



HOUSE OF LORDS

# Library Note

## **Debate on 21 November: Her Majesty's Government's Policy Towards Countries Responsible for Violations of Human Rights**

This Library Note provides background reading for the debate to be held on Thursday, 21 November to:

“take note of Her Majesty's Government's policy towards countries responsible for violations of human rights”.

This Library Note provides information on the Government's human rights policy and the action it has taken aimed to secure the improvement of human rights abroad. It also provides information on the debate over how the UK might best influence foreign governments on the issue of human rights, including in the context of the Commonwealth Heads of Government Meeting (CHOGM) hosted by Sri Lanka on 15 to 17 November 2013.

Edward Scott  
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## Table of Contents

1. Introduction .....	1
2. UK Government's Policy for Promoting Human Rights .....	1
3. FCO's Six Human Rights Priorities.....	3
3.1 Women's Rights .....	3
3.2 Torture Prevention.....	4
3.3 Abolition of the Death Penalty.....	4
3.4 Freedom of Religion or Belief .....	5
3.5 Business and Human Rights .....	6
3.6 Freedom of Expression on the Internet.....	6
4. FCO Human Rights and Democracy Programme.....	7
5. Countries of Concern .....	8
6. Multilateral Engagement .....	9
6.1 UK's Membership of UN Human Rights Council .....	9
6.2 Commonwealth Heads of Government Meeting 2013 .....	10
7. Opposition Policy on Human Rights Abuses by Foreign Governments .....	11
8. Further Reading.....	12



## 1. Introduction

This Library Note provides information on the UK Government's human rights policy and the action it has taken aimed to secure the improvement of human rights abroad. It also provides information on the debate over how the UK might best influence foreign governments on the issue of human rights, including in the context of the Commonwealth Heads of Government Meeting (CHOGM) hosted by Sri Lanka on 15 to 17 November 2013.

Because of the many different countries the UK is engaged with, it is not possible to provide a comprehensive briefing on the UK's policy in respect to all foreign governments. This Note therefore focuses on the UK Government's six policy priorities, as identified in the Foreign and Commonwealth Office's (FCO) [2012 Human Rights and Democracy Report](#) (April 2013, Cm 8593): women's rights; torture prevention; abolition of the death penalty; freedom of religion or belief; business and human rights; and freedom of expression on the internet (p 8). UK Government policy extends into many other areas of human rights, further details of which are set out in the *2012 Human Rights and Democracy Report*.

## 2. UK Government's Policy for Promoting Human Rights

The Foreign Secretary, William Hague, speaking on the UK Government's decision to attend the 2013 CHOGM in Sri Lanka, argued that, whether to isolate a government suspected to have violated human rights or to engage with that country and encourage reform, was a classic dilemma in foreign policy (Channel 4 News, [‘Sri Lanka Boycott “Would Damage Commonwealth”—Hague’](#), 7 November 2013). Senior Minister of State of the FCO, Baroness Warsi, in her foreword to the *2012 Human Rights and Democracy Report*, stated that the Government's methods of engagement were adapted for different countries:

In places with poor human rights records or in those lacking effective democratic institutions, our focus may be on encouraging reform. In emerging democracies and economies, it may be about working together to support human rights and democracy—not just domestically, but also internationally.

(p 7)

As well as engaging with governments, the UK has sought to engage directly with citizens. For example, the FCO has funded projects to foster human rights and democracy as part of its Human Rights and Democracy Programme. The Foreign Secretary, during a speech at the Reagan Presidential Library, California, argued in favour of the use of soft power and cultural appeal “to attract and influence others and win over global opinion” (FCO, [‘Foreign Secretary Speech on Rejecting Decline and Renewing Western Diplomacy in the 21st Century’](#), 26 June 2013). He argued that soft power was important because the current “exceptionally turbulent and unpredictable period in world affairs” was due not only to the actions of foreign governments but to the spread of terrorism and the diffusion of power away from governments and into the hands of citizens, aided by modern technology.

### Diplomatic Isolation and Syria

One recent example where the UK Government has pursued a policy of diplomatic isolation is in regard to the Syrian Government. The UK has voted in the UN to condemn the Syrian Government for systematic human rights violations, and has stated that Opposition Forces

were the sole legitimate representative of the Syrian people (GOV.UK '[UK and Syria](#)', accessed 16 November 2013). On 29 August 2013, the Government recalled Parliament to debate the use of military action (Parliament website, '[House of Commons Debate on Syria](#)', 30 August 2013). The UK withdrew its diplomatic staff from Damascus in March 2012 (FCO, '[British Diplomatic Staff in Syria Withdrawn](#)', 1 March 2012). In October 2013, the UK, as part of the Friends of Syria Core Group of countries, signed the London 11 Final Communiqué. This welcomed the UN Security Council's agreement to ensure the elimination of the Syrian regime's chemical weapons, while asserting that the regime of President Bashar al-Assad had been responsible for their indiscriminate use and that the UK would work towards the creation of a Transitional Governing Body for Syria which would exclude President Assad and his close associates (FCO, '[London 11 Final Communiqué](#)', 22 October 2013).

The UK's policy toward Syria is detailed in the following recent publications by the House of Commons and House of Lords Libraries:

- House of Commons Library, '[Conditions for Using Force in Humanitarian Intervention](#)', 29 August 2013, SN06716
- House of Commons Library, '[Intervention in Syria](#)', 28 August, SN06714
- House of Lords Library, '[Debate on 1 July: Recent Developments in Syria, the Middle East and North Africa](#)', 27 June 2013, LLN 2013/017

## Role of UK Foreign Policy in the Twenty-First Century

In his June 2013 speech at the Reagan Presidential Library, the Foreign Secretary argued that Western diplomacy should not succumb to the view that ideals of freedom and openness were in decline and said that liberal democracies should "seek to lead and work with others in new ways" (FCO, '[Foreign Secretary Speech on Rejecting Decline and Renewing Western Diplomacy in the 21st Century](#)', 26 June 2013). To this end, the UK had opened new or previously closed embassies and consulates, including in states which remain designated by the FCO as countries of concern, such as Somalia. The Foreign Secretary had previously stated his ambition to expand the role of the UK's diplomatic service in a speech given in September 2011 (FCO, '[The Best Diplomatic Service in the World: Strengthening the FCO as an Institution](#)', 8 September 2011). He also stressed the need to retain the readiness to intervene militarily as a last resort when human rights were violated on a massive scale (FCO, '[Foreign Secretary Speech on Rejecting Decline and Renewing Western Diplomacy in the 21st Century](#)', 26 June 2013). The Deputy Prime Minister, Nick Clegg, in his speech at the UN General Assembly in September 2013, also asserted that there should not be a crisis of confidence in the developed world over its influence (Cabinet Office and Deputy Prime Minister's Office, '[Nick Clegg's Speech at the United Nations General Assembly 2013](#)', 27 September 2013). He argued that liberal democracies had shown the strength of open societies through their survival after the 2008 global economic crisis, which had been made possible because of their openness to reform and ability to adapt to changing circumstances.

The UK's foreign policy has been criticised by the former Foreign Office Minister, Lord Howell of Guildford, who argued that Britain's influence through the Commonwealth was being underused, and that the UK was failing to adequately take proper advantage of new techniques of soft power promotion (*Daily Telegraph*, '[Ministers are Still Treating the Commonwealth with Contempt](#)', 30 October 2013). The Council on Foreign Relations (CFR) report '[The Global Human Rights Regime](#)' (19 June 2013), part of its Global Governance Monitor programme, stated that one of the barriers preventing greater progress on human rights was reluctance by some countries to see human rights as having as much importance as economic, social, and cultural

rights. It identified a perception among some states that human rights were primarily a Western, rather than a global, concern. It also argued that, while the international community had made progress in its condemnation mass atrocities, the enforcement of human rights remained inconsistent. Despite the growing codification of human rights in international and domestic law, human rights abuses remained difficult to penalise in cases where the violator had not joined human rights treaties or institutions.

### **Human Rights and Democracy: 2012 FCO Report**

The FCO's [2012 Human Rights and Democracy Report](#) set out the following aspects of UK foreign policy in promoting human rights internationally:

- Working through the UN to promote and protect human rights (pp 11–24).
- Working through a rules-based international system with the EU, the Commonwealth, the Organisation for Security and Co-operation in Europe (OECD), NATO and the Council of Europe to secure collective action such as the imposture of effective sanctions (pp 104–9).
- Supporting projects financially through the Human Rights and Democracy Programme (pp 24–8).
- Promoting the British values of democracy, criminal justice, the rule of law, equality and non-discrimination. The report included information of the action taken to prevent discrimination based on religion and belief, gender, sexuality, race and other grounds (pp 29–72).
- Combating terrorism, countering the proliferation of weapons, reducing conflict overseas and preventing atrocities involving sexual violence (pp 75–90).
- Protecting the rights of British nationals overseas through seeking the abolition of the death penalty and seeking to protect the rights of overseas prisoners. The UK Government also sought to combat forced marriages, female genital mutilation and child abduction (pp 99–103).

Baroness Warsi, in her foreword to the report, stated the FCO's six specific human rights priorities were women's rights; torture prevention; abolition of the death penalty; freedom of religion or belief; business and human rights; and freedom of expression on the internet (p 8).

## **3. FCO's Six Human Rights Priorities**

### **3.1 Women's Rights**

The FCO has asserted that achievement of gender equality and women's empowerment was a policy priority, and that it was the UK Government's ambition to end all forms of violence against women and girls (2012 Human Rights and Democracy Report, pp 57–8). On 8 June 2012, the UK signed the Council of Europe [Convention on Preventing and Combating Violence against Women and Domestic Violence](#) (the 'Istanbul Convention'), and the FCO stated in its 2012 Human Rights and Democracy Report that the UK Government was working towards the ratification of the treaty and its incorporation into UK law (p 58). The Government's updated Violence against Women and Girls Action Plan, [A Call to End Violence against Women and Girls: Action Plan 2013](#) (March 2013), stated that there were 21 Department for International Development (DFID) country programmes directly tackling violence against women and girls, and that DFID was providing funding to civil society groups in an additional 48 countries. DFID would also invest up to £35 million over five years to tackle female genital mutilation and up to

£25 million to gather evidence on the most effective ways of tackling violence against women and girls (p 9).

Kate Allen, Director of Amnesty International UK, described some of the UK Government's actions on women's rights, including the Preventing Sexual Violence Initiative, as positive steps (Fabian Society blog, '[Shoulder to Shoulder: Women's Rights Abroad](#)', 24 September 2013). However, she argued that the UK's policy lacked a genuine commitment to the prioritisation of women's rights throughout government, and that more could be done in countries such as Afghanistan and Egypt. The situation of women in Egypt is included in the case study published in the FCO's [2012 Human Rights and Democracy Report](#), which stated that "Women, who played a key role in the revolution, have seen little improvement in their rights" (p 30). The FCO have published an update on its case study (FCO 2012 Human Rights and Democracy Report website, '[Women and Girls in India](#)' 30 September 2013).

### **Preventing Sexual Violence Initiative**

The Foreign Secretary launched the Preventing Sexual Violence Initiative (PSVI) on 29 May 2012 at the UN Human Rights Council, and secured support from 65 states for a cross-regional statement on this issue. The UK also contributed £1 million to support the involvement in the initiative of the UN Special Representative on Sexual Violence in Conflict (FCO, [2012 Human Rights and Democracy Report](#), p 18). The UK Government announced that £5 million would be provided through the Human Rights and Democracy programme over three years to projects on sexual violence in conflict and to wider projects to tackle violence against women and girls (HC *Hansard*, 26 June 2013, [col 275W](#)).

## **3.2 Torture Prevention**

The [FCO Strategy for the Prevention of Torture 2011–15](#) (October 2011) established three policy goals: to ensure that legal frameworks are in place and enforced; to develop political will and capacity to eradicate torture; and to give organisations on the ground skills to ensure its eradication (p 3). The UK has also sought to ensure states signed and ratified the [UN Convention against Torture](#) and its Optional Protocol (FCO, [2012 Human Rights and Democracy Report](#), p 46). The then Foreign Office Minister, Jeremy Browne, writing in the *Guardian*, stated that it was the responsibility of those working for the Government overseas to report concerns about torture and mistreatment, and that guidance on how to do so was issued to all FCO staff (*Guardian*, '[An Independent Inquiry Shows our Commitment to Ending Torture](#)', 31 January 2012).

Amnesty International has criticised the UK Government's record on torture prevention, accusing it of having failed to fully and independently investigate allegations that British Intelligence officers had been complicit in the torture of suspected terrorist detainees (Amnesty International UK, '[The Detainee Inquiry](#)', 1 August 2013). Amnesty International argued that the Government's [inquiry](#), chaired by Sir Peter Gibson, had not met international standards for proper investigations, and that the UK was failing in its international human rights obligations.

## **3.3 Abolition of the Death Penalty**

According to Amnesty International's analysis of the data available, in 2012 there were 682 executions, 82 percent of which took place in Iran, Iraq, Saudi Arabia and the USA. Amnesty International also believed that, although credible data was unavailable due to state secrecy,



China had executed more individuals than the rest of the world combined in the same year. It also noted that Gambia, Japan, Botswana, India and Pakistan had all resumed executions (Amnesty International UK, '[Reporting on the Death Penalty: Executions in 2012](#)', 4 September 2013).

The UK Government has stated that it opposed the death penalty in all circumstances, on the grounds that its use undermined human dignity, that there was no conclusive evidence for its value as a deterrent and that any miscarriage of justice was irreversible (FCO, *2012 Human Rights and Democracy Report*, p 43). The Government's [Strategy for Abolition of the Death Penalty 2010–2015](#) (October 2011) set out the following aims: to increase the number of countries either in favour of abolition or for a moratorium on its use; to encourage restrictions on its use in countries where it was applied; and, when applied, that the EU minimum standards, such as the right to a fair trial and a prohibition of the execution of juveniles, were met (p 3). The UK's representatives to the UN have also supported the UN General Assembly's Third Committee biennial resolution calling for a moratorium on the use of the death penalty. Though not binding, the moratorium secured the highest level of support in the vote to date (FCO, [2012 Human Rights and Democracy Report](#), pp 21 and 42).

### 3.4 Freedom of Religion or Belief

The UK Government has argued that the promotion and protection of the right to freedom of religion or belief underpinned many other fundamental freedoms (FCO, [2012 Human Rights and Democracy Report](#), p 53). It has supported the [UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief](#), and has asserted through its contacts in foreign governments the importance of religious tolerance, calling for the elimination of legal provisions and policies that discriminated against religious believers. The FCO also included many of the countries where it was most concerned about restrictions placed on freedom of religion or belief in its list of countries of concern (p 53). In autumn 2012, the FCO and the Canadian High Commission hosted a conference in London on the promotion of freedom of religion or belief (FCO blog, '[Combating Intolerance and Promoting Freedom of Religion or Belief](#)', 11 December 2012). The FCO also published [Freedom of Religion or Belief—How the FCO can Help Promote Respect for this Human Right](#) (30 June 2010), a guide designed to enable FCO staff overseas to raise concerns about religious freedom with host governments and to take action to influence change.

The inclusion of freedom of religion and belief as one of the FCO's six human rights priorities was welcomed by representatives of the Catholic Church in England and Wales and the Church of England (House of Commons Foreign Affairs Select Committee, [The FCO's Human Rights Work in 2012](#), session 13–14, vol 2, Ev w37). However, in its submission to the Foreign Affairs Select Committee's inquiry into the FCO's human rights work in 2012, the Catholic Bishops Conference and Church England's Mission and Public Affairs Council argued that the *2012 Human Rights and Democracy Report* did not adequately reflect the priority status of freedom of religion and belief in FCO policy, recommending that, in future, the reviews of the situation in countries of concern published in the annual human rights and democracy report should each include a section on freedom of religion and belief.

### 3.5 Business and Human Rights

The FCO has sought to encourage businesses to operate in a way which protects and promotes human rights, through its national action plan on business and human rights (FCO, [Good Business: Implementing the UN Guiding Principles on Business and Human Rights](#), September 2013, Cm 8695). The [2012 Human Rights and Democracy Report](#) claimed that this strategy was expected to be the first of its kind to implement the UN Guiding Principles on Business and Human Rights (p 94). The UN Guiding Principles were ratified in the UN Human Rights Council in June 2011 (p 93). As well as promoting responsible business behaviour for UK companies operating overseas, the action plan encouraged UK companies to undertake impact assessments of their operations and to engage with indigenous communities (p 68).

Although the focus of this policy priority is businesses rather than governments, the Government has argued that the line between business interests and government interests can be blurred in some states. The Foreign Secretary, in his June 2013 speech at the Reagan Presidential Library, described the challenge to Western values of “crony capitalist systems” and “modern kleptocracies, where those in power take the benefits for themselves within an imitation of a free-market economy” (FCO, [‘Foreign Secretary Speech on Rejecting Decline and Renewing Western Diplomacy in the 21st Century’](#), 26 June 2013). [Good Business: Implementing the UN Guiding Principles on Business and Human Rights](#) included a joint forward by the Foreign Secretary and the Secretary of State for Business, Innovation and Skills, Vince Cable, which described their belief that “the promotion of business and respect for human rights should go hand in hand” and that expanding global markets could help the process of improving human rights (p 4).

Human Rights Watch, in its [World Report 2013](#) (1 February 2013), has argued that some of the most powerful and sophisticated actors on the world stage were companies, not governments, citing the example of ExxonMobil, whose US\$467 billion revenues exceeded the size of Norway’s entire economy. Human Rights Watch argued that corporate human rights disasters had often taken place where there has been a “de facto regulatory vacuum”, and that most of the responsibility to prevent and address such abuse lay with governments (Chris Albin-Lackey, ‘Without Rules: A Failed Approach to Corporate Accountability’ in Human Rights Watch, [World Report 2013](#), p 29).

### 3.6 Freedom of Expression on the Internet

The Government has stated that it supported freedom of expression, including freedom of the press and unrestricted access to online media (FCO, [‘Policy: Promoting Human Rights Internationally’](#), 12 December 2012). On 5 July 2012, the UK supported a resolution on freedom of expression on the internet at the UN Human Rights Council ([The Promotion, Protection and Enjoyment of Human Rights on the Internet](#), Twentieth session, A/HRC/20/L.13). The FCO argued in the [2012 Human Rights and Democracy Report](#) that there was growing evidence of states imposing controls over the internet, citing examples such as the Draft Internet Regulation Decree in Vietnam (pp 36–7). The extent of surveillance online was set out in the April 2013 [Report of the UN Special Rapporteur, on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Frank La Rue](#) (17 April 2013, A/HRC/23/40).

The Foreign Secretary, in a speech at the Budapest Conference on Cyberspace on 4 October 2012, argued that online freedom was necessary for the preservation and expansion of the benefits of the digital age (FCO, [‘Foreign Secretary Speech at the Budapest Conference on](#)

[Cyberspace](#)', 4 October 2012). During his speech, the Foreign Secretary said that there should be an international consensus amongst governments to act proportionately in cyberspace, although he argued against the creation of a new treaty on the grounds of practicality. He cited the growth of cyber attacks as one of the reasons why achieving consensus on policing the internet was an urgent issue.

Further to the need for agreement on how to defend the protection of human rights online, a coalition of campaign and civil society groups from different countries, including [Open Rights Group](#) from the UK, have agreed a set of principles for assessing surveillance practices online entitled the [International Principles on the Application of Human Rights to Communications Surveillance](#) (NecessaryandProportionate.org, accessed 15 November 2013). The response of the UK to allegations concerning its own role in covert online surveillance has been criticised by David Mepham, UK Director of Human Rights Watch (Human Rights Watch, '[Protecting Right to Privacy in Age of Mass Surveillance](#)', 5 November 2013). The UK's policy on internet surveillance is currently the subject of an inquiry by the [Intelligence and Security Committee of Parliament](#). Information on the technology by which internet communications are monitored is provided in a POST Note (Parliamentary Office of Science and Technology, [Monitoring Internet Communications](#), May 2013, PN 436).

#### 4. FCO Human Rights and Democracy Programme

The Human Rights and Democracy Programme is the FCO fund for providing support for human rights and democracy projects overseas. In the financial year 2012/13, funding totalled £6.5 million, supporting 71 projects, and ranging in scale from £5,000 to £275,000 ([2012 Human Rights and Democracy Report](#), p 24). In 2013–14 the fund had seven thematic target areas, similar to the priorities set out in the FCO's *2012 Human Rights and Democracy Report*:

- Global torture prevention
- The abolition of the death penalty
- Promoting freedom of expression
- Upholding freedom of religion and belief
- Preventing discrimination and violence against women
- The implementation of the UN Guiding Principles on Business and Human Rights
- Strengthening democratic processes

(FCO, [FCO Human Rights and Democracy Programme Strategy 2013–14](#), February 2013)

The programme provides support to projects of up to two years in duration (HC *Hansard*, 3 July 2013, [cols 59–60W](#)). The projects have included a religious reconciliation initiative to encourage dialogue between local religious leaders in Iraq (HL *Hansard*, 20 November 2012, [col WA363](#)) and a project to enhance the capacity of Pakistani journalists to produce balanced and gender sensitive reporting on women's issues (HC *Hansard*, 12 November 2012, [col 24W](#)). Further details of recent projects are available on pages 25 to 6 of the [2012 Human Rights and Democracy Report](#).

In 2010, the Government announced a 10 percent reduction for that year in the human rights and democracy programme fund. The then Minister of State for the FCO, Jeremy Browne, argued that the decision was justified on the grounds that it was a contribution to reducing public expenditure, but that the Government wished to sustain programme funds in future years (HC *Hansard*, 6 July 2010, [col 155](#)).

## 5. Countries of Concern

The FCO's annual human rights and democracy report includes a list of states which the UK considered to be countries of concern. The [2012 Human Rights and Democracy Report](#) listed 27 such countries. Subsequent updates on the human rights situation in these countries have been published [online](#):

- Afghanistan
- Belarus
- Burma
- China
- Colombia
- Cuba
- Democratic People's Republic of Korea (DPRK)
- Democratic Republic of the Congo (DRC)
- Eritrea
- Fiji
- Iran
- Iraq
- Israel and the Occupied Palestinian Territories
- Libya
- Pakistan
- Russia
- Saudi Arabia
- Somalia
- South Sudan
- Sri Lanka
- Sudan
- Syria
- Turkmenistan
- Uzbekistan
- Vietnam
- Yemen
- Zimbabwe

Prior to 2013, the criteria used by the FCO to designate a state as a country of concern had not been published. Details of the test and the list of criteria was set out for the first time in the [2012 Human Rights and Democracy Report](#), having been amended in 2012 following a review by the FCO (p 120). The FCO described these considerations for inclusion as follows:

- The gravity of the human rights situation in the country, including both the severity of particular abuses and the range of human rights affected.
- Whether a deterioration or improvement in the human rights situation in the country would have a wider impact in the region.
- Whether the human rights situation in the country has an impact on wider UK interests.
- How active the UK is in the country and our level of engagement there.

We carried out assessments based on the first criterion and refined these further using the other three criteria. In this way we reached a focused list but with an objective assessment of the human rights situation in each country at its heart.

(p 120)

The House of Commons Foreign Affairs Select Committee welcomed the publication of the criteria ([The FCO's Human Rights Work in 2012](#), 17 October 2013, HC 267 of session 2013–14, p 3). However, the Committee argued that the extent of the UK's engagement in a particular country and the impact of the human rights situation there on wider UK interests should be excluded from the list, on the grounds that political and strategic factors should not be allowed to affect the decision of whether or not to include a country on the list. It asserted that such factors had been allowed to colour the decision not to include Bahrain as a country of concern (pp 15–16).

In its evidence to the Foreign Affairs Select Committee's 2013 enquiry into the human rights work of the FCO, Human Rights Watch argued that the FCO's list of countries of concern should have included Ethiopia, Rwanda, Bahrain and Egypt, describing their exclusion as inexplicable and indefensible (Ev 45–6). These four countries were included in the *2012 Human Rights and Democracy Report*, but as case studies rather than countries of concern. The Director of Amnesty International UK, Kate Allen, also stated in her evidence to the Foreign Affairs Select Committee that, although the FCO had provided an “effective set of criteria”, she would have expected that this criteria would have lead to these four countries being included in the list of countries of concern (Ev 1).

Baroness Warsi, during her oral evidence session with the Committee, argued that the choice to include how active the UK was in a country and the UK's level of engagement in the criteria was one informed by pragmatism:

We [the FCO][...] tried to articulate a much more refined agenda to say, “That is what we are concerned about, but what are the specific things we look for under that when we assess what is a country of concern?” For me, it is not just about saying that a country has issues in relation to human rights; it is also about saying, “What can we do? Are there certain countries that we can make a priority, because we have made some progress on an area and we need to push that to take it to the next level?” That is why the level of UK activity and engagement is about the practical application of our values and ideas.

(Ev 20)

## 6. Multilateral Engagement

### 6.1 UK's Membership of UN Human Rights Council

The FCO has stated that its policy priorities in the UN were to improve the implementation by UN member states of their human rights obligations and to encourage the UN to promote human rights in practice and to address all violations (FCO, [2012 Human Rights and Democracy Report](#), p 11). The UK was elected by the UN General Assembly to join the UN Human Rights Council on 12 November 2013 for the term January 2014 to December 2016 (United Nations, [‘Elections and Appointments: Election of the Human Rights Council’](#), accessed 11 November

2013). The UK had previously served two terms on the UN Human Rights Council, from 2006 to 2011 (FCO, [UN Human Rights Council: United Kingdom 2014–2016 Candidate](#), 19 March 2013).

## 6.2 Commonwealth Heads of Government Meeting 2013

The 2010 coalition agreement included as one of the Government's policy objectives "to strengthen the Commonwealth as a focus for promoting democratic values and development" (*The Coalition: Our Programme for Government*, May 2010, p 20). Following the agreement of the [Charter of the Commonwealth](#) at the 2011 Commonwealth Heads of Government Meeting (CHOGM) in Perth, and its formal adoption in December 2012, the subsequent biannual CHOGM was held in November 2013 in Sri Lanka. The agenda for the meeting included the seeking of a successor to the Millennium Development Goals (FCO, '[Commonwealth Heads of Government Meeting 2013](#)', 16 November 2013). Further information on the Commonwealth Charter is provided in the House of Commons Standard Note, [In Brief: The Commonwealth Charter](#) (18 April 2013, SN06611).

The 2013 CHOGM was boycotted by the governments of Canada, India and Mauritius on the grounds of alleged human rights abuses by the Sri Lankan Government. The Shadow Foreign Secretary, Douglas Alexander, argued that the attendance of Britain would be presented as "a major coup" by the Sri Lankan Government, and that the Prime Minister's attendance should have been used as leverage to encourage Sri Lanka to address human rights concerns (*Guardian*, '[David Cameron Should Boycott the Commonwealth Summit in Sri Lanka](#)', 21 October 2013). Further details of the controversy over the 2013 CHOGM is provided in the House of Commons Library Note, [In Brief: The Controversy over the November 2013 Commonwealth Summit in Sri Lanka](#) (22 July 2013, SN06692), and the House of Lords Library Note, [Debate on 17 October: Commonwealth Heads of Government Meeting in Sri Lanka](#) (14 October 2013, LLN 2013/027).

The Foreign Secretary, William Hague, argued that the UK should not join the boycott because of the global importance of the Commonwealth and because attendance would enable the UK Government to meet people on all sides of the Sri Lankan conflict, and raise its concerns directly with the Sri Lankan Government. In an article for the *Daily Telegraph* published prior to the CHOGM, Mr Hague stated his concern over the suppression of civil society groups in Sri Lanka, the routine intimidation of NGOs and the media, the disappearances of journalists and critics of the Government and the fact that no one had been held to account for alleged war crimes committed during the civil war (*Daily Telegraph*, '[William Hague: A Boycott of Sri Lanka Would be Wrong](#)', 6 November 2013). During the visit to Sri Lanka for the CHOGM, the Prime Minister, David Cameron, and the Foreign Secretary met with representatives from the Government and Tamil groups. The Foreign Secretary met with both the Sri Lankan Foreign Minister and the Tamil National Alliance in Colombo (FCO, '[The Foreign Secretary Meets Sri Lankan Foreign Minister](#)', 13 November 2013 and '[Foreign Secretary Meets Tamil National Alliance in Colombo](#)', 14 November 2013). On 15 November, the Prime Minister visited Northern Sri Lanka, formerly controlled by the Tamil Tigers (BBC News, '[Cameron in Northern Sri Lanka](#)', 15 November 2013).

During the CHOGM, the British Prime Minister called for an investigation into the alleged war crimes committed during the Sri Lankan civil war, including during the end of the war in 2009. However, this demand was rejected by the Sri Lankan President Mahinda Rajapaksa (BBC News, '[Sri Lanka Rejects Cameron Call for Human Rights Inquiry](#)', 16 November 2013). An independent investigation has also been called for by the UN High Commissioner for Human Rights (United Nations, [Report of the Office of the United Nations High Commissioner for Human](#)



[Rights on Advice and Technical Assistance for the Government of Sri Lanka on Promoting Reconciliation and Accountability in Sri Lanka](#), 11 February 2013, A/HRC/22/38). Human Rights Watch, in its [World Report 2013](#) (1 February 2013), accused the Sri Lankan Government of making no progress toward ensuring justice for the victims of violations of human rights and war crimes committed by both sides during the civil war (p 368). The Leader of the Opposition, Ed Miliband, also criticised the lack of an investigation by the Sri Lankan Government (*Tamil Guardian*, '[Britain Should Secure Alternative to Sri Lanka for Commonwealth Chair—Ed Miliband](#)', 14 November 2013). Details of the conflict in Sri Lanka and the declaration of the end of the civil war by President Rajapaksa in 2009 are provided in the House of Commons Library Research Paper, [War and Peace in Sri Lanka](#) (5 June 2009, RP09/51).

## 7. Opposition Policy on Human Rights Abuses by Foreign Governments

The Labour Party's Britain's Global Role Policy Commission is one of the eight policy commissions launched by the party during Opposition (Your Britain, '[Britain's Global Role Policy Commission](#)', accessed 14 November 2013). The Commission has published a policy paper based on submissions to its consultation, [Britain's Global Role in a Post-2015 Development Vision](#), on tackling poverty and the Millennium Development Goals, and has contributed to the Labour Party National Policy Forum's [2013 Report](#) (September 2013, pp 131–50). The Commission has stated that it was “committed to promoting human rights abroad, recognising that human rights provide the basic rules for a world in which we can all live in peace and dignity” and that:

On the eve of the 65th anniversary of the adoption of the United Nations Universal Declaration of Human Rights, a disgraceful number of governments continue to use national interests, national security and public security concerns as a means of justifying human rights violations.

(p 137)

The Commission also asserted that human rights should be a consideration in the UK's bilateral relationships with other countries, including aid relationships and in trade (p 140).

The development of the Labour Party's foreign policy has also been analysed in the context of the Government's defeat in the vote on military action in Syria on 29 August 2013. Eunice Goes, Associate Professor at Richmond University, writing for the London School of Economics blog, argued that the approach to foreign policy offered by Ed Millband was distinct from that of the current Government and the previous Labour Government, in that it was defined by a commitment to international law, diplomatic methods and due process (LSE website, '[Ed Miliband and Syria: A Glimpse of What a Labour Foreign Policy Could Look Like](#)', 3 September 2013). David Aaronovitch, writing in *The Times*, has argued that Mr Millband had not offered an alternative strategy and accused him of taking a position that was motivated by political opportunism (*The Times*, '[Ed Miliband is No Leader. He is a Vulture](#)', 5 September 2013).

The Shadow Foreign Secretary, Douglas Alexander, writing with Dr Ian Kearns, Chief Executive of the European Leadership Network, has argued that the UK needed to rethink its foreign policy in response to factors such as the shift of economic power from the West to the East and the experience of the Iraq and Afghanistan wars (*The Scotsman*, '[UK a World Player](#)', 30 October 2013). They proposed that policy makers should work towards a new “progressive UK engagement in international affairs”, and that to do this, the mood of pessimism regarding

the future of the UK's role on the world stage should be reversed. The UK's remaining status as the seventh largest economy in the world and its membership of the EU, Nato, the G8, the G20, the Commonwealth and the UN Security Council were reasons they gave as to why the UK could still take a leadership role in international affairs. They proposed that the UK could do more to prevent conflicts and called for an "Asian step-change" in British foreign policy, entailing more engagement with China in areas such as the Middle East and Africa, on climate change and with respect to international crisis management.

## 8. Further Reading

The following books on human rights and international affairs are held by the House of Lords Library and are available to Members and their staff:

- David P Forsythe, *Human Rights in International Relations*, 2012
- Aryeh Neier, *The International Human Rights Movement: A History*, 2012
- Jonas Christoffersen, *The European Court of Human Rights between Law and Politics*, 2011
- Thomas Hammarberg, *Human Rights in Europe: No Grounds for Complacency*, 2011
- Orna Ben Naftali, *International Humanitarian Law and International Human Rights Law: Pas De Deux*, 2011
- Allen Buchanan, *Human Rights, Legitimacy, and the Use of Force*, 2010
- Steven R Ratner, *Accountability for Human Rights Atrocities in International Law: Beyond the Nuremberg Legacy*, 2009