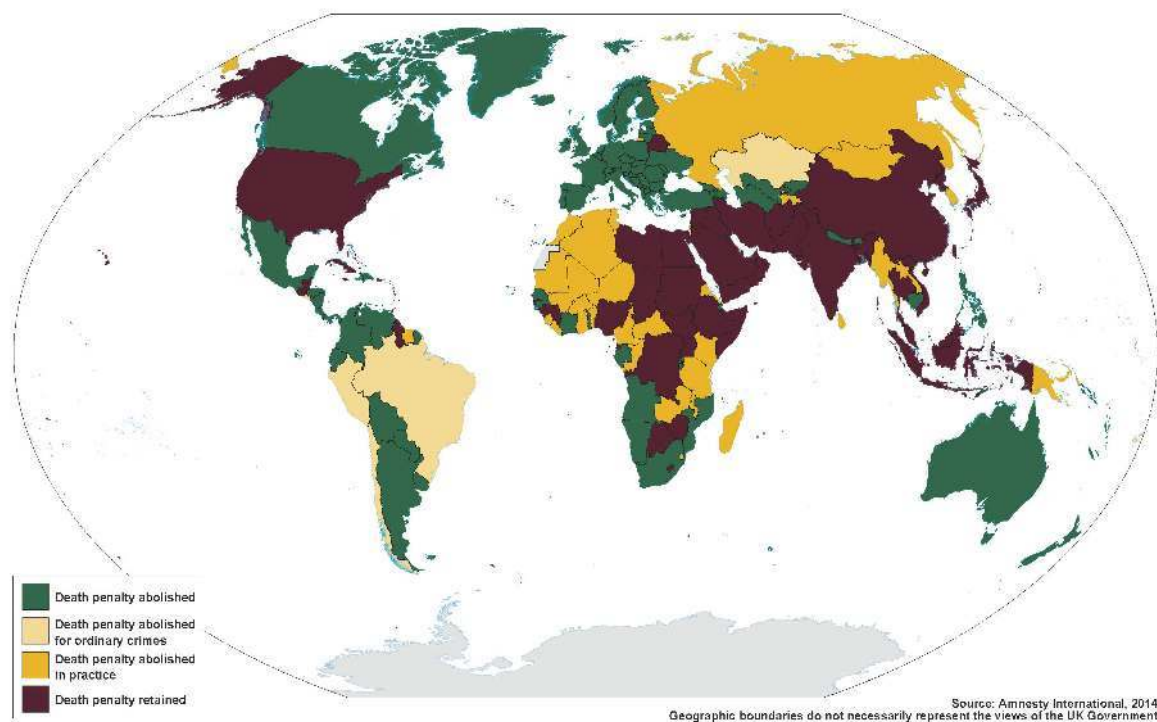
The **Overseas Security and Justice Assistance (OSJA) Guidance** is a crucial, widely-used tool that enables the UK Government to assess fully and mitigate possible human rights risks arising from its overseas security and justice assistance work. It applies to all UK Government departments and agencies involved in overseas security and justice work, and enables vital assistance to take place. The guidance was recently the subject of a planned review, and minor amendments were made to clarify key points, including defining more clearly the circumstances in which the guidance should be applied, and highlighting additional assessments against the EU and National Consolidated Criteria that need to be undertaken if the assistance involved the provision of equipment controlled under export control legislation. The updated guidance is available at:

<https://www.gov.uk/government/publications/overseas-security-and-justice-assistance-osja-guidance>

### The Death Penalty

Global abolition of the death penalty remains a priority for the UK Government. We 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.

The international trend towards abolition of the death penalty was last confirmed by the largest ever UN General Assembly (UNGA) vote, at the end of 2012, in favour of establishing a worldwide moratorium on the death penalty. While not binding, the growing support for this resolution (which is tabled every two years) is indicative of strengthening world opinion against the use of the death penalty.



The map shows the use of the death penalty around the world. Countries whose laws provide for the death penalty only for exceptional crimes such as crimes under military law or wartime crimes are deemed to have abolished the death penalty for ordinary crimes. Countries that retain the death penalty for ordinary crimes such as murder are commonly considered abolitionist in practice if they have not executed anyone during the past ten years, are believed to have a policy or established practice of not carrying out executions, or have made an international commitment not to use the death penalty. Data: Amnesty International.

The Government's Strategy for the Abolition of the Death Penalty, which was updated in October 2011, defines three goals to support our overarching objective of global abolition. Firstly, we aim to increase the number of abolitionist countries, or countries with a moratorium on the use of the death penalty. Secondly, in countries that still apply the death penalty, we want to secure further restrictions on its use, and reductions in the numbers of executions. And, thirdly, when the death penalty is applied, we aim to ensure that universal minimum standards on its use are met; these include fair trial rights and no execution of juveniles.

In consultation with the Foreign & Commonwealth Office's (FCO) Advisory Sub-Group on the Death Penalty, we placed a particular focus in 2013 on two geographic regions: **South East Asia** and the **Caribbean**. The group was established several years ago to provide expertise on death penalty issues, and meets about twice a year.

The picture in **South East Asia** has been mixed. There are positive signs in a number of countries of increasing willingness to review the use of the death penalty. **Singapore**, for example, introduced a change in its law, which led to a reduction in the use of mandatory death sentences and a review of current death row cases. The UK Government had asked Singapore to remove mandatory death sentences, while UK-registered charitable trust, the Death Penalty Project (DPP), has supported local lawyers in bringing legal challenges to the

death penalty in Singapore. Death row inmate Yong Vui Kong, assisted by the DPP since 2009, was spared the death penalty in 2013.

In **Malaysia**, the DPP used FCO project funds to carry out a public opinion survey on attitudes towards the death penalty. The results of this suggest that support tends to drop in proportion to the amount and quality of information respondents have about the death penalty and its use. The Malaysian government is currently looking at law reform, and has indicated that this review covers the use of the death penalty.

While there have been no executions since 2009, we still have concerns about the death penalty in **Thailand** and have continued to lobby the Thai government on abolition. The picture is less positive in **Vietnam**, where use of the death penalty resumed in August following a *de facto* moratorium since 2011. **Indonesia** too ended its *de facto* moratorium, which had been in force since 2008, to carry out five executions in 2013.

In the **Caribbean**, we focused on providing support, through FCO project funding and the active involvement of posts, for local civil society abolitionists. To date, there has not been a strong tradition of civil society support for abolition in the region, and high crime rates in the Caribbean have helped maintain support by the general public for the death penalty. In 2013, the FCO worked with the Paris-based World Coalition Against the Death Penalty to provide support for local organisations. This led to the establishment, during a conference in Port of Spain in October, of the Greater Caribbean for Life Network, in which activists across the region are now working together to advance the cause of abolition.

The FCO supports the work of the All Party Parliamentary Group (APPG) on the Abolition of the Death Penalty, which is chaired by Baroness Stern, and which works energetically with parliamentarians worldwide to bring about abolition. In 2013, the FCO funded lobbying visits by its members to **Japan**, **Taiwan** and **Thailand**, where local posts arranged visit programmes and contacts with key local representatives. An official Thai delegation subsequently visited the UK, and had further discussions with Lord Dubs and others, contributing to a further Thai government request for assistance in studying possible moves towards abolition.

The FCO also funded a lobbying visit by APPG member Baroness Scotland to **Jamaica**, **Trinidad** and **Barbados**. Baroness Scotland was accompanied by Madame Ruth Dreyfuss, a former President of Switzerland and a member of the Geneva-based International Commission Against the Death Penalty. The visit highlighted the need to focus on better law enforcement practices as a means of countering public anxiety about crime. The UK Crown Prosecution Service is providing Caribbean governments with assistance to improve the criminal justice system, and we hope that over time these activities will create a climate more favourable to abolition.

The International Commission Against the Death Penalty, an international NGO, established in 2010, has made a valuable contribution to the cause of abolition. In 2013, the UK Government accepted an invitation from the Commission to join its Support Group, in which member states work to develop the organisation's strategy. We look forward to further cooperation with our partners in this body.

The 5th World Congress against the Death Penalty took place in Madrid in June. Members of the APPG, the FCO's Advisory Sub-Group on the Death Penalty and FCO officials took part in this, and contributed to the discussion with international experts on further progress towards abolition. FCO funding enabled civil society representatives from the Caribbean to take part, and this has greatly assisted the work of the newly-established Caribbean network mentioned above.

Either bilaterally or with the EU, we continue to raise concerns about the death penalty with countries that continue to use it. In 2013, these included **Belarus, Saudi Arabia, Iran, Iraq, Yemen, South Sudan, Nigeria, the US, Bangladesh, China, India, Vietnam, Papua New Guinea, Indonesia, Singapore, Thailand and Japan**, as well as **Taiwan**.

**The US** continues to be one of the UK Government's top five death penalty priority countries, and throughout 2013 we raised the death penalty regularly with individual states, including on specific cases, both bilaterally and through the EU. The use of the death penalty in the US is declining steadily. In 2013, there were 39 executions in just nine states – only the second time in 19 years there have been fewer than 40 executions. This represents a 10% drop from 2012 and a 75% decline from the peak of the mid-1990s. The state of Maryland abolished the death penalty completely, the 18th state to do so.

We have funded several other projects promoting abolition, including support for an abolitionist parliamentarians' network in **Morocco**, and a project to strengthen the capacity of grassroots abolitionist campaigners in the **US**.

In 2014, we will continue to implement our strategy and its three goals. In advance of the UNGA Resolution on the Moratorium on the Use of the Death Penalty, we will work with like-minded partners to identify countries which may be prepared to review their death penalty policy, offering, where appropriate, to share the UK's political and technical experience on abolition.

### Case Study: The Death Penalty in Japan

Japan ended a 20-month moratorium on its use of the death penalty in March 2012. Since then the trend has been upwards: it executed seven prisoners in 2012 and eight in 2013. Japan's death penalty system is not transparent, and the process from detention to execution remains opaque. Inmates are typically notified of their execution only a few hours before it is due to take place, and in the majority of cases the family is informed only once the execution has been carried out.

The international community has criticised Japan's use of the death penalty; these concerns have not yet been addressed. In 1998, the UN Human Rights Council raised concerns about the conditions of detention and treatment of inmates on death row, limited pre-trial safeguards, lack of recourse to *habeas corpus* and the high number of capital convictions based on confessions. Last year, the UN Committee Against Torture expressed concern about "the lack of means for verifying the proper conduct of interrogations".

The government of Japan cites public support in order to justify the death penalty. The last official survey, commissioned by the Japanese Cabinet Office in 2009, found 86% of the Japanese public in favour. However, interest groups, such as the Death Penalty Project and Japan Centre for Prisoners' Rights, argue that their own research suggests that the government's surveys may not accurately represent the views of the Japanese public.

Internationally, the continued use of the death penalty by Japan, a G8 nation, may discourage other states from reviewing their own capital punishment systems. But Japan could become a positive example to others; the wider impact of such a globally influential nation enacting a moratorium, or moving to abolition, would send a strong signal to other nations that they should re-evaluate their own practices.

The UK values its strong relationship with Japan, in which we work closely together on a broad range of international issues. At the same time, we will continue to engage with the government of Japan, to support a moratorium on the death penalty, followed by its abolition.

### Torture Prevention

Torture is an abhorrent violation of human rights and human dignity. Its impact on societies and individuals is devastating. We do not participate in, solicit, encourage, or condone the use of torture or cruel, inhuman or degrading treatment or punishment for any purpose, and international action against torture remains a human rights priority for the UK Government. Preventing torture and tackling impunity for those who torture also helps to safeguard Britain's security, and our torture prevention work supports our consular work by helping to reduce the mistreatment of British nationals imprisoned overseas. In 2013, we continued to pursue the three goals of the FCO Torture Prevention Strategy 2011-15: to ensure that legal frameworks are in place and enforced; to develop political will and capacity to eradicate torture; and to give organisations on the ground skills to ensure its eradication.

Globally, we continued to work with local and international NGOs, prosecutors, prison services and other partners to prevent torture, and have continued to dedicate funding to support several torture prevention initiatives across the world. Such projects include an initiative delivered by the NGO Interights: strengthening the capacity of a cadre of lawyers across Africa to litigate strategically on providing redress to individual victims of torture or cruel, inhuman or degrading treatment or punishment. We also began funding a two-year, multi-country project by the Association for the Prevention of Torture (APT) which involves torture prevention work in **Bahrain, Brazil, Fiji, Indonesia, Morocco, Burma, the Philippines, Senegal, South Africa, Tajikistan, Thailand, Tunisia, Turkey and Uganda.**

We also continued to pursue the prevention of torture in multilateral organisations. In the UN we provided financial support to the UN Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. The UK campaigned for a strong annual UNGA 3rd Committee resolution on torture and other cruel, inhuman or degrading treatment or punishment, which was once again adopted by consensus.

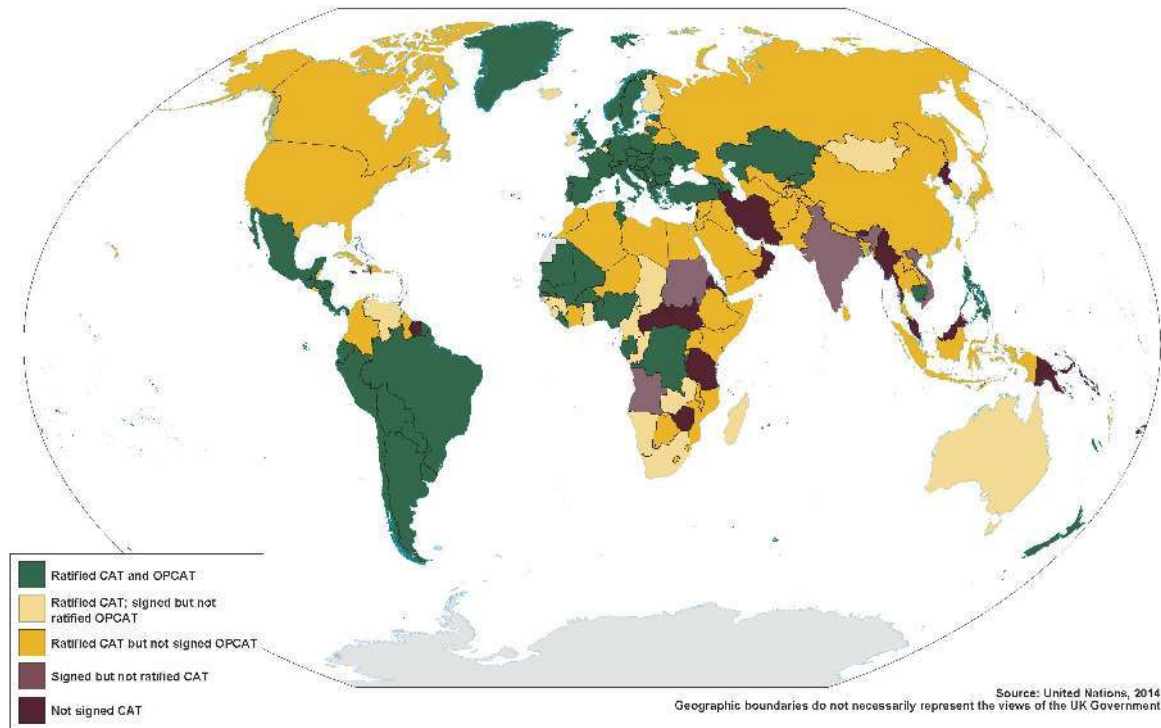
To mark International Day in Support of Victims of Torture on 26 June, Senior Minister of State, Baroness Warsi, reiterated the UK's opposition to torture, and announced our renewed effort to persuade those states that have not yet done so to ratify the Convention Against Torture (CAT) and its Optional Protocol (OPCAT). Subsequent efforts across the network to support this work included:

- bilateral lobbying to encourage governments to sign and ratify CAT and OPCAT. In 2013, we welcomed the ratification of the convention by **Guinea-Bissau** and signature by **Angola, Haiti and Vietnam**. In addition, we welcomed the ratification of OPCAT by **Italy, Norway and Portugal**, as well as signature by **Angola, Guinea-Bissau and Mongolia**;
- British embassies and high commissions worldwide held activities to mark International Day in Support of Victims of Torture. Baroness Warsi's statement was used to support local communications encouraging ratification; for example, in Manila we conveyed these messages at a civil society event, and in Beirut we used digital media to raise awareness of our ratification campaign;
- we continued to engage in a range of multilateral *fora* to ensure torture prevention remains high on the agenda, for example by working through the Organisation for Security and Cooperation in Europe (OSCE) and the UN, including by raising ratification at country Universal Periodic Reviews. The UK also delivered a statement at an interactive dialogue with the Special Rapporteur on Torture at the UNGA 3rd Committee, urging states to ratify CAT and OPCAT; and
- we have funded projects that place a specific emphasis on CAT/OPCAT ratification. For example, the APT project referred to above promotes an open and informed process of ratification and implementation of the Convention and its Optional Protocol.

The FCO's Advisory Sub-Group on Torture Prevention, made up of torture prevention experts from academia, the legal profession and NGOs, held two meetings in 2013. It provides the FCO with expert advice to help us implement the FCO Torture Prevention Strategy.



In 2014, we will continue activities to further the goals of the FCO Torture Prevention Strategy, and our efforts to persuade those states that have not yet done so to ratify CAT and OPCAT.



**CAT/OPCAT:** The map shows the status of signature and ratification of both the UN Convention Against Torture (CAT) and its Optional Protocol (OPCAT). Data: UN.

## Country Case Study: Bahrain – Progress on Reform Implementation

2013 saw some positive developments for human rights in Bahrain, but a number of concerns still remain. The government of Bahrain's work to implement its reform programme, particularly in the judicial and security sectors, continue to suggest that the overall trajectory on human rights will be positive, even if a number of the mechanisms and legal frameworks being put in place will take time to have an impact on the ground. The government of Bahrain continues to implement the recommendations set out in the Bahrain Independent Commission of Inquiry (BICI) in 2011, and those set out in the UN Universal Periodic Review. But some areas of reform have been slower than we would have hoped. To help support the government of Bahrain, the UK is providing a comprehensive package of reform assistance, with a focus on strengthening human rights and the rule of law. During 2013, the UK funded Her Majesty's Inspectorate of Prisons to share best practice with the Bahrain Ministries of Interior and Justice on a National Preventative Mechanism against torture and monitoring places of detention. The Bahraini government has since implemented new legislation, including a Royal Decree to establish an Independent Prisoners' and Detainees' Commission.

Since becoming operational in 2013, the independent Ministry of Interior Ombudsman's Office has investigated a number of complaints of mistreatment and torture. Following its first inspection at Jau prison, the Ombudsman's Office published a report in September in which it made a number of recommendations. We welcome the government's implementation of the Ombudsman's recommendations regarding the separation of juvenile detainees and examination of rehabilitation programmes.

We welcome the planned technical visit of the Office of the High Commissioner for Human Rights to Bahrain in 2014. We continue to encourage the government of Bahrain to reinstate the visit of the UN Special Rapporteur on Torture, Juan Mendez, which was postponed for the second time in April 2013.

Following a toughening of security laws in August, we remain concerned by limits on freedom of expression and assembly, along with large numbers of convictions of individuals on the grounds of inciting illegal activity. We continue to encourage the Bahraini government to ensure that due legal process is followed in all cases.

In October, the Supreme Criminal Appeals Court reduced the jail sentences of the two policemen found guilty of causing the death of Ali Ebrahim Saqer from ten years to two years. This was one of the five cases which the BICI attributed to torture. We remain concerned by this case and others regarding the accountability of police personnel, and the investigation and sentencing of those alleged to have committed torture and mistreatment.

We welcomed the National Consensus Dialogue initiative. Along with reform, inclusive and constructive political dialogue is the only way to promote peace and stability in Bahrain, and we actively continue to encourage all sides to remain engaged in the process.

## International Justice System

The UK's support for international criminal justice continues to be a fundamental element of our foreign policy. The UK Government remains committed to the principle that there must be no impunity for the most serious crimes – the perpetrators of such crimes, including genocide, war crimes and crimes against humanity, must be held accountable for their actions.

The UK has continued to support the International Criminal Court (ICC), the International Criminal Tribunals for the **former Yugoslavia** and **Rwanda** at a time of transition to the new Mechanism for International Criminal Tribunals, and the voluntary-funded tribunals for **Sierra Leone**, **Cambodia** and **Lebanon**. We have used our position – as a member of the UN Security Council, as a State Party to the Rome Statute of the ICC, and as a major donor and member of the management bodies of the voluntary-funded tribunals – to make a positive contribution to the court and the tribunals. The UK has provided political support, practical assistance and financial contributions totalling over £20 million in 2013. We have also contributed to efforts to make the court and tribunals more effective and efficient.

### International Criminal Court

The ICC makes an essential contribution to international justice by acting as a court of last resort, which takes up cases when national authorities have been unable or unwilling to deliver justice. In February, **Côte d'Ivoire** became the most recent state to accede to the Rome Statute, and there are now 122 States Parties to the ICC. In January, the ICC Prosecutor formally opened an investigation into crimes allegedly committed in **Mali** since January 2012. At the end of 2013, the ICC was dealing with ongoing investigations in eight situations.

The UK continued its strong support for the ICC. In July, the Foreign Secretary launched a new UK strategy to support the work of the court (<https://www.gov.uk/government/publications/international-criminal-court-strategy-paper>). We committed to working to ensure that the ICC retains its independence, delivers justice, increases its membership, builds more support for its decisions from states and from the UN Security Council, gains wider regional support, and completes its work more efficiently.

In November, the UK, together with the other six ICC States Parties on the UN Security Council and the US, abstained on a draft resolution that sought deferral of the ongoing ICC cases against Kenyan President Uhuru Kenyatta and Deputy President William Ruto. We abstained because the criteria for deferral under the Rome Statute were not met. The draft resolution was not adopted. We will continue to listen to, and engage with, concerns relating to the ICC, in the context of our principled support for the court.

In November, the ICC's Assembly of States Parties adopted a package of new rules on procedures for trials at the court. The rule changes allow for an accused, with high-level public duties to fulfil, to request the ICC for excusal from attendance at trial in person, with representation through lawyers instead, and to be present for certain parts of the trial through video technology. Decisions on when to use these rules will be made by the ICC.

The UK played a constructive role in developing these changes, which respond to concerns raised by States Parties within the framework of the Rome Statute.

The UK continued to help the ICC to develop as an effective and efficient institution, including through our support for the creation of an Independent Oversight Mechanism. We supported a budget agreement for 2014, which reflected the increased workload of the ICC whilst including commitments to internal reform.

The UK contributed a total of £800,000 to the Trust Fund for Victims, which was established by the Rome Statute to support victims and to help build lasting peace and reconciliation in war-torn societies. The UK's contribution was earmarked for projects which support survivors of acts of sexual violence committed in conflict. It complements wider UK work to tackle the culture of impunity for crimes of sexual violence in conflict through the Preventing Sexual Violence Initiative.

### **The Special Court for Sierra Leone**

In September, judges at the Special Court for Sierra Leone (SCSL) upheld Charles Taylor's sentence of 50 years' imprisonment for aiding and abetting war crimes committed during the Sierra Leone civil war. This decision was a landmark for international justice. It finally delivered the justice that victims and their families had fought so long and hard to achieve, and it marked the last substantial task of the SCSL. The SCSL is now the first modern international criminal court to complete its mandate. Following the verdict, Taylor was transferred to the UK, where he will likely serve the remainder of his sentence.

Taylor was the first former head of state since the Nuremberg trials to be convicted for war crimes. His trial and sentence sent a clear message that, while justice is neither quick nor easy to deliver, the international community will hold to account those responsible for war crimes, crimes against humanity, and crimes of sexual violence. The SCSL played an important role in helping Sierra Leone, after more than a decade of civil war, to come to terms with the past and to help bring stability to the region. The SCSL's pioneering jurisprudence on sexual crimes will have a long-lasting impact on the efforts to end impunity for sexual violence in armed conflict.

The UK played a significant role in the success of the SCSL. We were the second largest bilateral donor having contributed US\$44 million to the court over its lifetime, we were an active member of the SCSL management committee, and the UK's offer to enforce any sentence against Charles Taylor was vital to enabling the trial to go ahead.

The SCSL officially closed on 31 December 2013. The smaller Residual Special Court for Sierra Leone (RSCSL) opened on 1 January 2014 to carry out those ongoing and ad hoc functions that remain in order to secure the legacy of the SCSL. The RSCSL will be responsible for supervising the sentences, witness protection, and managing the SCSL archives. It is the first residual court mechanism of its kind formally to take over from its predecessor and, as such, will be crucial for the long-term sustainability of international justice. The UK will continue to support the RSCSL and to help the UN to manage it through our position on the RSCSL oversight committee.

### **International Criminal Tribunals for Rwanda**

In 2013, the International Criminal Tribunal for Rwanda (ICTR) continued its transition to the Mechanism for International Criminal Tribunals (MICT). The UK supports the ICTR's transition and continued efforts to capture the nine remaining fugitives. The ICTR remains on course of complete this transition and close at the end of 2014.

In 2014, the UK will continue to support the ICTR's work in tackling impunity and delivering justice to the victims of the Rwandan genocide.

### **International Criminal Tribunals for the Former Yugoslavia**

In 2013, the trials of Radovan Karadžić, Ratko Mladić, Vojislav Šešelj and Goran Hadžić, continued at the International Criminal Tribunals for the Former Yugoslavia (ICTY). These trials are expected to be completed in 2014 (Šešelj), 2015 (Karadžić, Hadžić) and 2016 (Mladić). The tribunals also acquitted (at appeal) the former Chief of General Staff the Yugoslav Army, Momčilo Perišić.

2013 marked the beginning of the ICTY's transition to the MICT. Once complete, this transition will result in the ICTY's remaining functions, such as witness protection, being managed by the MICT. However, this transition is not expected to be completed until the remaining four trials have concluded. Any new cases or appeals will go to the MICT (see below).

In 2013, the UK continued to play a leading role in supporting the work of the ICTY and provided regular practical support. This support included access to records and agreement to enforce ICTY prison sentences, and will continue in 2014. Continued cooperation with the ICTY and the domestic prosecution of war crimes will remain an important aspect for the prospect of potential EU membership for states in the Western Balkans region.

### **Mechanism for International Criminal Tribunals (MICT)**

In 2013, the second ICTY branch of the MICT opened in The Hague. The ICTR branch opened the previous year (2013). The MICT is designed to maintain the jurisdiction, rights, obligations, essential functions and legacy of the ICTR and ICTY. Its functions include maintaining protective measures granted to victims and witnesses, hearing any appeals from judgments or sentences and maintaining the tribunals' archives.

In 2014, the MICT will continue to assist national jurisdictions via access to evidence, providing assistance in tracking fugitives in cases (relevant for ICTR), and monitoring cases transferred to national jurisdictions to ensure fair and impartial adjudication.

### **Extraordinary Chambers of the Court of Cambodia**

The UK continued to support the work of the Extraordinary Chambers of the Court of Cambodia (ECCC) to deliver justice for the millions of victims of the Khmer Rouge regime, during a difficult year for the ECCC.

The trial in case "002" continued, which is dealing with the most senior surviving members of the regime, with the charges including crimes against humanity, war crimes, and genocide. In March, Ieng Sary, one of the three remaining defendants, died, and subsequently all

charges against him were dropped. The case continues against the remaining two defendants, Kheiu Samphan and Nuon Chea. The hearing of evidence in the first phase of the trial ended in July, and the closing statements took place in October. Throughout the year, the ECCC's outreach program continued to help educate and inform Cambodians across the country about its work.

The ECCC struggled to secure enough funding to cover its budget, leading to staff walk-outs in June and September. The UK contributed £1.8 million, and we helped the fundraising effort by lobbying new and existing donors to provide contributions. Our contributions were instrumental in keeping the ECCC functioning and, in particular, helped the UN to resolve the walk-out in June by paying the outstanding wages. We also worked with other donors in pressing the UN to streamline the ECCC's budget and to implement efficiencies.

2014 will be an important year for the ECCC. Hearings in the second phase of case 002 will begin, with a judgement in the first phase due to be delivered in June, and the investigations into cases 003 and 004 are expected to be completed by the end of the year. The UK will continue to support the ECCC to ensure it is able to pass these important milestones. Funding remains a major challenge and will be a priority for the UK and other donors.

### **Special Tribunal for Lebanon**

The Special Tribunal for Lebanon (STL) has issued four arrest warrants for individuals suspected of involvement in the assassination of former Lebanese Prime Minister, Rafiq Hariri, and the death of 22 others in February 2005. A fifth indictment was confirmed in 2013. All of the indictees remain at large, but trials in absentia began on 16 January 2014.

The UK fully supports the STL, which remains vital to efforts to increase stability in Lebanon and promote the rule of law. It is important that the STL, as an independent tribunal, be allowed to carry out its work and remain free from political interference. The UK continues to call on the Lebanese government to comply with its obligations to the STL, including the arrest and transfer of those indicted. In December 2013, the UK announced a further £1 million contribution to the STL. This figure brings the UK's total contribution to the STL to £5.5 million over the last four years.

### **International Humanitarian Law**

International Humanitarian Law (IHL) is a distinct body of law from International Human Rights Law. IHL, as codified in particular in the Geneva Conventions of 1949 and their Additional Protocols and as also established through customary international law, regulates the conduct of armed conflicts. The UK works with other states and the Red Cross Movement to promote compliance with IHL, and the treaties on which it is based, and to call on states and armed groups that are parties to conflicts to respect it.

The UK provided a total of £111 million to the International Committee of the Red Cross (ICRC) in 2013, consisting of £40 million in core funding, £15 million for under-funded country operations, £4 million as a contribution to support the ICRC Sexual Violence in Armed Conflict and Other Situations of Violence Programme, and £52 million from DFID country offices to ICRC country operations. In July, the UK completed a comprehensive



review on our work to fulfil our pledges made at the 2011 International Conference of the Red Cross and Red Crescent. The UK also worked closely with the ICRC and the Red Cross Movement on their initiative to strengthen mechanisms of compliance with IHL.

The UK secured a historic Declaration on Preventing Sexual Violence in Conflict at the G8 Foreign Ministers' meeting in April. The declaration states that rape and other forms of serious sexual violence in armed conflict constitute grave breaches of the Geneva Conventions and their first Protocol, meaning that states have an obligation to prosecute (or hand over for trial) any individual alleged to have committed such grave breaches regardless of nationality. This commitment gained further support when the Foreign Secretary launched the Declaration of Commitment to End Sexual Violence in Conflict at the UNGA in September. To date, 138 states have endorsed the UNGA declaration.

2014 will see a number of historic anniversaries for IHL, including the centenary of the First World War, and the 150th anniversary of the first Geneva Convention. We will look to mark these occasions, and continue to work closely with the ICRC and the Red Cross Movement, including on strengthening mechanisms of compliance with IHL.

## SECTION V: Equality and Non-discrimination

### Freedom of Religion or Belief

The promotion and protection of the right to freedom of religion or belief is now a key priority for the Foreign & Commonwealth Office (FCO). We regard freedom of thought, conscience or belief as a fundamental human right, and one that underpins many other rights. We base our work on the full definition of the right as set out in Article 18 of the Universal Declaration of Human Rights, which includes the right to change your religion or belief, as well as the right to manifest your religion and to teach it to others.

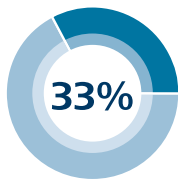
2013 has seen a number of worrying developments with regard to freedom of religion or belief. As stated during Baroness Warsi's keynote address in Washington, a key concern has been the closing space for Christians, in particular in the Middle East and North Africa region, the very region where their faith was born. But there has also been a rising tide of violence and intimidation in traditionally Christian countries in Africa. Overall, harassment or intimidation of specific religious groups is at a six-year high, and there is no sign of the climate improving. 74% of people live in countries where high levels of religious hostility limit religious freedom, and 64% in countries where government restrictions are the limiting factor.

The world is beginning to take note. There has been an encouraging spread of interfaith reconciliation initiatives. There are laws in place. However, laws mean little in light of the fact that some of the most oppressive states in the world theoretically guarantee religious freedom in their constitutions. 83% of countries with populations over two million protect freedom of religion by law. But a great many of those do not put this into practice – often doing quite the opposite.

## Freedom of Religion or Belief



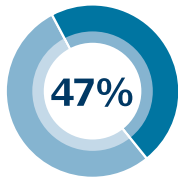
**1/3 of countries** have high restrictions on religion, despite 73% of them guaranteeing it in their constitutions



**Percentage of countries and territories** that have high religious hostilities



More than **5.3 billion people** live in countries with a high or very high level of restrictions on religion



**Percentage of countries** that report incidents of abuse targeting religious minorities



**In 39% of countries**, violence, or the threat of violence, is used to compel people to adhere to religious norms



**Percentage of countries** in which religious groups are harassed

Based on Pew Index data.

This year the world's eyes have often been on **Syria**. An increasingly bloody civil war is becoming more sectarian in nature. There have been widespread reports of sectarian attacks against Christians, Alawites, Shia and Sunnis. The rise of extremist groups, in particular those linked to al-Qaeda, puts all Syrians at risk. Throughout 2013, we made clear our serious concerns about rising sectarian tensions in Syria and that we believed that, far from acting against the extremists, President Assad's actions had included a deliberate attempt to stir up such tensions in his efforts to hold on to power. We also called for those responsible for human rights violations and abuses to be held to account, and for the situation in Syria to be referred to the International Criminal Court. On 16 October, Senior Minister of State, Baroness Warsi, met Patriarch Gregorios III and discussed the Geneva II peace process, the plight of Christians in Syria, and the humanitarian crisis affecting Syria and the region.

Another country of concern in this context during 2013 was **Egypt**. During Baroness Warsi's visit to Cairo in February, she met Pope Tawadros II, leader of the Coptic Church, and the Shaykh Al Azhar, Dr Ahmed El Tayyeb, and discussed the issue of minorities in Egypt. In August, following the ousting of President Morsi, 38 churches were burned and 23 damaged in an upsurge in sectarian violence. The Foreign Secretary spoke out following these acts, and Minister for the Middle East, Hugh Robertson, discussed the situation faced by Coptic Christians and implications of the new constitution in a meeting with Bishop Yulios during his visit to Cairo in December.

The security situation for **Iraq's** Christians, Sunnis and other minorities remained precarious in 2013, and we condemned the attacks on Christians in Baghdad on Christmas Day. There was widespread sectarian violence against civilians throughout the year. This included terrorists targeting Shia pilgrims and attacks on mosques and holy places, with the aim of increasing tensions and causing sectarian divide. We continue to urge the Iraqi government to protect all communities, and to deal appropriately with those found responsible for any acts of violence and intimidation motivated by political, ethnic or religious affiliation. We also call on the Iraqi government to provide stability for all Iraqis in accordance with the rule of law. We have been funding a series of grassroots meetings in Iraq, led by Canon Andrew White, bringing together people from different faiths to combat sectarian violence.

There was no improvement in **Iran's** appalling treatment of minority religious groups in 2013. The Baha'i community continued to be particularly targeted, with reports of arrests, torture and restrictions on access to education and employment. Christians experienced widespread persecution, especially converts, evangelical groups, and house church movements. In the last three years, hundreds of Christians have been arrested. Many still languished in jail at the end of 2013, including Pastor Abedini, who was imprisoned for setting up house churches. Sunni Muslims and Dervishes also suffered discrimination and human rights abuses. Ministers have regularly spoken out on the issue and we continue to raise it at the UN and other international *fora*.

Minorities continued to come under attack in **Pakistan**. 2013 saw violent and often unprecedented attacks continue against Muslims and non-Muslims. Shia Muslims and in particular Hazaras were targeted by terrorists; according to the Pakistan Institute for Peace Studies, there were approximately 1,200 sectarian killings throughout Pakistan in 2013. An estimated 400 Shias were killed across Pakistan in what Human Rights Watch termed "a

bloodbath". More than 80 Christians were killed in an appalling double suicide bombing at a church in Peshawar. Baroness Warsi discussed these issues at length with the Prime Minister of Pakistan in New York, and during her visit to Pakistan in October 2013. In September, Baroness Warsi met with representatives of the UK Hazara community.

Christian, Sikh, Hindu, Ahmadia, Shia and minority ethnic communities in Pakistan reported intimidation and violence, kidnap, forced conversion and marriage, and other forms of targeted persecution and discrimination in the course of the year. Muslims and non-Muslims continued to be charged under the country's blasphemy law. In the course of 2013, at least 16 people were on death row, and another 20 were serving life sentences. One of the most high-profile cases, Asia Bibi, a Christian woman sentenced to death for blasphemy in 2010, remained in prison. FCO ministers and officials in our High Commission have raised her case and others during the year.

While significant changes have taken place in **Burma** during the past two years, including the release of many political prisoners, serious violations of human rights continue to be widespread, directed in particular against religious and ethnic minorities. The Muslim Rohingya, stripped of their citizenship in 1982, remain in limbo, stateless, despite their community having lived in Burma for over 200 years. There were reports throughout the year that the Buddhist extremist movement, known as "969", was responsible for organising the violence. We therefore welcomed the commitment given by Burma's President during his visit to the UK in July to take "a zero-tolerance approach to those who fuel ethnic hatreds", and to call for a transparent process of accountability for those responsible for religious hatred and violence. We will continue to monitor whether this holds true. We have encouraged the Burmese government to invite the UN Special Rapporteur on Freedom of Religion or Belief to visit Burma. In addition, we are supporting interfaith work in Burma through our project funding. In Kachin, we are the largest bilateral donor, and announced a further £13.5 million of humanitarian aid in July 2013.

At the global level, throughout the year, we were active in protecting and promoting the right to freedom of religion or belief in a number of different ways. Firstly, through multilateral organisations: we have committed to working with other key players in the international community to encourage the implementation on the ground of Resolution 16/18 of the UN Human Rights Council (UNHRC). This resolution, on combating religious intolerance, because it was adopted by consensus, lays the foundations for combating discrimination against people based on their religion throughout the world. It gives us the starting point for conversations with all UN member states.

With this in mind, we were pleased that, at the March UNHRC and the autumn UN General Assembly (UNGA), the EU's resolution on freedom of religion or belief and the Organisation of Islamic Cooperation's (OIC) text on combating religious intolerance both continued to be adopted by consensus, and in an improved climate of cooperation. We strongly support the work of the UN Special Rapporteur on Freedom of Religion or Belief, and so were delighted that his mandate was extended in March for another three years. The Special Rapporteur produced further useful reports this year: on the rights of persons belonging to religious minorities, and the relationship between freedom of religion or belief and gender equality.

At UNGA in the autumn, the EU made improvements to the text of the resolution on freedom of religion or belief. It now incorporates a clear statement at the beginning about the right to freedom of religion or belief, including the right to change one's religion, alongside a reference to choosing one's religion. We also secured a reference to equality between men and women, and welcomed the Special Rapporteur's report on this subject.

Political will is crucial to ensuring that UN resolutions are translated into practical action in individual countries. Therefore, in January, Baroness Warsi brought together ministers and senior officials, including the Foreign Minister of Canada and the Secretary General of the OIC, in London. In September, she hosted a further meeting of this group in New York during UNGA week. The OIC remains a key member of this group and in our wider quest to promote religious freedom.

Within the EU, we ensured that draft guidelines on the promotion and protection of freedom of religion or belief were finalised in June, since when we have been promoting their implementation. And, within the Organisation for Security and Cooperation in Europe (OSCE), we were delighted that Dr Nazila Ghanea of Oxford University was selected as a member of the re-formed Advisory Panel of Experts on Freedom of Religion or Belief.

We have also tackled this issue through bilateral engagement. Baroness Warsi has made freedom of religion or belief a priority, and now every minister at the FCO acts as an ambassador for religious freedom, raising these issues in the countries they engage with.

We set out to attract a wider range of project bids related to this issue in 2013. As an example, we are funding a project that aims to build dialogue between various Syrian communities, including Syrians of different faiths. We also funded a consultation, involving human rights defenders (HRDs) and religious minority leaders from across **South Asia**. The event offered workshops on practical and theoretical issues around freedom of religion or belief, and on using the advocacy of UN institutions in support of this human right. The UN Special Rapporteur on Freedom of Religion or Belief participated in the consultation, which discussed various regional issues and was attended by different faith communities. A network of HRDs across South Asia has subsequently been strengthened through follow-up meetings and targeted discussions around cross-regional issues such as communal violence, and encouraging a transnational approach to advocacy on these issues in the region.

Whilst modern **Indonesia** has a tradition of religious diversity and tolerance, we are concerned that hostility towards traditional Sunni communities, and the Ahmadiyya, Christian and Shi'a communities, has intensified in recent years in some parts of the country. The central government and law enforcement response has at times been weak, and even overruled at the local level. Some regional authorities have placed restrictions on religious groups which they consider to be "deviant". We are concerned that some local by-laws abrogate the rights of women and religious minority groups. The British Embassy in Jakarta funded a project focused on raising awareness of women's rights amongst Islamic religious leaders in the province of West Java, a region that has many Sharia-inspired by-laws. The project sought to ensure that future by-laws better respect women's rights, and adhere to human rights standards. As a result of the project, male Islamic leaders have formed a network with local women's organisations, and the two groups are now working closely



together to formulate a work-plan for future joint activity, which seeks to protect the rights of women better.

Freedom of religion remained a concern in **Kazakhstan**. The implementation of laws introduced in 2012 requiring all religious institutions to register has faced criticism for disproportionately affecting religious minorities, including smaller Christian denominations. According to the Kazakh Agency for Religious Affairs, during 2013 about 500 religious groupings were unable to meet the registration requirements and were disbanded. During his meeting with Foreign Minister Idrissov on 21 November, the Foreign Secretary raised the case of Bakhytzhan Kashkumbayev, a Presbyterian Pastor first arrested in May and subsequently re-arrested on charges including extremism and inciting religious discord. We also supported discussion of the protection of religious freedoms at the EU-Kazakhstan Human Rights Dialogue in November 2013. The British Embassy has provided training to improve the legal framework for protecting religious freedoms in Kazakhstan and raise awareness of international standards.

We are investing in a new programme in “religious literacy” for our diplomats, equipping them to understand and influence the complex role religion plays in global politics today. We ran one-day training courses on religion and foreign policy throughout the year, and organised a busy programme of seminars, covering issues such as “Religion, Politics and Human Rights in the New Middle East”, “The Islamic Worldview: its relevance to foreign policy”, and “An Introduction to the Baha’i faith”. We will continue in 2014, extending the programme to colleagues across government, so that British diplomats and domestic civil servants are better able to engage with faith groups, both at home and overseas, and to appreciate how such networks reach across borders.

Looking ahead to 2014, we will continue to focus on turning our vision for religious freedom into practical action. We aim to build a cross-faith, cross-continent response to the persecution of individuals on the basis of religion or belief. Our target is to increase worldwide acceptance of the idea that the presence of other faiths does not threaten the identity of a religion, or a state, or a culture. We will make the case for the benefits of religious freedom. Our observance of international human rights norms means that we should promote tolerance of religious minorities, and provide appropriate protection; but doing so is also the right thing to do socially, economically and politically. Pioneering academic research is increasingly showing a strong correlation between religious freedom and a society’s ability to flourish. If people are free to believe (or not) and to worship (or not) as they choose, then they are able to make a bigger contribution to society as a whole. In most cases, a society which practises religious freedom attracts people who boost the economy. Freedom of religion or belief, including tolerance and understanding of other beliefs, guards against violence, extremism and social strife, all of which hold back social and economic development.

We will develop this positive case, alongside our ongoing efforts to protect freedom of religion, by building consensus that no one should face persecution or discrimination on the basis of their religion or belief.

## Women's Rights

*"When our campaigns are based on our values we can stir the conscience of the world and change the lives of millions, and we should be inspired that we retain that capacity. And I believe we need to particularly apply this to that great moral battleground and strategic prize of the 21st century – the advancement of full economic, social and political rights for women everywhere."*

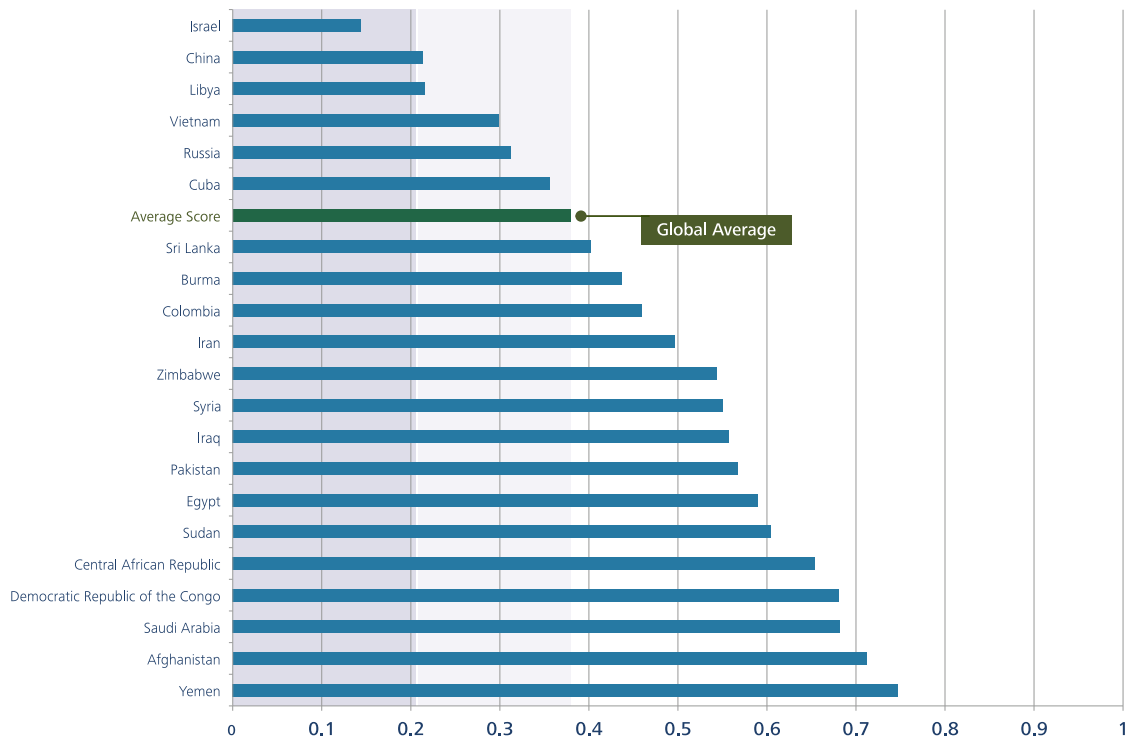
Foreign Secretary William Hague, 26 June 2013

According to the UN, fewer than one in ten political leaders are female, only 20.9% of parliamentarians are female, and there are 37 states in which women account for less than 10% of MPs. Political leaders affect the lives of millions of women and girls, and women's equal participation as politicians, leaders and decision-makers is a fundamental prerequisite for gender equality and genuine democracy. Increasing women's political participation gives voice to a historically and often still marginalised part of society, creates female role models, leads to legislative change and policies that tackle gender inequalities and discrimination, and includes them as equal partners in shaping the future of their country.

During March, the UK Government ran an active lobbying campaign in support of agreed conclusions at the 57th session of the UN Commission on the Status of Women (CSW). 2013's CSW theme was "the elimination and prevention of all forms of violence against women and girls". The last time CSW discussed this issue in 2003, it failed to agree conclusions. It also failed to agree conclusions in 2012, when discussions broke down over differences on sexual and reproductive health and rights. We were therefore delighted that agreement was reached with conclusions that included good language on sexual and reproductive health and rights, legal frameworks, tackling impunity, the International Criminal Court, conflict and post-conflict situations, femicide, women HRDs and safe abortion. For the first time in a UN document, emergency contraception is mentioned as a health service that should be provided in response to gender-based violence.

These conclusions provided a solid point of reference for the UK and others to take forward international efforts to eradicate violence against women and girls, and agreed standards against which civil society can hold governments to account. The FCO is already working with officials in other government departments ahead of the 58th session of the CSW in 2014 – for example, through the Department for International Development (DFID), we are playing a key role in ending Female Genital Mutilation/Cutting (FGM/C) worldwide within a generation; internationally, we are seen to be leaders in the field. During 2013, UK leadership on FGM/C has played a major role in raising the profile on the international agenda of this neglected human rights issue. In March 2013, DFID announced a major new programme to support Africa-led momentum to end FGM/C. This programme, worth £35 million over five years, is the largest donor investment in FGM/C ever. It is supporting community-level social change, and work to improve policy and legislation, through the UN Joint Programme, as well as galvanising a global movement, and supporting diaspora groups on initiatives to end the practice in their home countries. It has a major research component. In addition, DFID is supporting a country programme in Sudan to address FGM/C (£12 million over five years), working with the UN.

## Gender Equality in the Countries of Concern



The chart shows the degree of gender equality for those of our “countries of concern” where such data is available. We also include the global average for comparison purposes. A lower score indicates that the country is achieving gender equality, whereas a higher score suggests inequality. Data: the UN Development Programme’s Gender Inequality Index.

The UK has helped generate international momentum around the issue of ending child, early and forced marriage, including two strong resolutions in Geneva and New York. The UK co-sponsored the resolution in Geneva, and is supporting the inclusion of early and forced marriage in the post-2015 framework. DFID will be increasing its focus on early and forced marriage over the coming months, in order to give the issue greater international profile, and to begin to change the real-life outlook for girls and women around the world.

Commenting on the UK’s re-election to the UNHRC in November, the Foreign Secretary said,

*“We will work tirelessly to protect the most vulnerable people from discrimination and to champion global causes – including ending sexual violence in conflict, the need for the full participation of women in peacebuilding, and the universal right to freedom of expression and freedom of religion and belief.”*

Our embassies and high commissions work directly with other countries to support programmes and projects addressing the structural causes of discrimination and violence against women and girls, helping to ensure their equality before the law, and their participation in political and public affairs, in accordance with international standards.

We have undertaken a wide range of activities on women’s rights. In **Chile**, we supported two different projects designed to improve the conditions under which women are held within

the prison system. One of them was associated with the development of labour skills to enable women to reintegrate more easily into society, and to reduce the temptation to return to crime to support their families. The second project focused on the improvement of conditions within prisons, and aimed particularly at improving the circumstances of women with small children.

Through the FCO's Human Rights and Democracy Programme Fund, we are supporting a number of relevant projects. For example, in **Colombia**, the fund was used to support the compilation of a handbook to help the Gender Team of the government's Victims' Unit to implement the Protocol for the Participation of Victims.

We are committed to supporting innovative new projects in the poorest countries, working with international organisations and governments overseas to promote women's rights globally, tackle the underlying causes of violence against women and girls, and reduce the impact of conflict on them. In **Ethiopia**, our Ambassador hosted a panel discussion on the elimination of violence against women at Addis Ababa University. In **The Gambia**, we funded a project with the Female Lawyers Association of The Gambia to train the police, army and immigration officials in interviewing and investigation skills in dealing with violence against women.

During 2013, the FCO funded a project in **Burma** which aimed to promote women's empowerment and political participation. In the **Philippines**, our Embassy in Manila is funding a project which will enhance women's participation in politics and governance, and build guarantees into the new Basic Law in Mindanao, responding to longstanding demands of Muslim and indigenous women's groups.

In **Mozambique**, the High Commission funded a project to protect women and children in four districts in Zambezia Province. About 50 traditional leaders, mentors of initiation rites, and human rights activists were trained in national and international human rights legislation, including practical case studies. The project drew on lessons learned from an earlier project, which had identified factors contributing to the vulnerability of women and children to sexual abuse and violence, and trafficking. These included the denial of women's inheritance rights and the role of "Levirate Marriage" (when a widow may be obliged to marry her deceased husband's brother). In Mozambique, this may also be associated with "ritual cleansing" as part of the mourning ceremony, whereby a woman may be compelled to have unprotected sex with a male relative of the deceased, or a stranger. The project launched joint planning and implementation with the Ministry of Justice, which will now replicate this model of training local leaders in other provinces across the country.

In **Barbados**, officials have been working with the EU Delegation to design a victim referral form, which would avoid victims having to report the same incident a number of times before getting help.

In the weeks leading up to **International Women's Day** (IWD), on 8 March, the FCO website was used as a blogging platform, and social media channels were used to feature the stories of women who work with the FCO. We had 40 blog posts, from 22 countries, which attracted thousands of views. For example, blogs by the then Acting High Commissioner to Canada, Corin Robertson, and Deputy Head of Mission in Paris, Kara

Owen, provided an opportunity to mention our work within the G8 on securing support for the Foreign Secretary's Preventing Sexual Violence Initiative (PSVI).

As the Foreign Secretary said, to mark the day:

*"International Women's Day is a chance to celebrate women's achievements, but also to highlight where more work needs to be done."*

Baroness Warsi issued a statement highlighting the UK's commitment to women's rights and wrote an article for The Guardian newspaper on female political leaders. She also attended and spoke at the Afghan Embassy's IWD celebrations.

The FCO, in collaboration with No10 and DFID, produced and populated an IWD mini-site, the [UK Government IWD map](#). This featured all our IWD activity, including blogs, videos and pictures, and included Storify and Twitter to highlight work around the world on women's rights. The map was mentioned 1,200 times on Twitter, putting it in the top ten most referenced web pages globally on Twitter on IWD.

Activity overseas included **Mexico City**, where Time Contact, a magazine for foreign readers, featured short interviews with 14 female ambassadors to Mexico. In **Rio de Janeiro** – in partnership with UN Women, the UN Children's Fund (UNICEF), the UN Human Settlements Programme (UN-Habitat) and the Rio de Janeiro Sub-Secretariat for Women's Policies – we launched an innovative application for smartphones, "*Smart Women: expanding women's access to a network of violence prevention*". This application will help women in poor communities to access public services, such as the nearest hospitals in Rio de Janeiro, and contributes to a large and ambitious project entitled *Safe Cities for All*, financed by the Human Rights and Democracy Programme Fund.

In **Warsaw**, our Ambassador hosted a lunch for a group of influential Polish women. In South East Asia, British Embassy **Manila** hosted a Women, Peace and Security event and, in **Seoul**, the Embassy hosted an event with Ecogender, **South Korea's** influential women's rights NGO.

In **Beirut**, our Ambassador chaired an event on women's empowerment; and in the **United Arab Emirates** an article was published about a project sponsored by the Embassy, which used bilateral funds to support female Emirati artisans from more traditional backgrounds in the western region of **Abu Dhabi**. Those are just a few examples from many undertaken by our overseas network.

## **Case Study: The Role of Women in Afghanistan**

Under the Taliban, the position of women in Afghanistan was among the worst in the world. Changing this situation is a long-term task, in which improving girls' education and increasing economic opportunities and women's representation are key. These have rightly been the focus of the UK's women's rights political and development agendas in Afghanistan to enable women to lift themselves out of poverty and play their equal role in society.

Although there remain many challenges, such as deeply-embedded traditional conservative value and culture, low literacy rates and domestic violence, there has been immense progress over the last twelve years: over two million girls now attend school (40% of those who regularly attend school are girls), compared to almost zero under the Taliban, 15% of university lecturers are female, and there are proportionally more women in parliament in Afghanistan (27% of seats) than in either the UK or the US.

Whilst some barriers for women have been removed, a myriad of social factors continue to prevent women from fully engaging in society, and ongoing international support for Afghan women is still needed. For example, there was debate over the Eliminating Violence Against Women Law in Parliament in 2013, with some conservative groups vocally objecting to attempts to strengthen existing legislation. The Speaker closed the debate early, and the Presidential Decree remains in place as originally drafted in 2009. Similarly, the new Electoral Law reduced the number of seats allocated for women in provincial councils from 25% to 20%. However, the 25% quota remains in place for parliamentary representation.

The 2014 presidential and provincial elections will be a key test for the people of Afghanistan. There is evidence that attitudes are beginning to change in some places. We also support smaller programmes, including a project collecting data on threats to female electoral involvement to help tackle issues affecting women voters and candidates. Work with selected mullahs and traditional leaders has led to wider encouragement of women to participate in elections and politics, and political programmes have helped improve female capacity to participate in elections across the country – whether as individual candidates or in political parties. This work will not stop as soon as the elections finish. Instead, female councillors will continue to receive training and support throughout their first years in office.

At present, less than 1% of the country's police officers are women; joining the police has not been an attractive option for women as it is not a safe environment in which to work. At the time of writing, the Minister of Interior was planning to set an ambitious goal of 10,000 female police officers in the Afghan National Police. Despite the recent high-profile appointments of women to senior roles – for example, Afghanistan's first female district police chief has just been appointed in Kabul – more needs to be done to train, retain and create the safe conditions for women to participate meaningfully in the security forces. Eventually, with more women in these public roles, it is hoped they will help to improve the position of women in Afghan society.





**Baroness Warsi meeting Afghan policewomen at Helmand Provincial Police Headquarters, March 2013.**

### **Case Study: Women's Rights in India**

In 2013, the Indian government took positive steps to improve the lives of women and girls. Between 2011 and 2013, India improved its ranking from 113th to 101th in the World Economic Forum's Global Gender Gap Report. However, inequality, discrimination and domestic violence are still pervasive, particularly in India's poorest states. Indian government data indicates that 35% of Indian women between the ages of 15-49 have experienced physical violence.

Following the Justice Verma Committee recommendations (established by the Indian government to review the capacity of India's institutions to deal with crimes against women), the Indian parliament passed the Criminal Law Bill, which aims to strengthen India's laws on violent crimes against women. The bill seeks to penalise public servants who fail to discharge their duty relating to sexual offences, and contains new penalties for acid attacks, stalking, groping and voyeurism. However, a number of provisions under this new legislation carry the death penalty as a sentence so, while we welcome a tough approach for such serious crimes against women, we continue to oppose the death penalty in all circumstances.

The Indian authorities have continued to introduce fast-track courts and expand public safety measures, including the introduction of helplines and the installation of CCTV on public transport. In addition, special police stations, staffed only by female police officers, have been set up to encourage women to come forward and report crimes.

The UK Government has continued to be involved in a range of activities to support women's rights in India. This has included a number of projects focusing on empowering women, the legal status of women, and combating sex trafficking.

The UK works with other partners to support women who are primarily the victims of trafficking. This includes the "Stop Trafficking" web portal. This portal was launched two years ago, and has registered hundreds of trafficking cases, resulting in a number of victims being found. The site is improving the exchange of information between various bodies dealing with combating trafficking, including government, law enforcement agencies and NGOs.

The UK has funded projects that are raising awareness of the rights of Muslim women in the states of Maharashtra and Assam, and in Andhra Pradesh through the funding of self-help groups, which are an important means of empowering women.

DFID's programme in India is aimed at helping girls stay in secondary school, thus pushing back the age of marriage. DFID is also investing in interventions that reinforce each other and deliver in the long term: family planning, health and nutrition, microfinance, and skills for jobs.

DFID's wider programme continues to support a range of human rights related activities in India that have a positive impact on the lives of women and girls. This includes support for government education and health programmes that help to deliver India's Right to Education Act and the Domestic Violence Act. On the Domestic Violence Act, this includes training protection officers and improving helplines and victim support services.

Through the EU, the UK Government has also engaged the Indian government on women's rights, most recently at the EU-India human rights dialogue, which took place in Delhi on 27 November 2013.

The UK Government is committed to supporting the Indian government on women's rights, including offering UK experience and expertise where appropriate.

## **Children's Rights**

The protection and promotion of children's rights, including those of children in armed conflict and children at risk of abduction, form an integral part of the FCO's wider international human rights agenda. Violence, discrimination, poverty and marginalisation can impact children disproportionately; affect their health, education and overall development; and put them at an increased risk of exploitation, abuse and trafficking.

Our international work to advance universal standards on children's rights is done largely through the UN and other international institutions. At the UNHRC in March, the UK co-sponsored the Omnibus Resolution on the Rights of the Child, which called upon all states to translate into concrete action their commitments to the progressive and effective elimination

of child labour, especially where it is likely to be hazardous, interfere with the child's education, or be harmful to the child's health or physical, mental, spiritual, moral or social development. The UK strongly supports efforts to eradicate the worst forms of child labour, and agrees that forced child labour should be banned.

Along with our EU partners and members of the Group of Latin American States, the UK also took an active part in drafting the resolution on the Convention on the Rights of the Child during the UNGA 3rd Committee in October and November. Unfortunately, within the EU, progress on the EU Guidelines on the Rights of the Child was stalled because the Human Rights Strategic Framework, which was adopted in summer 2012, defined different priorities in the area of child rights. The EU Working Group for Human Rights (COHOM) exchanged views on how to tackle the issue of persistent perpetrators of grave violations against children in autumn 2013.

The EU participated actively in the negotiations of the Outcome Document of the Third Global Conference on Child Labour, held in Brasilia from 8-10 October, and our Ambassador in Brazil delivered a speech to the conference, during which he said, *"Child labour is also clearly and inextricably linked to poverty. Economic development in a country sets the basis for eliminating child labour"*.

The UK strongly supports the work of the Special Representative on the prevention and elimination of all forms of violence against children. In a statement marking the International Day of the Girl Child on 11 October, Equalities Minister, Jo Swinson, said, *"Investing in the futures of girls and young women and inspiring them to aim high will not only reap rewards for them directly, but will also help build a stronger economy and increase our ability to compete in a global market"*.

The arguments for signing and ratifying the Third Optional Protocol to the Convention on the Rights of the Child are being kept under review, in light of emerging information on how it will be applied in practice, including the resources that the UN proposes to make available to support implementation. During 2013, we were pleased that **Japan** ratified the Hague Convention on Child Abduction, and will start to implement it in April this year.

Our embassies and high commissions play an important role in our work to protect and promote the rights of children. They have a responsibility to monitor and raise human rights issues, including children's rights, in their host countries, including raising individual cases and lobbying for changes to discriminatory practices and laws. The FCO will continue to raise child rights with other governments when necessary.

In addition to our work to engage partners on this issue through bilateral relationships and in multilateral *fora*, we provide financial support to programme work to protect and promote the rights of all children, as set out in the UN Convention on the Rights of the Child.

In Nairobi we offered support to a joint UK-**Kenya** Child Protection task force to deal with an emerging threat from travelling British child sex offenders. In **The Gambia** we funded "Young People in The Media", a child rights organisation to conduct a child rights sensitisation campaign focused on early and forced marriage.

During November, our Embassy in **Bucharest** joined with the *Terre des Hommes* NGO for a second year. The initiative offers children from disadvantaged communities, some of whom are Roma, the opportunity to experience their dream job for a day. The Embassy was “run” by a child ambassador for a day, and we organised a meeting between several child ambassadors and the Permanent Under Secretary, Sir Simon Fraser, allowing children to share their views on how diplomacy can make an impact and change people’s lives. The Embassy also supported the launch of the Duke of Edinburgh’s International Award Romania, coordinating the visit of the Earl and Countess of Wessex to promote this youth development programme, which provides young people with the opportunity to gain quality life experiences.

In **Indonesia**, for the fourth year running, our Embassy worked with the UK Child Exploitation and Online Protection Agency to create sustainable national and regional capacity to prevent and deter the sexual exploitation of children, both online and offline. In Guyana, the High Commission has funded a project called “Tell Campaign” by local NGO Childlink. The project aims to increase public education and advocacy on sexual abuse against children in rural areas, and to help build the capacity of 60 primary school teachers and parents to foster a culture of disclosure, prevention and protection of children from sexual abuse. The children will have access to a “tell box”, placed in each of the schools where training on reporting abuse was given.

## **Lesbian, Gay, Bisexual and Transgender Rights**

The UK’s global policy is that human rights are universal and should apply equally to all people, as enshrined in the Universal Declaration of Human Rights. To render consenting same-sex relations illegal is incompatible with international human rights obligations, including the International Covenant on Civil and Political Rights (ICCPR).

According to the Office of the UN High Commissioner for Human Rights, 76 countries still retain laws that discriminate against people on the basis of their sexual orientation or gender identity. In at least five countries, the death penalty may be applied to those found guilty of offences relating to consensual same-sex relations. In many countries, the LGBT community continues to experience violence; hate crimes; intolerance; violation and abuse of their human rights, including torture inhuman or degrading treatment; restrictions on their freedom of expression, association and peaceful assembly; discrimination in employment; and restricted access to health services and education.

During 2013, we pushed for a UNHRC resolution to further the case of LGBT rights internationally. We also co-sponsored a side-event to raise awareness of some of the issues faced by LGBT communities across the world. A UNHRC resolution proved difficult in the face of intransigence from some states, but we will continue to try to put this back on the UN’s agenda in 2014. In New York at the UN, we work with like-minded member states and civil society colleagues in order to identify opportunities across the UN system for putting forward progressive language on non-discrimination more broadly, and specific references on the importance of respecting sexual orientation and gender identity. Our Deputy Permanent Representative in New York hosted a roundtable discussion with staff and LGBT activists from developing countries, in the context of Human Rights Day on 10 December.

Within the EU, via the Working Group on Human Rights (COHOM) we took an active part in drafting the new LGBTI (lesbian, gay, bisexual, transgender and intersex) guidelines. We were pleased that the EU adopted the guidelines at the Foreign Affairs Council meeting in Luxembourg on 24 June. In the Council of Europe (CoE), we have worked with like-minded states to keep up the pressure on states to combat discrimination on grounds of sexual orientation or gender identity, with a review undertaken of states' implementation of the CoE's recommendation on this topic. There will be a further review in four years' time. Meanwhile, the CoE concluded its LGBT project, part-funded by the UK, to work with six partner governments in fighting discrimination. The CoE LGBT Unit is currently working on developing a new project.

At the **Commonwealth** Heads of Government Meeting (CHOGM) held in Sri Lanka during November, Minister for the Commonwealth, Hugo Swire, delivered a speech at the closing session of the Commonwealth People's Forum. He said:

*"I am greatly concerned by the treatment of the LGBT community in many Commonwealth states. 41 of its member states still criminalise homosexuality. I call on those members to follow the example set by The Bahamas, South Africa, Vanuatu ... who in recent years have decriminalised homosexuality. The UK will continue to make the case for both acceptance and integration of the LGBT community, and press Commonwealth states to recognise that the LGBT community deserve the same protection as all others."*

We believe the Same Sex Marriage Prohibition Bill in **Nigeria**, due to receive the President's assent in January 2014, infringes the human rights of the Nigerian LGBT community and the rights of expression and association, which are guaranteed by the Nigerian constitution and by Nigeria's international treaty obligations. The British High Commissioner raised concerns with the President and other senior Nigerians during 2013.

Homosexuality is illegal in **Uganda** and the Anti-Homosexuality Bill, tabled as a Private Member's Bill in 2009, sought to increase existing sanctions. The Ugandan Parliament passed the Anti-Homosexuality Bill on 20 December 2013. We have consistently raised our concerns with the Ugandan government since the bill was first introduced in 2009. Minister for the Middle East and North Africa, Hugh Robertson issued a statement on the day the Bill passed citing its incompatibility with minority rights. We are supporting civil society groups in Uganda, working to promote greater tolerance and respect for the rights of LGBT minorities, and working in coordination with our international partners.

In **India**, we are closely following developments on the Indian Supreme Court decision, which reinstated a law that criminalised homosexuality. This ruling was unexpected. There has been widespread public criticism of the decision within India. It is important that India's democratic institutions work through this issue, taking account of the fact that to render consenting same-sex relations illegal is incompatible with international human rights conventions, including the ICCPR.

In **Russia**, we expressed concern, including at high-level meetings with the Russian government, about a new law banning the promotion of "non-traditional" relations. FCO officials also attended and spoke at the Side by Side LGBT International Film Festival, which seeks to promote understanding of LGBT issues through film.





Opposition rally, New Arbat, Moscow. Photo credit: Sergey Kukota.

On 18 July, following the murder in **Cameroon** of Eric Lembembe, a human rights activist and Executive Director of the Cameroonian Foundation for Aids, Minister for Africa, Mark Simmonds, said:

*“I was shocked to hear of the brutal killing of Cameroon human rights defender Eric Lembembe, who was a brave and tireless campaigner. The authorities in Cameroon must fully investigate this hideous crime and bring the perpetrators to justice. It is vital that the authorities in Cameroon ensure the safety of human rights defenders by protecting those who are threatened, and prosecuting those who threaten them.”*

Bilaterally, our embassies and high commissions continue to lobby at the highest levels on LGBT rights, in a number of countries, particularly those where same sex relations are criminalised. They undertake a variety of initiatives on LGBT rights, through funding projects, lobbying on LGBT rights and supporting local LGBT NGOs.

During 2013, our Embassy in Belgrade supported projects which supported the implementation of Serbia’s anti-discrimination strategy, countered misconceptions about LGBT people in the Balkans, and trained social workers to improve services for LGBT people and their families in **Serbia**. Our Embassy in Budapest backed projects supporting LGBT cultural events in **Hungary**. In Santiago we supported the implementation of a new initiative called Populusaurio, which raises awareness of key human rights topics in local civil society, including the protection and extension of rights for the LGBT community in **Chile**.

In **Croatia**, Zagreb Pride celebrated its 11th year. However, December 2013 also saw a “Yes” vote on a referendum to amend the Croatian constitution’s definition of marriage as



between a man and a woman. Our Deputy Head of Mission in Zagreb published an article in a Croatian newspaper on LGBT rights and same-sex marriage at the time of the referendum, which received widespread support and attention.

On International Day Against Homophobia and Transphobia (IDAHO) on 17 May, the Foreign Secretary released a statement noting that:

*“The protection and promotion of the rights of lesbian, gay, bisexual and transgender people is an integral part of the Government’s wider international human rights agenda”.*

A key objective of IDAHO 2013 at the FCO was to raise awareness of the importance of defending LGBT rights globally. Across the world, our embassies and high commissions ran a wide range of events and initiatives to mark the day, ranging from the presentation of a cheque to a local LGBT charity in **Colombo**, to **Brazil**, where the UK’s three embassies (Brasilia, São Paulo and Rio de Janeiro) have a significant reach on Facebook. The messages put out by our embassies and high commissions attracted a considerable number of “likes” and “shares”.

A blog by a member of staff at the British Embassy in Tokyo provided an opportunity to mention our work on LGBT rights in **Japan**. Our Embassy in Zagreb supported local NGOs marking IDAHO with an event featuring Benjamin Cohen, the founder and publisher of the UK’s Pink News. Cohen gave a lecture to workshop participants, and also interviewed our Deputy Head of Mission for Pink News. In addition, from **Warsaw** to **Colombo**, a large number of our embassies and high commissions flew the rainbow flag from official premises in support of IDAHO.

For the first time, in June, the rainbow flag flew over the FCO’s main building in London, marking London’s LGBT Community Pride, and a number of FCO officials took part in the parade. Many posts also flew the rainbow flag during local Pride days. We encourage UK embassies and high commissions to get behind the efforts of civil society organisations to change laws and social attitudes by supporting local Pride and anti-discrimination events. However, it is for our Ambassadors and High Commissioners overseas to determine whether local conditions make it appropriate for staff to participate in Pride marches and other events, not least because open UK support for LGBT rights might be counterproductive in some countries.

During 2013, a number of FCO staff took part in local Pride parades, ranging from **Tokyo** where the Ambassador delivered a speech, to **Moldova**’s first ever Pride parade on 19 May. Staff in a number of European countries, including **Paris** and **Bucharest**, participated in Pride marches. We were active in the Americas too. In **Washington** the Embassy’s float won a prize, and in Santiago, **Chile**, our Ambassador took part in the LGBT Rights Parade. On Human Rights Day, Baroness Warsi spoke about the UK’s commitment to LGBT Rights at a dedicated event organised by the Kaleidoscope Trust.

In **Serbia**, our Embassy in Belgrade took the lead, together with the **Netherlands** and **Sweden**, in coordinating international support to Belgrade Pride 2013. Despite the march being cancelled, the debate around this and the public outreach helped to raise awareness

of the issues. On 29 September, Minister for Europe, David Lidington, condemned the cancellation of the Belgrade Pride parade.

## Disability Rights

The UK Government is committed to creating opportunities for disabled people to fulfil their potential to be fully participating members of society, and to removing barriers which impede this. The UN Convention on the Rights of Persons with Disabilities, ratified by 139 countries at the time of writing, creates legal obligations for States Parties. The UK is committed to the UN Convention and supports its implementation in the UK and across the world.

Disability rights, which were a core element of the Joint Communiqué on Human Rights, launched at the time of the London 2012 Paralympic Games, continued to be a focus of our embassies' and high commissions' work overseas. Since launching the Communiqué, we have focused on practical action to bring the commitments to life, working in partnership with the future games hosts. In **Brazil** in summer 2013, we offered over 450 schoolchildren the chance to experience Paralympic sport as part of a number of events worldwide to celebrate the anniversary of the Olympics and Paralympics. In addition, as part of our Olympic Dialogue with Brazil, Emily Yates, a disability advocate who was a Games Maker during London 2012, visited Brazil in December to talk about accessibility and inclusive volunteering with the Rio authorities. In an interview with *Veja*, one of the biggest magazines in Brazil, she mentioned the improvements made in London as an example for Rio, especially in the transport system.

Other bilateral engagement on disability issues overseas has taken place in **Rio de Janeiro**, where the British Consulate General supported the world's only disabled samba school at the Rio Carnival in February through "Embaixadores de Alegria" (Ambassadors of Happiness). In **Peru**, the British Embassy supported Peru's National Council to Promote Disabled People Rights (CONADIS) by funding a project focused on guaranteeing and promoting disabled people's access to sports (also part of the London 2012 Paralympic campaign). Thanks to the project, the first federation of sports for disabled people was created in 2013 (for disabled people with physical disabilities), and a second one (focus still to be defined) will be established in 2014. The project also developed a guide in braille and in audio on how to form disabled sports associations.

Multilaterally, the Commission on Social Development (CSocD) meets annually in New York in February. Officials at the UK Mission to the UN (UKMIS) worked through the EU to reach a common position on CSocD's resolution on disabilities. UKMIS also supported the attendance of the Parliamentary Under Secretary of State for International Development, Lynne Featherstone, at the High Level Meeting on Disability and Development held in September, engaging constructively in the negotiations, along with representatives from DFID and the Department for Work and Pensions.

In **Geneva**, at the UNHRC in March, the UK co-sponsored a resolution entitled "the work and employment of persons with disabilities".

## Indigenous Rights

Indigenous people continue to be amongst the poorest and most marginalised in the world. The UK Government is committed to promoting and protecting human rights for all individuals, and condemns violence and discrimination against people from indigenous and minority groups. British embassies and high commissions monitor human rights in their host countries, and routinely raise our concerns with their governments. We continue to emphasise the importance for indigenous people of sustainable development and the preservation of the natural environment, given that their quality and way of life often strongly depend on natural resources.

The UK was the first country to develop a national action plan to implement the UN Guiding Principles on Business and Human Rights (UNGPs), which were endorsed by the UNHRC in 2011. The action plan promotes responsible business behaviour on the part of UK companies operating in the UK and internationally, and takes into account potential barriers to effective engagement, paying particular attention to indigenous people and other groups. We believe that business activity has a huge potential to impact disproportionately on the human rights of these communities.

Indigenous people were included in the Government's Arctic Framework Policy published on 17 October 2013. The policy, "Adapting to Change", lays out the three principles of respect, leadership and cooperation that underpin the government's approach. The UK is respectful of the sovereign rights of the eight Arctic States, the people who live and work in the Arctic, and the fragile environment, and supports the participation of indigenous people in Arctic decision-making.

Our embassies overseas continued to work with international NGOs and local NGOs on a variety of UK-funded projects to encourage local communities to participate in the democratic process. In **Bolivia**, we are working with the EU Human Rights Group to ensure indigenous communities are protected, and are supporting projects on police and prison reform, as well as on strengthening of the judiciary, which directly impact on indigenous people's access to justice. In **Venezuela**, we supported a project with indigenous women community leaders from Bolivar state to help address issues facing their communities. In **Colombia**, we are supporting the government to implement the UNGPs in order to develop a national public policy on business and human rights, as well as a system for public servants to monitor implementation of the policy and state grievance mechanisms. This policy will cover indigenous communities' right to prior consultation on the issues and development processes that affect them.

## Racism

The UK is committed to combating racial discrimination and intolerance wherever it is found. Fighting all forms of racism, including anti-Semitism and anti-Muslim hatred (both covered elsewhere in this section) remains an important part of the Government's human rights policy. The Government is also determined to take a stand in support of the victims of racism. For this reason, in September, Parliamentary Under Secretary of State for Communities and Local Government, Don Foster, joined ministers from 17 EU countries in

Rome to condemn the "unacceptable" stream of racist insults directed at Cécile Kyenge, the Italian minister for integration, and to call for a new pact to stamp out discrimination across the bloc. Building on this, the British Embassy in Rome organised a conference on integration issues at the end of October, which provided an opportunity to share UK best practice.

As well as taking principled positions and sharing UK best practice in tackling hate crime with other countries, we seek to ensure that the UK is at the heart of the key international institutions fighting racism. We were therefore delighted in October when Michael Whine MBE, Government and International Affairs Director at the Community Security Trust, was appointed for a five-year term as a new independent member of the European Commission against Racism and Intolerance (ECRI).

ECRI is a human rights body of the Council of Europe, composed of independent experts, which monitors problems of racism, xenophobia, anti-Semitism, intolerance and discrimination on grounds such as race, national/ethnic origin, colour, citizenship, religion and language (racial discrimination). It then prepares reports and issues recommendations for member states. Mr Whine was an ideal candidate given that he has worked for over 25 years to tackle extremism, anti-Semitism, and terrorism. He also acts as consultant on defence and security to the European Jewish Congress, and is a member of the Hate Crime Independent Advisors Group at the UK Ministry of Justice and the Hate Crime Scrutiny and Involvement Panel of the London Crown Prosecution Service, which assesses and evaluates hate crime prosecution cases.

We would like here to pay tribute to the work of Professor Patrick Thornberry, who stepped down at the end of the year as a member of the UN Committee on the Elimination of Racial Discrimination (CERD), after 13 years of service. CERD is the body of independent experts that monitors implementation of the Convention on the Elimination of All Forms of Racial Discrimination by its States Parties. All States Parties are obliged to submit regular reports to CERD on how these rights are guaranteed in their countries. CERD examines each report and addresses its concerns and recommendations to the State Parties in the form of "concluding observations". Professor Thornberry served as the CERD rapporteur from 2002 until the spring of 2008, and most recently chaired the Early Warning and Urgent Action Group, dealing with a range of pressing situations, notably land and resource questions involving indigenous peoples. He is also a former Chairman of Minority Rights Group International, and has acted as consultant and advisor to a range of international organisations.

The UK more generally supports the work of the UN in tackling racism and re-affirmed its commitment in the course of the year to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). Our priority in international discussions is to focus on the real and pressing problems faced by racial minorities in all parts of the world. Along with our EU partners, we sought to ensure that the UN addressed racism issues through its various processes and mechanisms. These include the follow-up to the Durban Declaration and Programme of Action, the Inter-Governmental Working Group on the Durban Declaration Programme of Action, and the Ad Hoc Committee on the Elaboration of Complementary Standards to ICERD. Further proposals for new initiatives in the course of

the year included the UN Decade for People of African Descent, combating contemporary forms of racism, and preventing attacks against persons with albinism.

In 2014, we call on UN member states to deliver real change in combating racism, rather than developing additional mechanisms at the UN level. We believe that much more must be done within countries across the world to ensure states live up to their existing commitments, and to implement ICERD. We will continue to demonstrate our commitment to tackling the scourge of racism through sharing UK best practice and expertise, and engaging with international organisations. In 2014, we will be submitting our periodic report to the Commission for the Elimination of Racial Discrimination.

## Roma

Any form of discrimination and ill-treatment on the ground of someone's identity is unacceptable – everyone should have equal rights, including access to justice, education and economic opportunities, regardless of their ethnicity, religion or belief. The UK works at the international level to stand up against intolerance towards the Roma/Sinti, who in certain cases across Europe are subjected to violence, denied access to employment, excluded from health care, and forced to live in segregated housing. We work through our experts in international organisations and through our network of embassies to confront this issue.

We believe that primary responsibility for combating Roma discrimination lies with individual states, but that the international community can play a role in assisting national and local authorities and in coordinating those efforts across borders. In the EU, Roma is an umbrella term which includes groups of people who have more or less similar cultural characteristics such as Sinti, Travellers, Kalé, Gens du voyage etc.

In December, the EU adopted a Council recommendation on effective Roma integration measures in the member states. The recommendation represented a clear political commitment by EU member states to improve the situation of Roma across Europe through tackling inequality and discrimination, addressing their socio-economic exclusion in particular. The recommendation allows member states to decide how best to integrate Roma into the community, taking account of the circumstances in each country, and puts a strong emphasis on de-segregation in both education and housing. It also includes specific guidance on the development of policies related to early childhood, and the need for action at the local level. While the recommendation is non-binding, it does call for adequate funding to be allocated to ensure the integration of marginalised communities such as the Roma. The UK will take forward the recommendation through our broader social inclusion and integration policies.

The UK also seeks to share best practice and its legal framework to combat discrimination and hate crime with governments across Europe. This is done, in part, through discussions in the Council of Europe, where the UK expert is the current Chair of the Committee of Experts on Roma (CAHROM). In 2013, the CAHROM thematic group visited Hungary, where it shared UK expertise in combating anti-Gypsyism and hate crime. UK experts are also looking at opportunities for enhanced cooperation with **Slovakia** on the Roma, tackling issues such as segregation and discrimination.

The UK joined the consensus in December on a decision to enhance the OSCE's implementation of the 2003 action plan on improving the situation of Roma and Sinti. This decision followed on from the November Supplementary Human Dimension Implementation Meeting, where participating states discussed lessons learnt from past integration initiatives, and explored further measures needed to improve the situation of Roma and Sinti. The OSCE Ministerial Council decision drew attention to the fact that Roma and Sinti women and girls are particularly vulnerable to multiple forms of discrimination, as well as to violence and harassment. In response, it called for measures to support the empowerment of Roma and Sinti women, including through education and participation in public and political life, as well as access to employment, internships and mentoring opportunities.

The genocide of the Roma at the hands of the Nazis during the Second World War, and its implications for the community today, is a less well-known chapter in European history. The International Holocaust Remembrance Alliance (IHRA), which is covered in more detail in the Post-Holocaust Issues section of this report, includes in its thematic mandate the genocide of the Roma and other issues, such as genocide prevention. The IHRA Committee on the Genocide of the Roma encourages the inclusion of this genocide in school curricula, and aims to draw attention to the prevalence of prejudice toward the Roma before, during, and after the Second World War, as well as today. Activities carried out by IHRA on this subject include requiring each member state to report regularly on what it has done to ensure the Roma genocide is not forgotten, supporting Roma-focused projects through its grant programme, and providing a platform for the testimonies of survivors.

The UK chair the IHRA from February 2014 and, under the leadership of the UK Envoy for Post-Holocaust Issues, Sir Andrew Burns, there will be further opportunities to raise awareness of this genocide and its significance for Roma communities today. The IHRA Committee on the Genocide of the Roma plans to organise a conference in May 2014 on the Roma genocide, in partnership with the Institute of Education at the University of London.

Ensuring the Roma genocide is not forgotten is an important tool for combating anti-Roma sentiment and hate crime in today's societies. As the European Roma Information Office has noted, *"by rediscovering the relatively unknown history of the Roma and Sinti Holocaust, we expect to promote tolerance, mutual understanding, and intercultural dialogue between Roma and non-Roma"*. British Embassies in countries across Europe commemorated Roma Genocide Memorial Day on 2 August.

Our embassies in central and eastern Europe worked to encourage countries with large and disadvantaged Roma populations to make a real and sustained effort to integrate their Roma citizens. One of the projects run in 2012-13 involved bringing UK good practice models of inclusive education to the **Czech Republic**, via specialised workshops for teacher trainers from seven Czech Universities. The project involved the Ministry of Education, and was also supported by the Finnish and Norwegian Embassies, which brought similar expertise from their countries. The British Embassy in Prague also built on a previous inclusive education project in Trmice, predominantly but not exclusively with Roma pupils, by setting up a working group of teachers from Trmice to share best practice with other schools in the Usti nad Labem region. The British Embassy in **Bucharest**, meanwhile, has set up an exchange between the British town of Rotherham, home to 3,000 East European Roma, and Dolj



County (south-west Romania) to share best practice on social inclusion, especially through education.

As well as running projects, British Embassies in the region have also engaged in regular dialogue with Roma communities and local and central government in order to combat discrimination and marginalisation. In April, our Ambassador in Sofia visited a Roma quarter in Kyustendil, West **Bulgaria**, to discuss Roma issues. Furthermore, the Embassy has been active in encouraging Roma people to apply to become interns at the Embassy. Elsewhere, the British Ambassador in Bucharest led a group of seven EU ambassadors, plus Switzerland and Norway, to a Roma community outside Bucharest, **Romania**, on International Roma Day (8 April). The Roma community there face typical problems: they found that 250 houses had no property deeds and 150 were not connected to the electricity grid. The ambassadors raised the problems they found with the local mayor; the community has now been connected to the electricity grid, and twelve families have received property deeds, with more still going through the process. Our ambassador has also led a team from five embassies (the **Netherlands, Germany, Finland and Switzerland**) to investigate the forced evictions of several Roma families in Eforie Sud (south-east Romania) on 17 October.

In 2014, the same group of embassies will follow up on their activities to date, for example by re-visiting the community outside of **Bucharest** to assess progress. They will also look to finance new projects; for example, our Embassy in **Bulgaria** is planning to launch a project in early 2014, which will promote education among Roma girls and hopefully reduce the drop-out rate among Roma school children.

## Anti-Semitism

A 2013 report by the EU's Agency for Fundamental Rights (FRA) highlighted Jewish people's experience of discrimination and hate crime across a number of EU member states. Despite concerted efforts by both the EU and its member states, the report found that Jewish people continued to face insults, discrimination, harassment and even physical violence. The report covered **Belgium, France, Germany, Hungary, Italy, Latvia, Sweden** and the **UK**, countries together estimated to be home to some 90% of the EU's Jewish population. Some of the alarming findings of the report were that 66% of respondents considered anti-Semitism to be a problem, and 76% said the situation had worsened over the last five years. 26% had experienced verbal insult or harassment over the last 12 months and 4% physical violence or threats of violence. Around a quarter of the respondents stated that they avoided visiting Jewish events or sites, or wearing identifiable Jewish clothing in certain areas, for fear of attack. Anti-Semitism on the internet, discrimination in the workplace or schools, and Holocaust denial or trivialisation, were other issues raised by the survey, as well as the fact that the majority of anti-Semitic crimes went unreported.

The Government is firmly committed to combating anti-Semitism wherever it is found. We continue to develop policies and strategies to address it, both in the UK and globally. We acknowledge, however, that before such issues can be tackled, the extent and exact nature of the problem must first be identified. For this reason, the Government has worked with civil society groups and law enforcement for a number of years to build victim confidence in coming forward to report incidents, as well as tackling hate crime itself. While

acknowledging that incidents of harassment and fear of victimisation in the UK are still too high, we were pleased that the EU report found that in the UK the community had more confidence in the authorities, and were less afraid of anti-Semitism, than in the other EU countries surveyed. Not only were a number of the recommendations in the EU survey on reporting and tackling hate crime already in place in the UK, but we are also active in sharing best practice in combating hate crime with countries in the EU and beyond.

As an example, UK experts played a prominent role in the core work of the OSCE Office for Democratic Institutions and Human Rights to combat hate crimes, including with a specific focus on security challenges met by different communities in the OSCE region. OSCE held a conference in Berlin in June with a focus on the security of Jewish communities, offering a forum in which government officials, law enforcement practitioners, civil society organisations, and Jewish community representatives could take stock and explore challenges and good practice, with regard to the security of Jewish communities in the OSCE region. The UK shared best practice on how the government and Jewish communities should cooperate closely through dialogue, information-sharing, and other confidence-building measures.

Nor are the efforts of the Jewish community, in partnership with the Government, restricted to combating anti-Semitic hate crimes alone. Indeed, the effective collaborative work between UK stakeholders from different faith communities, facilitated by the Government, to combat hate crime, was also highlighted at the international level. We presented a case study covering the cooperation between the Community and Security Trust (CST), a Jewish organisation with extensive experience in reporting and tackling anti-Semitic hate crime, and Faith Matters, a UK charity committed to combat anti-Muslim hatred. This cooperation aimed to monitor hate crime and support affected communities at the OSCE Human Dimension Implementation Meeting in Warsaw in October. Those attending the meeting commented that this was one of the most successful examples of inter-faith collaboration in the region. This approach of faith communities supporting the rights of other faith communities, assisted by the government, was shared by UK Government experts at the Global Forum for Combating Anti-Semitism in Jerusalem in May.

An ongoing concern for the Cross-Government Working Group on Anti-Semitism in 2013 was how best to tackle internet hatred. The Inter-parliamentary Coalition for Combating Anti-Semitism (ICCA), which includes UK Government experts, continued to work with major international software companies, such as Facebook and Microsoft, to tackle online hate crime. While the challenges remained substantial, there was some progress, including working to ensure that the details of internet site owners would not remain anonymous and removing any fake sites.

We built on our project last year, in which we supported the London Jewish Cultural Centre to bring together journalists from central and eastern Europe to raise awareness of the rise of anti-Semitism and racism, and discuss strategies to combat it, by supporting a further seminar for journalists on this issue in Hungary. This was requested by the journalists themselves.

Another important challenge in combating anti-Semitism, as recognised in the report from the FRA, is combating denial or trivialisation of the Holocaust. In 2014, the UK Chairmanship

of the International Holocaust Remembrance Alliance (IHRA) will provide a mechanism for us to do so in the year ahead. IHRA, the leading body dedicated to Holocaust education, remembrance and research, has recently agreed a working definition of Holocaust denial and distortion. The definition provides us with a tool to combat this expression of anti-Semitism. Our work through the IHRA will enable us to deliver our objective of ensuring that the Holocaust is never forgotten, and that its lessons are learned by future generations.

## Anti-Muslim Hatred

The government is committed to combating discrimination and violence against individuals wherever it occurs, and regardless of the faith of those concerned. FCO ministers and government officials regularly speak out against persecution, and lobby against discriminatory laws and practices which affect members of various religious communities around the world. Promoting respect for religious freedom is at the very heart of the Government's human rights policy. Where Muslims or any religious believers are victims of persecution, we will ask the relevant authorities to ensure that justice is served. There can be and should be no impunity for those who persecute individuals on the basis of religion or belief.

Turning to specific countries, we have consistently made clear to the **Burmese** government that, where serious crimes have been committed against Muslims, those who have perpetrated them must be held accountable for their actions. This accountability needs to be achieved through a clear and transparent investigative and prosecutorial process that meets international standards. The conviction of some of those involved in anti-Muslim violence is a welcome step forward, further reinforcing the importance of multi-faith tolerance and diversity within all facets of Burmese society.

Similarly in **Sri Lanka**, where there have been attacks against Muslims and Christians, we have urged the Sri Lankan government to take early action to promote the peaceful coexistence of religions, and to investigate attacks and prosecute those responsible. For instance, following the attack on Grandpass mosque on 10 August, former Minister for Middle East and North Africa, Alistair Burt, stated that it was vital that the government worked to investigate the attack, and that all should be able to practise their religion without fear. The local EU Delegation also issued a statement in conjunction with EU Heads of Mission, which said that *"the right to freedom of worship is fundamental to democratic societies and should be protected by the state"*, and looked to the Sri Lankan government to investigate.

We do not limit our actions to words; we also carry out project work in a range of countries working with NGOs on issues such as promoting better understanding between faiths, bridging sectarian divides, promoting dialogue between faith groups and government, and offering technical advice on laws that need amendment.

Another element of our work to combat anti-Muslim hatred is delivered through the UK's cross-government Anti-Muslim Hatred Working Group, which brings together leading representatives from the British Muslim community, academics, and government departments. Although a large part of the group's work is devoted to domestic issues, there

are also specific activities undertaken which have an international focus. For example, the group has been active in strengthening the commemoration of the genocide which took place in **Srebrenica** approximately 20 years ago. Furthermore, as part of the First World War centenary commemorations, the group has sought to ensure that the role played by soldiers from ethnic minorities who fought for the British Empire is not forgotten.

We have also been active in sharing UK best practice internationally, including the way that civil society representatives and government officials work together to combat hate crime. An example is the way in which we have worked with the UK charity Faith Matters both to facilitate reporting of anti-Muslim hatred through its TELL MAMA programme, and to support the victims of hate crime. The Community Security Trust, a Jewish organisation with extensive experience in reporting anti-Semitic hate crime, has assisted Faith Matters in developing its data collection system. We showcased this collaborative work at the OSCE's Human Dimension Implementation Meeting in Warsaw in October, highlighting the benefits of governments, law enforcement agencies, and civil society working together to boost confidence in reporting of, and response to, hate crime.

Government officials attended a conference organised in July by OSCE, the Council of Europe and the UN Educational, Scientific and Cultural Organisation (UNESCO) on challenging anti-Muslim prejudice, and promotion of mutual understanding in multicultural societies through education. The conference sought to promote guidelines to assist educators in identifying and responding to intolerance and discrimination against Muslims in schools. This event provided a further opportunity to share the UK experience of challenging anti-Muslim hatred through education.

In 2014, the cross-government group will continue to build its relationship with international organisations, work on a definition of anti-Muslim hatred and Islamophobia, and assess ways of addressing hatred on the internet. One event to note is the forthcoming OSCE Conference on Enhancing Community-Law Enforcement Relations in Combating Hate Crimes against Muslims. This is an area where the UK is widely recognised as a global leader. We are confident that government experts and community representatives will be able to share examples of good practice, and make recommendations on how other countries can strengthen the collaboration between law enforcement agencies and the community, in order to prevent and respond to hate crimes against Muslims.

## **Case Study: The Plight of the Rohingya**

The Rohingya community, who have lived in Burma for several centuries, have experienced a long history of discrimination. Burma does not formally recognise the Rohingya as one of its 135 recognised ethnicities, and this has contributed to an intensification of prejudice against them, resulting in a denial of the most basic rights, a withholding and withdrawal of citizenship for many who are otherwise eligible, and a campaign of violence and intimidation. Approximately one million people in Burma identify themselves as Rohingya, but exact numbers are unknown. In 2012, outbreaks of violence between Rakhine Buddhists and Muslim Rohingya in Rakhine State led to the displacement of over 140,000 people, mainly Rohingya. They remain in camps, where they suffer from severe restrictions on their freedom of movement, denying them access to livelihoods, schools, health facilities and places of worship. There are increasing signs of further and permanent segregation between the two communities. A long-term solution to the situation in Rakhine will not be found until the issue of citizenship is resolved and prejudices and support for discriminatory policies are confronted. The citizenship verification process for the Rohingya, which could have helped to improve their human rights and status, stalled in 2013.

In Rakhine State, the UK Government has provided £6.4 million in humanitarian aid and around £4.5 million in livelihoods projects. We continue to lobby intensively on the situation in Rakhine State; discussions on the Rohingya were at the top of the agenda when the Prime Minister and President Thein Sein met in London in July. We urge the Burmese government to take swift and decisive action to protect the lives and rights of Rohingya and other minorities in Rakhine State, and to address the underlying causes of ethnic and religious discrimination and violence. This includes addressing impunity and ensuring equitable access to justice, promoting coexistence and tolerance, creating an environment for displaced people to return to their homes, ensuring humanitarian access, and enabling a path to citizenship for eligible Rohingya residents of Rakhine State. Without positive action, the situation in Rakhine risks jeopardising the wider Burmese reform process.

The treatment of the Rohingya has wider regional repercussions and has led to an increase of refugees. According to the UN Refugee Agency (UNHCR), an estimated 24,000 people left Rakhine State by boat from January to August headed to Thailand, Malaysia and Indonesia. As of December, 131,387 Burmese refugees and asylum-seekers had been registered with UNHCR in Malaysia, of whom 32,611 are Rohingya. UNHCR also note a large number of people of concern who remain unregistered.

The status of Rohingya refugees transiting Thailand has also come under particular scrutiny. In early 2013, several thousand Rohingya were arrested and detained, some in extremely cramped and unsanitary conditions. Media and NGO reports alleged that Rohingya refugee boats were towed out to sea, boats were shot at, Rohingya were smuggled, and some officials were handing Rohingya to human traffickers. Local journalists are facing criminal defamation charges in Thailand for citing one of these reports.

The Thai government has granted temporary protection status to detained Rohingya and cooperated with UNHCR and international humanitarian organisations to assist them and improve detention conditions. It has committed to investigate allegations of wrong-doing.



The UK continues to encourage Thailand, through ministerial and senior official dialogue, to abide by international protocols governing the treatment of refugees, by offering protection and assistance, and to work regionally to find a sustainable solution.

Rohingya in neighbouring Bangladesh are also vulnerable. In addition to approximately 25,000 officially recognised refugees, Bangladesh hosts over 200,000 undocumented Rohingya.



**The Rohingya community in Myebon, Burma, was brutally evicted and their homes and belongings burnt to the ground. The government provided them with tents and water some 100 metres from their neighbourhood. Photo credit: Mathias Eick, EU/ECHO January 2013.**



## Post-Holocaust Issues

The Government is committed to ensuring that the UK continues to play a leading international role in remembering and educating about the Holocaust. At the forefront of the UK's global efforts is Sir Andrew Burns, the UK's first Envoy for post-Holocaust issues. Sir Andrew works across government and with the UK's vibrant and internationally renowned academic and NGO community, whose work aims not only to ensure that the memory of the Holocaust is preserved, but also that its relevance in the 21st century is seared on our memories.

The UK was an early proponent of Holocaust Memorial Day, which takes place around 27 January each year, marking the date of the liberation of the Auschwitz-Birkenau extermination camp. On that day, the UK remembers the Holocaust, Nazi persecution, and subsequent genocides in **Cambodia, Rwanda, Bosnia and Darfur**. Central to the UK commemorations is the use of survivor testimonies, which allow audiences to hear firsthand about the Holocaust and the horrific suffering that was endured by so many. Eyewitness testimonies and remembering those who were murdered also allows subsequent generations to learn lessons about the dangers of hatred, xenophobia and violence.

In 2013, the Prime Minister marked the 75th anniversary of the *Kindertransport*, when 10,000 Jewish and other children came to this country from **Germany, Austria and Czechoslovakia** to escape from Nazi persecution and almost certain death. He wrote about the sacrifices of the parents, the charitable organisations that made the transport and accommodation arrangements, and the individual families who took the children under their wings. Above all, he recalled the children themselves who went on to become valued members of society, both here in the UK and elsewhere in the world, notably in the fields of politics, journalism, art, science and commerce.

To underline the UK's commitment to remembering the Holocaust and taking into consideration that the Holocaust is moving beyond living memory, the Prime Minister announced in September the creation of a new cross-party, multi-faith Commission on the Holocaust. Mick Davis, President of the Jewish Leadership Council, was appointed chair, and it is envisaged that the commission will report back to the Prime Minister by the end of 2014.

The International Holocaust Remembrance Alliance (IHRA) is the foremost international body committed to promoting multi-national co-operation in Holocaust education, remembrance and research. The IHRA's areas of focus during 2013 included researching and preserving the sites of mass murder throughout Europe, and research into the way the Holocaust is taught across the 31 member states, in order to inform better teaching. The significance of commemorating the sites is that this sheds light on the vast numbers of Jews and others killed away from the death camps. The UK delegation to IHRA, consisting of government representatives, academics and NGOs, is closely involved in this and other key aspects of the IHRA's work, such as ensuring that archives of victims of Nazism and Holocaust survivors are opened, to assist the stand against Holocaust denial and trivialisation.

One of the objectives of the Canadian chairmanship of IHRA in 2013 was to agree a working definition on Holocaust denial and distortion. Confronting Holocaust denial is important since it is often a vehicle used for wider anti-Semitism. The approval of a working definition at the IHRA Plenary meeting in Toronto in October was accompanied by a number of other important decisions around IHRA's internal working rules, additional funding for important and substantive multi-year work plan projects, the welcoming of **Uruguay** as a new observer country, and confirmation that **Hungary** will chair IHRA in 2015.

The UK is proud to be taking on the chairmanship of IHRA in February 2014. We will be holding the IHRA's meetings in London (May) and Manchester (December). In early 2015, we are planning a high-level political event to reaffirm international commitment to the Stockholm Declaration, fifteen years after it was agreed. We are grateful for the strong legacy of the Canadian chairmanship, and will continue their work with multilateral organisations to build capacity for Holocaust education and remembrance in non-IHRA countries.

IHRA is closely watching the likely impact of the EU's proposed data protection legislation on the archival use of Holocaust related materials. This is potentially significant for another important international post-Holocaust institution, the International Tracing Service (ITS). Sir Andrew Burns represents the UK on the 11-member International Commission of the ITS.

While the ITS has primarily served as a humanitarian tracing service for Holocaust survivors, displaced persons, and other victims of Nazism, the nature of the tracing requests have changed over time. The commission now aims to ensure it is recognised as an international research institute, while still preserving its humanitarian function. At its meeting in Berlin in June, the commission confirmed its intention to facilitate the opening of its archives to public access, and has now agreed revised objectives: to preserve, conserve and open up the ITS archives to public access; to modernise and make more effective its services to Nazi victims, Holocaust survivors, and those who seek to trace the fate of family members persecuted by the Nazis and their allies; and to integrate the ITS into the European and international network of research and educational institutions focused on Nazi persecution, the Holocaust, forced labour and displaced persons.

The UK digital copy of the ITS archive is now available for public consultation at the Wiener Library in London, with a dedicated researcher, funded by the government, to help users navigate its complex search facility. The Wiener Library has been expanding its cooperation with other holders of digital copies, notably the US Holocaust Memorial Museum and Israel's Yad Vashem.

The Holocaust primarily recalls the murder and suffering of Europe's Jewish population, but also remembers the persecution of other communities in Nazi-occupied lands during the Second World War. The UK chairmanship of the IHRA will include taking forward work on the genocide of the Roma, involving testimonies from Roma survivors and project work, raising awareness of their suffering and the genocide's implication for Roma communities today.

Sir Andrew Burns's mandate also includes responding to the concerns of Holocaust victims and their families with regard to the issue of restitution of property wrongfully seized by the

Nazis between 1933 and 1945. In 2013, Sir Andrew actively lobbied other governments to address Holocaust-era restitution issues in a more active way. Sir Andrew raised restitution of property wrongfully seized with ministers and officials from countries including **Poland, Germany, Austria, the Czech Republic, Slovakia, Hungary, Estonia** and **Lithuania** in the last year. He has also had discussions with interested NGOs and relevant international organisations, such as the European Shoah Legacy Institute in Prague.

Another aspect of post-Holocaust work is looking after the welfare of survivors. Of particular note is a project led by our Ambassador in **Israel**, Matthew Gould, with the support of the UK Jewish community. Through their generosity, a network of 20 *Café Britains* has been established around Israel to serve as social clubs for Holocaust survivors. These clubs provide an emotional lifeline, providing a warm and friendly environment, and supplying a much-needed outlet for processing the ongoing trauma of their wartime experiences. In addition to core services provided by the Café Britain clubs, such as art activities, storytelling workshops and memoir writing, there were also opportunities in 2013 for educational trips throughout the country, exercise, dance, and yoga, as well as therapy for people with autism, dementia, or developmental disabilities. The British Embassy in Israel worked closely on this project with the Joint Distribution Committee.

## **SECTION VI: Human Rights in Safeguarding the United Kingdom's National Security**

The security of the UK will always be inextricably linked to events overseas. The UK's national security goals are to reduce the threat to our people and interests around the world, to prevent threats coming back to our shores, and to promote long-term stability overseas. International terrorism remains the greatest security challenge we face today. In order to combat terrorism in a sustainable way, we must build stability and promote human rights and the rule of law in other countries. There is growing recognition of the important contribution the security and development communities can play to build stability, tackle violent extremism, and promote human rights and the rule of law. Delivering this requires us to live up to our values and obligations at all times, and demand that our partners do the same. This includes being clear that torture and other mistreatment are unacceptable. Failing to do so is counter-productive, can cause future generations to become radicalised, and ultimately fuels more terrorist activity.

The UK's counter-terrorism work overseas must both protect our security and uphold human rights. This includes the UK's own intelligence and military personnel being required to operate according to 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 Relating to Detainees. It also means that our work to develop the capacity of other governments is assessed in line with the Government's Overseas Security and Justice Assistance (OSJA) Guidance.

### **Working in Partnership to Counter Terrorism Overseas**

In February 2013, the Foreign Secretary set out our aim of seeking justice and human rights partnerships with countries where there are both threats to the UK's security and weaknesses in the law enforcement, human rights and criminal justice architecture.

To meet this aim, we have developed partnerships with states where there are serious and potentially long-running threats to the UK or UK interests. These partnerships provide a systematic process for working with the relevant local authorities, to identify shortcomings in capability, and to address these through the provision of UK assistance and expertise. As mentioned in Section IV, all our capacity-building work is considered in line with our OSJA Guidance, in order to assess and to mitigate human rights risks. These partnerships require ministerial oversight and approval.

This work is funded by our Counter-Terrorism Programme. These and other capacity-building projects generally focus on working with the police, prosecutors, judges and prison authorities to build their capacity to investigate, detain, prosecute and convict terrorists, based on respect for human rights and the rule of law. We have already seen our training help partners to disrupt terrorist planning linked to the UK, and to help gather evidence that can be used effectively in court. We have also seen the establishment of specialist counter-terrorism prosecutors and judges in several countries. We shall continue to develop our programmes during 2014.

## Deportation with Assurances

Deportation with Assurances (DWA) has enabled the UK to reduce the threat from terrorism by allowing foreign nationals, who pose a risk to our national security, to be deported, while still meeting our domestic and international human rights obligations. We are satisfied that, in specific cases, government-to-government assurances ensure that the human rights of individual deportees will be respected on their return. The courts have upheld the principle of relying on government-to-government assurances in specific cases. For example, in the ruling on Othman (Abu Qatada) in 2012, the European Court of Human Rights accepted that the use of diplomatic assurances could address the risk of an individual receiving ill treatment.

We have considered DWA for a small number of cases where prosecution in the UK is not an option and there is a risk to national security, or after someone has been convicted and has served a sentence for terrorist offences in the UK. The Government will not remove someone if there are substantial grounds for believing that they will face a risk of torture or other cruel, inhuman or degrading treatment in their home country, or where there is a significant risk that the death penalty will be applied.

Our DWA arrangements include public and verifiable assurances which have been, and continue to be, tested by the courts. They are set out in agreements between the UK and the country concerned. These include specific assurances for each individual returned, and nomination of a monitoring body, usually a local independent NGO or national human rights institution, to ensure compliance with the terms of the agreement in each case.

We currently have functioning DWA arrangements with **Algeria, Jordan, Lebanon, Ethiopia and Morocco**. To date, the UK has removed 12 individuals under these arrangements. We are currently pursuing deportation with assurances in 14 other cases. We are continuing to support capacity-building projects and training for the monitoring body in Ethiopia to increase its human rights awareness and understanding of the specific skills required to monitor returnees. In 2013, we removed two individuals under the auspices of our DWA arrangements – one to Jordan and one to Morocco. One of these was Abu Qatada, as mentioned above, who was deported from the UK on the basis of DWA assurances provided by a DWA Memorandum of Understanding, further specific assurances, and a Mutual Legal Assistance Treaty agreed between the UK and Jordan. Each country's compliance with the assurances in respect of these individuals is now being monitored by the relevant monitoring body.

## Counter-terrorism programme work

Countering terrorism is one of the Government's key priorities at home and abroad. Our Counter-Terrorism Programme is one of the Foreign & Commonwealth Office's (FCO) largest strategic programmes. A number of other UK government departments allocate resources to countering terrorism, as do the intelligence agencies. We are increasing work on counter-terrorism capability building with the EU, which shares our commitment to respect for human rights and the rule of law.

## **The Detainee Inquiry**

In July 2010, the Prime Minister established an independent Detainee Inquiry chaired by Sir Peter Gibson, a former Court of Appeal judge, to examine whether and, if so, to what extent, the UK Government and its intelligence agencies were involved in the improper treatment or rendition of detainees held by other countries. In establishing the Inquiry, the Government made clear that it would not be able to start formally until all related police investigations had been concluded. The Inquiry therefore embarked on an extensive programme of preparatory work. The launch in January 2012 of a further police investigation into allegations made by two former Libyan detainees led the Government to conclude that the Inquiry would not be able to start formally in the foreseeable future. The Government decided to bring the work of the Inquiry to a conclusion and asked Sir Peter Gibson to provide a report on the Inquiry's preparatory work.

The Minister Without Portfolio, Kenneth Clarke, presented the Report of the Detainee Inquiry to Parliament on 19 December 2013. As the Inquiry was not able to hear from witnesses, the report cannot make findings as to what happened. Nevertheless, the report is a substantial piece of work, and the product of an extensive independent analysis of some 20,000 documents, some of which had not been examined by any previous review. It highlights themes and issues that should be the subject of further examination.

The Government believes it is important that these themes and issues are properly dealt with. It would be wrong to leave them unexamined for the unknown amount of time it will take for the police to complete their investigations. Equally, it would be wrong to ask a judge to examine material, when doing so could compromise a live police investigation. Therefore the Government has asked the Intelligence and Security Committee of Parliament (ISC) to inquire into the themes and issues raised, take further evidence, and report to the Government and to Parliament on the outcome of their inquiry. It is hoped that the ISC will be able to complete its work by the end of 2014, though the precise timetable is a matter for them. In light of the committee's report and the outcome of the related police investigations, the Government will then be able to take a final view on whether another judge-led inquiry remains necessary to add any further information of value.

## **Consolidated guidance to intelligence officers and service personnel**

Human rights must be integrated into our work overseas to defend national security, as human rights violations are often the cause, as well as a symptom, of conflict. This means ensuring that the UK Government continues to meet the highest human rights standards as we conduct national security business at home and abroad. The Government's policy on torture is clear – we do not participate in, solicit, encourage or condone the use of torture or cruel, inhuman or degrading treatment or punishment for any purpose. Guidance on this is set out in 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. Compliance with the Consolidated Guidance is monitored by the Intelligence Services Commissioner, who has independent judicial oversight of the conduct of the Intelligence Agencies. Like all government departments, the Intelligence Agencies comply with the OSJA Human Rights Guidance (see Section IV).



## **Oversight of UK security and intelligence agencies**

The work of the UK security and intelligence agencies is carried out in accordance with a strict legal and policy framework, which ensures that their activities are authorised, necessary and proportionate. The UK has rigorous democratic accountability and oversight, including from the relevant Secretary of State, the Interception of Communications Commissioner and the Intelligence Services Commissioner, and the cross-party Intelligence and Security Committee (ISC) in Parliament, with additional scrutiny and redress through the Investigatory Powers Tribunal. It is the presence of a strong framework of democratic accountability and oversight that protects and promotes the rights set out in Article 17 of the International Convention on Civil and Political Rights, by preventing arbitrary or unlawful interference with a person's privacy.

## **Guantánamo Bay**

The UK Government believes that indefinite detention in Guantánamo Bay is wrong, and that the detention facility should be closed. In 2013, President Obama publicly reiterated his commitment to closing the facility, and appointed senior envoys to the US State and Defence Departments – respectively Clifford Sloan and Paul Lewis – who were charged with responsibility for achieving the transfer of detainees to third countries. In total, 11 detainees were transferred out of Guantánamo Bay in 2013, to **Algeria, Saudi Arabia, Sudan and Slovakia**. The UK supports President Obama's continuing commitment to closing the detention facility at Guantánamo Bay, and welcomes the appointment of the special envoys.

UK efforts to secure the release and return of the last former legal UK resident, Shaker Aamer, continued throughout 2013. The Prime Minister raised Mr Aamer's case with President Obama on 17 June at the G8 Summit in Lough Erne, and he later wrote to President Obama reaffirming the UK's commitment to securing the release and return of Mr Aamer to the UK. The Deputy Prime Minister went on to raise Mr Aamer's case with Vice-President Biden in September, and the Foreign and Defence Secretaries have repeatedly raised Mr Aamer's case with their US counterparts.

Senior officials also continued to engage in an active dialogue with the US regarding Mr Aamer's case. Notwithstanding the Government's best endeavours, any decision regarding Mr Aamer's release remains in the hands of the US government. We shall continue to work with US counterparts in 2014 to secure the release and return of Mr Aamer to the UK.

## **Counter Proliferation**

The UK defence sector is a vital part of our industrial base. It helps responsible states to meet their legitimate defence and security needs. However, we recognise that there remains a risk that governments intent on internal repression or territorial expansion, international terrorist organisations, or organised crime networks may seek to acquire weapons, either legally or illegally. We therefore remain committed to ensuring that the legitimate arms trade is properly regulated, both in the UK and internationally.

The adoption of a legally-binding Arms Trade Treaty (ATT) in April 2013 was a historic moment. It was the culmination of a ten-year campaign and seven years of work within the UN. The UK was at the forefront of the process from the start, and was one of the first states to sign the ATT on 3 June in New York. Now, our top priority is to complete domestic

ratification of the treaty as soon as possible and to encourage other states to do the same, in order that the treaty can enter into force. In the expectation of that happening, we are already consulting our fellow co-authors and other supporters of the treaty about the practical arrangements that will have to be put in place to make the treaty operational (for example, location and format of secretariat). Working with civil society, we have lobbied other states to sign and ratify the treaty – exceeding the target we set ourselves of 100 signatures by the end of 2013. We are now looking at ways to help other states ratify and implement the treaty. In 2013-14, we plan to spend more than £350,000 on implementation assistance.

## **Export licensing**

Properly regulated, a responsible arms trade helps countries to meet their legitimate defence and security needs. Arms exports help governments to protect their citizens and secure their fundamental freedoms. The UK's export licensing system is one of the toughest, most transparent regimes in the world. We do export licensable equipment to countries which feature as countries of concern in this report. Not least because many licensable goods have perfectly legitimate civilian uses. They are used in the production of toothpaste or to build mobile phone networks. However, commercial relationships do not and will not prevent us from speaking frankly and openly to the governments of these countries about issues of concern, including human rights.

The Department for Business, Innovation and Skills (BIS) is the licensing authority for strategic arms exports from the UK. FCO acts as a policy advisor, providing BIS with advice and analysis of the foreign policy aspects relevant to the consideration of each export licence application. The Department for International Development (DFID), Ministry of Defence (MOD), HM Revenue & Customs (HMRC) and the Department for Energy and Climate Change (DECC) also provide policy advice to BIS. Around 17,000 export licence applications were processed in 2013. Each application is assessed on a case-by-case basis against the Consolidated EU and National Arms Export Licensing Criteria. These criteria are based on an EU Common Position and Criterion 2 is specifically intended to promote respect for human rights and fundamental freedoms in the country of final destination. This stipulates that the Government will “not issue an export licence if there is a clear risk that the proposed export might be used for internal repression”. This is a mandatory criterion which means that, if it is judged that such a clear risk exists, the Government must refuse the licence and may not take into account any other factors.

When making export licensing decisions, the Government examines the political and security conditions in the destination country, the nature of the equipment to be exported, the organisation or unit which will ultimately be the user of the equipment, and all available information about how similar equipment has been used in the past, and how it is likely to be used in the future. We consult FCO experts in the UK and in our embassies and high commissions overseas, and take into account reports from NGOs and the media. Many applications, including all sensitive or finely-balanced cases, are submitted to ministers for decision.

Once approved, export licences are kept under review. The Government has access to a wide range of daily reporting, including from its global network of diplomatic missions

overseas. This enables the Government to respond swiftly to changes in risk. In July 2013, we revoked five licences to **Egypt** in cases where we assessed there was a clear risk that the equipment might be used for internal repression. Later in the year, we were able to respond swiftly following the 21 August agreement by EU Foreign Ministers to suspend export licensing to Egypt for equipment that might be used for internal repression. We suspended 47 licences initially. After five weeks, when the situation became clearer, we refined our approach to distinguish between licences which failed the Criterion 2 test (i.e. “clear risk”) and were revoked or refused (three licences); those where there was not a “clear risk” that the equipment might be used for internal repression, but which nevertheless failed the lower-threshold EU test (“might be used for internal repression”) and which were kept suspended or expired (20 licences); and those where we judged the equipment would not be used for internal repression, which were re-instated or approved (24 licences).

In 2012 (the last complete year for which statistics are available), 44 export licences were refused under Criterion 2. Case studies based on actual export licence applications are published in the Government’s Annual Report on Strategic Export Controls (the 2013 edition is due in July 2014). These demonstrate how human rights considerations, among other criteria, are factored into assessments, and provide an insight into how the Government assesses licence applications on a case-by-case basis.

### **Cluster munitions and anti-personnel landmines**

Anti-personnel landmines, cluster munition remnants and other explosive remnants of war can threaten the lives of civilians and hinder post-conflict reconstruction and development. The UK is committed to reducing the humanitarian impact of these problems.

The 2008 Convention on Cluster Munitions (CCM, or Oslo Convention) prohibits the use, development, production, acquisition, stockpiling, retention and transfer of cluster munitions. The UK became the 32nd State Party to the CCM in 2010. By the end of 2013, 113 states had acceded to the convention, of whom 84 are States Parties (up from 77 at the end of 2012). The UK withdrew all cluster munitions from operational service in 2008, and in December 2013 destroyed the last of its cluster munitions, five years ahead of the CCM deadline.

We are similarly committed to mitigating the humanitarian effects of anti-personnel landmines, and ratified the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (the Ottawa Treaty) in 1998. Between 2010 and 2013, we committed to spend more than £41 million on work to clear mines, cluster munitions and other explosive remnants of war through DFID’s Mine Action Programme. We supported projects in **Afghanistan, Cambodia, the Democratic Republic of Congo (DRC), Iraq, Laos, Mozambique, Sri Lanka, Sudan, South Sudan and Vietnam**. These projects removed over 70,000 landmines and explosive remnants of war. They released over 10,000 hectares of contaminated or suspected hazardous land so that people could return to their everyday lives. They also increased the awareness of hundreds of thousands of people through mine risk education.

In November 2013, DFID published “Clearing a Path to Development”, a policy paper setting out the UK Government’s priorities and principles in tackling the threat of landmines and

explosive remnants of war in developing countries, and pledged to spend up to £30 million over the next three years to tackle the humanitarian consequences of mines and explosive remnants of war.

## Reducing Conflict and Building Stability Overseas

### The Conflict Pool

The Conflict Pool is a joint fund for conflict prevention, stabilisation and peacekeeping support, managed by the FCO, DFID and the MOD. Conflict Pool programmes support the UK's conflict prevention priorities set out in the Building Stability Overseas Strategy (BSOS) in three broad areas: to support the building of free, transparent and inclusive political systems; to build effective and accountable security and justice sectors; and to increase the capacity of local populations and regional and multilateral institutions to prevent and resolve conflict. It operates through regional programmes in **Afghanistan, Africa, the Middle East and North Africa, South Asia and wider Europe**. It also supports reform and capacity-building in international organisations, and other cross-cutting thematic work, including preventing sexual violence in conflict and protecting civilians. The Conflict Pool's budget for 2013-14 is £229 million. In 2013, the Conflict Pool's Early Action Facility, introduced to allow more effective rapid response to emerging crises and unforeseen needs, supported work to limit the impact of the conflict in **Syria** as well as peacekeeping support in the **Central African Republic**. Projects supporting human rights fall within each of these priority areas, and include the following.

In the **Middle East and North Africa**, the Conflict Pool funds work in **Syria** to document human rights violations and abuses, supporting a collaborative and sustained network of local Syrian health and legal professionals, who are producing forensic evidence of serious human rights violations, including torture and sexual violence, for future use in national or international criminal courts.

In **Africa**, the Conflict Pool works to build the capacity of civil society engaged in human rights activities, including training of human rights defenders in **Kenya** and **Sudan**, through to legal and medical assistance to victims of political violence in **Zimbabwe**.

In the **North Caucasus**, Conflict Pool project partners highlight and address cases of grave human rights violations in both domestic courts and the European Court of Human Rights. Project partners focus on capacity building of grassroots organisations, and strengthening local communities in order to enable them to take an active stance in protection of human rights, and play an important role in prevention of conflicts in the region.

The Conflict Pool in **Pakistan** worked with local civil society partners to sensitise 1,011 NGOs and community groups on democratic governance, minority and human rights. Through this intervention, the Conflict Pool in Pakistan has developed a cadre of strong NGOs that are now better equipped to deliver interventions in priority areas of human and minority rights.

In **Kosovo**, the Conflict Pool has provided training on therapeutic approaches to treat survivors of sexual violence and torture.

Working with Physicians for Human Rights, the Conflict Pool funded the deployment of a team of experts to train local police forces in the **DRC** in the investigation of sexual violence. The pool also supports the Women's Institute for Gender Justice, which pursues justice for victims of sexual violence in conflict at The Hague.

The pool supports the **Afghanistan** Independent Human Rights Commission (AIHRC) which monitors and investigates human rights violations and abuses in Afghanistan, and works to educate local communities and lobby governments on the protection of human rights.

We also continue to promote respect for human rights in **Israel and the Occupied Palestinian Territories** through work with local Israeli and Palestinian implementing partners. This year, we have maintained our support to projects which sustain Palestinian state-building efforts, with a particular focus on security and the rule of law sectors; support and strengthen constituencies committed to resolving the Israeli-Palestinian conflict peacefully; reduce the risk of deterioration of the situation on the ground; and advance understanding of the fears and desires of both publics in the context of a lasting peace. We have also supported the work of trusted implementers to monitor and challenge the following through the Israeli legal system – settler violence, settlement expansion, land expropriations, evictions and demolitions in the West Bank and East Jerusalem – as well as to provide legal assistance to protect Palestinian rights to land and property.

## Country Case Study: Nigeria – The Response to Terrorism

We have concerns regarding a number of human rights issues in Nigeria. 2013 saw the fight against Boko Haram intensify, with the government's respect for human rights coming under further criticism; the resumption of the use of the death penalty; and a legislative attack on the rights of LGBT people in the Same Sex Marriage Prohibition Act.

The UK's most pressing concerns relate to the Nigerian government's response to the terrorist threat from Boko Haram. The heavy-handed security response, especially in the north, has resulted in allegations of serious human rights violations by the security forces. These include the razing of homes in communities suspected of harbouring Boko Haram, and extrajudicial killings and torture, for which there is widespread impunity. The mistreatment by the Nigerian Army of detainees in military detention centres was highlighted in reports by Amnesty International and Human Rights Watch. Nigeria's President has acknowledged the need to address these issues. While we recognise that the Nigerian government has both a right and responsibility to defend its people from terrorism, it must ensure that its response respects human rights, and that those involved in human rights abuses are brought to justice. We have raised our concerns at the highest levels of the Nigerian government and called on them to take action. We reiterated this message at the UN Human Rights Council's Universal Periodic Review of Nigeria in Geneva in October 2013.

Since October 2013, improvements within military-run detention facilities appear to be taking place. We continue to encourage the Nigerian government and its security forces to uphold human rights standards.

As a result of the escalation in fatal terrorist attacks in North Eastern Nigeria by Boko Haram against civilian, official and military targets, various NGOs have listed serious human rights abuses by Boko Haram, including the abduction of women and children, the execution of those suspected of aiding the authorities, and fatal attacks on schools and colleges. An Amnesty International report in 2013 highlighted Boko Haram attacks against Nigerian educational establishments.

Furthermore, a report by the International Criminal Court in 2013 stated that *"there is a reasonable basis to believe that crimes against humanity have been committed in Nigeria, namely acts of murder and persecution attributed to Boko Haram"*.



## The Responsibility to Protect (R2P)

The UK is fully committed to the concept of the Responsibility to Protect (R2P), which was endorsed by all UN member states at the 2005 World Summit. We believe an increased focus on preventive aspects of R2P is crucial to preventing mass atrocity crimes from being committed. We want to see states taking preventive action themselves, for example by reducing/managing ethnic tensions, and the international community providing supportive initiatives. The UK believes that R2P should be a governing principle of all countries' work across the conflict spectrum, as well as on human rights and development. Building good governance, the rule of law, inclusive and equal societies, and effective judicial and security sectors all contribute to building a preventive environment in which R2P crimes are less likely to take place.

The UK has continued to focus on embedding the preventative aspects of R2P. To this end, we have committed to funding, until 2015, the development of the prosecution service in **Ghana** (the CJS), which is essential if the rule of law is to be observed. The objectives of this work are: to detach and protect, as far as possible, prosecution from political and other improper influences; to develop international legal cooperation, bilaterally and regionally; and to promote cooperation between justice agencies to make judicial processes more efficient. If there is a broadly trusted and efficient CJS - investigation, prosecution, mutual legal assistance, trial and punishment - then there is a reasonable chance that cycles of spiralling retaliatory action can be prevented. The underlying principle is that "prevention is better than cure".

The UK supports the international advocacy and outreach work of the Global Centre for the Responsibility to Protect. In particular, our funding supports increased engagement with emerging powers and regional organisations on the implementation of R2P.

At the UN, the UK has continued to hold regular meetings with the Group of Friends of R2P, as well as the Security Council Friends of R2P at ambassadorial level. During the UN General Assembly week in September 2013, UK Ministers attended an R2P breakfast meeting and a ministerial meeting on the prevention of genocide. Both meetings were a good forum to raise awareness of the issues and to facilitate closer cooperation between member states in order to prevent conflict. September also saw the appointment of Professor Jennifer Welsh as the Secretary General's Special Advisor on R2P. We welcomed Professor Welsh's appointment and look forward to the continued collaboration between her and the Secretary General's Special Advisor on Genocide, Adama Dieng. The UK has committed to supporting the Joint Office of both Special Advisors. UK funding will help provide training and post-training technical assistance to states and regional and sub-regional organisations to strengthen their capacities to develop early warning, risk assessment and response strategies to prevent R2P crimes.

We remain concerned at the growing level of conflicts around the world. The UK will continue to work bilaterally and through the multilateral *fora* to ensure states meet their primary responsibility to protect their populations from genocide, war crimes, crimes against humanity, and ethnic cleansing.

## Women, peace and security

Violence against women and girls is one of the most systematic and widespread human rights concerns in the world. Women have a vital and largely untapped role in resolving conflict. States have a moral obligation to promote women's participation in building peace and in conflict resolution, because the contribution of women helps to secure a more sustainable peace. While at the international level there is increasing consensus about the obligations of states to address the barriers to women's full and active participation in public life, at the domestic level, and at times when new states are being formed, there is still progress to be made in advancing women's equality. National legislation and constitutions adversely affect women's participation in public and political life in some states, by limiting women's participation through exclusionary or discriminatory clauses, thus restricting women's ability to engage fully in the public sphere.

The UK has continued to meet its commitments on the women, peace and security agenda as set out in UN Security Council Resolution (UNSCR) 1325 and subsequent resolutions. The UK National Action Plan (NAP) on Women, Peace and Security (WPS) is intended to strengthen the UK's ability to reduce the impact of conflict on women and girls, and to promote their inclusion in conflict resolution. It provides a framework to ensure that the provisions of UNSCR 1325 and associated resolutions are incorporated into the Government's work on armed conflict. 2013 has seen the publication and conclusion of the 2010-13 UK NAP. It details how the UK has made progress against its objectives, and paves the way for a new NAP which will be launched in 2014.

Work continued across the three bilateral focus countries; **Afghanistan**, **DRC** and **Nepal**, and the focus region, the **Middle East and North Africa** (MENA) in this period. In **Afghanistan**, the UK has continued to offer practical and political support to the government to help it honour its national and international human rights obligations and commitments. The UK has funded the Afghan Parliamentary Assistance Programme (£1.5 million). The project provides core support to building parliament's capacity, including training and capacity building on producing legislation, and holding the executive to account. The project also includes targeted support to women parliamentarians to ensure they receive the necessary assistance to be effective in their positions. In December 2013, the British Embassy in Kabul, in partnership with Gender Action for Peace and Security (GAPS), hosted a workshop for civil society groups to discuss the NAP and its bilateral focus. This was an excellent opportunity to engage with civil society groups and hear their views and experiences.

In the **DRC**, the UK has continued to work closely with the Congolese government through the thematic working group on gender. There have been developments in the representation of women in the judicial and security sector – the recent promotion by presidential ordinance of 181 generals included three female brigadier-generals and one woman of the rank of assistant divisional commissioner, and 200 women magistrates were recently promoted.

In **Nepal**, the UK provided support, through various projects, for women's participation in the 2013 elections and in the process of finalising the country's constitution. The UK continues to play a leading role in the EU Working Group on Human Rights Defenders, which regularly

considers the situation of women human rights defenders and agrees steps with local civil society on how to support them.

The Government continues to support and promote work on WPS in all countries in the MENA region. Specific examples include the UK's work in **Libya**, which has maintained a focus on promoting the participation of women and marginalised groups in public and political life. Projects to support this objective have included a 14-month project run by Danish Church Aid (DCA) to support women's empowerment. This provides training and mentoring to Libyan civil society throughout the country to promote women's participation in political and public life, and women's inclusion in the constitution drafting process.

The UK leads on the WPS agenda in the UN Security Council (UNSC), and continues to champion it at the multilateral level. 2013 has seen the adoption of two UNSCRs on WPS. The first of these was UNSCR 2106, adopted in June 2013 during an open debate hosted by the Foreign Secretary, and under the UK's Presidency of the UNSC. The resolution puts an important focus on violence in conflict, and specifies action to protect women from violence, and ensure their participation in all responses to sexual violence and all peace processes. The second resolution, UNSCR 2122, was unanimously adopted in October 2013. The resolution reiterates the need to increase women's leadership and participation in conflict resolution and peacebuilding processes. As part of this, the Foreign Secretary has called for the Syrian peace talks in Geneva to have a direct role for women's groups, for example through both sides appointing women to their delegations, as well as making gender advisors available to all parties.

At the national level, the UK Government has continued to adapt its policy, programmes, training and operational procedures to ensure that WPS is incorporated into its work on conflict and in conflict-affected countries. For example, on funding, both strategic and programme-level Conflict Pool guidance advises all Conflict Pool programmes to take a gender-sensitive approach. This has led to projects that are focused specifically on WPS objectives. Work has also been undertaken across government to incorporate conflict issues into staff training. For example, the tri-departmental Stabilisation Unit (SU) has continued to run courses which include specific sessions on WPS, as well as dedicated one-day training on WPS.

The 2014-2017 National Action Plan (NAP), due to be launched during the summer of 2014, will build on lessons to date, and address some of the challenges in the current NAP. It will have a greater focus on participation, especially peace negotiations and in early stages of peacemaking, which can increase gender analysis in post-conflict planning, lead to improved outcomes for women, and enhance their capacity to participate in longer-term peacebuilding. The new NAP will be framed around an overarching strategy that aligns the Government's work on WPS, as there are various initiatives being taken forward on this agenda across departments, and there is value in bringing these elements together under one framework.

The UK will host an international summit on sexual violence in 2014. The aim of this conference will be to build on the momentum of the G8 and UN General Assembly declarations, looking at how the international community is turning its political commitments into practical action. This will be a major opportunity to raise the profile of WPS, and will give the agenda a significant push, both politically and practically.

## **Protection of Civilians Strategy**

“Protection of Civilians” (POC) refers to the protection of civilians by states and the international community from widespread threats of violence and coercion. It calls on belligerent actors to minimise harm to civilians and civilian property in the conduct of hostilities, including from excessive and disproportionate attacks and force. It also calls for the protection of civilians from violence. During armed conflict, civilians are entitled to protection under international humanitarian law (IHL). Despite this, civilians continue to be the victims of violence, and are sometimes deliberately targeted by belligerents. These deliberate attacks can include campaigns of sexual violence or deliberate killings to instil fear and coerce compliance from the local population. In addition to direct attacks, civilians also need protection from the consequences of conflict, such as being forced to move from their homes and thus losing ownership of land and property.

The Government’s BSOS made clear that protecting civilians is at the core of the UK’s policies to prevent, manage and resolve conflict. As the UNSC lead nation on the POC agenda, we implement this policy through our diplomatic work, providing assistance to peace-support operations, capacity building and humanitarian effort.

This year the UK has continued to chair the UNSC’s Expert Group on the Protection of Civilians. This is an informal forum in which the UN Office for the Coordination of Humanitarian Affairs (OCHA) - on behalf of the humanitarian community - brings to the attention of the UNSC key protection concerns. These briefings have been useful ahead of UN mission mandate renewals in order to enhance the understanding of the POC agenda amongst relevant country experts, as well as to increase the effectiveness of POC language within mandates (there are currently nine peacekeeping operations with POC mandates, and over 94% of overall peacekeeping personnel serve in missions with POC as a core mandated task).

We work closely with the UN to put the POC agenda in to action. This has included, for example, continued UK funding of two staff members at the POC coordination team, which is part of the UN Department for Peacekeeping Operations (DPKO). The POC coordination team provides operational and policy advice to missions, as well as briefing the Special Representative of the Secretary General and force commanders on the POC agenda. At country level, the UK has provided Conflict Pool funded assistance in niche areas to countries contributing troops to the African Union Mission to Somalia (AMISOM), in order to improve the capacity and effectiveness of troops in Somalia. Specifically, this has led to training being delivered by UK training teams in topics such as international human rights law, civilian-military relations (stabilisation), and operational detention. This will help reduce instances of civilian harm or human rights abuses caused by AMISOM troops in the long run.

2013 has been a challenging year due to the growing number of conflicts around the world, and we expect 2014 to be similar. This makes the POC agenda even more relevant. The UK will continue to help strengthen international and bilateral political action on protection and continue to support peace support operations wherever possible.

## Children and armed conflict

The protection and promotion of children's rights, including those of children in armed conflict, form an integral part of the FCO's wider international human rights agenda. Children are often the most vulnerable group to face the devastating consequences of conflict. These include unlawful recruitment, gender-based violence, killing and maiming, separation from families, and human trafficking, as well as the denial of basic human rights such as schooling, basic nutrition and health services, and the denial of childhood. If we fail to protect children, it has an effect on a country's ability to emerge from conflict, undermining the future generation, and affecting the potential of tomorrow's leaders. The UK is therefore strongly committed to supporting and protecting the rights of children in conflict. It is vital that children feel safe and secure within their communities, receive the education and health services to which they are entitled, and can support their country's future progress.

The UK Government takes direct action to protect children in conflict zones by applying diplomatic pressure, and by funding projects to help rehabilitate children. We have spoken out publicly against those governments and groups that abuse children's rights. Minister for Conflict Issues, Mark Simmonds, is taking forward a campaign to tackle the recruitment of child soldiers in five priority countries: the **DRC**, **Somalia**, **South Sudan**, **Chad** and **Burma**.

The UK is a member of the UNSC Working Group on Children and Armed Conflict, which leads the international response to this issue. This includes pressing those parties to conflict, listed in the UN Secretary General's Annual Report on Children and Armed Conflict, to develop action plans to address violations committed against children. The UN has agreed action plans most recently in 2013 on the Lord's Resistance Army, **Yemen**, **Burma** and **the Philippines**, but also with **South Sudan**, **Somalia**, the **DRC**, and **Syria**. These signed commitments bring perpetrators into compliance with international standards, release children from armed groups, and protect them from violations.

Under the UK Presidency of the UNSC in July 2013, we hosted a public debate on Children and Armed Conflict (CAAC), which adopted a strong presidential statement (PRST) protecting the robust mandate of the Special Representative to the Secretary General (SRSG) on Children and Armed Conflict, and introducing progressive concepts for tackling persistent perpetrators. The adoption of a PRST (which requires consensus) sends an important message of UNSC unity after the contested CAAC Resolution 2068, adopted in September 2012.

As **Burma** is one of our priority countries, the UK, as part of the UNSC Working Group on Children and Armed Conflict, agreed a resolution in August 2013 on the issue of child soldiers in Burma. This calls on the Burmese government to ensure that the UN country team is granted access to all military sites, and that steps are taken to remove the incentives for recruiting child soldiers and to strengthen age verification mechanisms. As a follow-up to the resolution, the UK participated in a UNSC Working Group mission to Burma visiting Rangoon and Nay Pyi Taw in December. We reiterated our messages to senior government officials and parliamentarians to prevent and halt violations against children, in particular their recruitment, and through the implementation of their action plan.

The Foreign Secretary announced a new commitment of £150,000 in UK funding for the UN Office of the SRSG on Children and Armed Conflict. This has served to increase the SRSG's capacity to monitor emerging situations of concern in line with UNSCRs 1612, 1882, 1998 on children and armed conflict. The Office of the SRSG has undertaken technical missions to monitor violations committed against children, and provided technical assistance to child protection actors in the field, including in **Syria**, **Mali** and **Sudan**. Additionally, the UK contributed funding to recruit a child protection advisor in the African Union to collaborate with the SRSG's office.

### Looking ahead to 2014

Mr Simmonds has identified children and armed conflict as one of his ten priorities for 2014, and will be leading a campaign focusing on the recruitment of child soldiers. We will also look for opportunities to link children and armed conflict to the Foreign Secretary's Preventing Sexual Violence Initiative (PSVI), including the planned summit in June.

### UK stabilisation capacity

The Stabilisation Unit (SU) helps the UK Government respond to crises and tackle the causes of instability overseas. This is integral to safeguarding and promoting the human rights of those living in conflict-affected states. The SU is a uniquely integrated civil-military team jointly owned by FCO, MOD and DFID, funded from the tri-departmental Conflict Pool, and designed to be agile and well-equipped to operate in high-threat environments. It combines in-house staff expertise, with the ability to draw on a larger pool of civilian expertise for specialised, longer-term or larger-scale tasking. The SU ensures lessons from practical experience are captured as best practice and used to improve future SU, Conflict Pool, and wider delivery in support of the BSOS.

The SU has an operational role across all three pillars of the BSOS: early warning; rapid crisis prevention and response; and investing in upstream prevention.

The SU's 2013-14 Business Plan (available online – [www.stabilisationunit.gov.uk](http://www.stabilisationunit.gov.uk)) sets out its objectives for 2013-14. Priorities include providing support on the Foreign Secretary's PSVI, including in support of the June 2014 summit, lesson-learning from **Afghanistan** as we enter 2014 and prepare for drawdown of multilateral forces, preparing for greater engagement in **Syria**, and continued stabilisation support for **Somalia**. Those deployed by the SU work on a wide range of activities, including supporting security and justice activities (e.g. **Somalia**) and policing (e.g. **Kosovo** and **Afghanistan**).

In 2013, the SU recruited, prepared, deployed and sustained – safely – experts to meet a total of 491 ongoing and new deployments in 31 countries, including **Afghanistan**, **Kosovo**, **Libya** and **Somalia**. It provided support to almost 30 military exercises and study days worldwide, drawing on a total of 86 advisors and core staff to share best practice with UK and international partners, and to develop the UK's integrated response to managing conflict.

2013 was also characterised by the SU's ability to deliver quickly a diverse range of services and kit to its parent departments (FCO, DFID and MOD) in-country, such as in **South Sudan**. In **Afghanistan**, 2013 saw the UK Government's operations in Helmand begin the



gradual process of drawing down. The SU played a vital role in completing a series of debriefings of the Helmand Provincial Reconstruction Team (HPRT), which has enabled HPRT senior management to incorporate real-time lessons into their management of the final stages of transition, and helped inform the wider process of developing cross-government lessons on stabilisation activity in Afghanistan.

The value of cross-government working has also been seen in the Joint Analysis of Conflict and Stability (JACS) process becoming firmly established across Whitehall in 2013. This is an important mechanism for bringing departments together to understand and agree a single UK Government view of what is driving violent conflict in countries, and improving the impact of our actions in those countries. JACS assessments have been carried out in **DRC** and **Mali**, among other countries. The SU also made progress in implementing PSVI. SU successfully deployed PSVI experts to a number of countries, most recently **Mali**, supporting the EU Training Mission to train the Malian Armed Forces in international humanitarian law.

## Peacebuilding

Peacebuilding delivers on the Prime Minister's "Golden Thread": helping countries overcome conflict and build longer-term resilience and prosperity. The UK regards effective peacebuilding as integral to safeguarding and promoting the human rights of those living in such states. Improving the capacity of the UN to address post-conflict peacebuilding challenges is critical to helping fragile and conflict-affected states achieve sustainable peace, avoid relapses into conflict, and work towards development.

The UK pursues several of its peacebuilding goals through the UN. Central to these are promoting national ownership and partnerships in peacebuilding processes, and working towards greater coordination and integration in UN and donor responses to conflict. The UN's primary tool for delivering peacebuilding activities is Special Political Missions, UN offices which focus on civilian political peacebuilding activities, rather than military peacekeeping tasks. The UK supports these through funding to the UN Department of Political Affairs and, through our position as a permanent member on the UNSC, setting mission mandates. We are adopting a more strategic approach to Special Political Missions in priority countries to make them more efficient and effective, including by taking a concerted look at their mandates, leadership, and resourcing, in countries such as **Libya**, **Afghanistan** and **Somalia** (see below).

The UK played a pivotal role in the establishment in June 2013 of a new UN Special Political Mission in **Somalia** (UNSOM). UNSOM has been charged with playing a key role in the coordination of international support to Somalia, particularly in the security sector: supporting the government's six-pillar policy priorities; monitoring and reporting on the promotion of human rights; and supporting preparations for elections in Somalia in 2016. This has set the scene for the deepest UN involvement in Somalia for over two decades. Recent successes for the mission include the peaceful transition and elections in Puntland, which were ably led by UNSOM.

The timely and effective delivery of peacebuilding is largely contingent on the right civilian skills in the right place at the right time. Through our SU, we provide civilian experts to help countries develop their own capacities to prevent and respond to conflict. We have sent UK

police officers for this purpose to a number of countries both bilaterally and through NATO, EU and UN missions, including to **Libya**, **Afghanistan** and now **Haiti**, who are helping these countries build their national policing capacities.

The UK is providing funding for a global focal point, the first of its kind to bring together different UN departments to work together on critical peacebuilding tasks in the justice, police and corrections sector, such as in **Somalia**, which helps maximise the broader contributions we make to the UN. The UK has also funded a number of Peace and Development Advisors in countries such as **Sierra Leone** and **Yemen**, who advise the UN and national governments on how they can build peace through development programmes. We are strong supporters of the UN's Peacebuilding Fund, committing £55 million over four years in 2011. The purpose of the fund is to strengthen international support for post-conflict states, and prevent them from relapsing into violence, filling the gaps where other funding mechanisms cannot help, for example in supporting the justice sector to strengthen state capacity for peace consolidation and youth reconciliation projects in **Liberia**.

In 2014, we will be looking ahead to how the UN can deliver peacebuilding in conflict-affected countries such as **Afghanistan**, **Syria**, **Libya**, **Yemen** and the **Central African Republic**. We will be working closely with the UN and our international partners in seeking the most appropriate peacebuilding solutions for these diverse contexts.

### **Private security companies**

Legitimate private security companies (PSCs), working to high standards, are vital to the protection of diplomatic missions, and the work of companies and NGOs, in complex and dangerous environments around the world. For a number of years, we have been looking at how to help PSCs working in complex environments overseas to raise and demonstrate high, measurable standards, including on human rights, and to ensure their activities do not contribute to violence or conflict. The UK is a signatory to the Montreux Document on private military and security companies. This defines how international law applies to the activities of private military and security companies when they are operating in an armed conflict zone. We implement the Montreux Document through our support for implementation of the International Code of Conduct for Private Security Providers (ICoC), and for the professional standards which flow from it.

2013 saw a number of landmarks in this area, as the UK Government engaged in specific initiatives to raise and independently monitor standards at both the national and international level. Our main aim at the national level was to help the UK Accreditation Service (UKAS) to launch a pilot which would accredit independent certifying bodies to certify PSCs to public, professional standards, and which would sufficiently address human rights and international humanitarian law. At the end of 2012, the UK Government had approved ANSI/ASIS PSC-1, a standard for land-based PSCs. In 2013, we began encouraging shipping companies to use certification to the standard ISO 28000, incorporating the requirements of the guidance ISO PAS 28007, as part of their selection criteria when contracting a maritime PSC.

The UKAS pilot was launched in May 2013 and is due to conclude early in 2014. We are continuing to work with UKAS, our industry partner the Security in Complex Environments Group, and civil society organisations, to provide input to the certification process on human

rights and humanitarian law to ensure that it is robust. Once the pilot is complete, PSCs will be able to pursue certification to these standards with the accredited certifying bodies.

At the international level, we aimed to build on the ICoC by working with governments, industry and civil society organisations to create a mechanism to oversee the code. We were at the forefront of efforts to launch the ICoC Association in September 2013. The Association will independently monitor compliance with the code by member PSCs around the world. We were an active member of the group which negotiated the Charter of the Association, and have made a contribution of £300,000 to the Association. The Board of the Association consists of representatives of governments, industry and civil society organisations.

The Association is the only global mechanism that will be able independently to monitor PSCs in the field. It has broad support from governments, industry and civil society organisations. As the combination of accredited certification and ICoC Association membership starts to take effect, anyone buying PSC services anywhere in the world will be able to see at a glance whether or not a PSC is certified against reputable standards and accountable to a global body comprising governments, industry and civil society organisations.

In 2014, we will build on these initiatives in a variety of ways. We will continue to support UKAS by ensuring it has access to the expertise of civil society organisations and industry. We will work closely with the ICoC Association Board as it sets up its membership, monitoring and grievance procedures. We will continue to encourage more states, PSCs and civil society organisations to join the Association. We will keep working with governments, industry and civil society organisations to test our approach, to ensure it keeps raising standards. We will support those PSCs that show they are working to high human rights standards, by encouraging the clients of PSCs – governments and international organisations, private companies and NGOs – to recognise both accredited certification and membership of the ICoC Association in their contracting procedures, as we will in our own contracting. We will consider how else the UK Government can raise the profile of this system and of the UK companies who play a full part in it.

### **Case Study: Mexico's "War on Drugs"**

Since 2007, over 70,000 people have been reported killed and a further 26,000 disappeared in Mexico as a result of violence linked to organised crime.

During 2013, the Mexican government took steps to address this problem. We have raised this issue with Mexico via the UN Human Rights Council (UNHRC). In response to accusations of military involvement in human rights violations, the government announced the creation of a Gendarmerie, to be made up of former members of the military who have been trained in community policing and human rights. The Gendarmerie is to replace the policing role of the military in the fight against organised crime. It was partially introduced in seven municipalities in December, and is expected to be fully operational by summer 2014, although likely in a modified form to the original proposals. The government has also established a special prosecutor's unit to investigate disappearances, and has passed a law better to assist and protect victims of crime, including victims of human rights violations. However, ongoing impunity for killings and disappearances is of real concern, as demonstrated by a number of recommendations, including by the UK, made during Mexico's Universal Periodic Review at the UNHRC in October.

Civil society and the families of victims are doing important work on this issue, and the British Embassy in Mexico is supporting them in this. Through the FCO's Human Rights and Democracy Programme Fund, the Embassy helped Ciudadanos en Apoyo a los Derechos Humanos (Citizens in Support of Human Rights, or CADHAC) with funding of £84,155 in their efforts to strengthen criminal prosecution and judicial processes in the northern state of Nuevo León, where the majority of enforced disappearances are alleged to have happened.

As a result of this project, the legal framework to address enforced disappearances has been strengthened and access to justice improved. CADHAC's work with political parties, civil society and other victims groups was also instrumental in the creation of an innovative victims' law which provides for judicial remedies, medical support and economic compensation. This new legislation was passed in October, and enshrines in law the rights of victims, including indirect victims such as the family of a murdered or disappeared person, from the moment the crime occurs until a satisfactory resolution of the case. It is intended to improve transparency, providing for freedom of information, and removing barriers to justice. It also provides for the establishment of a fund to compensate victims, overseen by CADHAC and a number of other civil society organisations.

## **SECTION VII: Human Rights in Promoting Britain's Prosperity**

We believe that the promotion of business and respect for human rights should go hand in hand. Trade is most sustainable in markets characterised by good governance, the rule of law, transparency and responsible business conduct, including the protection of, and respect for, human rights. At a time when many companies have bigger turnover than some countries' gross domestic product (GDP), business can exercise enormous influence in the development of economies and societies. With that influence, and opportunity, comes responsibility. It is consistent with our support for human rights and our need for economic growth that we should help British companies succeed in a way that is consistent with our values.

### **Promoting Responsible Business Practice**

The UK is committed to promoting the widespread implementation of the UN Guiding Principles on Business and Human Rights (UNGPs), and continues to work with states to develop national action plans for their implementation, and to help UK companies respect human rights in their operations.

The publication in 2013 of the UK Action Plan on Business and Human Rights set a new overall government framework for the integration of our business and human rights interests. The plan was launched jointly between the Foreign & Commonwealth Office (FCO) and the Department for Business, Innovation and Skills (BIS) and follows the three pillars set out in the UNGPs: a state's duty to protect human rights, business's responsibility to respect human rights, and the provision of access to remedies. We are the first country to produce a national action plan for the implementation of the UNGPs.

In addition to the work described in Section II to deliver the action plan, the Government has carried out work to improve overall business practices, particularly in conflict zones, reduce bribery and increase transparency. It also continues to review licences for arms exports against the human impact such exports have.

### **OECD Guidelines for Multinational Enterprises**

The Organisation for Economic Cooperation and Development (OECD) Guidelines for Multinational Enterprises provide voluntary principles and standards of corporate behaviour for multinational businesses. National Contact Points (NCPs), which promote the guidelines and implement the associated complaints procedure, are a requirement for all countries that adhere to them. The UK NCP is provided by BIS, with support from the Department for International Development (DFID).

During 2013, the NCP received fifteen complaints about the behaviour of businesses operating from or in the UK. Many of these complaints referred to the human rights chapter of the guidelines. The NCP accepted that there should be further examination of the issues raised in three complaints, and this is ongoing. Two other complaints were rejected. The remaining complaints were yet to be assessed at the end of 2013.

The NCP's work to promote the guidelines in 2013 included a range of meetings, workshops, and presentations to businesses and NGOs in the UK and overseas. We also provided two international training sessions to other NCPs in Europe and South America and took part in the peer review of the Norwegian NCP. We developed our working relations with **Colombia, India, and Brazil**. In 2014, we will work with other NCPs and the OECD to apply the updated guidelines and improve the consistency of approach across adhering countries, support other countries interested in applying the guidelines or developing corporate responsibility standards (the NCP has already co-sponsored an event with Brazil's NCP for January 2014), and will follow up on its ongoing work with the Indian Institute of Corporate Affairs. We will continue to raise awareness of the guidelines among UK businesses and NGOs.

### **Voluntary Principles on Security and Human Rights**

The Voluntary Principles (VPs) on Security and Human Rights provide guidance on responsible business practices to oil, gas and mining companies, which often operate in high-risk and conflict-affected areas. This guidance helps companies to engage with public security forces and private security companies, and to conduct effective risk assessments so that their security operations do not lead to human rights abuses or exacerbate conflict. The VPs is an initiative which enables companies, governments and NGOs to work together to find solutions to complex security and human rights challenges.

The UK believes the VP are one way of helping extractives companies to abide by their responsibility to respect human rights, as set out in the UNGPs. We also believe participants should continue to bring the initiative further into line with the UNGPs. Specifically, we believe that there needs to be greater accountability and transparency, better reporting, and a louder voice for affected communities. The UK joined the VPs Steering Committee in March 2013, and during the year we worked with the committee to develop a three-year strategy to address some of these challenges and strengthen the initiative.

During 2013, we sought to encourage more governments to join the initiative. We spoke to governments of countries with significant oil, gas and mineral resources, including **Angola, Argentina, Burma, Chile, Democratic Republic of the Congo (DRC), Ghana, Indonesia, Kazakhstan, Kenya, Mozambique, Nigeria, Peru, South Africa, Tanzania, Thailand and Uganda**. We did so through bilateral lobbying by FCO ministers and our network of overseas missions, and we have also organised roundtables and workshops and participated in mining fairs. In addition, in September, the Minister for Africa and Conflict Issues, Mark Simmonds, met UK extractives companies that are not currently participants in the VPs, in order to encourage them to join the initiative.

We also worked to strengthen the implementation of the VPs in specific countries, participating in a number of VPs working groups. These brought together participants from all three pillars (extractives companies, governments and NGOs) to discuss in-country implementation. We continued to meet UK member companies, to offer support for their implementation, and we funded project work in **Kenya** to raise awareness and strengthen implementation of the VPs. This project is part of the Nairobi Process, an initiative which is providing support to the Kenyan government and extractives companies operating in Kenya, to help ensure that human rights are respected in Kenya's extractives sector. The project



has shown the value of the VPs to the Kenyan government, in relation to existing legislation and to public security processes around new oil and gas installations. It has also provided a platform for participants to share their experiences of implementing the VPs.

The UK will chair the VPs from March 2014-15. During our chairmanship, we will need to maintain momentum for delivering the strategy. Priorities for our chairmanship are to continue to encourage more governments and UK companies to join the initiative, to strengthen implementation of the principles on the ground, and to make progress towards bringing the initiative in line with the UNGPs through increased accountability and transparency.

### **Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security**

The globally endorsed [UN Voluntary Guidelines on Land Tenure](#) (VGGT) is best practice guidance for all matters related to land tenure and wider governance, including for how land-related investments should happen. They are human rights based and their key goal is to promote the human right to adequate food.

The UK supports the VGGT in numerous respects:

- through its funding to the Food and Agriculture Organisation in a new three-year programme for £3.9 million to raise awareness, improve tenure governance, and support global reporting on progress with VGGT implementation;
- through its leadership in the 2013 G8 commitment to implement the VGGT through country partnerships with interested governments: **Ethiopia (UK, US, Germany)**, **Tanzania (UK)**, **Nigeria (UK)**, **Burkina Faso (US)**, **South Sudan (EU)**, **Niger (EU)**, and **Senegal (France)**. These partnerships aim to accelerate and target support to countries' existing land governance programmes in conjunction with businesses, in particular farmers and civil society;
- the global donor working group on land which is chaired by the UK (DFID) has just released its new global land programme database and map. The database includes an initial 445 programmes in 119 countries with a combined worth of US\$2.8 billion. All programmes are mapped against relevant sections of the human rights based VGGT; and
- DFID is increasing its work on land, bilaterally and at the global level. One objective will be to enhance human rights protection through more responsible private sector investment, so that people's food security and, more broadly, economic development, can be better supported, which will lead to societies and economies that are better able to protect their populations' human rights.

### **Conflict minerals**

Supply chains of minerals from high-risk areas continue to pose a threat to human rights. They can provide a source of funding for armed groups and, where funds are diverted for other illegitimate purposes, they can harm local communities that should expect to benefit from a valuable economic resource. We are addressing this issue both through the Kimberley Process Certification Scheme and by encouraging better corporate due diligence.

The Kimberley Process was established in 2002 to regulate the global trade in rough diamonds, and so prevent rebel groups trading in them to fund armed conflict. The scheme now has 54 participants representing 81 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 EU.

The Government Diamond Office (GDO), based in the FCO, along with the UK Border Force and HM Revenue & Customs, are responsible for preventing illicit diamonds entering or leaving the UK. In 2013, the GDO continued its work with the UK's rough diamond industry to provide expert advice and oversight of industry compliance with Kimberley Process minimum standards. GDO officials inspected eighteen shipments of rough diamonds entering or leaving the UK, and issued Kimberley Process certificates for rough diamond exports worth over \$3 billion.

We contributed to the development of additional minimum requirements which were introduced by the Kimberley Process in 2013. These will increase consistency and help to raise standards among participating states. However, participants in the scheme have not been able to reach consensus on amending its mandate better to address the risks around today's diamond supply chains, which include serious human rights violations and violence by states and other armed groups. We will continue to make the case for reform in 2014, and to contribute to improvements at an operational level.

We believe effective due diligence by companies buying minerals which may originate from affected areas will complement the diamond-specific work of governments in the Kimberley Process. The OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas includes specific guidance on gold and tin, tungsten and tantalum, all of which are used in consumer electronics. Some companies and trade bodies are already taking steps to implement the guidance, and we will continue to support and encourage full and transparent due diligence by relevant UK importers. In 2014, we expect the European Commission to make a proposal for EU action to support improved due diligence around mineral supply chains. We will consider the proposal on its merits, bearing in mind the need to encourage due diligence while avoiding undue burdens on business.

In 2013, we joined the precious stones industry, other governments and civil society organisations to set up an informal body, the Precious Stones Multi-Stakeholder Working Group. The group is exploring how to advance and harmonise responsible sourcing and supply chains for diamonds and other precious stones. It will report in the spring of 2014.

### **Anti-corruption and transparency**

Corruption undermines the rule of law and democracy, corrodes the fabric of society, deters private sector investment, and creates barriers to doing business. Corruption is also a major impediment to sustainable development and has a disproportionate effect on poor communities. In 2013, Transparency International said that one in four people worldwide reported having paid a bribe.

Our embassies and high commissions have continued to be active in supporting the effective implementation of the UK Bribery Act 2010. They have made business aware of their obligations under it. The UK works to improve standards of anti-corruption legislation and enforcement among our trading partners internationally through the OECD, the UN and the Council of Europe conventions against corruption.

A new central anti-corruption and transparency team was established in the FCO in August 2013. Its remit includes improving the support and guidance provided to officials overseas, and exchanging best practice across the network. The UK has continued to co-sponsor the [Business Anti-Corruption Portal](#), along with **Austria, Germany, Norway** and **Sweden**, to help enable companies to adhere to the [UN Global Compact Principle 10](#) on corruption.

Over the past year, the G8 Summit, the UK Bribery Act and the Open Government Partnership (OGP) have provided a strong platform to press for global change to promote transparency, and for action against corruption. As G8 Presidency and lead co-chair of the OGP, we challenged and gained commitment from countries on open data, land, tax, extractives, trade, beneficial ownership and governance. The [OGP Summit](#) (31 October-1 November) brought together over 1,000 delegates from over 60 countries, including representatives from civil society organisations, businesses and governments who shared experiences and provided real examples of how openness can improve public services, drive economic growth, reduce poverty and corruption, and restore public faith in government. The UK looks forward to maintaining momentum on these issues during 2014, working with the Russian G8 Presidency, Australian G20 Presidency and other partners.

Through the Prosperity Fund and Arab Partnership Participation Fund, the FCO is running 30 projects that focus on anti-corruption and transparency. Some of these projects directly involve working with the private sector, while others involve capacity building or providing technical assistance to promote domestic reform. In **Brazil** and in **Colombia** we are promoting best practice in public procurement, and in **India** we are working with businesses to reduce the risk of corruption. In **South Africa** we are building anti-corruption capacity in the trade union sector.

Country-specific advice for British companies is available on our [Overseas Business Risk website](#). This helps companies manage political and reputational risks when operating overseas, and provides information on issues such as UK legislation on bribery, the potentially adverse impact that business activity can have on human rights, and how to avoid this as part of an approach to political and reputational risk management.

### **Case Study: The Open Government Partnership Summit**

The Open Government Partnership (OGP) Summit that took place in London from 31 October – 1 November presented an important opportunity for the open government movement to consolidate and build momentum, to reflect on what is working and what is not, and to inspire all participants to return home equipped to pursue an even more ambitious reform agenda. The summit brought together over 1,000 delegates from over 60 countries under the lead chairmanship of the UK.

OGP was launched in 2011 to provide an international platform for domestic reformers committed to making their governments more open, accountable, and responsive to citizens.

The UK, as OGP lead co-chair this year, set five priorities for the summit:

- open data: opening up government data to boost entrepreneurship, economic growth and accountability;
- government integrity: fighting corruption and strengthening democracy through transparent government;
- fiscal transparency: making sure that taxpayers can follow the money;
- empowering citizens: transforming the relationship between citizens and governments; and
- natural resource transparency: making sure that natural resources are used for public benefit, not to line the pockets of corrupt elites.

At the G8 earlier in 2013, the Prime Minister pledged that the UK's leadership of the OGP would "drive a transparency revolution in every corner of the world". The UK used the summit to advance relevant elements of its G8 agenda, especially on extractives transparency and open data. At the summit, 37 governments made ambitious new commitments to open government, covering a wide range of priorities, including commitments to the summit priorities.

### **Extractive Industries Transparency Initiative**

The Extractive Industries Transparency Initiative (EITI) is a global standard which ensures transparency of payments from natural resources. It is a voluntary initiative.

On 22 May 2013, the Prime Minister announced that the UK would be signing up to the EITI. This provides a standard for companies to publish what they pay for oil, gas and mining. Governments disclose what they receive from these companies, and the figures are reconciled by an independent administrator and published.

Minister for Employment Relations and Consumer Affairs, Jo Swinson, was appointed UK EITI Champion, and officially launched the UK's EITI process at an event in July 2013. Over 130 representatives from industry, civil society and government departments attended. Jo Swinson and Chair of the International EITI Board, Clare Short, spoke at the launch.

The Multi Stakeholder Group (MSG), consisting of government, civil society and industry representatives, has oversight of the implementation process. It first met in October 2013 and has met every two months since.



By providing international leadership on EITI and driving forward with implementation, we hope that other resource-rich countries will follow suit. Increasing transparency in the extractive sector tackles corruption, helps resource-rich countries to secure the full benefits of their natural wealth, and supports openness and growth. A common global standard of extractives transparency would also be good for the global economy – creating a level playing field for companies around the world, and minimising burdens on business by avoiding multiple reporting rules in different jurisdictions.

### **Arms export licensing**

Britain has one of the most robust arms export licensing systems in the world. All licence applications are assessed on a case-by-case basis, taking into account all relevant factors. A licence will not be issued if to do so would be inconsistent with any of the Consolidated Criteria (the consolidation of the UK's national criteria and the 1998 EU Code of Conduct on Arms Exports).

This system of export licensing promotes the UK's prosperity by supporting responsible exports that meet the legitimate defence and security needs of other states, while preventing exports which might fuel regional or internal conflicts, threaten UK national security, or have human rights implications (see Section VI for more details).

Ministerial scrutiny of decisions has continued to be high, with over 300 submissions considered by FCO ministers in 2013.



**Dhaka: collapse of Savar building (Rana Plaza). Photo credit: Jaber Al Nahian.**

## **Case Study: The Rana Plaza Disaster**

Bangladesh's ready-made garments sector accounts for 80% of the country's exports and employs over four million people, nearly three-quarters of whom are women. It is estimated that the garment industry supports a further 25 million people and has played a pivotal role in the country's development.

On 24 April 2013, an eight-story commercial building, Rana Plaza, collapsed just outside Dhaka. The building contained five clothing factories: most of the people in the building at the time were garment workers. Over 17 days of search and rescue, 2,438 people were evacuated, more than 1,100 people died, and many more were left with life-long debilitating injuries.

In line with our action plan on business and human rights, we are engaging with the government of Bangladesh and UK companies and their supply chains, in order to help address key human rights risks.

The UK response has focused on building safety; improving working conditions; improving communications between owners and employees; and urging UK buyers to take responsibility for their supply chains from the store right back to the sewing machine. On a practical level, the UK, through DFID, is providing up to £4.8 million for a three-year programme by the International Labour Organisation to support the National Action Plan on Fire Safety and Structural Integrity. This support will allow for the inspection of approximately 1,500 factories that are not covered under the new international fashion retailers' and brands' initiative, the strengthening of the labour inspection regime, the provision of safety awareness training for factory workers and managers, the launch of the "Better Work" programme in Bangladesh, and help for victims in recovering from these disasters.

DFID has also made £1.8 million available to the Trade and Global Value Chains Initiative to support partnerships between buyers, factory owners, civil society and others, in order to improve garment factory conditions in Bangladesh. Projects selected so far include work with individual factories to demonstrate how improved working conditions and increased productivity can go hand in hand, and the improvement of health provision in these factories.

The UK has also launched an £18 million programme to improve private sector skills training in the garment and construction sectors. Through dedicated projects, the UK will continue to support the garment sector, which plays a fundamental role in social change and women's empowerment.



## EU Trade and Human Rights

Promoting global trade can contribute towards better human rights. Free trade can boost incomes and in turn create more open and transparent societies, and enhance the rule of law. By supporting ambitious trade agreements, countries can become more integrated into the global economy, and are more likely to be held accountable to their international commitments.

The EU has a policy of inserting an "essential element" clause into political framework agreements that it negotiates with third countries. Such clauses state that respect for human rights and democratic principles is a central pillar of the framework agreement. Where there is a framework agreement with a third country, any trade agreement with that country is generally linked to the framework agreement. This makes compliance with the essential elements clause of the framework agreement a condition of the trade agreement as well. In turn, this enables measures under the trade agreement to be taken in the case of serious violations of human rights.

The EU's Generalised System of Preferences helps to improve respect for core human rights standards by offering extra incentives (under "GSP+") to countries if they ratify 27 core international conventions on human rights, labour rights, environmental and good governance principles. As of 1 January 2014, **Pakistan** will receive GSP+ for the first time, in addition to existing countries **Armenia, Bolivia, Cape Verde (Cabo Verde), Costa Rica, Ecuador, Georgia, Mongolia, Paraguay, and Peru.**

## Sanctions

When the international community seeks to constrain unacceptable activities carried out by a government, group or individual, including human rights abuses, sanctions can be an effective tool in forcing a change in behaviour. Such sanctions often involve restrictions on trade. These may include a ban on the sale of certain goods and equipment to a country where these items may be used in the abuse of human rights, or prohibitions on doing business with regimes, named individuals, organisations and companies.

International sanctions that bind the UK are agreed at the UN Security Council or in the EU Council of Ministers. As the UK representative at these negotiations, the FCO consults other government departments to ensure that restrictions are targeted, effective and proportionate, and that any commercial or economic impacts on the UK are considered and minimised.

A number of sanctions regimes include measures designed specifically to address the abuse of human rights or prevent internal repression. These include sanctions on **Iran, Belarus, the Central African Republic, Libya, Guinea and Sudan**, amongst others. It is also possible to impose sanctions on individuals who are involved in human rights abuses or other egregious behaviour. For example, in March, the EU placed sanctions on an additional eight people under the EU-Iran sanctions regime in response to the human rights situation in the country. In October, sanctions were also placed on three individuals under the EU-Belarus regime.

The UK works to ensure that new sanctions listings and measures are accurate and proportionate, as well as being in line with broader UK policy objectives for individual countries. Existing sanctions measures targeted at human rights abuses will continue to be reviewed in line with broader sanctions policy to ensure that the measures and lists remain effective and relevant. We will also continue to work with international partners to use sanctions, where appropriate, as one of the tools at our disposal to address the abuse of human rights.

## SECTION VIII: Human Rights for British Nationals Overseas

Supporting the human rights of British nationals overseas is a priority for the UK Government. Consular Directorate, who lead this work, has developed a new Consular Strategy (2013-16) which will see a greater focus on the needs of the most vulnerable, alongside trying to ensure that, in all cases, international norms are protected, and British nationals do not face discrimination. UK Government officials support British nationals across a range of cases, but those with the greatest human rights risks happen when British nationals are charged with a criminal offence, face the death penalty, or when they are the victim in a forced marriage or child abduction case. Our work in all these areas would not be possible without strong partnerships with human rights NGOs and civil society organisations in the UK and overseas; they provide invaluable support, expertise and advice to supplement what we are able to do.

### The Death Penalty

The UK Government is opposed, on principled grounds, to the use of the death penalty in all circumstances. We will use all appropriate influence to prevent the execution of any British national. We intervene at whatever stage and level is judged appropriate from the moment a death sentence becomes a possibility. We will lobby at a senior political level when necessary, and did so in 2013 in a number of countries.

At the end of 2013, there were 12 British nationals under sentence of death in countries across the world, and over 50 British prisoners were facing trial for offences that could attract the death penalty. The most common charges were drugs trafficking and murder, but there has also been a rise in potential death penalty cases involving charges of blasphemy, particularly in **Pakistan**. Where death sentences have been imposed, we seek their review or commutation.

During the year, we made representations on behalf of British nationals in a number of countries, including in the **Democratic Republic of Congo (DRC)**, **Egypt**, **Indonesia**, **Pakistan**, and **the US**. We do so at whatever level is appropriate, including through the Foreign Secretary and the Prime Minister.

We work closely with legal teams employed by British nationals who are facing the death penalty and we are supported in doing so by specialist NGOs Reprieve and the Death Penalty Project (DPP). In 2013, we worked closely with Reprieve on the cases of British Nationals in **Indonesia** and **the US**, and towards the end of 2013 we worked with both Reprieve and DPP on a case in the **DRC**. We will continue to intervene in these and all such cases.

### Overseas Prisoners

At the end of September 2013, we were aware of over 2,670 British prisoners detained overseas in 110 countries. Drug offences account for 32% of these cases, but that trend is downwards. We offer consular assistance to all British nationals, whether they are in police

custody, awaiting trial or serving a prison sentence, and regardless of the crime with which they have been charged.

We aim to contact British detainees within 24 hours of being notified of their arrest or detention. Depending on the individual, country and local circumstances in which they are detained, we will in many cases also seek to visit them as soon as possible afterwards. Our primary role is to monitor their welfare and to provide basic information about the local legal and penal system, including a list of English-speaking lawyers and interpreters, and the availability of legal aid.

We support the welfare of British nationals in close partnership with Prisoners Abroad, a UK-based charity which offers grants and a range of other services to UK detainees in order to support them with their health and wellbeing, both whilst in prison overseas and upon their return to the UK. We work with them on over 1,000 cases a year, in particular where prisoners have medical issues. For example, we collaborated with them in 2013 to develop additional welfare support for over 100 British nationals detained in several Latin American countries, where prison conditions are notably difficult, and where health and welfare concerns often arise. This support will be provided from early 2014.

We work closely with Reprieve, the DPP, Fair Trials International and REDRESS to obtain help and advice for British nationals who require specialist legal support, particularly where they are at risk of the death penalty, or have been convicted in countries where we have concerns over their right to a fair trial.

In 2013, we focused on the more than 80 new cases of alleged torture and mistreatment experienced by British nationals in prisons overseas. These cases have occurred all over the world, though certain countries are the subject of higher numbers of reports and persistent new allegations of mistreatment and torture. Cases involved customs officials, police officers and prison guards, and varied from verbal threats by other prisoners, to being forced by prison guards to take drugs. We take all accounts of mistreatment seriously and, subject to the agreement of the person who has made the allegation, will work with local authorities as soon as possible to seek to ensure conduct that is in accordance with international human rights standards.

After consulting a range of NGOs and foreign governments, in 2013 we launched new guidance for consular staff on how to handle and manage mistreatment and torture allegations, seeking to ensure that they are dealt with in accordance with British nationals' rights under international and domestic law. We made significant progress in a Middle Eastern country and a South Asian country where we received further responses to our requests for investigations into alleged torture and mistreatment by police officers. This progress offers scope for us to help local authorities improve the quality, consistency and transparency of the investigations they conduct.

In 2014, we will continue to work closely with our partners to assist British nationals imprisoned overseas. We will also continue to develop Prisoner Transfer Agreements with priority countries. The aim of this is to facilitate the transfer of British nationals to serve their sentences in UK prisons, where they will be detained in better conditions, and closer to their

families and less at risk of isolation, and therefore more ready for rehabilitation and release into society.

## **Forced Marriage**

Forced marriage is an indefensible practice and is recognised in the UK as a form of violence against women and men, domestic/child abuse, and an abuse of human rights. A forced marriage is one in which one or both spouses do not, or cannot, consent to the marriage, and where duress is involved. Duress can take the form of physical, psychological, financial, sexual or emotional pressure. A forced marriage is different from an arranged marriage. In an arranged marriage, the families of both spouses take a leading role in making arrangements for the marriage, but the final choice of whether or not to marry remains with the prospective spouses. Many forced marriages have an overseas element, where a British national is sent abroad to be married against his or her will, or made to sponsor a visa for a foreign spouse after a forced marriage has taken place.

The UK Government is committed to making forced marriage a criminal offence, and the parliamentary process to introduce the new law remains underway. The new law will also cover luring, or intending to lure, someone overseas to the UK for the purpose of marriage. Breaches of Forced Marriage Protection Orders (the existing civil route to protect potential victims) will also become a criminal offence in order to increase protection for victims and ensure that perpetrators are brought to justice.

During 2013, the UK continued to tackle the issue of forced marriage through the work of the Forced Marriage Unit (FMU), a joint Foreign & Commonwealth Office (FCO) and Home Office unit. The FMU supports victims of any nationality in the UK and helps British nationals at risk abroad, as well as people who have previously been forced into marriage and are being pressured into sponsoring a visa for their spouse. The FMU runs a helpline for victims of forced marriage and authorities and professionals seeking advice on handling forced marriage cases. It also develops policy on forced marriage and runs an extensive outreach programme.

In 2013, the FMU gave advice or support related to a possible forced marriage in 1,302 cases involving 74 different countries. 82% of reported victims were female and 18% were male (the term “victim” includes people thought to be at potential risk of future forced marriage, those currently going through a forced marriage, and those who have already been forced to marry). The assistance provided ranged from giving telephone advice, through to aiding a victim to prevent their unwanted spouse moving to the UK and returning victims to the UK after they had been forced into marriage overseas.

The FMU continued to raise awareness of forced marriage and the support available for potential victims. In 2013, it ran approximately 100 outreach events for community groups, the police, social workers, health professionals and schools. FMU also part-funded development of a mobile phone app providing support and advice on forced marriage which was launched in March. The unit is active on social media and, in August, FMU launched its Twitter account: @FMUnit. FMU also funded ten UK-based NGOs to conduct projects which support victims of forced marriage, tackle the causes of forced marriage, and increase

awareness of the issue. Projects included working with young people and imams to encourage debate and challenge misconceptions about forced marriage within communities, working with public figures to develop an ambassadorship programme to combat forced marriage, and providing support to repatriated victims of forced marriage.

Our embassies and high commissions around the world continued to support the work of the FMU and some conducted outreach programmes aimed at combating forced marriage. For example, the British High Commission in Islamabad oversaw community engagement projects in Jhelum, Attock and Kotli which help to tackle the issue by initiating a public dialogue on forced marriage. The FMU also provided funding enabling women's shelters and refuges in **Bangladesh** and **Pakistan** to accommodate victims while they are waiting to return to the UK after a forced marriage or a potential forced marriage.

Throughout the year, we continued to lobby internationally for commitment to tackling forced and early marriage. We continued to lead the International Partnership Board with London embassies to compare approaches to tackling forced marriage with other partner countries, and we worked closely with EU and international partners to share and develop best practice for tackling the issue. FMU staff spoke at several international conferences including the Somali women's event in London, the Intergovernmental Consultations on Asylum, Migration and Refugees in Brussels, and the International Conference on Forced Marriage and Honour-based Violence in Orebro.

Our focus in 2014 will be on introducing the new legislation to criminalise forced marriage, updating guidance on handling cases of forced marriage, and ensuring that professionals and victims understand what the legislation means for them. We will also continue to raise awareness across communities in the UK, and work to provide high-quality support to victims.

## **Female Genital Mutilation**

Female genital mutilation (FGM) is the partial or total removal of external female genitalia for cultural or other non-therapeutic reasons. It is an abuse of girls' and women's human rights, a form of child abuse, medically unnecessary, extremely painful and has serious health consequences, both at the time it is carried out, and in later life.

The UK Government is committed to eradicating FGM. The Female Genital Mutilation Act, which makes it illegal to practise FGM in the UK, was introduced in 2003 and came into effect in March 2004. It is also an offence to take girls who are British nationals or permanent residents of the UK to another country for FGM regardless of its legality in that country and, in addition, it is illegal to aid, abet, counsel or procure its practice abroad.

Our objective for 2013 was to work alongside the Home Office, the Department of Health and the Department for Education to help tackle FGM through the Government's initiative to eliminate violence against women and girls. We provided guidance on FGM for FCO consular staff and we participated in outreach to professionals and communities on FGM in order to raise awareness of the issue. In 2014, we will continue to work with other government departments to eradicate FGM.



## Child Abduction

International child abduction is a growing problem. An increasing number of families have cultural or family links overseas and, when a relationship breaks down, one parent may take their children away to another country, without the consent of the other parent. Whatever the reasons for this, the impact is profound. Children are denied regular close contact with the parent and family who are left behind, and may be less trusting of the parent who removed them. Being thrown into a new and unfamiliar environment can also be traumatic. In England and Wales, one parent removing or retaining a child overseas without the proper consent of the other parent or the permission of the courts may be a criminal offence. The UK is also a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction (the Hague Abduction Convention), a multilateral treaty which provides for the return of children who have been abducted or retained overseas by a parent.

In 2013, the FCO provided direct advice and assistance to 474 British families dealing with new international child abduction and cross-border custody cases. We work mainly with parents whose children have been taken to countries where return under the 1980 Hague Convention is not possible. We offer parents advice and information about child abduction and the local context, assistance in informing relevant foreign authorities, help in finding local lawyers, and, where appropriate, make political representations. We also work closely with UK police, social services, courts, lawyers and the specialist NGO Reunite to ensure families get coordinated support in the UK. However, where the Hague Abduction Convention is not in place, parents often face lengthy and expensive custody disputes in foreign courts, with no guarantee that the child will come home.

With the number of child abductions on the rise, we also work to alert parents to the problem. In December 2013, the FCO launched its annual child abduction awareness-raising campaign. In media interviews and online, we explained what steps parents could take to prevent child abduction and urged those who were worried about this issue to contact us for advice and support. We also created a film, “Caught in the Middle”, which underlines the traumatic and lasting impact child abduction can have on the whole family.

Alongside our consular assistance to families, the FCO encourages other countries to sign up to the Hague Abduction Convention. We believe this convention offers the best way of resolving child abductions in the best interests of the child. In 2013, FCO ministers raised the issue with their counterparts in South Asia and the Middle East, and we worked closely with **India, Pakistan, Japan and China** to promote the reciprocal benefits of the convention. We supported delegations of UK experts, including the Head of International Family Justice for England and Wales, Lord Justice Thorpe, to visit Tokyo and China and engage with the local authorities and government on how the Hague Abduction Convention could help families living in those countries. We organised and funded an international conference in New Delhi to highlight the number of globally mobile Indian families, and the importance of developing cross-border custody arrangements – including signing the Hague Abduction Convention. We also provided funds for a Pakistani judge to attend a conference of Hague liaison judges and learn more about how the different Hague family law conventions work in practice. In 2013, we welcomed **South Korea’s** and – following sustained pressure from the UK and other international partners – **Japan’s** signature of the Hague Abduction Convention.

In 2014, we will continue this work, including by organising a family law and child abduction conference in Beijing to encourage China and South East Asian jurisdictions to accede to the convention and by organising a series of workshops in Pakistan, bringing judges, officials and NGOs together to explore how the Hague Abduction Convention works. We hope that high-level political representations to foreign governments and projects with foreign activists will persuade more countries to sign and operate the Hague Abduction Convention, to the benefit of children around the world.

## SECTION IX: Working Through a Rules-Based International System

The UN, the EU, the Commonwealth, the Council of Europe and the Organisation for Security and Cooperation in Europe (OSCE) form a network of international institutions, which provide a framework of laws, standards and tools through which the UK can pursue its human rights objectives, and which can harness regional and international efforts and expertise.

### The UN

The UN is essential for the delivery of the UK's human rights priorities, strengthening dialogue between states on human rights and providing a platform for both scrutiny and practical assistance. We seek to improve implementation by UN member states of their human rights obligations under the major UN human rights treaties. We work through the UN to promote human rights in practice and to address all human rights violations. We do this by being active in the UN Security Council (UNSC), the UN General Assembly (UNGA) 3rd Committee and the UN Human Rights Council (UNHRC), to which we were elected as a member this year. The UNHRC, an intergovernmental body within the UN system and made up of 47 states, is responsible for the promotion and protection of human rights around the globe. The UNGA 3rd Committee (officially the "Social, Humanitarian and Cultural Committee") focuses, along with other issues, on the examination of human rights questions, including reports of UNHRC Special Rapporteurs. The UNSC has primary responsibility for maintaining international peace and security, which includes human rights.

We also support the expert mechanisms established by these bodies, including Special Rapporteurs and UN human rights treaty bodies, as well as the High Commissioner for Human Rights and her office. For the UN to achieve its objectives on human rights, it needs to work effectively and respond to new challenges. We are therefore committed to supporting efforts to strengthen the UN system further, including working to mainstream human rights within the UN's development and peace and security agendas.

### Country initiatives

The UK has maintained a leading role at the UN on **Syria**. With the UK playing a key part, the UNHRC continued its support for the Independent International Commission of Inquiry (COI) on the Syrian Arab Republic throughout the year, extending its mandate and leading calls for its full access to the country. Resolutions in the UNHRC and UNGA 3rd Committee also called for financial support for the humanitarian relief effort in Syria, and condemned the use of chemical weapons, stressing that those responsible for violations of international humanitarian law and violations and abuses of human rights must be held accountable. The UNHRC also held a "Special Session" in June to discuss the deteriorating human rights situation in Syria, and the recent killings in EI-Houleh. The UNHRC adopted resolutions on Syria in March, June and September, which the UK co-sponsored.

Through resolutions in the UNHRC and UNGA 3rd Committee, the UK worked with others to recognise progress made in **Burma**, including the release of political prisoners, while emphasising our concerns, particularly regarding inter-communal violence in Rakhine state

and the ongoing situation in Kachin. We continued to express concerns about the delays in delivering on the Burmese government's commitment to establish a country office of the Office of the High Commissioner for Human Rights (OHCHR).

The UK actively supported a March 2013 UNHRC resolution on **Sri Lanka**, highlighting concerns around long-term reconciliation, human rights, and the lack of accountability for alleged violations of international human rights and humanitarian law. We continued to urge the Sri Lankan government to implement the recommendations of the UNHRC resolution and the domestic Lessons Learnt and Reconciliation Commission, and to allow access to UN special procedures mandate holders.

The UNHRC extended the mandate of the Special Rapporteur on the human rights situation in **Iran**. Despite more positive signals coming from Iran since the election of President Rouhani, the UK and others continue to maintain pressure through the UNGA 3rd Committee. This included passing a resolution highlighting use of the death penalty, restrictions on freedom of expression and assembly, and discrimination against persons belonging to religious, ethnic, linguistic or other minorities.

In March 2013, the UNHRC established a Commission of Inquiry (COI) on Human Rights in the **Democratic People's Republic of Korea (DPRK)** to investigate allegations of mass human rights violations, including in political prison camps. The UK actively supported the work of the COI by arranging a visit to the UK to take refugee testimony, and worked with others to maintain the pressure on the DPRK through a further resolution in the UNGA 3rd Committee.

The UK continued to play a leading role in assisting **Somalia** to define its human rights priorities and focus international efforts through a Friends of Somalia meeting and panel discussion at the September session of the UNHRC. The resulting resolution elicited clear and comprehensive human rights commitments from the Federal Government of Somalia, and established priorities for support by the international community.

At the March session of the UNHRC, the UK was instrumental in achieving a consensual resolution on **Libya** that importantly secured a monitoring and reporting role for the UN on human rights in the country.

The UK also supported resolutions in the UNHRC renewing the mandate of the Special Rapporteur on the situation of human rights in **Belarus** and **Eritrea**, renewing the mandate of the Independent Expert on the situation of human rights in the **Sudan** and appointing an Independent Expert on the situation of human rights in the **Central African Republic**. These help ensure that the human rights situations in these countries continue to be subject to international scrutiny.

### **Thematic issues**

Several important thematic issues were the subject of UNHRC and UNGA 3rd Committee attention this year.

The UNHRC has continued to provide a forum for demonstrating the UK's leadership role and commitment to **the business and human rights** agenda. The UK was the first state to develop a national implementation plan for the UN Guiding Principles on Business and Human Rights (UNGPs). This was launched jointly by the Foreign Secretary and Secretary of State for Business, Innovation and Skills, Vince Cable, on 4 September 2013.

The UK participated in the second UN Forum on Business and Human Rights in Geneva in December, where we shared our experience of developing the national implementation plan alongside key businesses and civil society actors.

The EU's **freedom of religion or belief** resolution was adopted by consensus by both the UNHRC and the UNGA 3rd Committee. The resolutions ensured the renewal of the mandate of the UN Special Rapporteur and delivered an unambiguous statement on the right to freedom of religion or belief, including the right to change one's religion. Senior Minister of State, Baroness Warsi, also hosted an event during UNGA ministerial week, which brought senior figures together to focus on implementation of the UN resolution on combating religious intolerance, protecting the human rights of minorities, and promoting pluralism in society.

The UK has been keen to build wide support for the campaign and action to end **sexual violence in conflict** at the UN, as well as in other multilateral and regional organisations. On 24 June, during the UK's Presidency of the UNSC, the Foreign Secretary hosted a debate on tackling sexual violence in conflict. A new UNSC resolution (2106), the first on the subject in three years, was adopted during the debate. Following this, during the 68th session of UNGA, the Foreign Secretary launched the Declaration of Commitment to End Sexual Violence in Conflict. The declaration expresses a shared commitment and determination to end the use of sexual violence as a weapon of war, and has been endorsed by 138 UN member states. A central element of our approach has been close cooperation and support for the work of the UN Secretary General's Special Representative on Sexual Violence in Conflict, Mrs Zainab Hawa Bangura, and her Team of Experts on the Rule of Law. We strongly support her efforts to build coherence and coordination in the UN's response to sexual violence in armed conflict through UN Action against Sexual Violence in Conflict, as well as her focus on national ownership and responsibility.

The UK is committed to the continuing success of the **Universal Periodic Review (UPR)**, whereby the human rights records of UN member states are peer-reviewed in a four-and-a-half-year cycle. The UPR process examined 42 countries in 2013, including **China, Cuba and Russia**, and the UK participated in all reviews, delivering recommendations for improvements. The UK was pleased to see the participation of **Israel** in their UPR, maintaining the universality of the process. In 2014, the UK will be submitting a mid-term report, updating the UNHRC on action we have taken on recommendations received at the conclusion of our UPR in 2012.

In 2013, British experts who work independently of the Government continued to play a prominent role on a number of human rights treaty monitoring bodies. Sir Nigel Rodley was elected Chair of the Human Rights Committee. Malcolm Evans continued as Chair of the Sub-Committee on the Prevention of Torture, and Diane Mulligan continues her role on the



Committee on the Rights of Persons with Disabilities. Patrick Thornberry stood down after many years of good work on the Committee on the Elimination of Racial Discrimination.

We believe that the UN human rights treaty monitoring system is central to the protection of individual rights globally, but that it is in need of reform. This is why we actively engaged in the inter-governmental treaty body strengthening process by calling for reforms, alongside defending the independence of the system. The outcome was agreement on areas for reform and the introduction of more systematic methods for allocating resources across the committees, all of which lay the foundation for further strengthening of the system.

We maintained our **financial support** for the operational structures of the UN in 2013, providing £2.5 million of un-earmarked funding on top of our contribution to the UN Regular Budget. We donated a further £500,000 to support OHCHR's work on preventing sexual violence, women's rights, business and human rights, the Sub-Committee on the Prevention of Torture, and to support work on contemporary forms of slavery. We have made clear in our statements at the UNHRC and UNGA 3rd Committee our firm commitment to the continued independence of the High Commissioner, her office and the special procedures. We welcome the High Commissioner's high level of engagement with the UNSC and the strong stance she has taken on issues such as Syria, both in-country and in the UNHRC, and continue to support this engagement.



The UK Mission to the UN installed The Luminarium in the grounds of UN headquarters in Geneva, with the objective of raising awareness about human rights. Over 5,000 visitors, including campaigners, school children, students, artists, diplomats and officials, discussed the fundamental importance of human rights to all countries.



## EU Common Foreign and Security Policy

The UK Government works through the EU to pursue our international human rights policy objectives. The EU's status as the world's largest aid donor and major global economic actor affords it significant influence to promote respect for human rights across the globe. The UK Government considers that we should use the tools at the EU's disposal to promote human rights and democracy beyond the borders of its 28 member states.

In 2013, the EU High Representative for Foreign Affairs and Security Policy and Vice-President of the European Commission, Baroness Ashton, continued to speak out forcefully in line with the EU's commitment to promote and protect human rights and democracy in its external action. The EU's external human rights policy is set out in the EU Strategic Framework on Human Rights and Democracy, which foreign ministers adopted in June 2012.

The EU Guidelines on the Promotion and Protection of Freedom of Religion or Belief were adopted in June 2013. Freedom of religion or belief is one of the FCO's six human rights priorities, and an area where we have worked closely with the EU in the past. The UK helped to develop the guidelines with other member states, and we were pleased that the UK's own Freedom of Religion or Belief Toolkit was used as a basis for the guidelines. The UK considers the guidelines a valuable tool for EU delegations and embassies of individual EU member states to ensure that the right to freedom of religion or belief is more widely guaranteed, and that any violations are tackled in the most effective manner. The UK also worked closely with the EU in a range of countries to raise individual cases of violations of the right to freedom of religion or belief.

The EU Guidelines to Promote and Protect the Enjoyment of All Human Rights by Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Persons were also adopted in June 2013. The rights of LGBT people are protected under existing international human rights law; they have the same rights as all other individuals. The EU Guidelines build on the 2010 EU LGBT Toolkit, as well as existing international legal standards in this area, including those set by the UN and the Council of Europe. The guidelines provide officials of the EU institutions and EU member states with guidance to be used in contacts with third countries, and with international and civil society organisations.

2013 was the first full calendar year for the office of the EU Special Representative for Human Rights (EUSR). Mr Stavros Lambrinidis, a former Foreign Minister of Greece, was appointed as EUSR in September 2012, and acts under the authority of Baroness Ashton. He is mandated to contribute to the implementation of the EU's external human rights policy, enhance dialogue with governments in third countries, and contribute towards a better understanding of the EU's policies and actions on human rights.

In 2013, Mr Lambrinidis sought to establish high-level partnerships with key stakeholders around the world, and identify country and thematic priorities within his overarching mandate. His work with Baroness Ashton has helped to increase the EU's high-level political impact on human rights internationally, making a useful contribution in a number of countries of serious human rights concern. He has also fostered relationships with countries of strategic importance on human rights issues.

Mr Lambrinidis has travelled extensively to discuss human rights issues. In 2013, he visited **Bahrain, Burma, China, Egypt, Indonesia, Russia and the US**. He visited **South Africa** to lead the first EU-South Africa human rights dialogue, and also led the EU in its human rights dialogue with the African Union (AU) in Addis Ababa. In addition to the AU, he visited a number of other international organisations, including the Association of Southeast Asian Nations in Jakarta, the OSCE in Warsaw and the UN in New York and Geneva.

Mr Lambrinidis will continue his programme of visits to countries and multilateral and regional bodies in 2014. The UK is grateful to Mr Lambrinidis for his work in pursuit of the EU's human rights policy objectives to date.

In 2014, the EU will continue its implementation of the Action Plan on Human Rights and Democracy, which runs until the end of the year. In accordance with the action plan, we aim to adopt new policy guidelines on the promotion and protection of the freedom of expression, online and offline. The EU's own assessment of its work on human rights will be contained in the EU Annual Report on Human Rights and Democracy in the World in 2013, which will be published later in 2014.

## EU Enlargement

Human rights are central to the foreign policy approach of the EU, including in the context of enlargement. The importance of candidate countries adhering to the EU's human rights values and laws is emphasised throughout the accession process that each candidate country must complete. Institutions that guarantee human rights are a core part of the Copenhagen Criteria for accession to the EU. EU enlargement therefore provides a powerful vehicle to drive human rights reform and compliance among all countries seeking to join the EU.

In its October 2013 Annual Enlargement Strategy, the European Commission noted that fundamental rights "are significant issues in most enlargement countries". Particular attention was paid to freedom of expression and minority rights. It undertook to raise the importance of these issues through its dialogue with candidate countries and the use of pre-accession project funding (notably the Instrument for Pre-Accession: IPA II).

The UK remains a strong supporter of conditions-based EU enlargement to all the countries of the **Western Balkans** and **Turkey**, including the emphasis the process places on human rights. Enlargement will bring stability, security and prosperity to candidate countries, and encourage greater respect for human rights internationally.

The UK is a leading voice within the EU, promoting a firm but fair, conditions-based approach to enlargement, including encouraging human rights reforms. We championed the "new approach", under which candidate countries must now begin negotiation of rule of law matters – including fundamental rights – from the beginning of the accession process.

In **Serbia**, the UK has continued to be at the forefront of advocacy for human rights and minority rights. We have supported several projects promoting human rights, including one that trained social workers to respond to the needs of the LGBT community, and another that

helped people from the under-represented Bosnian, Albanian and Roma communities to find work in the state sector. The UK also raised human rights issues in Serbia's UPR in January 2013. The 2013 EU Progress Report noted that Serbia had made advances in some areas, including on anti-discrimination legislation, but there was more work to do, particularly on full enjoyment of rights by the LGBT, Roma, and ethnic minority and other vulnerable communities. The report also noted Serbia's failure to allow a Pride parade to be held for the third year running for political reasons, despite concerted domestic and international pressure - the latter led by the UK and Netherlands. Serbia began its EU accession negotiations on 21 January 2014, and both the EU and Serbia recognised in their opening statements that the fundamental rights elements of the negotiations would be crucial to Serbia's progress. The UK will use the process of EU accession as a tool to encourage further progress in human and minority rights in 2014, and will continue to fund projects which support this objective.

In **Bosnia and Herzegovina**, we continued to lobby at all levels for progress on reforms that would align the constitution more closely with the European Convention on Human Rights (ECHR). We supported the EU Special Representative's efforts aimed at securing early implementation of the ECHR judgement on *Sejdic-Finci vs Bosnia and Herzegovina*, which ruled that the inability of national minorities to stand for election to the Presidency or upper chamber of the Parliamentary Assembly was discriminatory. We continued to fund legal aid and advocacy support to survivors of wartime rape and sexual violence. This helps them to use domestic, administrative and judicial procedures, and international human rights mechanisms, in order to obtain their rights to justice and redress, and to change practices in Bosnia and Herzegovina which violate human rights. We delivered training to judges and prosecutors on the effective prosecution and adjudication of wartime sexual violence crimes, thereby strengthening the capacity of the Bosnia and Herzegovina judiciary to prosecute wartime sexual violence crimes successfully. We are developing with the OSCE a learning module on wartime sexual violence for investigators, which follows international best practice on the prevention of, and accountability for, wartime sexual violence, as well as on the protection of victims. We are also funding projects, helping a civil society organisation to support the Federation of Bosnia and Herzegovina's Law on Corruption, and aiding advocacy and awareness-raising for its census, the first census in an independent Bosnia and Herzegovina.

In **Kosovo**, the focus should remain on implementation of legislation protecting human rights. Targets for minority representation in the civil service and publicly-owned enterprises still need to be met, and there are continued issues with recognition of diplomas belonging to Kosovo Serbs. The UK has welcomed the appointment of a Language Commissioner and the establishment of a second public broadcaster in Serbian (RTK2) in 2013. The formation of a Kosovo Police unit for protection of cultural heritage was another positive step.

More focus on the vulnerable Roma, Ashkali and Egyptian (RAE) communities is needed in the coming year. Following closure of the last remaining RAE camp in Leposavic and the successful relocation of 31 families in December 2013, education and economic development needs should be addressed. The UK will continue to provide economic grants to all minority communities in order to stimulate income generation.

Access to justice is another area of concern. The UK has seconded over 40 experts, working in areas such as policing and prosecution, to the EU Rule of Law Mission (EULEX) in 2013. And, as property disputes relating to the 1999 conflict continue, the UK also provided funding to the Kosovo Property Agency, which was able to resolve 94% of existing claims by the end of 2013, and aims to conclude its mandate in 2014.

Finally, with regard to dealing with the past, there has been slow progress in prosecutions for war crimes, and the work of the Kosovo government inter-ministerial working group remains in its initial stages. The UK has provided support by funding independent monitoring of trials for war crimes and ethnically and politically motivated crimes, and is working to build capacity of legal professionals on transitional justice.

In 2013, the British Embassy in Skopje continued to support the implementation of the national strategy for equality and anti-discrimination in **The former Yugoslav Republic of Macedonia**. We provided training programmes in anti-discrimination policies and best practice for 600 public servants, as well as an e-learning module for all civil servants.

Support for promoting diversity and multiculturalism continued with programmes targeting youth. In cooperation with the UN Children's Fund (UNICEF) and the Ministry of Labour and Social Policy, we are working on mainstreaming diversity, inter-ethnic and social cohesion in pre-school curricula. Working with civil society, we are supporting the creation of educational resources and offer training for teachers, children and parents in primary school on children's rights and responsibilities. Targeting youth, prominent public figures and the media, we work with media organisations tackling hate speech in public discourse.

To improve intercultural understanding and appreciation of the diverse ethnic, religious and cultural background of citizens, we have supported a programme with six multi-ethnic municipalities and their municipal committees for inter-ethnic relations, offering a model for cooperation that can be replicated nationwide.

With the project "Fundamental Rights – Fitting into the European Legal Framework", we offer awareness-raising on the European human rights protection system and its implications for the Macedonian system, targeting legal practitioners, civil society organisations, youth and media.

We facilitated policy discussions among the media community on journalists' professional rights and the link between media freedom with Article 10 of the ECHR.

The UK is a strong supporter of **Albania's** bid for EU membership, which is the main vehicle for political, social and economic reform, and helps bring human rights standards to the level guaranteed to all EU citizens. In particular, our embassy projects delivered through the Slyn Foundation aim to improve Albania's judiciary by increasing its quality and independence, thereby strengthening the rule of law. We are also working with the Albanian prison service to further improve and help modernise its operations. In coordination with international partners, the UK supported Albania's competitive and well-run parliamentary elections in June, which marked tangible progress with respect to previous elections.

We continue to remain a strong supporter of **Turkey's** EU accession process, which we believe is an effective framework for taking forward the reform agenda in Turkey. EU accession would mean full realisation of the economic, political and human rights guaranteed to all EU citizens. The European Commission's 2013 Annual Progress Report highlighted areas of concern around freedom of expression and assembly, and also where progress has been made.

It is therefore important that momentum on the accession process is maintained, including through the opening of new chapters. Opening negotiations on Chapters 23 (on the judiciary and fundamental rights) and 24 (on justice, freedom and security) would enable the EU to intensify work with Turkey in key areas where reform efforts need to be accelerated. In 2012-13, the UK government committed funds to support human rights and other projects aimed at promoting EU standards in Turkey worth nearly £1 million.

## European Neighbourhood Policy

The European Neighbourhood Policy (ENP) offers a privileged relationship to 16 of the EU's neighbours in the east and the south. Human rights and democracy are a core element of the policy. The EU uses both hard and soft instruments, such as its economic influence and financial aid, to promote political reforms in the countries of its neighbourhood. These reforms help to build and consolidate democracy, and establish and strengthen the rule of law and respect for human rights. The EU links its support to the level of democratic reform, offering more to those partners that make progress, whilst reconsidering support where reform is not forthcoming. In cases of oppression or grave violations of human rights, support was withdrawn, as happened with **Syria** and **Belarus**.

Selective justice and rule of law were concerns in **Ukraine** in 2013. Detention and medical conditions for prisoners remained poor. Human rights activists criticised half-hearted government efforts to introduce EU reforms. Freedom of expression declined as state-aligned media ensured limitations on access to free and pluralistic media and to public information. Attacks on independent journalists were seen at the end of year.

Intolerance towards the LGBT community and some minority religious groups grew throughout the year. An anti-discrimination bill proposed in the summer, aimed at improving LGBT rights, was not passed by the Rada (Parliament). However, one positive development was that in 2013 the first LGBT Pride March took place in Kyiv, albeit under heavy police surveillance.

In a report issued in July 2013, the UN High Commission for Refugees (UNHCR) concluded that, in spite of some progress, Ukraine's asylum system still required fundamental improvement as it did not offer sufficient protection against *refoulement*, and also did not provide asylum-seekers the opportunity to have their asylum claims considered in an efficient and fair procedure. The report said that Ukraine therefore should not be considered a safe third country. The UNHCR urged states not to return asylum-seekers to Ukraine on that basis.

A marked decline in respect for democratic norms and values was seen in Ukraine at the end of the year. President Yanukovych's decision to delay signature of an Association Agreement with the EU ensured that positive legislation on judicial reforms and electoral improvements, which had been working its way through the Rada, was stalled. The move away from an EU orientation also sparked large-scale anti-government protests. On at least two occasions there was clear evidence of the use of police violence against protesters. Towards the end of December, questions began to emerge over the disappearance of protesters. International and domestic observers also noted irregularities in by-elections held in five constituencies in December.

**The Republic of Moldova** completed the negotiation of an EU Association Agreement in November 2013. The Association Agreement requires the government of Moldova to continue reform of the judiciary, strengthen human rights and do more to tackle corruption. An anti-discrimination law entered into force in January 2013, though implementation has been uneven. The first ever LGBT Pride march took place in Chişinău on 19 May. It was short and largely symbolic.

*De facto* authorities in Tiraspol continue to control the breakaway Transnistria region of Moldova, making it difficult for the Chişinău government to enforce country-wide human rights standards. Following a visit by the UN High Commissioner for Human Rights Navi Pillay to Moldova in 2011, the UN engaged Thomas Hammarberg as Senior Expert on Human Rights in Transnistria. His report, published on 14 February 2013, outlined concerns about ill-treatment, the judicial system, health care, the functioning of Latin-script schools and prison conditions. Using Conflict Pool funds, the British Embassy in Chişinău helped to take forward one of the report's recommendations on the level of TB in prisons in Transnistria.

**Armenia's** February presidential elections, according to the International Election Observation Mission, "were characterised by a respect for fundamental freedoms". But the reports also noted some areas of concern including "a lack of impartiality of the public administration and abuse of administrative resources" during the campaigning.

There is a strong civil society in Armenia and grassroots campaigns have been able to organise and secure significant concessions from the government on issues of public concern, such as public transport fares. While there is a strong pro-government bias in the broadcast media, the print media is able to publish a range of political views. The online media operates freely. However, there have been disturbing cases of civil society activists being harassed and physically assaulted, and of threats being made against organisations promoting women's rights and gender issues.

Armenia's application to join the Eurasian Customs Union meant that they were not able to proceed with initialling an Association Agreement and Deep and Comprehensive Free Trade Area with the EU at the Eastern Partnership Summit in Vilnius in November. However, in a joint statement issued at the summit, Armenia and the EU confirmed their commitment to further cooperation aimed at the continuous improvement of democratic institutions and judiciary, the promotion of human rights and rule of law, and good governance.



The Armenian government continued to work with the Council of Europe's Venice Commission on establishing alternative military service. In June 2013, new amendments came into force which may provide genuine civilian service. In October, many conscientious objectors were released from prison.

**Georgia** made good progress on human rights in 2013. The well-conducted presidential elections in October built upon the successes of the 2012 parliamentary elections. The conduct of these elections, and also the fact that they have delivered a peaceful transfer of power, set Georgia apart from other countries in the region. Positive reforms have continued in the justice sector, including work to make the judiciary more independent. But there remains more to do on governance and the rule of law, including increasing parliamentary accountability and strengthening judicial independence. We continued to encourage the new government to ensure that any cases brought against members of the former administration are justified and consistent with rule of law. Violence at an LGBT rally in May and incidents against religious minorities remain a concern. Georgia has moved closer to the EU, with the initialling of its Association Agreement and Deep and Comprehensive Free Trade Area at the Vilnius Summit, providing for continued reform.

**Morocco** is undergoing a process of democratic reform, which was accelerated in the context of the Arab Spring through a progressive new constitution which safeguards human rights. Challenges remain, and it is important that Morocco continues to make progress on the reforms underway in crucial areas required to implement the new constitution, including reforming the justice sector and penal code, adoption of a new press code to safeguard freedom of expression, and implementation of Morocco's strategy for gender equality and parity. The ENP is offering significant support to the Moroccan government and civil society to encourage these ongoing reforms, in particular through the EU-Morocco action plan which was agreed in December 2013.

In **Jordan**, international efforts continued to protect the rights of over 590,000 refugees from Syria, including through UK commitments of £111.5 million helping provide food, shelter, health and education. Jordan holds regular sub-committee meetings with the EU to discuss human rights matters linked to the implementation of the 2011 ENP EU-Jordan Action Plan. The UK continues to support projects aimed at eradicating torture and other ill treatment in practice. Jordan has demonstrated a commitment to ensuring that certain basic civil and political rights are guaranteed and has made positive steps following the 2009 UPR recommendations. At Jordan's UPR at the UNHRC in October 2013, the UK recommended that there should be greater freedom of expression, that the penal code should be amended to prevent the referral of political activists to the State Security Court on terrorism charges, and that Jordan ensures that vulnerable people fleeing the violence in Syria are allowed by border control to reach safety.

In **Lebanon**, international efforts continued to protect the rights of over 890,000 refugees from Syria, including through UK commitments of £113.1 million helping provide food, shelter, health and education. Due to political paralysis, the Lebanese Parliament did not adopt the National Human Rights Action Plan, or consider pending legislation on torture or domestic violence. Despite the political stalemate, EU-Lebanon dialogue on human rights continued in line with the EU-Lebanon ENP Action Plan, including on women's and children's rights, human rights in law enforcement, and implementing the agreed

recommendations in the UN's UPR for Lebanon. The Internal Security Forces (ISF, the police service) continued their programme of reform and, with UK support, began a community policing pilot in Beirut. The Special Tribunal for Lebanon (STL) continued making progress towards justice for the victims of several political assassinations and their families; the UK has thus far contributed £4.5 million to support the STL's essential work. The first secular marriage took place during 2013, with the support of President Sleiman.

## **The Commonwealth**

The Commonwealth is a voluntary association of 53 countries committed to the shared values of democracy, human rights and the rule of law. The Commonwealth remains an organisation which could do more to promote and enforce human rights standards across its membership.

The Commonwealth Charter was laid before Parliament as a Command Paper on 4 March 2013, and signed by HM The Queen on Commonwealth Day. The Commonwealth's agreement to the charter marks an important milestone in the Commonwealth modernisation process, as it is the first time in its 64-year history that the Commonwealth has had a single document summarising the organisation's core values and commitments, and the aspirations of its members. The charter is now the recognised statement of what the Commonwealth stands for, and should be accessible to all citizens across the Commonwealth. We believe that the commitments in the charter must be upheld, adhered to and kept under review, not just by Commonwealth member states and parliamentarians, but also by individuals and organisations. We recognise that Commonwealth members are at different stages of upholding the charter values they aspire to. We will continue to encourage both the secretariat and member states to put into practice the values they have agreed; and to commit to equality and human rights for all.

We welcomed the charter's recognition of gender equality and women's economic empowerment as essential components of human development and basic human rights. In June, the UK Government attended the triennial Commonwealth Women's Affairs meeting. Ministers met in Dhaka, Bangladesh, with the theme of "Women's Leadership for Enterprise". Member states, including the UK, agreed to a twin-track approach to gender equality in the post-2015 development framework: a standalone goal to ensure that gender equality is an objective in its own right, and mainstreamed across all other goals. This supports the Commonwealth Secretariat's aim to mainstream gender equality and the empowerment of women within member states and within the Secretariat's own policies, frameworks and programmes.

The Commonwealth Heads of Government Meeting (CHOGM) was held in Sri Lanka in November. The Prime Minister, Foreign Secretary, and Minister for the Commonwealth, Hugo Swire, felt it important to attend the summit to shine a spotlight on the situation in Sri Lanka and to ensure that the Commonwealth continues to be a force for good around the world, in promoting freedom, democracy and human rights. During CHOGM, the UK helped secure positive language on the post-2015 development agenda, ensuring that it should reflect the values of the Commonwealth Charter. The communiqué also included language on: freedom of expression, reaffirming the Commonwealth's commitment to peaceful, open

dialogue through a free and responsible media; freedom of religion or belief, requesting states to enhance their efforts to promote freedom of thought; preventing child, early and forced marriage, by calling for member states to share best practice; and preventing sexual violence in conflict, where Heads requested the Commonwealth Secretariat to support conflict-affected states in strengthening their capacity to prevent and respond to sexual violence in armed conflict. At the Commonwealth People's Forum prior to CHOGM, Mr Swire called for all Commonwealth members to recognise that the Lesbian, Gay, Bisexual and Transgender (LGBT) community deserve the same protection as all others, and reaffirmed the UK Government's commitment to make the case for acceptance of, and integration for, LGBT people throughout the Commonwealth.

In 2013, the UK maintained our support for institutional reform within the Commonwealth, particularly of the secretariat, in the light of an update to the Multilateral Aid review (<https://www.gov.uk/government/publications/multilateral-aid-review-update-2013-interim-report>). We maintained our close interest in the effectiveness of the Commonwealth's Ministerial Action Group (CMAG) as the custodian of the Commonwealth's political values. Although not a member of CMAG, the UK welcomed the group's timely action on **the Maldives** in February, when it called for an extraordinary meeting of CMAG foreign ministers, and appointed Sir Don McKinnon as the Commonwealth's Special Envoy. However, we regret that CMAG has not been as active in addressing other serious or persistent violations of the Commonwealth's fundamental values. As a body, it is important that CMAG demonstrates that the Commonwealth enforces its principles, which is vital to ensure the credibility and future of the Commonwealth.

In 2014, the UK will look to build on the human rights mandates agreed by Heads at CHOGM working with the Commonwealth Secretariat and other member states. We welcome the statement made by the Secretary General on discrimination on the grounds of sexual orientation within the Commonwealth, and the need for continued dialogue by parliamentarians, human rights institutions and human rights defenders. Through our high commissions we will continue to promote tolerance and non-discrimination against LGBT people and to address discriminatory laws, in particular those that criminalise homosexuality.

## **The Organisation for Security and Cooperation in Europe**

The UK Government values the Organisation for Security and Cooperation in Europe (OSCE) as a forum for political discussion and action on wider European security issues, including the protection and promotion of human rights across the OSCE area. We support the work of the OSCE's Office for Democratic Institutions and Human Rights (ODIHR), particularly its election observation activities, and that of the Representative on Freedom of the Media and the High Commissioner on National Minorities. We are also committed to safeguarding, and enhancing, the vital role that civil society plays in holding OSCE states to account on human rights.

In 2013, the UK continued to work closely with EU partners, the US and others to ensure that UK human rights priorities were reflected in the OSCE's work. The Ministerial Council met in Kyiv in December 2013 under the chairmanship of **Ukraine**. We were pleased that, for the first time in three years, the council reached agreement on new decisions on human

rights. We worked hard with EU colleagues to agree a decision on Freedom of Thought, Conscience, Religion or Belief. This was the first free-standing decision on a fundamental freedom in the OSCE context, drawing together and building on existing commitments contained in other OSCE documents. Ministers adopted a decision agreeing an addendum to the OSCE Action Plan to Combat Trafficking in Human Beings. The addendum helps to address some of the new and emerging trends and patterns of this abhorrent crime. Finally, the UK also joined the consensus on a decision to enhance the OSCE's implementation of the 2003 Action Plan on Improving the Situation of Roma and Sinti. Taken together, these new decisions are a welcome addition to the OSCE's impressive body of standards and commitments on human rights. We hope that all member states will now implement these new commitments faithfully.

2013 marked the 15th anniversary of the establishment of the Office of the OSCE Representative on Freedom of the Media, and saw the Ministerial Council agree to a second three-year term for Ms Dunja Mijatovic as the representative. Ms Mijatovic and her team continue to do a valuable job in providing early warning on violations of freedom of expression and promoting full compliance with OSCE media freedom commitments.

In a busy year for elections in the OSCE region, we funded British nationals to take part in ODIHR election observation missions in several OSCE states, including **Armenia, Georgia, Montenegro, Azerbaijan, Albania, Macedonia and Tajikistan**. The UK also contributed to an ODIHR fund that seeks to broaden the range of countries that participate in OSCE election observation missions.

The UK continued to lead in the OSCE in 2013 in responding to hate crime. During the Annual OSCE Human Dimension Implementation Meeting in September, we hosted a well-attended side-event focusing on Jewish and Muslim cooperation in fighting hate crime. Speakers from the Community Security Trust (representing the Jewish community) and Faith Matters (the Muslim community) described how they had shared best practice to establish rigorous and effective mechanisms for monitoring and reporting hate crimes. We hope that this type of cooperation between faith communities can be replicated elsewhere in the OSCE region.

We were pleased to host a side-event at June's High-level Alliance against Trafficking in Persons meeting in Vienna. The side-event – which included the Salvation Army and the International Organisation for Migration – initiated a useful discussion on victim return and reintegration care.

**Switzerland** assumes the Chair of the OSCE in January 2014. Following the successful adoption of new human rights decisions under the Ukraine chairmanship, we will work closely with the Swiss Chair-In-Office to secure a focused and realistic agenda of human rights issues for the coming year, and to support the Swiss drive to strengthen the involvement of civil society in the OSCE's work. While the political dynamic in the OSCE remains a limiting factor to full delivery of its significant potential to promote positive change, the UK is committed to contribute fully in 2014 to its work to protect and promote human rights, particularly where democracy remains fragile or basic human rights appear under threat. We will support the work of the OSCE's autonomous human rights institutions, publicly condemn serious human rights violations, seek to make OSCE activities more

focused on core human rights issues, and help to protect the important role of civil society in holding governments to account.

## Council of Europe

The Council of Europe (CoE) is an intergovernmental organisation with 47 member states working together to establish and implement common standards on human rights, democracy and the rule of law. The CoE is responsible for the most developed regional system of human rights protection worldwide, founded on the ECHR. The CoE is probably best known for its court, the European Court of Human Rights (the Court), to which all people in CoE member states have access. The Committee of Ministers (CoM) is the CoE's principal decision-making body, and holds member states to account for implementing the Court's judgments. Finally, the Parliamentary Assembly of the CoE, comprised of 318 parliamentarians from the 47 member states, debates issues of the day and also serves to hold states to account.

The CoE has developed and monitors the implementation of Europe-wide standards on topics ranging from terrorism to domestic violence, through over 200 conventions and their associated monitoring mechanisms. It offers opportunities to further the UK's human rights objectives in wider Europe and beyond. The UK's engagement at the CoE is aimed at supporting a higher level of ambition and implementation of standards on human rights, democracy and rule of law in member states.

During 2013, the CoE Secretary General, Thorbjørn Jagland, intervened promptly and helpfully in constitutional, political and human rights situations of concern in various member states, notably **Turkey** and **Ukraine**. Influential bodies within the CoE, such as the Venice Commission, played important roles in supporting the Secretary General's efforts with expert legal assistance to help identify a range of possible solutions when the crises arose. And the CoE Commissioner for Human Rights, Nils Muižnieks, continued his work in holding member states to account for their responsibilities under the ECHR. He conducted a number of visits to member states, including **Azerbaijan, Estonia, Russia, Spain** and **Turkey**.

During the UK's Chairmanship of the CoE in 2012, we secured agreement to the Brighton Declaration, a package of reforms to the court and convention system formally adopted by ministers of the 47 Member States. These reforms were designed to reduce the Court's backlog of outstanding cases and enhance its efficiency, as well as to enable the Court to focus on the cases most worthy of its attention. In 2013, we focused on the continued implementation of these reforms. Protocol 15 to the ECHR – which stresses states' primary responsibility to secure the rights in the convention and their margin of appreciation in doing so – was opened for signature on 24 June 2013. The UK was one of 19 member states to sign the protocol that day, and is working towards ratification in 2014. All 47 member states must ratify Protocol 15 before it comes into force. Meanwhile, new rules which introduce stricter conditions for bringing an application to the Court came into force on 1 January 2014. These are designed to enhance the Court's efficiency and to speed up the examination of applications. Protocol 16 to the ECHR, adopted in July 2013, is an optional mechanism by which the highest courts of the states parties can seek advisory opinions on the

interpretation of the ECHR from the Strasbourg Court. The UK will wait to evaluate how it works in practice before deciding whether to become party to it.

There has been significant progress in tackling the backlog of applications to the Court. The number of inadmissible cases is rapidly diminishing. In 2013, the Court decided 1,652 cases lodged against the UK. It declared inadmissible or struck out 1,633 (98.85%) applications. No violations of the convention were found in a further 6 (0.36%) applications, finding a violation in ten (0.79%) applications.

The CoM is responsible for the supervision of the execution of some 11,000 judgments of the Court. During 2013, its focus included cases involving journalists' freedom of expression in **Azerbaijan**; rights to stand for election in **Bosnia and Herzegovina**; education of Roma children in the **Czech Republic**; protestors for LGBT rights in **Russia**; abductions and illegal transfers from **Russia** to some Central Asian States; and the detention of former Prime Minister Tymoshenko in **Ukraine**. Supervision of a significant number of UK cases was closed, thereby reducing the number of cases under supervision to its lowest ever – 26, lower than most other states.

Away from the execution of the court's judgments, the UK pursued a range of human rights, rule of law and democracy initiatives. These included: raising specific cases, for example, the Magnitsky case against **Russia**; participating in broader debates about developments in **Turkey** or **Ukraine**, or on thematic issues such as freedom of religion or belief; and encouraging greater attention to the threats posed by growing extremism across Europe, particularly where it targets members of vulnerable groups such as Roma, migrants and LGBT community members. We also worked closely with other UK representatives to CoE statutory and expert bodies, including the Parliamentary Assembly, Congress of Local and Regional Authorities, and groups covering a range of issues including terrorism, internet governance, bioethics and European Court of Human Rights reform.

Finally, the Parliamentary Assembly of the CoE will elect a new CoE Secretary General in June 2014. The mandate of the incumbent Secretary General, Thorbjørn Jagland (Norway), expires in September 2014.



## SECTION X: Promoting Human Rights in the Overseas Territories

There are 14 British Overseas Territories: Anguilla; Bermuda; the British Antarctic Territory; the British Indian Ocean Territory; Cayman Islands; the Sovereign Base Areas of Akrotiri and Dhekelia in Cyprus; the Falkland Islands; Gibraltar; Montserrat; Pitcairn, Henderson, Ducie and Oeno Islands (commonly known as the Pitcairn Islands); St Helena, Ascension and Tristan da Cunha; South Georgia and the South Sandwich Islands; the Turks and Caicos Islands; and the Virgin Islands (commonly known as the British Virgin Islands).

The UK Government has responsibility for the security and good governance of the Overseas Territories, flowing from international law, political commitments, and our wider responsibility for British nationals. Each territory has its own constitution and government with substantial devolved responsibilities, including for local laws. In the populated territories, responsibility for the protection and promotion of human rights rests primarily with elected territory governments, although the UK Government expects the territories to abide by the same basic standards of human rights as the UK.

In June 2012, the UK Government published a White Paper “**The Overseas Territories: Security, Success and Sustainability**”, which set out an ambitious vision for the territories. The UK Government is working in partnership with elected territory governments to take forward the commitments in the White Paper. An Overseas Territories Joint Ministerial Council (JMC) has been established, which brings together UK Ministers and the elected territory leaders, and is taking a leading role in driving forward work to realise this vision.

### Self-Determination and Democracy

The UK and territory governments are committed to a modern relationship based on the principles of partnership and shared values, including a commitment to the principle and right of self-determination. The people of each territory have the right to choose whether or not their territory should remain a British Overseas Territory, or to seek an alternative future.

The Falkland Islands government held a referendum in March 2013 on the territory’s political status. The referendum, which was attended by international observers, attracted a turnout of 92% of eligible voters. Over 99.8% (1,513) of voters voted to maintain the territory’s constitutional links to the UK, with only three voting against. The Chief Minister of Anguilla has also announced his intention to hold a referendum on Anguilla’s future, although no date has been set. The UK Government stands ready to support any territory that wishes to have a referendum on its future.

The territories each have their own vibrant democratic traditions. Most territories have an elected legislature and a ministerial system of government. Political parties operate freely and transparently. Territory constitutions and laws define who can vote in elections. In some territories the eligibility to vote is limited and excludes some categories of residents who may make up a significant proportion of the population. The UK Government believes that people who have made their permanent home in the territories should be able to vote, but recognises the desire of island communities to maintain their cohesion, and hence the need for a reasonable qualifying process. In 2013, elections were held in Ascension, Cayman

Islands, Falkland Islands, Pitcairn and St Helena. The UK Government believes that, in general, it is good practice for open democracies, such as the Overseas Territories, to invite election observers. International observers reported that the elections in the Cayman Islands in May met international standards for democratic, genuine and transparent elections. The high turnout (80%) underlined the engagement of the Caymanian people in the democratic process.

## **Constitutional and Legal Protection of Human Rights**

All territory constitutions agreed since 1999 have included a bill of rights, including a non-discrimination provision that reflects the protections in the European Convention on Human Rights (ECHR) and the International Covenant on Civil and Political Rights (ICCPR). The UK and territory governments are committed to continue work on the process of modernising territory constitutions to ensure that they operate effectively and that territories have the greatest self-government possible. The UK Government encourages the government of Anguilla to engage with it on updating the constitution of that territory.

At the first Joint Ministerial Council (JMC) in December 2012, the UK and Overseas Territories governments agreed a **Communiqué** setting out an ambitious programme including a shared belief in tackling discrimination, so that all citizens have an equal opportunity to play an active role in society. The UK and territory governments reported **progress** to the 2013 Council. Bermuda updated its Human Rights Act in 2013 to prohibit discrimination on the basis of age or sexual orientation. Montserrat's Status of Children Act 2012 came into force, abolishing the legal distinction between children born within and outside of marriage, and providing for equal status for all children.

Territory governments have a duty to ensure local laws comply with relevant international human rights conventions and court judgements, and are non-discriminatory. The UK Government expects territories to take action, including legislating where necessary, in any areas of disparity to reach full compliance. We have provided advice to the territories to help them bring their laws into line with their human rights commitments, including the ECHR, which has been extended to all the populated territories except Pitcairn.

## **Extension of International Human Rights Conventions**

It is the longstanding policy of the UK Government to encourage territory governments to request the extension of UN human rights conventions that the UK has ratified, but to extend conventions only when the relevant territory is ready to implement them. 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. The UK Government is ultimately responsible for ensuring that territory governments fulfil their obligations arising from international human rights conventions which have been extended to them. The UK Government may be questioned on the level of compliance by individual territories by the relevant treaty monitoring body, as part of the UN periodic review process.

The 2012 White Paper set out an objective to extend six core UN human rights conventions to all the territories by the end of 2013: the International Covenant on Economic, Social and Cultural Rights (ICESCR), ICCPR, Convention on the Elimination of all forms of Racial Discrimination (CERD), Convention Against Torture (CAT), Convention on the Rights of the Child (CRC), and Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). This objective has not been met, but progress has been made. Most territories have had most of these conventions extended to them, and the British Virgin Islands, Falkland Islands and Turks and Caicos Islands have had all six extended to them. At the JMC in 2013, the UK and territory governments committed to working together to fulfil their commitment to extend these core UN human rights conventions to the territories.

The governments of Bermuda, Gibraltar and the Cayman Islands have asked for CEDAW to be extended to them, and have set out how they believe they meet the requirements. The UK Government Equalities Office is examining their submissions, and we hope to extend CEDAW to these territories soon.

We continue to work with the governments of Anguilla, Montserrat, Pitcairn and St Helena, Ascension and Tristan da Cunha to encourage them to prioritise preparation for extension. To support preparation in Anguilla, the Ministry of Home Affairs has appointed a full-time Gender Affairs Officer and, with support from the FCO's Human Rights and Democracy Programme Fund, has arranged for all frontline police officers to receive training in handling domestic violence cases.

We continue to encourage the government of Anguilla to meet, without further delay, its longstanding commitment to request the extension of the ICCPR and the ICESCR. We encourage the government of Gibraltar to request the extension of the CRC.

## **Child Safeguarding**

The first JMC in 2012 identified strengthening child safeguarding as a key priority for the Overseas Territories. UK and territory governments agreed to work together to improve strategies to ensure the safeguarding of children, based on a strong belief in zero tolerance to child abuse, in whatever form it comes.

During the week of the 2013 JMC, the UK Government organised a roundtable on child safeguarding, bringing together territory leaders and experts from the UK Ministry of Justice, Department for International Development (DFID), and Department for Education. DFID provides assistance and advice to Pitcairn, St Helena and Montserrat to support key frontline service delivery agencies. Pitcairn will continue to receive targeted support for training and awareness-raising to build child safeguarding capacity. In 2013, both Pitcairn and St Helena benefited from child safeguarding risk reviews, which have strengthened child safeguarding approaches on these islands. A new DFID child safeguarding programme will be launched in 2014. This will focus on building multi-agency capacity to prevent and respond to child abuse and sexual exploitation; strengthening data systems to support evidence-based policy development; and providing specialist child safeguarding advice directly to territory governments.

Several territories have undertaken important child safeguarding initiatives. The government of Anguilla has set up a child protection steering committee, developed child protection guidance, conducted an outreach campaign, and has benefitted from an advisory visit by a manager of a secure children's home in the UK. The Cayman Islands government has agreed a child protection law and undertaken a public campaign on tackling child abuse. The St Helena government has set up a new board with responsibility for safeguarding children, and is implementing a comprehensive multi-agency child safeguarding action plan, rolling out a range of policy and operational measures. The Falkland Islands government has established a multi-agency Child Safeguarding Board and a Child Safeguarding Working Group in order to improve coordination, and strengthen the capacity to pursue prosecutions for offences.

## **Prisons**

At the first JMC in 2012, UK ministers and territory leaders agreed to work together as a priority to develop systems for independent inspection of prisons and to reduce re-offending by prisoners. Some territories have launched significant reforms. The Cayman Islands government is in the process of implementing a five-year strategic plan drawing on recommendations from Her Majesty's Inspectorate of Prisons (HMIP). The Cayman Islands government is also proposing a Conditional Release Bill to provide minimum tariffs for life sentences, which would bring sentencing in line with the Cayman Islands' Bill of Rights.

In 2013, the governments of Anguilla and the British Virgin Islands introduced parole systems. This means that independent parole boards now assess prisoners for release in all Caribbean Overseas Territories and in Bermuda. The Parole Board of England & Wales continues to support the development of parole boards to ensure compliance with international human rights standards. A system of independent monitoring by local volunteers has now been established for all prisons.

The UK Government continues to support the territories in managing prisoners with complex mental health issues. Representatives from Health Action Partnership International (HAPI) and the Oxleas NHS Foundation Trust conducted a study on prisoner mental health in Montserrat and Anguilla in 2012-13, which provided individual prisoner assessments and training. Their observations have been shared with other territories, many of which face similar challenges. The Oxleas NHS Foundation Trust is due to conduct a similar study in the British Virgin Islands in 2014.

## **Looking Ahead to 2014**

We will continue working in partnership with the territories to extend to them outstanding core UN human rights conventions, where these have not been extended already.

Another key priority for us will be the launch and roll-out of the new child safeguarding project to help the aided territories strengthen child safeguarding measures.

We will also continue to encourage relevant parts of central and local government, as well as charities and other organisations, to build partnerships and share expertise with peers in the Overseas Territories and thus contribute to delivering our cross-government commitment to support the territories in the protection and promotion of human rights.

## SECTION XI: Human Rights in Countries of Concern

This section contains our review of the human rights situation in 28 countries where the UK Government has wide-ranging human rights concerns. For this year's report, we continued to use the criteria for inclusion that we published last year:

- the gravity of the human rights situation in the country, including both the severity of particular abuses and the range of human rights affected;
- whether a deterioration or improvement in the human rights situation in the country would have a wider impact in the region;
- whether the human rights situation in the country has an impact on wider UK interests; and
- whether we are able to influence the human rights situation there.

The first of these criteria (gravity of the situation) is the most important assessment that we make, and not affected by levels of UK interest or influence. In order to ensure that our analysis is strictly evidence-based, we introduced this year a list of internationally respected human rights indicators and indices. Our geographical departments and embassies and high commissions overseas assessed all the relevant countries in their regions against these indicators and indices.

Having assessed the gravity of the human rights situation, we then applied an analysis of the other criteria, including UK engagement and interests as a means of influencing change, to determine which countries among all those where there are concerns about the human rights situation should be the particular focus of Foreign & Commonwealth Office (FCO) efforts. It is clearly important that we concentrate our resources on those countries where we can make most difference. Ministers then made the final decision on the list of countries of concern and country case studies to be included in this report.

Following the review process, no countries were removed from the countries of concern category. However, due to developments during 2013, **the Central African Republic** was added to the list.

Country case studies were introduced in 2012 as a way to report on countries which do not meet the overall threshold for a country of concern, but which we judge nonetheless to be facing human rights challenges, or to be on a trajectory of change with regard to their human rights performance. While most focus on countries with particular human rights challenges or on a negative trajectory, others were included because the analysis showed a positive change, or because we wanted to highlight a particular thematic issue. Some countries are subject to periodic in-year reporting to enable us to assess human rights trends and monitor developments.

This year, our country case studies are **Bahrain, Bangladesh, Ethiopia, Nigeria, Rwanda** and **Egypt**. We have also included a number of thematic case studies in the relevant chapters of the report, for example, on women and girls in **India**, and on **Mexico's** war on drugs.



The list of 28 countries of concern (and country case studies which show a negative trajectory) does not represent an exhaustive list of countries where the UK believes improvements are needed on human rights. Although the countries on which we report here will remain our priorities for 2014, we continue to engage with many other countries on human rights issues, through dialogue and project work.

As in last year's report, we have listed the countries of concern in alphabetical order. We have ensured that each entry contains sections to reflect our priority thematic issues such as elections, freedom of expression, torture prevention, women's rights and freedom of religion or belief. Other sub-headings are included where relevant.

We will continue to report on developments in the countries of concern online on a regular basis and raise our concerns about human rights issues wherever and whenever they occur.

## Afghanistan

We welcome the Afghan government's engagement in international human rights processes in 2013, including its Universal Periodic Review (UPR) national report to the UN Human Rights Council (UNHRC). While Afghanistan is a party to most international human rights treaties, and its constitution and legislation include provisions for the protection of human rights, implementation continues to be weak. The impact of decades of conflict has been a significant obstacle to progress. Building the capacity necessary to deliver the effective governance and security essential to protecting human rights is a long-term endeavour for the Afghan government. Divisions continue in Afghanistan's deeply conservative society over issues such as women's rights, minority rights, religious freedom and freedom of expression. Progress on many of these issues is likely to be slow and connected to progress in other areas, such as education, healthcare and the economy. The UN High Commissioner for Human Rights, Navi Pillay, visited Kabul in September. She recognised the progress made, but expressed concern that momentum on improvement in human rights may be waning.

During 2013, we built on the human rights commitments made by the Afghan government and the international community in the Tokyo Mutual Accountability Framework (TMAF), agreed at the 2012 Tokyo Conference on Development. In July, senior officials from the Afghan government and international community met in Kabul to discuss progress against the TMAF. Although some positive developments had been made, participants agreed that the Afghan government needed to do more to deliver their commitments, including on the Elimination of Violence against Women (EVAW) law. This issue will be discussed at a senior-level TMAF meeting in January 2014. The UK will also co-chair the first ministerial review of progress against the TMAF, which will take place three to six months after the formation of a new Afghan government, and will have a key role in ensuring the commitments made are met.

The Senior Minister of State, Baroness Warsi, co-chaired with Mr Ershad Ahmadi, Afghan Deputy Minister of Foreign Affairs, the Joint Commission to review implementation of the UK-Afghanistan Enduring Strategic Partnership in November. Ministers reaffirmed both countries' commitment to upholding the historic gains made since 2001, including human rights, education and health. We also contributed another £500,000 to the Afghan Independent Human Rights Commission (AIHRC) to support its work on human rights and the protection of human rights defenders.

2014 will be an important year for consolidating progress on human rights. In April, Afghanistan will elect a new president. We will work with the new government to ensure that human rights are an integral part of its policies. We welcome Afghanistan's endorsement of the Declaration of Commitment to End Sexual Violence in Conflict, launched by the Foreign Secretary at the UN in September. We will work with them to identify how they can implement these commitments. We will also work to ensure that human rights remain a priority for the EU's work in Afghanistan post-2014, and that the UN mandate continues to have a strong human rights focus. We plan to raise a number of human rights issues, including recommendations on honour killings and treatment of detainees, through Afghanistan's UPR in January 2014. We hope for a positive response to our

recommendations when Afghanistan reports to the UNHRC later in 2014. We will support them in taking these recommendations forward.

## **Elections**

The UK is committed to supporting the Afghan government in developing strong, open and accountable democratic institutions. We welcome the Afghan government's continued commitment to holding credible, inclusive and transparent elections in April 2014, as demonstrated in the progress made in 2013 in the technical preparations for the elections.

Major electoral reforms were passed in July. Although these laws included a reduction in the quota of seats reserved for women in provincial councils from 25% to 20%, these laws were the first such to be debated and passed by parliament, rather than by presidential decree. They mark an important step forward in the country's democratic development.

Commissioners were appointed to the Independent Election Commission (IEC) and Independent Electoral Complaints Commission (IECC), both of which have positions reserved for women. The IECC is now a permanent body, which should ensure that expertise in handling electoral complaints is not lost. The UK has pledged £20 million in assistance to the UN Development Programme's capacity-building programme, supporting the work of the IEC and the IECC through the delivery of this electoral cycle.

We provide funding to the Free and Fair Election Foundation of Afghanistan and support their plans for observing this year's elections. Women's political participation was a UK priority in 2013, with the Department for International Development (DFID) committing £4.5 million up to 2015 to support training for female provincial council and parliamentary candidates and community-level discussions on women's political rights. An additional £2.5 million over five years will provide training and skills development for women successfully elected to provincial councils in 2014.

## **Freedom of expression and assembly**

In October, parliament's lower house approved amendments to the mass media law, including a new Media Complaints Commission under the chairmanship of the Minister for Information and Culture. Civil society and media organisations expressed concern about its possible impact on the media's independence. In November, parliament's upper house rejected these proposals. A joint commission has been set up to identify a compromise text which both houses can agree.

Although the principles of free speech and free media are enshrined in the Afghan constitution and legislation, journalists continue to face violence and restrictions. We will raise our concerns during Afghanistan's UPR. A Foreign & Commonwealth Office (FCO) project works to increase the capacity of the Afghan Journalists' Safety Committee to monitor and campaign for journalists and media workers to be able to operate in a safer environment. We will work with international partners and Afghan organisations to monitor any developments.



**Women vote in Lashkar Gah's Municipal Advisory Board elections, Afghanistan, 15 June, 2013**

### **Human rights defenders**

In 2013, Afghan civil society increasingly worked to protect hard-won human rights gains, despite operating under extremely challenging and often dangerous circumstances. We were concerned about increased attacks in 2013, particularly directed at high-profile females. In response to threats, the Afghan government announced they have assigned police protection officers to all provincial offices of the Ministry of Women's Affairs. In addition to the UN having a protection mandate, support to human rights defenders is a specific commitment in the EU's Afghanistan human rights strategy. We work closely with the AIHRC, EU, UN and other international and national organisations to monitor threats. We will raise the importance of the Afghan government establishing a protection mechanism for human rights defenders during Afghanistan's UPR, and will continue to raise our concerns with the Afghan government, as necessary.

We worked to strengthen Afghan civil society's advocacy skills, including through the multi-donor DFID-funded Tawanmandi programme. In July, we delivered a two-week course on interview techniques and crime scene analysis to AIHRC's monitoring and investigation staff. In November, the AIHRC was reviewed under the "Paris Principles" standards for national human rights institutions. Issues highlighted included limited consultation and transparency during the President's appointment of new commissioners in 2013, gender imbalance of AIHRC staff, and insufficient state funding to the AIHRC. The AIHRC risks being downgraded from "A" to "B" status, which could affect some donor funding. The official

decision has been deferred until late 2014. We encourage the AIHRC and the Afghan government to take all necessary steps to address these concerns.

### **Access to justice and the rule of law**

Despite some improvements, access to justice and accountability in the justice system remains a problem, with allegations of corruption rife. The Afghan government has committed to justice sector reform, protecting human rights and promoting the rights of women. We work extensively to hold them to their commitments. The formal justice system should be the place for dealing with the most serious crimes, but we also work with the community-based justice structures to make them more accountable: strengthening links to the formal justice system, providing legal education, and developing civil groups to provide better monitoring and oversight. We support legal and institutional reform and invest in training, including on human rights, for personnel involved in the criminal justice system, including detention, investigation, prosecution and judicial issues.

An important element of our support to the Afghan prisons sector is the promotion of international standards of treatment for all detained individuals. In addition to monitoring visits and mentoring and training of Afghan prison personnel, we funded the construction of a female detention facility, attached to the UK-funded Helmand Provincial Prison. Opened in December, it conforms to international standards, and provides vocational training to female prisoners.

In line with the Afghan National Police (ANP) Strategy, the Afghan government and the international community work to promote human rights, including women's rights. The Afghan Ministry of Interior (MoI) has stated an ambitious goal of recruiting 10,000 female police officers in the Afghan National Police. Violence towards police women is a particular concern. To help address this, the former Kabul City Police Commander, now current Deputy Minister for Security, issued a Gender Standards Decree to all Kabul police units for full implementation in July. The EU Policing Mission in Afghanistan (EUPOL) is monitoring its delivery and impact. Through EUPOL, we work with the MoI to improve working conditions for police women. We welcome the Minister of Interior's plans to fast-track the recruitment of female police officers. DFID's future support to the MoI will focus more strongly on helping the MoI to improve policies and procedures that promote the protection of and career opportunities for female police officers. DFID's support will also increase the capability of the ministry to increase awareness of, and enforce, the EVAW law. EUPOL also supports the ANP's Family Response Units (FRUs) which respond to domestic crime and run a helpline for female police officers. EUPOL's work to build the Afghan FRUs' capacity included organising a four-day study visit for Afghan counterparts to Turkey's domestic violence units in September. Human rights are incorporated into EUPOL training of all police recruits at the Police Staff College.

### **Death penalty**

We were deeply concerned about the execution of two individuals in May. The UK opposes the death penalty in all circumstances. We will press for abolition of the death penalty during Afghanistan's UPR. We will continue to urge the Afghan government to introduce a moratorium on the use of the death penalty as a first step towards abolition of capital punishment.



## **Torture**

The UK takes allegations of mistreatment of detainees very seriously. We will not transfer detainees to the Afghan authorities where we judge there is a real risk, at the point of transfer, of serious mistreatment or torture. Since the suspension of transfers of UK captured detainees in April 2012, the UK worked with the Afghan authorities to identify a safe and effective route to transfer UK-captured detainees into the Afghan judicial system. In June, we began transfers to the US-mentored Afghan National Detention Facility at Parwan, where the standards of treatment are high. The detention facility is operated and controlled by the Afghans, with the US providing logistical support.

The UK continued to monitor the treatment of all UK-captured detainees transferred to Afghan custody. With the individual's consent, allegations of abuse and mistreatment are taken up with senior Afghan authorities and reported to the International Committee of the Red Cross (ICRC). The ICRC, UN Assistance Mission in Afghanistan (UNAMA), and the AIHRC make regular visits to Afghan detention facilities. We continue to work closely with these organisations and review our own arrangements in response to their assessments.

We funded HM Prison Service staff seconded to the embassy and the Provincial Reconstruction Team (PRT) in Helmand, who worked closely with the National Directorate of Security and others, both in Kabul and Helmand. The UK provided training for the Afghan authorities involved in detention related activity, including on human rights. Through the embassy and the PRT in Lashkar Gah, we provided mentoring support to the senior leadership of Afghan authorities involved in detention activity. We support legal and institutional reform and invest in training, including on human rights, for personnel involved in the criminal judicial system. We will continue to support the Afghan government's efforts to tackle mistreatment and abuse and implement processes that reduce the likelihood of detainee abuse.

## **Conflict and protection of civilians**

UNAMA's report in July on civilian casualties recorded 1,319 non-combatant deaths in the first six months of 2013, an increase from 1,145 during the same period in 2012. Insurgents were responsible for 74% of the killings. UN Security Council Resolution (UNSCR) 2120, adopted on 10 October, strongly condemned all indiscriminate targeting of civilians. UNSCR 2120 also expressed serious concern about the high number of civilian casualties in Afghanistan, in particular casualties among women and children, the majority of which are caused by the Taliban, al-Qaeda and other violent extremist groups. Members of the International Security Assistance Force (ISAF) 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 are in place to protect civilians.

## **Freedom of religion or belief**

Despite respect for freedom of worship being enshrined in Article 2 of the Afghan constitution, religious minorities face violence and discrimination. In November, we worked with our international partners to protect language on freedom of religion or belief in the UN General Assembly resolution on Afghanistan. We will raise the need to address discrimination and violence towards religious minorities through Afghanistan's UPR. We ran



a successful English course for mullahs through the British Council to broaden their understanding of other religions and cultures, and how they are compatible with Islam.

### **Women's rights**

Although the Afghan government continues to reiterate its national and international commitments to protect and promote women's rights, this is not always followed up by concrete action. Afghan women continue to face significant challenges, and hard-won gains remain fragile. In 2013, some conservative elements, including in parliament, attempted to roll back progress made on women's rights; there was a strong negative response when parliament considered draft provisions to strengthen the EVAW law in July. We have made it clear to the Afghan government that more needs to be done to protect progress. UK ministers used every opportunity to raise women's rights. Baroness Warsi discussed this issue with the Afghan authorities during her visits in March and November. During her meeting with President Karzai in November, the Secretary of State for International Development, Justine Greening, sought assurances that gains on women's rights would be defended. We will also raise our concerns regarding violence against women and forced marriage through the UPR. It is important that legislation, such as the EVAW law, is fully implemented, and that the Afghan government demonstrates a strong political commitment, both at national and provincial level, to ensure that key actions, such as the recommendations made in July by the UN Committee on the Elimination of All Forms of Discrimination against Women, are fully implemented.

Men and women have equal rights under the Afghan constitution, but deeply conservative social attitudes remain a serious barrier to the realisation of these rights. In addition, limited awareness of women's rights, particularly in rural areas, is compounded by the high illiteracy rates amongst women and girls. To help address this, DFID is providing £47 million through the global Girls' Education Challenge to support access to education for more than 250,000 girls living in the poorest rural areas. Women's access to healthcare and other services is also variable. In November, a UN report on the implementation of the EVAW law identified that impunity of perpetrators is a significant problem for Afghan women. Access to legal representation remains an issue, and prosecutions and convictions are low. Many cases, including domestic violence, are being resolved through community-based justice systems such as family mediation. DFID's new £3 million programme will work to strengthen women's access to justice in up to six provinces, including training formal and community-based justice sector actors on the EVAW law, and outreach work and support to male religious leaders, educators and Afghan women working to raise awareness of women's issues.

According to the UN, violence against women is endemic in Afghanistan. An FCO Human Rights and Democracy Programme Fund project works to address the psychological needs of victims of sexual harassment and violence, and support state institutions to improve their response to victims and raise awareness of the threats Afghan women face. Also, from 2013, up to £2 million from the Tawanmandi programme will provide grants to Afghan organisations working primarily to eliminate violence against women and girls, building on its long-term support to Afghan civil society organisations focusing on human rights.

In December, the British Embassy hosted a workshop with Afghan civil society and the Afghan Ministry of Foreign Affairs to discuss objectives for the country action plan under

UNSCR 1325 on women, peace and security, to be published in 2014. Recommendations made will help ensure we continue to reflect the views and needs of Afghan women.

### **Minority rights**

Article 22 of the Afghan constitution makes clear provision for the equal rights of all Afghan citizens, but some minorities continue to face discrimination. We raised our concerns with the Afghan government through the UPR. Tensions continue between the Hazaras and nomadic Kuchis over the annual migration through the Hazarajat area. We continue to encourage dialogue between these groups to resolve this ongoing dispute.

### **Children's rights**

The UN welcomed the Afghan government's progress on delivery of the action plan against the recruitment and use of child soldiers, signed in 2011, but emphasised the need for continued effort, particularly in the police. In August, the Office of the Special Representative for Children and Armed Conflict and the UN Children's Fund (UNICEF) visited Kabul to support the Afghan government's efforts to implement the action plan, including the development of a roadmap to compliance.

According to the AIHRC, there is some improvement in the situation for Afghan children, including increased access to education and health. The UK supports children's education and basic healthcare through the Afghanistan Reconstruction Trust Fund. Children continue to face many issues such as violence, exploitation, sexual abuse, child labour and early marriage. We will raise our concerns at Afghanistan's UPR, and will continue to support the work of the AIHRC and the UN on children's rights.

## Belarus

The human rights situation in Belarus remained largely unchanged in 2013. The Belarusian government's systematic suppression of human rights continued, including the harassment of civil society, opposition politicians, journalists, human rights defenders and minority groups. The authorities released four political prisoners in 2013, leaving six at year's end. Two were subsequently re-arrested and a further custodial sentence imposed. Four new death sentences were passed, with no progress made on a moratorium on the death penalty. Amendments to the electoral code were passed in December, which made it more difficult for opposition leaders to stand and campaign in the local elections in March 2014 and the presidential elections in 2015.

In 2013, the UK focused on maintaining the pressure on the regime to improve the conditions of human rights in Belarus. The UK, both bilaterally and through EU partners, pressed the Belarusian government on the death penalty, rule of law and political prisoners. Along with EU partners, we agreed to extend targeted sanctions for a further year. UK diplomats, along with other missions, monitored the trials of political prisoners.

The Belarusian government refused to cooperate with the UN Special Rapporteur, Miklos Harazsti, who was not allowed to enter the country. In his report on Belarus, he described the systemic and systematic restrictions on human rights. We successfully lobbied for an extension to his mandate at the UN Human Rights Council in June with an increased vote in favour of his re-appointment. The Minister for Europe, David Lidington, met relatives of political prisoners, as well as the Belarusian Deputy Foreign Minister, and reiterated the need for all political prisoners to be freed and rehabilitated.

It is unlikely that there will be any improvement in the human rights situation in Belarus in the next 12 months. The exception may be during the Ice Hockey World Championships in May, when the eyes of the international community will be on Belarus. However, any improvements are likely only to be temporary, especially with the presidential elections due to be held in 2015. The UK will continue to press for the release and rehabilitation of all political prisoners, and will support the application of sanctions until this is achieved. We will also continue to raise Belarus's human rights record at international bodies such as the UN, Organisation for Security and Cooperation in Europe (OSCE) and Council of Europe. We will monitor the local elections in March 2014 to see if they are free and fair. We will also continue our support for civil society and human rights defenders in the country.

### Elections

There is a history of tainted elections in Belarus, not least the 2010 presidential elections when opposition candidates were arrested, beaten up and imprisoned; one of whom, Mikalay Statkevich, is still in prison. Although there were no elections held in Belarus in 2013, the electoral code was amended by the parliament in December without any debate or public consultation.

The amendments mean that any prospective candidates now have to declare if they have a criminal record. There are limits on the amount of money that candidates can receive from the state and raise privately, and restrictive time limits on the raising and spending of these

funds. Very few of the recommendations from the report by the OSCE Office for Democratic Institutions and Human rights (ODIHR) on the 2012 parliamentary elections were incorporated into the legislation. None of the issues surrounding vote-counting in the 2012 ODIHR report were addressed. The UK will continue to press for these recommendations to be adopted in full.

### **Freedom of expression and assembly**

Belarus rose 11 places to 157 (out of 179 countries) in the Reporters Without Borders World Press Freedom Index 2013, but remains the lowest-ranked European country.

The state continued to control most media organisations and restricted access to other media outlets. The website of the human rights NGO Viasna was hacked and blocked from public internet access, whilst the publishing house Logvinov had its license withdrawn for publishing the 2011 Belarus Press Photo book. This was declared by the authorities to be extremist material because it contained photos of the 2010 December elections and the Minsk bombing.

Independent journalists continued to be harassed and detained. Two were arrested for reporting on a visit to a nuclear construction site by opposition leaders, whilst four others were detained in connection with the Chernobyl Way rally, an annual event organised by opposition and environmental groups to mark the 1986 Chernobyl nuclear accident. Another journalist, Valery Usik, was charged with libel when he reported on corruption at a state agricultural company.

The state used the legislation passed in 2012 prohibiting “unauthorised mass rallies”, which can consist of as little as a single person, to prevent freedom of assembly. Political parties, demonstrators and civic activists were detained and either fined or imprisoned. Permission to hold any rally or “mass event”, no matter how innocuous or small, was rarely granted.

Even non-politicised protests were dealt with swiftly and harshly. A go-slow drive around the centre of Minsk in December by Belarusians to protest against a new car tax led to the organisers being arrested and their cars impounded. The social media site used to organise the event was closed down.

A number of preventative arrests took place where known opposition figures were detained for “swearing, hooliganism or resisting arrest” before key dates or anniversaries, and then released after the event had passed.

The state used these measures to restrict space for independent media, opposition parties and civil society, and to ensure that such groups were marginalised.

### **Human rights defenders**

Space for human rights defenders also remained extremely restricted. They faced regular harassment from the authorities and were threatened with detention. Lawyers who defended political activists were threatened with the withdrawal of their licences.

Andrei Bondarenko, head of the human rights group Platform, was arrested and detained for five days for taking part in an unsanctioned gathering to remember a prisoner, Igor Pitchkin, who had died in police custody. The head of Viasna, Ales Bialiatski, remains in prison and was only allowed very limited contact with the outside world. His wife was regularly refused permission to see him.

The UK continued to support EU programmes for those who are harassed and threatened by the authorities.

### **Access to justice and the rule of law**

Four political prisoners were released in 2013. Vasili Parfenkow was released in February, Zmitser Dashkevich in August, Aleksandr Frantskevich in September, and Pavel Severinets in October. All four were released having served their full sentences. None have been rehabilitated. Upon their release, they were placed under restrictive measures. Parfenkow was subsequently sentenced to another year's imprisonment for failing to adhere to these restrictive measures. All had been imprisoned for taking part in the December 2010 demonstrations over the presidential elections.

Political prisoners continue to face psychological and physical pressure in prison. One political prisoner, Mikalai Autukovich, cut his stomach in protest against the treatment he received at the hands of the prison authorities. In June, a Catholic Priest, Vladislav Lazar, was arrested by the security forces and was detained for six months whilst he was interrogated by the KGB. For several months, no one was told the reasons for his detention, or allowed access to him. He was finally released and put under house arrest in December, but was told that he would need to stand trial.

We raised the issue of political prisoners with the regime at every opportunity. Mr Lidington raised the issue with the Belarusian Deputy Foreign Minister on 9 September in London, and urged their release and complete rehabilitation. The British Embassy also raised this with the Belarusian authorities in Minsk, along with our concerns over prison conditions. In addition, we supported efforts by human rights defenders to investigate and improve these conditions.

Together with EU partners, we agreed the further rollover of sanctions on 29 October to maintain pressure on the Belarusian government to release and rehabilitate all political prisoners.

### **Death penalty**

Whilst no executions took place in 2013, two new death sentences were handed down and two more upheld, following appeals. In September, the Supreme Court upheld the death sentence passed against Pavel Selium in August 2012. In October, the death sentence passed on Aleksandr Grunov for the murder of a girl was overturned by the Supreme Court, but was then subsequently reinstated on appeal by the Gomel regional court in December. In November, Eduard Lykov was sentenced to death for the murder of five people. A fourth person, Grigory Yuzepchuk, was sentenced to death in April for killing his cellmate in prison.

The UK, along with EU partners, continued to press for a moratorium on the death penalty leading to its abolition. The UK has also urged the Belarusian authorities to return the body

of Vladislav Kavalyoua, one of the alleged metro bombers executed in March 2012, to his mother Lubou Kavalyoua. Executions in Belarus are carried out without any notification being given to the family, and the bodies are then secretly buried, causing more distress.

### **LGBT rights**

The LGBT community suffered increased harassment from the regime in 2013. The Ministry of Justice denied registration to LGBT groups, and members of the LGBT community were regularly targeted by the security forces and brought in for questioning. The authorities threatened to stigmatise them by informing their colleagues, families, or friends of their sexual orientation. Gay clubs in Minsk and Vitebsk were raided, and those present were filmed and had their details collected. The clubs were then closed down.

Gay Pride week in Minsk was disrupted by the authorities who forced owners of venues, where events were due to be held, to withdraw at the last minute. Those events that did take place were raided by the police, and a request for a march through the city was turned down by the authorities. UK and EU missions sent messages of support to the LGBT community during Gay Pride week, and the British Embassy flew the rainbow flag.



## Burma

2013 was another significant year in Burma's democratic transition. The human rights situation has improved in a number of areas, although many challenges remain. Many more political prisoners have been released, with around 30 still incarcerated. There have been positive steps in wider political freedoms, but further work is needed to bring Burma into line with international standards. The Burmese Parliament responded constructively to international and civil society concerns over draft legislation on media freedoms and NGO registration. In August, the government allowed a major ceremony to be held on the anniversary of the 1988 student uprisings for the first time. Over 200 child soldiers were released from the Burmese Army.

In July 2013, the UK hosted President Thein Sein on the first visit of a Burmese president to the UK. Aung San Su Kyi visited the UK in October, her second visit since her release from house arrest. The Chief of Defence Staff, General Sir David Richards, Minister of State for Trade and Investment, Lord Green, Minister of State for International Development, Alan Duncan, the Speaker of the House of Commons, John Bercow, and many members of Parliament visited Burma in 2013. We also welcomed Burmese government ministers, ethnic groups, members of parliament, and former political prisoners to the UK.

Our priorities in 2013 included the release of political prisoners, the amendment of repressive legislation in order to embed political freedoms, encouraging the opening in Burma of an Office of the High Commissioner for Human Rights (OHCHR) office, and pressing the government to find a durable long-term solution to the situation in Rakhine State. Rakhine remains an area of acute concern. There were further outbreaks of violence in 2013, and the police handling and response was, in general, better than in 2012. However, there has been no progress towards a durable solution, and the majority of Rohingya communities remain segregated, unable to access basic livelihoods and healthcare, and at risk of further violence. Against this background, the UK supported EU-sponsored resolutions at the UN Human Rights Council in March and at the 3rd Committee of the UN General Assembly (UNGA) in November, and welcomed Burma's engagement with this process. While recognising areas where the Burmese government has made genuine progress, the resolution emphasised a number of serious outstanding human rights concerns.

2014 will be a crucial year for the reform process ahead of elections in November 2015, and it is vital that progress is made in outstanding areas of concern. Key events in 2014 include the next round of peace talks, ongoing discussions over constitutional reform, Burma's chairmanship of the Association of South East Asian Nations (ASEAN), and Burma's first census for 30 years. The legislature will debate a draft bill to review Article 18 of the Peaceful Assembly and Peaceful Protest Law, which has been used to imprison many demonstrators, as well as a number of controversial bills regulating domestic NGOs and the press. The situation in Rakhine remains fragile and there is a high risk of further incidents of inter-communal violence.

The UK Government continues to pursue a policy of frank engagement on human rights issues. Our activities in 2014 will continue to focus on political freedoms (including freedom

of expression, freedom of assembly, protection of human rights defenders, and release of political prisoners) and promoting tolerance and diversity. We will also continue to work with the Burmese government towards ratification of the International Covenant on Civil and Political Rights (ICCPR), signature of the Declaration on Preventing Sexual Violence in Conflict, and ending the recruitment of child soldiers. We will continue to fund humanitarian assistance where it is most needed, and will push the government to improve humanitarian access, particularly in Rakhine and Kachin States, and to find a sustainable solution to the situation in Rakhine.

### **Freedom of expression and assembly**

Protests and demonstrations continued to be held across the country in 2013, a sign of society embracing new-found freedoms. On 8 August, the first major public commemoration of the 1988 pro-democracy demonstrations was held on its 25th anniversary, involving activists, ethnic leaders, and government ministers.

However, there have also been negative developments. Of particular concern is Section 18 of the Peaceful Assembly and Peaceful Procession Act, and other legislation which falls short of international standards. In 2013, while many of those prosecuted under this legislation were sentenced to pay small fines when pleading guilty, significantly harsher penalties were given to those who pleaded not guilty. For example, two protestors were each sentenced to seven months in prison for taking part in a protest march from Laiza to Rangoon in early 2013. Such legislation has also been inappropriately applied, in situations such as the arrest of a group of transgender and transsexual people in Mandalay in July, who were subsequently allegedly physically and sexually abused by police. The UK has funded Article 19, a London-based international NGO, to develop the capacity of legislators, civil society, media and ministries to amend and draft new legislation relating to freedom of expression. We continue to urge the Burmese government and parliament to review and amend existing legislation to ensure universal rights are guaranteed.

In 2013, Burma rose 18 places to 151 out of 179 states in the World Press Freedom Index. For the first time in 50 years, privately-owned daily newspapers became available in Burma in April, another positive step in the evolution of media freedom. The Interim Press Council is drafting a media law aimed at protecting the right to freedom of opinion and expression of journalists and editors. We hope to see this approved by parliament in 2014. Internet access and use in Burma remains limited, but there has been an increase in the use of social media sites for activism. As this continues to rise, it will be important that legislative reforms create a free environment to give users confidence to express their views without fear of reprisal, but also that such *fora* do not facilitate hate speech.

There has been a worrying increase in the use of hate speech in the media and during demonstrations, including those protesting against the Organisation of Islamic Cooperation (OIC) visit in November. During his visit to the UK in July, President Thein Sein made a public commitment to take “a zero tolerance approach to any renewed violence and against those who fuel ethnic hatred”. We welcome attempts by the authorities to hold people to account, but urge more action to address the incitement of racial and religious hatred.

## **Human rights defenders**

Whilst the working environment for human rights defenders (HRDs) has much improved, the situation in Burma remains difficult, especially for those who are active in more rural and remote areas. On Human Rights Day, 10 December, the British Embassy in Rangoon hosted a reception to honour the role and contribution of HRDs in Burma and launched a pilot project run by the British Council to provide public speaking courses specifically designed for HRDs to amplify their voices.

During his visit to the UK, President Thein Sein publicly pledged to release all remaining political prisoners by the end of 2013. On 31 December, the President ordered the release of all prisoners and persons facing trial for political offences. This has been a top priority for the UK, and it has been one of the most significant achievements of the reform process to date. However, the releases were marred by the failure to resolve several high-profile cases, including those of prominent local Rohingya leaders Dr Tun Aung and Kyaw Hla Aung, and at present at least 30 of the political prisoners remain incarcerated. There are also individuals still in jail whose status as political prisoners is disputed. We continue to urge dialogue between the government and civil society to resolve these remaining cases as a matter of urgency. We are also encouraging the government to retain a mechanism, similar to the existing Political Prisoner Scrutiny Committee, to review existing and future cases.

Prison visits by the International Committee of the Red Cross resumed in January for the first time in many years, a welcome sign of cooperation with the government. However, allegations of torture and ill treatment in prisons continue, particularly in conflict areas. The Foreign Secretary pressed signature of the Convention against Torture with President Thein Sein during his visit in July.

## **Access to justice and the rule of law**

There has been progress in opening up political debate within parliament, with legislators across the political spectrum playing a wider role. We continue to liaise closely with the Parliamentary Rule of Law Committee led by Daw Aung San Suu Kyi, and with the Myanmar National Human Rights Commission. We are also supporting wider rule of law initiatives, including the upcoming visit of the International Bar Association in February 2014. It was encouraging to see amendments made to a number of new draft bills, such as the Printing and Publishing Enterprise Bill, after wider consultation. Parliament will be reviewing the Peaceful Assembly and Peaceful Procession Act in 2014, which we strongly welcome. We continue to urge the Burmese government to ratify important human rights treaties, particularly the ICCPR, and we are currently in discussions on how we can support this process in 2014. The UK is contributing to an 18-month EU project to provide 4,000 Burmese police officers with training in community policing and public order best practice. A former Northern Irish police officer is leading on the community policing element with other experts from the Police Service of Northern Ireland, and four other British police officers are delivering the public order training. The training began in November and will help to establish international standards across the country.

The disbandment of the NaSaKa security forces in Rakhine State in July was a welcome step given the credible accusations against them of human rights abuses.

## **Conflict and protection of civilians**

The spread of anti-Muslim sentiment and violence has coincided with the rise of the Buddhist nationalist “969” movement. The UK continues to fund grassroots initiatives that support and promote interfaith dialogue and tolerance amongst diverse communities (see the case study on the plight of the Rohingya in Section V).

Conflict between the Kachin Independence Army (KIA) and Burmese military continued in 2013, though reduced in intensity, following the offensive against Laiza in January. An estimated 100,000 people remain displaced from the outbreak of conflict in June 2011. The UK is the largest bilateral humanitarian donor to Kachin State. In July, the Secretary of State for International Development, Justine Greening, announced a further £13.5 million for a humanitarian programme in Kachin delivering food, shelter, water and adequate sanitation. We continue to press the government at the highest levels to allow unrestricted access for humanitarian organisations to all areas of Kachin State, including those areas under KIA control. In late 2013, a small number of UN convoys were able to access KIA-held areas.

In November, multilateral talks were held in Myitkyina in a further attempt to reach a nationwide ceasefire. While the talks did not achieve a breakthrough, all sides agreed to continue negotiations, and accepted the importance of political dialogue following a ceasefire. The UK is a member of the Peace Donor Support Group, which directly supports work to move from ceasefire agreements to political dialogue with all Burma’s ethnic groups.

The UK funds visits by experts with experience of inter-communal trust and peacebuilding in Northern Ireland. We have also hosted visits to London and Northern Ireland, to share our experiences, for Minister for the President’s Office, Aung Min, Daw Aung San Suu Kyi, and a delegation of ethnic armed groups, including the United Nationalities Federation Council and Karen National Union.

Sexual violence remains a concern. Cultural reluctance to discuss the issue, a lack of access to areas of active conflict, and the absence of referral systems for victims means that the full extent of sexual and gender-based violence is unknown. Anecdotal reports and limited exposure to victims has indicated that perpetration of such acts is both recent, and widespread, particularly during conflict, violence and displacement. As part of the Foreign Secretary’s Preventing Sexual Violence Initiative (PSVI), the UK is funding projects to improve access to justice for victims, develop community-based preventive mechanisms and promote wider legal and policy reforms. The UK continues to urge the government of Burma to endorse the Declaration of Commitment to End Sexual Violence in Conflict which the Foreign Secretary launched at UNGA.

## **Freedom of religion or belief**

While freedom of religion or belief is guaranteed under the 2008 constitution, in reality prejudice and discrimination against Burma’s religious minorities remains a serious problem. Places of worship have been deliberately targeted during violence in Kachin and Rakhine States, and members of the Muslim community continue to face problems obtaining birth certificates, rendering many children stateless and unable to access services. Muslims in Rakhine are still prohibited from congregating for daily prayers due to the application of Section 144 of the Martial Law, which prohibits more than five people from gathering. In

addition, UN Special Rapporteur Quintana noted a degree of institutionalised discrimination against Christians in Chin State during his latest visit, although the extent of human rights violations in Chin State has decreased overall. The UK supports interfaith work in Burma through our project funding.

The rise of violence targeted against Muslim communities in several locations across the country in 2013 is a deeply worrying development. In March, 43 people were left dead and 13,000 people displaced in Meiktila, Mandalay, following an altercation between a Muslim jewellery shop owner and a Buddhist customer. In April, one person was killed and several injured in Oakkan, 40 miles from Rangoon, after a Muslim woman accidentally bumped into a monk. In Lashio, Shan State, Muslim-owned buildings were burnt following the death of a Buddhist woman in May. The failure of police to intervene and prevent the violence from escalating at an early stage has been noticeable on numerous occasions. We continue to urge the government to take further action to allow for freedom of religion or belief, and to address intercommunal tensions which, in the long term, risk undermining the country's democratic transition and peace process.

### **Women's rights**

Women remain under-represented in public life in Burma. The UN Gender Inequality Index places Burma 80 out of 148 countries. Only 6% of parliamentarians are women, although the first two female military representatives were recently appointed. The National Strategic Plan for the Advancement of Women for 2013-2022 was formally launched in October, and we hope the implementation of this plan will help raise the profile of women's issues and lead to more female leaders in key decision-making roles. Through Action Aid and the British Council, we funded an empowerment project which supports and encourages Burmese women to take up leadership roles, promote women's rights, and participate fully in the decisions that impact their lives.

Women and girls will remain at the heart of the work that the UK Government does in Burma: reducing vulnerability, including to sexual violence; increasing their participation in democratic and peaceful transitions; specifically targeting programming and other interventions to redress gender imbalances; and better engaging them in processes and decisions that affect them.

### **Minority rights**

Burma is one of the world's most ethnically diverse countries, but embedding a culture of inclusiveness and respect for all remains a challenge. In particular, the Rohingya in Rakhine State – who are not one of Burma's officially recognised ethnic groups – have been subjected to endemic discrimination (see the case study on the plight of the Rohingya in Section V).

The UK has contributed £10 million in support of a census to be conducted in Burma in 2014, the first for thirty years. The census will provide crucial data to inform better government policy and improved service delivery. Whilst there are likely to be limitations to the accuracy of the data, and difficulties around the list of ethnicities from which to choose, information on ethnicity from the census will help provide a more accurate picture than hitherto of Burma's ethnic make-up and multicultural composition.

## **Children's rights**

Burma remains on the UN Security Council's watch list for the recruitment and use of child soldiers. In August 2012, the UK, as part of the UN Security Council Working Group on Children and Armed Conflict, agreed a resolution on the issue of child soldiers in Burma. The resolution calls on the Burmese government to ensure the UN country team is granted access to all military sites, and that steps are taken to remove the incentives for recruiting child soldiers and to strengthen age verification mechanisms. The 18-month action plan agreed between the UN and the Burmese government came to an end in December 2013, and we are urging its renewal. We welcome the reported release and reintegration of over 600 children during this period, but more still needs to be done. Access to military units and non-state armed groups continues to be restricted and, while recruitment of children has slowed, it has not ceased entirely. We are also encouraged that some non-state armed groups have shown an interest in agreeing a similar plan for eliminating the practice of child soldiers.



## Central African Republic (CAR)

The human rights situation in the Central African Republic (CAR) deteriorated greatly in the course of 2013 due to conflict and widespread abuses against civilians. Of principle concern were extrajudicial executions by security forces and insurgent groups; the widespread recruitment of child soldiers; sexual violence in the context of conflict; acts of collective punishment; torture; deprivation of livelihood; forced displacement; abuses targeted at religious groups; and sexual and gender-based violence. There has been almost complete impunity for these acts. Despite some progress in the ratification of human rights instruments and the establishment of human rights institutions, the state has for some years been unable to ensure the respect of rights throughout the country. The new authorities, from the Seleka rebel group, who acquired power through a coup d'état in March 2013, have been unable or unwilling to enforce the respect for human rights, including by their own armed forces. A national commission of enquiry was set up in May to investigate cases of human rights abuses, but has made little progress. The CAR's Universal Periodic Review took place at the UN Human Rights Council (UNHRC) on 25 October 2013. This focused primarily on how to establish greater security in CAR. Child soldiers, sexual violence and violence against women were common themes during member states' interventions.

In 2013, the UK has worked with fellow members of the International Contact Group on CAR to bring an end to the violence, to highlight what is happening, and to deter further abuses. The UK has offered diplomatic and financial support to the African-led international support mission, and has provided logistical help for the deployment of French troops. We have supported and encouraged attempts by UN bodies to follow up reports of human rights abuses. We have worked within the UN towards an arms embargo, an individual sanctions regime to deter human rights abuse, and the reinforcement of the UN office in CAR (known by its French acronym BINUCA), especially for monitoring human rights abuses and identifying offenders. We hope to put these measures in place through the UN Security Council (UNSC) in early 2014.

We spoke at the 25 September UNHRC about the need to protect civilians and the need for the culture of impunity to come to an end. We also co-sponsored a UNHRC resolution, which appointed an independent expert to monitor human rights and make recommendations concerning technical assistance and capacity building. We supported a mission in December from the UN Office of the High Commissioner for Human Rights. The Foreign & Commonwealth Office (FCO) has given diplomatic support to domestic human rights defenders, including those calling for religious harmony. Through its humanitarian aid, the Department for International Development (DFID), one of the largest bilateral humanitarian donors to the country, has supported vulnerable populations and mitigated the impact of forced displacement and deprivation of livelihoods.

However, we recognise that these efforts had only very limited impact on human rights in the country during 2013. Obstacles have included ongoing conflict, poor infrastructure, the remoteness of many areas impeding the work of human rights monitors, and the inability or unwillingness of state authorities to enforce respect for rights. Improvement in 2014 will depend on the success of the international peace support mission which, at the end of 2013, is attempting to pacify Bangui and stop an emerging cycle of revenge killings. We will

continue to offer support to this mission, and keep the appropriateness of the international response under regular review in the UN. We will also continue to provide humanitarian aid to help vulnerable populations, and are encouraging our international partners to increase their own contributions.

## **Torture**

Throughout 2013 there have been many credible reports of torture by all sides in the conflict. These include extrajudicial executions; the killing of injured civilians who were taken out of hospitals; and torture under questioning by state security forces.

The new authorities in place since March have taken little effective action to halt these abuses and bring the perpetrators to justice, a great many of whom fought in their ranks. Some arrests have been made, but it is far from clear that they include those chiefly responsible. The concern is that many of the main culprits belonging to the Seleka forces appear, at the end of 2013, to be leaving Bangui in the wake of persistent attacks against them by the “anti-Balaka” militia, leaving their civilian fellow Muslims to bear the brunt of the anger. Reports by human rights organisations such as Human Rights Watch during 2013 also point to abuses committed by the government of President Bozize, who was ousted in March.

The UK will support the work of BINUCA to investigate cases of torture and identify perpetrators. As a strong supporter of the International Criminal Court, we note that the court’s prosecutor stated on 9 December that she is observing events in the country, and that the abuses that have occurred may fall within her mandate.

## **Conflict and protection of civilians**

Civilians have suffered enormously in the conflict in CAR throughout the year. In the first three months of the year, the advance of the Seleka insurgent group from the north east towards Bangui led to widespread displacement, the loss of livelihood, and means of sustenance, either through the evacuation of farmland, or the theft of livestock and seed stock. This has resulted in people dying of hunger and disease in the bush, and is likely to have long-term humanitarian consequences. There are multiple reports that members of Seleka have engaged in pillaging, burning of villages and indiscriminate and targeted killings of civilians. The UN Refugee Agency (UNHCR) estimated the number of CAR citizens either seeking refuge abroad or internally displaced at 430,000. This number swelled in the second half of the year and the UNHCR reported in December that there were three quarters of a million internally displaced people.

After coming to power at the end of March 2013, members or ex-members of Seleka continued to perpetrate similar abuses to those described above. Since then, fighting between Seleka forces and the anti-Balaka militia in the capital Bangui has in many cases deteriorated into reprisals against civilians considered supporters of one side or another. Cases of deliberate attacks on civilian areas have also been documented, for example by Amnesty International, who noted the failure by combating forces to make sufficient efforts to distinguish between civilians and armed groups. All sides to the conflict have engaged in communal punishment killings.

The UK deplored the abuses committed against civilians in CAR, including through two UN resolutions in 2013 which, inter alia, strongly condemned continued violations of international humanitarian law. The UK supported the deployment of the African-led peace support mission, both through bilateral contribution and through the EU's Africa Peace Facility.

### **Freedom of religion or belief**

The conflict in CAR has taken on an increasing religious dimension throughout 2013. Although religion is unlikely to have been a primary motivating factor in the initial violence, because the Seleka insurgent group are identified with Muslims, violence has polarised Christian and Muslim communities. Both churches and mosques have been attacked, as have those seeking shelter within them. Religious articles have been desecrated and people have been humiliated on religious grounds. Freedom of worship has been severely curtailed as open religious affiliation has been used by armed groups as a way of identifying and targeting civilians.

The UK has unequivocally condemned this religious violence, including through a UNSC resolution in September which condemned "all violence targeting members of ethnic and religious groups". The FCO has offered diplomatic support to initiatives aimed at encouraging religious cohesion. DFID is supporting a number of NGOs working in CAR, including those working with community and religious leaders to encourage reconciliation.

### **Women's rights**

The conflict in the CAR has been accompanied by widespread rape and sexual violence, including the use of rape as a weapon of war. A UN team visiting in December included representatives from the UN office of the Special Representative on Sexual Violence in Conflict, and relayed reports of rapes, forced marriages and mutilations. The displacement of the population due to conflict has also had a significant gender-based impact through disrupting food supplies and farm labour, as women often have main or sole charge over children, and are responsible for subsistence agriculture.

The UK noted its serious concern over sexual violence against women and children and over rape in a UNSC resolution in September. The UK is working to ensure that identifying and investigating perpetrators of such acts will be part of a beefed-up UN country presence in 2014.

### **Children's rights**

All sides to the conflict in CAR have been accused of recruiting child soldiers. In addition, educational establishments have been attacked throughout the country.

The international peacekeeping effort in the country is a vital first step to ensuring the release of child soldiers from armed groups, and we are working through the UN to ensure that the structures are in place to demobilise them and reunite them with their families.



International Committee of the Red Cross Mobile Health Clinic, treating women and children, Nana Outta, CAR. Photo credit: EU/ECHO/Malini Morzaria.

## China

China's economic growth continues to contribute to improved economic and social rights for many Chinese citizens. However, civil and political rights remain subject to significant restrictions.

The period under review saw some signs of intent to reform the judiciary; prevent miscarriages of justice; reduce the scope of the death penalty; and ease family planning restrictions. In November, the Third Plenum of the 18th Congress of the Communist Party of China (CPC) announced policy reforms in these areas, and abolished the arbitrary and extrajudicial form of detention known as Re-Education Through Labour (RTL).

At the same time, there were increased restrictions on freedom of expression, association and assembly. Dozens of human rights defenders were detained in what appeared to be a concerted crackdown on civil society activism. Censorship increased online and in traditional media. There were continuing reports of the forcible suppression of ethnic unrest in Tibet and Xinjiang.

The UK Government's approach to human rights in China remained one of engagement, to encourage China to ratify the International Covenant on Civil and Political Rights (ICCPR). We focused particularly on abolition of the death penalty, criminal justice reform, freedom of expression and the development of civil society. We will continue to pursue these themes in 2014, while also engaging in dialogue with China about implementation of its UN Human Rights Council (UNHRC) election pledges and recommendations made at its second UN Universal Periodic Review (UPR), which took place on 22 October.

We continued to lobby at all levels, including during the Prime Minister's visit to China in December. The Prime Minister discussed human rights with Chinese leaders, and met civil society activists. We regularly raised human rights issues with the Chinese government, in public and in private. We continued to provide financial support to projects in-country, and to promote international human rights standards through public diplomacy activities. We raised human rights concerns in international *fora*, including at China's UPR, where we recommended that China abolish all forms of extrajudicial and arbitrary detention, and set a clear legislative timetable for ratification of the ICCPR. 137 states took the floor during China's UPR, making 176 recommendations. China will confirm which recommendations it has accepted at the March 2014 UNHRC session. China was re-elected to the UNHRC in November.

At its UPR, China also committed to invite three other UN Special Procedures (independent human rights experts) with mandates on economic, social and cultural rights to visit China. No date was agreed for a visit by the UN High Commissioner for Human Rights, Navi Pillay, who has yet to visit China.

The Prime Minister and Premier Li Keqiang agreed in December that the next round of the UK-China bilateral Human Rights Dialogue would take place in early 2014.



## **Elections**

According to its constitution, China is a multi-party socialist state under the guidance of the CPC. However, in practice China operates as a one-party state. Direct elections take place only for village committees and local People's Congresses. There were no signs in 2013 of movement towards representative democracy.

## **Freedom of expression and assembly**

Freedom of the press and freedom of expression are guaranteed by the Chinese constitution but severely limited in practice.

University lecturers reported receiving CPC instructions to avoid discussing "Seven Taboos" including press freedom and universal values, with their students. "Document No. 9", reportedly a leaked internal CPC notice, warned against similar ideas infiltrating Chinese society.

The number of internet users in China continued to grow, but the internet remained subject to extensive censorship. Many foreign websites were blocked, including those of the New York Times and Bloomberg. Restrictions on freedom of expression online increased, with a government campaign against "online rumours", reportedly leading to the detentions of hundreds of social media users.

There was also evidence of increased restrictions on traditional media. In January, staff at the liberal newspaper "Southern Weekend" went on strike following interference by local propaganda authorities. Journalists nationwide were reportedly required to attend political education classes in order to renew their press credentials.

Foreign journalists remained subject to restrictions. The Foreign Correspondents' Club of China reported in December that its members continued to face restrictions on their operations including official obstruction and intimidation, physical assault, and extended delays in the renewal of their visas.

NGOs reported that more than 60 civil society activists were detained in what appeared to be a concerted crackdown on freedom of expression, association and assembly. Many were associated with the New Citizens' Movement (NCM) and the Southern Street Movement, loose coalitions of activists promoting social justice and political reform. Dr Xu Zhiyong, the initiator of the NCM, was detained in July after three months under illegal house arrest. In December, he and other NCM activists were indicted on public order charges in relation to peaceful demonstrations.

In August, the EU High Representative for Foreign Affairs and Security Policy and Vice-President of the European Commission, Baroness Ashton, expressed concern at these developments, and called on the Chinese authorities to release immediately all those detained for peacefully exercising their right to freedom of expression.

The right of workers to organise remained restricted. The rights to strike and engage in collective bargaining remained limited in law and practice.



We raised concerns about freedom of expression and association with the Chinese government throughout 2013, including through China's UPR and at the UNHRC.

### **Human rights defenders**

British officials and ministers continued to raise concerns about human rights defenders (HRDs) in 2013, including the use of unlawful and arbitrary measures to intimidate, harass and detain HRDs. They continued to be subjected to procedurally flawed trials, to which diplomats and the media were consistently denied access.

A crackdown on freedom of expression, association and assembly saw the detentions of dozens of HRDs. Some, such as writer Guo Feixiong, were held incommunicado for extended periods, while others, including NGO volunteer Song Ze, were reportedly tortured in custody. Diplomats were denied access to the trials associated with the crackdown. Many other HRDs continued serving long prison sentences, including Nobel Peace Prize laureate Liu Xiaobo, filmmaker Dhondhup Wangchen, website editor Hairat Niyaz, writer Liu Xianbin, and journalist Qi Chonghuai.

Liu Xia, wife of imprisoned Nobel laureate Liu Xiaobo, remained under extra-legal house arrest. She appeared at her brother's fraud trial in April. He was subsequently sentenced to 11 years' imprisonment. Liu Xia told lawyers that this was a reprisal against her for receiving visitors in December 2012. Diplomats, including British officials, attempted to visit Liu Xia during 2013, but were repeatedly denied access. There were ongoing concerns for her health.

Liu Xiaobo remained in prison, where his wife said that he had been held in prolonged solitary confinement. She instructed his lawyers to apply for a retrial, but they were repeatedly refused access to him to prepare the motion.

Relatives of rights lawyer Gao Zhisheng were permitted a second visit to him in January, following his return to prison in December 2011. They have since reportedly been unable to visit or correspond with him.

Ethnic Mongolian activist Hada remained in arbitrary detention, following his disappearance in December 2010. Diplomats, including British officials, attempted to visit him in August, but were refused access.

Other HRDs suffering from serious health conditions were denied bail, parole or access to adequate treatment. Cao Shunli was denied bail despite her advanced liver disease. Disabled rights lawyer Ni Yulan was released in fragile health in October, having served her prison sentence despite suffering multiple medical conditions. Chen Kegui, imprisoned nephew of Chen Guangcheng, was diagnosed with appendicitis in April, but denied medical parole.

Independent civil society was repeatedly barred from involvement in China's UPR process. Four independent UN human rights experts issued a statement of concern about reprisals against civil society activists such as Cao Shunli, who sought the right to participate in the UPR. These concerns were echoed by Baroness Ashton.

Chinese civil society activists initiated an online petition calling for China to be barred from the UNHRC until it ratified the ICCPR and improved its human rights record. Some were later interrogated on suspicion of inciting subversion.

### **Access to justice and the rule of law**

Access to justice remains limited and the rule of law weak. The constitution guarantees the independence of the courts, but in practice there is little separation of powers.

The Decision of the Third Plenum included commitments to improve judicial transparency, strengthen safeguards against judicial corruption, prevent local political interference with the courts, protect the role of defence lawyers, and prevent miscarriages of justice. In July, the Supreme People's Court set up a national website for courts to publish trial and sentencing information. In August, CPC and judicial authorities issued guidelines for preventing and remedying miscarriages of justice.

In August, portions of the trial of former politician Bo Xilai were live-tweeted on Chinese social media. State media hailed this as an unprecedented example of judicial transparency. However, there were indications that the transcript had been heavily edited.

RTL was formally abolished by the Standing Committee of the National People's Congress on 28 December. RTL was a form of administrative detention without trial, targeted at petty offenders, but also frequently used for petitioners, Falun Gong practitioners and HRDs. Detailed plans for replacing RTL remained unclear. Other forms of arbitrary and extrajudicial detention remained in use, including: compulsory drug rehabilitation; "custody and education" for sex workers; so-called "black jails" (unofficial detention centres); involuntary psychiatric committal; "legal education" centres; and custodial investigation.

China's first Mental Health Law came into effect on 1 May, imposing new safeguards against abuse of involuntary psychiatric committal procedures. However, some loopholes remain, and reports persisted of abuses.

Safeguards for the independence and operation of the legal profession remained weak. Human rights lawyers reported being obstructed, harassed, arbitrarily disbarred, administratively detained and even physically assaulted by officials.

There were instances of official use of the media to preempt the judicial process. Several "confessions" were broadcast on state television. None of the individuals concerned had at that stage been charged with any crime.

### **Death penalty**

In absolute terms, it is believed that China continues to execute the largest number of people in the world. The Chinese government treats death penalty figures as a state secret.

China retains 55 capital offences, including many non-violent crimes. The Chinese legal system retains the sentencing option of "death with two years' reprieve" – in practice, almost invariably commuted to life.

In 2013, the Supreme People's Procuratorate began to provide prosecutorial oversight of the Supreme People's Court's (SPC) review of death sentences. Official guidance to courts emphasised that the highest level of evidence standards should be applied in capital cases. The SPC began publishing selected verdicts from capital cases online as part of a wider campaign to promote judicial transparency.

In November, the Decision of the Third Plenum pledged that China would continue to "reduce the number of capital crimes step by step". Public debate about China's application of the death penalty remained vigorous in 2013, stimulated by several high-profile cases.

In November, Health Minister Li Bin reiterated the Chinese government's commitment to end the use of organs from executed prisoners for human transplant by mid-2014.

### **Torture**

Chinese law prohibits torture, physical abuse and insulting prisoners' dignity. But reports of abuse, mistreatment and torture continued to emerge, including reports of the use of sleep deprivation and electric shocks.

The revised Criminal Procedure Law (CPL) contains provisions which could help to prevent torture and mistreatment. A number of lawyers reported that the process of gaining access to their clients in detention had been greatly expedited, although there were indications that this did not apply in politically sensitive or human rights related cases.

The CPL revision sought to limit the use of pre-trial detention and expand the use of bail and residential surveillance, which should reduce the risk of torture.

Article 73 of the CPL, which allows for secret detention in certain categories of cases, was not reported to have been widely used, although Zhu Chengzhi was detained under Article 73 while under investigation for "inciting subversion". In some cases police reportedly violated the CPL in order to hold HRDs incommunicado for extended periods.

### **Freedom of religion or belief**

The Chinese constitution guarantees freedom of religious belief, but in practice there are extensive restrictions on religious freedom.

Protestant churches are controlled by the Three-Self Patriotic Movement (TSPM). However, millions of Chinese Protestants choose to worship at unofficial "house churches". There were reports of raids on house churches and of the arrests of pastors and congregants. TSPM churches were not immune from harassment - Henan pastor Zhang Shaojie and at least 20 of his parishioners were detained and held incommunicado on public order charges in November.

Relations between the state-sponsored Chinese Catholic Patriotic Association and the Holy See remained difficult. Shanghai Auxiliary Bishop Thaddeus Ma Daqin reportedly remained under house arrest in Sheshan Seminary. Unapproved "underground" Catholic churches continued to encounter state interference and harassment. Father Song Wangjun, priest of an underground Catholic church in Hebei Province, disappeared in August.

The authorities continued to put pressure on groups classed as “illegal cults”. There were continuing reports of the arrests of Falun Gong practitioners, and harassment of their defence lawyers.

### **Women’s rights**

Whilst women’s access to education and employment in China is generally good, representation of women at senior levels of the CPC and government is low. The UN Working Group on the Elimination of Discrimination against Women in Law and Practice found that more action was needed to ensure women’s full participation in economic and political spheres.

Gender-based violence remains a widespread problem, although it is the subject of increasing popular debate and awareness. The UK continued to support the contribution of Chinese civil society groups to the law on domestic violence, which remains at the drafting stage.

The authorities continued to enforce family planning policies. The Third Plenum announced reforms which will permit couples to have two children if either parent is an only child. There were continued reports of illegal coercive implementation of family planning policies, including forced abortions and sterilisations.

### **Other issues**

#### *Tibet*

The Chinese authorities continued to restrict access to the Tibetan Autonomous Region (TAR) for foreigners. The British Embassy made three requests to visit the TAR in 2013. All were declined. The EU Special Representative for Human Rights and representatives from some other diplomatic missions were allowed to make escorted visits.

British officials were able to visit Tibetan areas in neighbouring provinces. They saw high levels of participation in religious life and evidence of rapid economic growth. However, there were concerns around the consequences of resource extraction and allegations of corruption. Such concerns reportedly sparked large-scale local protests in the TAR’s Biru county in May, and in Qinghai in August.

Local authorities allegedly used lethal force at a protest in Biru in October. According to unconfirmed reports, local authorities also used live fire in a Tibetan region of Sichuan Province in July to disperse Tibetans gathered to commemorate the Dalai Lama’s birthday.

There were 26 reported self-immolations in Tibetan regions in 2013, of which 25 were fatal.

More than 40 Tibetans were reportedly sentenced to imprisonment in 2013 after being convicted of offences in connection with incidents of self-immolation. Layman Dolma Kyab was sentenced to death in August after being convicted of killing his wife and claiming she had engaged in self-immolation. In September, the Foreign Secretary expressed concerns about reported procedural flaws in the trial and called for clemency.

There were reports of more than 40 instances of Tibetans receiving prison sentences for exercising their rights to freedom of expression and peaceful assembly, often under state security charges such as “inciting separatism.”

In October, the Chinese government published a White Paper on Tibet’s development. This did not hint at any plans for policy shifts to reduce ethnic tensions in Tibetan areas of China.

For the third year in succession, there were no talks between the Chinese authorities and representatives of the Dalai Lama. This is the longest hiatus in the past decade.

The UK’s policy on Tibet remains unchanged. The UK recognises Tibet as part of the People’s Republic of China and does not support Tibetan independence. During 2013, we continued to call in for all parties to engage in substantive dialogue, and to press the Chinese authorities to exercise restraint, respect religious and cultural freedoms, and allow unrestricted access to Tibetan areas for international journalists, NGOs and diplomats.

The UK also raised concerns about ethnic minority rights during China’s UPR, and in regular sessions of the UNHRC.

### *Xinjiang*

There were ongoing restrictions on cultural, linguistic and religious rights, and evidence of continuing tensions, including increasing reports of deadly ethnic violence in the Xinjiang Uyghur Autonomous Region. Embassy officials visiting parts of Xinjiang observed a heavy security presence, and evidence of restrictions on cultural and religious freedoms.

At least 120 people reportedly died in a series of incidents in the region between April and December. There were allegations of the use of lethal force to disperse peaceful protests. The authorities generally characterised these incidents as instances of terrorism, and responded by pledging to step up security operations.

In October, a vehicle drove into a crowd in Beijing’s Tiananmen Square. Chinese authorities described this as a “terrorist attack”. The Uyghur community in Beijing reported increased surveillance and security restrictions following the incident.

There were reports of the arrest of Uyghurs on charges of endangering state security or illegal religious activities. 20 Uyghurs received long sentences for “separatism” and “plotting to carry out jihad” in April, with a further 19 convicted of “religious extremism” in June.

Restrictions on cultural and religious freedoms persisted, with further reports that authorities in parts of Xinjiang were attempting to ban women from wearing face veils and men from wearing beards. Teachers, professors, students, and civil servants reportedly continued to be prohibited from observing Ramadan and engaging in religious activities.

Reprisals against Uyghur HRDs, such as imprisoned house church clergyman Alimjan Yimit and scholar Ilham Tohti, continued. Tohti was prevented from leaving China to take up a visiting fellowship at a US university in February. In July, his student Mutellip Imin disappeared at Beijing airport and was held incommunicado for 79 days.

### *Refugees and asylum seekers*

China continued to refuse to recognise the status of refugees from the Democratic People's Republic of Korea (DPRK), treating them as illegal economic migrants. The Chinese authorities continued to return (*refouler*) DPRK refugees in 2013.

### *Civil society*

Legislative and financial barriers continued to pose significant obstacles for NGOs, and long-awaited laws and regulations aimed at improving the legal status of NGOs were again delayed. Some NGOs reported official harassment and interference, particularly when engaged in politically sensitive or public advocacy activities.

New provincial regulations aimed at streamlining the registration process for certain categories of NGOs did bring some improvements. Some provinces also began experimenting with government procurement of social services.

Public advocacy remains tightly controlled. Organisers of public gatherings to mark International Day Against Homophobia and Transphobia were detained in May. In December, dozens of individuals were detained while attempting to mark World AIDS Day.

### *Hong Kong Special Administrative Region*

The UK Government continues to take seriously its commitments under the Sino-British Joint Declaration. The Foreign & Commonwealth Office published biannual reports to Parliament on the implementation of the "One Country, Two Systems" model, covering the period from 1 July to 31 December 2012 and 1 January 2013 to 30 June 2013 respectively. These concluded that the rights and freedoms guaranteed in the Joint Declaration continue to be respected during the periods covered by the reports.

A key focus of 2013 was the roadmap to universal suffrage expected to be in place for the election of Hong Kong's Chief Executive by 2017 and the Legislative Council in 2020. The Foreign Secretary commented in the foreword to the second biannual report of 2013 that, "*I am in no doubt that the transition to universal suffrage will be in the best interests of Hong Kong's stability and prosperity*".

On 17 October, the Hong Kong Special Administrative Region government established a High Level Constitutional Reform Task Force, and launched a public consultation on 4 December to gather views on constitutional reform, with a view to agreeing a legislative package in late 2014.



## Colombia

In 2013, the government of Colombia made further serious efforts to improve its human rights situation. Working with civil society, it has developed a national policy to promote human rights, and a specific policy to guarantee the security of human rights defenders (HRDs), both of which are due to be launched in early 2014. The government's top priority has been the peace process with the Revolutionary Armed Forces of Colombia (FARC), widely seen as the best chance for peace since the internal armed conflict began more than fifty years ago. Agreements have been reached on agricultural development and political participation, the first two items on the six-point agenda in the current talks based in Havana. The agreement on political participation provides for a range of new security and political guarantees for political parties, social movements, and representatives of marginalised communities.

Nevertheless, NGOs report that little progress has been made on some key human rights issues, and that the security situation for HRDs has deteriorated over the past year. Abuses occur mainly in isolated rural parts of Colombia where state presence is limited, and are primarily caused by illegal armed groups. The Attorney General's Office is responsible for investigation, but the 2013 report from the Office of the UN High Commissioner for Human Rights estimated that only 5% of cases involving abuse of human rights result in prosecution.

At Colombia's Universal Periodic Review (UPR) in April 2013, the UK welcomed the Colombian government's efforts to address human rights concerns, including the creation of a National Human Rights System and the launch of peace negotiations. The review made two recommendations: to increase efforts to investigate and prosecute those responsible for threats and violence against HRDs, trade unionists, community leaders and journalists; and to ensure that Colombia's military justice system is fully compliant with international human rights law, and that allegations against military personnel are investigated promptly and effectively.

The UK worked on a broad range of human rights activities in Colombia during 2013. Our priority areas included access to justice, support to HRDs, work to prevent sexual violence against women, and encouraging business to implement human rights protocols in their operations. We have raised cases of violence against HRDs and against civil society organisations, such as the Inter-ecclesiastical Commission for Justice and Peace, which resulted in collective protection measures. Through the G24 human rights group (a group of embassies promoting human rights in Colombia), we have raised cases of violence against communities in Córdoba and the Peace Community of San José de Apartadó, and are pleased that the Colombian government took the important step of acknowledging the stigmatisation of the Peace Community and making a public apology.

In 2014, the principal challenge and opportunity in improving the human rights situation for the Colombian government will be to agree a peace deal with the FARC that both ends the armed conflict and provides justice for the conflict's millions of victims. It will also be important for the government to show it is able to provide security for HRDs, members of trade unions, and left-wing political activists, whilst ensuring access to justice for members of

these groups who are attacked or otherwise victimised. Concluding investigations into members of the security forces against whom there were allegations of excessive use of force during the protests in June to August, making public any findings, and then acting on recommendations, would further demonstrate the Colombian government's commitment to human rights.

We will continue to promote the security of HRDs and will work with the Colombians both domestically and internationally on the Preventing Sexual Violence Initiative. We will provide further UK support on the development of a business and human rights strategy following the ratification of the EU-Andean Free Trade Agreement at the end of 2013.

## **Elections**

Colombia has an established electoral system, upheld by strong institutions and an active civil society. In 2013, primarily due to the effectiveness of the domestic control institutions, seven regional elected politicians were dismissed. One-off elections were held for 12 mayors and four regional governors, which were generally deemed free and fair by the Electoral Observation Mission, a Colombian NGO. Looking forward to the national congressional and presidential elections in 2014, we are working with the Colombian government to develop risk maps to track electoral irregularities, and mechanisms for reporting such irregularities. These have been presented to the electoral agencies, who are designing plans to guarantee free and fair elections in areas with the highest risk.

## **Freedom of expression and assembly**

Freedom of expression violations generally occur in regions affected by conflict and the activities of illegal armed groups. The work of journalists is affected by death threats and attacks. The government has not provided any public data on attacks against journalists in 2013, but the Foundation for Freedom of the Press (FLIP) reported two killings of journalists in 2013: Edinson Molina, who worked in the Antioquia region, and José Darío Arenas, from the Valle del Cauca region, were assassinated in September 2013. They also report that 195 journalists were victims of attacks in Colombia in 2013, and that 123 other abuses of the right to freedom of expression such as threats and deliberate damage to journalists' equipment were carried out. FLIP reported that most of these cases occurred during the period of the social protests.

Violence against trade unionists remains a serious issue of concern, although government protection programmes and better investigations of violent acts have consistently reduced the number of trade unionists killed each year. In 2012, 20 trade unionists were murdered, the lowest number since 1985. The government has not yet produced consolidated data for 2013, but the National Unionist School, an NGO supported by the main trade unions in Colombia, reports that 11 unionists were killed between January and October 2013. The British Embassy in Bogotá made regular representations on cases of violence or threats against trade unionists, and worked to ensure that any who were arrested were treated appropriately.

There were a number of separate strikes in 2013, the largest occurring between June and August from agricultural, mining and transport sectors over pay, working conditions and the cost of living. The President recognised that protestors had legitimate demands and entered

into discussions, although the Minister of Defence and other high-ranking politicians made public comments linking the protesters to the guerrillas. Protesters blocked several major roads in the country, and there is social media footage both of protesters attacking riot police, and of the police using violence and high levels of intimidation against protesters. At least six protesters were killed by police, three by live ammunition, and at least one policeman and two civilians were also killed by protester violence. In August, the government reached an agreement with the main agricultural groups to dismantle the blockades in return for a “Grand Agricultural Pact” to assist struggling farmers. The President also announced that all incidents of violence by strikers or by police during the protests would be investigated, and a special unit in the Prosecutor’s Office has been set up to carry out this work.

### **Human rights defenders**

Violence and intimidation against HRDs continued in 2013, and guaranteeing their security remained a top priority for the government. To address continuing stigmatisation of HRDs as guerrilla sympathisers, the President and Vice-President publicly stressed the positive contribution of HRDs, as part of wider efforts to create a more tolerant and inclusive society. In December, the President highlighted the significance of the human rights work of the Peace Community of San José de Apartadó, as well as asking them for forgiveness for the comments made by a former President, accusing them of having links to the guerrillas. In 2013, the National Protection Unit had an annual budget of £120 million and provided protection to over 10,000 Colombians, of whom over 2,500 are HRDs. The government’s Human Rights Observatory no longer provides figures for attacks against HRDs, only for trade unionists, and there is also no official data indicating which groups are behind the violence against them.

Despite the government’s reforms, NGO figures show that threats and violence against HRDs in Colombia in 2013 remained at similar levels to 2012. Somos Defensores (“We are Defenders”) is a Colombian NGO alliance. Provisional figures for their 2013 report show that whilst attacks went down 4% in 2013, the number of assassinations was 76: a 10% increase on the previous year. They also claim that in most cases the perpetrators are not found, increasing perceptions of impunity, and that there was a significant increase in the number of judicial cases brought against HRDs, mainly as a result of the social protests which took place in August.

The British Embassy has continued to urge the government not to link the work of HRDs, including peaceful protesters, with the guerrillas or other illegal armed groups, as stigmatisation can lead to violence against them. The British Embassy has also continued to highlight the work of HRDs and their organisations in a bi-monthly human rights bulletin and, through its presidency of the G24 human rights group, has met human rights organisations, and encouraged dialogue between them and the government.

### **Access to justice and the rule of law**

A lack of capacity and resources in the judicial system remains a serious barrier to building confidence in the Colombian State’s ability to improve human rights protection. Judicial delays are not limited to human rights cases, and affect most investigations. However, in 2013, parliament approved an important law to reform the criminal investigation system with

emphasis on human rights cases. As a result, the office of the Prosecutor General will receive an additional £341 million to employ 3,500 extra investigators over the next three years. Part of this budget and staff will be allocated to the specialised units specifically dealing with human rights cases.

The Unit of Analysis and Context, set up in 2012 to investigate related cases by criminal networks and illegal armed groups, made its first new charges in November, and the first suspects were arrested.

Progress was made on several emblematic cases, with the State Council reinstating the Patriotic Union as a political party, eleven years after it lost its legal status. The high court determined that this left-wing opposition party lost its legal status as a consequence of the violent extermination of its members. It is estimated that over 3,200 of its members were assassinated, including two presidential candidates and eight Members of Parliament in the 1980s and 90s. The Inter-American Court of Human Rights also found the Colombian State responsible for human rights violations committed in 1997 during an armed operation led by paramilitary groups against members of Afro-Colombian communities in Cacarica in the region of Chocó. The court declared that the state was responsible for failing to protect the life of Marino Blandon and allowing the forced displacement of hundreds of community members. General Rito Alejo del Río, the commander of the Army's XVII brigade, was sentenced in 2012 by the Colombian courts to 25 years in prison for this case.

However, it is hard to evaluate the progress that Colombia has made in 2013 improving access to justice, especially for victims of human rights abuses. The Attorney General's office admits that its data is unreliable, and no data has been made available detailing progress made on human rights cases or on the emblematic "false positives" cases (where civilians were killed and were then presented as insurgents). In their 2013 annual report on Colombia, the UN Office of the High Commissioner for Human Rights estimates that only around 5% of all cases involving allegations of human rights abuses by state agents result in a prosecution.

## **Torture**

According to the World Organisation Against Torture, there were no reported cases of torture in Colombia by government agencies in 2013, although Somos Defensores and others do highlight cases of torture of HRDs by illegal armed groups. Colombia has not ratified the UN Optional Protocol to the Convention against Torture.

According to the Colombian Prison Authority, prisons reached 152% capacity at peak points in 2013. As a consequence, prisoners live in poor conditions. Nutrition and sanitation are inadequate. In June, the Prisons Authority reported that they had space for 75,726 prisoners, whilst there were 117,863 people currently incarcerated. This was despite modifications to the Prisons Code, which allowed 9,000 petty criminals to serve their terms under house arrest.

## **Conflict and protection of civilians**

Victims of the Colombian conflict continue to benefit from the land restitution and victims reparations policy. Between 1 January 2012 and 31 December 2013, over 200,000 people

received reparations from the Victims Unit and, by the end of 2013, there were 54,063 registered land restitution claims. Last year the assessment of 16,466 cases was initiated and 43% of them were completed before going to court. By December 2013, the justice system had issued 347 rulings corresponding to 911 cases, giving back over 20,000 hectares of land to the rightful owners. The government has admitted that it will not meet its target of returning land to 100,000 families by August 2014, but is clear the process is accelerating, and several thousand cases will be adjudicated in the first half of 2014.

One of the most significant cases of land restitution in 2013 was the ruling of a land restitution tribunal benefiting 32 displaced families in Santa Paula, a terrain in the region of Córdoba. The British Embassy organised a group visit to Santa Paula showing the international community's support to the victims, and making recommendations to the government of Colombia on the land restitution process.

### **Women's rights**

The Colombian government has recognised women's rights as a priority issue; in March, it approved a plan to implement the National Public Policy for Gender Equality, which was launched in 2012. The plan allocated over £1 billion to implement the policy, including for increasing women's participation in political decisions, and providing better services for survivors of sexual violence.

Sexual violence continues to be used to intimidate female HRDs and as a weapon of war, but victims rarely agree to make this information public, meaning that data is difficult to monitor and assess. Colombia has a strong legislative and policy framework to combat violence against women, but implementation of the laws and the institutional response to individual cases is often poor. For example, law 1257/2008 on violence against women was issued five years ago, but the technical group established to monitor the application of law, comprising civil society and government agencies, reports low implementation and poor results. In March 2013, the Excellence in Justice Corporation delivered a diagnosis, funded by the British Embassy, of current investigations of sex crimes against women, to the Attorney General's office and relevant authorities, providing practical recommendations for prosecutors and institutions, as well as a pathway for victims to access justice.

The government has recognised the need to improve procedures and practices for dealing with cases of sexual violence. The Attorney General's office is designing a National Protocol for Investigation of Sexual Violence to help with this, which will set out best practice for investigators and other public officials to whom cases of sexual violence are reported. The embassy has supported this work politically and will finance a project between a judicial NGO and the Attorney General's office on this subject in 2014.

### **Minority rights**

Indigenous groups have often been amongst the worst affected by the armed conflict. The Constitutional Court held a hearing in September to assess the human rights situation of indigenous people and determined that, *"the situation of the indigenous people continues being of extreme gravity compromising its physical and cultural survival"*.

In 2013, it was estimated by the UN Office for the Coordination of Humanitarian Affairs that 8.5% of the 40,000 victims of armed violence that year were indigenous people who make up only 3.5% of the total population. Information from the National Indigenous Organisation showed that during the first half of 2013, 1,506 indigenous people were displaced as a result of fighting between guerrillas and the Colombian armed forces, or land mines, in their territories. They also report 6,197 people were unable to leave their communities due to the conflict, and 24 indigenous leaders were assassinated, with FARC guerrillas believed to be responsible for most of these actions.

The Presidential Programme for Indigenous People coordinates government strategy to promote the rights of indigenous people. The Land Restitution Unit is assessing the return of 1.2 million hectares of land to 14,245 families of indigenous and Afro-Colombian people.

### **Children's rights**

Children in Colombia continue to be significantly affected by the armed conflict, and in particular are vulnerable to recruitment by illegal armed groups. The UN reported in May 2013 that recruitment of children was common by illegal armed groups in 2012, but concluded that the scale of the problem was still undetermined. The Colombian Reintegration Agency reported that, in 2013, 25% of the 1,350 demobilised guerrillas were children; the average recruitment age of those who were demobilised from conflict was 12 years old; and over 50% of all FARC members were recruited as minors.

### **Business and human rights**

In 2013, the government of Colombia made further progress on developing a business and human rights policy. The UK supported Colombia in developing a National Action Plan to implement the UN Guiding Principles on Business and Human Rights (UNGPs) which would allow Colombia to meet their existing human rights obligations and increase business awareness. With our support and government cooperation, we helped develop a draft State Public Policy Chapter on Business and Human Rights. The project allowed experts in human rights and public policy to engage Colombian civil society and local government to develop this document. This major piece of work will allow public servants to be better trained and prepared to help businesses in promoting and protecting human rights throughout their operations, and will be implemented in 2014.

We continue to see an increase in numbers of extractive companies and other businesses operating in more isolated regions of Colombia. The Mining and Energy Committee, a joint government and business group, continues to encourage its members to implement the UNGPs.

In 2013, the government became a full member of the International Initiative on the Voluntary Principles.



## Cuba

There were some improvements in the human rights situation in Cuba in 2013, although there are still significant areas of concern. The Cuban government's economic reform programme continued to slowly expand economic freedoms. Ordinary Cubans appeared more willing to speak openly, particularly on economic issues, and were able to travel more freely, thanks to a new migration law. The fact that the Cuban government did not take any action in response to critical statements from the Catholic Church and others may also indicate greater tolerance for debate. Support for social and cultural rights, including free universal access to healthcare and education, were broadly maintained. Religious freedom and LGBT rights continued to be respected. The Cuban government marked Human Rights Day by organising a human rights forum focused on gender, LGBT, and religious freedoms.

However, we also had significant human rights concerns in 2013. The government continued to silence dissent; deny basic civil and political rights; and opposition activists faced short-term detentions throughout the year, including around Human Rights Day. Media freedom and internet access remain heavily restricted and, although the Cuban government opened 118 new internet cafes on 4 June, the access they provide is restricted and expensive. The judiciary is tightly controlled by the ruling Communist Party. There were six internationally recognised prisoners of conscience in Cuba at the end of 2013.

In 2013, the UK continued to raise human rights concerns with Cuban authorities while at the same time engaging constructively to promote reform. We encouraged further progress on political and economic freedoms, and we maintained our engagement with the Cuban government, human rights defenders (HRDs), opposition activists and broader civil society, including the Catholic Church, to encourage positive change on human rights. Human rights were also raised during a visit by the Foreign & Commonwealth Office (FCO) Director for the Americas in March 2013.

A key area of concern to the UK is Cuba's restrictions on freedom of expression and assembly. Cuba's 2nd Universal Periodic Review (UPR) was held at the UN Human Rights Council on 1 May 2013. The UK's statement raised concerns over the lack of freedom of expression and assembly, and asked the Cuban government to take steps to strengthen the right to a fair trial and to improve prison conditions. We also called on Cuba to ratify the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, and to extend standing invitations to all UN Special Rapporteurs. Cuba did not accept either of the UK recommendations. It took note of our recommendation to strengthen the right to a fair trial and improve prison conditions and rejected the recommendations from the UK and others to remove restrictions on freedom of expression. Cuba accepted 230 of the 292 UPR recommendations. However, many of the recommendations concerning more serious abuses, such as those on freedom of expression and association, arbitrary detentions and the lack of protection on HRDs were rejected by Cuba.

In 2014, the UK will continue to work bilaterally and with the EU and international organisations to promote progress on human rights. We will focus in particular on the areas of freedom of expression and assembly. Despite the recent advances in certain economic and travel rights, we expect that the Cuban government will continue to place restrictions on

basic civil and political rights. We will maintain our dialogue with opposition activists, and seek to raise concerns with the Cuban government.

## **Elections**

Cuba is a one-party state governed by the Cuban Communist Party. The President is elected by the National Assembly. The National Assembly met on February 2013 to elect its leadership for the next five years. Raúl Castro was elected as President until 2018, when he confirmed he will step down. Although the voting process generally allowed fair access to polls and a secret balloting process, the elections could not be termed free or fair, as genuine opposition candidates were unable to stand. The vote produced a legislature with a healthy gender and racial balance, with women and minority groups, including one transsexual, well-represented. A British Embassy official monitored the elections.

## **Freedom of expression and assembly**

Freedom of expression and assembly were restricted throughout 2013. The government continued to harass, intimidate and prevent HRDs and those expressing anti-government views from attending planned protests. Illegal but tolerated human rights monitoring organisations, including the Cuban Commission for Human Rights and National Reconciliation and Hablemos Press, reported over 5,500 such detentions in 2013, compared with 6,000 in 2012. These figures are, however, impossible to verify.

There was some space for debate on economic and social issues. These took the shape of panel discussions and seminars, publications from non-state institutions including the Catholic Church, and the letters section of daily government newspapers. The Cuban government did not take any action in response to highly critical letters from bishops and leading economists (although they did not receive any media coverage). Popular musician, Robertico Carcasses, called for direct elections during a concert broadcast live on TV and, although his upcoming performances were quickly cancelled, other cultural figures spoke out in support and the authorities reversed their decision to cancel the performances.

Direct criticism of the political system and its leaders, however, remains highly sensitive and is normally punished. Those identified by the government as “opposition” members have less leeway than ordinary Cubans to speak freely, without risking harassment by state security. Broader media freedom remains heavily constrained and Cuba ranked 171 out of 179 in the Reporters Without Borders 2013 World Press Freedom Index.

There were marginal improvements in internet access. On 4 June, 118 new internet points were opened, but the cost of getting online was priced at US\$4.50 per hour (prohibitively expensive for many, given average state salaries of US\$20 per month). Internet access in Cuba remains limited and tightly controlled. Most ordinary Cubans are not allowed the internet at home, although some obtain it through illegal connections and account sharing. While many foreign websites can be accessed, exceptionally slow connection speeds hamper connectivity. The International Telecommunications Union estimates total internet penetration at 26%; however, this refers predominantly to a Cuban “intranet” of websites and email, and to access for organised pro-government bloggers, tweeters and journalists. Freedom House estimates real internet access at around 5%.

## Human rights defenders

Former prisoners of conscience Marcos Máiquel Lima Cruz and Calixto Ramon Martinez Arias were released in 2013. Lima Cruz was released on health grounds on 25 April. He was initially detained together with his brother Antonio Michel (released in 2012) on Christmas Day 2010 and sentenced to three years' imprisonment for "public disorder" and "insulting national symbols". Independent journalist Martinez Arias, who was designated a prisoner of conscience on 30 January 2013, was released on 9 April after 204 days in prison and two hunger strikes. Although never officially charged, Martinez was reportedly arrested for investigating allegations that medicine provided by the World Health Organisation had not been properly distributed.

Despite these developments, HRDs continued to face short-term detentions, house arrests, fines and threats throughout 2013. Amnesty International identified six further prisoners of conscience in 2013. Emilio Planas Robert and Rafael Matos Montes de Oca were convicted of "dangerousness" in October 2012 and sentenced to three-and-a-half and two-and-a-half years' imprisonment respectively. The authorities had accused the men of distributing posters with slogans such as "down with Fidel" and "down with hunger", although their families deny this.

Alexeis Vargas Martín and his twin 17-year-old brothers Diango and Vianco Vargas Martín have been held in detention since their arrests in 2012. According to reports, Alexeis was arrested outside his home on 27 November 2012 by security officials, who were there to intimidate his mother, Miraida Martín Calderín, a member of the prominent activist group Damas de Blanco ("Ladies in White"), and other women meeting in the house. On 2 December 2012, Diango and Vianco, then aged 16, were arrested outside a police station for protesting their brother's detention. The three brothers are yet to be formally charged. All five individuals are members of the opposition group Unión Patriótica de Cuba and were declared prisoners of conscience on 2 August.

Iván Fernández Depestre was arrested on 30 July in Central Cuba and sentenced on 2 August to three years' imprisonment for "dangerousness" after participating in an opposition protest. He was named a prisoner of conscience on 11 September.

Ladies in White, made up of female relatives of ex-political prisoners, were generally allowed to continue their regular marches in Havana on Sundays throughout 2013. They were, however, frequently subjected to short-term detentions and "repudiation acts", where pro-government supporters surround the women to chant abusive slogans and prevent them from marching. Ladies in White member Sonia Garro Alfonso and her husband Ramón Alejandro Muñoz, who were arrested on 18 March 2012, continue to be held on charges of "contempt, public disorder and attempted murder". Their trial, together with fellow activist Eugenio Hernández Hernández, was due to take place on 1 November, but was unexpectedly suspended.

Opposition activists continued to use short-term hunger strikes throughout 2013 as a means of protest against poor prison conditions or the detention of fellow activists. While it would be difficult to detail all reported hunger strikes, of particular note was a hunger strike in Eastern Cuba involving up to 60 people in protest at the detention on 9 April of 17-year-old

activist Luis Enrique Lozada Igarza. The strike ended when Lozada Igarza was released from jail on 8 May 2013.

A new “Cuban Civil Society Expert Group” bringing together various opposition groups and HRDs was established in 2013.

During Cuba’s UPR at the UN Human Rights Council in May, the UK Government called on the Cuban government to end measures to restrict freedom of expression and assembly, including short-term detentions and the use of criminal charges such as “pre-criminal social dangerousness”, “contempt” and “resistance”.

The new migration law, which came into force on 14 January 2013, lifted travel restrictions for the majority of Cubans leaving and returning to the country. Blogger and activist Yoani Sanchez, Berta Soler (leader of the Ladies in White), Elizardo Sanchez (founder of the Cuban Human Rights and National Reconciliation Commission), and other HRDs were able to travel and express their views overseas, but some faced “orchestrated” protests at their public appearances. In April, the Ladies in White and Guillermo Fariñas were finally able to collect their European Parliament Sakharov Prizes that they were awarded in 2005 and 2010 respectively. Activists subject to “licencia extrapenal” (on parole), including some former prisoners of conscience, were, however, prohibited from travelling.

Prominent opposition activist and economist Oscar Espinosa Chepe, 72, died on 23 September.

### **Access to justice and the rule of law**

Concerns remain about the lack of judicial independence in Cuba and continued use of short-term arrests. A reform to the criminal code entered into force on 1 October. The new measures give the police the ability to use fines as punishment for some crimes instead of processing them through the courts. The reform should help reduce prison numbers which remain among the highest globally per capita. It also includes new legal guarantees for persons suffering from mental illnesses.

The Supreme Court announced on 16 November 2013 a new mechanism to handle “complaints and other requests” with a commitment to reply within 60 days, which may signal greater accountability and transparency.

There is limited due process or scope for independent lawyers, and suspects are sometimes detained for months without being notified of the charges against them. Cubans trying to offer independent legal advice faced harassment from the security services.

At Cuba’s second UPR, the UK Government urged Cuba to take steps to strengthen the right to a fair trial and improve prison conditions through adherence to the UN Basic Principles on the Independence of the Judiciary and the Role of Lawyers, Article 14 of the International Covenant on Civil and Political Rights, and the Standard Minimum Rules on the Treatment of Prisoners. Cuba did not accept these recommendations.

During 2013, reports of poor prison conditions continued to emerge. The authorities have still not yet organised a visit by the UN Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. However, Cuba opened some of its prisons to Cuban and foreign journalists on 9 April 2013. This was the first time journalists had been able to visit some of Cuban prisons since 2004. While a useful one-off initiative, neither international organisations such as the Red Cross nor journalists have been granted regular access to Cuba's prisons.

### **Death penalty**

Capital punishment is included in Cuban criminal legislation but, in practice, the Cuban government has maintained a moratorium since 2003. Speaking in Santiago in January at the Summit of the Community of Latin American and Caribbean States, President Raúl Castro emphasised that the penalty could only be imposed in extremely serious cases. This message was reinforced by the Cuban government later in the year in their report on their UPR. There are no prisoners in Cuba currently facing the death penalty.

### **Freedom of religion or belief**

The Cuban constitution protects freedom of religion or belief, and this right was generally observed in Cuba throughout 2013. However, the government continued to detain opposition activists who used religious centres for political purposes. The British Embassy in Havana engaged with a limited number of religious representatives during the year. Cuban Catholic bishops wrote a public letter to the government in September 2013 asking for political changes, and greater openness and acceptance of groups and people who have ideas different from the official ones. There was no official reaction to the letter.

### **Women's rights**

Cuba ranked 15 out of 136 countries on the World Economic Forum's 2013 Global Gender Gap Index. More female leaders were elected in the parliamentary elections in February 2013 and, out of 31 Council of State members, 13 are women. 49% of National Assembly members are female. We have encouraged the Cuban government to sign the UK-led Declaration on Preventing Sexual Violence in Conflict.

### **Other issues**

#### *Economic and social rights*

Raúl Castro's government continued to introduce economic reforms throughout 2013, bringing increased economic opportunities and freedoms to ordinary Cubans. These measures included the introduction of independent cooperatives in more sectors; further measures to promote the private sector; and the introduction of new income taxes and of wholesale agricultural markets. The government also announced plans to unify the country's dual currency system. Some of these measures should help reduce poverty and encourage growth. However, the announcement on 2 November, that privately-run 3D cinemas and the sale of imported clothes would be prohibited, represented a step back for economic and cultural freedom. The authorities also announced that the need for a pre-approved government licence to purchase new and used vehicles will be removed in 2014. While this was a positive development, the extraordinarily high taxes imposed by the government mean that very few Cubans will be able to take advantage of the reform.

## Democratic People's Republic of Korea (DPRK)

The DPRK has one of the worst human rights records in the world. There is compelling evidence of a wide range of human rights violations, and little or no evidence that the DPRK is willing to engage with the international community on the issue. There has been no evidence of improvement in the human rights situation in the DPRK in 2013, with the possible exception of a marginal improvement in disability rights. There continue to be compelling reports from outside the DPRK of widespread and systematic human rights violations. Fundamental freedoms, including freedom of speech, remain severely curtailed.

The continued use of and reported expansion of political prison camps, which hold an estimated 150,000-200,000 people, remains of deep concern. Evidence from defectors and NGOs, collected over a number of years, suggests that severe human rights violations take place within the camps, including the use of forced labour, torture, starvation, sexual violence against women and executions for dissent. The purge of Jang Song Thaek (a leading figure in the DPRK government) in December provided evidence of the continued brutality of the DPRK regime.

Supporting human rights remains one of the priorities for our policy towards the DPRK. We aim to do this in three ways: by ensuring the issue remains high on the international agenda; by using our policy of critical engagement to raise our concerns directly with the DPRK authorities; and by supporting small-scale projects aimed at improving the lives of vulnerable groups in the DPRK. In March, the EU co-sponsored the annual UN Human Rights Council (UNHRC) resolution on the DPRK, which was adopted by consensus. This mandated the creation of a UN Commission of Inquiry on Human Rights in the DPRK. Their investigations focused on: violations of the right to food; violations associated with prison camps; torture and inhumane treatment; arbitrary detention; discrimination; violations of freedom of expression; violations of the right to life; violations of freedom of movement; and enforced disappearances, including in the form of abductions of nationals of other states.

The UK actively supported the work of the commission, arranging a visit to London for the commissioners to hear testimony from North Korean refugees, as well as meet the Minister for South East Asia, Hugo Swire, Foreign & Commonwealth Office (FCO) officials, parliamentarians, UK-based experts and NGOs. The UK was the only European country to engage with the commission in this way, and the visit, which included a press conference held at the FCO, helped raise international awareness about the human rights situation in the DPRK. We also co-sponsored the annual UN General Assembly resolution on the DPRK, which again passed without a vote, and were active in participating in debates on the UN Special Rapporteur's reports on the DPRK.

Throughout 2013, the UK repeatedly raised its concerns about reported human rights violations in meetings with DPRK officials in Pyongyang and London. We pressed the DPRK to engage constructively with the international community on the human rights situation, particularly with the UN Commission of Inquiry. Human rights were a key focus of UK-funded visits to the UK by DPRK officials. This included taking visiting Ministry of Foreign Affairs officials to a prison and a special needs school in November, and ensuring DPRK junior government officials, visiting the UK for English language training in December, were also exposed to aspects of the UK relevant to human rights, including the political system,



the media and the judicial system. We are realistic about the impact of this activity. The DPRK still refuses to engage constructively on human rights with us and the international community. It rejects evidence of human rights violations as the fabrications of those who are hostile to the regime and refuses to allow independent human rights observers, including the UN Special Rapporteur, access to the country to form an objective view. However, by confronting DPRK officials with international norms and expectations we hope, over the long term, to have a positive impact.

Projects supported under the third strand of our human rights engagement were varied, and included the rehabilitation of a rural hospital water supply system in North Hwanghae province; schemes focused on improving food production and nutrition in Kumchon County; and provision of clean water to a kindergarten in Unryul County. Although small-scale, we estimate projects like these have had a direct impact on the lives of around 40,000 ordinary North Koreans.

In 2014, we will continue to pursue all three strands of our DPRK human rights work. Internationally, a key development will be the final report of the Commission of Inquiry. This is due for publication in February. The UK will work with partners to ensure the commission's recommendations are reflected in the UNHRC's annual resolution on the DPRK, and to ensure that the resolution once again attracts a high level of support. We will use the commission's findings and recommendations to maintain international pressure on the DPRK to address human rights violations: for example, it will inform our participation in the DPRK's next Universal Periodic Review (UPR), which is due in April 2014. Bilaterally, we will continue to use our policy of critical engagement to speak out on human rights, while at the same time using bilateral exchanges to improve North Korean understanding of, and engagement with, the outside world. We plan to support the North Korean Red Cross in a project to increase disaster resilience, and expect to continue our cooperation with the Korean Federation for the Protection of Persons with Disabilities.

## **Elections**

There were no elections in the DPRK in 2013. Elections to the Supreme People's Assembly, the only significant state organ that appears to be directly elected, will take place on 9 March 2014. The selection of assembly members is far from democratic: only one candidate stands in each constituency and voting is not secret.

## **Freedom of expression and assembly**

There is little evidence of freedom of movement or assembly and the general population is required to attend political gatherings in support of the DPRK leadership at regular intervals. The DPRK government maintains tight control over media, and access to foreign broadcasting is strictly limited. Reports suggest that people found accessing foreign media without authorisation are subject to punishment, including imprisonment and, according to some reports in mid-2013, execution.

## **Human rights defenders**

The security apparatus is ubiquitous in the DPRK and we have no evidence that there are any human rights defenders in the country. Some people who have defected have provided first-hand accounts of human rights violations. A number now work with NGOs to campaign

for the improvement of human rights in the DPRK. Ahead of the visit by the Commission of Inquiry to London in October, we worked closely with the London-based North Korean Residents' Society to identify UK-based refugees willing to provide testimony of their experiences to the commissioners. In collaboration with the British Council, we provide an English language training programme to defectors now living in the Republic of Korea to help them gain the necessary skills to be successful in higher education and compete in the job market. A Chevening Scholarship is also provided through this programme.

### **Access to justice and the rule of law**

The judicial system is not independent. The constitutional changes made in April 2012 confirmed that its prime function is to protect the existing socialist political system. As noted above, the arrest of leading Party official, Jang Song Thaek, on 8 December 2013, provided a rare public glimpse of the DPRK legal system in action. Although accused of a long list of crimes, Jang's trial consisted of an appearance before a Special Military Tribunal on 12 December, followed immediately by execution, with no opportunity given for any appeal. When our Embassy in Pyongyang raised concerns that the process did not live up to international standards, the DPRK response was that members of factions that opposed the will of the regime would be "eliminated".

### **Death penalty**

There are 22 crimes that are officially punishable by death, but which are ambiguously defined in law. The DPRK does not provide statistics on the use of the death penalty, but official DPRK media reports about the execution of Jang Song Thaek and some of his associates prove that its use continues. These executions, after politically motivated trials, are an example of the brutality of the North Korean regime, as Mr Swire stated on 13 December. FCO officials have also raised concerns directly with North Korean officials in London and Pyongyang, making clear the UK's opposition to the death penalty in all circumstances.

Throughout 2013 there have been other, unconfirmed, reports of executions in the DPRK. DPRK officials have refused to either confirm or deny these claims. As we move into 2014, we are particularly concerned about rumours circulating that those close to Jang, both members of his "faction", and his wider family, have been purged under the practice of "guilt by association".

### **Torture**

There is a substantial body of evidence from defectors that the DPRK government routinely uses torture in the criminal justice system. The DPRK denies this, but the volume of testimonies claiming that the practice continues is significant. The Commission of Inquiry has played an important role in systematically recording and publishing some of this testimony. UK funding ensured recordings and transcripts of testimonies given during the commission's visit to London will form part of this public record.

### **Freedom of religion or belief**

According to DPRK authorities, the DPRK has a small number of state-controlled churches and other state-sanctioned places of worship, including 500 house churches. We are unable to verify these statistics or to attest to the type of activity that takes place inside these

house churches. However, there are many reports that people who are involved in religion outside these state-controlled organisations have been imprisoned for practising their beliefs. Contacts in 2013 with the head of the DPRK Christian Federation confirm that officially recognised churches are effectively under state control.

### **Women's rights**

Despite equality in law, there is evidence that a subservient view of women is pervasive. Consistent reports suggest that sexual abuse and domestic violence is common. Conditions in the DPRK have also led thousands of women to cross the border into China illegally every year, where they are vulnerable to human-trafficking gangs and sexual exploitation. In June, the British Embassy in Seoul co-funded a report on the status of women's rights in the DPRK by the Citizens' Alliance for North Korean Human Rights, and hosted a launch event to promote the report. Citizens' Alliance submitted the report to the Commission of Inquiry as part of its evidence-gathering activity, and it is expected that report content will also inform wider opinions in preparation for the DPRK's next UPR in April 2014.

### **LGBT rights**

The DPRK authorities deny that lesbian, gay, bisexual or transgender people exist. There is consequently neither legal nor practical protection for their rights.

### **Children's rights**

Children are formally entitled to free education and healthcare. However, in 2013, as in previous years, children have been removed from school for a substantial amount of time to participate in national events, for example the annual mass gymnastics and cultural spectacle, the Arirang Festival. There is also evidence that children have been forced to participate in military drills and are used for child labour. As in other developing countries, malnutrition and poor healthcare facilities in the DPRK mean many children do not have the basic necessities to enjoy their economic and social rights.

### **Other issues**

#### *Disability rights*

The DPRK Government signed the UN Convention on the Rights of Persons with Disabilities on 4 July 2013, and is working on having the necessary legislation in place for ratification in April 2014. We hope that this ambitious target is achieved, and that adequate measures are then taken to implement it. We have continued to focus on disability rights, providing assistance to the DPRK to send a team of athletes to the Asian Youth Disabled Games in Kuala Lumpur in October. The team included the swimmer who had been the DPRK's sole athlete at the London Paralympic Games in 2012, and it won four medals. Its success was reported in all of the mainstream DPRK media, leading to a sudden increase in enquiries from disabled people and their parents into how they could get involved in sports. The British Embassy in Pyongyang also supported a disabled table tennis tournament in December, just before the UN International Day of Persons with Disabilities. We hope that this will help to further raise awareness and improve the status and treatment of disabled people in the DPRK.

### *Social and economic rights*

Basic food production has continued to increase, although it is difficult to judge how much this owes to government policy rather than more favourable weather conditions. The World Food Programme (WFP) assessment is that people in the DPRK remain chronically malnourished. The WFP estimated that there would be a rise in the production of basic carbohydrates, rice and corn, for the second consecutive year in 2013-14, but that this would be offset by a fall in production of protein, fats and other essentials for a healthy diet. The international humanitarian effort is therefore shifting from promoting basic food production to the provision of nutrition. While the DPRK has placed increasing emphasis in public messages on improving the living standards of the population, we remain concerned that the agricultural pricing system provides an incentive for the production of grain rather than more nutritious crops, such as soybean. We also note that significant resources are still being allocated to vanity projects, such as swimming pool complexes, riding schools, and a ski resort, when the country lacks the ability to provide for the basic needs of its people.

## Democratic Republic of the Congo (DRC)

Human rights abuses by all parties to the conflict in the eastern Democratic Republic of the Congo (DRC) continued to be of concern in 2013. Armed rebel groups committed a number of summary executions and rapes, and were responsible for the forced recruitment of children. The Congolese army and police were also accused of human rights violations, including killings, rapes and ill treatment of detainees. The best way to improve the human rights situation in the DRC is through continued work to stabilise the region, reduce conflict and ensure that there is no culture of impunity in the aftermath of conflict. These are the conditions that led to many of the human rights abuses and violations taking place. The defeat of the armed rebel group M23 in 2013 was a major step, and provides an opportunity in 2014 to bring an end to the conflict in eastern DRC.

Our human rights objectives in 2013 focused on preventing sexual violence and protecting women's and girls' rights. UK-funded projects have assisted victims in getting justice, including through expert assistance in documenting, collecting and preserving forensic evidence, and by raising awareness of the levels of sexual violence in the DRC, for example through the Foreign Secretary's visit with the special Envoy of the UN High Commissioner for Refugees, Angelina Jolie, to eastern DRC in March. We are ensuring better coordination of donors, government, the UN and others working in this field, so that the root causes of sexual violence are addressed, as well as survivors treated. The DRC government has also taken a positive stance on this issue, from the President down, and we look forward to working with whomever is appointed to the newly created role of Special Representative on Sexual Violence and Child Recruitment for the DRC. We hope this will lead the DRC government to bring perpetrators to account speedily.

Preventing sexual violence and the protection of children affected by conflict-related violence will continue to be priorities in 2014. We will monitor the situation of human rights defenders (HRDs) in DRC, and encourage further commitments to freedom of expression. We will track developments on elections preparation and press for lessons to be learned from previous rounds, in order to avoid a repeat of election-related violence and human rights violations. Given the opportunities 2014 presents to break the cycle of conflict, we will encourage the DRC government to seize this chance to bring greater security to its people and improve human rights.

### Elections

In November the UN Joint Human Rights Office (UNJHRO) revealed the extent of the alleged human rights abuses during the 2011 election. While Congolese authorities have taken some measures to ensure accountability, much remains to be done. The report calls for measures to be taken to ensure that future elections take place in a peaceful climate conducive to the respect for human rights. The UN report also stressed the importance of prosecuting those responsible for violations before the next local, provincial and national elections.

We have lobbied the DRC government to take credible action on implementing the recommendations of the report of the UNJHRO, and those of the report of the 2011 EU

Elections Monitoring Mission. The appointment in June of the new head of the Independent National Electoral Commission (CENI), Abbé Malu Malu, was a significant development.

### **Death penalty**

The death penalty remains in place in DRC. A moratorium on its use means that nobody has been executed for ten years. In 2013, we used bilateral meetings with Congolese government ministers and senior officials to outline our principled opposition to the death penalty in all its forms.

### **Torture**

We continue to have concern over the proportionality of the response of Congolese authorities to perceived threats. However, there have been some positive developments in the judicial and security sector aimed at holding those responsible for violations to account. A law criminalising torture was introduced in 2011, and 2013 saw prosecutions under this law. While few in number, these are beginning to send a powerful message to would-be torturers. In January, a court in Bokatola (Equateur province) sentenced two police officers to life imprisonment under this law.

### **Conflict and protection of civilians**

According to estimates from the UN Office for the Coordination of Humanitarian Affairs (OCHA), conflict in the DRC has resulted in a total of 2.9 million internally displaced people currently living in camps or with host families in the DRC, as well as extensive suffering through human rights abuses committed by armed groups, the DRC armed forces (FARDC), and police. Over 60% of the total figure came from just two regions of eastern DRC: North and South Kivu. The persistence of a complex mosaic of violent conflicts has caused widespread death and displacement, and the destruction of the livelihoods of hundreds of thousands of households in some parts of the DRC. Some of the human development indicators in the east, where recent conflict has been focused, are shockingly low. Women and girls have suffered extensively during the conflict through rape, torture and killing. Poor access to services, disease, and lack of means of subsistence has had a widespread impact. In addition, the OCHA estimates indicate that over 45,000 refugees have fled into the DRC this year as a result of conflict in the Central African Republic. This has added to the work of aid agencies that already provide relief to millions of people in the DRC, a country with over 6.7 million food-insecure people.

An updated mandate of the UN Stabilisation Mission in the DRC (MONUSCO) enabled the creation of the Force Intervention Brigade (FIB) to carry out operations to neutralise armed groups, using unmanned aerial vehicles for surveillance. The FIB, working alongside FARDC, helped bring about the defeat of armed rebels M23, who finally surrendered in November, bringing to an end that particular cycle of conflict. Peace talks between the DRC government and M23 were concluded in December, with declarations signed in Nairobi by both sides. Under the agreed outcome, former rebels are entitled to amnesty for rebelling, but immunity is not granted to alleged perpetrators of war crimes, crimes against humanity, genocide, or gross abuses of human rights.

The focus post-conflict is on implementing the Peace, Security and Cooperation Framework (PSCF). This was signed by 11 regional countries and four international organisations in



February, and commits them to cooperate closely to bring peace and prosperity to the DRC and the region. Former Irish President, Mary Robinson, was appointed UN Special Envoy to the Great Lakes Region in March, and was mandated with implementing this framework.

2013 saw some progress in bringing to justice those accused of war crimes. Alongside the EU, we welcomed the report of the UNJHRO in May, which carefully documented the mass rapes and other abuses that took place in Minova and Goma by the FARDC and M23 rebels in November and December 2012. We are pressing for the report's recommendations to be implemented, and are monitoring the ongoing trial of the alleged perpetrators. A dozen army officers have already been removed from command, and we were encouraged by the response of the Congolese authorities in pursuing the perpetrators, which sent a clear message of deterrent. In March, Bosco Ntaganda, a former army general turned rebel group leader, and a key figure in the conflict in eastern DRC, surrendered to the US Embassy in Kigali, Rwanda, and was transferred to The Hague to face charges of war crimes and crimes against humanity at the International Criminal Court. The Congolese government additionally issued arrest warrants for a number of M23 leaders, and made clear its intention to prevent anyone accused of war crimes from reintegrating into the DRC armed forces.

Security Sector Reform (SSR) in the DRC is essential for conflict prevention as armed forces, which have the primary role in providing security, are estimated to be responsible for half the human rights abuses and violations in the east. The Department for International Development's (DFID) Security Sector Accountability and Police Reform programme is a £60 million investment aiming to build a more capable and accountable state in the DRC, that can deliver security and rule of law to its citizens. This five-year programme includes a specific focus on sexual and gender-based violence (SGBV) to support the government, police and civil society in developing practical approaches towards improving prevention, reporting, investigation and victim support. The UK has also supported engagement initiatives led by the Civil Society Network for the Reform of the Security Sector at both national and provincial levels, including advocacy on the 2006 Law on Sexual Violence and the DRC's related international obligations, and the law establishing the army. As part of wider army reform, we provided FCO bilateral funding to teach new Congolese army (FARDC) recruits about the importance of respecting human rights.

### **Women's rights**

SGBV is high and takes place across all provinces of the DRC, perpetrated by both military and civilian actors. President Kabila's decision announced in October, to appoint a Special Representative on Sexual Violence and Child Recruitment, was a particularly welcome development, showing real commitment to tackling this issue. However, there is a great deal to do: statistics from the 2007 Demographic Health Survey, funded by the US Agency for International Development, and published in August 2008 (the last detailed survey conducted on health outcomes in the DRC), indicate that 71% of Congolese women have suffered from spousal or partner abuse at some point in time, whether physical, emotional, or sexual. In some regions of the country the number was as high as 86% of women. Violence against women and girls is strongly linked to gender inequalities and socio-cultural norms, and is particularly tied up with strong ideas about masculinity, the breakdown of traditional structures, and the militarisation of society.

It is also widely socially tolerated, and is often condoned by Congolese women as well as men. When working on this issue, it is therefore necessary to take into account the importance of tackling social norms and improving the status of women and girls in society. Particularly crucial is addressing the issue of girls staying in school. In a report launched in October on the scale of sexual violence in the DRC, researchers from the Ministry of Gender, with support from the UN Population Fund, found that, in 2012 alone, there were 15,654 reported cases of sexual violence, a 52% increase from 2011. Of these, 98% were perpetrated against females. In conflict-affected areas of the country, the picture is even bleaker, with a third of all survivors aged between 12 and 17. In 2012, 82% of all survivors had not completed primary school. As well as supporting the participation of girls in schooling, DFID fund work with victims of SGBV, as well as efforts to make displacement sites safer for women and girls. For example, support to the International Rescue Committee between July and December ensured that: 400 survivors of SGBV benefited from International Rescue Committee supported services; 30 medical personnel were trained to provide clinical care for survivors of violence; 4,000 women and girls received risk reduction support material; and 50,000 displaced women and girls benefited from more protective environments.

Whilst numbers of SGBV offences remained high, the DRC authorities continued to take steps towards ending impunity for perpetrators of sexual violence. In October, President Kabila used a televised address to declare a zero-tolerance approach to SGBV, and to call on the Military Prosecutor to step up prosecutions against officers and other ranks suspected of committing crimes against humanity and war crimes, including sexual violence crimes. During her visit to the DRC in October, Zainab Hawa Bangura, the UN Secretary General's Special Representative on Sexual Violence in Conflict, paid tribute to the efforts made by the Congolese authorities to develop a framework for combating SGBV.

The Demographic Health Survey also found that police protection for victims of domestic violence was largely absent. We are working to ensure that EU and bilateral support to SSR in the DRC is better coordinated across donor communities, addresses sexual violence, and tackles its root causes as well as treating survivors.

Increasing awareness is an important first step in tackling the issue, and there was widespread coverage in the DRC and internationally of the Foreign Secretary's visit with Angelina Jolie in March. The visit sought to highlight the scourge of sexual violence, and show how the UK, the G8 and others were seeking to end it. UK senior officials also attended Mary Robinson's event with women's civil society organisations in Burundi in July, and we continue to support her work on this issue, including creation of the Great Lakes Women's Platform. Through the Alternative Responses for Communities in Crisis Programme, implemented by the UN Children's Fund (UNICEF) and partners, we will provide 1,500 victims of SGBV with cash and voucher support to restart their livelihoods and assist their reintegration into communities.

Our Embassy in Kinshasa holds regular meetings with a range of women's rights groups across the DRC. In November, it provided a platform for a discussion on women's political participation in North and South Kivu with local politicians and civil society actors, and hosted an event on the International Day for the Elimination of Violence Against Women.

## **Children's rights**

We are fully committed to ending the recruitment and deployment of child soldiers and to protecting children affected by armed conflict. The defeat of M23 in November offers a real opportunity to return children to their communities so that they can begin the reintegration process and return to school. We continue to lobby the Congolese government to implement a credible disarmament, demobilisation and reintegration plan to facilitate this. Reducing conflict remains the most successful way to tackle the issue. The defeat of armed groups will eventually lead to a safer environment, which will lead to fewer children becoming victims in the first place.

The UK is an active member of the UN Working Group on Children and Armed Conflict, which leads the international response to the issue of child soldiers and child protection. This includes pressing offenders to enter into concrete action plans with the UN to verify and release any child soldiers associated with armed groups and forces. The DRC government signed its action plan in October 2012. Since then, hundreds of children have been released as a result of stronger cooperation between the government and the UN. But children continue to be directly associated with armed groups, and are the victims of grave violations, such as killing, maiming and sexual violence.

The UN Secretary General's Special Representative for Children and Armed Conflict, Leila Zerrougui, visited the DRC in November. She underlined that the surrender of M23 brings with it the responsibility to help children reunite with their families, go back to school, and aspire to a better future. The Special Representative believes that 25-30% of the soldiers laying down their arms in the DRC are underage recruits. The UK funds War Child to run a helpline for vulnerable children affected by conflict and insecurity in eastern DRC, reducing the number recruited and supporting their reintegration into society.

Under Operation Likofi ("Punch" in the local language) the Kinshasa Police targeted street crime and youth gangs in November 2013. The operation coincided with cases of alleged assassination and abduction of street children. MONUSCO and UNICEF issued a joint statement of concern in about the operation, and the UNJHRO in DRC has undertaken an investigation into reports of human rights violations by the police. We have raised our concerns with the Ministers of the Interior and Information about these allegations, and support the work of the UNJHRO in the DRC to investigate these alleged abuses.

## Eritrea

The Eritrean government made no visible progress on key human rights concerns in 2013 and continued to violate its international obligations and domestic law, including in the areas of arbitrary and inhumane detention, indefinite national service, and lack of religious freedom, freedom of the media and freedom of speech. The government continued to cite “no war, no peace” with Ethiopia as justification for its failure to implement the 1997 constitution, which provides for democratic government and fundamental rights and freedoms.

The UK raised human rights concerns with Eritrea at every opportunity, bilaterally and as part of the EU. The Eritrean government repeatedly underlined its firm commitment to promoting and protecting human rights, and readiness to discuss human rights with the international community. We welcomed this willingness to engage, but stressed that we were looking for concrete and rapid progress on Eritrea’s human rights obligations. In a meeting in May between the Eritrean Ambassador and Minister for Africa, Mark Simmonds, we once again highlighted the deterrent effect that Eritrea’s appalling human rights record has on foreign investment, and hence on the achievement of Eritrea’s own development objectives. In July, Mr Simmonds met Eritrean Foreign Minister, Osman Saleh, and urged the government to improve human rights and cooperate with the UN.

Throughout 2013, Eritrea rejected the legitimacy of the UN Special Rapporteur on the situation of human rights in Eritrea, Sheila Keetharuth, and refused her access to the country, although she was able to meet the Eritrean Ambassador to the UK in London in January. We have continued to urge the Eritrean government to cooperate with the Special Rapporteur, including by allowing her to visit. Foreign & Commonwealth Office (FCO) officials held further direct discussions with Ms Keetharuth in May, to exchange views on the fulfilment of her mandate and offer support.

In June, Ms Keetharuth presented her first report to the UN Human Rights Council (UNHRC), following the creation of her mandate under Resolution 20/20 in July 2012. She concluded that Eritrea continued to commit grave human rights violations against its people, including forced conscription for indefinite periods of national service, arbitrary detention in inhumane and degrading conditions, and severe restrictions on freedom of expression and opinion. The UK supported the renewal of the Special Rapporteur’s mandate, and delivered a strong statement expressing concern about the human rights situation in Eritrea, calling on Eritrea to cooperate with the UN human rights system. We also requested access for the international community to the group of 11 Eritrean members of parliament (the G-11) and ten journalists held in detention since 2001. The UNHRC subsequently adopted by consensus a resolution renewing the Special Rapporteur’s mandate.

Eritrea’s human rights record is due to be examined the Universal Periodic Review (UPR) process in February 2014. We have welcomed Eritrea’s participation in this process, while noting that Eritrea accepted a substantial number of recommendations made by the 2009 UPR but has not implemented them. Our Ambassador in Asmara has urged the government of Eritrea to use the UPR to announce concrete human rights reforms. The UK and EU partners have offered support for the implementation of UPR commitments.

The UK's priorities in Eritrea are to support improvements to freedom of expression, freedom of religion, and application of the rule of law, with the ultimate objective being the implementation by the government of a national human rights strategy. During 2014, we will continue to raise human rights issues with the Eritrean government at every opportunity, bilaterally and through the EU. We will urge the government to work constructively with the international community and the whole UN system, and to translate this into tangible progress. In particular, we will encourage full cooperation with the 2014 UPR and rapid implementation of its recommendations.

We will continue to press for an end to obligatory and indefinite national service and to compulsory and onerous civilian militia duties (such as guarding, patrolling and dam-building), all of which could amount to forced labour. We will continue to support UN and EU development programmes in Eritrea, to identify and support other joint project opportunities, and to encourage Eritrea to agree further joint programmes with the international community, including in human rights areas. We will urge Eritrea to cooperate with the UN to tackle the scourge of human trafficking, as well as to take up our offer of practical support for Eritrea's anti-human trafficking and victim protection efforts. We will continue to stress the link between improving human rights and the achievement of Eritrea's development goals.

### **Elections**

Eritrea is a one-party state. The Eritrean constitution, ratified in 1997, provides for an elected National Assembly. The constitution has not formally been applied in practice, although it is used as the basis for legislation. 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, and publication of all documents requires government approval. Only officially approved views are heard, and there are no independent journalists. Speaking out against the government of Eritrea can lead to detention. The Reporters Without Borders 2013 World Press Freedom Index ranks Eritrea last out of 179 countries for the sixth successive year. It reports at least 30 journalists behind bars and 11 held since 2001, seven of whom have died. Provisions in Eritrean law and the unimplemented constitution enshrining the right to peaceful assembly and association are not respected in practice. Assembly during religious festivals and national celebrations is tightly policed. Permits are required for public gatherings of more than seven people, and non-compliance is not tolerated.

Eritreans continue to face restrictions both on movement inside the country and on holding a passport and foreign travel. Foreigners, including diplomats, require travel permits to leave Asmara, though these were easier to obtain in 2013 than in previous years.

### **Human rights defenders**

No active human rights NGOs or groups operate in Eritrea. The government of Eritrea does not permit human rights groups to visit the country. Civil society is tightly controlled, with no effective fully independent civil society groups.

### **Access to justice and the rule of law**

Arbitrary, indefinite and incommunicado imprisonment without trial remains common. The number of those in detention on political or religious grounds could be in the tens of thousands. The judicial system in Eritrea is opaque, often arbitrary and harsh. The independence of the judiciary is limited. When trials do occur they are conducted in secret, often in special courts where judges also serve as prosecutors and the accused have no access to defence counsel. For the most part those detained are not brought to trial. The government does not allow access to most of its prisons and there are no accurate figures on the number of prisoners. The Eritrean government has ignored frequent calls for political and religious prisoners to be brought to justice or released, and refuses to give details on their whereabouts and fate, citing national security. Eritrea continues to hold a number of Djiboutian prisoners of war, captured during the 2008 border conflict, without access by the International Committee of the Red Cross.

The UK continued in 2013 to urge the Eritrean government to release all prisoners held for their political or religious beliefs. As in previous years, the EU High Representative for Foreign Affairs and Security Policy and Vice-President of the European Commission, Baroness Ashton, published a declaration on political prisoners in Eritrea on behalf of the EU on 18 September, this being the twelfth anniversary of the detention without trial of a group of the G-11 and ten journalists who had called for democratic reform. This statement also referred to the new arrests and detentions without trial that followed the military uprising in Eritrea on 21 January.

### **Death penalty**

There were no reports of the death penalty being used in 2013. The Eritrean government has confirmed to us that it maintains a *de facto* moratorium on executions. The UK and EU partners continued to urge Eritrea to abolish the death penalty or at least to formalise the moratorium.

### **Torture**

Eritrea continued to deny access to political and religious prisoners by family members or human rights organisations, and the UN Special Rapporteur on the situation of human rights in Eritrea was not able to visit the country. The UN Special Rapporteur on Torture has been asking to visit Eritrea since 2005. Since 2009, the government has not responded to any written requests for information or to the outstanding visit requests. The international community has therefore continued to rely on reports from those escaping detention, or from prison guards who have left the country, for evidence of torture and inhumane treatment.

The UN Special Rapporteur on the situation of human rights in Eritrea reported in 2013 that Eritrean prison conditions are life-threatening, harsh, degrading and unhygienic. Prisoners are subjected to physical and psychological torture, and cruel, inhuman and degrading treatment. Deaths from torture, overcrowding, disease, inadequate food and other harsh conditions are frequent.

### **Conflict and protection of civilians**

As of 30 November, there were 3,277 refugees and asylum seekers in Eritrea, mainly Somalis, with some Ethiopians, Sudanese and South Sudanese. Refugee matters in Eritrea



are not yet sufficiently regulated by domestic legislation and most refugees have been in Eritrea for nearly two decades without a durable solution. Nevertheless, the Eritrean government cooperates with the UN High Commissioner for Refugees to ensure adequate provision of education and healthcare. The Eritrean government does not operate a system of forced repatriations, but works with UN Refugee Agency to return those who express a desire to go home to their country of origin, and cooperates on arrangements for the departure of those offered settlement in third countries.

### **Freedom of religion or belief**

The Eritrean constitution enshrines the right to practise any religion, yet in practice only members of the four traditional religions (Orthodox Christian, Sunni Muslim, Catholic, and the Lutheran Evangelical Church of Eritrea) are allowed to worship in Eritrea. It is reported that there are a large number of detainees from non-state sanctioned religions, including 56 Jehovah's Witnesses. We, along with EU partners in Asmara, have raised reports of large-scale arrests in 2013 of members of non-state sanctioned Christian denominations. Our Ambassador has in particular called for the release of elderly and sick religious detainees, as a first step towards ending all arbitrary detention.

### **Women's rights**

The position of women in Eritrea is comparatively well-protected by law but, in practice, it is a matter for concern. Implementation of women's rights is hampered by cultural attitudes and lack of capacity. Female genital mutilation is illegal but widespread, as is domestic violence. Allegations of rape and sexual harassment of women during national service are common. Women are driven to marry and give birth at a young age to escape compulsory military service, so damaging their future economic prospects. The Eritrean government has implemented programmes to support the mainly female heads of households in rural communities, improving their access to water and sanitation and livelihoods. In 2013, the Department for International Development (DFID) continued to fund programmes run by the UN Children's Fund (UNICEF), providing water and sanitation and a supplementary feeding programme for women in rural communities. Also in 2013, our Ambassador in Asmara urged the Eritrean government to sign up to the Foreign Secretary's Preventing Sexual Violence Initiative.

### **Minority rights**

Of the nine official ethnic groups in Eritrea, the Tigigna dominates politically and culturally. The other groups complain of discrimination and violation of their rights. Relations between the government and the Kunama and Afar in particular remain tense.

### **Children's rights**

Children's rights are comparatively well-protected in law, but implementation is hampered by cultural attitudes and lack of capacity. Child labour below the age of 14 is illegal but commonplace. We are concerned about reports – denied by the government – of children made to work unpaid on government farms and projects, and of underage children on national service. There is a shortage of schools and teachers at all levels. The Eritrean government has continued to build new schools and expand education to rural and nomadic communities, working in partnership with UNICEF.

## **LGBT rights**

Same-sex activity is a crime in Eritrea and there is no anti-discrimination legislation to protect lesbian, gay, bisexual and transgender individuals. The Eritrean government has told us that they do not intend to change this situation.

## **Other issues**

### *Military service*

Obligatory and indefinite national service continues to be a major driver for illegal migration. Proclamation 82/1995 limits national service to 18 months, yet some conscripts have served for nearly two decades. In 2011, the government ordered that the maximum 18-month term of national service be adhered to, and that conscripts be allowed to complete their period of service in their own districts, allowing access to families. We are not yet able to assess whether this is happening in practice. Conscripts are often required to perform non-military activities such as harvesting and construction work for the government and state-owned companies, which may amount to forced labour. There are reports that military officials have used conscripts to perform personal tasks. An additional feature of 2013 has been an increase in the burden on citizens of compulsory armed civilian militia duties.

### *Migration and human trafficking*

The prolonged national service obligation, coupled with poor economic conditions, continue to fuel illegal migration, especially of the young. According to estimates from UNHCR, more than 4,000 Eritreans refugees, including unaccompanied minors, flee the country every month in search of a better life. The true migration figure is likely to be much higher, as many migrants do not register. Illegal migrants risk perilous journeys and abuse at the hands of ruthless human trafficking gangs. Kidnapping, torture and the trafficking of body parts are among the allegations of abuse that have been made. In October, over 300 Eritrean migrants drowned when their boat capsized off the coast of Lampedusa. There have been allegations that some Eritrean officials, including those in the military, are themselves involved in human trafficking. There is no proof of systematic government involvement. The government of Eritrea denies allegations that it operates a “shoot to kill” policy along its border against Eritreans seeking to leave the country illegally.

Bilaterally and with the EU, we have continued to press the Eritrean government to address the underlying reasons for the exodus, especially interminable national service and the dire economic situation; to cooperate fully with the UN on countering human trafficking; and to bring to justice any Eritreans involved in this crime. We have also repeated our offer of practical support to Eritrea’s own anti-trafficking and victim protection efforts. The EU held a dedicated session on migration and human trafficking with the Eritrean government in March. In November, FCO officials met Eritrean diaspora representatives in London to discuss action against trafficking.

### *Development programmes*

In January, the Eritrean government and the UN signed a new four-year cooperation agreement covering a number of key development areas. The EU was also able to restart its European Development Fund programme in Eritrea. Implementation of both programmes is going well, though with some capacity problems. The government, in conjunction with the

UN and EU respectively, organised field visits for diplomats to various development projects in May and November. Visitors agreed that these are well-run and having a real impact. The UN assesses that Eritrea is one of the few countries in Africa making steady progress towards achieving the health-related Millennium Development Goals on the reduction of child and maternal mortality, and combating HIV/AIDS. It is also making progress on environmental sustainability. However, much remains to be done, especially on the eradication of extreme poverty and hunger, and attainment of universal primary education. The poor state of the economy, coupled with self-reliance policies, is hampering progress. DFID is to support UNICEF programmes in the areas of water, sanitation and nutrition with a grant for 2013-14 of £10 million. The British Embassy in Asmara supported small projects in the areas of dairy farming and education and training during 2013.

## Fiji

In 2013, there was some progress on human rights. The major milestones were the adoption of a new constitution, which establishes a legal deadline for elections, and the registration of four political parties. Freedom of expression has increased, fostering a more open public debate, although media self-censorship remains an issue. There remained concerns about rule of law, particularly the lack of independence of the judiciary. 2013 saw disturbing allegations of the use of torture by state officials. Fiji's poor record on workers' rights was highlighted by trade unions and the International Labour Organisation (ILO). Women continued to face high levels of domestic violence and low levels of political representation.

The UK's main human rights objectives for 2013 were: to support Fiji's efforts to restore democracy through free and fair elections in 2014; to promote greater respect for women's rights; and to encourage Fiji to ratify and implement key human rights instruments, particularly the UN Convention against Torture (CAT). At the time of writing, there was sustained progress towards democracy, which the UK encouraged, with good prospects for elections in 2014. We also provided support through the EU, which sent experts to Fiji to provide technical advice to the government on election preparations. A UK-funded project to improve voter education got off to a slow start because of delays to the release of Fiji's new electoral law. It will continue in 2014. Lack of respect for women's rights is a deep-rooted problem in Fijian society. Two projects funded by the British High Commission helped raise the profile of women's rights, and provide much-needed clinical healthcare and counselling services to survivors of rape and sexual assault. UK funding is also assisting Fiji to prepare for eventual ratification of the CAT.

2014 will be an important year for Fiji. The constitution guarantees national elections will take place by 30 September. However, several key milestones will need to be reached to ensure the credibility of elections, specifically: the appointment of an independent electoral commission and a supervisor of elections; the publication of an electoral law; Prime Minister Bainimarama stepping down as Commander of the Armed Forces; the issuing of the Writ of Election, setting the date of polling; and the transition to full parliamentary democracy post-elections. Campaigning by political parties will begin in earnest after the electoral law comes into force.

Fiji's second Universal Periodic Review (UPR) falls in 2014. The UK, in collaboration with the EU and other international partners, will continue to encourage progress towards free and fair elections, including urging the government to invite credible international observers. Through the EU – which has allocated EUR 1.8 million for democracy strengthening – we will support Fiji's electoral management bodies and other democratic institutions including parliament. Additionally, we will consider other forms of targeted bilateral assistance, while continuing our support of voter education initiatives. Tackling violence against women will remain a priority. We will engage with the UPR process, submitting recommendations to the government.

## Elections

Democracy was suspended in Fiji by a military coup in 2006. In 2009, the authorities announced a process to restore democracy, leading to a national election in September 2014. There was sustained progress towards this goal in 2013.

A new constitution was given assent by the President in September. It replaces the 1997 constitution which was abrogated by the current government in 2009. The constitution-making process was not a smooth one. In January, the government rejected a draft constitution prepared by an independent constitution commission, following extensive public consultations. The government replaced the draft with a significantly revised version with limited public input.

The new constitution establishes the framework and institutional arrangements for Fiji's future democracy, and a deadline of 30 September 2014 for elections to take place. It also contains a comprehensive Bill of Rights, which includes strong provisions on social and economic rights. By preserving nearly all of the decrees passed since 2006 until the first sitting of a new parliament, many restrictions on individual rights – particularly freedom of expression, assembly, association and workers' rights – are perpetuated. In all cases, government decrees take primacy over the constitution where they conflict. The constitution also makes no specific provision for the rights of women.

The constitution received a mixed reception from civil society groups and political parties. Amnesty International said the constitution *“weakens human rights protections”*, because it *“upholds decrees that severely restrict free speech, and grants the state the power to detain people (potentially indefinitely) without charge or trial in times of emergency. It also gives state officials immunity for a wide range of acts, including crimes under international law such as torture”*. Human Rights Watch criticised the constitution's sweeping immunity provisions for those involved in previous coups and the high threshold for future constitutional amendments: 75% needed in parliament followed by 75% in referendum. Despite such flaws, the UK and the international community welcomed publication of the constitution as a positive step on the road to democracy. All political parties are now preparing for elections on the basis of this constitution.

A Political Parties Decree was released in January to regulate the registration, operation and funding of political parties. The decree required all new and existing political parties to register, setting a number of onerous legal obligations to be met within a tight deadline. It also banned trade union representatives and public servants from party membership. A study by the International Senior Lawyers Project found the decree to be extreme compared to equivalent regulatory laws applied in other countries. The study concluded that by barring trade union representatives, the decree breached Fiji's obligations under the ILO Convention. Despite the burden of registration, four political parties successfully completed the process. They began to organise internally, although campaigning in earnest will not begin until the release of a new electoral law (expected in early 2014), which will set the rules for participating in elections.

Electronic Voter Registration (EVR) continued for Fijians at home and overseas. In December, the electoral roll, containing the details of 540,000 registered voters (over 80% of

the eligible voter population), was made public. The government committed FJD\$22 million (£7.1 million) in the national budget for elections and parliamentary improvements – approximately half of the estimated total cost for elections. The remainder is expected to be contributed by international donors. Papua New Guinea has pledged financial support. The EU, Australia, New Zealand, the US, Japan, India, and the UN Development Programme all offered significant technical and in-kind support.

The UK is supporting Fiji's return to democracy. A project implemented by local NGO Citizens' Constitutional Forum (CCF), is helping to inform young people and first-time voters about democratic systems and processes. UK funding for the project is worth £34,000. The UK provided support via the EU for elections gap analysis and technical experts on elections to assist with the drafting of the electoral law. Minister for the Pacific, Hugo Swire, used visits to other countries in the region to make public statements, which underlined the importance of free and fair elections for the democratic process and the long-term stability of Fiji.

### **Freedom of expression and assembly**

The Public Order (Amendment) Decree (POAD) places restrictions on freedom of assembly in Fiji. It requires anyone wishing to hold a public meeting to apply in advance to the police for a permit. The government temporarily suspended the POAD in 2012, specifically to facilitate public consultations on the new constitution. However, throughout 2013, permits were required for all other types of public gathering, although this has not been consistently enforced. This hampered the ability of political parties to begin campaigning. Police used powers under the POAD to disrupt and prevent other public events throughout the year. Two small, peaceful protests for which permits had not been obtained – the first against the new constitution and the second objecting to a lack of transparency in the budget preparation – were disrupted by police leading to the arrest of several protesters, although subsequently they were released without charge. Marches organised across Fiji to celebrate International Women's Day had to be cancelled after permits were withdrawn at short notice. Police cited concerns over public order. In a joint statement with partners, the UK urged the government to respect the right to peaceful assembly.

Although official government media censorship has ended, the threat of heavy penalties under the Media Decree and other forms of legal action forced many media outlets to self-censor. Despite this, the press began to report more widely on the political process, including some criticism of government, although there remains a heavy government bias overall. The government's programme of democratic reforms has prompted a national debate, although political parties and NGOs have complained that they were frequently unable to get their views published.

Contempt of court proceedings were used to suppress freedom of expression. In February, the Fiji Times newspaper was fined FJD\$300,000, and its editor was given a six-month suspended prison sentence, after being found guilty of contempt of court for the 2012 publication of third-party comments suggesting judicial independence did not operate in Fiji. In May, the CCF and its executive director were found guilty of contempt of court charges for publishing in its newsletter sections of a report by the Law Society of England and Wales, titled: "Fiji: the rule of law lost", which criticised the judiciary. Charges were brought by the



Attorney General's Office. CCF received a fine of FJD\$20,000, while the executive director received a three-month prison sentence, suspended for 12 months.

### **Access to justice and the rule of law**

Serious concerns regarding rule of law and access to justice in Fiji persist, in particular a lack of judicial independence and the inability of citizens to challenge the decisions of government. All new laws in Fiji are made by presidential decree, often at short notice and with no public debate or scrutiny. Law-making is unpredictable and provides no mechanism for appeal. The Administration of Justice Decree (2009) prevents any form of legal challenge against any decree passed since the time of the last coup. However, under the new constitution, the responsibility for lawmaking will be returned to parliament.

Fiji Labour Party (FLP) leader and former Prime Minister, Mahendra Chaudhry, is currently facing three criminal charges for alleged tax law violations between 2000 and 2006. The trial is scheduled to begin in March 2014. If found guilty, Chaudhry will be prohibited from contesting the 2014 elections. Laisena Qarase, former Prime Minister and leader of the former SDL party (now renamed SODELPA), is also barred from running in the elections due to a conviction in 2012, which some organisations claimed was politically motivated. Another prominent member of SODELPA has been charged with urging political violence.

### **Death penalty**

The death penalty is abolished for all civilian crimes, but remains in place for certain violations against the Military Code. No executions have been carried out in Fiji since independence in 1970.

### **Torture**

In March 2013, a nine-minute video was posted on the internet showing two escaped prisoners being badly beaten and humiliated by state security officials following their recapture. The video was widely circulated on the internet. In a joint statement with the EU, the UK expressed concern regarding the allegations and called on the government to sign the CAT. Mr Swire drew attention to the case via social media, urging a full investigation. After the incident, the police announced the launch of an investigation, but the results have not yet been made public.

Following its last UPR in 2010, Fiji accepted a UK recommendation to ratify the CAT. With UK financial support through the FCO's Human Rights and Democracy Programme Fund, human rights NGO Association for the Prevention of Torture (APT), has been working with key government ministries in Fiji to prepare for eventual ratification and implementation of the CAT. The project will continue in 2014.

### **Freedom of religion or belief**

The new constitution creates a secular state. It contains specific provisions for religious freedom, which is generally respected in practice. The Methodist Church was prevented by the government from holding its annual meetings from 2004-11. It was allowed to resume its meetings in 2012, and was granted a meeting permit again in 2013.

In December, the British High Commission marked Human Rights Day by hosting an interfaith breakfast for Fijian religious leaders, to promote dialogue between different faith groups.

### **Women's rights**

Domestic violence statistics in Fiji are some of the highest in the world. Access to justice, particularly in cases of domestic violence, is extremely limited, with few cases ending in a successful prosecution. Women are under-represented at all levels of decision making and in the formal economy.

A survey conducted by the Fiji Women's Crisis Centre – the most extensive of its kind carried out in Fiji in a decade – found that more than three in five women in Fiji (64%) have experienced physical or sexual violence, or both, by a husband or intimate partner. The government's commitments to tackle this issue have been welcome, but they have so far failed to sufficiently address this endemic problem.

The UK provided a grant of £30,000 to local NGO Medical Services Pacific to deliver clinical healthcare and counselling services to survivors of rape and sexual assault. The project also helped to raise awareness of women's rights through a series of workshops across the country. A second project in Ba, worth £5,000, funded a series of workshops for local women's groups, promoting greater economic independence through more productive use of civic space.

### **Minority rights**

Fiji has a long-running history of tensions between an indigenous Fijian ("i-Taukei") majority and an economically powerful, ethnically Indian ("Indo-Fijian") minority. Political instability has resulted in four coups since 1987. The current government has promoted a vision of a multi-ethnic Fiji. The new constitution declares that all Fijians are equal, whilst recognising the country's different ethnic groups and origins.

### **LGBT rights**

LGBT rights are generally respected in Fiji. The constitution protects against discrimination on the grounds of sexual orientation and gender identity and, since 2010, male and female same-sex conduct has been decriminalised. However, same-sex marriage is illegal.

### **Other issues**

#### *Labour rights*

Workers and trade union members continued to face restrictions on their rights to freedom of association and collective bargaining. The Essential National Industries Decree (2011) prohibits strike action in certain designated industries. In December 2013, it was amended to include several new industries including wood chip. The change in law effectively prevented a planned strike over pay by workers at a saw mill. A separate strike in December by hospitality workers – also covered by the Essential National Industries Decree – at a popular tourist resort led to the arrest of six union leaders, including Daniel Urai, President of the Fiji Trades Union Congress. However, charges against them were dropped in February 2014. In

2013, trade union officials were barred from becoming members or office holders in political parties under the Political Parties Decree (2013).

Violations of workers' rights have been strongly condemned by international trade union bodies and human rights groups. Amnesty International and the International Trade Union Confederation, in conjunction with ten national trade union centres, called on the ILO to launch a formal Commission of Inquiry to examine outstanding allegations of physical assault, harassment and intimidation of trade union leaders and members in Fiji. The ILO deferred a decision on this until March 2014.

The ILO Committee on Freedom of Association requested the government to allow the return of an ILO Direct Contacts Mission to Fiji (the previous mission was expelled by the government in September 2012) in order to examine complaints made by local trade unions. In October, the Prime Minister invited the Contacts Mission to return to Fiji after the 2014 elections, claiming it risked becoming politicised if it took place before.

## Iran

The election of Hassan Rouhani as President in June, on the back of promises to bring about social equality and justice for all Iranians, brought a feeling of optimism to the country. Positive acts, such as the release of a number of political prisoners in September, were welcomed by the UK and the international community. However, these initial steps have not led to a substantive change in the overall human rights situation in Iran, and President Rouhani's promises remain to be implemented in any real way. The number of executions increased on the previous year, and the death penalty continued to be enforced for drug traffickers and individuals who had committed their crimes as minors. Minority ethnic groups suffered harassment and discrimination, and the persecution of minority religious groups continued. The government continued to suppress freedom of expression, with arrests of journalists, bloggers and internet workers. November 2013 marked 1,000 days of house arrest or detention for opposition figures Mir-Hossein Mousavi and Mehdi Karrubi.

The UK has remained at the forefront of international efforts to persuade the Iranian government to address its deplorable human rights record. We have continued to raise individual cases of human rights violations in Iran, and to address trends such as the high rate of executions, persecution of religious minorities, and lack of press freedom. In March, the UK lobbied for the renewal of the mandate of the UN Special Rapporteur on human rights in Iran, Dr Ahmed Shaheed. During the presentation of Dr Shaheed's March report to the UN Human Rights Council (UNHRC), the UK raised concerns about torture and the rights of religious and ethnic minorities and women, and condemned reprisals by the Iranian government against individuals interviewed by Dr Shaheed. On 18 December, for the tenth consecutive year, a UN resolution in support of human rights in Iran was passed with 86 votes in favour and 36 votes against. The UK lobbied hard in support of this resolution which, whilst recognising some positive steps taken by the new government, expressed deep concern at the ongoing human rights violations in Iran. The UK also continued to support the EU in imposing EU-wide travel and asset freezes on individuals and entities responsible for serious human rights violations in Iran. On 11 March, nine individuals and one entity (the Cyber Police) were added to the list, bringing the total number designated under EU human rights sanctions to 88.

Iran's reaction to international criticism of its human rights record was once again dismissive. Iran rejected the March report of the UN Special Rapporteur and personally attacked Dr Shaheed. Reactions to the October report were similar, with Iran's Foreign Ministry spokeswoman describing it as politically motivated. Iran continued to refuse Dr Shaheed access to carry out a country visit in Iran.

In line with promises made during his election campaign, President Rouhani released a draft Charter of Citizens' Rights in November. The UK welcomed the initiative; but without changes to the law or the approach taken by the judiciary and security forces, the charter is unlikely to deliver any real change. The rights referred to in the charter are placed "within the framework" of Iran's current laws, which have not provided sufficient human rights protection so far. It also does not specify that the rights apply to all Iranians, regardless of religion or belief.

Iran's second Universal Periodic Review (UPR) will take place in October 2014, and Iran is due to submit its report in July. We hope that Iran will take this opportunity to conduct a thorough, open review, and to identify steps to fulfil its human rights obligations. The UK will continue to raise publicly Iran's human rights violations, and help to maintain international support for the promotion of human rights in Iran.

## **Elections**

Iran has a limited democratic process, and the previous presidential elections of 2009 were marred by vote-rigging and the violent and overwhelming suppression of protests. In contrast, the presidential elections of June 2013 passed peacefully, but were still not entirely free. The elections and the political space in which they operated were tightly controlled through candidate vetting and the suppression of opposing views in the run-up to polling day. The eight candidates presented to the electorate were the few that made it through the vetting process carried out by the Guardian Council. Before campaigning commenced, 678 applicants were disqualified. This included all 30 women who had applied. Pre-vetting of this sort denied the Iranian people a truly open field of candidates to choose from.

Despite lively televised debates between the presidential candidates, freedom of speech was suppressed even more than usual in the lead-up to the elections. This began early with the arrest of 24 journalists in January 2013, and warnings against public discussion of the elections and other "sensitive" topics. Media, the internet and text messaging were all severely restricted or censored, although it was reported that these restrictions were then partially lifted immediately prior to voting day. A number of international media outlets were prevented from providing coverage from within Iran by being refused entry visas. Reporters who did manage to gain access were kept on a tight leash.

## **Freedom of expression and assembly**

President Rouhani has said that, *"In today's world, having access to information and the right of free dialogue and the right to think freely is the right of all people, including the people of Iran"*. This has yet to lead to significant changes in Iran's approach to freedom of expression and assembly, although there were some small positive developments. These included the re-opening of Iran's House of Cinema, some media publications banned under previous President Mahmoud Ahmedinejad being allowed to resume publishing, and a relaxation of rules banning women from singing solo in front of a mixed audience.

However, in general, freedom of expression and access to information continued to be severely restricted, both in terms of traditional and new media. Although restrictions were especially evident in the lead-up to the presidential elections, they were not confined to that period. Journalists and bloggers were arrested, and a number of news outlets were shut down. Internet speed continued to be manipulated as a censorship tool, and five million websites were blocked by the Iranian authorities. Virtual Private Networks (VPNs), which many Iranians use to bypass government filtering of the internet, were blocked, further restricting access to information. Despite President Rouhani's and Foreign Minister Zarif's use of Facebook and Twitter, these and other social media platforms were routinely filtered and blocked for ordinary users. The report of the UN Special Rapporteur in October highlighted the closure of 67 internet cafes in July alone. The report also pointed out that

Iranian laws restricting internet access do not meet international standards, by being ambiguous, wide-ranging, and open to abuse.

### **Human rights defenders**

Hundreds of political prisoners and human rights defenders (HRDs) remain in prison, and there were reports of further arrests during 2013. Seven dervishes involved in running a website that published human rights related stories and Sufi news articles were arrested in July and collectively sentenced to over 65 years in prison. Concerns have also been raised over Iranian blogger and human rights activist Hossein Ronaghi-Maleki, whose health deteriorated rapidly in August, when he embarked on a hunger strike to protest being denied medical treatment for heart and kidney problems.

Nasrin Sotoudeh, a human rights lawyer serving a six-year sentence for “spreading propaganda and conspiring to harm state security” was released on 19 September after three years. Her case had received a great deal of international media attention. She was one of 80 political prisoners released *en masse* immediately before President Rouhani attended the UN General Assembly in New York.

### **Access to justice and the rule of law**

Access to justice and the rights of defendants continued to be a concern. There were numerous reports in 2013 of appeals processes being neglected and defendants being denied access to representation in court. President Rouhani promised to remove the dominance of police and intelligence forces in everyday life, but there has been no indication of institutional changes to the security forces or judiciary to bring this about. There continued to be reports of politically motivated charges, a lack of due process, and regime officials, security and intelligence forces continued to enjoy a high level of impunity.

In July, the investigation into the death in custody in 2012 of blogger Sattar Beheshti was brought to a close by the head of the Iranian Coroner’s Office. He concluded that Beheshti’s beating and mistreatment while he was in custody was not enough to have brought about his death. No convictions were made in relation to his death. Abolfazl Abedini, an imprisoned activist who had given testimony in Beheshti’s case, was transferred to Ahwaz prison with no clear explanation in July 2013, and the doctor who examined Beheshti’s body was arrested in December. Beheshti’s family also continued to be harassed by the security forces.

In February 2013, welcome changes were introduced that made it illegal for interrogations to be conducted in police detention centres, or for detainees to be held for longer than 24 hours, as a result of Beheshti’s case. However, concerns remain over implementation. Iran’s Cyber Police, and Abdolsamad Khoramabadi, the head of the Commission to Determine Instances of Criminal Content, were added to the EU human rights sanctions list in March for their involvement in Beheshti’s death.

### **Death penalty**

Iran continues to have the highest execution rate per capita in the world. There were at least 400 executions carried out in 2013, an increase on 352 executions in 2012. In August, 35 executions were reported in one week. The true figure is probably far higher, but reports of



secret executions and a lack of clarity about official figures make it difficult to give an accurate number.

The death penalty was imposed largely for drug offences, which do not constitute “the most serious of crimes”, for which the death penalty is permitted under international law. Iran also continued to unlawfully execute individuals who were under the age of 18 at the time of their crime, and serious concerns remain over the lack of due process. A stark illustration of this was the execution of 16 prisoners in October, in apparent retaliation for the killing of 14 border guards. It is reported that there was no evidence that they were involved and they were executed without due process. There were also accounts of summary executions of Afghan citizens entering Iran illegally.

Ambiguous laws and a lack of clear instruction from judges mean that suspension strangulation, a cruel method of execution that can take up to 20 minutes, remains in regular use. Authorities have also continued to carry out executions in public, often with children watching. Stoning was reinserted into the Iranian Penal Code by the Guardian Council in May following a revision of the code. Although the number of occasions where stoning can be used was reduced, it was not removed completely. The death penalty was also introduced for those convicted of adultery.

### **Torture**

Prison conditions in Iran remained a serious concern. There were reports of torture and other ill treatment, including beatings, sexual violence, deaths in custody and prisoners being subjected to long periods of solitary confinement. There were also numerous reports of medical treatment being denied to prisoners. Nine political prisoners wrote a letter to the Supreme Leader after the death in custody of Afshin Osanlu in June, blaming his fatal heart attack on prison conditions and a lack of medical care. Prisoners resorted to hunger strikes in protest at their treatment, and in one case a Kurdish prisoner in Minab prison sewed his lips shut. After this extreme protest, the prison authorities transferred him to solitary confinement. Sentences of amputation and flogging have also continued to be implemented.

### **Freedom of religion or belief**

Comments made by President Rouhani in support of the rights of religious minorities were welcome, but have not brought any change in Iran’s approach over the past year. The Iranian constitution continues to recognise only three religious faiths other than Islam: Judaism, Christianity and Zoroastrianism. Minority religious groups have continued to be persecuted, and even Sunni Muslims were barred from holding key senior official positions. Human rights violations ranged from harassment and desecration of religious sites, to restrictions on economic and educational freedoms, to arrests and torture.

The systematic persecution of the Baha’i community has continued, with reports of arrests, torture and the restriction of access to education and employment. 14 May marked the five-year anniversary of the imprisonment of seven leaders of the Baha’i faith, who are serving 20-year sentences implemented on baseless charges. The UK called for their release and for Iran to stop the persecution of the Baha’i community and all minority groups on the grounds of their religion or belief.

Christians, although recognised under Iranian law, were also persecuted. Evangelical Christians, Iranian converts to Christianity, and those involved in house churches found themselves particularly singled out for harassment and arrest. Pastor Farshid Fathi Malayeri, who has spent at least 100 days in solitary confinement, started his third year of a six-year prison sentence in May. In July, Mostafa (Mohammadhadi) Bordbar, a Christian convert, was sentenced to ten years of imprisonment for charges of “gathering to conspire through participation at meetings held in home churches”. Other Christians serving prison sentences imposed on the basis of their faith in 2013 included Maryam Naghash Zargaran, Pastor Saeed Abedini and Pastor Behnam Irani.

### **Women's rights**

Women in Iran enjoy a high level of participation in education and the UN Special Rapporteur's March report highlighted improved access to primary healthcare. During his election campaign, President Rouhani called for social equality and promised to create a ministry dedicated to women's issues. However, he maintained that any changes would have to be within the red lines of the Iranian regime. He also promised to increase the participation of women in Iranian society, and appointed three female vice-presidents to his cabinet: Elham Aminzadeh for legal affairs; Masoumeh Ebtaker for environmental affairs; and Shahindokht Molaverdi for women and family affairs. The Ministry for Foreign Affairs appointed a woman as its spokesperson for the first time, Marzieh Afkham, and Iran committed to appointing its first female ambassador overseas.

However, women continued to face discrimination under Iran's Penal Code which legitimises disparities between the sexes, and restrictions on education and travel remained in force. Women campaigning for improvements to their legal and socio-economic rights also experienced harassment and arrest.

### **Minority rights**

Persecution of ethnic minorities continued in 2013, in contravention of Article 19 of Iran's own constitution. Ahwazi Arabs, Kurds, Azeris, Baluchis and Afghan migrants were all targeted. In January, Iran's Supreme Court upheld death sentences for five members of the minority Ahwazi Arab community, and there was a surge in executions of Kurdish political prisoners. The UK publicly condemned the sentences as part of an ongoing campaign against ethnic minorities.

Despite constitutional and legal recognition for minority languages, there were indications that these rights were not recognised but rather routinely flouted with apparent state support. Minority-dominated areas continued to be some of Iran's most underdeveloped, and social, political, and economic disadvantages persisted.

### **LGBT rights**

The UN Special Rapporteur's March 2013 report stated that members of the LGBT community in Iran were “denied basic human rights”.

Homosexual acts still carry a sentence of corporal punishment and, although the revision of Iran's Penal Code reduced the circumstances under which the death penalty should be applied for sodomy, its application was retained. The Revolutionary Guards announced the

arrests of “a network of homosexuals and Satanists” in October when they raided a private party in the city of Kermanshah. Party-goers were verbally abused, beaten and assaulted with pepper spray and electric batons, and at least 17 were taken into custody. They were later released but reported severe mistreatment and mock executions as security forces attempted to extract confessions from them.

Many persons identifying themselves as LGBT were denied educational and employment opportunities and suffered verbal and physical abuse from family members and communities. This sort of abuse mostly goes unreported because of Iran’s discriminatory laws against the LGBT community, and the prospect of abuse by security personnel.

## **Other issues**

### *Afghan migrants*

Iran has provided shelter for Afghan citizens for over 30 years, and there are an estimated one million Afghan citizens in Iran who are recognised as refugees by the Iranian government. However, a November Human Rights Watch report highlighted ongoing discrimination and mistreatment of Afghan migrants. Opportunities to apply for asylum were limited, and summary deportations and detention in unsanitary conditions continued. There were also reports of families forced to separate, and unaccompanied migrant children being subjected to abuse by security forces. Access to education and employment for settled refugees was also curtailed.

## Iraq

There was little progress on human rights in Iraq in 2013, with a significant deterioration in the security situation contributing to an overall downward trend. The UN reported an estimated 8,868 people killed as a result of terrorist violence, the highest number since 2008. The increased violence rests in part on events in neighbouring Syria, with armed groups operating with increased ease across the border. Protests by members of the Sunni community in parts of Western Iraq against perceived marginalisation began in December 2012 and continued throughout the year. Although these were largely peaceful, there were several violent clashes. The security situation was further complicated by developments in the west of the country at the end of 2013, with operations by the Iraqi security forces against groups affiliated with al-Qaeda in Iraq.

Significant problems remain with the administration of justice. This includes a continued, routine reliance on confession-based evidence, and increasing use of the death penalty. In 2013, at least 177 people were confirmed to have been executed. According to the Committee for the Protection of Journalists, Iraq was second only to Syria as the most dangerous country in the world for journalists. Corruption remained endemic with Transparency International ranking Iraq 171 out of 177 in its 2013 Corruption Perceptions Index. Women continued to face threats, notably the prevalence of domestic and gender-based violence, alongside a lack of institutional structures which allow women to access their rights. More positively, the Council of Ministers approved the National Strategy on Combating Violence against Women in March 2013, which aims to improve legal protections for women and girls, and which represents a significant milestone in the protection of women's rights.

In the Kurdistan region, an Independent Board for Human Rights, which will monitor human rights violations, was established in early 2013, and a Freedom of Information law was passed in June 2013, following a campaign by civil society groups. However, the implementation of legislation, including the Family Protection Law, was slow, and there were concerns about the application of the rule of law. Reports of violence against women, including self-immolation, so-called "honour" killings, and female genital mutilation, also remained high.

Human rights remained a key part of our engagement with Iraq. Our priorities included promoting women's rights, including the Preventing Sexual Violence Initiative, and promoting an inclusive political environment which includes a respect for religious and ethnic minorities. Working with the EU and international partners, we encouraged the government of Iraq to deliver its National Action Plan on human rights, drafted in response to the UN Human Rights Council's Universal Periodic Review (UPR) of its human rights record, and supported the development of the Independent High Commission for Human Rights of Iraq (IHCHR). Progress on these was slow. The government of Iraq reported that it had fully implemented 25% of the 135 UPR recommendations, and that work continued on 73% of the recommendations. Although it lacks a chairperson and staffing resources, and is not yet fully functional, the IHCHR made some progress. It agreed a mandate for the next two years, and each commissioner carries a discrete portfolio. They have also begun to build a relationship with the Independent Board of Human Rights in the Kurdistan region.

In 2014, we will continue to focus our advocacy efforts and project activity on women's access to rights, promotion of freedom of expression and the media, and strengthening the rule of law and civil society. Working with the UN and other partners, we will also continue to support institutional reform, including the development of the IHCHR, and support Iraq as it undergoes the next UPR in October 2014.

### **Freedom of expression and assembly**

Iraq enjoys a plurality of press compared with other countries in the region, with around 258 media outlets. However, many of these are aligned to specific religious or political groups, and both the Federal and Kurdish authorities exercise significant influence over how the press report. We were particularly concerned by the Iraqi Commission of Media & Communications' decision to revoke the operating licenses of ten TV channels on 28 April for allegedly breaching broadcasting guidelines, and the Ministry of Interior's decision on 13 September to close al-Baghdadia television channel. Though passage of the Freedom of Information Law in Kurdistan has been widely welcomed, many media professionals in that region still complain about the climate of intimidation in which they have to operate.

At least ten journalists across Iraq were killed for reasons related to their profession. This included Kurdish journalist Kawa Garmiyani, editor-in-chief of Rayalla magazine and correspondent of Sulaimaniya-based Awina newspaper, who was assassinated outside his home in Kalar on 5 December. HM Consul General in Erbil has called on the Kurdistan Regional Government to honour its commitment to investigate the attack and to bring those responsible to justice.

Protests by members of Iraq's Sunni community in parts of Western Iraq against perceived political marginalisation continued throughout 2013. Although largely peaceful, there were a number of violent incidents, including at Hawija on 23 April, which left at least 44 protestors and one soldier dead. On 30 December, government forces dismantled Sunni protest camps in Anbar province, leading to a number of violent clashes between militants and Iraqi security forces.

On a number of occasions local authorities refused to issue permits to the organisers of demonstrations, often on the grounds of security. When protests were allowed to take place, there were reports of protestors being assaulted, or being detained by police. This included an incident on 2 August, when 13 people were detained and prevented from protesting against corruption and the deteriorating security situation in the country.

The UK, along with other international donors, is supporting a project which aims to work with Iraq to develop a clear, coherent legal and regulatory framework, in which journalists can work safely. In the Kurdistan region we are funding a local NGO to train Iraqi journalists to report effectively and responsibly on the human rights of religious and ethnic minorities.

### **Access to justice and the rule of law**

Corruption, lack of judicial capacity, an absence of due process, and a continued reliance on confession-based evidence all contribute to a slow and inefficient administration of justice. There were regular reports of people being arbitrarily detained, detained without access to legal counsel, and not being brought before a judge within 24 hours of arrest, as is required

by Iraq's Code of Criminal Procedure. A lack of resources has also led to many detainees being held for prolonged periods of time without conviction. However, the cases of high-profile opponents of the government are often resolved more swiftly.

The belief amongst members of the Sunni community that they are disproportionately targeted by authorities through, for example, mass arrests and anti-terrorism legislation, was one of the key grievances of the protest movement that took hold at the end of 2012. In response to protestors' demands, the government reportedly released several thousand detainees over the course of 2013. Although exact numbers are difficult to verify, the government's willingness to release detainees *en masse* highlights the absence of due process which underpins the justice system.

The UK provided funding for several projects designed to support reform of the Iraqi justice system. This included a pilot project aiming to bring local communities together with their police station in Baghdad in order to develop a community-based approach to policing, which can better identify and pre-empt crime, social disorder and conflict. We also provided funding for the EU Integrated Rule of Law Mission, which sought to increase the capacity and levels of coordination within the Iraqi criminal justice system through training of police, judges and prison officers.

## **Torture**

Iraq became a party to the UN Convention against Torture in 2011. However, although torture is prohibited under Article 37 of the Iraqi constitution, there were consistent reports of prisoners being mistreated or tortured during 2013. We also have concerns about the number of prisoners who have died while in detention, along with the level of security at some prisons.

Responsibility for arrest and detention is spread across a number of ministries (Interior, Defence, Justice, and Labour and Social Affairs) and security agencies, and there is little coordination or oversight, as well as a lack of accountability. The majority of pre-trial detainees and convicted prisoners are located in facilities administered by the Ministry of Justice. The UN has reported an improvement in conditions at these facilities, including rehabilitation programmes, though physical conditions of many detention facilities continue to fall below international standards, with overcrowding and a lack of adequate health services cited as key problems. The government of Iraq has not granted the UN access to those facilities administered by the Ministry of Interior or Counter Terrorism Directorate, where many detainees, including those arrested in connection with anti-terrorism legislation, are held during the investigation phase, and where the majority of allegations of mistreatment occur.

We remain concerned about the case of Ramze Ahmed, a dual British/Iraqi national who has been in detention in Iraq since December 2009. In 2012, he was found guilty of terrorism-related offences, and sentenced to 15 years in prison, during a 15-minute hearing at which his lawyer was not permitted to speak. Along with Amnesty International, we remain concerned about the nature of his conviction, including allegations of the use of evidence obtained through torture during his detention. We continue to provide consular assistance and to raise the allegations of mistreatment with the Iraqi government.



## **Death penalty**

The Iraqi government has continued to argue and maintain public support for its position that the death penalty is a legitimate response to the high level of terrorist violence. The use of the death penalty increased sharply again during 2013. The UN reported at least 177 people executed, which was up from 123 in 2012 and 67 in 2011, making Iraq the country with the third highest number of executions in the world after China and Iran. Sentences were often carried out in mass executions, such as in October when 42 people were executed in the space of two days. There are also serious concerns about the transparency of death penalty cases, with the government often failing to provide information about exact charges, appeals or trial procedures. While accurate figures are difficult to obtain, we understand that over 800 prisoners remain on death row. In the Kurdistan region, there has been an unofficial moratorium on the use of the death penalty since 2008.

We frequently raised our concerns about Iraq's continued application of the death penalty. HM Ambassador Baghdad joined other EU Heads of Mission as signatories to a statement on World Day Against the Death Penalty in October, which called on the government of Iraq to introduce a moratorium.

## **Conflict and protection of civilians**

There was a sharp deterioration in the security situation during 2013, with almost 9,000 people reported to have been killed as a result of terrorist violence. Attacks occurred on an almost daily basis and were predominantly directed at civilians, often in market places or places of worship. Al-Qaeda in Iraq, seeking to cause sectarian divide, is thought to be responsible for many of the attacks.

There was also an increase in the frequency of large-scale coordinated attacks designed to cause mass casualties, along with a marked increase in well-planned attacks on government infrastructure. These included a coordinated assault on the Ministry of Justice on 14 March, and attacks on Abu Ghraib and Taji prisons on 23 July, which resulted in the escape of several hundred prisoners, most of whom were believed to be convicted terrorists affiliated with al-Qaeda in Iraq.

We repeatedly condemned these attacks, and urged Iraqi political and religious leaders to resolve political differences and work together to defeat extremism. Our broader efforts to improve security included providing officer training for members of the Iraqi armed forces, and part-funding a UN Development Programme project to help the Iraqi government to develop its National Security Strategy.

The upsurge in violence added to Iraq's already large number of internally displaced persons (IDPs), a legacy of decades of instability and conflict. IDPs, often largely made up of female-headed households, are some of the most vulnerable people in Iraqi society, and experience difficulty accessing employment and healthcare opportunities. The unrest in Fallujah and Ramadi alone is thought to have led to up to 15,000 IDPs. This is in addition to the more than 200,000 Syrian refugees currently in Iraq (located mainly in the Kurdistan region).

## **Freedom of religion or belief**

Despite its rich and diverse history, Iraq remained one of the most dangerous countries in the world for minority groups in 2013, and the country's already diminished religious minority communities were targeted by extremists throughout the year.

For example, Christians and Yezedis continued to be targeted for engaging in practices considered un-Islamic. In May, a group of ten Yezedi shopkeepers, who are permitted to sell alcohol, were rounded up in Baghdad and executed, and their stores set on fire. Christmas day attacks, some in Christian areas of Baghdad, left 38 dead. The Embassy in Baghdad issued statements condemning these attacks.

We continued to support an initiative aiming to support religious reconciliation at a community level, by communicating messages of peace from influential religious leaders in order to combat sectarian violence. The work is being led by Canon Dr Andrew White, who has played a key role in forming the High Council of Religious Leaders in Iraq.

## **Women's rights**

Iraq is a signatory to the Convention on the Elimination of All Forms of Discrimination against Women, and has formally identified women's empowerment as a priority. The State Ministry of Women's Affairs has also developed a National Strategy for the Advancement of Iraqi Women, which includes mainstreaming gender rights in government planning, and a National Strategy for Combating Violence against Women was endorsed by the Council of Ministers in March.

However, in practice, the situation for Iraqi women in 2013 remained difficult. Domestic and gender-based violence, including so-called "honour" crime, is a key problem, with some reports suggesting that almost 50% of married women have been exposed to some form of violence by their spouse. A draft Family Protection Law, which seeks to combat domestic violence, remained stalled in the government's Shura Council. In spite of possible new legislation, the Iraqi Penal Code continues to allow reduced sentences for "honour" crimes, for example, allowing men who kill their wives to serve a maximum sentence of three years in prison, and classifies domestic violence as a private crime. Meanwhile, a draft Personal Status Law, designed to govern marriage, divorce, inheritance and the custody of minors, represents a serious step backwards for the rights of women and girls, if implemented.

Wide levels of displacement and the absence of employment opportunities have also left women increasingly vulnerable to trafficking. The UN reported that a number of women were imprisoned for enforced prostitution and trafficking, despite the passage in 2012 of a Trafficking in Persons Law, containing provisions for the protection of victims of trafficking. The UK funded a number of projects designed to improve the situation for women. These included training police in the Kurdistan region in how to respond to and tackle violence against women and girls, and a project designed to build the capacity of civil society organisations to lobby government, and challenge gender discrimination in Iraqi legislation. We are also funding a project which seeks to reduce levels of sexual violence against women and girls in Southern Iraq, and which will facilitate access to services for victims and survivors of sexual violence.

## **Children's rights**

Although Iraq is a signatory to the Convention on the Rights of the Child, many Iraqi children are subject to significant human rights violations and abuses, including those who have lost family members as a result of the increased violence. In some instances children were directly targeted by terrorists. For example, on 6 October a suicide bomb attack on a Turkmen school in the village of Qabak left 13 children dead. There were also reports throughout the year of children being detained under Article 4 of the Anti-Terrorism Law.

## **Minority rights**

Members of Iraq's ethnic minority communities were targeted throughout the year as part of the increase in violence. Ethnic and religious minority groups are more vulnerable to attacks because they do not have militias or traditional tribal structures that help the majority Sunni/Shia population protect themselves. Attacks were often located in Baghdad and the disputed provinces of Kirkuk, Nineveh and Diyala. There were, for example, several attacks on members of the Turkmen community, including an explosion in a coffee shop in Kirkuk on 12 July which left 30 people dead.

Attacks in Kirkuk, particularly those directed against Turkmen, are believed to be designed to force the migration of minorities to the benefit of dominant ethnic groups. In response to the violence, members of Iraq's minority communities have fled the country to escape the violence and pursue better economic opportunities.

## **LGBT rights**

Despite not being illegal under Iraqi law, homosexuality remains a taboo issue, and it is difficult to assess the size, or relative freedoms of Iraq's LGBT community. Although there were reports of individuals being targeted by extremists, it is likely that many more instances of violence or discrimination go unreported, with victims fearful of the possible repercussions of doing so. In 2012, the government established a committee on LGBT rights, which meets regularly to look at ways to improve protections of people on account of their sexual or perceived sexual identity. The committee has yet to report its findings.

## **Other issues**

### *Camp Ashraf/Liberty*

There were several attacks on residents of Camp Ashraf and Camp Liberty during 2013, including an attack on Camp Ashraf on 1 September which left 53 dead. We condemned these attacks, and support UN calls for more to be done to protect residents. We also called on the government of Iraq to do all it can to locate those residents reported missing following the 1 September attack.

The final group of residents were transferred from Camp Ashraf to Camp Liberty on 11 September, where residents are being assessed for refugee status by the UN High Commissioner for Refugees, with a view to being relocated in third countries. We welcome the government of Iraq's continued engagement with the UN on plans to relocate residents outside of Iraq. UN monitors reported human rights concerns within Camp Liberty throughout the year, including restrictions placed by the camp's leadership on residents' movements, contact with others, and access to information.

## Israel and the Occupied Palestinian Territories (OPTs)

The human rights situation in Israel and the OPTs continued to be of serious concern in 2013, with the trends of 2012 largely unchanged. Our principal concerns related to continued violations of international human rights law and international humanitarian law by Israel in the context of its occupation of the OPTs. We also continued to have concerns about breaches of human rights in Palestinian Authority (PA) controlled parts of the West Bank and, particularly, under *de facto* Hamas rule in the Gaza Strip. The humanitarian situation in Gaza deteriorated as a result of continued restrictions on movement of goods and people, combined with Egyptian closures of illegal smuggling tunnels.

Our priorities for 2013 included a large-scale international push, under US leadership, to restart final status negotiations, lobbying Israel to re-engage with the UN Human Rights Council (UNHRC) and the Universal Periodic Review (UPR) process, as well as a focus on: the treatment of Palestinian detainees, including children, in Israeli prisons; settlement expansion, incitement to violence, evictions and forced transfer of Palestinian communities; consolidation of the ceasefire in Gaza; and an easing of Israeli restrictions. There has been some positive progress: peace talks resumed; Israel re-engaged with the UNHRC and UPR; the ceasefire in Gaza has largely held; and there has been some improvement on child detainees. However, there have been surges in settlement expansion; increases in the number of West Bank Palestinians and Israelis killed; an increase in demolitions of Palestinian property; and no real progress on easing of Israeli restrictions.

In 2014, the UK will continue to support the US-led push for a comprehensive settlement of the Israeli-Palestinian conflict. We will also continue to seek improvements in the treatment of Palestinian detainees, notably children, press for the cessation of demolitions and evictions, and encourage prosecutions of violent Israeli settlers. In addition, we will continue to lobby against the excessive use of force by the Israel Defence Forces (IDF), and for the easing of Israeli restrictions on movement and access. We will encourage improvement in the PA's public accountability with respect to investigations and action taken in response to allegations of human rights abuses, and concrete progress on preventing violence against women.

### Elections

Parliamentary elections took place in Israel in January and municipal elections in October. Both were considered to be free and fair by international standards.

Parliamentary and presidential elections in the OPTs remain overdue and continued to be blocked by differences between Hamas and the PA. No progress was made towards Palestinian reconciliation during 2013.

### Freedom of expression and assembly

Freedom of expression and assembly continue to be well observed within Israel.

Within the OPTs we have longstanding concerns about Israel's policing of Palestinian protests. This includes the use of live fire, rubber-coated bullets, shock grenades, tear gas, and "skunk water", sometimes in response to stone-throwing and Molotov cocktails. Our

Embassy in Tel Aviv has raised our concerns about the excessive use of force by the IDF with the Israeli authorities.

The Israeli government continues to impose restrictions on information and communications technology in the OPTs, including by blocking frequencies which allow access to 3G and 4G for Palestinian mobile providers.

The Palestinian Center for Development and Media Freedoms (MADA) considered the PA's respect for freedom of expression to be better than in previous years, but reported 21 violations of media freedoms by PA security forces.

We remain concerned by allegations of repression of dissent, and curtailment of free speech and freedom of association in Gaza by the *de facto* authorities. MADA reported 46 violations of media freedoms in Gaza. The Hamas Attorney General shut down the Gaza offices of al-Arabiya TV Channel, Ma'an News Agency, and Lines Media Company in July, alleging they had published fabricated information which posed a threat to civil peace. According to the Palestinian Centre for Human Rights (PCHR), several academics were summoned and interrogated by Hamas security forces for allegedly criticising or acting against the government. In November, Hamas police dispersed a women's protest against Palestinian political division in Gaza City.

### **Human rights defenders**

There have been reports of harassment of Palestinian human rights defenders (HRDs) by Israeli forces. Issa Amro, a prominent HRD in Hebron, was arrested by the Israeli authorities 26 times in the last two years on suspicion of organising violent protests. Mr Amro was reportedly subject to physical and verbal abuse by Israeli settlers and soldiers in Hebron. Embassy officials in Tel Aviv raised his case with the Israeli authorities, urging that such allegations of harassment be dealt with appropriately.

The *de facto* authorities in Gaza continued to target HRDs with accusations of collaborating with foreign countries.

### **Access to justice and the rule of law**

According to Palestinian NGO Addameer, as of December there were 145 Palestinian prisoners being held in Israeli administrative detention, compared to 178 in December 2012. The UK welcomes this downward trend, but still considers Israel's use of administrative detention to be excessive; according to international law, administrative detention should only be used when absolutely necessary for reasons of security, and as a preventive, not punitive, measure.

The UK lobbied the Israeli authorities for prisoners on hunger strike to receive appropriate medical care, encouraging all sides to reach a solution preventing loss of life. We welcomed the compromise reached by Israel and the PA to end Samer Al-Issawi's long-term hunger strike.

We continue to be concerned about the dual court system employed in Israel and the OPTs. All Palestinians, except those residing in East Jerusalem, are subject to trial in Israeli military

courts, regardless of the charges against them, while Israeli settlers are tried in Israeli civil courts.

The UK continues to have concerns around Israel's handling of complaints in relation to armed conflicts. We welcomed the Israeli government-appointed Turkel Commission's second report on this issue, recommending 18 ways Israel can improve investigations of complaints. We have urged the Israeli authorities to implement these recommendations, in particular to enact legislation to impose direct criminal liability on military commanders and civilian superiors, and to set out timeframes for concluding investigations and enforcing any necessary legal or disciplinary measures.

### **Death penalty**

Israel abolished capital punishment in peacetime in 1954, excepting those responsible for Nazi war crimes. Israel has carried out no executions since 1962.

Although PA law permits the use of capital punishment, a PA moratorium on the use of the death penalty has been in place since the end of 2009.

The UK has serious concerns about the use of the death penalty in Gaza, in contravention of the PA moratorium. The *de facto* authorities executed three people in 2013 and issued 13 death sentences for collusion with Israel. EU member states condemned the executions. The UK continues to urge complete abolition of the death penalty in both Gaza and the West Bank.

### **Torture**

There are continued allegations by NGOs of mistreatment of Palestinian detainees by the Israeli authorities. Palestinian prisoner Arafat Jaradat died in Israeli custody in February 2013; Israeli authorities denied allegations that his death was a result of torture. The UK has made clear to the Israeli authorities the importance we attach to a full investigation into the circumstances of his death, including the allegations of mistreatment.

Whilst noting that acts of torture are criminal under Israeli law, we called at Israel's UPR for "necessity" to be removed as a possible justification for torture, and for all allegations of torture and ill treatment to be promptly and effectively investigated, with perpetrators prosecuted. In December, the NGO Public Committee Against Torture in Israel reported that, following arrest, Palestinian child detainees were being held outside in iron cages for hours overnight. Justice Minister Tzipi Livni has publicly confirmed that, on hearing the reports, she immediately instructed the Israeli Prison Service to stop this practice.

We continue to be concerned by reports of mistreatment of detainees by the PA security forces and by Hamas in Gaza. According to the Palestinian Independent Commission for Human Rights, there were 221 complaints of mistreatment by the PA security forces in 2013, focusing on allegations of torture, including standing in difficult positions for extended periods of time, beating and general ill treatment. There were 271 complaints lodged against Hamas security forces in Gaza.



## **Conflict and protection of civilians**

There has been an increase in violence in the West Bank: four Israelis were killed by Palestinians compared to none in 2012, and 27 Palestinians killed by the IDF, compared to nine in 2012. The Foreign Secretary condemned an attempted terrorist attack in Bat Yam in December. We have repeatedly raised our concerns about the IDF's use of live fire with the Israelis, including with the Prime Minister's Office and the Ministry of Defence.

According to the Office for the Coordination of Humanitarian Affairs, in 2013 there were 399 "price tag" incidents by extremist settlers resulting in Palestinian injuries or damage to private Palestinian property, compared with 368 in 2012. As well as cases of physical violence against persons, attacks included damaging Palestinian vehicles and spraying racist anti-Arab graffiti. We welcomed the establishment of an Israeli police unit dedicated to tackling hardline, nationalistically motivated crimes, but are concerned by the lack of convictions: according to Israeli NGO Yesh Din, out of 174 cases of violence by settlers reported, only one has so far seen an indictment being served.

The Israeli authorities continued demolition of Palestinian structures built without permits in Area C of the West Bank and East Jerusalem, with demolitions increasing by 10% (to 663), and persons displaced increasing by almost 25% (to 1,103), compared to 2012. Four Bedouin or herding communities in Area C were displaced following demolition of their structures. East Jerusalem saw 98 Palestinian structures demolished, almost equalling the combined total for the previous two years. 2013 also saw an increase in confiscations or destruction of humanitarian assistance delivered to address the emergency needs of communities that had been subject to demolitions.

We have repeatedly conveyed our serious concerns to the Israeli authorities: demolitions and evictions are harmful to the peace process and, in all but the most limited circumstances, contrary to international humanitarian law.

The UK continued to support Palestinians facing demolition or eviction in the OPTs through the Norwegian Refugee Council legal aid programme which helps individuals to challenge such decisions in the Israeli legal system. We also fund the International Peace and Cooperation Centre (IPCC) to support long-term planning for Palestinian communities in East Jerusalem and the West Bank.

There were several incidences of violence during operations conducted by the Palestinian security forces and during confrontations between the security forces and Palestinian protesters. Whilst on the whole the Palestinian security forces have demonstrated improved professionalism, there is a need for strengthened accountability in terms of investigations, and public communication of findings and follow-up action.

The November 2012 Gaza ceasefire has been broadly respected. According to IDF reports, Gazan-based militants fired 50 rockets into Israel, but caused no Israeli deaths or injuries. The Israeli Air Forces responded with 10 airstrikes, hitting 24 sites. Eleven Gazans were killed in 2013 by the IDF, raising serious concerns about IDF policing of the buffer zone between Gaza and Israel and of restricted agricultural and fishing areas. The UK publicly

condemned the indiscriminate firing of rockets into Israel in violation of international humanitarian law, and called on both parties to respect the ceasefire in full.

The humanitarian situation in Gaza deteriorated sharply following Egypt's closure from mid-2013 of illegal smuggling tunnels into Gaza. Intermittent closure of the Rafah crossing to Egypt severely restricted the movement of people to and from Gaza, and along with Israel's near-total blocking of exports and restrictions on imports, continued to have severe consequences for the civilian population of Gaza. Minister for the Middle East, Hugh Robertson, expressed our concern on 28 November at the deteriorating situation in Gaza, and called on Israel to ease its restrictions, including on import of construction materials and on movement of goods to the West Bank and Israel.

### **Freedom of religion or belief**

Whilst freedom of religion or belief continue to be broadly respected in Israel and the West Bank, religious intolerance has continued with 43 attacks on holy sites recorded by the Council of Religious Institutions of the Holy Land. Incidents included vandalism by extremist settlers against Christian and Muslim holy sites in East Jerusalem, and the desecration of an Anglican/Lutheran cemetery on Mount Zion. There was also an attempted arson attack on a synagogue in Jerusalem. Officials at the British Embassy in Tel Aviv raised concerns about such provocative acts, urging action to bring the perpetrators to justice.

In April, the gates of a Christian school in Gaza City were set on fire, and school property was vandalised.

Due to Israeli movement and access restrictions, outside of Ramadan, the vast majority of Palestinians from the West Bank and Gaza have heavily restricted access to the holy sites of Jerusalem, including the al-Aqsa Mosque.

### **Women's rights**

As highlighted in Israel's UPR, the UK welcomes Israel's continued efforts to promote gender equality and women's rights. We encourage the Israeli government to ensure the continued implementation of existing legislation to address domestic and sexual violence against women and girls, particularly those belonging to minority communities.

In East Jerusalem and the West Bank, the challenges facing women are similar to those experienced by all Palestinians living under occupation. The UK has continued to support PA efforts to promote women's rights and looks forward to concrete steps in 2014 to tackle violence against women, and provide access to justice for women more broadly.

The UK has serious concerns about the suppression of women's rights in Gaza. According to the Palestinian Independent Commission for Human Rights, nine Gazan women were killed over family honour in 2013. Hamas has also steadily increased the number of Islamic restrictions imposed on Gazan life, including directives on clothing for university students, gender segregation in schools, a ban on the employment of male teachers at female schools, and preventing women from running in a UN-sponsored marathon.

## **Minority rights**

The Arab-Israeli minority – 20% of the Israeli population – continue to lag behind Israel's Jewish population in income, education and standard of living. Israeli authorities have spoken of efforts to address inequalities with regard to access to housing, healthcare, jobs, welfare and education for minority groups.

The UK continued to follow closely the Praver-Begin Bill on Bedouin communities in the Negev. Former Minister for the Middle East, Alistair Burt, and our Ambassador in Tel Aviv, have raised our concerns about the Bill with Israeli ministers and parliamentarians, whilst our embassy is in regular contact with Bedouin leaders and activists. We highlighted this issue at Israel's UPR and continue to urge further dialogue to agree a way forward to develop the Bedouin communities in the Negev, while respecting the equality of all of Israel's citizens under the law, and avoiding forced relocation.

We also continue to follow developments around Israel's "anti-infiltration law," on which the Knesset passed a revised amendment in December that will allow for asylum seekers entering the country illegally to be detained for up to a year, and for asylum seekers already in the country to be held in open facilities. The UN High Commissioner for Refugees has expressed concerns over the amendment. This followed the Israeli High Court's invalidation of a previous amendment that would have allowed the incarceration of asylum seekers for up to three years.

## **Children's rights**

The UK continues to be seriously concerned about the treatment of Palestinian children detained in Israeli prisons. NGO Addameer reported that 173 Palestinian children were being held in Israeli military detention at the end of 2013. A UN Children's Fund (UNICEF) report highlighted some positive steps by Israel including: introduction of legal obligations to inform the child's parents of an arrest, granting them legal status to be represented in court, notifying minors of their legal rights, and standard operating procedures on methods of restraint. The IDF have also agreed to pilot the use of summons instead of night-time arrests. We welcome the steps taken to date, but have called for further measures, such as the mandatory use of audio-visual recording of interrogations and a ban on solitary confinement. These were key UK recommendations at Israel's UPR.

## **Racism**

The UK condemns incitement to hatred, discrimination or violence wherever it occurs, and continues to raise instances of incitement with the Israeli authorities and with the PA whenever we see them. We intervened successfully with the independent Palestinian press agency Ma'an, and with the Fatah party, to urge them to remove unacceptable material from websites, including Facebook. We encourage both the Israeli and Palestinian authorities to do far more to promote a culture of tolerance and to prepare their populations for peace.

We remain deeply concerned by continued incitement against Israel in the Hamas-run media and leadership.

**Other issues**

According to NGO Peace Now, plans were promoted through various stages for 11,598 settlement units on the West Bank and 2,433 in East Jerusalem. In addition, tenders were issued for 1,809 settlement units in the West Bank, and 1,488 in East Jerusalem. Between January-June 2013, there was a reported 70% rise in construction starts compared to the equivalent period the previous year. The controversial plan for the East Jerusalem Mount Scopus Slopes National Park was also advanced.

We remain deeply concerned about restrictions on freedom of movement between the West Bank and East Jerusalem. It remains difficult for Palestinians to enter East Jerusalem for work, education, medical treatment or religious worship. Through our Embassy in Tel Aviv, we have lobbied the appropriate authorities on the issue of movement and access.

Israeli construction of the Separation Barrier along and within the West Bank continued, but at a reduced scale in comparison with previous years. Where the barrier is constructed on the Palestinian side of the 1967 border, it is illegal under international law. Construction of the barrier and illegal settlements has led to the confiscation of land, and further restrictions on movement and access throughout the West Bank.

## Libya

Libya has made progress over the last two years, not least its first ever democratic elections in over 40 years. But the fall of the Qadhafi regime was just the beginning. It will take time for the Libyan people to rebuild their country based on a new political system and the rule of law. The Libyan authorities continue to make positive public commitments to upholding human rights in the new Libya, but they face significant challenges and are now at a critical stage in the transition.

Security and stability in Libya is a serious concern. A number of armed militia groups continue to act outside of government control, and have been involved in a number of violent clashes in the past year. The most recent clash took place in Sabha on 10 January 2014, where over 30 people were killed. This follows violence in Tripoli, on 15 November 2013, where 43 people were killed and over 400 injured, and in Benghazi on 9 June with similar numbers. Although exact figures are difficult to record, a report by the Interior Committee of Congress stated that 643 people were killed in Libya throughout 2013, most as a result of assassinations or extrajudicial killings.

Libya's security and justice challenges are exacerbated by the widespread availability of Qadhafi-era arms and ammunition. It is estimated that Libyan weapons stocks, most of which are unsecured, are 100 times greater than those found in Iraq. The Libyan government has made clear its determination to tackle these challenges.

Political divisions within Libya are hampering progress overall. It is essential that Libyans work towards agreement on a single and inclusive national dialogue process, and refrain from destabilising action that would further set back the political transition. The judiciary is functioning to a limited extent, but there continue to be reports of arbitrary arrest and mistreatment of detainees, particularly in areas outside government control. Other key concerns are women's and minority rights, freedom of religion or belief, and freedom of expression, in particular media freedom.

The UK continues to work with our international partners in Libya to provide coordinated assistance to the Libyan authorities to set up more effective and accountable security, justice, and defence institutions in Libya. In particular, the UK's human rights support to Libya includes providing human rights training for 2,000 members of a planned General Purpose Force; strategic advice on restoring public security and promoting the rule of law through police advisors working within the Interior Ministry; support to judicial police through a prisons reform project, funding training workshops for Libyan lawyers; £1.5 million to the UN elections fund and training of domestic electoral observers focusing on women groups; support to develop two new programmes to assist capacity building of Libyan institutions for private sector development in central Libya; and support for the role of women and youth by underlining the need to protect their rights and supporting their education. We are exploring what additional support we can provide in 2014.

### **Freedom of expression and assembly**

Since the revolution, freedom of expression and assembly has improved significantly. Hundreds of new media outlets have emerged, including new TV and radio stations. Social

media usage has increased dramatically, and there is greater access to information on the internet. The General National Congress (GNC) president, Nouri Abu Sahmain, has publicly confirmed that no censorship will be imposed on the media, and they will be granted complete freedom to perform their duties. The GNC has created a Ministry of Information, although its mandate is unclear. However, we are concerned about recent decrees passed by the GNC, which limit some aspects of freedom of expression, such as law 5 in Article 195 which allows people who criticise the revolution to be arrested, the banning of satellite television channels that criticise the government, and a reduction of scholarship funding for students who do not support the revolution. We also remain concerned about continuing reports of harassment of journalists by militia groups, with a number of abductions and attacks being reported since the beginning of August. The Libyan government's ability to protect journalists from harassment and intimidation is constrained by its relative lack of control over security in general.

The UK is providing some support in this area. Through the Arab Partnership/Conflict Pool, we are providing funding for a series of television programmes to promote a positive Libya and encourage free debate. There is also a broader BBC media action plan in place, the aim of which is to provide support to public service broadcasting.

A permissive environment for peaceful protest remains under the new government, which marks a departure from the Qadhafi regime, when demonstrations were permitted only in support of the regime, and protests against the regime were put down, often violently. The new government, by law, allows people to gather and demonstrate against them. There have been numerous demonstrations outside and inside the GNC Hall. Demonstrations have also occurred in cities and towns across Libya. We were, however, concerned by protests earlier in 2013 calling for Political Isolation Legislation, which forced government ministries to close for two weeks. The Political Isolation Law, if implemented to its fullest extent, could effectively lead to 10,000-20,000 civil servants, former ambassadors, and members of the judiciary, formerly connected to the Qadhafi regime, from participating fully in political life, which could have long-term implications for national cohesion and reconciliation.

### **Access to justice and the rule of law**

The Libyan judicial system has improved in the past year, but despite efforts made by the interim government to rebuild institutions, court cases still do not progress as quickly as they should, and are often adjourned, rather than dealt with immediately by judges. The deterioration in Libya's internal security has also meant that concerns remain about the personal safety of judges and lawyers. However, following an amendment to the law on the status of the judiciary in May 2013, which allows for the election by peers of 11 out of 13 members of the Supreme Judicial Council, the independence and competence of the judiciary in Libya has been considerably strengthened.

There have, however, been signs that the Libyan judicial system is beginning to operate more effectively. On 19 September, pre-trial hearings were held for 35 detainees accused of conflict-related crimes, including Saif al-Qadhafi and Abdullah al-Senussi. All except Qadhafi attended the hearing. But it remains the case that a vast majority of conflict-related detainees are not processed within reasonable time frames because of the political sensitivities related to their cases. In addition, those detainees with strong links to militia



groups are not being prosecuted because lawyers and judges are fearful of reprisals by members of the militia group.

Improvements in dealing with non-conflict related crimes have continued. Most individuals have access to lawyers, either state- or privately-funded, and straightforward civil cases are processed within reasonable time frames.

The UK is helping the Libyan authorities to provide more effective and accountable justice for its citizens, including through expert advice to the Libyan Ministry of Justice, and through the training of 1,500 judicial police.

A number of members of the former Qadhafi regime remain in detention in Libya, awaiting trial on a range of charges. They include Saif Al-Islam al-Qadhafi, son of Qadhafi, Abdullah al-Senussi, Qadhafi's former intelligence chief, and Al Mahmoudi Al Baghdadi, Qadhafi's last prime minister. For most Libyans, their detention marks an important step in bringing closure to the Qadhafi era and building a new democratic Libya. It is important that all detainees are held in accordance with Libyan and international law, by a legitimate authority, and have access to legal representation and medical care. The way in which high-profile former regime figures are treated presents an opportunity for Libya to demonstrate its commitment to ensuring fair trials, to cooperating fully with the International Criminal Court (ICC), and to meeting international standards in the protection of human rights.

The UK continues to urge Libya's full cooperation with the ICC. In May, the ICC's Pre-Trial Chamber rejected Libya's request to try Saif al-Qadhafi in Libya, and ordered his surrender to the ICC. Libya is appealing the decision on the admissibility of the case. In July, the ICC Appeals Chamber rejected Libya's request to suspend the surrender of al-Qadhafi while its appeal was pending; Libya is under an obligation to surrender al-Qadhafi to the ICC.

In October, the Pre-Trial Chamber granted Libya's application to try Abdullah Al-Senussi domestically in Libya, on the basis that Libyan authorities were both willing and able to effectively prosecute him. This was the first time the ICC had ruled that it could relinquish jurisdiction of a case in favour of national proceedings. Al-Senussi has appealed the decision. It is imperative that Al-Senussi is detained in accordance with Libyan and international law, held by a legitimate authority, has access to legal representation, and that his trial meets international standards.

### **Death penalty**

Libya still retains the death penalty and continues to pass the death sentence, although there have been no executions since liberation.

### **Torture**

Some progress has been made by the Libyan government in bringing militia-controlled detention centres under state control, but a significant proportion of Libya's detention facilities are still, in practice, run by militias. Concerns remain about conditions in detention centres, particularly those outside government control, and the mistreatment of detainees. The International Committee of the Red Cross, Human Rights Watch, and Médecins Sans Frontières have all had direct access to detention facilities, and have raised concerns about

the conditions, the treatment of individuals in them, and in particular the treatment of migrants in detention. Overcrowding, lack of food and medical supplies, and allegations of mistreatment and torture, including sexual violence, have been reported.

The UN Support Mission in Libya (UNSMIL), in concert with the UN High Commissioner for Human Rights, issued a report on 1 October on “Torture and Deaths in Detention in Libya” which highlighted a number of ongoing concerns. The report was the output of two years of monitoring activities undertaken by UNSMIL, during which time they made multiple visits to around 30 detention centres, some of which were state-controlled, and others run by militias. The report highlighted that, while conditions in state-run facilities were generally better than those run by militias, instances of mistreatment of detainees still occurred across the spectrum of detention centres. UNSMIL did, however, recognise the good intentions of the government to abide by their international legal obligations, and the difficulties they face in doing so. The report made 14 key recommendations to address the issue of torture in Libya, which it will now be for the Libyan government to act upon.

The UK has continued to raise concerns over detainees with the Prime Minister and Justice Minister, including the need to ensure that they are kept in conditions which meet international human rights standards. The International Centre for Prison Studies (ICPS) whose work the UK is funding, has also provided support to the Ministry of Justice and Libyan Judicial Police.

### **Conflict and protection of civilians**

We are concerned about the number and treatment of internally displaced persons (IDPs) who remain in Libya since the revolution. Approximately 35,000 people from the town of Tawergha remain forcibly displaced by Misratan militia groups. They are accused of supporting Qadhafi during the revolution and committing serious crimes, including rape and torture, against people in Misrata. Consequently, Tawerghans continue to be arbitrarily detained, tortured, harassed and killed by militias, mainly from Misrata. An estimated 1,300 people from Tawergha remain in detention or unaccounted for. The same militias have also prevented the residents of Tomina and Karareem, near to Tawergha, from returning home.

The status of migrants in Libya also remains a serious concern. There has been an increase in the number of migrants entering Libya who are fleeing war-torn countries or have faced persecution and threats to their lives. Libya is not a signatory to the 1951 Geneva Convention relating to the Status of Refugees, nor its 1967 Protocol, nor has it developed its own national asylum legislation.

We share concerns around the new national ID number system, which makes it difficult for groups with unclear citizenship status to obtain an ID, and therefore leaves them unable to participate in elections or benefit from state programmes, education and health facilities. Furthermore, there is no provision made for IDPs. Concerns also remain about the treatment of migrants in migrant detention centres.

### **Freedom of religion or belief**

At least 97% of the Libyan population are Muslim. The Libyan government has committed to ensuring that the new constitution reflects the rights of all minorities, including religious

groups. While concerns around freedom of religion or belief in Libya remain, significant progress has been made in the last 12 months. There has been a reduction in the number of reports of attacks against religious minority groups in Libya – particularly the destruction of Sufi Shrines and Coptic Churches – while the release on 13 April of the last remaining Coptic Christians being held on charges of proselytism was a welcome development.

### **Women's rights**

The treatment of women remains a concern, but we welcome government efforts to address this issue. Allegations of sexual and gender-based violence during the revolution were widespread. The approval by the National Assembly of Legislation to Redress the Situation of Victims of Rape and Violence is a welcome step, but it will be crucial that the legislation is even-handed and recognises all victims of sexual violence in Libya. To help the Libyan government address this key issue, the UK will be undertaking a programme of work under the Foreign Secretary's Preventing Sexual Violence Initiative, including under our new, £62 million Security, Justice and Defence Programme.

As with minority groups, we have concerns about the relative lack of seats allocated to women on the constitutional "Committee of Sixty", but we are providing training to women's groups, and civil society more widely, to enhance their skills in leadership, provide confidence in participating in the political process, and improve their influence within the GNC.

### **Minority rights**

The majority of Libya's population is Arab, but there are significant minority groups including the Tuareg, Amazigh and Tebu. Under the Qadhafi regime, minority groups were often marginalised and were not afforded the same rights as other Libyans. The new government has made a commitment to ensuring that all Libya's citizens have the same rights and are treated equally. We welcome the Law Against Discrimination and Torture, adopted on 9 April, which will have positive implications for the treatment of all minority groups.

The main concern for Libya's minority groups is to ensure their rights are protected under the new constitution. Several groups are requesting that their language is officially accepted and recognised. As Libya undergoes the process of drafting a new constitution, it will be important that the minority groups' voices are heard. To this end, we welcomed the passing to the constitutional "Committee of Sixty" of the law governing how elections in July will operate, but concerns remain about the overall level of representation that minority groups will be granted within this committee. It is important that the representatives of women and minority groups participate fully in the process and have an effective voice in the constitutional drafting assembly. To that end, the UK has raised the importance of minority rights with senior government officials, and will work with minority groups as part of our wider support for civil society.

## Pakistan

In 2013, there were further concerns about the breadth and severity of human rights violations and abuses in Pakistan. In June 2013, a newly-elected government inherited challenges across a number of fronts, including a deteriorating security environment, an energy crisis, and frequent terrorist attacks across the country. It remains unclear how far legislation and international commitments agreed by the previous government will be progressed. The new national human rights commission, ratified by the National Assembly in 2012, has still not been set up, nor have recommendations to prevent violence against religious minorities, agreed with the UN Human Rights Council (UNHRC) during Pakistan's Universal Periodic Review (UPR), been implemented. In June, the new government merged the Ministry of Human Rights with the Ministry of Law and Justice, a move opposed by local NGOs and human rights groups.

With our EU partners, we lobbied the new government to continue the moratorium on the death penalty, and no executions were carried out in 2013. In December, the EU granted Pakistan duty-free access to EU markets under the Generalised System of Preferences Plus trade scheme. To retain this status, Pakistan will need to demonstrate progress in implementing 27 international conventions on human rights, good governance, and labour and environmental standards. Pakistan remains near the bottom on a number of crucial indicators including the UN Human Development Index, and there is an urgent need to address Pakistan's wide-ranging human rights issues.

In last year's report, we identified several human rights objectives for Pakistan in 2013: freedom of expression and freedom of religion or belief, implementation of international treaties, democracy and elections, promotion of the rule of law, child and maternal health, and women's rights. Without concerted efforts to tackle some of these objectives, there is a risk in 2014 of a further deterioration in human rights standards in Pakistan. The UK will continue to urge the government of Pakistan to guarantee fully the human rights of all of its citizens, as set out in the Constitution of Pakistan, and in accordance with international standards. In November 2013, Senior Minister of State, Baroness Warsi, called for religious freedom to be made a priority that should be tackled at international level. We will continue to work with our international partners to ensure this issue is regularly raised at all levels. Respecting human rights is an underlying principle governing the aid the UK gives to Pakistan, and we will also continue to lobby the Pakistani government to commit formally to maintaining the death penalty moratorium and to move towards abolition of capital punishment.

The recent upsurge in violent extremist attacks, including on military targets, resultant military reprisals, and possible military operations in Pakistan's tribal areas to tackle militants, is likely to result in continued violence and thus human rights violations and abuses, with a potential increase in the numbers of internally displaced people.

Through our aid programme the UK continues to work with government, NGOs and international development partners to influence policy, leverage Pakistani resources, and strengthen state accountability to bring basic services and entitlements to poor and excluded people. This includes: education and health programmes, particularly focused on women

and girls; a cash transfer programme to help support the basic needs of the very poorest; a rehabilitation and reconstruction programme which is helping to deliver basic infrastructure and longer-term reforms in regions affected by conflict; jobs and skills training programmes; work to improve access to security and justice services; work to strengthen the state-citizen relationship through support to local and national elections; and a grassroots voice and accountability programme.

## **Elections**

2013 was a historic year in Pakistan's democratic development. Federal and provincial elections held in May resulted in the first ever democratic transfer of power from one civilian government completing its full term in office to a new civilian government. Despite an often violent election campaign, with over 130 people killed, the elections were among the most credible in Pakistan's history, with an improved electoral register and the highest ever number of women and first-time voters. We supported the work of Pakistan's Electoral Commission during the elections, and worked with our EU and Commonwealth partners to provide election monitoring teams. In June, the Prime Minister was the first foreign head of government to visit Pakistan since the new government took office, and congratulated its people and institutions on the steps taken towards a strong, stable democracy.

The UK has also been working to enable more people to vote than ever before, especially women and minorities. The Department for International Development (DFID) supported citizens' groups to hold elected representatives and public institutions to account, and worked with political parties to be better organised and more responsive to citizens' needs. DFID also worked with the Election Commission of Pakistan to improve the credibility of the electoral process, including increased participation of women both as voters and as candidates.

In order to protect the credibility of these elections it is vital that allegations of malpractice are thoroughly investigated. At the time of writing, election tribunals set up for this purpose had still not adjudicated on around 400 cases of alleged poll-rigging, including incidents where women were not allowed to vote in several constituencies. In 2013, local elections were announced for the first time since 2008-09, but by December only one province out of four, Balochistan, had completed these. We continue to press the authorities to hold local elections in line with their own constitution, and to implement the EU Election Observer Mission's recommendations.

## **Freedom of expression and assembly**

Despite a diverse and lively media and active civil society, Pakistan remains one of the most dangerous places for journalists to work. Reporters Without Borders rated Pakistan 159 out of 179 countries (down eight places) in its 2013 World Press Freedom Index. In 2013, at least six journalists were killed, whilst covering the May elections or caught up in suicide bombings. The mutilated body of a Baloch journalist missing since March was found in August in Karachi. Pakistani journalists complain of harassment by the security forces if they report on Balochistan and other sensitive areas, and increasing threats by the Pakistan Taliban if they are critical of their activities. Foreign journalists can also be targeted. In May, on the eve of national elections, the Islamabad bureau chief of The New York Times was expelled from the country for "undesirable activities". The New York Times coverage of

militancy and Balochistan was reported to have displeased the army. Restrictions remain on social media. The government block of YouTube has remained in place since September 2012. We continue to call on Pakistan to allow space for free media to operate in.

### **Access to justice and the rule of law**

Pakistan still needs to address issues surrounding the rule of law. Poor access, corruption, and low standards of integrity plague law enforcement throughout the country. Human rights violators and abusers are further emboldened when they are able to act with impunity. Mistreatment of people held in police custody continues to be reported, and there is little evidence of the authorities taking these allegations seriously.

The promulgation of the Protection of Pakistan Ordinance (PPO) in October 2013 was of particular concern. The PPO empowers police and security agencies to arrest anybody on the basis of “credible” information that he/she is involved in anti-state activities, terrorism and treason. Several of its provisions contravene international human rights standards, for example by allowing security forces to conceal the location of detained persons, and their handing over to security forces without legal oversight. We regularly make our concerns about the PPO known to the government of Pakistan

In 2013, our project work attempted to address some of these issues. In line with the Foreign Secretary’s speech on Countering Terrorism Overseas, through our CAPRI programme, the UK is working with the Pakistani police, prosecutors and judiciary to enhance their capacity for investigating, prosecuting and sentencing terrorist suspects in line with international human rights law and standards. Our assistance is specifically designed to improve human rights standards and strengthen the rule of law.

At the federal level, activities focus on building political support for counter-terrorism (CT) prosecution reform, and efforts to improve the legal framework for CT in Pakistan to ensure that law enforcement officers, prosecutors, and judges have the tools they need to tackle terrorism in a human rights compliant manner. We are also working in the Punjab to deliver targeted interventions designed to improve the capacity of the key elements of the CT criminal justice system. The activities are focused on developing and building capacity in key CT criminal justice institutions – primarily the police and Anti-Terrorism Court prosecutors. Our training for these institutions under CAPRI has included a module on human rights.

Longer term, the UK is working at a provincial level in Khyber Pakhtunkhwa province to improve security and access to justice through strengthening civilian security (police, prosecution and correctional services) and the formal and informal justice sectors. Our programme aims to make these institutions more human rights compliant and more accountable and responsive to citizens, particularly women.

### **Death penalty**

In 2012, one of the UK’s recommendations to Pakistan during its UPR at the UNHRC was to make permanent the death penalty moratorium, introduced by the previous government. The UK opposes the death penalty as a matter of principle in all circumstances. The Prime Minister raised this issue with the government of Pakistan during his visit in June. We will



continue to urge the Pakistani authorities not to return to regular executions. Although no executions were carried out during 2013, death sentences continued to be handed out, and there are currently more than 8,300 prisoners on death row.

### **Conflict and protection of civilians**

Throughout 2013, high rates of terrorist and sectarian violence continued, in particular in the Federally Administered Tribal Areas, Karachi, Peshawar, Quetta and wider Balochistan. State security forces, supporters of political parties, sectarian groups, and wider communities are the most frequent targets. The perpetrators are rarely caught and brought to justice. Over 200 people were killed in attacks on the mainly Shia Hazara community in Balochistan. Clashes between Sunni and Shias on 15 November in Rawalpindi resulted in ten deaths, and a curfew was enforced.

Human rights activists, the media, minorities and NGO health workers were increasingly targeted. More than 20 polio vaccination and health workers were killed in terrorist attacks opposing “western” health projects.

The ongoing conflict between security forces and militants in Pakistan raises human rights concerns, particularly over the reported conduct of the Pakistani forces. There are regular allegations of human rights violations in Balochistan, particularly reports of enforced disappearances and extrajudicial killings. We welcomed the judiciary’s attempts to hold the security forces to account. In July, Pakistan’s Attorney General admitted that 500 “disappeared” persons are in security agency custody. In August, the International Commission of Jurists and Human Rights Watch called on the Pakistani government to affirm its commitment to end enforced disappearances by ratifying the International Convention for the Protection of All Persons from Enforced Disappearance. Since November, “The Voice of the Missing Baloch” group has been marching from Quetta to Islamabad to protest the disappearances.

We regularly raise the need to maintain human rights and the effective rule of law in fighting terrorism with senior military and government figures. For example, the Home Secretary, Theresa May, most recently raised this issue with Minister of Interior Nisar during her visit in September. Human rights will continue to be a core consideration in any security and justice sector assistance we give to the Pakistani authorities.

### **Freedom of religion or belief**

2013 saw violent and often unprecedented attacks continue against Muslims and non-Muslims. Shia Muslims and in particular Hazaras were targeted by extremists; according to the Pakistan Institute for Peace Studies there were approximately 1,200 sectarian killings throughout Pakistan in 2013. An estimated 400 Shias were killed in 2013 across Pakistan in what Human Rights Watch in November termed “a bloodbath”. In September, Baroness Warsi met with representatives of the UK Hazara community, and subsequently raised their concerns at senior level in Pakistan. In the same month, more than 80 Christians were killed in a double suicide bombing at a church in Peshawar. Baroness Warsi immediately condemned the attacks. Christian, Hindu, Ahmadia, Shia and minority ethnic communities report intimidation and violence, kidnap, forced conversion and marriage, and other forms of targeted persecution and discrimination.

Muslims and non-Muslims continued to be charged under the country's controversial blasphemy law. In September 2013, the Council of Islamic Ideology debated amending the blasphemy laws to impose a stricter punishment on those who misuse the laws, but no agreement was reached. In December, the Federal Shariat Court issued orders to remove the provision of life imprisonment from the blasphemy law, stating that only death is punishment for blasphemy, and have asked the government to confirm when this law would be implemented.

In 2013, at least 16 people were on death row for blasphemy, and another 20 are serving life sentences. One of the most high-profile cases, Aasia Bibi, a Christian woman sentenced to death for blasphemy in 2010, remains in prison. Foreign & Commonwealth Office ministers and officials in our High Commission have raised her case and others during the year, but there has been little progress reported.

Last year we reported on the case of Rimisha Masih, a young girl arrested for blasphemy. Although the case against her was dismissed by the Supreme Court, Rimisha Masih continued to face threats and, in the summer, she was granted asylum in Canada. In August, the religious cleric accused of damaging a Quran to falsify evidence in Rimsha Masih's case was acquitted of all charges when the original witnesses withdrew their statements. We will continue to raise our concerns with the Pakistani authorities where these laws have been misused.

### **Women's rights**

In 2013, Pakistan further slipped from 115 to 123 (out of 148) in the UN Gender Inequality Index, and there is little evidence to suggest this trend is being reversed. This year, civil society organisations expressed concern at the increasing violence against women in Pakistani society, with reported incidents of so-called "honour" killing, rape, acid burning, domestic violence and assaults, continuing to rise. Women were also targeted by militants. In one incident in June 2013, at least 14 female students were killed and another 27 injured when their bus was attacked in Quetta.

UK aid targeted gender rights in 2013, particularly in the fields of education, health and empowering girls and women. DFID worked with public sector and low-cost private schools to support two million more girls in primary and lower secondary schools. In Punjab and Khyber Pakhtunkhwa provinces, marginalised girls were provided with stipends to increase their participation and retention in secondary education. With regard to health, our priority is to work with provincial governments and non-state providers to improve nutrition to pregnant women, and increase the uptake of reproductive health and family planning services. UK aid also supported the Acid Survivors Foundation (ASF), which helps survivors of acid attacks and aims to raise awareness to eliminate acid violence in the country. We also supported the development and implementation of provincial legislation to protect women and strengthen their rights.

The UK's support to the government of Pakistan's Benazir Income Support Programme provides women in the poorest families with regular cash payments. We also encouraged greater economic participation by women through supporting training in new skills and helping women access financial services such as micro-loans. In addition, the UK worked to

empower poor communities, women and minority groups, by strengthening their political voice, and enhancing citizen and community capacity to engage directly with state service providers, to resolve disputes peacefully and inclusively.

## Russia

The negative trend in the human rights situation in Russia continued in 2013. Pressure on civil society increased with the implementation of the “foreign agent” NGO law. A number of opposition figures faced criminal and administrative charges in cases that were widely viewed as politically motivated. Regional elections in September were described by Russia’s main independent elections monitoring body Golos as freer than previous elections, but not fairer. The rise of nationalist and xenophobic sentiment, as seen during riots in Moscow in October, was a worrying development. A law banning the promotion of “non-traditional” sexual relations among minors was passed in June, and widely criticised by human rights organisations for its potential to encourage homophobia. Human rights abuses in the North Caucasus continued.

Throughout 2013, there were positive developments in the field of disability rights, including further progress on accessibility following Russia’s ratification of the UN Convention of the Rights of Persons with Disabilities. Towards the end of 2013, two members of Pussy Riot and a number of the Bolotnaya protestors (those arrested following the protests that took place on the 6 May 2012) were released under a prisoner amnesty. Mikhail Khodorkovsky received a presidential pardon and was released after ten years in prison. But this does not alleviate concerns about the independence of Russia’s judicial system.

Our human rights objectives for 2013 focused on civil society and democracy, freedom of expression, the North Caucasus, the rule of law, and equality and non-discrimination. UK-funded projects, run by Russian NGOs, totalling £1.3 million, contributed to gradual progress across the board.

In 2013, we spoke publicly on human rights in Russia, and engaged in high-level lobbying on a number of issues. The Prime Minister raised human rights concerns in meetings with President Putin in June and September. The Foreign Secretary did so when he met Foreign Minister Lavrov in September. Secretary of State for Culture, Media and Sport, Maria Miller, raised concerns about LGBT rights with Deputy Prime Minister Golodets at a meeting in Moscow in December. At the annual UK-Russia Human Rights Dialogue in London in May, senior officials discussed a wide range of subjects, including the negative trends around civil society and opposition figures, the North Caucasus, the rights of minority groups, and the Magnitsky and Khodorkovsky cases, as well as human rights in the UK. We also expressed support for the positive developments on the rights of disabled people. We made regular public statements of concern about human rights and democracy issues throughout the year, including on the inspection of NGOs, the posthumous conviction of Sergei Magnitsky, the law against the promotion of “non-traditional” sexual relations, and the sentencing of opposition figure Alexei Navalny. We engaged regularly with human rights activists, and worked with the EU and other like-minded partners to deliver our human rights objectives.

Russia’s human rights record was examined under the UN Human Rights Council’s (UNHRC) Universal Periodic Review (UPR) process in April. A total of 231 recommendations were submitted to the Russian Federation as part of the UPR, of which 149 were accepted, 14 were partially accepted, and 68 were not accepted. Like the UK, Russia took up a seat

on the UNHRC in 2013. We also engage with Russia on human rights issues through the Council of Europe and the Organisation for Security and Cooperation in Europe.

In 2014, the five priority themes for our human rights work will remain civil society and democracy, equality and non-discrimination, rule of law, North Caucasus, and freedom of expression. We will continue to focus on supporting civil society, including by encouraging greater links between UK and Russian civil society. We will continue to monitor the situation for LGBT people and other minority groups. The Winter Olympic and Paralympic Games take place in Sochi in 2014, increasing the international focus on human rights in Russia, and providing an opportunity to raise awareness of disability rights.

## **Elections**

Regional and local elections took place in a number of regions across Russia on 8 September 2013. There was no official observation of the election process; however, Golos described the elections as freer than previous elections, but not fairer. Though political choice is increasing, political competition is still low. In the Moscow mayoral election, incumbent Sergei Sobyenin won with just over 51% of the vote. Opposition figure Alexei Navalny came second with 27%, and claimed there had been multiple violations. Voter turnout averaged 25-30% across the country. Russia's political rights are described by independent watchdog Freedom House as "not free".

## **Freedom of expression and assembly**

A range of laws passed since 2012 continue to have a negative impact on freedom of expression and assembly. Since penalties for participating in unsanctioned protests were dramatically increased in 2012, public interest in political protests has declined. A number of protesters, arrested on the eve of the presidential inauguration in Bolotnaya Square on 6 May 2012, remained in long-term detention in 2013, on charges of participation in mass unrest, or alleged violence against law enforcement agents. Nine of the protestors have been declared prisoners of conscience by Amnesty International, including Michael Kosenko, who has a mental health condition. Kosenko was found guilty of participating in mass riots and of using force against a representative of authority, and was sentenced to compulsory treatment in a psychiatric institution in October. He was the third "Bolotnaya" protestor to be found guilty. Many domestic commentators have questioned whether political motivation lies behind these cases. Allegations of excessive use of force by the police on 6 May 2012 have not been officially investigated.

The Moscow authorities denied permission for a Gay Pride march in May, as they have done for a number of years. The Russian authorities agreed that protests could take place in Sochi during the Winter Olympic Games, though the decision to designate the protest area 18kms from the main games cluster has been criticised by some commentators.

Russia was ranked 148 out of 179 countries in Reporters Without Borders World Press Freedom Index for 2013, and categorised as "not free"; a fall of six places from the 2012 Index. On 9 December, it was announced that RIA Novosti, the principal state-owned Russian news agency, would be closed down, as well as radio station Voice of Russia. A new agency, "Russia Sevodnya", was established. RIA Novosti noted that, *"the move is the latest in a series of shifts in Russia's news landscape, which appear to point toward a tightening of state control in the already heavily regulated media sector"*.

Senior officials raised concerns about freedom of assembly, including the case of the Bolotnaya protestors, during the most recent UK-Russia Human Rights Dialogue in May. We also raised the case through the EU, including at the 2013 EU-Russia Human Rights consultations. In 2013, we supported two projects which promoted internet media as a means of encouraging freedom of expression and cooperation between journalists and bloggers, particularly on human rights and democracy issues.

### **Human rights defenders and civil society**

Concerns about the environment in which human rights defenders (HRDs) operate in Russia continued in the last year. Many were subject to harassment and violence. At particular risk are those who work on issues related to the conflict in the North Caucasus, elections, corruption, xenophobia and nationalism, and LGBT rights.

On 9 July, Akhmednabi Akhmednabiyev, deputy editor of the independent news outlet Novoye Delo, was shot dead outside his house in Dagestan. The Director General of the UN Educational, Scientific and Cultural Organisation (UNESCO), Irina Bokova, condemned the attack and called on the Russian authorities to bring the perpetrators to justice. There have been no serious attempts to investigate the murder. According to the Glasnost Defence Foundation, a Russian NGO, a total of four journalists were killed in Russia in 2013, and a further 71 were attacked. Impunity for past attacks on Russian human rights journalists remained a major problem in 2013. During the year, investigations continued into the murders of Natalia Estemirova (2009) and Anna Politkovskaya (2006), without producing conclusive results.

From March, the Russian authorities conducted inspections on more than 1,000 NGOs as part of the 2012 law requiring NGOs in receipt of foreign funding and engaged in (vaguely defined) “political activities” to register as “foreign agents.” This has made the operating environment for several key human rights NGOs more challenging. In June 2013, Golos (which played a prominent role in uncovering fraud in the 2011 Parliamentary and 2012 presidential elections) had its operations suspended as a result of its decision not to register. The organisation has since re-started its activities by working as a “movement”. In June, two LGBT organisations – the Side by Side Film Festival and Coming Out – were fined in St Petersburg for not registering as foreign agents. Side by Side later won its appeal against this fine, but has taken the decision to convert itself into a commercial organisation rather than an NGO. In December 2013, St Petersburg based NGO, Memorial Anti-Discrimination Centre, became the first NGO to be officially declared a “foreign agent” by a St Petersburg court.

The Minister for Europe, David Lidington, urged the Russian authorities not to place advocacy groups under special scrutiny, and the Minister of State for Justice, Lord McNally, the Foreign Secretary, and Mrs Miller also raised concerns about the NGO law with Russian officials in 2013.

We have regular direct contact with HRDs, provide support to those who are subject to harassment, and raise their cases with the Russian authorities. We support projects to improve the situation for HRDs in Russia, including a project aiming to improve journalists’



safety and security in the North Caucasus, and we continue to support the development of civil society in Russia.

### **Access to justice and the rule of law**

The rule of law in Russia remained inconsistent and arbitrarily applied. Concerns about the impartiality of courts were ongoing, and prison conditions remained poor. In July, a Moscow Court found the late Hermitage Capital lawyer Sergei Magnitsky, who died in pre-trial detention in 2009, guilty of tax evasion. Commenting on the guilty verdict, Mr Lidington described the conviction of a man who could not defend himself as an “exceptional step” that would “add to negative perceptions of judicial process in Russia”. Opposition figures, including Alexei Navalny, continued to face pressure from the authorities. Navalny was sentenced to five years in prison for embezzling £300,000 from timber firm KirovLes in 2009 (later commuted to a suspended sentence). In a separate and ongoing case, Navalny and his brother have been accused of defrauding the Russian operation of French cosmetics company Yves Rocher of US\$1.8 million in 2008. Some observers have suggested that this case is politically motivated.

Mikhail Khodorkovsky received a presidential pardon and was released from prison on 20 December. Mr Lidington welcomed his release, and called upon the Russian authorities to strengthen the rule of law and promote independence of the judiciary. On 19 December, the Russian Duma approved a prisoner amnesty to mark the 20th anniversary of the Russian constitution. Pussy Riot activists Nadezda Tolokonnikova and Maria Alyokhina were released from prison under the amnesty, as were four of the Bolotnaya protestors. Amnesty International criticised the amnesty for not covering “political prisoners”, and described it as “no substitute for an effective, independent justice system”.

In December, Transparency International published its annual Perceptions of Corruption Index, which rates countries according to how corrupt their public sector is perceived to be. Russia was ranked joint 127th out of the 177 countries surveyed. Russia received 129 violation judgements at the European Court of Human Rights in 2013, more than any other State Party to the European Convention on Human Rights.

The UK and Russian Justice Ministries continued a programme of cooperation in 2013 to share expertise and improve standards. On 10 September, the Attorney General, Dominic Grieve, met Russian Justice Minister Konovalov, and discussed a range of rule of law issues and cases of concern. In 2013, we funded a number of practical projects focused on developing the rule of law in Russia.

### **Torture**

Torture and deaths in police custody in Russia remain of great concern. In 2013, we continued to support the Russian NGO Committee against Torture, who work to expose torture by law enforcement officials and ensure that they are prosecuted. We also supported a project in Ekaterinburg through Legal Basis, a Russian NGO, which worked to reduce acts of torture and violence in prisons and educate prison staff and prisoners on human rights.

## **Conflict and protection of civilians**

The situation in the North Caucasus region remained unstable and tense, with ongoing violence. According to the independent news agency Caucasian Knot, 529 people were killed and 457 injured in 2013 as a result of the conflict; 104 of those killed and 145 of those injured were civilians. Throughout the year, there were also reports of grave human rights violations committed by state security forces, including allegations of extrajudicial killings, torture and disappearances. We have expressed concern about the low success rate in investigating and bringing to justice those responsible. We have called for Russia to implement fully key European Court of Human Rights judgments, and have called for action on individual cases through the Council of Europe's Committee of Ministers.

In 2013, we supported a range of conflict prevention projects in the North Caucasus. They focused on educating communities on conflict prevention issues and monitoring human rights violations. With our support, the Chechen Human Rights Centre provided legal education to law enforcement personnel and legal support to victims of human rights violations, and the NGO Genesis created civic education centres to promote conflict prevention and resolution in local communities in Chechnya and Ingushetia. UK officials visited the republics of Chechnya and Ingushetia in April and met representatives of the regional governments and NGOs.

## **Freedom of religion or belief**

The Russian constitution provides, in theory, for freedom of religion or belief, yet ties between state and the Russian Orthodox Church remain close. The most prominent religious groups (the Russian Orthodox, Muslim, Buddhist and Jewish faiths) are able to operate and worship freely, albeit with some restrictions. For example, in Moscow, a city with approximately two million Muslim citizens, there are no more than six official mosques. But non-recognised religions, such as Protestantism and Jehovah's Witnesses, continue to face bureaucratic obstacles in a range of areas, including in acquiring legal status, establishing places of worship or distributing religious literature.

## **Women's rights**

Violence against women remains a cause of concern. According to official figures, 10,000 women are killed annually in Russia as a result of domestic violence. The Anna Centre, a Russian NGO working on domestic violence, reports that in Russia a woman is killed every 40 minutes at the hands of her husband or partner. In the North Caucasus, women continued to face threats, including marriage by abduction and so-called "honour" killings. We hope to see long-awaited legislation on domestic violence introduced in 2014.

In 2013, we raised women's rights with Russia through the EU. We engaged with NGOs working on this issue, including during Mrs Miller's visit in December.

## **Minority rights**

Throughout 2013, there has been a rise in nationalist and xenophobic sentiment in Russia. Anti-migrant riots took place in October following the murder of a Russian national by an Azeri migrant. On 4 November, the Russia March had a strong nationalist tone, and in St Petersburg the day was marked by violence. In a report published on 15 October, the Council of Europe highlighted that radical nationalism was on the rise in Russia.

In 2013, the FCO's Human Rights and Democracy Programme Fund supported a project through Media Diversity Institute, which equipped journalists in several Russian regions with the skills to report ethically and responsibly on ethnic and racial diversity.

## **LGBT rights**

The situation for LGBT rights deteriorated significantly in 2013. In June, the Russian government passed a law which imposes penalties on the promotion of "non-traditional" sexual relations among minors. We have strong concerns about this law, which in effect could prevent the LGBT community in Russia from fully enjoying the right to freedom of expression and peaceful assembly. The Prime Minister set out these concerns with President Putin in a meeting in St Petersburg on 6 September. The Foreign Secretary and Mrs Miller also raised concerns with the Russian authorities in 2013.

The law has the potential to legitimise homophobia and encourage violence against LGBT people. The Sova Centre reported an increase of attacks against the LGBT community in 2013, with one person killed and 25 injured. The operating environment for LGBT NGOs became more difficult in 2013. The Side by Side LGBT film festival in St Petersburg in November was described by organisers as their most challenging festival ever. Screenings were disrupted by bomb alerts, and guests were subjected to intimidation outside venues. The Queerfest in St Petersburg in September also encountered difficulties.

Russian officials have expressed the view that homosexuality is contradictory to Russia's traditional values. In early July, a law was passed which bans the adoption of Russian children by same-sex couples, and unmarried and single people in countries where same-sex marriage is legal. The Sochi Olympic Games have increased the international attention on LGBT rights in Russia. In October, President Putin told the head of the International Olympics Committee that LGBT athletes and supporters would feel comfortable at Sochi.

## **Other issues**

### *Disability rights*

Following Russia's ratification of the UN Convention on the Rights of Persons with Disabilities, Russia has taken some important steps to strengthen the rights of people with disabilities. Some serious challenges remain, but the Olympic Games in Sochi are an opportunity for Russia to raise awareness of disability rights. Russia has pledged to create a barrier-free environment at the games, ensuring that games venues will be accessible. With our support, disability NGO Perspektiva worked in three Russian cities to challenge the barriers, physical and otherwise, that people with disabilities face, through education, advocacy and legal support.

## Saudi Arabia

Saudi Arabia continued with its gradual reform programme in 2013, making incremental improvements, including on human rights, while managing societal resistance to change. Led by the King, we have seen particular improvements in the rights of women, albeit from a low base, with women appointed to the Shura Council, Saudi Arabia's parliamentary body, for the first time. Our concern is the extent to which these changes will be followed by additional improvements to representation and participation in Saudi Arabia, in ways which reinforce the Kingdom's drive for economic diversification underpinned by the promotion and protection of all human rights and the rule of law.

Following an amnesty to allow illegally registered migrant workers to legalise their status, there was a significant campaign to deport those who had not complied with the registration rules, with over 150,000 people removed by the end of 2013. Localised protests and demonstrations took place in Eastern Province, but declined in number over the year. There was also widespread media coverage of the "Women2Drive" campaign on 26 October, with 14 women arrested for driving. All were released the same day. The death penalty continues to be widely used, with 74 confirmed executions in 2013.

In 2014, we expect to see continued if slow progress on rights for women and reforms to parts of the justice system. Human rights defenders (HRDs) and civil society organisations will continue to find it difficult to operate in Saudi Arabia, and the death penalty will remain in place. More reports of long detentions without trial and allegations of torture are likely. Restrictions on freedom of religion or belief will remain.

Our objectives in 2014 will be to continue to support reform and encourage practical dialogue with the government. We will continue to support efforts to increase political participation, transparency, accountability and the effectiveness of Saudi institutions. We will support reforms to the criminal justice system, encouraging the rule of law and ongoing efforts to reduce corruption and to promote freedom and fairness in Saudi society. We will also encourage efforts to reduce discrimination on the grounds of gender, nationality, religion or belief, and offer our full support as the 2015 municipal council elections approach, in which women will be allowed to stand as candidates and vote for the first time.

Saudi Arabia underwent its Universal Periodic Review (UPR) at the UN Human Rights Council (UNHRC) in October. Full documentation is available on the website of the Office of the High Commissioner for Human Rights. The UK submitted questions and made a statement at the UPR, in which we expressed our disappointment that Saudi Arabia had not fulfilled all the recommendations it accepted under the last UPR in 2009, and our hope that these will be given priority. In particular, we called for the abolition of the guardianship system for women, and for the Saudi government to codify its criminal law to bring it into line with international law. In November, Saudi Arabia was elected to the UNHRC and will sit on the UNHRC for the period of 2014-2016.

### Elections

Political participation in Saudi Arabia is limited, as there are no political parties and the majority of government bodies are fully appointed by the King. The next elections will be to

the municipal councils in 2015, in which half the membership will be elected and half appointed. King Abdullah announced in 2011 that women will be allowed to vote and stand in these elections for the first time in 2015. The UK will continue to encourage increases in democratic representation, and offer our assistance to Saudi Arabia to prepare for the 2015 elections.

### **Freedom of expression and assembly**

Despite being illegal in Saudi Arabia, 2013 saw a number of demonstrations, particularly in Saudi Arabia's Eastern Province. These were largely peaceful, although there were a number of reports of injuries, including gunshot wounds, among both protestors and the police. The number of protests appears to have reduced during the year, although some continue. Independent and reliable sources are limited, and embassy officials only have restricted access to the Eastern Province and those involved in the unrest. It appears from what public reporting is available that the government response is proportionate and restrained.

In mid-June, a series of peaceful protests were held across Saudi Arabia by women and children calling for relatives imprisoned without charge on suspected terrorist offences to be freed or given a public and fair trial. Dozens of men were also arrested in Buraidah, Qassim Province, for protesting at the imprisonment of relatives on similar charges. Unconfirmed reports suggest that all those arrested for protesting have now been released.

Saudi Arabia's "Women2Drive" campaign on 26 October gained significant national and international media coverage. More than 17,000 people signed an online petition of support and, prior to 26 October, more than 100 women posted footage of themselves driving on the campaign website. On 25 October, the Ministry of Interior released a strong statement warning against participation on the day, but a small number of women were reported as driving vehicles around the country. Police confirmed that 14 women drivers were stopped and all released on the same day after promising not to drive again. Journalist Tariq Al Mubarak was also detained for eight days after supporting the campaign, before being released on 3 November. In a meeting with the British Embassy on 3 November, the Saudi Arabian Human Rights Commission confirmed that there were no further detentions in relation to this campaign. On 31 October, the Minister for the Middle East and North Africa, Hugh Robertson, raised the issue of women driving in Saudi Arabia with Saudi Arabia's Ambassador to the UK. Public opinion in Saudi Arabia continues to be divided about allowing women to drive.

Social media use has continued to increase in Saudi Arabia with reports indicating that up to 41% of the population tweet on a weekly basis. Twitter provides the principal public forum for debate in Saudi Arabia, and was also the basis for the "Women2Drive" campaign. Social media is currently uncensored, although monitored, and there is a vigorous debate in Saudi society about the extent of freedom of speech online, particularly around hate speech and personal criticism, with strong views expressed on both sides by respected figures. There continue to be restrictions on online freedom of expression regarding Islam. In July, the founder of a liberal internet forum, Raif al-Badawi, was sentenced to seven years in prison and 600 lashes for online posts critical of the religious authorities. We have raised this case with the Saudi authorities, and supported EU démarches on the government.

In December 2013, civil society groups expressed concern when the Council of Ministers passed a draft law on counter-terrorism and terrorist financing to the King for ratification. Its broad definition of terrorist crime included acts “undermining the state security or stability, defaming the state of its status” which, if passed, could be used to target legitimate and peaceful activities and political expression. The law was approved on 31 January 2014. We have yet to see how it will be applied in practice.

### **Human rights defenders**

There were a number of arrests of HRDs in 2013, primarily under the law requiring all NGOs to register to operate. To date, no fully independent organisation working on civil and political rights has registered successfully.

In March, Mohammed Fahad al-Qahtani and Abdullah al-Hamad were found guilty of founding an unlicensed human rights organisation, seeking to disrupt security and inciting disorder, undermining national unity, breaking allegiance to the ruler, disobeying the ruler and questioning the integrity of officials. Qahtani received ten years’ imprisonment, plus a ten-year travel ban; Hamad received a total of 11 years’ imprisonment (five years plus an additional six years from a previous sentence commuted by the king in 2006) and a five-year travel ban. We have raised this case with the Saudi government, and continue to discuss it. In July, a legal challenge to the decision by the Ministry of Social Affairs to deny a licence to the Adala Centre for Human Rights failed. The trial of Fadel al-Manasef, founding member of the Adala Centre for Human Rights, continues. An embassy official attended a hearing on 27 November; it was adjourned pending further evidence. On 29 October, Waleed Abu al-Khair was sentenced to three months’ imprisonment for criticising the judiciary. We continue to follow these and other cases closely, and to attend trials where possible. Some HRDs or their families have asked that the UK does not involve itself in their activities because they believe it undermines their credibility in the country, and may prove counterproductive.

### **Access to justice and the rule of law**

Court proceedings in Saudi Arabia do not comply with international standards. The legal system is Sharia-based, and suffers from delays in bringing defendants to court, with reports of many individuals detained for years without trial. There are no public inquiries, inquests into unnatural deaths, or mechanisms for oversight of the judiciary. There are signs, however, that trials are becoming more transparent, and access is now given to media and diplomatic observers for some trials.

The Ministry of Justice continues to implement an ambitious US\$1.6 billion programme of reform, and we will continue to offer our assistance. The Minister of Justice, Mohammed Al Issa, held meetings with legal experts and government ministers when he returned to the UK in December 2013 to follow up on his 2012 visit. Senior Minister of State, Baroness Warsi, raised human rights with the minister, including the right to drive campaign for women, trials and access for embassy staff, and freedom of association, including the need for a system that could successfully authorise NGOs in the kingdom.

The Ministry of Interior has now launched a website, [www.nafethah.gov.sa](http://www.nafethah.gov.sa), designed to increase transparency on detainee issues by allowing a virtual meeting service, visitor



requests and monetary assistance for inmates. It also allows trials to be monitored as they progress through the justice system.

### **Death penalty**

While no official statistics are released, reports indicate there were 74 executions in 2013, a similar number to 2012 and 2011. Those executed were mainly convicted of murder, armed robbery and drug-related offences. While executions may be carried out in public, increasingly they are carried out at prisons around the country. The principle of the death penalty is enshrined in Saudi Sharia Law; we therefore assess that abolition of the death penalty is not a realistic possibility in Saudi Arabia in the near future. We currently focus our efforts on encouraging Saudi Arabia to apply the EU minimum standards for capital punishment.

The Saudi Arabian government encourages victims' families to show clemency by waiving their right to have the killer of a relative executed, but the final decision rests with the family. In July 2013, Prince Turki bin Abdullah, the Deputy Governor of Riyadh, made a public statement encouraging victims' families to accept blood money instead of execution. King Abdullah also annually meets with families that have granted clemency, and thanks them for their mercy.

We lobbied the Saudi Arabian government bilaterally and through the EU for clemency on behalf of Rizana Nafeek, a Sri Lankan maid convicted of murdering a four-month-old baby under her care in 2005, allegedly at the age of 17. Miss Nafeek was later executed on 9 January 2013.

In mid-March, the death penalty again aroused concern internationally with the execution of seven Saudi men sentenced for planning a campaign of armed robberies. At least one of the men was alleged to be a juvenile at the time, and an unverified allegation was made by one of the detainees that his confession was extracted under torture.

Then Minister for the Middle East and North Africa, Alistair Burt, released statements on both occasions expressing concern about the executions, and reiterating the UK Government's position on the death penalty.

### **Torture**

Allegations of torture continue to be made, but are difficult to investigate and impossible to verify. The Saudi justice system has a number of checks in place to prevent the use of torture, including inspections of prisons by the National Society of Human Rights and the Human Rights Commission. However, we continue to press Saudi Arabia to increase transparency on this issue, and encourage their ratification of the Optional Protocol to the Convention against Torture.

### **Freedom of religion or belief**

Freedom of religion or belief is severely restricted in Saudi Arabia. Non-Muslims are not permitted to worship openly or establish places of worship in Saudi Arabia; the authorities take the view that this is contrary to Sharia law in the Land of the Two Holy Mosques, based on a strict interpretation of a specific Hadith (a saying attributed to the Prophet) that "there

can be no two religions in the Arabian Peninsula". We continued to support dialogue and opportunities for reform. We raised our concerns with the government of Saudi Arabia in 2013, including in their UPR, and Baroness Warsi discussed freedom of religion or belief with the Saudi Arabian Ambassador in March 2013. There is no immediate prospect of change on this issue.

### **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, there were some improvements in women's rights in Saudi Arabia in 2013, although often starting from a very low base.

Women were appointed to the Majlis Ash-Shura (Shura Council), one of the King's advisory bodies, for the first time in February 2013. With thirty female Shura members now constituting 20% of the council, this is a significant and symbolic reform highlighting the progress Saudi Arabia is making on women's rights. The Foreign Secretary was the first foreign government minister to meet some of the female Shura Council members when they visited the UK in February.

The Council of Ministers approved legislation outlawing domestic abuse in August. The law introduces new measures for the protection of victims and the prosecution of those accused of domestic violence. The King Fahd Foundation also launched Saudi Arabia's first public awareness campaign against domestic violence in May 2013.

There were a number of other minor reforms for women's rights in 2013. These included allowing Saudi women to sponsor their non-Saudi husbands and sons to access work, education and medical treatment, instead of relying on a male relative or employer. A senior official at the Ministry of Labour announced plans to allow more women into employment in the coming three years (by amending the definition of suitable jobs), while in March the Minister of Labour encouraged women in the workplace to challenge their employers to ensure they were receiving the same pay as their male counterparts. In October, four female lawyers became the first Saudi women to be granted licences to practise in court. After Saudi female athletes competed at the Olympics for the first time at London 2012, in 2013 laws were passed allowing girls to take part in sports at private schools, and women to attend football matches.

### **Children's rights**

In Saudi Arabia, the age of legal responsibility is deemed as the onset of puberty. This has implications for the trials of children as adults, including for crimes which carry the death penalty. While in May 2011 the Shura Council passed a non-binding resolution calling to set a minimum age for girls to marry at 17, no legislation has yet been enacted.

Saudi Arabia acceded to the International Labour Organisation Convention No.138 on the minimum age for admission to employment and work in May 2013.

## **Other issues**

### *Migrant workers*

In 2013, the Saudi authorities instigated a massive campaign to regularise the status of the many migrants who were in the Kingdom illegally or working outside of their sponsorship rules. The sponsorship system governs work contracts, salary, visas, holidays, and repatriation for foreign workers, and it is common for passports to be confiscated by employers, restricting movement. A large proportion of Saudi Arabia's eight million migrant workers are non-Muslims, and their right to practise their religion is also severely constrained.

In April 2013, the government announced an amnesty period to allow workers to regularise their papers, or to leave the country without penalty. Press reports indicate that around five million foreign workers either corrected their labour status or left the Kingdom during this period. This amnesty expired on 4 November. Since then, the Saudi authorities have instigated a campaign to identify and deport irregular migrant workers, and have now deported over 250,000 foreign nationals to their country of origin. Some concerns have been raised about the treatment of these workers, and about Saudi Arabia's cooperation with the receiving countries. Reports indicate that five people, both Saudi and foreign, have been killed in localised riots as the police have sought to inspect and clear sites. We have encouraged the government of Saudi Arabia to work with countries and specialist agencies, such as the International Organisation of Migration, to manage the return and resettlement process of migrants smoothly.

## Somalia

The human rights situation in Somalia has continued to be dominated by the ongoing armed conflict in the country. Civilians have been killed, wounded and displaced, with reports of violations and abuses committed by all sides to the conflict including by Al Shabaab (an Islamist insurgent group), government security forces, and the African Union Mission in Somalia (AMISOM). Populations under Al Shabaab control have suffered serious abuses including arbitrary justice, and harsh restrictions on basic rights. Although there has been political progress in Somalia during 2013, we also remain concerned at the numerous reports of sexual violence, targeted killings of journalists, and violations against children. Impunity for violations and abuses has remained a problem, often due to poor access to the fledgling official justice mechanisms and weak rule of law institutions. We are continuing to support the Federal Government of Somalia as they take forward their plans to rebuild government institutions and capacity.

The security situation remains volatile. For much of the year, AMISOM, with support from the Somali National Security Forces (SNSF), has retained hold of key towns and routes in South Central Somalia. However, Al Shabaab, which remains in control of much of the rural areas, has increasingly resorted to asymmetric attacks. As a consequence, there have been a number of attacks on high-profile civilian targets this year in Mogadishu, including the UN compound, a courthouse, a restaurant, and against Turkish aid workers. Attacks in other areas of Somalia have included a violent raid on a police station in Beledweyne. Al Shabaab also claimed responsibility for the attack on the Westgate Mall in Kenya. All these attacks have resulted in civilian casualties.

Somalia received considerable international attention during 2013, with the Somalia Conference in London in May, co-hosted by the UK and Federal Government of Somalia, and the Brussels Conference on Somalia in September, co-hosted by the EU and Federal Government. These conferences delivered action plans for Somalia's new armed forces, police forces, justice system, and financial management; and in Brussels a New Deal Compact was agreed between Somalia, its regions, its parliament and the international community. In total, donors pledged over £1.8 billion to support these priorities, of which the UK contributed nearly £170 million in May, and a further £50 million in September.

In September, the UN Security Council extended AMISOM's mandate, and sanctioned a temporary uplift in troop numbers. All additional troops will receive human rights training. Once in place, these extra troops should give new impetus to the fight against Al Shabaab.

In parallel, the Federal Government of Somalia has made ambitious commitments on human rights. It has pledged to build accountable and effective institutions that respect human rights, specifically endorsing an extensive UN Human Rights Council resolution in September which outlined detailed commitments to improve human rights. However, the planned National Human Rights Council has yet to be established, and the human rights road-map for Somalia requires further work before publication. It will be vital for the Federal Government to make real progress against their commitments over 2014.

As well as co-hosting the Somalia Conference in London in May, the UK has continued to work with Somalia to improve its human rights record. At the May conference, the Federal Government of Somalia and the UN signed a communiqué committing themselves to work together to tackle sexual violence in Somalia. In December, the UK facilitated a visit by a UN team of sexual violence experts. The UK has continued to invest in human rights pre-deployment training for AMISOM and supports the EU training mission in Somalia, which is working to build and train the SNSF.

In 2014, we want to see a sustained improvement for people in Somalia; we will continue to champion work on preventing sexual violence, and push the Federal Government to implement its human rights commitments.

### **Freedom of expression**

Somalia continues to be one of the most dangerous places in the world to be a journalist. At least six journalists and media workers were killed this year, with continuing reports of further targeting and harassment. The Federal Government came under harsh criticism in February after a journalist was sentenced to one year in prison for tarnishing state institutions, as a result of interviewing a woman who claimed to have been raped by government soldiers. Although the journalist was subsequently released, the case demonstrated key flaws in the Somali response and process for investigating crimes, and it highlighted poor attitudes towards freedom of the media within the Somali authorities.

In Somaliland, publication of independent newspaper “Hubaal” was suspended following a court order, and the authorities subsequently jailed the paper’s manager and editor, raising concerns over freedom of the press. Both men were later released and the paper allowed to re-open, following a presidential pardon.

Despite promises by the government of Somalia to investigate targeted killings of journalists, there has been little progress to date. Of the 18 cases of journalists killed in 2012, only one case has led to a prosecution. Adan Sheikh Abdi was found guilty of the murder of Hassan Yusuf Absuge, and sentenced to death. The trial itself raised a number of concerns regarding due process. However, the sentence was carried out in August after the accused lost his appeal.

There have been efforts to reform the 2007 Media Law. A draft bill is due to go before Parliament in 2014. The UK has supported the development of this law by funding a consultation among exiled journalists in the UK, where many of Somalia’s largest broadcasters are headquartered.

### **Access to justice and the rule of law**

As a result of years of conflict, access to justice and rule of law in Somalia is limited. Informal structures such as clan or customary law and Sharia courts provide justice in place of, or in parallel with, government institutions. People living in areas under Al Shabaab control continue to suffer harsh restrictions on their basic rights as well as arbitrary justice, targeted killings, and executions.

Justice and the rule of law formed part of the Federal Government of Somalia's six-pillar policy outlining their immediate priorities. The Somalia Conference in May welcomed the Federal Government's four-year plan to create an accountable, effective and responsive police service for Somalia; and the two-year justice action plan setting out immediate priorities for assistance. The Department for International Development (DFID) continues to work through the Core State Functions Programme, to increase access to justice for 15,000 people by 2015. By the end of 2013, 9,000 people had been reached, including 3,000 women.

### **Death penalty**

Military courts in Somalia continue to hand out death sentences, which are carried out by firing squad. At least four soldiers and four civilians were sentenced to death and executed by military courts in Somalia this year, with some reports indicating that the figure is closer to 27 in total. The UK opposes the death penalty and continues to raise concerns with the Federal Government in public and private.

### **Conflict and protection of civilians**

The ongoing conflict in Somalia continues to have negative consequences for civilians. Both sides have been responsible for human rights abuses and violations, and harm to civilians caught in the crossfire. There is limited credible reporting of abuses by AMISOM. The UK has supported the research and development of a Civilian Casualty Tracking Analysis Response Cell (CCTARC) that AMISOM is due to establish in 2014. CCTARC will provide monitoring of AMISOM's impact on civilians and the capacity for AMISOM to respond to civilian complaints.

As a result of the conflict, over 1.1 million people are internally displaced, with a further one million Somali refugees in the region. The UN estimates that the number of people in crisis and emergency situations has fallen to 870,000 in 2013, from over two million in 2012. However, one in seven children under five is malnourished, and food security continues to be a concern. Internally displaced people and refugees remain vulnerable to insecurity, forced eviction and sexual violence. A report by Human Rights Watch in March 2013 brought international attention to the role of some camp managers in diverting assistance and abusing their own position, at the expense of those in settlements for the displaced. On 14 August, Médecins Sans Frontières closed their 22-year medical aid operations in Somalia citing brutal attacks against their staff, and a lack of condemnation by Somali authorities. This has left a considerable gap in health care provision in Somalia. Humanitarian actors continue to face obstacles in gaining access to vulnerable people, and attacks on their staff.

However, there have been some indications that the situation in parts of Somalia has improved. 10,000 people returned to their villages of origin in 2013. The UK announced a £145 million four-year humanitarian package of support to Somalia in May, and is supporting humanitarian efforts with a contribution of £9 million to the Common Humanitarian Fund; £3 million to the International Committee of the Red Cross for livelihoods, health and protection activities; £2.5 million to the UN Children's Fund (UNICEF) for the purchase of therapeutic nutritional foods; £1.8 million to the World Food Programme for nutrition support; and £2 million to the UN Refugee Agency for returns of internally displaced persons. In 2014, the



UK will consider further allocations to partners for resilience, nutrition, and livelihoods programmes.

### **Freedom of religion or belief**

The majority of reports of the persecution of religious minorities in Somalia relate to human rights abuses by Al Shabaab. Approximately 99.8% of Somalis are Muslims and Islam is recognised as the official state religion in Somalia's provisional constitution. Without specific protections, minority religious groups are placed in a vulnerable position. The UK has called on the Federal Government to ensure the rights and freedoms of all minority groups in Somalia.

### **Women's rights**

Reported cases of sexual violence and rape continue to be widespread throughout Somalia. Reports from UNICEF indicate that in 30-50% of cases the victims are children. Internally displaced women and children are the most vulnerable to these crimes. Female genital mutilation continues to be commonplace throughout Somalia.

The Federal Government of Somalia has reiterated its commitment to combating sexual violence. Given the ongoing security situation, there are limits to the government's capacity to respond throughout Somalia; however, a number of high-profile cases this year have highlighted issues with the government's response to reports of rape. In February, a woman alleging rape by government soldiers and the journalist who interviewed her were both arrested and sentenced to a year in prison, before being acquitted. Serious concerns, including harassment of the victim, mismanagement and opacity, were also reported by Human Rights Watch surrounding investigations carried out by the Somali government and AMISOM after a woman reported rape by AMISOM soldiers in August.

Preventing sexual violence was a key theme of the Somalia Conference held in London on 7 May. The UN and the Somali President signed a joint UN-Somalia communiqué committing to work together to tackle this issue. A team of UN experts visited Somalia in December and will make detailed recommendations for the Somali government and international partners to take forward in early 2014.

In December, the UK announced that it would spend £1 million on projects to prevent sexual violence across South Central Somalia, focusing on the provision of basic services. Projects will provide training and capacity building, including health workers, psychosocial, legal, and economic support; and raising awareness through education. In addition, we are providing dignity kits for victims who fled their homes without basic items such as clothing and toiletries and are living in deplorable humanitarian conditions. The UK Government is committed to empowering girls and women in Somalia to play a role in their society. DFID's programme includes work to increase access to justice for female victims of violence; to improve access to health services for girls and women; and to help girls receive an education and women to find work.

### **Children's rights**

According to reports from the UN Assistance Mission in Somalia (UNSOM), there have been 763 documented violations perpetrated against children in Somalia since June including

abduction, recruitment, killings, and maiming. 206,000 children under five suffer from acute malnutrition. Over one third of reported rape cases involve victims who are children. There are no good record-keeping systems in place in Somalia so establishing age, and therefore whether or not an individual is a child, can be extremely difficult.

The Federal Government of Somalia has pledged to ratify the Convention on the Rights of the Child, and the UN is working with them towards this goal. In September, the Federal Government of Somalia launched a campaign to get one million children into education in a three-year programme supported by the UN. The UK continues to encourage the Federal Government of Somalia to ensure children and their rights are protected.

## **Other issues**

### *Piracy*

Piracy is now at its lowest level since 2006 and, with an improved rate of conviction for piracy-related offences, the prison population in Somalia, Somaliland and Puntland has grown in recent years. The UK provided £2,928,697 from 2011-12 to reform prisons and courts across the whole of Somalia through funding the UN Office on Drugs and Crime's Counter Piracy Project (CPP). The CPP focuses on fair and efficient trials and imprisonment in regional centres, humane and secure imprisonment in Somalia, and fair and efficient trials in Somalia. It assists Somalia with upgrading its prisons and courts with the aim of ensuring that Somali pirates convicted in other countries can serve their sentences in their home country, where they can access their own culture, families, and appropriate skills training during their prison sentence. UK funding has helped build a new prison in Hargeisa, Somaliland. A refurbished prison in Garowe, built using UK donations, will be opened officially in April 2014.

## South Sudan

The human rights situation in South Sudan deteriorated during 2013, and is now of serious concern. Some progressive steps were taken, in particular ratification of a number of key international human rights instruments. However, the overall trajectory was distinctly negative.

The government has been slow to address many areas of concern, and has demonstrated what appears to be a more hardline attitude in some areas such as restrictions on freedom of expression and on civil society. The constitutional review process, which may have helped to secure inclusive discussion of, and legal safeguards for, certain rights, was beset by continued delays. South Sudan ended its moratorium on the death penalty. Numerous instances of human rights violations and abuses by national security forces and ethnically-biased militias, most often as part of inter-communal conflict, have led to mass civilian displacement, deaths and reports of rape and torture. The overall human rights situation, as well as compliance with international and humanitarian law, has been significantly worsened by the conflict which broke out on 15 December 2013, and has led to high numbers of civilian deaths, including reports of targeting on the basis of ethnicity, torture, and sexual violence.

Addressing these widespread human rights abuses has remained a major focus of the activities of the British Embassy. The new British Ambassador used his introductory discussions with senior members of South Sudan's government to address our human rights concerns, and to urge the government of South Sudan to investigate allegations of abuses and hold those responsible to account. We continued our support to the UN Mission in the Republic of South Sudan (UNMISS) in its mandate to monitor, investigate, and verify reports of human rights violations and potential threats against the civilian population. UNMISS strengthened its investigative capacity in response to allegations of abuses committed during the conflict that broke out in December 2013, and this was welcomed in UN Security Council Resolution 2132, adopted on 24 December 2013 with UK support. The UK approved four human rights related projects for 2013-14. Human rights training is mainstreamed in the training delivered through our security sector engagement. Human rights were also discussed between donor and government representatives within the context of the New Deal Compact towards the end of 2013.

Human rights violations and abuses are likely to continue in 2014, largely due to the ongoing violence across parts of the country. It is also likely that evidence of human rights violations and abuses committed during the conflict in late 2013 will come to light. The UK is calling for an independent investigation and for those responsible to be held to account. The African Union (AU) has announced a Commission of Inquiry into human rights abuses which the UK strongly supports as an important contribution to accountability and national reconciliation. It will be crucial that some of the contributing causes of the conflict – such as lack of tolerance of political dissent, restrictions on freedom of expression, corruption, and lack of accountability – are also addressed as part of any wider political process and national reconciliation.

## **Freedom of expression and assembly**

The South Sudanese government took some steps towards opening and protecting the media sector through the passing of three media bills (Broadcasting Corporation, Media Authority, and Right of Access to Information) on 4 December. The UK had been pressing the government to prioritise this legislation – delayed since 2012 – as the bills contained a number of important provisions for the protection and regulation of the media, and were welcomed by the media community. Outspoken commentator Ateny Wek Ateny was appointed as presidential spokesperson in November, prompting speculation that this represented a new openness in the government’s relationship with the media. However, this was not borne out in the government’s subsequent treatment of the media.

The Embassy received numerous reports of harassment and intimidation of journalists throughout the year, which increased in frequency at the year end. Journalists were frequently subject to threats and intimidation, and there were instances of publications being confiscated, particularly where they were believed to give exposure to opposing political views. There were public reports of the arbitrary detention of journalists. In November, the Minister of Interior announced a new measure necessitating the registration of all media houses and journalists operating in South Sudan. At the outbreak of conflict it was not clear whether this announcement would be followed through. The UK continues to raise the centrality of freedom of expression as part of ongoing dialogue with the government of South Sudan on human rights.

## **Human rights defenders**

Reports of the harassment of human rights defenders (HRDs) continued. We meet advocacy groups to identify and understand issues of particular concern in South Sudan, and to monitor the situation. We are considering how best to support HRDs further next year.

Concerns over restrictions to NGOs and civil society organisations (CSOs) increased in this period. A previously drafted piece of legislation, the “Non-Governmental Organisations Bill 2013” received concentrated attention as it progressed towards its third reading in parliament. The bill was particularly concerning due to its potential to constrain the work of NGOs and CSOs, and appeared to indicate a closing of the space in which civil society was able to operate. The final draft, which was being reworked following extensive engagement by civil society groups, had not been presented by the time of the outbreak of conflict.

## **Access to justice and the rule of law**

Both detentions without trial and arbitrary arrests increased in 2013. In the most high-profile incident, the government of South Sudan detained several political dissenters without charge in December. The UK, along with regional and international partners, called for the immediate release of detainees whilst respecting the need for due legal processes in regard to the charges levelled against these individuals.

Deep-seated weaknesses in the judicial system continue, with many detainees unaware of their rights and without legal representation. Justice is frequently delivered at a community level through customary justice mechanisms, often run by senior community members who lack formal qualification or knowledge, and partiality (often biased against women or ethnic

minorities) is common. UK-funded programmes in the security and justice sector ran throughout 2013. Our Safety and Access to Justice Programme concentrated on building the foundation for a more professional and accountable South Sudan National Police Service, with a presence in eight states. The UK Government proposes to pilot a complementary programme to support justice service provision at the community level, which will focus on responding to the specific needs of women and girls.

Corruption, cronyism and nepotism are endemic in South Sudan. The country entered the Transparency International Corruption Perception Survey for the first time in 2013, ranked at number 173 out of 175. In November, South Sudan ratified the UN Convention against Corruption, which was a positive step, and may help to generate a more concentrated campaign against corruption in the future. The British Ambassador and Head of the Department for International Development (DFID) participated in high-level government/donor dialogue on governance issues, including accountability and corruption.

As co-chair of the Accountability Sector Working Group, the UK is actively engaged with key accountability sector institutions on an ongoing basis. We are providing capacity-building support to the South Sudan Anti-Corruption Commission, and pressing the government to progress the Anti-Corruption Bill and the National Audit Bill as swiftly as possible. We will also need to assess carefully the impact of the crisis on the proper functioning of these institutions.

### **Death penalty**

South Sudan resumed implementation of the death penalty in November when four convicted murderers were executed. This was disappointing in view of South Sudan's vote in favour of the biennial UN General Assembly Resolution on the moratorium on the use of the death penalty in 2013. It is not known what access to legal counsel the accused received. Due to weaknesses in the justice system, it is believed that many defendants do not have access to credible legal representation or the right to appeal against their sentences, often depriving them of their right to a fair trial. In other cases, the death penalty continues to be handed down by judges, despite the position taken at the UN General Assembly in favour of a moratorium. For example, security forces charged with human rights violations in Pibor County were sentenced to death in October. An additional 11 individuals were sentenced to death in June for their part in inter-communal violence in Wau, Bah El Ghazal state.

In a joint letter to the Minister of Foreign Affairs calling for an end to the death penalty in South Sudan, human rights groups estimated that more than 200 prisoners are currently on death row. The British Embassy, often acting in concert with EU colleagues, has frequently urged the government to uphold their *de facto* moratorium on the death penalty. In August, the Foreign & Commonwealth Office's Human Rights and Democracy Programme Fund granted support to a project working with the South Sudan Law Society to advocate for the abolition of the death penalty in South Sudan.

### **Torture**

South Sudanese security forces are believed to have mistreated, detained and tortured civilians in a number of instances throughout the year; for example, when security services in Rumbek reportedly held and mistreated over 100 young men after violent clashes in the

regional capital. More recently, there were reports of arbitrary detention based on ethnicity and torture in detention as part of the violence that began in December. We are also concerned by reports of mistreatment within the the Sudan People's Liberation Army (SPLA – the army of the Republic of South Sudan) at military detention facilities across the country.

To support transparency and accountability in the army and its respect for human rights, the UK has been providing support to the government through the Security Sector Development and Defence Transformation Programme, which ended in December 2012. This programme focused on supporting the development of South Sudan's first National Security Policy; transformation of the SPLA; enhancing the oversight role of the Ministry of Defence and Veteran Affairs; and strengthening broader accountability mechanisms within the security sector, including support to parliament and selected CSOs. A new follow-on Security and Defence Transformation Programme concluded its inception phase in November 2013, but was suspended due to the recent conflict. Any future support to the armed forces will be subject to an Overseas Security and Justice Assessment and will contain explicit components related to human rights and gender-based violence.

The South Sudanese Parliament ratified the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment during 2013, which may help to ensure better treatment of detainees by the military and police services in the future.

### **Conflict and protection of civilians**

The continued violence in Jonglei state between non-state armed actors – primarily the armed young people led by Murle insurgent David Yau Yau – has put civilians in danger and led to widespread displacement. Credible reports emerged suggesting that human rights violations against ethnic groups were also committed by the SPLA and police forces during their security operations to suppress the insurgency. In late October, a significant raid was undertaken in the Dinka area of Twic East, resulting in at least 40 deaths and the theft of thousands of cattle. The UK led concerted international pressure on the government to negotiate political solutions and to investigate allegations of abuses.

Government leaders have since acknowledged that human rights abuses took place and have publicly committed to investigating and prosecuting those responsible. In the last quarter of the year, there was a marked improvement in SPLA conduct in Pibor County, although accusations persisted of intimidation and assaults, for example on women entering Pibor town to access food aid. We remain concerned about the capacity and willingness of the security services to differentiate between combatants and civilians, and to implement thorough and transparent human rights investigations.

Concerns over protection of civilians are now centred on the fighting that started on 15 December in Juba. A high number of civilian deaths resulted from the violence, including reports of targeting of civilians by both sides, sometimes on the basis of ethnicity. In Juba, there have been reports of security forces or militia targeting the Nuer community, including house-to-house searches and a massacre of between 200 and 300 Nuer men in the Gudele neighbourhood of Juba on 16 December. We understand that the government has formed a tribunal, led by the South Sudan National Police Service, to investigate this massacre. In Jonglei and Unity states there were confirmed reports of the targeting of Dinka, including a



fatal attack on a UN base in Akobo where Dinka civilians and two UN peacekeepers were killed. There are mounting reports of rape and other forms of sexual violence being used during the conflict. On 24 December, the UN High Commissioner for Human Rights expressed concerns over the serious and growing human rights violations in South Sudan.

The conflict resulted in the widespread displacement of civilians. The UN Office for the Coordination of Humanitarian Affairs estimated that 180,000 people had been displaced by the end of December 2013. Over 75,000 of these individuals were seeking refuge in various UN compounds around the country. Others are seeking refuge across international borders. The UK Government has been closely involved in the mediation efforts led by the regional Intergovernmental Authority on Development and has committed an additional £12.5 million to provide emergency humanitarian assistance to meet the needs of the most vulnerable.



Displaced people seek shade from the midday sun in this camp in South Sudan. Photo credit: UNHCR/ K. McKinsey/ January 2014.

### **Women's rights**

Violence against women is a recurring aspect of conflict in South Sudan. It is reported that rape and other forms of sexual violence were used by state and non-state actors as part of the ongoing conflict in Jonglei state, and more recently as part of the violence across several areas of the country in December.

There is currently no specific legislation concerning sexual and gender-based violence in South Sudan, and harmful traditional and cultural practices persist outside of conflict. These often amount to sexual exploitation and abuse, fuelled by a lack of awareness of human rights. The Ministry of Gender, Child Welfare and Humanitarian Affairs has taken some steps to address this issue, launching a joint national awareness campaign with UNMISS at

the end of the year. However, the Ministry does not have sufficient capacity to instigate much meaningful change, particularly where it would require heavy coordination across government and with the armed forces. The UK Government provided technical assistance to the Ministry during 2013, aimed at assisting the operations of the Gender Directorate.

Embassy officials have encouraged the government to support the Foreign Secretary's Preventing Sexual Violence Initiative. The Embassy awarded funding to two projects on advocacy and prevention of sexual violence.

### **Children's rights**

Prior to the outbreak of violence in December, the most significant issue affecting children was internal displacement as a result of conflict and floods, making them more vulnerable to manipulation and abuse. Specifically in Jonglei state, the abduction of children has been a feature of intercommunal violence.

In 2012, the SPLA undertook to work to identify, demobilise and reintegrate all remaining children within its ranks, including those who arrived from reintegrated militia groups. There were signs throughout 2013 that the wider problem was being addressed fairly effectively and, until the outbreak of violence in December, the SPLA had a relatively positive story to tell. It is likely that those efforts have now been severely disrupted. We are yet to discover whether the recent fighting involved active recruitment of child soldiers. It is likely that children form a significant proportion of the internally displaced persons fleeing the violence in December, raising concerns about the conditions they are living in. It will take time to assess the overall humanitarian impact on South Sudan's children and, more specifically, to assess whether any resurgence of child recruitment may have taken place.

## Sri Lanka

The human rights situation in Sri Lanka was of serious concern in 2013. Although progress continued on post-conflict issues, such as re-building of infrastructure, and elections took place for the first time in the north of the country, the overall trend was negative in many respects. Attacks against journalists continued, and Sri Lanka fell in independent indices on press freedom and women's rights. The impeachment of the Chief Justice exacerbated concerns about a culture of impunity, and the extent to which the independence of some institutions had been eroded. The UN High Commissioner for Human Rights, Navi Pillay, visited Sri Lanka in August and, while recognizing much progress, noted continued human rights violations and signs that the government was heading in an "increasingly authoritarian direction".

In November 2013, Sri Lanka hosted the Commonwealth Heads of Government Meeting (CHOGM), which was attended by the Prime Minister, the Foreign Secretary, and Minister for Sri Lanka, Hugo Swire. During his visit, the Prime Minister said that the UK would use its position in the UN Human Rights Council (UNHRC) to support the call by Navi Pillay to establish an independent international investigation into allegations of violations and abuses of international humanitarian and human rights law during the military conflict, if Sri Lanka failed to set up a credible, transparent and independent domestic process by March 2014. The Prime Minister became the first foreign head of government to visit the Northern Province since Sri Lanka's independence in 1948. He was accompanied to Jaffna by media organisations such as BBC, ITV, Sky and Channel 4, which contributed to increased scrutiny during CHOGM on human rights and the lack of progress made on accountability in Sri Lanka. The Foreign Secretary and Mr Swire met a wide range of Sri Lankan civil society actors and human rights defenders (HRDs).

The UK sees accountability for alleged war crimes, respect for human rights, and a political settlement as essential elements of post-conflict reconciliation. Sri Lanka will be considered by the UNHRC in March 2014, where we will urge council members to support our call for an international investigation, if Sri Lanka does not establish a credible domestic process. The UK will continue to urge the government of Sri Lanka to address serious human rights issues, and work with government and civil society to improve freedom of expression, women's rights, electoral processes, and the rule of law. We have emphasised to the Sri Lankan government that the HRDs, journalists and members of the public, whom ministers met during CHOGM, should not face any reprisals, and will continue to monitor this situation closely.





**Prime Minister David Cameron speaking to Tamil residents in Jaffna, during his visit to Sri Lanka in November 2013**

## **Elections**

Elections were held on 21 September to elect 148 members to three of the nine Provincial Councils. This was the first Provincial Council election held in the north since the 1987 establishment of Provincial Councils. Opposition Tamil National Alliance (TNA) won over 80% of the vote in the north, while the ruling United People's Freedom Alliance retained control of the Central and North Western Provincial Councils.

Although there were incidents of violence and violations of electoral law in the run-up to the election, including intimidation, harassment, and abuse of state resources, polling day itself was generally peaceful. Local election observers noted that elections were “relatively free from violence, though not from intimidation”. Commonwealth Election Observers expressed concern over reports of military involvement in the intimidation of the electorate in the north. The UK welcomed the holding of elections and helped to fund election monitoring.

The Prime Minister met the northern Chief Minister in Jaffna during his CHOGM visit. He welcomed the Sri Lankan government's decision to hold elections in the north and urged the government to agree to a meaningful political settlement with minority Tamils.

## **Freedom of expression and assembly**

Freedom of expression and assembly continue to be restricted, and self-censorship is common. There were a number of incidents of concern. A senior Colombo-based journalist left the country in September following death threats and an attack on her home. In February, a BBC crew reporting on a Buddhist extremist rally was threatened by a mob. On 26 March, the BBC World Service suspended retransmission of its Tamil language

broadcasts by the Sri Lankan Broadcasting Corporation, citing “targeted interference” in Tamil programming. The service has not since resumed.

The situation for media in the north remained difficult, as the Prime Minister saw when he visited the Jaffna-based Uthayan newspaper. A journalist from the Uthayan was assaulted by an unidentified group on 10 July, while Tamil newspaper delivery staff were attacked on three separate occasions in early 2013. Uthayan suffered an arson attack on the eve of the Sinhala and Tamil New Year. Many northern journalists reported harassment. The Sri Lankan authorities have so far failed to prosecute successfully those responsible for the attacks.

There was a failed attempt to abduct the editor of an anti-government newspaper on 30 May, and an anti-government Muslim politician was detained for a short period over press comments he made in India.

Activists, including the Committee to Protect Journalists and Human Rights Watch, raised concerns over plans to introduce a code of media ethics, which would have restricted freedom to report, including on issues affecting the “reputation” of Sri Lanka. The Media Minister said that the code – which has not been formally introduced – would not become law, but ramifications of non-compliance remained unclear. The UK raised concerns over attacks on media institutions and threats to freedom of expression with Sri Lankan authorities, as well as during the adoption of Sri Lanka’s Universal Periodic Review (UPR).

There were also a number of incidents on freedom of assembly. On 5 March, police prevented hundreds of family members of disappeared persons from travelling to Colombo to hand over a petition to the UN. In April, a peaceful vigil against religiously-motivated hate campaigns was dispersed by the police, and several activists were temporarily detained. In August, three civilians were killed as a result of military crackdown on a protest in a suburb. The UK raised serious concern at these killings, and called for an investigation. On 13 November, family members of the disappeared were again prevented by security forces from travelling to Colombo to attend a human rights festival. The festival was attacked on 14 November, allegedly by pro-government protestors. The police obtained a court order preventing protests and processions in Colombo on 15 and 16 November, resulting in the cancellation of a candlelight vigil by HRDs. Part of the British Channel 4 team in Sri Lanka during CHOGM decided to cut short their visit, citing extensive intimidation and surveillance.

On 10 December, a Human Rights Day demonstration by families of the disappeared in the eastern town of Trincomalee was attacked by unidentified masked men.

### **Human rights defenders**

The operating environment for HRDs in Sri Lanka remained difficult. Prominent HRDs continued to face public criticism from members of the government and to be portrayed as “traitors”, by state-run media. Activists were intimidated including receiving death threats when carrying out their work. Two civil society actors were harassed for their work around CHOGM and during Navi Pillay’s visit. One remains in hiding after receiving death threats.

The Foreign Secretary and Mr Swire met a wide range of Sri Lankan civil society actors and HRDs, including media activists, families of the disappeared, those working on torture prevention, and women's rights activists.

There was no progress in investigations into past incidents which include: the 2008 grenade attack on the residence of the former Executive Director of Transparency International; the 2009 killing of journalist Lasantha Wickrematunga; the disappearance of HRDs Shantha Kumar and Stephen Sunthararaj; the 2010 disappearance of cartoonist Prageeth Ekneligoda; and the 2011 disappearance of campaigners Lalith Kumar Weeraraj and Kugan Murugan in Jaffna.

NGOs expressed concern about increasing restrictions on their operations in the country. Amnesty International accused Sri Lanka of intensifying its crackdown on dissent. In September, Navi Pillay noted that she had *"heard complaints about the continuing high levels of harassment and intimidation metered out to HRDs, lawyers and journalists"* in Sri Lanka.

### **Access to justice and the rule of law**

In January, the Sri Lankan President agreed the dismissal of Chief Justice Shirani Bandaranayake. The Sri Lankan Supreme Court ruled that the impeachment was unconstitutional, and international actors including the International Commission of Jurists, the UN, and the International Bar Association raised concerns about the process. In February, the International Crisis Group expressed concerns that the attacks on the judiciary and political dissent had *"accelerated Sri Lanka's authoritarian turn"*. Navi Pillay echoed concerns that Sri Lanka was becoming *"increasingly authoritarian"*, and noting *"disquiet ...about the degree to which the rule of law and democratic institutions was being undermined and eroded"*. The International Bar Association's Human Rights Institute planned to visit Sri Lanka to investigate the impeachment, but was denied visas. The Minister for Sri Lanka at that time, Alistair Burt, said that *"such actions do not inspire confidence in the claims that the process would stand up to further scrutiny"*.

The Sri Lankan Permanent Representative told the UNHRC in May that a centralised, comprehensive database of detainees had been established by the Terrorism Investigation Division, and that investigations on 1,628 cases were completed. Families of detainees maintained that the database was not freely accessible.

In August, the Sri Lankan government announced the transfer of police oversight from the Ministry of Defence to a new Ministry of Law and Order – a step which had been recommended by the Lessons Learnt and Reconciliation Commission (LLRC) report. Both ministries fall under the jurisdiction of the President.

In August, the Sri Lankan government also appointed a Commission of Inquiry on Disappearances, to investigate disappearances in the north and east from 1990-2009. Navi Pillay noted that *"any new effort to resolve these cases is welcome, but unfortunately...the many 'white van' disappearances reported...in other areas will not fall within its scope"*.



During CHOGM, Mr Swire met with some families of the disappeared to hear their concerns. EU Heads of Missions in Colombo encouraged the government to extend further invitations to facilitate outstanding visit requests by other UN special mandate holders, including the Working Group on Enforced or Involuntary Disappearances.

Some progress was made with investigations into the 2006 murder of five students in Trincomalee when the case was re-opened, and twelve police Special Task Force personnel arrested. However, all twelve personnel were released on bail in October. The case of murdered British citizen Khuram Shaikh was raised by the Prime Minister during his visit, but did not come to trial in the year.

### **Death penalty**

Sri Lanka has maintained a *de facto* moratorium on the death penalty since 1976. The Sri Lankan government appointed a committee to look into the possibility of commuting to life sentences the death sentences of 424 inmates.

### **Torture**

Allegations of torture in police custody persist and, despite inclusion in the 2011 National Action Plan, no legislation has been introduced to address this.

During 2013, civil society expressed concern about deaths which occurred in police custody. Civil society organisation, The Friday Forum, noted that there had been no disciplinary actions initiated against police officers in cases where suspects – particularly in the cases where police had been murdered – had died under mysterious circumstances.

In December, the National Human Rights Commission announced that it was postponing the planned inquiry into torture that was to be set up with assistance from the Commonwealth Secretariat.

### **Conflict and protection of civilians**

The Sri Lankan government continued to work on post-conflict reconstruction, returns of internally displaced persons (IDPs) and de-mining, but significant challenges remained. There was continued international focus on accountability for war crimes alleged to have been committed by both the Sri Lankan government and the Tamil Tigers. The Prime Minister said that the UK would use its position in the UNHRC to support the call by Navi Pillay to establish an independent international investigation, if Sri Lanka failed to begin properly a credible, transparent and independent domestic process by March 2014.

Navi Pillay acknowledged progress on resettlement of IDPs and physical reconstruction, and she noted that physical reconstruction alone would not bring reconciliation, dignity or lasting peace. She expressed concern about a number of areas, including accountability, militarisation and women's security.

The UN Special Rapporteur on Human Rights of IDPs visited Sri Lanka in October. He noted the country's "impressive strides in rebuilding infrastructure". He also noted the importance of creating an environment to allow resettled and remaining IDPs to exercise property rights, to receive information on missing family members and access legal services.

A military court of inquiry appointed to investigate allegations against the military over their conduct during the war reported in January. The summary said that the army took every precaution to avoid civilian casualties, but recommended that military operations be re-evaluated to minimise or eliminate collateral damage in future. The final report was not made public. Sri Lanka assured the European Parliament in May that it was investigating the substance of Channel 4 video footage alleging war crimes, despite having reservations about authenticity. There has, however, been no substantial investigation.

In addition to the government appointment of a Commission of Inquiry on Disappearances, the government also undertook a census to “estimate casualty figures and damage to property”.

Land remained a controversial issue in the former conflict zone. The government said that large areas of land held by the security forces were removed from high security zones and returned to civilian activity. The opposition TNA, however, alleged that there were also “clandestine, arbitrary” take-overs of land, purportedly for development activities by the military.

### **Freedom of religion or belief**

Attacks against Muslims and Christians continued. From January to July, a local NGO documented 227 incidents against Muslims and 60 against Christians. Attacks included reports of violence, vandalism, harassment, hate speech, and seizure of property. Statements by nationalist Buddhist groups fuelled concern, with the Bodu Bala Sena, for example, saying in February that the Sri Lankan government “*must remain Sinhala Buddhist. This is a Sinhala country, Sinhala government. Democratic and pluralistic values are killing the Sinhala race*”. An attack on Colombo’s Grandpass mosque on 11 August resulted in a two-night police curfew. The UK urged the Sri Lankan government to take action to promote the peaceful co-existence of religions, and to investigate attacks and prosecute those responsible. The EU heads of mission in Colombo released a statement expressing their concern at the attack, and urging the authorities to prosecute those responsible. Concerns persist about lack of investigation into attacks.

In her September update to the UNHRC, Navi Pillay noted regret that Sri Lankan “*government interlocutors downplayed this issue or even put the blame on minority communities themselves*”, and noted reports of “state patronage or protection given to extremist groups”.

### **Women’s rights**

In 2013, Sri Lanka fell to 55 in the World Economic Forum Global Gender Gap Index, from its 2012 ranking of 39. Female participation in government remained low, with only 13 female parliamentarians (5% of the total). Reports of gender-based violence, including rape, continued to be of serious concern. A police perception survey suggested the general public is increasingly concerned about this issue.

Women’s rights in the north and east of the country also remained a concern. Issues facing the over 89,000 war widows remain, including reports of sexual violence and rape by military

forces based around those areas. In conversations with the Sri Lankan government we raised concerns about these reports.

Our High Commission in Colombo issued statements on International Women's Day and the International Day for the Elimination of Violence against Women. The UK funded a local organisation working with victims of domestic violence and raising awareness in the public and government.

During his visit for CHOGM, the Foreign Secretary delivered a speech on his Preventing Sexual Violence Initiative. He called on the government of Sri Lanka to carry out credible and independent investigations into allegations of sexual violence, provide greater support to victims, and pass strong witness protection legislation. He also noted that the UK would like to see Sri Lanka join the international campaign to end sexual violence globally.

### **Minority rights**

The government has not made proposals for a political settlement with the minority Tamil community, despite LLRC recommendations to this effect. Discussions between the TNA and Sri Lankan government on minority concerns remained stalled. A Parliamentary Select Committee formed to suggest possible changes to the 13th Amendment that created provincial councils has no opposition representation. The UK urged the government to work with the TNA to maintain good-faith negotiations that would enable a meaningful political solution to minorities.

The TNA and civil society have expressed concerns about "Sinhala colonisation," of predominantly Tamil and Muslim areas in the north and east. Allegations include the change of place names from Tamil to Sinhala, construction of Buddhist Temples, and discrimination in favour of southern constructors, contractors and businesses.

The Sri Lankan police announced that they hoped to have Sinhala and Tamil language-speaking officers in police stations around the country within five years. The UK supported a project to promote community policing and provide Tamil language training for the Sri Lankan police.

### **Children's rights**

Sri Lanka is a party to the Convention on the Rights of the Child, and has made significant progress towards achieving Millennium Development Goals related to child mortality, maternal health and HIV/AIDS.

Sexual abuse including incest and exploitation remained a problem. NGOs observed an increase in child sexual abuse during 2013, and underage marriage continued in some communities. There were regular reports of sexual abuse against children by teachers, principals, and religious teachers, as well as a growing number of child rape cases involving politicians. The UN Children's Fund (UNICEF) said that mechanisms to ensure justice for children, and prevention of sexual abuse and violence against children needed to be strengthened.

**LGBT rights**

Homosexuality remains illegal under the Sri Lankan law. The British High Commission in Colombo marked International Day Against Homophobia in May with a presentation of a cheque to Equal Ground, a non-profit organisation seeking rights for the LGBT community. The High Commission also supported LGBT rights activities by raising concerns over harassment.

## Sudan

The human rights situation in Sudan deteriorated in 2013. Following his third visit to the country in June, the UN Independent Expert on human rights in Sudan stressed that major challenges needed to be addressed, although he acknowledged the government's stated commitment to meet its human rights obligations. The context for the deterioration in human rights included the worsening humanitarian situation generated by increased tribal conflict and lawlessness in Darfur, and the deteriorating security situation in South Kordofan and Blue Nile.

Following the lifting of fuel subsidies at the end of September, violent protests in Khartoum and other cities around Sudan led to the death of over 100 protesters and police. Hundreds more were injured, with live ammunition being used by security forces against protesters. Over 800 people were reported detained during the protests and in the days that followed. There were allegations of beatings and other abuse during their detention. We continue to encourage the government of Sudan to hold the perpetrators to account and to make public the findings of their investigations.

The UK's human rights objectives for Sudan in 2013 focused on conflict resolution and humanitarian access in conflict areas, and on supporting civil and political freedoms. This included practical support for the establishment of a human rights centre in the University of Khartoum, strengthening the capacity of Sudanese media to research into discrimination, and increasing the capacity of human rights monitors and the press to work for greater transparency and accountability across Sudan. We encouraged the development of a more constructive and productive relationship between Sudan and the UN Independent Expert, and provided support to many non-governmental and professional groups, including the National Commission on Human Rights.

In 2014, the UK will continue to focus on conflict resolution and humanitarian access. We will work through the Foreign & Commonwealth Office and the Department for International Development (DFID) to support national dialogue and a better environment for free and fair elections in the future. We will encourage a transparent and participatory constitutional review process. We will work with civil society to enhance their organisational capacity and encourage an opening up of political space. We are encouraging the government to sign the 2013 UN Declaration on the Prevention of Sexual Violence in Conflict and to participate in the planned summit in London in June 2014.

### Elections

Sudan continued to operate under an interim national constitution drafted in 2005 as part of the Comprehensive Peace Agreement with South Sudan. The government has made a public commitment to hold a constitutional review process, including political opposition parties and civil society organisations. However, at the end of 2013, no such process had been formally initiated, and concerns raised in international observation reports following the 2010 elections (in particular freedom of expression and conduct of security forces) had not yet been addressed.

Following the elections for the governor of Gedaref state in March, a number of activists were arrested and detained for demonstrating. Ongoing conflict, an increasingly polarised political scene, and other restrictions to fundamental freedoms outlined in this report, suggest that the current environment is not conducive to free and fair elections in 2015.

### **Freedom of expression and assembly**

Political freedom came under increasing pressure in 2013 with civil society organisations facing major political and legal restrictions, leading to a continually shrinking operating environment. Many report routine harassment by security services. This included reports of forced closures of some organisations. Some continue to operate from outside Sudan but continue to lobby the government for registration locally.

Newspapers continued to be subject to censorship. Between July and mid-September, the authorities confiscated the printed editions of around ten newspapers for publishing material of which the authorities did not approve. During the protests in late September, security services issued a directive against publishing negative articles on the lifting of subsidies. Up to three Sudanese newspapers were banned from publishing for indefinite periods. The Khartoum bureaux of Sky News and Al Arabiya were closed down by the authorities. Up to 400 journalists were reported to have gone on strike as a result of the directives. By the end of 2013, there were indications that the government was considering lifting the ban on some newspapers. Faisal Mohammed Salih, who faced imprisonment or a fine for writing an article calling for the investigation of security forces for a case of gang rape, was acquitted on 22 December 2013. Others are still facing trial.

### **Access to justice and the rule of law**

Mechanisms of justice and law enforcement in Sudan are weak due to decades of armed conflict and general neglect. Access to formal justice mechanisms is unequal: women suffer disproportionately. There is limited respect for the principles of due process, equality before the law, accountability, independence, accessibility, predictability and transparency. Although the formal justice system operates at local level, citizens rely heavily on informal mechanisms of justice. However, the escalating levels of conflict and the eroding of traditional authority have weakened the traditional justice system.

Military and security forces have the primary responsibility for law and order in many areas rather than civilian police, and are frequently accused of violating human rights. The National Security Act in Sudan gives wide discretionary powers of arrest and detention to the National Intelligence and Security Services. Arbitrary arrest is common.

Although there have been some attempts to hold criminals to account, armed groups continue to act with impunity in Darfur and other conflict areas. The deteriorating security situation has led to judges and prosecutors being threatened with violence for trying to do their jobs. The majority of the Justice and Reconciliation chapter of the 2011 Doha Document for Peace in Darfur (DDPD) remains unimplemented, and there is no evidence of any serious attempt by the government of Sudan to punish those who have committed serious crimes in the region.



Certain laws in Sudan provide significant immunities to security services leading to impunity. These have been further expanded in 2013. In July 2013, parliament passed an amendment to the Sudan Armed Forces Act of 2007 allowing civilians to be tried in military courts, in contravention of international human rights law. Application of the public order laws also remained a concern, including the case of female activist Amira Osman, arrested in September and accused of indecent conduct after refusing to pull up her headscarf over her head. She is still awaiting a trial date.

In February, there were reports of a case of amputation as punishment for theft. While permitted in Sudan's Penal Code, there had been a *de facto* moratorium since 2001. At the time, the press reported a statement by the Deputy Chief Justice that judges could be trained to perform the amputations should medical professionals refuse to carry them out. There have been no further reports.

In October, the reported final number of arrests by Sudanese security forces following the September protests exceeded 800. This included activists, journalists and members of opposition parties. Many were held incommunicado without access to their families or legal representation. By November, over 600 of these detainees were reported to have been released. Among them were political activists Najlaa Mohammed Ali and Amin Senada, arrested in November on charges of indecent behaviour, and Adam Sharief, who was detained for one month without charge, after he featured on a local radio station in Darfur criticising the Governor of South Darfur and the use of live ammunition by government forces during the protests in September. In November, Human Rights Watch reported that dozens remained in custody. Many of these are still awaiting trial.

The DFID Safety and Access to Justice Programme in Sudan concluded in 2013. It promoted human rights principles as part of its training programmes with the police and judiciary. A key theme of the programme was the promotion of rights of women and children, including support to the Family and Child Protection Units in the Sudanese Police Force.

### **Death penalty**

Sudan is the country in Africa that makes the most use of the death penalty, which is applicable to a number of offences, including adultery, sodomy, and alleged crimes of a religious or political nature. The number of offences punishable by the death penalty is rising: in July the Anti-Trafficking Bill was introduced to parliament carrying a range of punishments, including the death penalty for the "most serious" offences.

Amnesty International's latest figures (for 2012) reported that at least 19 executions were carried out, and at least 199 death sentences were handed down by the courts. Civil society leaders claim that these figures are in fact much higher, in part due to application of the death penalty through informal justice mechanisms.

### **Torture**

Torture is prohibited by the Interim Constitution. There are, however, widespread reports that security forces routinely carry out torture, beatings, rape, and other cruel and inhuman treatment or punishments.

## **Conflict and protection of civilians**

The UK is deeply concerned about continued fighting between the government of Sudan and the rebel forces in **South Kordofan** and **Blue Nile** states. The UK has regularly expressed our concerns with the government and the Sudan People's Liberation Movement (North) (SPLM-N) and pressed them to negotiate to agree a cessation of hostilities. The UN Office for the Coordination of Humanitarian Affairs (OCHA) reports that over one million people have been directly affected by the conflict as a result of fighting and food insecurity. However, it is impossible to confirm these figures without proper humanitarian access to these areas. We strongly condemned the continued use of aerial bombardment by the Sudanese Armed Forces resulting in civilian casualties. There were also credible reports of civilian deaths as a result of unexploded ordinance. Human rights groups reported that the government continued to detain without charge civilians suspected to be members of the SPLM-N. Many remain under detention, while several were reportedly charged and convicted. We welcome the release of the 18 female detainees in July.

Despite high-level advocacy and lobbying (including through the UN Security Council), the UN's attempts to broker an agreement between the SPLM-N and the government, to include SPLM-N controlled areas of South Kordofan and Blue Nile States in Sudan's national polio vaccination campaign that took place in November, failed. Renewed efforts are planned for 2014. It will be imperative that this and other humanitarian assistance are not linked to progress on political talks.

The security situation in **Darfur** deteriorated significantly in 2013. Clashes between government forces and the rebel movements continued, while intertribal violence and general banditry increased. Reports of human rights abuses in Darfur increased during the year, with reports of sexual gender-based violence almost doubling in the last quarter. 3.4 million people are in need of humanitarian assistance in Darfur, of whom 1.9 million are internally displaced. The UN estimates that 360,000 people were displaced by intertribal violence. Access to people affected by conflict in Darfur remains constrained by the government's Directive for Humanitarian Work, issued in March 2013.

Attacks on the UN Assistance Mission in Darfur (UNAMID) resulted in the death of 16 peacekeepers this year. International humanitarian organisations also suffered losses, impacting on their ability to operate. The UN High Commissioner for Refugees (UNHCR) and the International Organisation for Migration (IOM) estimate that thousands of refugees, asylum seekers, migrants and Sudanese nationals rely on smugglers to transport them in and out of Sudan every year. Most victims of kidnapping and trafficking are Eritrean refugees, with an estimated 400-600 new arrivals each month. In December, the government took positive steps to address the issue in endorsing the UNHCR and IOM joint Strategy to Address Human Trafficking, Kidnappings and Smuggling of Persons in Sudan.

## **Freedom of religion or belief**

There were reports in early 2013 of international Christian institutions and individuals being harassed by the Sudanese security forces, including the detention of individuals without charge, and the confiscation of scriptural books and travel documents. We believe that over 150 non-Sudanese Christians have left Sudan following harassment. On 1 December, National Intelligence Security Service officers reportedly arrested and detained a Christian

priest. He was allowed only brief family visits while detained, before having his Sudanese nationality revoked and being deported from the country. We have raised our concerns for the treatment of Christians jointly with other international partners.

### **Women's rights**

Women play an active role in public life in Sudan and a parliamentary quota guarantees 25% of seats for female parliamentarians in the National Assembly. Women continue to face considerable challenges through discrimination. Women's groups and other civil society organisations report widespread gender-based violence.

We continue to encourage the government to implement measures to effectively tackle sexual violence in conflict amid reports of the continued use of rape as a weapon of war in Darfur and other conflict-affected areas. Female genital mutilation is still widely practised across Sudan. The most recent figures suggest that at least 64% of the female population aged 16-49 have undergone some form of genital mutilation.

Dr Attiyat Mustafa, Director of the Unit for Combating Violence Against Women, launched the "16 Days of Activism Against Gender Violence" campaign in November, calling for a change in approach to addressing gender violence issues in Sudan. In November, the Nobel Women's Initiative published a report "Survivors Speak Out: Sexual Violence in Sudan", which outlined reports of sexual violence in conflict areas across the country. In December, the Chief Prosecutor of the International Criminal Court described reports of "disturbing" abuses in Darfur to the UN Security Council.

On 3 December, the Head of the Advisory Council for Human Rights, Muaz Tango, confirmed that the domestic court had lifted the punishment of a woman sentenced to death by stoning for adultery following an appeal lodged by the council.

The UK continued to promote women's rights through a range of initiatives including campaigns against gender-based violence. In February, we supported an event at Afhad University as part of the "One Billion Rising" campaign, which aims to end violence against women.

### **Children's rights**

Gaps remain in the implementation of the Child Act (enacted in 2010), which raises the age of criminal responsibility, criminalises child exploitation and abuse, and prohibits recruitment of children to armed groups. There are credible reports of the continued use of child soldiers, particularly by armed militia groups in Darfur, South Kordofan and Blue Nile States. However, in December, the Sudan Liberation Movement issued an order prohibiting the recruitment and use of child soldiers.

DFID's Safety and Access to Justice programme worked on improving justice for children, including through support to Family and Child Protection Units.

### **LGBT rights**

Homosexual acts are criminalised in Sudan and punishable through fines, flogging, stoning, prison sentences, and even the death penalty. In 2013, there were limited press reports that

some homosexual men were arrested and accused of committing indecent acts. Strict legal sanctions and social stigma create difficulties for the few organisations working to support the LGBT community in Sudan.

## Syria

Syria's civil war worsened throughout 2013, with many tens of thousands losing their lives, and the country now experiencing some of the most appalling humanitarian conditions in the world. The already catastrophic human rights situation in Syria continued to deteriorate still further.

The Syrian regime bears the primary responsibility for protecting its own population. Yet throughout 2013 it has been responsible for war crimes and systematic state-sponsored violations of human rights within Syria. Regime actions have included: the large-scale use of chemical weapons against civilians, the indiscriminate bombardment (by air and artillery) of densely-populated civilian areas, the use of siege tactics against civilians, the use of starvation as a weapon of war, the targeting of communities based on their religious beliefs, and the detention of thousands of civilians in appalling conditions, with reports of torture and extrajudicial killings in detention. This is in addition to the many serious human rights concerns which pre-date the conflict, including severe restrictions on political freedom, rights of assembly, judicial independence, and freedom of speech, none of which exist in Syria today in a meaningful way.

The year also saw the growth of Islamist extremist groups affiliated to al-Qaeda, such as the Islamic State of Iraq and the Levant (ISIL), and the Al Nusrah Front, which present a terrorist threat to Syria and the region, and have carried out their own human rights abuses in a systematic way.

The UK's response to the Syria crisis has focused on working with our international partners towards a political settlement, while providing significant assistance, where we can, to those with immediate humanitarian needs, and supporting projects inside Syria aimed at documenting and addressing violations and abuses of human rights and humanitarian law. The UK has given political and material support to the National Coalition, the political group we recognise as the sole legitimate representative of the Syrian people, and which promotes a democratic and pluralist vision for the future of Syria, with respect for human rights. We supported the National Coalition in their preparations for the UN's "Geneva II" process, starting in January 2014. The UK has been one of the most active countries in helping to create the right international conditions to get the process started.

We have also supported accountability for those responsible for violations and abuses of human rights and humanitarian law, co-sponsoring a number of international resolutions, including the UN General Assembly (UNGA) 3rd Committee resolution in November which referred to the "important role that international criminal justice could play" in this regard. The UK continues to believe that the Syrian crisis should be referred by the UN Security Council (UNSC) to the International Criminal Court (ICC).

### Elections

The Syrian crisis began with peaceful protests demanding democratic reforms and an end to abuses by the security services. The UK continues to support these legitimate aspirations. President Assad has said there is a "significant" chance that he will run for a third term in office in elections, scheduled for 2014. Previous elections have not been credible. In the

current context, it is impossible to imagine that these elections could be credible, free and fair. The security environment, and lack of political freedoms, a free press and independent electoral structures, mean that there is no prospect of any free and fair election being held in 2014 while Assad remains in power.

### **Freedom of expression and assembly**

The guarantees in the Syrian constitution of freedom of expression and assembly have been systematically violated by the regime. Syrian state media is tightly controlled and cannot deviate from the approved narrative.

Journalists have become a target of both regime and extremist groups. The Committee to Protect Journalists lists 29 journalists killed in Syria in 2013, one more than in 2012, and estimates that around 60 were kidnapped over the course of the year, making Syria, in their judgement, the world's most dangerous place to be a journalist. The UK has trained Syrian journalists to help them to report on events in Syria. We have also helped to establish a network of independent news outlets across Syria.

### **Human rights defenders**

The activities of human rights defenders (HRDs) in Syria are severely restricted. They face a high risk of arbitrary arrest or detention, and Syria has no independent human rights monitoring body. In December, the UN's Commission of Inquiry (COI) on Syrian human rights detailed a "widespread and systematic" campaign of enforced disappearances targeted at those whom the regime considers to be its enemies, including HRDs. The COI consider this to constitute a crime against humanity.

There have also been cases of prominent activists being kidnapped. For example, Razan Zaitouneh, the founder of the Human Rights Violation Documentation Centre, along with four others, was kidnapped by masked men on 9 December. Extremist groups continue to hold large numbers of civil and political activists. In the North East, some have accused the Kurdish Asayish security forces of detaining activists for political reasons. In addition, aid workers were targeted for kidnap in 2013, including from a range of Syrian and regional NGOs who have been working for the benefit of the Syrian people.

UK-funded projects are building the capacity of HRDs, civil society groups, media, local councils and others to support transitional justice and good governance, and the documentation of human rights violations and abuses.

### **Access to justice and the rule of law**

Even before March 2011, the Syrian judicial system was corrupt, ineffective and politically controlled. Most judges are members of, or linked to, the ruling Ba'ath party. The security forces have immunity from prosecution. Since the beginning of the uprising, the regime has had a policy of arbitrarily detaining protestors and suspected opposition supporters. The COI has reported that the families of many of those "disappeared" by the regime have been denied any information about their loved ones, and that the families of opposition fighters are often targeted as a punitive measure. Detainees are subject to torture or other ill treatment that often culminates in their death.



The UK believes that all those responsible for violations and abuses of international human rights and humanitarian law should be held accountable and has, for that reason, provided financial support to efforts to gather evidence which could be used in a future process of accountability. The UK, along with 63 other countries, the UN High Commissioner for Human Rights, Navi Pillay, and the Syrian National Coalition has called for the situation in Syria to be referred to the ICC. As Syria is not a party to the Rome Statute, this would require a UNSC resolution.

### **Death penalty**

The secretive nature of the Syrian authorities means that it is unclear how many people were executed in 2013. The UK continues to urge Syria to adopt a moratorium on the death penalty.

### **Torture**

Syria has been a party to the UN Convention against Torture since 2004, but the COI has reported that the government has used “widespread, systematic torture” against those it perceives to be opponents. Air Force Intelligence has been consistently identified as among the worst perpetrators of torture, although Military Security and other arms of the Syrian state were also involved.

A wide variety of techniques has been reported, including beatings, sexual violence, and the deprivation of food and water. One detainee in the Al-Fehar Military Intelligence Centre in Damascus was held in solitary confinement for ten months, beaten daily, hung by his wrists for over two weeks and subjected to cigarette burns and electric shocks.

Torture is clearly used by the Assad regime as a matter of state policy. Navi Pillay has implicated Bashar al-Assad as being personally responsible for human rights violations.

The COI’s September report also referred to some opposition groups using torture. The report notes that use of torture by extremist groups appeared to be on the rise, but was “committed in isolated instances”, and not on the same scale or as systematically as by the regime.

The UK condemns and opposes all use of torture by any party, and has been prominently involved in resolutions in the UN Human Rights Council (UNHRC) and the UNGA 3rd Committee which have condemned its use and called for accountability for all those involved. The UK is clear that all those who have carried out torture should be held to account.

### **Conflict and protection of civilians**

The UN no longer publishes estimates of the death toll in Syria. The Syrian Observatory for Human Rights estimates that 125,000 people have been killed since the conflict began. The majority of deaths are as a result of indiscriminate or disproportionate shelling of civilian areas.

There have been widespread reports of informal “executions” by regime forces, including what amount to mass executions on the battlefield. 2013 has also seen increasing reports of

extremist groups carrying out summary battlefield executions and executing civilians for breaches of their interpretation of Sharia law. Amnesty International has singled out ISIL in particular.

As the war continues, the regime's tactics have become increasingly abhorrent. Human Rights Watch referred in April to the regime's "deliberate and indiscriminate" bombing of civilians. December saw increasing use by the regime of "barrel bombs" dropped from helicopters. These crude weapons consist of barrels filled with shrapnel and explosives and have been widely used in built-up areas. Throughout December, these brutal and indiscriminate attacks killed hundreds of civilians in the Aleppo area. As reported by Human Rights Watch and the Cluster Munition Coalition, the Assad regime has also used cluster bombs throughout 2013. The UK has joined 112 other countries in condemning the use of these indiscriminate weapons.

The regime and some opposition groups have deliberately obstructed the delivery of humanitarian aid to particular areas. This appears to be a deliberate attempt to starve people into submission, which would constitute a breach of international humanitarian law. The UN estimated in January 2014 that some 242,000 people were trapped in areas under siege, with more than 200,000 of those besieged by the regime. The regime has also destroyed stores and crops, with the aim of denying food to opposition-held areas. The UK has condemned the use of siege and starvation tactics and called on all sides to allow full access for humanitarian relief throughout Syria.

The number of refugees who have fled Syria quadrupled to 2.3 million in 2013. Meanwhile, the number of people within Syria in need of humanitarian aid has more than doubled to 9.3 million, and the number of internally displaced persons has reached 6.5 million. As well as leading to unimaginable suffering in Syria, this has placed a major strain on surrounding countries, which have faced an enormous influx of vulnerable refugees. The UK has helped to lead the international response to the humanitarian crisis, pledging £431.5 million over the course of the year to support emergency, life-saving humanitarian interventions both within Syria itself and in neighbouring countries, bringing our total commitment to £500 million by the end of 2013. This is more than the UK has given to any previous humanitarian crisis, reflecting the scale of the humanitarian disaster in the region. The UK has also played a leading role in pushing for improved humanitarian access.

Perhaps the clearest single example of the regime's escalating brutality was the 21 August chemical weapons attack in Ghouta, outside Damascus. This was not the first time that chemical weapons had been used in the conflict, but the scale of the attack shocked the world. Estimates of casualties vary but it is clear that hundreds were killed, with the US estimating over 1,400 deaths. The UN Secretary General referred to this attack as a war crime. UN inspectors published a report on 13 September that presented a body of evidence which, when taken together, left us in no doubt that only the regime could have been responsible for the attack.



**Syrian refugees in Lebanon, November 2013. Photo credit: UNHCR/ M. Hofer/November 2013.**

Under considerable international pressure, Syria acceded to the Chemical Weapons Convention on 12 September 2013, thereby obliging Syria to dispose of its chemical weapon stockpile. UNSC Resolution 2118, passed on 27 September, condemned the use of chemical weapons in Syria and endorsed the decision of the Organisation for the Prohibition of Chemical Weapons (OPCW) Executive Council to accelerate the destruction of the Syrian chemical programme. The UK has been prominent in providing diplomatic and practical support to the UN-OPCW mission that is overseeing the destruction process. In addition to making a financial contribution, the UK announced on 20 December that we would accept some of the chemicals for destruction in commercial facilities in the UK.

### **Freedom of religion or belief**

Freedom of religion is guaranteed in the Syrian constitution and before the crisis different communities lived together peacefully, although religious gatherings were observed by the secret police. Since the beginning of the revolution, the regime has armed groups based on their ethnicity or religion and encouraged attacks, primarily against Syria's Sunni majority. This has led to the conflict taking on an increasingly sectarian nature, with religions and sects stereotyped by combatants as allied with the regime or the opposition.

There have been a growing number of reports of attacks on minority communities. Certain incidents, particularly involving Christians, have received widespread media attention. For example, 12 nuns from Maaloula remain missing, having been removed from their nunnery in December. It appears they are now being held as a bargaining chip for use in a potential prisoner exchange. There are clear examples of the suffering of Christians and other minority communities, in particular the desecration of churches and other places of worship. Some crimes, including the murder of dozens of Shia civilians in the town of Hatla in June,

appear to have a sectarian motive. In other cases, regime-armed national defence forces have attacked and murdered civilians within Sunni villages. However, the nature of the conflict makes it very difficult to determine the motivations behind many crimes. The Syrian conflict is a brutal war in which every community is at risk. Nonetheless, the longer the conflict goes on, the more vulnerable minorities become.

The only way to secure the position of Syria's minority communities is to find a political solution to the crisis. It is with this in mind that the UK has been central to efforts to support the Geneva II process and bring about a political transition that protects all Syrian communities. The UK has also funded project work which aims to build dialogue between different communities within Syria.

### **Women's rights**

The Syrian constitution's guarantee of gender equality has little meaning for Syrian women. Syria has fallen down the World Economic Forum's Gender Gap Index and is ranked 133 out of 136 in their 2013 report. In terms of Economic Participation and Opportunity, it ranks 136 out of 136.

Under-reporting makes it difficult to make an estimate of the extent of sexual violence. Nonetheless, the COI and others have made it clear that both sexual violence and the fear surrounding the issue has been a consistent feature of the conflict. Government forces have used rape in many settings, but the COI suggest that it is most common in prisons and detention centres. This may indicate that its use is institutionalised. Women held in at least two regime facilities in Damascus were told that their daughters would be raped if they did not confess, while others were raped under the threat that their children would be murdered. The COI's September report only refers to sexual violence committed by regime, or regime-linked, forces. This indicates that although there are some reports of incidences of sexual violence committed by opposition groups, they do not reach the scale of those committed by the regime. The UN Secretary General's Special Representative for Sexual Violence in Conflict, Zainab Bangura, has talked about the fear of sexual violence against both men and women driving families into fleeing their homes.

The sexual exploitation of refugees is an increasingly serious concern. As well as funding the documentation of crimes of sexual violence, the UK is supporting survivors of sexual and gender-based violence, including by providing clinical care and case management for 12,000 Syrian refugees in Jordan.

The UK has been one of the most prominent advocates of women's participation in the political process on Syria. We have pressed to ensure that women are represented in both regime and opposition delegations at Geneva II, as well as helping to build the institutional capacity of independent women's organisations. We have proposed to the UN the establishment of a consultative body, so that representatives of women's groups and other civil society groups can play a supportive role and participate in the Geneva process.

### **Minority rights and racism**

Estimates suggest that Syria is around 74% Sunni Muslim, 11% Alawite, 10% Christian, 3% Druze and 2% other Muslim. Syria also has a large Kurdish minority which is estimated as

being 9-15% of the population, as well as other, smaller ethnic minorities including Turkmen, Assyrians and Armenians. Human Rights Watch have estimated that 300,000 Kurds in Syria are stateless, because of changes to nationality laws in the 1960s.

Since the beginning of the uprising in March 2011, ethnic and sectarian tensions have been heightened as some minorities have been perceived as supporting the regime. The regime has sought to exacerbate these tensions and divisions by claiming that the majority Sunni opposition is opposed to a pluralistic Syria. This has led to minority communities being singled out. However, in a brutal, lawless conflict, it is hard to identify for certain whether groups were targeted for sectarian or racist reasons.

### **Children's rights**

As the conflict has escalated, so the position of children has suffered. The COI has reported that the regime, Kurdish armed groups, and some opposition armed groups have included teenage children within their ranks. It also notes widespread reports of children as young as 13 being held and tortured or executed by the regime.

Human Rights Watch report that both regime and opposition forces have used schools as military bases, detention centres and sniper bases, putting children at risk. They also note several occasions where government forces have fired on school buildings that were not being used for military purposes.

More than half of the 2.3 million refugees who have fled Syria are children, while an estimated five million children within Syria are in need of humanitarian aid. The conflict has led to extremely severe disruption to the education of millions, which will have lasting effects. As part of our broader humanitarian effort, the UK has committed £30 million to help protect, care for, educate and counsel those children affected by the crisis.



## Turkmenistan

We continue to have significant concerns about the human rights situation in Turkmenistan. Although Turkmenistan is a signatory to most international human rights instruments, and has a constitution and laws which provide for the protection of those rights, its record in implementing these rights is poor. There is little independent media and internet access is limited. Corruption and lack of transparency are serious and widespread problems. Despite the arrival of a new party on the political stage, Turkmenistan has made limited progress towards a pluralistic political system. Torture, degrading treatment, and lack of freedom of assembly and association were all areas of concern noted by the UN Human Rights Committee in March 2012. There has been little progress since then.

Our objectives for 2013 were: to use high-level engagement to encourage progress on human rights; to participate fully in Turkmenistan's second Universal Periodic Review (UPR); and to support a further round of the EU-Turkmenistan Human Rights Dialogue.

Human rights were raised by Senior Minister of State, Baroness Warsi, when she visited Turkmenistan in June. She discussed the UK's readiness to work with Turkmenistan on reform, and the need to implement real change in areas such as democratic values, freedoms of the media and of association, and the role of international human rights monitoring mechanisms. The Turkmen authorities continue to espouse a policy of gradual reform, but we were able to work with them through the UN Development Programme (UNDP) on projects to encourage faster political and human rights reform. The programme has yet to deliver radical change on the ground, but provides a clear and practical framework for future improvements. We and others have also raised a small number of individual cases of concern.

Turkmenistan participated fully in its second UPR in April. In its interventions, the UK called for: greater freedom of expression in the media, including by allowing access to social networking and other blocked sites, and by ensuring that national and foreign journalists can operate without fear of harassment; progress towards a more pluralistic society; a more substantive programme of cooperation on access by independent organisations, including by Special Rapporteurs; and progress on UN recommendations on freedom of religion or belief. We urged Turkmenistan to address the gap between law and practice, called for improved engagement with UN special procedures, and also expressed concern at political imprisonments and restrictions.

In total Turkmenistan received 188 recommendations of which it accepted 168, including those from the UK on greater freedom of expression and creating space for multi-party elections. The UK acknowledges Turkmenistan's constructive approach to the review and we will continue to encourage full implementation of the recommendations in accordance with Turkmenistan's international commitments. The UK is working through the UNDP on a project to increase understanding in Turkmenistan about international human rights standards and mechanisms by means of a substantive National Human Rights Action Plan, which will cover many of the areas raised in the UPR.



After a gap of nearly two years, the fifth round of the EU-Turkmenistan Human Rights Dialogue took place in Ashgabat in May. Discussions focused on judicial reform (including prison conditions), national institutions for the protection of human rights, civil society development, freedom of expression and media, freedom of religion, the rights of minorities, women and children, and cooperation in international *fora*. A number of individual cases of concern were also raised. The UK welcomes constructive engagement of this sort and the role it plays in encouraging and supporting further reform in Turkmenistan. As yet, no date has been set for the next round.

In 2014, the UK will continue to use high-level engagement – including through international partners such as the EU, the Organisation for Security and Cooperation in Europe (OSCE) and the UN – to encourage Turkmenistan to do more to meet its international human rights obligations. We will also support human rights and governance related projects, focusing on those areas where we are likely to have the biggest impact. Looking further ahead, we hope that the 5th Asian Indoor and Martial Arts Games in 2017 – the first sizeable event of international standing to take place in Turkmenistan – will serve as a catalyst for greater reform.

## **Elections**

Progress towards political pluralism and a genuine opposition has been limited. Parliamentary elections in December offered the electorate a choice of (state-sanctioned) political parties for the first time since independence. A Needs Assessment Mission (NAM) from the OSCE's Office for Democratic Institutions and Human Rights (ODIHR) determined that, despite some improvements, Turkmenistan did not meet OSCE standards for democratic elections, fundamental freedoms continue to be restricted, and the choice between competing political alternatives is limited in the absence of a functioning opposition.

In the circumstances, ODIHR despatched only a small Election Assessment Mission for the election; a first for ODIHR, having previously confined itself only to the deployment of election support teams.

At the OSCE in December, the EU welcomed Turkmenistan's invitation to ODIHR to assess the election, but noted with concern the shortcomings identified by the NAM. The EU also underlined that *"real political competition and genuine political pluralism, which would provide for the functioning of a political opposition, are needed for a truly democratic political system."* At the time of writing, ODIHR's final report on the election was still awaited.

## **Freedom of expression and assembly**

The media continues to be tightly controlled and dissenting opinion suppressed; for example, a Radio Free Europe/Radio Liberty journalist, Rovshen Yazmuhamedov, was detained for a short time in May on charges that remain unclear. The NGO Freedom House ranks Turkmenistan 196 out of 197 countries in its latest Freedom of the Press index, and Reporters Without Borders ranks Turkmenistan 177 out of the 179 countries it covers. It remains impossible to buy international newspapers or other foreign written media in Turkmenistan. Internet access is under-developed and strictly controlled, with only about 5% of the population having access. The Turkmen government routinely blocks YouTube and social networking sites such as Facebook and Twitter. However, satellite dishes

capable of receiving Russian, Turkish and other international news and entertainment channels are readily available and widely used. A new mass media law approved by the President in January, which contained positive features and might have moved Turkmenistan closer to fulfilling its international commitments, has had little practical impact.

Despite the existence of legal provisions on the right to freedom of assembly, the authorities rarely allow citizens to exercise that right freely, and public protest is extremely rare.

### **Human rights defenders**

Independent human rights defenders (HRDs) are unable to operate in Turkmenistan and the registration process for NGOs is complex, bureaucratic and subject to arbitrary state assessment. Unregistered NGO activity is punishable by fines, short-term detention and confiscation of property. The authorities have also sought to prevent Turkmen HRDs from attending international human rights and civil society meetings held outside Turkmenistan.

Two human rights activists, Annakurban Amanklychev and Sapadurdy Hajiev, who were the subjects of regular EU lobbying, were released in February. They had been jailed in 2006, ostensibly on firearms related charges, but HRDs believe their convictions were linked to their involvement in the production of a documentary about Turkmenistan for French television. The UN Working Group on Arbitrary Detention determined that their arrest and detention violated international law.

### **Access to justice and the rule of law**

Corruption and general lack of transparency remain a significant problem in Turkmenistan. Transparency International ranked Turkmenistan 168 out of 177 states surveyed in its Corruption Perceptions Index published on 3 December, a slight improvement on last year.

It remains difficult for individuals to challenge court decisions. We have yet to see evidence of an improvement in sentencing and prison conditions. In one case of note, we welcomed the release on 3 July of the former Minister of Culture, Geldimurat Nurmammedov, who was detained in October 2012 on drug charges. The EU, US and OSCE argued that his detention appeared to have been politically motivated.

We will continue to raise with the Turkmen authorities the importance of the rule of law, including lobbying on individual cases where appropriate.

### **Torture**

We continue to have concerns about reports that security officials have used excessive force, including beating, when extracting confessions from detainees. It remains difficult to make a fully accurate assessment of the treatment of prisoners and other detainees while international bodies such as the International Committee of the Red Cross (ICRC) are denied unfettered access to detention facilities in Turkmenistan. We are encouraged, therefore, that in July and September the Turkmen government held discussions with the ICRC on the prospects for enhanced cooperation, including in the application of international humanitarian law, the establishment and development of relations between the ICRC and academic institutions in Turkmenistan, and the practical implementation of international human rights instruments. We also welcome Turkmenistan's undertaking in the context of

its UPR to sign and ratify the Optional Protocol to the Convention against Torture, and to continue efforts to improve the situation of detainees.

Prison conditions on the whole are unsanitary, overcrowded and unsafe. Some facilities are located in areas of extremely harsh climate conditions. The nutritional value of prison food is poor. The Turkmen government has declared its intention to modernise existing penitentiary facilities and build new ones according to international standards. We understand that new and more modern detention facilities have already been built in the northern town of Dashoguz. Overall, however, much more progress needs to be made on all of these issues. The UK will continue to encourage the Turkmen authorities to allow full and independent access to detention facilities and individual prisoners, including by UN Special Rapporteurs.

### **Freedom of religion or belief**

Although the constitution of Turkmenistan does not prescribe a state religion and provides for religious freedom, religion is largely government-controlled, and some groups are subject to harassment. Any religious organisation wishing to operate there must register with the authorities, but bureaucratic and other hurdles make obtaining registration difficult. Even those organisations that have registered can find it difficult to operate, due to government constraints on opening new premises and the size of services. Turkmen law prohibits proselytising and the publication of religious literature. The importation of any religious publication has to be approved by the Council of Religious Affairs, and such approvals are difficult to obtain. Individuals and religious communities still experience administrative restrictions or various other forms of harassment.

We flagged in last year's report incidents of undue pressure against certain religious communities in Turkmenistan, including credible reports that Jehovah's Witnesses faced unwarranted pressure from local authorities. We received further such reports early in the year of harassment, which included interrogation by officials over religious activity and the confiscation of religious literature, and some cases of detention affecting other religious communities such as Protestants in Turkmenistan's Lebap region. As a result, UK and EU partners in Ashgabat raised the issue with the Turkmen authorities, underlining the need to respect fundamental and universal values of freedom of thought, conscience and belief, and the importance of Turkmenistan abiding by its international commitments and obligations.

### **Women's rights**

A cultural bias against reporting or acknowledging rape and domestic violence makes determining the extent of these problems in Turkmenistan difficult. At Turkmenistan's UPR, a number of states urged that the rights of women be strengthened in both law and practice. OSCE has taken steps to tackle the issue, including support for an NGO Keik Okara to open a shelter for victims of domestic violence, the operation of a domestic violence hotline and the provision of free legal consultations and psychological assistance to victims of domestic violence. OSCE also organises seminars to raise awareness on women's rights among law enforcement officials in Turkmenistan, including one in Ashgabat in July. That event focused on women's security issues (including migration), domestic and other violence against women, as well as mechanisms to address women's security needs. The UK will look for opportunities to support this work in the coming year.

## **Minority rights**

As a result of legal and other measures designed to reinforce Turkmenistan's national identity, some minority groups within the country (particularly ethnic Uzbeks and Russians) find it difficult to preserve their national and linguistic identity and exercise freedom of travel, as a result of bureaucratic obstacles relating to those holding dual nationality. Despite a legal framework which provides for equal rights and freedoms for all citizens, Turkmen citizens belonging to ethnic minorities are mostly excluded from government jobs even if they speak Turkmen. A presidential decree requires that at least 70% of personnel employed by an organisation have to be Turkmen. However, Turkmenistan has undertaken, in the context of its recent UPR, to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Their Families.

## **LGBT rights**

Male homosexuality is punishable by imprisonment (from two to 20 years). Female homosexuality is not mentioned in the Criminal Code. Although provisions concerning homosexuality are rarely applied, homophobia is widespread, and homosexuals hide their sexual orientation to avoid discrimination. Despite encouragement to the contrary, Turkmenistan refused in the context of its latest UPR to decriminalise sexual relations between consenting adults of the same sex.

## Uzbekistan

We have significant concerns about the overall human rights situation in Uzbekistan. There is little independent media and the government allows little space for opposition. Human rights defenders (HRDs) and journalists are reportedly subject to pressure and mistreatment. Allegations of torture in detention are widespread. The large-scale forced mobilisation of adults and young people over 15 for work in the cotton harvest has continued. Nevertheless, some positive developments took place after Uzbekistan underwent its Universal Periodic Review (UPR) before the UN Human Rights Council in April, notably progress on cooperation with the International Labour Organisation. A National Action Plan (NAP) has been elaborated to support implementation of the UPR recommendations accepted by Uzbekistan. We hope that the NAP can help Uzbekistan address serious concerns, including the lack of freedom of expression, the lack of civil and political rights, poor access to justice and inadequate administration of the rule of law, alleged use of torture by law enforcement officials, and limitations placed on the freedom of religion or belief. These abuses continue to be reported by human rights organisations.

We participated actively in Uzbekistan's UPR. The UK statement at Uzbekistan's UPR welcomed reforms including the abolition of the death penalty, the introduction of *habeas corpus* and the 2011 law on the treatment of detainees. However, we also raised our concerns about freedom of assembly and expression; registration of independent political parties and independent NGOs; mistreatment and torture of detainees; and pressure on the small independent human rights community. We called on Uzbekistan to release all wrongfully imprisoned HRDs, journalists, members of the political opposition, and others held on politically motivated charges. The UPR resulted in 203 recommendations, of which 121 were accepted by the Uzbek government and are now subject to implementation through the NAP. The NAP was co-drafted between the National Human Rights Centre of Uzbekistan and the UN Development Programme in Tashkent with input from international partners. It is intended to provide a working framework to coordinate human rights reform across all government agencies. Supporting delivery of the NAP will be a focus of our human rights engagement with Uzbekistan in 2014.

The government of Uzbekistan's approach to human rights is formally guided by the "Concept for the Further Deepening of Democratic Reforms and Establishment of Civil Society". Within this framework there has been progress in improving legislation, often following extensive consultation with international partners. However, there remains a large gap between legislation and implementation. Lack of oversight and channels for redress continue to result in failures to protect against wide-ranging human rights abuses. Supporting efforts towards more consistent respect for human rights is a central pillar of the UK relationship with Uzbekistan. In this context, we have shared UK expertise and best practice in a number of areas with the government of Uzbekistan, particularly in support of Uzbek plans to establish a National Preventive Mechanism to combat torture and allegations of mistreatment in detention. Human rights concerns were raised during a visit to Uzbekistan by Senior Minister of State, Baroness Warsi, in June, and a visit to the UK by Uzbekistan's Foreign Minister, Abdulaziz Kamilov, in November.

## **Freedom of expression and assembly**

In spite of legislation passed by the Uzbek parliament in 2012 on freedom of speech on the internet and on television, the state continues to control much of the print media and any online opposition or criticism of the government is carried on websites that operate outside the country. The NGO Freedom House ranks Uzbekistan 195 out of 197 countries in its latest Freedom of the Press index, and Reporters Without Borders ranks it 164 out of the 179 countries it covers. There have been reports of pressure against independent journalists including Sergey Naumov, who was detained for 12 days on charges of disorderly conduct in September. The UK has ongoing project work which focuses on the link between the development of civil society in Uzbekistan and freedom of expression. There remains minimal opportunity for citizens of Uzbekistan to exercise their right to peaceful assembly due to laws that prevent citizens gathering in large numbers. Whilst Uzbekistan's constitution allows for independent political parties, in practice there was no genuine opposition to the government in 2013, and *de facto* restrictions on the registration of new parties and the nomination of candidates are expected to continue.

## **Human rights defenders**

We continue to call for the release of all imprisoned HRDs, political prisoners and independent journalists. The annual amnesty of prisoners and those charged with offences or undergoing court cases was announced on 8 December, Uzbekistan's Constitution Day. We requested that a number of individual cases be considered as part of the amnesty. These included a number who are reportedly in very poor health and whose cases have also been raised by the EU, such as: Salijon Abdurakhmanov, a journalist sentenced in 2008 to ten years' imprisonment; Akzam Turgunov, a HRD sentenced in 2008 to ten years' imprisonment; Azamjon Formonov, a member of the Human Rights Society of Uzbekistan sentenced in 2006 to nine years' imprisonment; Tajik citizen Said Ashurov; and Erkin Musaev, a former UN official sentenced in 2007 to 20 years' imprisonment. The UN Working Group on Arbitrary Detentions found in May 2008 that Musaev's detention is arbitrary. At the time of writing none of these has yet been released. However, we have noted the release under the amnesty of a number of individuals about whose cases human rights organisations have raised concerns, including Khasan Choriev, Isak Abdullaev, Nematjon Siddikov, and Turaboy Djurabaev. We remain concerned for the welfare of Murad Juraev, an Erk party member and former member of the Supreme Council of Uzbekistan, whose jail term was extended for a fifth time, for a further three years, in December 2012. Reports of Mr Juraev's ill health continue to surface.

## **Access to justice and the rule of law**

The pace of reform remains slow. Transparency International ranked Uzbekistan 168 out of 177 states in its Corruption Perceptions Index published in December 2013, up from 170 in the previous edition. The UK, with three European partners, has continued to help deliver a EUR10 million EU criminal justice reform project, launched in February 2012 under the EU Rule of Law Initiative. The project aims to help the Uzbek government ensure that new legislation regarding human rights issues in the criminal justice system is fully implemented on a practical level.



## **Torture**

Allegations of torture are difficult to substantiate due to restrictions on access of international organisations to prisons and detention centres. However, there were allegations during 2013, including claims in online media, that at least three individuals – Samariddin Salokhiddinov, Muzaffar Karimov and Tavakkal Khodzhiev – died of injuries sustained under torture while in detention. The International Committee for the Red Cross suspended their prison monitoring in April 2013. As part of the UK submission on Uzbekistan's UPR, we recommended that Uzbekistan ensures that provisions on torture in its criminal code are compatible with Article 1 of the UN Convention Against Torture (UNCAT); establishes an effective mechanism to investigate credible allegations of torture, ensuring that perpetrators are held to account; and puts in place the necessary arrangements to ratify the Optional Protocol to the Convention Against Torture (OPCAT). When Uzbekistan appeared before UNCAT in October following submission of its regular report, UNCAT reiterated the need for Uzbek authorities to investigate fully all allegations of torture, and called on the Uzbek delegation to report within a year on its progress in "wiping out widespread torture" and "arbitrary imprisonment of HRDs and journalists imprisoned in retaliation for their work".

## **Freedom of religion or belief**

Uzbekistan's constitution protects freedom of religion and belief and, according to Uzbek government information, 200 organisations of 16 different religious groups exist and registration of new groups continues. However, reports of harassment of individuals practising their faith outside state controls continue. These include raids on Presbyterians and Jehovah's Witnesses.

## **Children's rights**

We have expressed our longstanding concerns about the use of forced labour, particularly child labour, in Uzbekistan during the cotton harvest. We welcomed the fact that the International Labour Organisation (ILO) was able to monitor this year's harvest and that significant efforts appear to have been made by the Uzbek authorities in 2013 to prevent children working in the cotton fields. This represented important progress. The ILO is expected to issue a report in February 2014. Its preliminary conclusions suggest that there had been no systematic mobilisation of children under fifteen, but that compulsory mobilisation of adults and young people over 15 continues. The Uzbek government has declared its intention to work with the ILO to address the wider issues of workers' rights, including full implementation of ILO Convention 105 on forced labour.

## Vietnam

While there have been some positive developments in Vietnam on human rights in 2013, the overall situation remains of significant concern. In August, Vietnam resumed implementation of the death penalty after a pause of almost two years. Detentions and harassment of bloggers, demonstrators and human rights defenders (HRDs) increased over the year. The Vietnamese government introduced a new law regulating the use of the internet and effectively tightening its control. On the positive side, HRDs were increasingly active and able to raise the profile of some human rights issues in Vietnam, including by holding the first Lesbian Gay Bisexual Transgender (LGBT) parade. Vietnam signed the UN Convention against Torture and gained a seat on the UN Human Rights Council (UNHRC).

In 2013, the UK's human rights objectives in Vietnam were to: support freedom of expression; increase awareness of the potential role of the media to support a responsible and accountable state; increase debate on the death penalty, particularly on the number of crimes which attract the death penalty; facilitate the development of civil society to tackle issues such as land rights effectively; and to tackle corruption.

In general, the lack of transparency and legal and political accountability in one-party state Vietnam remain the most serious obstacles to progress. The UK raised human rights issues at all levels in its contacts with the Vietnamese government, including during the General Secretary's visit to the UK in February and during the most recent UK-Vietnam Strategic Dialogue in October. We continue to work closely with EU partners in order to encourage Vietnam toward more open and frank discussion of human rights, including through the third annual EU-Vietnam Human Rights Dialogue in September.

We implemented projects funded by our Human Rights and Democracy Programme Fund, with a particular focus on improving journalists' safety and access to information. We were proud to be the first embassy in Vietnam to use our website as a platform to host a blog supporting the growing LGBT rights movement in Vietnam.

2014 will shine the spotlight on Vietnam's human rights record. With a seat on the UNHRC and with its Universal Periodic Review (UPR) in February, international and domestic scrutiny of Vietnam's domestic human rights situation will increase. Should Vietnam choose, this could present an opportunity to demonstrate its commitment to international standards and the sincerity of its engagement on human rights. The Vietnamese government has listed its own priorities for the UPR as strengthening human rights education; strengthening the legal system and policies on human rights; and implementation of its international human rights obligations. We will look to support these pledges, and will use the opportunity to expand our human rights dialogue with the Vietnamese government. Our priorities remain to facilitate domestic debate on the death penalty and encourage a reduction in the number of crimes that carry the death sentence; encourage greater transparency; and reduce corruption by working with a range of Vietnamese government actors and the private sector. In addition, we will lobby the Vietnamese government to allow 2014's LGBT parade to hold official status.

## **Freedom of expression**

The UK remains gravely concerned about violations of the right to freedom of expression in Vietnam. Those who criticise the government or express views which dissent from those of the Communist Party of Vietnam are frequently subject to monitoring, harassment, detention and prison sentences.

In July and August, a broad coalition of activists formed the “258 group”, with the aim of promoting human rights and democracy in Vietnam. Their specific activities included calling for the repeal of Penal Code article 258 (which sets out prison terms for those “abusing democratic freedoms to infringe upon the interests of the State”) and highlighting Vietnam’s commitments as a candidate for a seat on the UNHRC. The group attracted international attention, and the EU met representatives of the group ahead of the EU-Vietnam Human Rights Dialogue in September. Subsequently, a number of the group’s members and their families were subject to harassment and detention by the Vietnamese Ministry of Public Security.

The Vietnamese government introduced Decree 72 in September to regulate the internet, including copyright infringement. Human rights activists and international organisations expressed deep concern that the decree could be used to violate freedom of expression and control content, including on social media sites. The UK supported a statement from the Freedom Online Coalition highlighting Vietnam’s international human rights obligations on freedom of expression and, through the EU Delegation, raised concerns with the Vietnamese government. The Vietnamese have started the process of drafting the guidelines that will define how the law is implemented. So far no legal cases have been brought under Decree 72.

Around Human Rights Day in December, there were reports on social media of police harassment of human rights activists. Photographs and a video which were circulated showed some bloggers being beaten up in their homes. We judge that the images are genuine. The weekend before, two gatherings of activists to celebrate Human Rights Day in a park in Hanoi were disrupted by police, including undercover officers.

The UK supported three media projects to enhance freedom of expression. In the first project a partnership between local authorities of Daklak province (Central Vietnam) and the NGO RED Communication (Centre for Research on Development Communication) worked to improve the public’s understanding of journalists’ rights. It led to increased safety of journalists in the province and strengthened cooperation between the media and government agencies. A change of national law now clearly ensures better protection and access for journalists, including around 5,000 not holding official journalist cards.

The second project was a series of Foreign & Commonwealth Office (FCO) funded workshops and seminars on the government response to media whistleblowing allegations, run by MEC (Centre for Media in Educating Community), with participation by the Ministry of Information and Communication. This led to Decree 159/2013, which introduced sanctions against government spokespersons who do not respond to press questions, or who provide incorrect information to the press. This is intended to improve public access to information.

The third project, again funded by the FCO, was run by The Asia Foundation and focused on investigative journalism into environmental impact. Though at an early stage, the project has already resulted in journalists being invited by district governments to assess infrastructure projects and government participation in the provision of formal training of journalists.

### **Death penalty**

The UK remains deeply concerned at the range of crimes, including economic crimes, that are punishable by death, and lobbies the Vietnamese government at every opportunity to reduce the number of crimes that attract the death penalty. There have been at least seven executions since the reinstatement of the death penalty in August 2013, with the execution of convicted murderer Nguyen Anh Tuan. There had been a *de facto* moratorium on the death penalty since November 2011, because of Vietnam's inability to procure the necessary chemicals for lethal injection. The abolition of the death penalty worldwide remains a UK priority, and the British Embassy in Hanoi raised our deep concerns about the resumption of executions with the Ministry of Foreign Affairs. The EU, with UK support, issued a statement condemning the execution of Mr Nguyen.

In November, Vu Quoc Hao, a general director of a subsidiary of a major Vietnamese bank and Dang Van Hai, the chairman of a construction company, were sentenced to death for their involvement in a US\$25 million property fraud.

Convictions that carry the death penalty are a state secret, but unofficial figures suggest there are now over 570 prisoners on death row in Vietnam. According to the Office of the UN High Commissioner for Human Rights, 116 of these prisoners face imminent execution, having exhausted their appeals. Tran Dai Quang, Minister of Public Security, proposed in November 2013 that execution by firing squad be resumed, in addition to death by lethal injection, until the end of 2015.

### **Freedom of religion or belief**

There is evidence to suggest that the Vietnamese government is allowing more space for religious expression, but taking a much harder line where members of religious groups are believed to be involved in political movements or protests.

Most Vietnamese are able to practise the religion of their choosing and many prominent ministers, including the Prime Minister, are openly Buddhist. Vietnam has also increased the number of churches and other places of worship that it has approved for use. The UK has been active in promoting religious freedom and belief in Vietnam. Members of the British Embassy in Hanoi met Venerable Thich Quang Do of the Unite Buddhist Church (a high-profile priest who is under house arrest as a longstanding campaigner for greater freedoms) and a group of Catholic protesters from Nghe An province to discuss issues of religious freedom in the autumn.

In January, 14 Catholic activists, including students, bloggers, and citizen journalists, were accused of having ties to the banned Viet Tan network and were convicted for subversion. The trial, which was closed, resulted in sentences ranging from 3-13 years in prison, with one activist given a suspended sentence. At appeal, the sentences of three activists were reduced by 6-12 months and, in one case, Paulus Le Van Son, from 13 years to four years.

The UK, along with other diplomatic missions, met family members of the 14 activists to receive a petition calling for their release; we also supported the EU statement calling on the Vietnamese to uphold the fundamental right of freedom of expression.

In September, police and Catholic protestors clashed in Nghe An province, resulting in a number of injuries. Protestors claimed that the police used excessive force during an organised demonstration calling for the release of two Catholic youths (jailed for disturbing the public order). The Ministry of Foreign Affairs, in a public statement and in meetings with EU member states, denied that the force used was excessive. We welcomed the more transparent government approach in the follow-up to these events, but continue to have concerns that groups critical of government activities, including religious groups, continue to come under undue pressure.

### **Access to justice and the rule of law**

The UK remains concerned about the lack of independence, impartiality and transparency in the legal and judicial system. The Criminal Procedure Code states that defendants have the right to a lawyer during a police investigation; however, this right is often denied in practice. The lack of qualified legal representation can result in unfair legal processes and greater risk of forced confessions. As part of the trial process, a Judgment Board makes decisions largely based on a dossier prepared by the police. The defendant's lawyer has a limited role at the trial and the defendant has little opportunity to add to or question the information provided in the police investigation dossier.

This creates a high risk that convictions will be unsound. Media reporting recently highlighted the case of Nguyen Thanh Chan, sentenced to life for murdering a woman in 2004. He submitted a written guilty plea and claimed that he was tortured until he agreed to do so. Recently, another man claimed to be the murderer and Mr Chan was temporarily released, while the police investigated further.

The UK supports judicial reform through the British Council's management of the Justice Partnership Programme. This aims to promote change in the three main justice agencies: the Ministry of Justice, the Supreme People's Court and the Supreme People's Procuracy (roughly analogous to a state prosecutor's office). In 2013, the programme supported revision of the laws on the organisation of the People's Procuracies and People's Courts, development of a criminal records system, and the now completed revision and development of a national strategy for public legal aid.

### **Women's rights**

Vietnam is on track to meet the gender Millennium Development Goals, and there is almost equal participation of men and women in the workforce. However, issues such as domestic violence and sex trafficking pose serious challenges. The UK provides a range of support, including a focus on alternative job creation for victims of trafficking and support to victims of violence.

In June 2013, the British Ambassador opened a UK-funded shelter, Compassion House Lao Cai, near the Vietnam-China border, for young women victims of trafficking. Compassion House Lao Cai operates in partnership with the local Vietnamese government authorities

and an NGO. The girls and women are taught life skills and vocational trades to help them reintegrate into society. More than 20 girls and women have received support at the house since June 2013. The British Embassy has also funded a project called “Capacity Building Activities for Victims of Gender-Based Violence” in Dong Da and Thach That Districts of Hanoi since June 2013. The project empowers Vietnamese women in local society. The project is aimed at women and children suffering from gender-based violence (domestic violence, human trafficking and sexual abuse); temporary female labour workers from rural areas (vendors, scrap collectors and house help); and the wider community (local authorities and regulatory bodies, service providers, family members and perpetrators). Each group was given free counseling services, protection, and life skills training.

### **LGBT rights**

In August, Vietnam held its first Gay Pride event in Hanoi. The unofficial event gained good domestic and international media coverage, and was considered a success by the organisers. NGOs lobbying for LGBT reform were granted good access to the government. We hope the Vietnamese government can grant similar access to those addressing other human rights issues. The UK has been supportive of the LGBT agenda and we were the first embassy to use our website as a platform for a well-received blog by a LGBT activist. We raised the importance of LGBT rights at multilateral UPR discussions.

### **Minority rights**

Vietnam’s record on economic growth and poverty reduction has been remarkable, but some ethnic minorities have benefitted less. The UK includes a particular focus on Vietnamese ethnic minorities in its development programmes, including efforts to monitor and increase awareness about the remaining challenges as well as support to the education and social assistance system. In 2013, the UK supported a coalition that includes individuals from ethnic minorities, focused on increasing the ability of forest communities to lobby actively for their rights to be heard and incorporated into the upcoming revision of the forest development and protection law.

### **Children’s rights**

Vietnam has taken several steps with international partners to strengthen their protection of and welfare for children. Illegal trafficking abroad is a problem, with Vietnamese children making up a significant proportion of all children trafficked into the UK, mainly for criminal and labour exploitation. In February, they became a State Party to the Hague Adoption Convention, which aims to prevent abduction and ensure the best interests of the child are at the heart of all adoption procedures domestic or otherwise. In addition, they have worked with the UK to return a number of UK registered sex offenders and alongside the UN Children’s Fund (UNICEF) to achieve a better social welfare structure. One element of this is education, where Vietnam has already achieved the Millennium Development Goal on access to primary education, nearly reaching a 98% enrolment rate for primary education, including equal access for girls and boys.

In 2013, the UK provided £3 million to improve access to quality primary education for children from rural, ethnic minority and disadvantaged backgrounds. The programme has benefited 500,000 students, around 44% of whom are from ethnic minorities, in 46 provinces since 2010.



## Yemen

Widespread violations of human rights in Yemen continued during 2013, with the government showing limited capacity to improve the situation. The government failed to establish a commission of inquiry into the alleged human rights violations during the 2011 uprising. The death penalty remained on the statute book, and conflict-related violations by government forces continued. Women faced discrimination in all aspects of their lives and child marriage persisted. The humanitarian situation also remained critical.

Some progress was made. The National Dialogue Conference (NDC) made a number of positive recommendations, notably to introduce a minimum legal age for marriage, and renewed commitments to pass a law on transitional justice and establish a commission to investigate the alleged human rights violations in 2011. Women and youth were well represented at the NDC, and a bill to establish a national human rights commission was drafted. The conclusion of the NDC is a positive step in Yemen's transition. But effective implementation will be a challenge. For Yemen's human rights situation to improve, the government will need to work quickly to enshrine the NDC's recommendations into the new constitution and enforce them by law.

In 2013, the UK sponsored the UN Security Council Resolution "Strengthening efforts to prevent and eliminate child, early and forced marriage". As co-chair of the Friends of Yemen group, the UK also urged the establishment of a commission of inquiry into the alleged human rights violations in 2011, and encouraged the implementation of the recommendations made by the Office of the High Commissioner on Human Rights (OHCHR). Former Minister for Middle East and North Africa, Alistair Burt, and Minister of State for International Development, Alan Duncan, raised human right issues during visits to Yemen.

The Foreign & Commonwealth Office and Department for International Development (DFID) funded a number of human rights related projects. For example, DFID provided operational and technical support to the NDC, contributing £3.7 million to a multi-donor UN Trust Fund, and will provide additional assistance through this fund to support the drafting of the constitution in 2014.

At Yemen's Universal Periodic Review (UPR) in January 2014, the UK lobbied the government on the death penalty, transitional justice, and human rights violations by government forces. The UK's operational effectiveness in-country is expected to remain limited by Yemen's challenging security situation.

### Elections

Following the conclusion of the NDC in January 2014, the government issued a Guarantees Document that sets out the executive tasks needed to prepare for a constitutional referendum and presidential and/or parliamentary elections. DFID is contributing £7 million to support the work of the Supreme Commission for Election and Referenda on voter registration and delivery of the referendum and elections, as well as on risk-based security planning to minimise the likelihood of elections-related conflict.

## **Freedom of expression and assembly**

Yemen has enjoyed more freedom of expression under the transitional government. However, Yemen is still ranked 169 out of 179 by the World Press Freedom Index and, in 2013, Reporters Without Borders indicated an increase in threats and violence against journalists. Whilst some peaceful protests were held by various groups in the south, the OHCHR reported repression by government forces of a pro-south independence demonstration in February.

## **Human rights defenders**

Human rights defenders (HRDs) continued to be persecuted. According to Amnesty International, the whereabouts of some individuals detained for their participation in the 2011 uprising is still unknown. Many families of those detained are not aware of their relatives' whereabouts, despite seeking information from the government.

Yemen has a growing civil society. British Embassy officials regularly met HRDs in Sana'a. Mr Burt, Mr Duncan and Sir Bob Kerslake, Head of the UK Civil Service, also met groups of political activists during visits to Yemen. The UK will continue to encourage the government to end harassment, threats, and arbitrary arrest of HRDs and human rights organisations.

## **Access to justice and the rule of law**

The government failed to establish the commission to investigate the alleged human rights violations in 2011, and violations by government forces continued with the shelling of a funeral tent in the al-Dali governorate in south Yemen in December. However, positive steps were made to establish a national human rights institution. The UK will continue to encourage the government to pass a law on transitional justice, and to offer support to establish the inquiry into the alleged human rights violations in 2011, and investigations into human rights violations by government forces.

The government of Yemen acknowledges a weakness in the rule of law, with Yemen still transitioning from confession-based prosecutions to those based on evidence. The judiciary is still subject to government interference, and judges and lawyers continue to face intimidation.

The Ministry of Interior introduced a new role of Inspector General to counter corruption and address human rights violations. The UK continued to influence Ministry of Interior reform through the work of the UK Rule of Law and Policing attaché. The attaché is a member of the UN Human Rights coordinating group, which seeks to improve the transparency and legitimacy of the Ministry of Justice. The UK also funded a project through Tsamota (a security and justice sector consultancy) to provide forensic training to the Yemeni police, judiciary and officials in the Ministry for Human Rights.

## **Death penalty**

The death penalty remained on the statute book for crimes such as kidnapping, drug trafficking, rape and offences under Sharia law. The UK opposes the death penalty in all circumstances as a matter of principle, and remains concerned by the continued execution of juvenile offenders, which is prohibited under Yemeni law. In March 2013, Mohammed

Haza'a was executed despite uncertainty over his age at the time of the offence. According to the UN Children's Fund (UNICEF), a number of juveniles remain on death row.

The UK will continue to encourage the government to introduce a moratorium on executions with the intention of abolishing the death penalty, and also to improve methods to determine the ages of all defendants, such as by improving birth registration rates.

### **Torture**

In 2013, media reported that migrants from the Horn of Africa were being captured upon arrival in Yemen and taken to camps where they were tortured to extort their family details. Families were then contacted by the perpetrators to demand payments for the migrants' safe release. The UK is concerned by these reports and urges the government to take immediate action to end the practice and ensure that all perpetrators are brought to justice.

### **Conflict and protection of civilians**

Yemen suffers from several ongoing and interconnected conflicts. Targeted attacks on political and military personnel and infrastructure continued, with some allegedly linked to elements of the former regime.

Conflict and violence had serious implications for human rights. In the last quarter of 2013, the northern governorates saw a resurgence in violent armed conflict, resulting in the displacement of more civilians. It is estimated that more than 300,000 people remain displaced. Humanitarian conditions deteriorated following clashes in Dammaj and Kitaf areas (Sa'ada Governorate), in Al-Faj (Hajjah Governorate), and in Khaiwan and Wadi Danan (Amran Governorate). According to medical and other local sources, an estimated 200 people were reportedly killed and 600 wounded in Dammaj alone.

Yemen was one of the 138 countries that endorsed the Declaration of Commitment to End Sexual Violence in Conflict, which was launched at the UN General Assembly by the Foreign Secretary and the UN Secretary General's Special Representative on Sexual Violence in Conflict.

### **Women's rights**

Yemeni women continued to face social and political discrimination. The UN Development Programme Gender Inequality Index ranked Yemen 148 out of 148 countries. The practice of child marriage has continued, with no minimum age of marriage or consent.

Some progress on women's political participation has been made, with females holding 126 of the 565 seats at the NDC and chairing two of the nine working groups. The NDC recommended greater political, economic and cultural freedoms for women, and a minimum age of marriage of 18 years. Elsewhere, however, progress on women's rights has been reversed. Owing to their greater capability and resources, networks of independent women activists who were active in Tahrir Square have been co-opted by political parties. This has resulted in the suppression of women's voices and relegation of women's rights to narrow party political interests. Educated women still struggle to play a significant role in the political transition, whilst the vast majority of poorer women lack the capacity to engage meaningfully in the political process.

In June, the UK hosted the Arab Women's Business Conference, which brought together the private sector, the G8, Arab transition countries, and regional partners. The conference raised the profile of the role of Arab women in the global and regional economies and discussed how economic opportunities and business environments could be improved for women. The UK also funded a project in the Hodeidah governorate to enable widowed and divorced women to become more financially independent. In September, the UK co-sponsored the UN Human Rights Council resolution to strengthen efforts to prevent and eliminate child, early, and forced marriage.

### **Children's rights**

Despite the government's commitment to end the practice, the OHCHR reported that children continue to be recruited into armed conflict. Human Rights Watch also reported that nearly 50,000 children were prevented from attending school in order to participate in a Southern Movement disobedience campaign. UNICEF reported the killing of children in attacks against schools and hospitals in the southern governorates in December. Child labour also remains an issue.

The NDC recommended the introduction of a minimum age of 18 for recruitment into the army, and that children should not be employed in work. The UK will encourage the government to enshrine these recommendations in the constitution and law, and to implement its action plan to eliminate child soldiers.

### **Other issues**

#### *Economic and social rights*

Yemen remains the poorest country in the Middle East, and is ranked 160 out of 187 by the UN Development Programme's Human Development Index. Yemen suffers from high levels of poverty, food insecurity and malnutrition. Around ten million Yemenis do not have the food that they need each day, an increase of nearly 50% since 2011, with five million in urgent need of food assistance. 13 million are without access to safe water or sanitation, and 7.7 million have no access to health care.

As part of the UK's support, DFID is delivering a £196 million three-year operational plan dedicated to development and reducing poverty in Yemen. £70 million was committed for the humanitarian response until 2015. The UK is the first humanitarian donor to provide multi-year funding in Yemen, so as to provide more predictable allocations given the changing needs. DFID is also supporting nutrition interventions through UNICEF and delivery of basic services through the Social Fund for Development.

#### *Refugees*

Large migration flows – including refugees and economic migrants mostly from the Horn of Africa – are increasingly prone to human trafficking and smuggling. Asylum seekers, refugees and migrants are mainly spread along the west and south-west coasts, and are extremely vulnerable to human rights violations, and also lack access to basic services and food.

## Zimbabwe

The human rights situation in Zimbabwe remained relatively stable throughout 2013, with a slight improvement on previous years. Zimbabwe Peace Project reported fewer than 5,000 cases of politically motivated human rights violations between January to November 2013. This compares to 5,096 in 2012, and 10,188 in 2011, 10,703 in 2010, 14,725 in 2009, and a peak of 23,755 cases recorded for 2008. Levels of politically motivated human rights violations have continued on a downward trajectory throughout the country.

However, serious concerns remain, including political violence, and harassment of political opposition, journalists, judges and human rights defenders (HRDs). Many international human rights indicators still rank Zimbabwe amongst the worst countries in the world in terms of civil liberties, political rights and press freedoms. Since the elections in July, the government of Zimbabwe has made little progress towards reforming the human rights environment. There appears to be a lack of political will from the ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF) to implement key agreed reforms under the previous Global Political Agreement, which would allow for long-term legislative and institutional change.

In 2013, the UK Government continued to pursue our policy of supporting the aspirations of the Zimbabwean people for a more democratic, stable and prosperous Zimbabwe. The British Embassy in Harare has worked closely with NGOs, HRDs, the EU, other diplomatic missions and development agencies to monitor the human rights situation and coordinate development assistance. In addition, the UK Government has collectively allocated £2.2 million to human rights and conflict prevention projects in Zimbabwe via the Africa Conflict Prevention Pool programme. Through its aid programme, the UK has also made significant contributions to socio-economic rights through investments in the health, education, water and sanitation.

### Elections

On 31 July, Zimbabwe held elections which could have been a potential trigger for violence and for the human rights situation to deteriorate. The elections were largely peaceful and levels of overt violence were lower than in previous election periods. The election ended the five years of the Government of National Unity between ZANU-PF, the Movement for Democratic Change-Tsvangirai (MDC-T), and the Movement for Democratic Change-Ncube (MDC-N). ZANU-PF won a two-thirds majority in parliament and President Robert Mugabe remained head of state. The Southern African Development Community (SADC) and African Union (AU) endorsed the elections and said they were “free, peaceful and generally credible”, though their initial reports highlighted a number of irregularities and flaws. The UK believes the conduct of the elections was seriously flawed, with clear evidence of voting irregularities raising serious doubts about their credibility. The US and Canada said the Zimbabwe election was deeply flawed, while Australia called for a re-run. Botswana, alone among regional states, publicly raised concerns about the credibility of the election. The AU final election observation report also captured several election shortcomings. The biggest domestic observer, Zimbabwe Election Support Network (ZESN), said, *“the credibility of the 2013 Harmonised Elections is seriously compromised by a systematic effort to disenfranchise urban voters of up to a million votes.”*

The elections environment was closely monitored by domestic and international observers, including the international community. During the first half of the year, there was an increase in incidents of politically motivated intimidation, harassment, and threats of violence against NGOs and civil society organisations (CSOs) throughout the country. There were attacks on the media, judges and lawyers, HRDs and CSOs, targeting those working on election-related issues. The police and judiciary were used as a mechanism to disempower HRDs by bringing weak cases to court and prolonging final judgments.

The severity of pre-election harassment varied, but was targeted at opposition party members to instil fear. For example, in early July, the British Embassy in Harare received reports that Gift Chimankire, an MDC-T minister in the previous government, and MDC-T supporters in his community, were attacked by a group of ZANU-PF youths for election campaigning.

After the election, local CSOs and HRDs, which were targeted by ZANU-PF and state security forces pre-election, continued to be fearful of retribution and a clamp-down on democratic space. In July and August, local CSOs received over a dozen reports of politically motivated cases of retribution, intimidation (e.g. threats of violence, death and abduction) and displacement. This included the attack on Mashonaland East official, Silent Dube, who was abducted from his farm.

However, the successful completion of the constitution-making process in March represented an important achievement for political cooperation in Zimbabwe, and a significant step for human rights. It guarantees civil liberties, including freedom of speech, media freedoms, and freedom of assembly and association. Chapter 4 of the new constitution includes economic, social, cultural, civil and political rights that are enforceable by law. It also allows dual citizenship. The new constitution provides opportunities for further reform and improvements in the legislative framework, especially with the Bill of Rights. It creates five new independent commissions, including a Human Rights Commission and a National Peace and Reconciliation Commission, which are designed to uphold and protect citizens' rights. To date, these have not been made operational, due to lack of political will and funding.

### **Freedom of expression and assembly**

Zimbabwe saw a slight improvement in media plurality in 2013, with two new radio licences granted. The Broadcasting Authority of Zimbabwe recently received 21 applications for new commercial radio stations. During the election period, Zimbabwe's first independent TV channel was launched, 1st TV, which provided a platform to disseminate non-partisan information, but was not allowed to broadcast from within Zimbabwe. In December, a new newspaper was launched, the Zimbabwe Mail. It becomes the second daily paper to be launched in 2013, after the Bulawayo-based regional daily, the Southern Eye. However, it is reported that Transport Minister Obert Mpofu is the owner, adding to the number of state-aligned newspapers, rather than bringing greater diversity.

Repressive legislation, now not aligned with the new constitution, such as the Access to Information and Protection of Privacy Act (AIPPA), continues to be applied by the state to limit media freedoms, which affects all Zimbabweans. Key legislative reforms designed to



ensure an independent media and impartial security services were not completed ahead of the elections, as required by the Global Political Agreement. As a result, the Zimbabwean media is still dominated by state-owned outlets, and space for independent media remains severely limited.

The Broadcasting Services Act continues to be used to suppress the media, and access to information in rural areas in particular. Through its selective application, the Zimbabwean police (ZRP) have banned alternative sources of media and seized shortwave radios. The ZRP issued a warning on 20 February calling on NGOs not to distribute “communication gadgets” to rural areas. Many Zimbabweans, especially in rural areas, rely on shortwave radio as a key source of information. They also use it to pick up independent and international stations in preference to the state-run stations, which transmit pro-ZANU-PF messages. The ZRP raided the offices of ZESN in February, stating that they were looking for subversive materials, gadgets and illegal immigrants. The offices of Radio Dialogue were also raided in March, when 180 solar and kinetic energy-powered radios were seized by authorities.

The Criminal Law Act, which criminalises defamation and insulting or undermining the authority of the President, was increasingly used by the police throughout the beginning of 2013. In May, the editor and chief reporter of The Independent newspaper, Dumisani Muleya and Owen Gagare respectively, were arrested and charged for allegedly publishing falsehoods, in a story claiming the MDC-T was in negotiations with military and police service chiefs aimed at preventing political instability. However, positive steps were taken by the Constitutional Court, when, on 8 November, it declared this law unconstitutional. It also moved to challenge the constitutionality of other sections of the Criminal Law Act, including the arrest of journalists on allegations of publishing falsehoods.

Individual civil liberties were further infringed on 1 October, when the government tightened controls on electronic media and enacted new postal and telecommunications regulations, which permit security agencies to intercept telephone calls, text messages and internet communications. Shortwave radios and the sending of bulk text messages were banned.

Freedom of association and assembly was frequently constrained by partisan police action, such as the use of repressive legislation, including the Public Order and Security Act and the Criminal Procedure and Evidence Act, to prevent and break up protests and rallies organised by the MDC political parties and civil society groups. Media practitioners and journalists continue to be harassed through attacks from senior politicians, unlawful arrests and threats of closure.

Political space continued to be tightly controlled by the state either side of the election. The CSO Women of Zimbabwe Arise has faced repeated restrictions on its freedom of expression and assembly. In February, approximately 30 members were beaten by ZRP officers while taking part in a peaceful demonstration. Five members were detained at Bulawayo Central Police Station and 13 members required medical treatment. This continued throughout the year and on 19 and 20 September, members were arrested twice in one week for peaceful demonstrations to mark International Day of Peace. The ability of youth organisations to operate was further reduced in January, when regulations requiring all

youth organisations to be registered with the Zimbabwe Youth Council, or to be banned, were introduced by the Minister for Youth and Indigenisation.

In one of the worst incidents of the year, 12-year-old Christpowers Maisiri was killed when the hut of his father, a local MDC-T party official, was set on fire on 23 February. The police investigation concluded that the fire was a result of the explosion of tobacco chemicals and ammonium nitrate fertiliser in the thatched hut the boy was sleeping in. It is widely believed within the MDC-T and by human rights commentators that this was politically motivated arson.

### **Human rights defenders**

During 2013, HRDs were continually harassed by the state, often beaten and arrested on false charges. This includes the harassment of prominent human rights lawyer Beatrice Mtetwa who, in March, was charged with obstructing the course of justice, whilst defending a client. She was detained for eight days, despite a High Court order for her release. High Court judge, Justice Charles Hungwe, who initially ordered the release, was professionally and personally attacked by state media for his actions. The state appointed a new judge to preside over the case, amid allegations of misconduct. This attack by state media could have long-term implications for other judges presiding over politically sensitive cases. The political interference is indicative of the problems in the justice system in Zimbabwe.

Harassment of HRDs continued throughout May as elections drew closer, with the arrest of prominent community mobilisers and information providers from within the CSO community (Zimbabwe Peace Project, ZimRights, and National Youth Development Trust). These incidents highlighted the tight control the government holds over information.

In response to this, on 18 January 2014, the Office of the UN High Commissioner for Human Rights issued a statement condemning the crackdown on NGOs and others who were seen as critical of the President in the run-up to the Constitutional Referendum in March. The statement urged the government of Zimbabwe to respect international human rights norms and standards. On the same day, CSOs issued a joint statement condemning the “unashamed intimidatory and repressive tactics” used by the government of Zimbabwe against CSOs and their leaders.

### **Access to justice and the rule of law**

A culture of impunity is widespread in Zimbabwe. Victims of political violence are rarely able to rely on the police to pursue justice on their behalf. Court cases in Zimbabwe take a long time to proceed and are regularly postponed. Selective application and interpretation by law enforcement officials and the Attorney General’s Office limit access to justice and the freedoms of political actors opposed to ZANU-PF. Several high-profile court cases highlighted these problems during 2013. Officials from the British Embassy in Harare attended many political court hearings, and followed such cases closely.

The Glenview 29 case remains open: 29 MDC-T activists were charged in May 2011 with murdering a police officer, Inspector Petros Mutedza in Glenview. Their lawyers argued that the state had failed to prove its case against them, and hence the case should be dismissed. After nearly three years in detention, 21 of the activists were acquitted with all charges

against them dropped. On 19 September, the High Court ruled that none of the evidence put forward by the state implicated them on the murder charge. Sadly, one of the accused, Rebecca Mafukeni, died in custody in August whilst awaiting the High Court judge's decision. Having been incarcerated since her arrest in May 2011, Rebecca was hospitalised two weeks before her death, reportedly suffering from meningitis. At the time, CSOs made statements on the condition of those accused in prisons, and the British Ambassador raised concerns with the government. Seven of the MDC-T activists remain charged for the murder of the policeman, with three still in detention. Their case will be heard at a later date in 2014.

In December, Anti-Corruption Commission official Emmanuel Chimwanda, who was charged in April with criminal abuse of office and contravening the Official Secrets Act, was acquitted. The court dismissed the charges as trivial. The magistrate added that the case had not followed correct procedure.

### **Death penalty**

Zimbabwe still has the death penalty but, despite recruiting a new executioner at the end of 2012, has observed a moratorium since 2005, when the last execution was carried out. On 7 June, two convicted armed robbers, Wilson Mavhuto and Charles Rusiko, were sentenced to death. There are currently 89 people on death row.

### **Torture**

There is currently no specific crime of torture defined in Zimbabwean law. In 2012, we welcomed the announcement by the Minister for Justice, Patrick Chinamasa, that the government will ratify the UN Convention against Torture. However, despite this commitment, the UN Special Rapporteur on Torture has not been extended an invitation since being refused entry to Zimbabwe in 2009. HRDs continue to raise allegations of torture against police for their interrogation practices.

### **Freedom of religion or belief**

In 2012, we reported on the long-running legal battle involving excommunicated former Bishop Dr Nolbert Kunonga, in which the Supreme Court ruled in favour of the Anglican Church in Harare. On 27 February, the Supreme Court issued another judgment in favour of the Anglican Church in Manicaland and, in April, the Anglicans finally regained their properties, including the cathedral. The service to mark reoccupation of the cathedral was well-attended, with the Archbishop of Zambia presiding and bishops from across Zimbabwe, Zambia, Malawi and South Africa participating. The British Ambassador in Harare also attended the service.

At the ZANU-PF 14th annual conference in December, Local Government Minister, Ignatius Chombo, threatened to ban emerging religious groups and sects deemed to be promoting Satanism and homosexuality. He said all churches should be registered and monitored by the government to avoid religious fundamentalism.

### **LGBT rights**

Homosexuality remains illegal in Zimbabwe. President Robert Mugabe often refers disparagingly to gay people in his speeches, and attacked same-sex marriages at his inauguration speech in August. The rights of homosexuals are not openly discussed due to

the stigma associated with homosexuality. LGBT people remain a marginalised and stigmatised group. The new constitution does not explicitly recognise LGBT rights.

In June, the offices of Gays and Lesbians of Zimbabwe (GALZ) were forcefully entered by unknown assailants. Five suspects were subsequently arrested by police. Harassment of GALZ continued and, in August, police seized property (computers, DVDs and pamphlets) from their offices on the basis they were promoting homosexuality. The court case is ongoing, but it is expected that the High Court will rule that the search and seizure was unlawful and contravenes the constitution.

## **Other issues**

### *Land and farm invasions*

President Mugabe's land reform programme continues to cause suffering to the remaining white farmers, their families and workers. Many face intimidation and harassment, and 210 white commercial farmers are under prosecution for refusing to vacate farms allocated for redistribution. We continue to raise our concerns with the government and highlight our support for a fair, transparent and pro-poor land reform programme. We encourage Zimbabwe to carry out a land audit leading to land property rights, and stand ready to support a credible process. Positively, there are reports that ZANU-PF has admitted to its obligation to pay a degree of compensation to some farmers who were victims of the land reform programme (where they are nationals of countries with a Bilateral Investment Promotion and Protection Agreement with Zimbabwe (BIPPA) – the UK does not have a BIPPA). ZANU-PF has further admitted the illegality of the seizure of many farms.

### *Marange diamond fields*

Local NGOs such as the Marange-based NGO, the Chiadzwa Community Development Trust, continued to highlight human rights abuses in the diamond-mining areas of Marange. They reported several cases of human rights abuse towards the local communities within Marange, including intimidation, threats of violence and allegations about suspicious deaths. Police and private security companies are often implicated in cases involving persons who are allegedly mining illegally. The responses from the private security companies are often brutal and heavy-handed.



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ISBN 978-1-4741-0627-6



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