



First Report
from the
Foreign Affairs Committee
Session 2005-06

Annual Report on Human Rights 2005

Response of the Secretary of State for
Foreign and Commonwealth Affairs

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
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FIRST REPORT FROM THE FOREIGN AFFAIRS COMMITTEE

SESSION 2005-6

ANNUAL REPORT ON HUMAN RIGHTS 2005

**RESPONSE OF THE SECRETARY OF STATE FOR FOREIGN AND
COMMONWEALTH AFFAIRS**

1. The Government welcomes the scrutiny by the Committee of its work to promote human rights overseas and values the positive dialogue that continues between the Committee and the Foreign and Commonwealth Office (FCO) over the content and format of the Annual Report on Human Rights.
2. We expect to publish the next Annual Report on Human Rights in October 2006. We look forward to discussing this report with the Committee.
3. This Command Paper sets out the Government's response to the Committee's 23 February 2006 Report into the Foreign and Commonwealth Office Human Rights Annual Report 2005. The Committee's recommendations are set out in bold. Unless otherwise indicated, references are to paragraphs in the Foreign Affairs Committee Report (HC 574).

We conclude that the Foreign and Commonwealth Office's Human Rights Annual Report 2005 makes a substantial contribution to the transparency and visibility of the Government's work in this important area. (Paragraph 5)

4. The Government is grateful to the Committee for these positive comments and for its constructive engagement on human rights issues. We will continue to work with the Committee, NGOs and others as we seek to improve the report and fulfil our objective of informing Parliament and the public of our efforts to promote human rights around the world.

We conclude that the Government risks downgrading its human rights work by combining human rights responsibilities with trade in the person of the same minister and also by subsuming human rights work into the more general category of sustainable development. (Paragraph 9)

5. The Government disagrees with the Committee's conclusion. There is no trade-off between a robust policy on human rights and promotion of trade. It is not the case that any commercial relationship stops the Government from speaking frankly on issues of concern.
6. Much of the work that we do on Corporate Social Responsibility (CSR) and on tackling corruption involves working with business to help them improve their working practices and follow the guidelines laid down by the many international CSR initiatives. So in this respect it is very logical to have a minister who is responsible for both human rights and trade.

7. The Committee will note that the wording of the FCO's Strategic Priority 6 has been amended in the FCO White Paper, "Active Diplomacy For A Changing World", published on 28 March 2006. The new wording introduces two additional issues: poverty reduction and protection of the environment. Nonetheless, the White Paper continues to make clear that while human rights, democracy and good governance are key components of sustainable development, they are also important policy priorities in their own right. Our human rights strategy is complementary to, but distinct from, our strategy on sustainable development and this does not represent any downgrading of our human rights work.

We welcome moves to establish a permanent Human Rights Council. We recommend that the Government ensure that the Council starts its work at the earliest opportunity. We further recommend that the Government outline what measures will be put in place to ensure that the Council's work does not suffer from tactical voting or ideological opposition from particular states, as was the problem with the UN Commission on Human Rights. We also recommend that the United Kingdom, as a permanent member of the UN Security Council, should continue to make its utmost endeavours to bring the serious human rights situation in states such as Burma, Uganda and Zimbabwe to the Security Council's attention. (Paragraph 15)

8. On 15 March the UN General Assembly adopted a resolution establishing the new UN Human Rights Council. The Government worked very actively to secure the widest possible agreement to this resolution, which was passed by 170 votes to 4; and continues to work with partners to prepare the first session of the Council. The resolution provides for the first elections to the Council on 9 May and the first session of the new body from 19 June. At its final session on 27 March, the Commission on Human Rights passed a non-binding resolution that its substantive work, including reports left pending from the Commission, should be on the table at the first session of the Council.
9. The resolution establishes a Council better able than the Commission on Human Rights to deal with today's serious human rights challenges. The Council preserves the most effective elements of the Commission: NGO participation; the system of Special Procedures, to be reviewed within one year; and the ability to address country situations through country resolutions.
10. The Council also builds on the Commission's abilities. Its mandate includes: promotion of universal respect for the promotion and protection of human rights for all; addressing situations of violations of human rights, and making recommendations on them; promotion of human rights education, technical assistance and capacity-building. The Council will establish a new system of universal periodic review, under which each UN Member State's implementation of human rights obligations and commitments will be examined. It will meet more frequently and for longer than the Commission, and will be better able to respond in real time to developing human rights

situations. Finally, the Council has a more central place in the UN system than the Commission: it is a subsidiary body of the General Assembly rather than the Economic and Social Committee and will have the power to make recommendations on human rights issues to any part of the UN system.

11. In an effort to improve the overall membership of the Council, the Government worked hard to secure the following measures in the General Assembly resolution: a higher election threshold; the possibility to suspend Council members guilty of gross and systematic violations of human rights; the expectation that candidates for membership will submit voluntary pledges and commitments on human rights; and the requirement that all members should uphold the highest human rights standards and cooperate fully with the Council. The Council's agenda and working methods have yet to be negotiated. The Government will continue to work with EU and other partners to ensure that these elements function as well as possible towards the aim of effective promotion and protection of human rights. The UK is standing for election to the Council, in order to play as full a role as possible in shaping the Council over the coming months.
12. In the past year the Security Council has been briefed on the situation in Burma and Zimbabwe, and the humanitarian situation in northern Uganda. Whilst we are likely to face opposition from some members of the Security Council to discuss issues such as Zimbabwe, Burma and northern Uganda in its formal sessions, the Government will continue to use as effectively as possible the opportunities presented by the UN human rights and other mechanisms to highlight serious human rights situations.

We recommend that the Government set out in its response to this Report the human rights achievements and disappointments of its Presidency of the European Union. (Paragraph 17)

13. The Government is proud of the EU's achievements in the area of international human rights during the UK Presidency. The promotion and protection of human rights and fundamental freedoms – our own and those of others – are at the heart of what the European Union stands for. During the UK Presidency, the EU was able to take forward initiatives on behalf of those who so often see their rights violated, including human rights defenders, victims of torture and children affected by armed conflict. Particular highlights of the UK Presidency included:
 - A proactive campaign by the EU in support of human rights defenders around the world, involving lobbying in 26 countries on behalf of 180 individuals suffering for exercising their right to freedom of expression;
 - The annual EU-NGO Human Rights Forum, held from 8 – 9 December 2005 at Lancaster House, and attended by leading human rights experts and activists from all EU Member States. This also focussed on freedom of expression – including freedom of the media and tackling impunity for murderers of media workers – and identified a number of initiatives for EU work on this agenda in 2006;

- Effective EU performance at the Third Committee of the UN General Assembly: six out of seven EU-sponsored resolutions were adopted – on Burma, North Korea, Democratic Republic of Congo, Uzbekistan, Religious Intolerance and Rights of the Child. The EU also successfully co-tabled, with the US, a resolution on Turkmenistan;
 - Successful lobbying of governments around the world on priority human rights issues including: demarches to 39 governments to sign and ratify the UN Convention against Torture; lobbying in 10 countries “on the cusp” of abolishing the death penalty, or restoring it, or of establishing a moratorium, in addition to 17 demarches on behalf of individuals facing the death penalty.
 - Lobbying of seven target governments to address the issue of children and armed conflict and the adoption of a comprehensive review of EU activity in this area, including a series of recommendations setting out how the EU should respond to children affected by armed conflict in the future;
 - An EU Annual Human Rights report which included (for the first time) an assessment of the impact of EU action, specific examples of EU project work, and a substantive chapter provided by the European Parliament on its work. The European Parliament showed a renewed interest in the Report, including by means of a plenary debate in December 2005. The 2005 Report covers the period 1 July 2004 – 30 June 2005. The period of our EU Presidency will be covered by the report due to be issued in Autumn 2006.
14. As indicated in its 2005 Human Rights Annual Report the UK also sought to use its presidency to further embed “mainstreaming” of human rights in wider EU work. In close co-operation with Javier Solana’s Personal Representative on Human Rights (Michael Matthiessen), we took forward a programme of human rights briefings and discussions with a range of Council geographic and thematic working groups, resulting in increased awareness of the EU’s human rights “tools”, and in a number of concrete initiatives. We are particularly pleased that the Austrian and Finnish presidencies are seeking to build on this work (as well as taking forward other UK Presidency initiatives, such as our campaign in support of human rights defenders).
15. Although useful rounds of the EU-China Human Rights dialogue and EU-Russia Human Rights consultations took place during the UK presidency, one significant disappointment of our Presidency was that the Iranian government failed to agree dates for a round of the EU-Iran Human Rights Dialogue, despite the EU’s strong and repeated requests. The General Affairs and External Relations Council affirmed that the EU should continue to use other means to register its human rights concerns, raising in particular the plight of Iran’s persecuted human rights defenders. We were therefore pleased that the EU expressed concerns on human rights issues to the Iranian authorities on no fewer than 14 occasions during our Presidency. Efforts to re-establish the dialogue continue under the Austrian Presidency.

16. It is worth noting that the points set out above principally cover work led by the Council Human Rights Working Group, and do not include the numerous regional and country-specific initiatives taken forward during the UK's EU Presidency.
17. In addition to work carried out as part of the EU's Common Foreign and Security Policy, negotiations on the Commission proposal to establish a European Fundamental Rights Agency (FRA) continued under the UK Presidency. Discussion extended to cover major areas such as the Agency's legal base. We expect negotiation to be closed within the Austrian Presidency to ensure that the Agency can begin its work by the Commission's deadline of 1 January 2007.

We conclude that the incentive of EU accession has played an important role in prompting human rights improvements in Turkey. We recommend that the Government support the Turkish government in its implementation of legislative changes, and that it maintain pressure on Turkey to make further reforms. (Paragraph 22)

18. The Government agrees with the Committee's conclusion that the incentive of EU accession has played an important role in improving the human rights situation in Turkey. We warmly welcomed the opening of accession negotiations on 3 October 2005 and subsequent confirmation that Turkey continues sufficiently to fulfill the Copenhagen Political criteria, which includes the need for candidate countries to demonstrate 'stability of institutions that guarantee human rights'. The Turkish government recognise that there are still challenges ahead, and Prime Minister Erdogan has expressed his commitment to continue reform.
19. The Government accepts and endorses the Committee's recommendation that the Government should continue to support the Turkish Government in its implementation of legislative changes and to maintain pressure on Turkey to make further reforms. Turkey's human rights record will be subject to intense scrutiny during accession negotiations and the UK, along with our EU partners, will continue to monitor the situation closely. We will continue to encourage the Turkish government to comply with the European Convention on Human Rights (ECHR). The Government supports a number of human rights projects in Turkey, such as training for judges and prosecutors in the ECHR and international human rights law, and awareness campaigns on domestic violence. Other current Government-supported projects cover police co-operation, judicial system, women's rights, child rights and education.

We recommend that in its response to this Report the Government set out what it is doing to encourage other states actively to support the ICC. (Paragraph 28)

20. The UK is a firm supporter – in practice and in principle – of the ICC. We want to see an international court with the widest possible membership and consequently jurisdiction. We continue, both nationally and with EU partners, to lobby governments around the world to accede to the Rome Statute and widen the jurisdiction of the Court.

21. In addition to ratification it is essential for states to enact legislation to enable them to implement their obligations under the Rome Statute if the ICC is to be able to operate effectively. Our own legislation – the ICC Act 2001 – is in place. We encourage other states to complete their own legislation and hope to sponsor direct assistance to states who lack the necessary expertise, drawing on model legislation produced by the Commonwealth Secretariat with our sponsorship.
22. The Government has already entered into agreements that support the broader functioning of the court: a generic witness relocation agreement in November 2004 and an exchange of letters on information sharing in August 2005. We have encouraged EU partners to make similar commitments. Negotiations on an EU-ICC Co-operation and Assistance Agreement reached an advanced stage under the UK Presidency of the EU. Our own negotiations on an agreement, at the Court's request, on the enforcement of sentences are well advanced.
23. From time to time, the ICC requests assistance from States Parties, either in relation to an ongoing investigation or in relation to the wider functioning of the Court. To protect the integrity of the Court's investigations, it would not be appropriate to comment on their operational aspects nor to reveal what support the UK has provided in response to ICC requests. The UK remains ready to consider any specific request put forward by the Court.

We conclude that the capture of war crimes indictee Ante Gotovina is a most welcome development, but stress that accession to either the EU or NATO should remain impossible for any of the Balkan states, including Croatia, until they have fulfilled all of their obligations to the International Criminal Tribunal for the former Yugoslavia. (Paragraph 32)

24. The Government wholeheartedly agrees with the Committee's recommendation. We take every opportunity to remind the Governments of the Western Balkans of their international legal obligations to co-operate fully with the International Criminal Tribunal for the former Yugoslavia (ICTY), as set out in Chapter VII UN Security Council Resolutions¹. We continue to maintain pressure on the authorities in Serbia and Montenegro and, Bosnia and Herzegovina, both bilaterally and with our EU, NATO and other international partners, to deliver all outstanding fugitive indictees to The Hague. Full co-operation with the ICTY remains a fundamental requirement for ultimate EU and NATO membership.

We conclude that the continued use of Guantánamo Bay as a detention centre outside all legal regimes diminishes the USA's moral authority and is a hindrance to the effective pursuit of the war against terrorism. We recommend that the Government make loud and public its objections to the existence of such a prison regime. (Paragraph 39)

¹ The following UN Security Council Resolutions (SCRs) adopted under Chapter VII have called for all States or 'Parties to Dayton' to co-operate with the ICTY: SCRs 827 (1993), 1019 (1995), 1031 (1995), 1034 (1995), 1937 (1996), 1088 (1996), 1166 (1998), 1174 (1998), 1207 (1998), 1247 (1999), 1305 (2000), 1329 (2000), 1357 (2001), 1423 (2002), 1503 (2003), 1534 (2004), 1551 (2004), 1575 (2004), 1639 (2005). The following also make preamble references to the need for States to co-operate: SCRs 941 (1994), 1022 (1995), 1074 (1996). SCR 1244 (1999) also calls on 'all concerned' to co-operate with the ICTY.

25. The Government has made clear publicly that it regards the circumstances under which detainees continue to be held in Guantanamo as unacceptable. The United States Government knows our views. As the Prime Minister said on 16 March 2006, it would be better if Guantanamo were closed. We will continue to raise our concerns about Guantanamo Bay and work with the US authorities to resolve outstanding issues.

We conclude that the Government has a duty to enquire into the allegations of extraordinary rendition and black sites under the Convention against Torture, and to make clear to the USA that any extraordinary rendition to states where suspects may be tortured is completely unacceptable. (Paragraph 52)

26. The Foreign Secretary clearly set out the position on rendition in his Written Ministerial Statement of 20 January 2006. The Government has not approved and will not approve a policy of facilitating the transfer of individuals through the UK to places where there are substantial grounds to believe they would face a real risk of torture. The UK unreservedly condemns the use of torture. We would not assist in any case if to do so would put us in breach of UK law or our international obligations.
27. Foreign and Commonwealth Office officials have completed a search of all relevant records back to May 1997. They have not found any evidence of detainees being rendered through UK territory or airspace (or that of the Overseas Territories) since 11 September 2001. We have not found any evidence of detainees being rendered through the UK (or Overseas Territories) since 1997 where there were substantial grounds to believe there was a real risk of torture. There were four cases in 1998 where the US requested permission to render one or more detainees through the UK or Overseas Territories. In two of these cases, the Government granted the US request, and in the other two it refused. In both the cases where the request was granted, the individuals were being transferred to the US in order to face trial.
28. In the absence of evidence of any renditions through UK territory or airspace (except the two 1998 cases) we do not consider that Article 12 of the Convention Against Torture requires us to carry out a further investigation.
29. The Government has further made its position clear to the United States authorities, including in recent months:
- (i) that we expect them to seek permission to render detainees via UK territory and airspace (including Overseas Territories);
 - (ii) that we will grant permission only if we are satisfied that the rendition would accord with UK law and our international obligations; and
 - (iii) how we understand our obligations under the UN Convention Against Torture and the European Convention on Human Rights.

30. We are also clear that the US would not render a detainee through UK territory or airspace (including Overseas Territories) without our permission. As noted above, the US has sought such permission in the past.
31. In addition to the above, on 29 November 2005, in his EU Presidency role, the Foreign Secretary wrote to the US Secretary of State regarding media allegations on rendition. The Foreign Secretary offered to write, and was not 'prodded' as the FAC report suggests. Dr Rice's subsequent statement, on 5 December, set out the US position, including on US compliance with the Convention Against Torture, and specifically on use of airspace or airports of other countries.
32. On alleged secret detention centres, there is no evidence (or any allegation as far as we are aware) that such facilities exist on UK territory, and therefore no basis for investigation.
33. As the Committee is aware, the Council of Europe has initiated various work on the question of secret detention and the transport of detainees suspected of terrorist acts. The UK is cooperating fully with this work, and will continue to do so. The text of the UK's response to the Secretary General of the Council of Europe's request for information under Article 52 of the European Convention on Human Rights is available on the FCO website: (<http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1028302592078>).

We welcome the Government's new frankness on the question of the use of information derived by other states from torture. We recommend that a policy of greater transparency be maintained. However, we conclude that the use of such information presents serious ethical dilemmas in terms of complicity, especially in the wake of a ruling by the House of Lords which described the use of torture as "dishonourable". We recommend that the Government clearly set out its policy on the use of information derived by other states through torture in its response to this Report and that it encourage a public debate on the ethical dilemmas it faces. (Paragraph 58)

34. The Government, including the intelligence and security agencies, never uses torture for any purpose, including to obtain information. Nor would we instigate others to do so. Our rejection of the use of torture is well known by our liaison partners. Where we are helping other countries to develop their own counter-terrorism capability, we ensure our training or other assistance promotes human rights compliance.
35. The provenance of intelligence received from foreign services is often obscured. Where it is clear that it has been obtained from individuals in detention, such intelligence is treated with great care. But the prime purpose for which we need intelligence on counter-terrorism targets is to avert threats to British citizens' lives. Where there is reliable intelligence bearing directly on such threats, it would be irresponsible to reject it out of hand.

36. We welcome the clarity that the House of Lords' judgement on 8 December has brought to this important and difficult issue. The Government has been consistent in condemning torture and it has never been our intention to present to Court evidence, which we have, grounds to believe may have been obtained by torture.

We conclude that the Government should only use Memoranda of Understanding when it can be sure that the monitoring mechanisms in place are entirely effective, and that the Memoranda must not be used as a fig leaf to disguise the real risk of torture for deported terrorism suspects. We recommend that in its response to this Report the Government give full information on the monitoring arrangements which apply under existing Memoranda of Understanding, including where possible examples of how they work in practice. (Paragraph 66)

37. The Government has no intention of using MOUs as a fig leaf to disguise a real risk of torture for deported terrorism suspects. As noted in the FCO's Human Rights Annual Report 2005, the Government condemns torture and works for its eradication worldwide. The Government has taken its international human rights obligations into account throughout negotiations on deportations with assurances. We will only deport someone if such removal is compatible with our international human rights commitments, and will not deport or extradite a person where there are substantial grounds for believing there is a real risk of torture or other inhuman or degrading treatment, or that the death penalty will apply. The Government believes that MOUs will give the courts the assurances they require to allow for the deportation of individuals who threaten national security, whilst meeting the United Kingdom's international human rights obligations.
38. The Government's view is that MOUs provide protection that is more specific than international human rights agreements. An MOU represents an additional, high profile and public commitment by the government concerned and provides an additional level of protection over and above the provisions contained in international human rights instruments. Where appropriate, the Government may also seek additional individual assurances in relation to named individuals and referring to the specifics of an individual's treatment on return.
39. In agreeing MOUs, the government of the receiving State make a public commitment to safeguard the well-being of those deported. The Government regards such commitments as ones that it should and can trust and believe, on the basis of the evidence in their possession, that governments who give us such a commitment will abide by it.
40. As the Committee is aware, failure to comply with formal political commitments in MOUs and similar international instruments can do serious damage to diplomatic relations between signatory States and will harm a State's reputation as a reliable international partner. It is the Government's view that these factors act as a further safeguard against any breach of assurances.

41. The MOUs signed with Jordan, Libya and Lebanon provide for monitoring mechanisms to safeguard the wellbeing of those returned under MOUs. The UK Government and the government of the receiving State jointly appoint monitoring bodies. In selecting and appointing monitoring bodies, both governments work closely together to establish the Monitoring Body's suitability, taking into consideration several factors, including capacity, independence and access to expertise. The British Embassy in the country concerned is closely involved in the selection process.
42. The Adaleh Centre has agreed to act as the monitoring body in Jordan. The Jordanian Government has agreed to its appointment and approved its terms of reference. Its full title is the Al Adaleh Human Rights Centre and it was established in 2003. Its aims are to enforce human rights values, democracy and justice in Jordan and the region through capacity building for NGOs and activists. Discussions with potential monitoring bodies are ongoing in Libya and Lebanon, the other two countries with which MOUs have been signed.
43. In general terms, a monitoring body should have capacity for its task, with access to experts trained in detecting physical and psychological signs of torture and ill-treatment. It should have access to lawyers, doctors, forensic specialists, psychologists, and specialists on human rights, humanitarian law, prison systems and the police. Where necessary, the Government will provide additional training or capacity building measures. The Government is already undertaking such capacity building work with the Adaleh Centre in Jordan. The monitoring body will be responsible for monitoring the deportee's circumstances following deportation and the receiving State's compliance with its undertakings. This includes monitoring criminal proceedings, and any specific assurances given in a particular case.

We recommend that the 2006 edition of the Annual Report should incorporate more information about the human rights situation in Iraq, including the impact on civilians of intense military operations such as those in Falluja in 2004, the position of Christian and other religious minorities and the treatment of detainees by the Iraqi government. (Paragraph 70)

44. The Government agrees with the Committee's recommendation and will supply as much information as possible in the 2006 edition of the Human Rights Annual Report.

We urge the Government to ensure that all appropriate measures are in place to curtail any possibility of abuses by coalition forces, and we recommend that the Government set out what it has done to prevent their re-occurrence. (Paragraph 72)

45. The Government takes very seriously its obligations in relation to the conduct of UK Armed Forces. To this end, UK Armed Forces personnel are trained throughout their career on the law of armed conflict, which covers international

humanitarian law and human rights issues. This training begins at the stage of initial training and, for the Army in particular, is then reinforced through annual refresher training, during career training related to rank and responsibility, and specific pre-deployment training. There is also a robust lessons learned process; regular reviews are carried out of training and practices. As a result, in Iraq, for example, the training provided to the Armed Forces has continued to develop and improve since the start of operations.

46. There inevitably will be a number of individuals who fail to live up to the values and standards demanded. Allegations of mistreatment are taken very seriously. It has always been MOD policy to initiate a Service police investigation where there are any grounds to suspect that a criminal act has or might have been committed. Individuals are held to account where lapses do occur. Where there is sufficient evidence to suggest unlawful behaviour, individuals are prosecuted.
47. We do not tolerate abuse. But the problem should be put into perspective. Some 100,000 personnel have served on Operation TELIC since the start of operations in March 2003. There have been only a handful of cases that involve incidents that could be classed as deliberate abuse.
48. The United States Government has told us that it takes allegations of abuse very seriously and has conducted investigations into how abuse happened in Iraq, in order to prevent its recurrence.

We conclude that the United Kingdom has a responsibility to engage its ally both privately and publicly on the question of abuses by US troops. We recommend that the Government make clear and public its condemnation of human rights abuses committed by any of the multinational forces in Iraq, and that its coverage in the human rights report should expand to include more detail of the USA's investigations into abuses committed by its soldiers and of the measures in place to prevent their recurrence. (Paragraph 76)

49. The Government has made it clear in all its statements that it condemns abuse regardless of who the perpetrator is. The United States government has done the same. We agree that in the 2006 Human Rights Annual Report we will provide available information on details of US investigations into abuse and measures taken to prevent their recurrence. The US Department of Defense have a website (www.defenselink.mil/home/features/iraq) where the latest information can be accessed.

We conclude that while the trial of Saddam Hussein is a matter for the Iraqi people, the Government should urge the Iraqi administration to ensure the trial fulfils the accepted norms of justice. We recommend that the Government set out in its response to this Report how the United Kingdom will do so, for instance by providing security for lawyers and witnesses at the trial and by offering support for the Iraqi authorities in ensuring the application of due process of law. (Paragraph 81)

50. The Government has provided an expert consultant for the Iraq Higher Tribunal in witness protection and his report has been presented to the Tribunal along with a series of recommendations. This is being taken into account in the provision of witness protection through the Regime Crimes Liaison Office in Baghdad, which assists the Iraq Higher Tribunal. Our offer of security awareness training for Iraq Higher Tribunal judges was not, however, taken up.
51. The Government has also provided funding for intensive training of the Tribunal's trial judges by a team of international experts, through the good offices of the International Bar Association. The Government has also contributed to the international fund that is meeting the cost of international advisers to the Tribunal. The Regime Crimes Liaison Office is providing the funding for an independent adviser to support the Defence Office of the Tribunal.

We conclude that while the expansion of democracy in the former Soviet Union is most welcome, free elections are still a rarity and human rights abuses are widespread. We recommend that the Government work to support civil society organisations and regional institutions, such as the South Caucasus Parliamentary Initiative (SCPI), as well as supporting the election monitoring and evaluation work of the Organisation for Security and Co-operation in Europe (OSCE) and in particular its Office for Democratic Institutions and Human Rights (ODIHR), in order to help implant strong and enduring human rights norms in the post-Soviet world. (Paragraph 87)

52. With the welcome exception of the recent elections in Ukraine, which helped consolidate democratic progress in that country, the Government shares the Committee's concern over democracy and human rights in the Former Soviet Union. In Russia, the South Caucasus and Central Asia the Foreign and Commonwealth Office continues to fund a number of projects to help increase the capacity of civil society. We hope to continue this support in the coming years. Funding for the Consortium Initiative, a regional project of which the South Caucasus Parliamentary Initiative is an important part, will continue until March 2007.
53. The UK is a long-standing and strong supporter of the election observation work carried out by the OSCE's Office for Democratic Institutions and Human Rights (ODIHR). We will continue to support the work of the OSCE/ODIHR by providing 10% of all short-term and long-term observers required for their Election Observation Missions, as well as by supporting the participation of observers from the Balkans and former Soviet Union via extra-budgetary contributions to ODIHR project funds. The UK's total contribution to the OSCE for the Financial Year 2005/06 is around £24 million, over £900,000 of which supports ODIHR's election observation work.

We commend the Government's backing for the Arms Trade Treaty. We recommend that in its response to this Report the Government report on progress to increase support for the ATT and to ensure forward momentum in 2006. (Paragraph 90)

54. The Government fully supports an international treaty on the arms trade. At a conference organised by Saferworld, on 15 March 2005, the Foreign Secretary firmly committed the UK to working for such an international agreement. On 23 March this year, Dr Kim Howells MP, Minister of State at the Foreign and Commonwealth Office, speaking in Geneva, reiterated our strong support for a treaty, and made clear our intention to progress the initiative at this autumn's United Nations General Assembly First Committee.
55. The UK is not working alone. The Leaders of the Group of Eight (G8) nations, meeting in Gleneagles in July 2005 under the presidency of the UK, agreed that the "development of international standards in arms transfers...would be an important step toward tackling the undesirable proliferation of conventional arms". On 3 October 2005 European Union Foreign Ministers added the EU's voice to growing support for an international treaty to establish common standards for the global trade in conventional arms, and called for the start of a formal negotiation process at the United Nations at the earliest opportunity. And on 27 November 2005 Commonwealth Heads of Government, meeting in Malta, added their support for work on such a treaty to commence at the UN. We are committed, with EU partners and the Commonwealth, to securing a UN-based process. A UN process will ensure that all the key players are engaged, which is essential if an ATT is to work.
56. We should, however, recognise that there is a long way to go. Progress is being made and support is being built. But it is likely to be a number of years before a treaty is in place. We cannot be sure how long this will take, but the important point is that international momentum towards making the treaty a reality is growing.

We recommend that the Government include a detailed explanation of export licence decisions in each of the countries of concern sections of the Annual Report so as to ease public concern about military exports to those states, including Colombia. (Paragraph 96)

57. The Government would be pleased to provide additional information. However, we believe that the best place for this information to be made available is in the Annual Report on Strategic Export Controls, rather than the Annual Report on Human Rights. This would allow us to comment on the countries of concern with regards to all the 8 Criteria of the Code of Conduct for export controls, rather than just Criterion 2 which covers human rights. We are already in consultation with the Quadripartite Committee, other Government Departments, Non-Governmental Organisations and industry on how best we can improve the layout and content of the Annual Report on Strategic Export Controls, to which we will now add the Committee's recommendation for further consideration.

We conclude that the Government must do its utmost to encourage states to improve their corporate social responsibility (CSR) standards so that companies can compete on a level playing field and that states with human rights failings are not tempted to work with unethical trading partners. We recommend that the Government work to broaden international support for instruments, like the UN Convention against Corruption, which enshrine ethical standards for business at an international level. (Paragraph 100)

58. All current international, multilateral initiatives on Corporate Social Responsibility are voluntary and are not legally binding. The Government actively promotes several of these, including the Voluntary Principles, the Extractive Industries Transparency Initiative, the Global Compact and the OECD Guidelines. The UK encourages wider participation in them both by other governments and by companies. For example the British Government is taking a lead in organising a Task Force visit to Nigeria in early May to promote the Voluntary Principles.

59. In addition, the UN Secretary General appointed John Ruggie as Special Representative on Human Rights and Transnational Corporations in July 2005. He will be reporting on how business has an impact on human rights, how this impact can be measured and how it can be mitigated against. The Government funded a Wilton Park Conference in October 2005 on business and human rights to help feed ideas into Mr Ruggie's work (he attended the conference).

60. Through the Gleneagles G8 Summit the Government raised the profile of the Convention Against Corruption (UNCAC) and sped up its implementation. At the summit the G8 countries made an explicit commitment to ratify and promulgate UNCAC. The Government has since led by example and ratified the convention on 9 February 2006. We are lobbying other governments to do likewise. Approximately a third of countries have now ratified.

We conclude that the human rights situation in the Russian Federation has deteriorated over the last year. We recommend that the Government make clear to President Putin and other Russian authorities that a creeping return to authoritarianism is not an acceptable policy to pursue. We also recommend that the British Government engage with the Russian government on the question of Chechnya and the North Caucasus. We are concerned that the Kremlin's policy in Chechnya may result in further radicalisation of the population and an increase in recruits to Islamic terrorist groups. (Paragraph 107)

61. The Government shares the concern of the Committee that there have been a number of negative developments in Russia in the area of human rights and democratic freedoms over the last year. As the FCO Minister responsible for Human Rights informed the Committee during his evidence session on 23 November 2005, we engage in open and frank dialogue on human rights issues with all levels of the Russian administration. Biannual EU/Russia and UK/Russia human rights dialogues enable detailed and structured discussion of

human rights concerns. We also raise these issues in the course of our ongoing dialogue. Human rights, including in Chechnya, formed an important part of discussions between the Prime Minister and President Putin at the EU/Russia summit in October 2005. Most recently, the Minister for Europe discussed a range of human rights issues, including Chechnya, with Deputy Foreign Minister Yakovenko on 30 March 2006.

62. Chechnya and the North Caucasus remain a main focus for us. In addition to our ongoing dialogue we are actively engaged in a number of areas of cooperation, which enable us to reiterate our belief that security and stability in the region will only be sustainable if pursued within a framework of full respect for human rights and democratic freedoms. The October 2005 EU/Russia summit in London forged agreement on a €20million EU programme of economic and social assistance for the North Caucasus, a further sign of the EU's commitment to work with Russia. The UK/Russia joint working group on counter-terrorism provides a forum for experts to discuss methods which respect human rights. The North Caucasus is also a priority area for assistance from the Global Conflict Prevention Pool.

We conclude that the Government must maintain pressure on the Islam Karimov regime in Uzbekistan. We recommend that the Government should work hard to establish a consensus with its allies in the EU and NATO, including Germany, to put pressure on the Uzbek government and to add weight to its call for reform. (Paragraph 115)

63. The Government shares the Committee's concern about Uzbekistan. As the Minister for Europe told the House on 8 March, human rights are at the forefront of our relationship with Uzbekistan. Our Ambassador David Moran and his team in Tashkent continue to work hard with EU and NATO colleagues to maintain pressure on the Uzbek authorities, calling for democratic reform. They have been pursuing our agenda with the Uzbeks in increasingly difficult circumstances and will continue to do so.

We recommend that the Government include more information about its work to strengthen human rights standards in Angola in its Human Rights Annual Report. (Paragraph 119)

64. The Government agrees with the Committee's recommendation and will include more information about our work to strengthen human rights standards in Angola in the 2006 Human Rights Annual Report. We are committed to promoting human rights in Angola and throughout Africa. During the last year, the Embassy in Luanda (using funds from its Small Grant Scheme and Devolved Programme Budget) has supported projects in many areas of human rights work throughout the country. These have included projects to tackle domestic violence, projects to inform people of their land rights (vitaly important in a country where a large proportion of the population has been displaced) and projects focusing on civic education and access to justice.

65. As the Committee mentions, the enclave of Cabinda is still an area of concern due to the ongoing separatist conflict. A representative of the British Embassy in Luanda visited Cabinda at the beginning of February 2006. Whilst there, he discussed a number of issues, including the human rights situation, with senior representatives of the Provincial Government, civil society, NGOs and the opposition. As part of our capacity building efforts, we are currently funding a member of Cabindan civil society to undertake a secondment in South Africa with an NGO specialising in conflict resolution/peace-building.

We conclude that the appalling human rights abuses in the Democratic Republic of Congo are a matter of grave concern. We recommend that the Government make clear to the Democratic Republic of Congo and its neighbours that interference is unacceptable. We further recommend that the Government do its utmost to ensure that those guilty of human rights abuses in the DRC are held accountable for their crimes. (Paragraph 122)

66. The Government shares the Committee's concerns about the appalling human rights situation in the Democratic Republic of the Congo (DRC). Congolese civilians, particularly in eastern DRC, continue to suffer abuses committed by militias, foreign armed groups and ill-disciplined and poorly controlled Congolese Army soldiers. A climate of impunity prevails. Harassment and physical attacks on human rights defenders continue. The transitional government could do more to demonstrate commitment to freedom of expression.
67. The UK and international partners frequently remind the Congolese authorities of the need to protect civilians from such abuses and to respect freedom of expression. The EU's work on reform of the army and its pay structure should also help increase the discipline of Congolese soldiers.
68. The Committee will be aware of the efforts this Government have made to emphasise to other countries in the region that there must be no external support for Congolese armed groups that try to disrupt the peace process. The DRC must take action to deal with the armed groups on its soil. UN Security Council Resolutions 1649 and 1653 reinforced this message. We support the US-facilitated Tripartite Plus Commission, which brings Ugandan, Rwandan, Burundian and Congolese Foreign Ministers together to find solutions to issues affecting the region.
69. The UK has been working with its international partners to maintain regional stability through dialogue with countries in the region. We have also supported the Tripartite Commission (the US-led forum for the Great Lakes countries), which aims to resolve regional peace and security issues by fostering dialogue between regional governments.
70. We believe the recent transfer to The Hague of former DRC militia leader, Thomas Lubanga, the first ICC war crimes indictee, sends a strong signal that grave human rights abuses will not be tolerated.

We conclude that the Annual Report should include information about the state of human rights in Equatorial Guinea, and that the Government should press the Equato-Guinean authorities to improve human rights. (Paragraph 125)

71. The Government is concerned about the human rights situation in Equatorial Guinea, particularly the poor prison conditions and the lack of freedom of expression and good governance.
72. We press the Equato-Guinean authorities at all available opportunities and will continue to do so. The British Ambassador (designate) to Equatorial Guinea is resident in Nigeria and will make regular visits to Equatorial Guinea. But our main means of influence with the Equato-Guinean authorities is via the European Union, where we, together with other member states, have called on them to take substantive steps to improve governance and human rights.
73. We will include more information on the state of human rights in Equatorial Guinea in the next Human Rights Annual Report.

We conclude that a resumption of hostilities in the Horn of Africa would seriously damage human rights in the region, and recommend that in its response to this Report the Government set out what measures it is taking with its Security Council partners to prevent an outbreak of war and establish respect for human rights and democratic governance in the region. (Paragraph 133)

74. The Government has consistently urged both Ethiopia and Eritrea to re-engage with the Boundary Commission, demarcate the border and resolve other issues. We welcomed Ethiopia's Five Point Peace Plan in 2004. We condemned Eritrea's restrictions on the operations of the UN Mission to Ethiopia and Eritrea in September 2005 and supported UN Security Council Resolution 1640. We held discussions in London in December 2005 with representatives of the US and other interested parties.
75. We are actively engaged in UN Security Council activity to stop the situation deteriorating and to promote a peaceful solution. We take a leading role both within the Security Council and informally with Council members in order to support the US initiative and prevent an outbreak of war. We encouraged the visit to Asmara by the Chairman of the Peacekeeping Working Group following the imposition of Eritrean restrictions on UNMEE and have been closely involved in drafting Security Council Resolutions and Presidential Statements addressing this issue.
76. We strongly support the US initiative aimed at resolving the border dispute and are in close touch with the US as this proceeds. When he visited Addis Ababa in December 2005 the Minister for Africa urged the Government of Ethiopia to respond positively to the US initiative to restart the demarcation process. We welcomed the meeting of the Witnesses to the Algiers Agreement in New York in February 2006; the meeting of the Boundary Commission in London in March; and their agreement to meet again in April.

77. The Government is concerned about governance and human rights in Ethiopia, including the detention of opposition leaders, journalists and members of civil society. We have raised our concerns directly at the highest level with the Ethiopian Government.
78. During his visit to Ethiopia, the Secretary of State for International Development called for an independent investigation into the alleged recent human rights violations in Oromiya; a prompt, fair and open judicial process for those currently detained; international jurists to observe the trials; and for an independent international organisation to be allowed to inspect all the places where people are currently being detained.
79. Whilst the Government has suspended Direct Budget Support to the Government of Ethiopia in light of developments, we continue to remain committed to supporting poverty reduction and the democratisation process in Ethiopia. We are working with other partners to develop a “Protection of Basic Services Grant”, which will be earmarked for basic service delivery and will involve stringent monitoring and review procedures. We will continue to work with the Government of Ethiopia, the international community and other stakeholders to make progress on human rights and governance in Ethiopia.
80. We monitor the human rights situation in Eritrea closely. The Government and our international partners are very concerned by the continuing detention of members of minority religious groups and the arrest and lengthy detention without charge of journalists and prominent members of the People’s Front for Democracy and Justice. We raise such issues regularly with the Eritrean government for example, Lord Triesman wrote to President Isaias on 6 October 2005 to highlight the EU’s concerns.
81. We will continue to work with the Government of Eritrea, the international community and other stakeholders to make improvements to human rights and governance in Eritrea.

We conclude that the Government must maintain pressure in all possible forums on the Sudanese government in order to bring the abuses in Darfur to an end. We recommend that the Government continue to call for an end to the slaughter and an end to the immunity of the abuses from judicial proceedings, to support referrals to the International Criminal Court, and to offer resources to the African Union and UN missions in Darfur. We also recommend that the Government urge its Chinese counterparts to support UN Security Council measures against Sudan. (Paragraph 137)

82. Finding a peaceful resolution to the conflict in Darfur continues to be a priority for this Government. We are engaging at the very highest level to press all sides to end the conflict and to ensure those responsible for atrocities are brought to justice, including full support for the International Criminal Court. The Foreign Secretary made this very clear when he addressed the Darfur peace talks in Abuja, Nigeria, on 14 February 2006. The Secretary of State for International

Development reinforced these messages when he visited Sudan, including Darfur, on 21-23 February. We continue to take the lead in the UN Security Council and hold regular discussions with all our Security Council partners on the need to implement the UN Security Council Resolutions. We are pressing in the Security Council for swift imposition of sanctions against individuals responsible for atrocities in Darfur under UNSCR 1591, and to extend the UN arms embargo to the whole of Sudan.

83. The African Union Mission in Sudan (AMIS) has done a good job in very difficult circumstances. However, a peacekeeping mission will be required for some time to come and long-term financial support needs to be secured. We favour the early establishment of a UN operation in Darfur. The African Union's Political and Security Commission (PSC) decided on 10 March 2006 to support, in principle, the transition of AMIS to the UN, and extended AMIS' mandate until 30 September 2006. The Government backed UNSCR 1663 of 24 March that requested the UN to expedite the necessary planning for transition. We will continue to support AMIS until this transition takes place, and have pledged a further £20 million in assistance over the coming months.

We conclude that the United Kingdom must urge the Ugandan authorities to cease their interference in the Democratic Republic of Congo (DRC) and to curtail the trade in illegal gold which underpins the wartime economy in Ituri and other regions which suffer severe human rights abuses. We recommend that the Government make clear its condemnation of the arrest of opposition politicians in Uganda and support for free and democratic elections there. We also recommend that the Government continue its efforts to bring the question of human rights in Uganda before the UN Security Council. (Paragraph 140)

84. There is no UN Security Council embargo on the trade of minerals from the Democratic Republic of the Congo (DRC). However, the UN Group of Experts on the DRC arms embargo has been investigating the links between resource exploitation and the import of weapons by armed groups and militias in DRC. The Group of Experts has met representatives of all three regional governments to underline its continuing concerns. The UK, along with other UN Security Council (UNSC) members, has also urged governments at the highest level during UNSC missions to Central Africa to co-operate with the Group of Experts.
85. The Government has made clear its concern about the arrest of opposition politicians in Uganda. The Prime Minister, the Secretary of State for International Development and the Minister for Africa raised the arrest of the opposition leader, Dr Kizza Besigye, with President Museveni at the Commonwealth Heads of Government Meeting in November 2005. On 18 November the Government issued a statement on the situation on behalf of the EU, which made explicit our deep concern about the arrest of Dr Besigye and 22 others and our views on the importance of fair and transparent elections. Dr Besigye was released on bail on 2 January and was able to resume campaigning.

86. Following the elections on 23 February the EU issued a statement noting that the elections had been generally peaceful and with significant voter turnout. As the first multi-party elections in 25 years they marked an important step in Uganda's return to multi-party democracy. But the Government regrets the lack of a level playing field in the run-up to the elections.
87. During the UK's Presidency of the UN Security Council in December 2005 we invited Jan Egeland, the UN Under Secretary-General for Humanitarian Affairs and Emergency Relief Co-ordinator to provide a briefing on humanitarian issues in Africa. This took place on 19 December and included the situation in northern Uganda. The UK was instrumental in ensuring that UNSC Resolutions 1653 (2006) and 1663 (2006) condemned the human rights abuses being perpetrated by the Lord's Resistance Army (LRA) in the Great Lakes region and Sudan. We will continue to use as effectively as possible the opportunities presented by the UN human rights and other mechanisms to highlight the human rights situation in northern Uganda.

We conclude that the Government should continue its policy of putting pressure on the Mugabe regime in Zimbabwe, and should do its utmost to win support for this policy from other states in Southern Africa in general and from South Africa in particular. We recommend that the United Kingdom start a campaign for the referral of Robert Mugabe to the International Criminal Court for his manifold and monstrous crimes against the people of Zimbabwe. We also recommend that the Government should continue its efforts to place the question of human rights in Zimbabwe before the UN Security Council. (Paragraph 147)

88. The Government welcomes the Committee's conclusion that the Government should continue its policy of putting pressure on the Mugabe regime in Zimbabwe. The Committee will be aware of the efforts this Government have made over the past 12 months to raise international recognition and understanding of the damage Mugabe's flawed policies continue to have on Zimbabwe and our efforts to increase international pressure for real and sustainable political and economic reform. The UK, with support from other partners, has ensured Zimbabwe's misgovernance has been discussed three times at the UN Security Council; that the EU extended for a further year its targeted measures; and that Zimbabwe's voting rights should not be restored at the IMF in the absence of economic and fiscal policy reform.
89. The Government has continued to urge African leaders, particularly those within the Southern Africa Development Community, to address the crisis in Zimbabwe.
90. The UK is a strong supporter of the International Criminal Court (ICC) and played a leading role in achieving the Security Council referral of the situation in Darfur to the ICC Prosecutor. The Security Council and other international bodies such as the ICC play a vital role in enforcing international rules and helping to bring an end to impunity. We will continue to explore with partners all opportunities for maintaining pressure for change in Zimbabwe.

We conclude that human rights in Iran have deteriorated over the last year, and worsening relations are making dialogue increasingly difficult. We recommend that the Government set out what it hopes to achieve with the human rights dialogue with Iran, and that it continue its efforts to bring Iranian human rights to international attention and to urge its EU counterparts to do the same. (Paragraph 155)

91. The Government shares the Committee's view that the Iranian authorities' respect for human rights and political freedoms has not improved in the last year, and in many areas has worsened. Use of the death penalty is frequent, including for minor crimes, and executions are often carried out in public. The authorities in Iran executed more child offenders in 2005 than in any recent year. Freedom of expression is severely restricted, and censorship of the press and internet is widespread. The authorities have harassed and intimidated human rights defenders and continue to detain prisoners of conscience. Senior figures in the Iranian regime reported significant failings in the conduct of the Presidential election of June 2005, and an undemocratic process prevented many candidates from standing. The regime's treatment of Iran's religious and ethnic minorities is also of great and increasing concern.
92. The European Union established a Human Rights Dialogue with Iran in 2002. Four rounds of the Dialogue have been held, the most recent being in June 2004. The EU has used this process to register its concerns, seek information and encourage reform. The EU proposed a number of improvements to the process in 2004. Despite repeated efforts by the EU over the last year, including a visit to Tehran by the EU troika and many offers of dates, the Iranian authorities have not agreed to a further round of the Dialogue. In spite of the Iranian government's failure to engage constructively, the EU has said it remains open to discussing human rights, including through the Dialogue. The EU has called on the Iranian authorities to demonstrate through their actions a commitment to respect human rights, and agree to a future round of the Dialogue at the earliest possible date. The EU has also reaffirmed that greater respect for human rights is essential if there is to be progress in EU/Iran relations.
93. We continue to use our diplomatic contacts with the Iranian government to promote respect for human rights and political freedoms, and actively encourage the EU to do likewise. In the absence of an effective EU/Iran Human Rights Dialogue, these efforts are even more important. We will continue to draw public attention to human rights violations in Iran and to press the Iranian authorities to address them. We will also continue to support debate in United Nations fora and the work of United Nations mechanisms. All EU countries co-sponsored a resolution on human rights in Iran adopted by the United Nations General Assembly in December 2005.

We conclude that the human rights situation for Palestinians in the Occupied Territories is not acceptable and we recommend that the Government expand its coverage in the Report to include more detail on the problem of impunity in the Israeli Defence Forces (IDF). We also recommend that the Government urge Israel to take human rights issues into greater account when dealing with the Palestinians, and that the Government should continue to restate its position that those parts of the barrier beyond the Green Line are illegal. (Paragraph 160)

94. The Government agrees that the human rights situation for Palestinians in the Occupied Territories is unacceptable. Over the past year, we have lobbied the Israeli government on many occasions about the human rights situation. We agree there is a problem with impunity in the Israeli Defence Forces, which we have been addressing through our own consular cases. We welcomed the conviction of the soldier responsible for the death of Tom Hurndall and were pleased to note that an appropriate sentence was given. This was an important step forward. However we have been extremely disappointed by the failure to convict anyone responsible for the death of James Miller who was also killed by the Israeli Defence Forces. We will continue to raise the issue of impunity, not only in connection with British citizens, but also for Palestinians. We continue to stress to the Israeli government the importance of taking action to safeguard Palestinian human rights. We will cover this issue in more detail in the FCO Annual Report on Human Rights 2006.

95. We will continue to raise the route of the barrier with the Israeli government. We fully recognise Israel's right to self-defence. A barrier is a reasonable way to achieve this. But it should be on or behind the Green Line, and not on occupied territory. Construction of the barrier on Palestinian land is illegal. The route is particularly damaging around Jerusalem, as it risks cutting the city off from the West Bank and dividing the West Bank in two.

We recommend that the Government should explore the human rights situation in the Palestinian Territories in a separate section in its next Report, and that it should explore in greater detail the extent of the abuses committed in the Territories. (Paragraph 163)

96. We welcome the Committee's recommendation and will expand the section on the Occupied Territories in the 2006 Report to explore the human rights situation in more detail.

We conclude that the human rights situation in Saudi Arabia continues to give cause for grave concern. We recommend that the Government continue to make clear that the Saudi Kingdom's instances of discrimination against women and other human rights abuses which are endemic in Saudi Arabia, breed discontent and fall far short of universal standards. We recommend that the Government engage the Saudi authorities on the questions of women's rights and the rights of guest workers, the use of torture and of the death penalty for a wide range of crimes including apostasy, adultery and 'acts of sabotage and corruption on earth'. (Paragraph 168)

97. The Government continues to raise its concerns about human rights with the Saudi authorities at all levels.
98. At the same time, we support Saudi Arabia in its reform process. In February we held a Two Kingdoms Dialogue in London, which the Foreign Secretary and Saudi Foreign Minister attended. We discussed practical ways in which bilateral cooperation could be developed further, in areas such as women's participation, education, and economic reform. A follow-up event is planned for Riyadh in April 2006, which will cover similar areas.
99. The Government welcomed the inclusion of women in the voting for new members of the Jeddah Chamber of Commerce and the subsequent election of two women.

We recommend that the Government set out in its response to this Report what it is doing to seek to improve human rights in Syria, and we also recommend that its next report should contain more information about Syria. (Paragraph 170)

100. During 2005, the Government, together with EU colleagues, raised its concerns with the Syrian government about the human rights situation in Syria, including those of individuals and of groups, such as the Kurds. In addition, we attended sessions of the Military and Higher State Security Courts during which human rights cases of concern were heard.
101. Together with EU Troika colleagues from Luxembourg and Austria, our embassy in Damascus demarched the Syrian Ministry of Foreign Affairs on 19 October 2005 on the obligations Syria has under the principles of international human rights instruments. We raised 11 specific cases on which the EU deemed Syria was contravening their obligations. We also urged Syrian authorities to investigate as a matter of urgency the case of Anwar Al-Bunni, a prominent human rights activist who had disappeared.
102. Shortly after the demarche, the Syrians dropped all charges against Anwar Al-Bunni. President Assad pardoned a further 190 political prisoners, three of whom – Abdul Aziz Al-Khayer, Ali Abdullah and Mohamed Radoun – were cases of particular concern in the Freedom of Expression campaign. The Syrian government later released five further cases of concern – Riad Seif, Mamoun Homs, Habib Isa, Fawas Tello and Walid Al-Bunni.
103. Under the banner of the FCO's freedom of expression EU Presidency initiative (see paragraph 12 above), we lobbied the Syrian government on a number of human rights defenders suffering persecution and detention in Syria. In December 2005, our Ambassador in Damascus hosted a reception in honour of Aktham Naisse, the President of the Committees for the Defence of Democratic Liberties and Human Rights in Syria, after he received the prestigious Martin Ennals Award for Human Rights Defenders for his work for over 30 years in Syria.

104. The Government, together with its EU colleagues, will continue to lobby the Syrian government about its concerns over the human rights situation in Syria, particularly the detention and trial of human rights defenders.

105. We will ensure wider coverage is given to Syria in the 2006 Annual Report on Human Rights.

We conclude that human rights abuses in Afghanistan are manifold and serious, and that security is a particularly difficult challenge. We also have major concerns about the lack of judicial process against human rights abusers in Afghanistan and urge the Government to do its utmost to support any mechanisms which will implement justice and aid reconciliation in Afghanistan. We also recommend that the Government increase its support for women's rights programmes in Afghanistan. (Paragraph 176)

106. The Government is pleased to inform the Committee that the draft Action Plan on Peace, Justice and Reconciliation, mentioned in the Committee's report (HC 574), was adopted by the Afghan Government in December 2005. The Action Plan outlines a comprehensive transitional justice process, including vetting, truth-telling, prosecutions and reconciliation processes, to deal with the war crimes and gross human rights violations committed during the conflict in Afghanistan. At the London Conference on Afghanistan on 31 January – 1 February 2006 the international community reaffirmed their shared commitment to implement the Action Plan. The UN Security Council, in its resolution 1662 of 23 March 2006, also welcomed adoption of the Action Plan and urged international support for it. The UK is already supporting work to develop an effective vetting programme, as required under the Action Plan, and will continue to encourage early progress on implementation.

107. In addition, the "Justice for All" Action Plan provides the basis for the reform of the Afghan Justice Sector over the next twelve years. The Plan is divided into five areas of activity: law reform; institution-building; access to justice programmes; traditional justice; and coordination. The UK has provided \$500,000 in support of this Action Plan.

108. We have six on-going projects in Afghanistan specifically targeting women's rights and status in society. We have also agreed recently to provide \$1million of funding to the Afghan Independent Human Rights Commission (AIHRC).

109. These are further to a host of smaller projects under the Small Grants Scheme. The Government agrees that this is an important area and will consider what more can usefully be done.

110. The Government agrees that improved security is a key to improving human rights for ordinary Afghans, particularly women. That is why the international community has invested huge resources to create and consolidate national Afghan institutions, such as police, military and a civil service, which are beginning to project Kabul's authority across the country. The UK has contributed £10 million in support of the new Afghan National Army (and

provides training to NCOs); £5 million for the new Afghan National Police; and £6.7 million towards the new National Security Council. In addition, NATO is moving into the third phase of ISAF expansion, which will help to improve security and assist the Afghan authorities to extend their authority into the south of the country. Our deployment of additional troops to southern Afghanistan is a key element of these international efforts.

We conclude that the United Kingdom should maintain its policy of pressing the Burmese military junta to permit reform and introduce basic rights which are universal and inalienable, and that its efforts to bring other ASEAN states around to its perspective should not falter. We recommend that the Foreign and Commonwealth Office should continue to report on Burmese human rights in its Annual Report, and redouble its efforts to bring the question of abuses by the Burmese authorities to the attention of the UN Security Council. (Paragraph 179)

111. We fully agree with the Committee's conclusions about the Government's policy towards Burma. We shall continue to highlight our concerns about the human rights situation in our Human Rights Annual Report.
112. At the ASEAN Summit in Kuala Lumpur on 12 December 2005, Burma invited the Malaysian Foreign Minister, Syed Hamid, to visit in his capacity as Chairman of the ASEAN Standing Committee. This visit took place on 23 – 24 March. Disappointingly, Syed Hamid was not allowed to meet Senior General Than Shwe, or any opposition leaders including Daw Aung San Suu Kyi.
113. Members of the UN Security Council discussed the situation in Burma during informal consultations on 16 December 2005. The United Kingdom took an active role in this discussion, raising our concerns about human rights abuses, including the detention of political prisoners, internal conflicts and the spread of HIV/AIDS and other diseases. The Council members agreed that Burma faced a number of problems and that the international community should do more to address them. We remain in regular contact with Security Council members and are open to further discussion on this issue. The Government will continue to use as effectively as possible the opportunities presented by UN human rights and other mechanisms to highlight serious human rights situations such as those in Burma.

We conclude that the UK-China human rights dialogue appears to have made glacial progress. We recommend that the Government set out in its response to this Report what measures it uses to determine whether the dialogue is a success, what it sees as the achievements of the dialogue to date, and why it wishes it to continue. (Paragraph 186)

114. The Government agrees that China's progress on human rights is slow relative to the economic changes in the country. We do not believe this means the Dialogue is failing. In our view improving the political and civil situation of its citizens presents serious challenges to the Chinese Communist Party and the Chinese Government. In order to secure improvements we and other members of the international community have to commit to long-term engagement.

115. In determining whether the Dialogue is a success, the key factor we consider is what progress China is making towards fulfilling the objectives set out in the FCO's Human Rights Annual Report. In addition, we consider what progress China is making in other areas of concern not directly covered by the objectives. We make a political judgement about this progress, taking into account exchanges at the Dialogue and information obtained through ministerial exchanges, project work, EU exchanges and Embassy and other reports.

116. The Government believes that, together with similar effort by other countries and with ministerial engagement and project work, the Dialogue contributes to incremental improvements. There are several developments in recent years to which we believe our engagement, through the Dialogue and in other ways, has contributed:

- Signature of the International Covenant on Civil and Political Rights (ICCPR) in 1998
- Ratification of the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 2001
- A visit by the UN Working Group on Arbitrary Detention in September 2004
- A visit by the UN Special Rapporteur on Torture in November 2005
- The decision by China's Supreme People's Court to take back its authority to review death sentences (which we expect to take effect in 2006).
- Five rounds of talks between the representatives of the Dalai Lama and the Chinese Government

117. The Dialogue is an important political signal to the Chinese authorities that we are concerned about their human rights record. It allows us to put across our messages in detail at a high level with members of the Chinese Government who lead on human rights issues (e.g. representatives from the Ministry of Justice and Supreme People's Court). These exchanges are complemented and reinforced with other engagement by Ministers and officials; project work; and EU exchanges. We therefore see merit in continuing with the Dialogue.

We conclude that the situation in Tibet is of great concern, and we recommend that the Government should make public its condemnation of the human rights abuses carried out by the Chinese authorities in Tibet. (Paragraph 189)

118. The Government has regularly made public its serious concerns about the situation in Tibet. The FCO Human Rights Annual Report includes a section on Tibet. In addition Mr Pearson, Minister for Trade and Foreign Affairs, spoke at some length about our concerns in Tibet during a parliamentary debate in June 2005. Ministers continue to raise our concerns about Tibet with the Chinese government at every appropriate opportunity.

We conclude that the improvements in human rights in Indonesia are welcome, but that the Government must engage with its Indonesian partners to move further towards reform, particularly in the light of the USA's decision to reinstate military to military ties with Indonesia. We also recommend that the Government should expand its coverage of the West Papua conflict in its Annual Report. (Paragraph 194)

119. The Government has programmes supporting Indonesian government reforms in a number of areas, including security sector reform. With the agreement of the Indonesian Ministry of Defence, we are working with respected civil society institutions to provide assistance in the drafting of a National Security Bill and a National Intelligence Bill. Both these Bills are designed to bring about reform in the Indonesian military. We are also supporting the Indonesian government's Strategic Defence Review through targeted visits by our Security Sector Development Advisory Team. We are planning to start programmes supporting economic governance reforms, including anti-corruption efforts.

120. The Government takes note of the Committee's recommendation to provide expanded coverage of Papua and will endeavour to provide this in the 2006 Human Rights Annual Report.

We conclude that the Government should include more information in the next Annual Report on the human rights situation in the Maldives. (Paragraph 197)

121. The Government agrees and undertakes to provide more information in the 2006 Human Rights Annual Report.

We conclude that the Government should maintain pressure on the King of Nepal to reintroduce democracy and to work to establish human rights standards throughout Nepal. We also condemn the bloody acts of terrorism perpetrated by the Maoist insurgents in Nepal. We recommend that the Government maintain only limited military assistance to the Nepali government until accountable government is reinstated. (Paragraph 202)

122. The Government is pleased to note that its policy and the views of the Committee on resolving conflict and improving human rights standards in Nepal are closely aligned. As the Committee recommends, we will continue to pursue a negotiated political settlement involving the King, political parties and the Maoists. This approach is based on our firm belief that a negotiated solution based on the principles of democracy and human rights is the only viable and sustainable way to end the current conflict.

123. We will maintain our calibrated approach to the provision of military assistance. We have no plans to increase the level of our support to anything more than the current modest levels while democracy is suspended and abuses continue.



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