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The political and economic reforms that began in 2011 continued during 2012 under President Thein Sein. The UK Government's approach is one of cautious engagement, welcoming and encouraging reform while paying close attention to the human rights situation. Four UK Government ministers visited in 2012: the Foreign Secretary in January, the Prime Minister in April, Lord Marland in July and the FCO Minister for Asia, Hugo Swire, in December. During the Prime Minister's meeting with President Thein Sein, he welcomed recent reforms and highlighted areas where further progress was needed, including on political prisoners and ethnic reconciliation. The Prime Minister also met opposition leader Daw Aung San Suu Kyi and assured her of the UK's continued support for her work to promote democracy and respect for human rights in Burma.

The UN Human Rights Council and UN General Assembly Third Committee adopted resolutions on Burma, recognising the progress made in many areas over the past 12 months and highlighting the concerns that remain, notably around ongoing ethnic conflict. The annual report by Special Rapporteur for the Human Rights Situation in Burma, Mr Tomás Ojea Quintana, following his three visits in 2012 set out a similar picture.

Elections

Burma held by-elections at the beginning of April for which the government relaxed restrictive laws on the media, civil society and political activists. Officials from the Association of South East Asian Nations (ASEAN), the US and the EU, including from the UK Government, observed polling day informally; this was the first time that international observers – albeit in an unofficial capacity – had been permitted to watch any election in Burmese history.

According to independent reporting, there were no major irregularities, and voting was largely free and fair. The National League for Democracy party, led by Aung San Suu Kyi, won 43 of the 44 seats that it contested.

Freedom of expression and assembly

Pre-publication censorship of private journals was ended in August but concerns about other forms of censorship remain. UN Special Rapporteur Mr Quintana expressed concerns in his annual report that post-publication article reviews by the government's censorship board would lead to self-censorship by journalists. Action was taken by the censorship board against the Burmese media, for example in August when *The Voice* newspaper was forced to close for two weeks following its reporting of unrest in Rakhine State.

A new and independent Press Council was established in September. Its role is to promote press freedom and the rights of journalists, improve the capacity of the media sector, set standards for journalistic ethics and feed in to the new media laws. A new print law is likely to be debated, daily private newspapers are due to be authorised and the broadcast law is expected to be revised in 2013.

Internet access in Burma is limited. Only a small percentage of the population, mainly in urban areas, have access. Previously blocked sites, oppositional political content and sites with content relating to human rights and political reform were made accessible over the last 18 months.

Freedom to organise protests and other oppositional events expanded throughout 2012. During May, there were large-scale protests in Rangoon calling for improved provision of electricity and better workers' rights. On 1 May, events commemorating May Day were organised by various groups in Rangoon. One was attended by around 300 people, mainly comprising industrial workers and labour rights activists. An event of this nature would not have been possible during the last 50 years. On 5 July, the government adopted a decree on the Right to Peaceful Assembly and Peaceful Procession, which recognised the duty of states to protect participants involved in peaceful assembly.

In some cases, however, peaceful protests were challenged officially, leading to concerns about the ability of the police to manage events of this nature. At the end of September, the police intervened following a peaceful protest to mark the International Day of Peace, leading to the arrest of 11 of the organisers for failing to obtain the permissions required under the regulations governing protests. In November, following the build-up of tensions over inadequate land compensation in the Letpadaung copper mine in Monywa, over 20 protesters were injured, some of them seriously, when the police intervened after several days of protests. The UK Government supported the Burmese government's decision to set up an Investigative Commission chaired by Daw Aung San Suu Kyi to examine the issues raised by the protesters.

The government brought a new Labour Organisation law into force in 2012. The International Labour Organization (ILO) was invited to help bring it into line with international norms. Over 250 workers' organisations and 12 employer organisations have registered under the law to date. The Federation of Trade Unions of Burma can also now operate in the country.

Burma continues to face challenges related to the use of forced labour, but has made progress throughout 2012. The adoption of the Prisons Act in March outlawed the use of prisoners as porters under dangerous front-line conflict conditions. The ILO and the Burmese government developed a joint strategy for the elimination of forced labour in the country by 2015. The government made efforts to highlight the issue and how to make complaints. The ILO was invited to play an official role in the government's handling of complaints.

Human rights defenders, political prisoners and torture

Several hundred political prisoners were released from Burma's jails in 2012, including prominent 88 Generation (student activists) and ethnic leaders, in a continuation of the trend from 2011. Local political prisoner networks estimate that around 200 political prisoners remain. These cases will be examined by a new mechanism, announced by the government in November for all

remaining cases. The International Committee of the Red Cross is to be granted access to all of Burma's jails, including the right to visit and assess prisoners, for the first time in many years.

Following the violence in Rakhine State in June, a prominent local Rohingya leader, Dr Tun Aung, his daughter, Nandar Aung (a UNHCR employee), and her husband, Maung Maung Than, were detained. Mr Swire raised their cases with the government and Nandar Aung and her husband were subsequently released without charge. Dr Tun Aung remains in detention and is reportedly unable to access treatment for a chronic medical condition.

Access to justice and the rule of law

The Burmese government has emphasised that rule of law is a priority. However, Burma has yet to sign and ratify important treaties which will embed international human rights norms into its legal system – in particular the International Covenant on Civil and Political Rights, the Convention against Torture, and the Rome Statute, which established the International Criminal Court.

The UK organised a visit to Burma by the Human Rights Institute of the International Bar Association in July, which produced a report prioritising areas of future support. The report noted the Burmese government's willingness to strengthen the rule of law, but also the lack of capacity within the civil service. We also supported a number of NGO rule-of-law programmes to build capacity within the Burmese legal system.

The UK Government continued to support capacity-building in the Burmese parliament in 2012. The Westminster Foundation for Democracy carried out a scoping visit, and plans to support improvements in the scrutiny of public finance by sharing good practice from the UK Public Accounts Committee. In December, a cross-party delegation of three Burmese MPs visited London to spend time in the House of Commons and House of Lords and learn about the drafting and debating of UK law.

Conflict and protection of civilians

In Rakhine State, ethnic Rakhine Buddhists live alongside and interspersed with ethnic Rohingya Muslims. The Rohingya community is not recognised by the Burmese Citizenship Law of 1982 as a distinct ethnic group, and they are therefore not entitled to the rights that citizenship of the country would bring. This has led to historic tensions and to the marginalisation of the community, whose members are commonly referred to in Burma as "Bengalis".

Violence between members of the Rakhine Buddhist and Rohingya Muslim communities erupted in June, and again in October, leading to over 100 deaths and large-scale internal displacement. Local security forces were reportedly complicit in some of the violence. The Burmese military increased their presence in the area to ensure security, and the situation was calm by the end of the year. But communities remain segregated, and many Rohingya people have been unable to return to their former homes and livelihoods. The UN Office for the Coordination of Humanitarian Affairs estimates that some 115,000 people were displaced and are now living in and around camps and informal settlements. The UK has allocated £2 million to provide food, water and sanitation to 58,000 people affected.

The UK raised the marginalisation of the Rohingya community in Burma regularly in 2012. Our Ambassador has visited Rakhine State three times since June 2012. The Foreign Secretary discussed the situation in Rakhine State with Burmese Foreign Minister U Wunna Maung Lwin at the UN General Assembly on 25 September. Mr Swire visited Rakhine State in December to see the plight of both communities and lobbied the Burmese government to maintain security, improve humanitarian access, bring those responsible to account and work towards a long-term solution, including on citizenship. We welcomed the formation of an independent Investigative Commission in August to explore the causes of the violence. We await the findings of the commission's report, due in March 2013.

The Burmese government has now signed initial ceasefire agreements with the Shan State Progressive Party, the United Wa State Army, the Mongla Karen National Union/Karen National Liberation Army Peace Council, the Arakan Liberation Party, the New Mon State Party, the National Socialist Council of Nagaland, the Chin National Front, the Karenni National Progressive Party and the Pa'O National Liberation Organisation. The UK supports the peace process directly, including by funding experts who have experience of inter-communal trust and peacebuilding in Northern Ireland.

In Kachin State, conflict between the Kachin Independence Army and the Burmese military has continued. Since the onset of fighting following the ceasefire breakdown in June 2011, approximately 85,000 people have been displaced from their homes. Over half of these are in isolated areas close to the China border. A Human Rights Watch report in early 2012 detailed human rights abuses and contraventions of international humanitarian law. A further report indicated that the Chinese authorities have been forcibly returning Burmese citizens to Kachin State, an area of continuing conflict. We have raised the issue with the Chinese authorities in London and Beijing. The UK is contributing £3.5 million in humanitarian food aid for displaced civilians, including those in non-government-controlled areas. Following an upsurge in fighting in December, including air strikes by the Burmese military, Mr Swire issued a statement calling on the Burmese military to respect the stated wishes of the Burmese President and end hostilities, and for negotiations towards a ceasefire. He underlined the importance of normalising the role of the Burmese military by bringing them under the direct control of the government.

Freedom of religion or belief

Many of Burma's ethnic groups define themselves according to their ethnic and religious traditions, with significant Christian, Muslim and Hindu minorities. The UK is concerned by the apparent systematic destruction of mosques in Rakhine State during the recent violence, and by the destruction of places of worship in Kachin State during the ongoing conflict. We also note reports of continued restrictions on freedom of worship in Chin State, and look to the Burmese government to support freedom of religion as set out in the peace agreement with the Chin National Front. We have encouraged the Burmese government to invite the UN Special Rapporteur for Freedom of Religion and Belief to visit Burma. The UK is supporting interfaith work in Burma through our project funding.

Women's rights

Burma ratified the Convention on the Elimination of All Forms of Discrimination against Women in 1997. But women are under-represented in public life, and the World Bank's Gender Inequality Index places Burma 96 out of 146 countries. Many rural areas of Burma still see much unequal treatment based on gender. We backed projects supporting future women leaders in politics, civil society and business over the course of 2012.

Reports continue of the military using sexual violence against civilians in areas of ethnic conflict, including in Kachin and Rakhine States. We have provided legal advice, counselling and victim support services to victims of sexual and gender-based violence as part of the humanitarian assistance given to refugees and internally displaced persons. Mr Swire raised concerns over the use of sexual violence in conflict with the government.

Poor economic conditions in Burma have led to increased legal and illegal migration of men, women and children across East Asia and the Middle East, where they risk being subjected to forced labour and sex-trafficking. Women and girls, particularly from ethnic minority groups, are reported to be trafficked to neighbouring countries, in particular China and Thailand. The Burmese government launched an anti-trafficking website in February, and in March established a Human Trafficking Fund to provide support to victims of trafficking.

After President Obama's visit to Burma in November, the US and Burma agreed to work on a joint anti-human-trafficking campaign.

Minority rights

Embedding minority rights is one of Burma's greatest challenges. An inclusive and credible process of national reconciliation is needed to address existing inequalities. State and divisional parliaments were established in March 2010 in accordance with the 2008 constitution. Several ethnic minority parties have substantial blocs of elected MPs within them. They have not, however, yet delivered the sort of regional authority that many ethnic groups would like.

Following the large displacements in the aftermath of the violence in Rakhine State, the Burmese government conducted a process of registration for the Rohingya community, but this has proved contentious. During his visit, Mr Swire was assured by senior officials that a board would be established to examine cases for citizenship. The UK Government believes that the citizenship status of the Rohingya needs to be resolved in order to bring about a long-term solution to the humanitarian challenges they face.

Children's rights

Both the Burmese military and many non-state armed ethnic groups have been implicated in the use of child soldiers over many years. Burma is listed by the UN Security Council as being in breach of international laws against the recruitment and use of child soldiers. In July, the UN and the Burmese government announced a joint action plan to eliminate the practice, and to bring to account those in the Burmese military found guilty of using children in armed conflict.

The UK Government is funding children's education in Burma. We are spending £10.5 million over four years to fund 120,000 children to go to primary school and 87,000 children to access early childhood and development services. We are also helping UNICEF distribute quality learning supplies to over one million children. We are also contributing to the government's Comprehensive Education Sector Review.

National Human Rights Commission

The Burmese National Human Rights Commission (NHRC) was formed in 2011. In 2012, it issued a number of statements to draw attention to human rights abuses, including in Kachin State. However, many in civil society remain sceptical of its independence and effectiveness. Legislation is being prepared, with international assistance, to give the NHRC a clear legal basis and mandate.

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