



Foreign Affairs Committee

Session 2002-2003

Annual Report on Human Rights 2002

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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FOREIGN AFFAIRS COMMITTEE

SESSION 2002-2003

ANNUAL REPORT ON HUMAN RIGHTS 2002

RESPONSE TO THE COMMITTEE'S REPORT

1. The Government welcomes the scrutiny by the Committee of its work to promote human rights abroad and values the positive dialogue that has developed between the Committee and the Foreign Office over the content and format of the Annual Report on Human Rights. The Government takes this opportunity to reaffirm its commitment to promoting human rights abroad, which we believe is key to the UK's national and international interest.

2. We expect to publish the next Annual Report on Human Rights in September 2003. We look forward to discussing this report with the Committee.

3. This Command Paper sets out the Government response to the Committee's Report of 18th March into the Foreign and Commonwealth Office Annual Report on Human Rights 2002. The Committee's recommendations are set out in bold. Unless otherwise indicated, references are to paragraphs in the Foreign Affairs Committee Report (HC 257).

a) We welcome the *Human Rights Annual Report 2002* as a significant contribution to the promotion of a greater understanding of the FCO's work in the field of human rights. In general, the Report is well-written and clearly set out, giving a thorough and comprehensive overview of the Foreign Office's work in this important area (paragraph 6).

b) We recommend that, in its response to this Report, the Government set out its estimate of the cost of producing the Annual Report including country-by-country information, in the manner previously recommended by the Committee, compared to the current cost (paragraph 10).

The Government thanks the Committee for its overall positive assessment of the Annual Report on Human Rights 2002. The Government believes that the format of the current report means that it is both readable and accessible as well as intellectually rigorous and sufficiently detailed. The report was described by Amnesty International as "very comprehensive" and "very thorough" and by Human Rights Watch as "comprehensive and thorough". The Government believes that the best way to maintain the high standard of the report is to continue with the current thematic approach. This format is, we believe, now established as the unique distinguishing feature of the FCO Annual Report on Human Rights as compared with other major governmental and non-governmental such reports. Producing a country-by-country report would involve unnecessary duplication of excellent work that is already undertaken by, amongst others, Amnesty International and Human Rights Watch. The Government believes strongly it should not replicate the work of human rights organisations whose *raison d'être* is to hold governments to account on violations of human rights.

It is difficult to make a precise estimation of the costs of such a country-by-country report. The Government takes note of the Committee's wish for a "minimum of scene-setting and background information", but believes that for any report to "provide comprehensive information on the British Government's opinions, representations and action on behalf of human rights worldwide" (para 10), it would require a detailed assessment of the human rights situation in each country, independently verified by the Government. The Government believes that such a report would take on a very similar style and format to the US State Department Country Report on Human Rights Practices. The estimate of the overall costs of the FCO producing such a country-by-country report has therefore been carried out with reference to the State Department Report. Our Embassy in Washington have been told by the State Department that the annual cost of producing their report, excluding costs incurred by US Embassies and in the physical production of the final printed text and CD-Rom is probably in the region of \$400,000-500,000. This is against an annual cost of producing the FCO Annual Report, excluding the physical production of the final printed text, of £59,626. Eighteen staff work full time on the State Department Report, with a further thirty staff working full time for five months of the year. This compares to three staff who work full time on the FCO Annual Report for six months of the year. The Government believes that production of an FCO country-specific Annual Report would add little value to existing country-specific reports and would not therefore justify the significant reallocation of resources outlined above.

c) We endorse the Government's decision to publish the dossier on human rights abuses in Iraq and bring to the attention of the wider public the horrific abuses committed by Saddam Hussein against his own people. However, the Government's apparent unwillingness to produce further dossiers on other human rights abusers may undermine its good intentions for the Iraqi dossier. We recommend that the Government seriously consider publishing further dossiers on the human rights situation in other countries (paragraph 14).

The Government welcomes the Committee's endorsement of its decision to publish the dossier on human rights abuses in Iraq. This decision was based on the appalling human rights record and brutality of the Iraqi regime. It was clear from the evidence that the regime in Iraq merited special attention. It was the only state in modern times to have used weapons of mass destruction against its people and its neighbours. The conduct of the regime during the war and the discovery by coalition troops of horrific remnants of the apparatus of terror used to control the people of Iraq are evidence of the regime's cruelty. The Government has no current plans to publish further dossiers but will, as the Committee recommends, keep this matter under serious consideration.

d) We commend the FCO for making it clear that human rights has to be at the heart of the international community's response to threat of international terrorism. The fight against such terrorism cannot be an excuse for human rights abuses anywhere. We recommend that the Foreign Office continue to stress these principles to its coalition partners in the war against terrorism at every opportunity, both in public and private (paragraph 18).

The Government is happy to accept the Committee's recommendation and believes that combating terrorism must not become a pretext for setting aside the human rights norms so painstakingly established over the last 50 years. Far from being an alternative to national security, the universal respect for human rights is vital to it. Countries which respect the rule of law and human rights at home tend to do so in their relations with the rest of the world and become stable and predictable partners in the international community. The struggle for human rights has, therefore, to be a major part of the fight against terrorism. The Government continues to make all its partners in the war against terrorism aware of these strongly held views both in public and private. For example, the Government frequently raises the poor human rights record of Uzbekistan with the Uzbek Ambassador in London. On 17 October 2002, our Ambassador in Tashkent made a public speech at Freedom House, an international human rights organisation, and highlighted the issue of human rights in Uzbekistan.

e) We conclude that the ambiguous status of the detainees at Guantánamo Bay, Cuba, risks undermining the United Kingdom's ability to speak out on human rights issues. We reiterate our concern that the Government continue to press the US Government on the conditions in which the detainees are held and on the need for them to be brought to trial as soon as possible (paragraph 23).

As the Prime Minister said to the House on 26 February 2003, this is a highly unusual and difficult situation which we would certainly want to try to bring to an end as swiftly as possible.

The Annual Report on Human Rights 2002 set out in some detail the conditions in which the detainees are held. UK officials have now visited a total of five times. The Government has throughout sought to ensure the detainees' wellbeing and will continue press the US Government on this. The International Committee of the Red Cross has a presence on Guantanamo Bay. It has access on demand to the detainees.

The status of each detainee under humanitarian law has to be considered in the light of the facts of the individual case. Whatever their status, the detainees are entitled to humane treatment, and if prosecuted, a fair trial. The Government continues to urge the US to resolve the detainees' situation as quickly as possible.

f) We recommend that the next Human Rights Annual Report provide full details of the human rights situation across Afghanistan and not just focus on developments in Kabul. We also recommend that the Government explore as a matter of urgency with the other contributing nations the possibility of extending the International Security Assistance Force's mandate to other parts of the country (paragraph 28).

The Government accepts the need identified in the Committee's recommendation that the next Annual Report on Human Rights provides full details of the human rights situation across Afghanistan. The current security situation in Afghanistan makes it very difficult for Embassy staff to travel outside of Kabul. However, the Government will try, as far as possible, to follow the Committee's recommendation and to include more information on the human rights situation in the regions of Afghanistan in its next Annual Report.

The UK continues to contribute troops to the International Security Assistance Force (ISAF - Turkish-led from June 2002-February 2003, German/Dutch-led from February 2003). The ISAF has had a positive impact, improving security in their mandated area in and around Kabul. But expansion of ISAF to areas outside Kabul is unrealistic due to the lack of available resources. Security is poor in the regions and the Transitional Authority's reach outside Kabul is limited. Many regions remain in the hands of powerful commanders. The UK is contributing £52 million over three years to support the international Security Sector Reform programme (building a national army, police force, legal system and countering narcotics). The Government is also considering other possibilities for helping to improve security in the regions in the short term, including Provincial Reconstruction Teams - joint international civilian military teams to be deployed to the regions, to help the central government increase their influence. The Government hopes these teams will also facilitate an improvement in the human rights environment.

g) We recommend that the next Human Rights Annual Report include more detailed information on the plight of ethnic minorities in Burma and on the actions undertaken by the United Kingdom to assist them. We also recommend that the Government and the EU maintain strong pressure on the Burmese regime to respect the human rights of all its citizens and to progress towards democracy (paragraph 32).

The Government accepts this recommendation. Human rights violations are systematic throughout the whole of Burma. However, the ethnic minority groups do suffer disproportionately and the next Annual Report on Human Rights will include further details on this.

The Government is committed to maintaining and increasing pressure on the Burmese regime to bring about respect for human rights, national reconciliation and democracy. Despite hopes being raised in 2001/2002 that political change in Burma would soon be achievable, the past six months have witnessed the suspension of political prisoner releases, renewed restrictions on and harassment of, Daw Aung San Suu Kyi, fresh politically inspired arrests, a failure by the regime to start substantive political dialogue with the democratic opposition and ongoing violence and human rights abuses.

In view of the lack of political progress in Burma, on 14 April the UK and European partners strengthened the European Union Common Position on Burma. The Common Position contains a range of sanctions measures designed to press the regime to improve the political, economic and human rights situation in Burma. When announcing the new Common Position, European Union Foreign Ministers made clear that it was a failure of political will on behalf of the military regime that was the root cause of the problems in Burma and that pressure would be maintained on the regime, the military, those who benefited from the regime's misrule and those who frustrated the transition to democracy. On 16th April the Commission on Human Rights (CHR) adopted by consensus the EU's resolution on Burma that expressed grave concern at the ongoing systematic violation of human rights, including civil, political, economic and social rights, of the people of Burma. The resolution urges the Burmese authorities to continue to co-operate with UN human rights mechanisms.

h) We recommend that in response to this Report, the FCO explain why a motion being tabled but not adopted at the UNCHR can be helpful to raising awareness of human rights issues in the case of Zimbabwe, but not in the case of China (paragraph 38).

The Government's strategy on human rights issues differs from country to country, depending on what we judge is likely to be the most effective in helping bring about improvements in the human rights situation in the country concerned. There are significant differences in the situations in Zimbabwe and China.

The human rights situation in Zimbabwe has hugely deteriorated in the last 3 years. The Zimbabwean government has ceased to engage on human rights. They failed to follow through on any of the commitments they made at the Commonwealth Ministerial conference on Zimbabwe that took place on 6 September 2001 in Abuja. No UN Special rapporteur has been able to gain access to Zimbabwe since the present crisis began. Resolutions at the Commission on Human Rights are a means of bringing a country to co-operate with UN human rights mechanisms and engage more generally in dialogue on human rights issues.

This year the EU proposed a motion on Zimbabwe at the Commission on Human Rights, thereby demonstrating the high-level of EU consensus about the causes of Zimbabwe's problems. Unfortunately, for the second successive year this resolution has fell to a "no action" motion supported by the African members of the Commission. The Government regrets this and is concerned that it shows a lack of commitment on the part of African states to admit to and confront gross human rights abuses taking place in their region.

In contrast to Zimbabwe, China has agreed to visits by UN mechanisms. The November 2000 memorandum of understanding signed by China and the United Nations High Commissioner on Human Rights (UNHCHR), which established a framework for a technical co-operation programme, was resigned last year. The UNHCHR visited last year and is due to visit this year. The Special Rapporteur on the Right to Education is also due to visit this year. China engages in human rights dialogues with many other countries, including the UK, the US and the EU. The Government has had serious concerns about human rights in China for a number of years, but the situation overall has not deteriorated. We believe in a multi-faceted approach to improving human rights in China. Tabling a resolution at CHR is one option. In the years when a China resolution was tabled at CHR it was regularly defeated by the Chinese no-action motion. Nor did it improve the human rights situation in China. We prefer to use an alternative approach, holding a critical dialogue, which allows us to raise and discuss issues of concern and to request information about individual cases of concern. In addition we fund co-operation projects aimed at helping the process of change in China in crucial areas such as legal reform and police training. We believe this is a more effective way of promoting change in China. We also raise our concerns at other Ministerial and official level meetings. But this does not preclude public criticism.

The Government's assessment of the human rights situation in China is shared by our EU and other major Western partners, as well as the US, traditional sponsors of a CHR

resolution on China. The US decided not to table a resolution this year, yet criticised China in their 2002 Country Reports on Human Rights Practices. We too continue to criticise China's record: the EU Presidency omnibus statement at CHR included strong language on the human rights situation in China.

i) We conclude that, despite the best efforts of the FCO, the rate of progress in the Human Rights Dialogue with China remains too slow. We recommend that future Annual Reports present a more honest picture of what has and has not been achieved by the Dialogue. We also recommend that the FCO give serious consideration to a fundamental re-evaluation of its work with China on the issue of human rights, given that the current strategy appears to be yielding few tangible results (paragraph 39).

The purpose of the Human Rights Dialogue is two-fold: to raise with the Chinese government our serious concerns about human rights in China; and to look for ways of working with Chinese people to improve respect for human rights. Improvements in human rights in China have been slower than we would wish. But there has been progress, albeit incremental. It is important to acknowledge that this is a long term engagement which aims to promote systemic reform and better human rights in China.

The Government does not agree with the FAC's criticism about the honesty of its reports of the UK/China Human Rights Dialogue. The Annual Reports have always tried to present a balanced picture. However, this year's Annual Report will include a more detailed account of the Dialogue including the Chinese response to points raised and areas where we expect more progress to be made.

As the Committee will be aware, the UK took the initiative in pressing for an evaluation of the EU/China Human Rights Dialogue. The Government is constantly considering how to improve our Dialogue. In April we exchanged views on evaluation methods and the creation of benchmarks with other countries holding similar bilateral human rights dialogue with China (eg the US, Canada, Australia). The Government has also taken into account Non-Governmental Organisations (NGO) suggestions for more transparency. At an NGO seminar in April in Geneva, in which FCO officials participated, and which looked at the successes and failures of the dialogue process, all participants supported continuing the dialogue with China.

In addition, the report noted that the Society for the Protection of Unborn Children had stressed "the continuing human rights abuses resulting from the often brutal enforcement of China's one child policy, which had been understated in the Report" (para 34).

The FAC last year called for the one child policy to be included as a subject raised at the Human Rights Dialogue. We have considered this at length and have concluded that the Dialogue is not the best forum in which to raise this. The Dialogue already covers a wide range of issues. DFID takes the lead within Her Majesty's Government for funding UN family planning projects, and they have established contact with the Chinese State Family Planning Ministry. We have made clear to the Chinese that family planning policies should be based on free and informed parental choice and not on coercion.

j) We conclude that this is a wholly inadequate response. It is an issue that goes to the heart of the 'Copenhagen criteria' and should have been resolved prior to agreement on EU accession. We recommend that the EU and the United Kingdom continue to monitor the human rights situation in the candidate countries of the EU, and attempt to ensure that the momentum for change in those nations joining the Union in 2004 has not been lost following the Copenhagen Council (paragraph 43).

The Government strongly promotes activities to improve the integration of minorities in both Estonia and Latvia. We believe that the hurdles for citizenship are not excessive.

There is considerable evidence that European integration has strengthened the protection of minority rights in Estonia and Latvia. Both the countries continue to be monitored closely against the Copenhagen Criteria and will have to implement new EU anti-discriminatory directives on accession. Both countries have ratified the European Convention on Human Rights and are subject to the jurisdiction of the European Court if violations occur.

Although they are not entitled to vote or work in government jobs, non-citizens in both countries can hold special passports on which they have the right to travel. They have the same rights to healthcare and education as citizens. They are not required to undergo military service, which may be one of the reasons for the low rate of naturalisation applications amongst young men. Estonian non-citizens also have the right to vote in local elections, and we encourage the Latvian authorities to follow this example.

In Estonia, the State Integration Programme runs a variety of activities, for example, language learning programmes, labour force and family exchanges and awareness campaigns to increase the take-up of citizenship. As part of this programme, the UK is funding a journalism lectureship to give Russian speaking students the skills they need to operate effectively in the Estonian media. The UK has also contributed financially to other aspects of the integration programme. Recent progress by the Estonian government to reach agreement with Russia on pension rights, property disputes with the Russian Orthodox Church, and to continue secondary school education in Russian beyond 2007, demonstrates their political will. All children born after 1992, including those with parents who are non-citizens, can apply for citizenship without passing language tests.

The Latvian government has recently appointed a Minister for Social Integration to coordinate a range of existing and new activity, including the State Language Programme and the Naturalisation Board, which aims to increase the take-up of citizenship. The Naturalisation Board is also carrying out a research programme to investigate the reasons why individuals do not take up citizenship. The new Minister has an impressive track record in working for inter-ethnic harmony in Latvia. As part of these programmes, the UK has funded a series of roadshows to provide information to target communities, and a project to provide Latvian language training to those wishing to naturalise.

The Government will continue to stress the importance of further progress with social integration in our bilateral contacts with the governments of Estonia and Latvia, prior to and after EU accession, and to offer support where possible.

k) We recommend that the United Kingdom continue to offer Turkey every possible support in improving its human rights situation as it prepares for accession to the European Union (paragraph 45).

The Government agrees with the Committee's recommendation. Since the Committee reported on Turkey in 2002, the Turkish government has passed further packages of reforms aimed at meeting the Copenhagen Political Criteria, including abolition of the death penalty. But we agree with the Committee's assessment that more needs to be done. Although Turkish NGOs have noted that some of the reforms are already having an impact on the ground, further efforts are needed to ensure wider and more consistent implementation. This is also recognised by the EU Commission, whose revised Accession Partnership with Turkey, agreed in April 2003, highlights areas where more work is needed.

Through our Embassy and Consulate General in Turkey, the Government is continuing to work with the Turkish government, law enforcement agencies and NGOs to develop projects designed to help Turkey tackle the outstanding issues identified by the Accession Partnership. The FCO's Human Rights Project Fund has recently approved two new projects for Turkey for Financial Year 2003-2004 to address shortcomings in juvenile justice and to further the fight against torture. We also continue to fund human rights projects through our bilateral Action Plan, such as, most recently, preparing Turkish women's NGOs for the hearing of Turkey's report to the UN Committee on the Elimination of All Forms of Discrimination Against Women.

We engage with Turkey at all levels on human rights issues - both with EU partners and bilaterally. In November 2002, the Foreign and Commonwealth Office hosted the latest round of the UK/Turkey Human Rights Dialogue at official level. Another round of the Dialogue will take place later this year.

l) We recommend that the FCO remain closely involved in the consultation process over the implementation of Article 23 of Hong Kong's Basic Law. The United Kingdom Government must express any concerns it has about the human rights impact of the new law clearly and without hesitation to the Region's Government at every opportunity (paragraph 50).

The Government is happy to accept this recommendation and continues to follow closely the Hong Kong Special Administrative Region (SAR) government's moves to introduce legislation to meet its obligations under Article 23 of the Basic Law. The Foreign Office minister, Mr Rammell, issued a statement on 27 March about the SAR government's draft legislation which the British Consul-General delivered personally to the SAR government's Secretary for Security. The British Consulate-General in Hong Kong continues to raise concerns about the proposals with relevant senior SAR government representatives. The Government has worked with Partners on an EU statement about Article 23 which issued on 30th April.

The Government covered the issue of Article 23 in detail in its latest report to Parliament on the implementation of the Sino-British Joint Declaration on Hong Kong (Cmnd 5755), which covered the second half of 2002. The continuing debate on Article 23 will also be covered in the next report to Parliament (due to issue in July 2003) as well as in the department's Annual Report. The Government will continue to follow developments closely as the draft legislation makes its way through the Legislative Council in Hong Kong.

m) We conclude that the start of an EU-Iran dialogue on human rights is a very positive development. However, we recommend that the FCO monitors developments at these talks closely and ensures that they do not simply become a 'talking shop' but a means of encouraging real change in Iran's human rights practices (paragraph 54).

The Government welcomes the FAC statement. The newly established EU-Iran Human Rights Dialogue is a significant step forward. However, as the General Affairs and External Relations Council stated in its conclusions on 18 March, although the Human Rights Dialogue with Iran is one of the means by which the EU can work to improve the human rights situation in the country, this Dialogue is an acceptable option only if sufficient progress is achieved and reflected on the ground. Reflecting limited such progress, the EU decided not to table a resolution on the human rights situation in Iran at this year's CHR, but reiterated our continuing concerns at the serious violations of human rights in Iran as part of the Presidency's statement. The concerns highlighted in the statement included the practice of public executions, the use of torture and other forms of cruel, inhuman and degrading punishment, the situation with regard to freedom of opinion and expression, the continued violations of the human rights of women, and the discrimination, in law and in practice, against women and girls. The Council further reaffirmed its position of principle whereby the establishment of a Dialogue is without prejudice to the tabling of a resolution at the CHR or at the Third Committee of the United Nations General Assembly. The Government will continue to monitor developments closely. Bilaterally, the UK is also committed to promoting human rights through practical cooperation, including support for projects promoting judicial and penal reform.

n) Despite the current difficult political situation, we recommend that the Government continue to make its concerns about the human rights situation in North Korea known and to press for very substantial improvements (paragraph 56).

The Government's concerns about the human rights situation in North Korea were reflected in the EU's statement to the Commission on Human Rights in 2002. Having seen little evidence of improvement since then, the EU took the decision to table a resolution at this year's CHR. The resolution, which expressed its deep concern about reports of systemic, widespread and grave violations of human rights in North Korea, was adopted by a large majority on 16 April.

The UK, bilaterally and through the EU, will continue to raise human rights issues regularly with the North Korean government. We hope that such pressure will bring about a positive change in North Korea with respect to religious tolerance and the observance of human rights.

o) We recommend that the Government, in conjunction with the EU and other allies, strongly urge the Chinese authorities to: respect fully the human rights of the North Korean refugees; cease its programme of forced repatriation; allow the UN High Commission for Refugees full access to the region in order to assess the situation; and put pressure on the government of North Korea to respect the human rights of those refugees returning from China. We also recommend that the FCO set out what progress has been made on this issue in the next Human Rights Annual Report (paragraph 59).

The Government has regularly raised this issue with the Chinese authorities both at the Dialogue and at other meetings and will continue to do so. We have incorporated the Chinese response into the Annual Report.

p) We conclude that the entry in the 2002 Annual Report for Saudi Arabia failed to reflect fully that country's poor human rights record, particularly in relation to torture. We agree that private dialogue can be more effective than public criticism in achieving change in many cases. However, we recommend that in its response to this Report the Government set out a more detailed and candid assessment of its concerns about the human rights situation in Saudi Arabia, and of the effect British policies to tackle human rights abuses there, than appears in the latest Annual Report. We also recommend that future Annual Reports include such an assessment (paragraph 62).

The Government has concerns in Saudi Arabia which apply to a wide range of human rights issues including aspects of the judicial system; capital and corporal punishment; torture; discrimination against women and non-Muslims and restrictions on freedom of movement, expression, assembly and worship,

There has been some progress in some areas over the last year. Saudi Arabia has shown a greater willingness to engage with the international community on human rights issues. It has produced reports for, and answered questions from, UN Treaty Monitoring Bodies, including, in March 2003, the UN Committee on the Elimination of Racial Discrimination. Saudi Arabia also allowed a number of visits relating to human rights from the UN Special Rapporteur on the Independence of Judges and Lawyers, the Chairman of the International Labour Organisation's governing body and Human Rights Watch. We will continue to monitor action resulting from these visits. Other welcome steps include authorisation for the setting up of a commission for Saudi journalists and the announcement of the intended creation of two human rights committees, one of which is meant to be independent of the government. We are keen to see all those bodies to be established and for their work to be effective, far-reaching and unhindered.

Many problems remain. The Saudi judicial system continues to rely heavily on confessions and suffers from a lack of transparency and impartiality. Torture and prolonged incommunicado pre-trial detentions continue. Last year, Saudi Arabia had one of the highest records of judicial execution in the world. The use of flogging and amputation by judicial and administrative authorities remained prevalent.

Women represent half the school and university population but are limited in the types of job they are able to secure and the positions they can hold in society. There are severe restrictions on their freedom of movement. Foreigners have fewer rights than Saudi nationals and are highly dependent on their Saudi sponsors. Such dependence can lead to abuses and corruption. The only religion that can be practised publicly in Saudi Arabia is Islam, although other religions may be practised privately. Apostasy carries the death penalty.

The Government is committed to encouraging the Saudi authorities to improve their human rights record. We regularly discuss our concerns about human rights with the Saudi authorities. We will set out our assessment of the human rights situation in Saudi Arabia in more detail in the Annual Report on Human Rights 2003.

q) We remain deeply concerned about the decision of the European Bank for Reconstruction and Development to hold its 2002 Annual Meeting in Tashkent, Uzbekistan, and take seriously the concern that the Uzbek government will view it as an endorsement of its poor human rights record. We recommend that, if the meeting goes ahead, the Government ensure that every possible opportunity is taken to use it as an opportunity to tackle the poor human rights record of Uzbekistan (paragraph 66).

The Government supported the decision that the European Bank for Reconstruction and Development (EBRD) Annual Meeting, which took place from 4-5 May, should be held in Tashkent. It did so in order to press for political and economic reform in Uzbekistan, to support steps towards improved regional cooperation in Central Asia and to raise international awareness of the challenges facing the poorest countries of the Commonwealth of Independent States.

As the UK and EBRD made clear, the meeting was shaped to increase pressure on the Uzbek authorities to reform. It was also an opportunity for open and frank discussion of the problems in the region, including through the attendance by 200 NGOs, most from Central Asia.

During the meeting the then Secretary of State for International Development made a clear statement to the meeting at a session attended by President Karimov about the need for progress with economic and political reforms in Uzbekistan. She expressed deep concern about the UN Special Rapporteur's conclusion that the use of torture is systematic, and urged President Karimov to take the report very seriously and implement all the recommendations of the UN Rapporteur.

President Karimov subsequently made a commitment to the Secretary of State that he would invite the UN Special Rapporteur back to Uzbekistan, and would seek to implement his recommendations. The UK and EBRD, with the rest of the international community, will monitor progress on this commitment closely. The EBRD strategy agreed by the Board in March 2003, sets seven political and economic benchmarks, including improving the country's human rights record. The Bank will review progress against these benchmarks throughout the year.

r) We deeply regret the decision of the French Government to invite President Mugabe to Paris and the apparent weakening of its stance on the horrific human rights abuses in Zimbabwe. We recommend that the United Kingdom Government do everything within its power to ensure that the EU sanctions regime against the Mugabe regime is maintained and, if possible, extended (paragraph 72).

The Government shares the Committee's concern over the invitation to Robert Mugabe to attend the France-Africa Summit in February. The Government made it clear at the time that we had grave concerns over this invitation. However, as the Summit was scheduled to take place the day after the EU sanctions expired, and France was threatening to veto the sanctions roll-over if this invitation did not issue, there was no way we could block Mugabe's attendance.

Following a decision by consensus, the EU sanctions regime on Zimbabwe was rolled over for a further 12 months on 18 February 2003. It remains possible to extend the sanctions regime, as happened twice during the regime's first year of existence. The UK Government took the lead in pushing for sanctions to roll over.

s) We recommend that, in its response to this Report, the FCO set out its assessment as to the truth and scale of the allegations of sexual violence involving peacekeepers and UN employees in Sierra Leone. We also recommend that the Government press the United Nations to address the issue of human rights abuses committed by peacekeepers with the utmost urgency (paragraph 73).

The Office of Internal Oversight Services (OIOS) of the United Nations conducted an investigation, in February-July 2002, into alleged sexual exploitation of refugees by humanitarian aid workers and peacekeepers in refugees camps in West Africa. The investigation team fully investigated 43 cases of possible sexual exploitation, of which 10 were substantiated by the evidence. No allegation against any UN staff member could be substantiated. The team identified several factors, which contribute to sexual exploitation in refugee communities, and the UN has put in place measures to mitigate against these factors. United Nations High Commission for Refugees and others have established a taskforce on sexual exploitation, under the Inter Agency Standing Committee (IASC), which co-ordinates international responses to humanitarian crises. Other measures include codes of conduct prohibiting exploitation, action against staff members suspected of involvement in sexual exploitation and training of staff and refugees. These measures have been implemented globally by the UN.

We continue to work with the UN to improve the conduct and discipline of UN peacekeepers. To this end we negotiated a paragraph in the text of this year's Report of the Special Committee on Peacekeeping Reform calling for the Secretariat to consult with Troop Contributing Countries on developing procedures for handling cases of alleged violations of the code of conduct. Ways and means for achieving this will be discussed in a meeting with Member States to take place later this year. In addition, we supported a Romanian proposal for all UN missions to have Ombudsmen appointed to act as contact points for local complaints and a representative for local people who allege human rights abuses. We hope this will be included in next year's report.

t) We commend the United Kingdom Government for the positive role it played in the negotiation of the Rome Statute and in its significant contribution to the establishment of the International Criminal Court (paragraph 75).

u) We recommend that the Government continue its dialogue with the US Administration over the International Criminal Court, and urge the US to reconsider its attitude to ratification of the Rome Treaty (paragraph 78).

The Government, whilst appreciating the concerns the US has in regard to the International Criminal Court, does not share them. We shall continue in our dialogue with the US to try and allay any fears they may have about signing and ratifying the Rome Statute on every available occasion.

v) We recognise that the United Kingdom is only one member of the United Nations Commission on Human Rights and that there is great deal to be done if the Commission is to achieve its true potential as an international champion of human rights. However, we recommend that in its response to this Report, the FCO sets out clearly how it intends to assess whether the UNCHR has sufficient resources to carry out its work and how some form of basic human rights 'hurdle' might be introduced, in the long term, for members of the Commission (paragraph 82).

The Government shares the Committee's view of the importance of the Commission achieving its true potential as a champion of human rights. In order to carry out this role, the special procedures of the Commission need to be adequately resourced. The UK is the second highest donor of extra-budgetary (i.e. voluntary) funds to the Office of the High Commissioner for Human Rights and will continue to press for a higher proportion of the UN regular budget to be devoted to its important work. At the same time, we will continue to apply a rigorous assessment of proposed new activities, aiming to ensure that the Commission only tasks its special procedures to carry out work which genuinely enhances the promotion and protection of human rights. We will continue to resist attempts to tie up valuable resources in activities which duplicate or add little value to existing work.

The Government fully shares the view that it would be preferable for all members of the Commission to reach the highest standards in respect of human rights. While, in principle, the Government would be happy to see this become a requirement on all Commission members to reach those standards, this is unlikely to be possible. Any change to the existing system would need to be approved by a majority of existing members. And the UN Charter is clear about the "sovereign equality of all its members." The privileges of UN membership can only be restricted in very clearly defined circumstances. The Government considers it is essential therefore to remind members and potential members of their obligations and responsibilities, and to encourage them to use their membership of the Commission as a stimulus for improving their human rights records.

w) We conclude that it is vital that the United Kingdom sets the highest standards of respect for human rights in all areas of public life, if its work in promoting such rights overseas is to reach its full potential (paragraph 83).

The Government is fully committed to embedding respect for human rights into all areas of public life. The Human Rights Act 1998 imposed a statutory obligation on every public authority in that regard and the Government supported the introduction of the Act with a two-year programme of training and practical compliance. Consistent with our view that human rights is a continuing process, not a box to be ticked, the Government are working with the Joint Parliamentary Committee on Human Rights and UK non-governmental organisations to explore what more can be done to promote human rights in the UK. In particular, the Government have put in hand a comprehensive review of the UK's obligations in respect of the various international human rights instruments so as to evaluate the case for accepting further international human rights obligations. The UK does not claim to have a perfect human rights record. Nor should any country. But the UK stands ready to work with international human rights bodies and representatives of civil society to consider criticism and constructive suggestions and to strive for continual improvement.



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