

# THE STATE OF THE WORLD'S HUMAN RIGHTS

APRIL 2024



AMNESTY  
INTERNATIONAL



# AMNESTY INTERNATIONAL

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This report documents key human rights developments at a national and regional level during 2023, as well as presenting a global analysis of ongoing critical human rights challenges. It includes entries on countries or territories whose human rights situation Amnesty International has monitored during 2023.

The absence of a particular country or territory does not imply that no human rights violations of concern to Amnesty International took place there during the year. Nor is the length of a country entry any basis for a comparison of the extent and depth of Amnesty International's concerns there. This report does not cover extensively the use of the death penalty as Amnesty International issues a separate annual global report on death sentences and executions.

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# ABBREVIATIONS

## **ASEAN**

Association of Southeast Asian Nations

## **AU**

African Union

## **BRICS summit**

The annual conference of the BRICS (Brazil, Russia, India, China and South Africa) group of nations

## **CEDAW**

UN Convention on the Elimination of All Forms of Discrimination against Women

## **CEDAW Committee**

UN Committee on the Elimination of Discrimination against Women

## **CERD**

International Convention on the Elimination of All Forms of Racial Discrimination

## **CERD Committee**

UN Committee on the Elimination of Racial Discrimination

## **CIA**

US Central Intelligence Agency

## **COP28**

The 28th Conference of the Parties (COP) to the UN Framework Convention on Climate Change

## **ECOWAS**

Economic Community of West African States

## **Escazú Agreement**

Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean

## **EU**

European Union

## **European Committee for the Prevention of Torture**

European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment

## **European Convention on Human Rights**

(European) Convention for the Protection of Human Rights and Fundamental Freedoms

## **GDP**

Gross domestic product

## **ICC**

International Criminal Court

## **ICCPR**

International Covenant on Civil and Political Rights

## **ICESCR**

International Covenant on Economic, Social and Cultural Rights

## **ICRC**

International Committee of the Red Cross

## **ILO**

International Labour Organization

## **International Convention against enforced disappearance**

International Convention for the Protection of All Persons from Enforced Disappearance

## **LGBTI**

Lesbian, gay, bisexual, transgender and intersex

## **NATO**

North Atlantic Treaty Organization

## **NDC**

Nationally determined contribution

## **NGO**

Non-governmental organization

**OAS**

Organization of American States

**OCHA**

United Nations Office for the Co-ordination of Humanitarian Affairs

**OHCHR**

Office of the United Nations High Commissioner for Human Rights

**OSCE**

Organization for Security and Co-operation in Europe

**UK**

United Kingdom

**UN**

United Nations

**UN Convention against Torture**

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

**UN Refugee Convention**

Convention relating to the Status of Refugees

**UN Special Rapporteur on climate change**

UN Special Rapporteur on the promotion and protection of human rights in the context of climate change

**UN Special Rapporteur on extrajudicial executions**

UN Special Rapporteur on extrajudicial, summary or arbitrary executions

**UN Special Rapporteur on extreme poverty**

UN Special Rapporteur on extreme poverty and human rights

**UN Special Rapporteur on freedom of expression**

UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

**UN Special Rapporteur on racism**

UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

**UN Special Rapporteur on torture**

UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

**UN Special Rapporteur on violence against women**

UN Special rapporteur on violence against women, its causes and consequences

**UNESCO**

United Nations Educational, Scientific and Cultural Organization

**UNHCR, the UN refugee agency**

Office of the United Nations High Commissioner for Refugees

**UNICEF**

United Nations Children's Fund

**UPR**

UN Universal Periodic Review

**USA**

United States of America

**WHO**

World Health Organization



# PREFACE

I never expected the state of human rights to lead me to reference the 1980s sci-fi film *Back to the Future*. Yet here we are. A world spiralling through time, hurtling backwards past the 1948 promise of universal human rights, even as it spins ever faster forwards into a future overtaken by Big Tech and unregulated generative artificial intelligence (AI).

## “AUTHORITARIAN” PRACTICES ON THE RISE

In 2023, V-Dem, the political science research centre, found the number of people living in democracies (broadly defined as countries providing rule of law, constraints on the executive by the legislature and the judiciary, and respect for civil liberties) had regressed to **1985 levels**: to levels before the Berlin Wall fell, before Nelson Mandela was released from prison, before the Cold War ended in the hope that a new era for humanity was about to unfold.

That new era was all too brief and today is as good as gone. Evidence of its passing grew in 2023. “Authoritarian” practices and ideas permeated many governments and societies. North to south, east to west, authoritarian policies ate away at freedoms of expression and association, hit out at gender equality, and eroded sexual and reproductive rights.

The underlying public narratives, based in hatred and rooted in fear, encroached on civic space and demonized marginalized individuals and groups, with refugees, migrants and racialized groups bearing the brunt.

The backlash against women’s rights and gender equality intensified in 2023, with many of the past 20 years’ gains under threat.

In Afghanistan, being a woman or a girl has been de facto criminalized. In 2023, the Taliban passed dozens of official decrees aimed at erasing women from public life. Similarly in Iran, the authorities continued their brutal suppression of “Woman, Life, Freedom” protests and issued hate-ridden official statements calling the unveiling of women a “virus”, a “social illness” and a “disorder”.

In the USA, 15 states implemented total bans on abortion, or bans with extremely limited exceptions, bringing disproportionate impacts on Black and other racialized people. In Poland, at least one woman died because the law denied her the abortion services she needed. Uganda adopted a harsh anti-gay law, while social and political leaders in the US also promoted anti-trans narratives, policies and regulations.

Although the world has never been wealthier, 2023 was, as the World Bank called it, “the year of inequality”. In settings as diverse as the UK, Hungary and India, defenders of economic and social rights were among the activists most widely targeted. Climate activists were branded “terrorists” for denouncing governments expanding fossil fuel production and investment. Critics of governments’ handlings of the economy in the Middle East, trade unions in Asia-Pacific were silenced and arbitrarily detained, as were those combating corruption in West Africa.

## BACK TO PRE-1948?

However, in 2023, our metaphorical **time machine** also tossed us much further back than 1985 : **a descent into a hell** whose gates had been bolted closed in **1948**. “Never again”, the world had declared in the aftermath of global warfare with its some 55 million civilian deaths, when faced with the abject horror of a Holocaust that saw the extermination of six million Jews and millions of others.

Yet in 2023, the “never again” moral and legal lessons were torn into a million pieces. Following the horrific crimes perpetrated by Hamas on 7 October 2023 – when over 1,000 people, mostly Israeli civilians, were killed, thousands wounded, and some 245 people taken hostage or captive – Israel instigated a campaign of retaliation that became a campaign of collective punishment. It is a campaign of deliberate, indiscriminate bombings of civilians and civilian infrastructure, of denial of humanitarian assistance and an engineered famine.

By the end of 2023, 21,600 Palestinians, mostly civilians, had been killed in the unrelenting bombardment of Gaza, with thousands more missing, believed buried under the rubble. Much of Gaza’s civilian infrastructure has been obliterated, while nearly 1.9 million Palestinians have been internally displaced and deprived of access to adequate food, water, shelter, sanitation and medical assistance.

To be a Palestinian in Gaza today is to be plunged to a far more violent and destructive version of the 1948 “Nakba” or the “catastrophe”, when more than 750,000 Palestinians were forcibly displaced

For millions the world over, Gaza now symbolizes utter moral failure by many of the architects of the post-World War Two system; their failure to uphold the absolute commitment to universality, our common humanity and to our “never again” commitment. The principles enshrined in the UN Charter, the Geneva Conventions, the Genocide Convention, and international human rights law have been dishonoured. That’s clearest in the case of the Israeli authorities. However, Israel is not alone. The USA too has played a leading part, as have some of Europe’s leaders and the EU leadership. So too have those who continue to send arms to Israel, all who failed to denounce Israel’s relentless violations and those who rejected calls for a ceasefire.

Their conduct exemplifies the double standards that Amnesty International has denounced over many years. Yet, powerful actors have now gone further, demonstrating a willingness to put at risk the entirety of the 1948 rule-based order, stripping down the founding principles of common humanity and universality and thus stripping away our global capacity to prevent the very worst.

It all comes hot on the heels of Russia’s full-scale invasion of Ukraine, a violation of the UN Charter and an undermining of the international rule of law. Russia’s aggression has continued to manifest itself in deliberate attacks against civilians, the killing of thousands, and as widespread destruction of civilian infrastructure, including Ukraine’s grain storage and export facilities.

China too, another permanent member of the UN Security Council, has acted against international law, by protecting the Myanmar military and its unlawful air strikes, through its practices of arrest and torture, and by shielding itself from international scrutiny for the crimes against humanity it continues to commit, including against the Uighur minority.

## **THE FUTURE WE DON'T WANT**

In 2023, with the much earlier-than-expected launch of ChatGPT-4 and other generative AI tools, we were also thrust faster into the future. If the tech-related abuses witnessed in 2023 are anything to go by, prospects for our future are chilling indeed.

Tech is enabling pervasive erosions of rights: perpetuating racist policies, enabling spreading misinformation and curtailing freedoms of expression. Big Tech ignored or minimized those harms, even in armed conflicts contexts such as in Ethiopia, Israel and the Occupied Palestinian Territories, Myanmar and Sudan. With the alarming rise in online incitement and other harmful content against both Palestinian and Jewish communities, Europe and the USA also saw marked increases in anti-Muslim and antisemitic hate crimes.

In 2023, States turned increasingly to facial recognition technologies to aid policing of public protests, sporting events and of marginalized communities at large – migrants and refugees in particular. Abusive technologies were relied upon for migration governance and border enforcement, including through border externalization technologies, data analysis software, biometrics and algorithmic decision-making systems.

Despite years of evidence of the human rights violations it enables, spyware remained largely unregulated. In 2023, Amnesty International uncovered use of Pegasus spyware against journalists and civil society activists in Armenia, the Dominican Republic, India and Serbia, while EU-based spyware was sold to states the world over. In response, the European Parliament adopted a resolution in November 2023, criticizing the lack of action to curb abuses by the spyware industry.

However, with tech-outlaws and their rogue technologies left to freely roam the digital Wild West, such human rights violations are likely to escalate in 2024, a landmark electoral year. It is a foreshadowing of a future that is already upon us.

## **GLOBAL SOLIDARITY**

Human rights regressions in 2023 did not go unseen. To the contrary. People around the world have stood up to regression, demonstrating unprecedented global solidarity.

The Israel-Hamas conflict sparked hundreds of protests worldwide, with millions protesting civilian deaths, calling for the release of hostages, demanding a cease fire.

The UN Secretary-General, heads of UN agencies, and humanitarian organizations took unprecedented steps to denounce war crimes committed in southern Israel and Gaza and to call on Israel to respect international law.

The late 2023 UN General Assembly resolutions calling for a ceasefire were adopted with a huge majority while South Africa filed an application before the International Court of Justice, alleging that Israel's conduct in Gaza violated the 1948 Genocide Convention and insisting on the centrality of the post-World War Two international rule-based system.

2023 saw momentum build towards a global regime for fairer taxation, to help prevent tax evasion and avoidance and mobilize resources for lower-income countries. In November, against the wishes of the richer countries, the UN General Assembly adopted a resolution tabled by the African Group

establishing an international committee to draft a UN tax convention by June 2025.

In 2023, there were many people who resisted and disrupted forces pushing the world backwards to the conditions of 1985 and of pre-1948; people who marched and protested against forces that would propel us all into a future not of our design. They too have shaped 2023, against all odds.

I hope that in 2048 – or even 3048 – when diplomats and activists look back at the past year, they will find that there were many, many good people around the world who did all they could. Who stood up and spoke out. For the sake of our common humanity.

**Agnès Callamard, Secretary General**

**THE STATE OF**

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**HUMAN RIGHTS**

**GLOBAL ANALYSIS AND REGIONAL OVERVIEWS**



# GLOBAL ANALYSIS

Human rights abuses were widespread in 2023. States and armed groups frequently perpetrated unlawful attacks and killings in an increasing number of armed conflicts. Authorities across the world repressed dissent by imposing crackdowns on freedoms of expression, association and peaceful assembly, using unlawful force against protesters, arbitrarily arresting and detaining human rights defenders, political opponents and other activists, and sometimes torturing and otherwise ill-treating them. Many states failed to take measures to fulfil people's rights to food, health, education and a healthy environment, neglecting economic injustices and the climate crisis. Governments often treated refugees and migrants in abusive and racist ways. Deep-rooted discrimination against women, LGBTI people, Indigenous Peoples and racialized or religious communities marginalized these people and put them at disproportionate risk of violence and economic and social rights violations. Multinational corporate actors played roles in some of these abuses. The regional overviews elaborate on these trends at a regional level.

This global analysis focuses on four issues that highlight some of these adverse trends at a global level: the treatment of civilians as expendable in armed conflict; the growing backlash against gender justice; the disproportionate impact of economic crises, climate change and environmental degradation on the most marginalized communities; and the threats of new and existing technologies, including generative artificial intelligence (AI). They represent, from Amnesty International's perspective, critical challenges for human rights across the world in 2024 and beyond. States must take concerted action to tackle them and prevent further conflicts and crises emerging or deepening.

## TREATMENT OF CIVILIANS IN ARMED CONFLICT

States and armed groups have treated civilians as expendable in armed conflicts, some of which are partly rooted in racial and ethnic discrimination. The current international system has generally been unable to take immediate and effective action to protect them, hamstrung at times by racist double standards and rivalries between powerful states.

## VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

The breaking and bending of international humanitarian law, also known as the laws of war, has had devastating consequences for civilians. In many conflicts, government forces have relied on long-range ground and air attacks using weapons with wide-area effects against populated areas. This has contributed significantly to mass civilian casualties and extensive destruction of homes and infrastructure.

Some parties to conflicts have acted as though respecting international humanitarian law rules is optional. Russia's aggression against Ukraine has been marked by persistent war crimes; Russian forces have indiscriminately attacked populated areas and civilian energy and grain export infrastructure, tortured or otherwise ill-treated prisoners of war and caused vast environmental contamination through acts including the apparently deliberate destruction of the Kakhovka dam. Myanmar's military and associated militias have conducted targeted attacks against civilians, as well as indiscriminate attacks, resulting in over 1,000 civilian deaths in 2023. Yet the Russian and Myanmar governments have rarely responded to reports

of glaring violations, let alone committed to investigating them. Both have received financial and military support from China.

In Sudan, both the warring parties, the Sudan Armed Forces and the Rapid Support Forces, have demonstrated little concern for international humanitarian law as they carry out targeted attacks that have killed and injured civilians and launch explosive weapons from densely populated neighbourhoods. Between the eruption of fighting in April 2023 and the end of the year, more than 12,000 people had been killed, over 5.8 million others had been internally displaced and about 1.4 million had fled the country as refugees.

The Israeli authorities have made particular efforts to frame the attacks that they have carried out on Gaza as complying with international humanitarian law. In reality, they have made a mockery of some of its core norms. They have disregarded the principles of distinction and proportionality with their acceptance of enormous civilian casualties and massive destruction of civilian objects. By the end of 2023, their relentless bombardment and ground offensive had killed, according to Gaza's health ministry, 21,600 Palestinians, a third of whom were children. Evidence of war crimes mounted as Israeli forces bombed crowded refugee camps and residential buildings, repeatedly wiping out entire families and destroying hospitals, UN-run schools, bakeries and other crucial infrastructure. They framed their evacuation orders of northern Gaza as effective warnings and precautions but, in practice, forcibly displaced nearly 1.9 million Palestinians (83% of the total population of Gaza of 2.3 million) from their homes and deliberately denied them humanitarian aid as part of the ongoing illegal blockade of Gaza. These and other factors, including the increase in racist and dehumanizing rhetoric against Palestinians by some Israeli government officials, were warning signs of genocide.

Meanwhile, Hamas and other Palestinian armed groups have justified the attack they undertook on 7 October 2023, prior to Israel's bombardment and ground offensive, as resistance to Israel's long-standing military occupation of Gaza and the West Bank. However, the deliberate killing of hundreds of civilians in Israel, hostage-taking, and the firing of indiscriminate rockets into Israel, among other crimes, flouted international humanitarian law and amounted to war crimes.

Despite the staggering levels of civilian bloodshed, destruction and suffering in Gaza, the USA and many European states publicly backed Israel's approach. Some states, particularly the USA, continued to arm Israel with weapons used in flagrant violations of human rights. Given their well-founded protestations about war crimes by Russia and Hamas, those states have exhibited gross double standards, undermining respect for international humanitarian law and the protection of civilians. South Africa brought a case against Israel to the International Court of Justice regarding breaches of the 1948 Genocide Convention in Gaza.

Government forces and armed groups similarly disregarded international humanitarian law in armed conflicts in Afghanistan, Burkina Faso, Cameroon, the Central African Republic, the Democratic Republic of the Congo (DRC), Ethiopia, Libya, Mali, Niger, Nigeria, Somalia, South Sudan, Syria and Yemen in 2023. Civilians bore the brunt of indiscriminate and other unlawful attacks, some of which constituted war crimes.

Gender-based violence has been a key feature of some of these conflicts. In a broader context of sexual violence by the Eritrean Defence Forces, soldiers abducted at least 15 women and held them for nearly three months at a military camp in Ethiopia's Tigray region, raping them repeatedly. In the DRC, over 38,000 sexual violence cases were reported in Nord-Kivu province alone during the first quarter of 2023.

Governments have clamped down at home on voices criticizing military actions and their impact on civilians. Russia raised war-time censorship to new heights in 2023. Human rights defenders, media and political activists working in conflict and post-conflict settings have been attacked. Women human rights defenders have faced particular challenges.<sup>1</sup>

# RACIAL AND ETHNIC DISCRIMINATION

Racism lies at the heart of some of these armed conflicts and the responses to them.

The deep roots of the conflict in Israel and the Occupied Palestinian Territories lie partly in an extreme form of racial discrimination – Israel's ongoing system of apartheid against Palestinians – by which Israel oppresses and dominates Palestinians through territorial fragmentation, segregation and control, dispossession of land and property, and denial of economic and social rights. “Othering” on ethnic lines is a feature of armed conflicts in countries including Ethiopia, Myanmar and Sudan.

Racial discrimination has also manifested itself in responses to these conflicts. Discriminatory double standards have not only been evident in the rhetoric and policies of the USA and many European states towards the conflict in Israel and the Occupied Palestinian Territories, but also towards its repercussions. Many governments have imposed unlawful restrictions on protests in solidarity with Palestinians. Governments in Austria, France, Germany, Hungary, Poland and Switzerland pre-emptively banned such protests in 2023, citing vague risks to public order or national security and, in some cases, racist stereotypes. Media and politicians in the USA, Western Europe and elsewhere have frequently used rhetoric that has dehumanized Palestinians, spread racist discourses and conflated Muslims with terrorists.

In the same context, antisemitic and anti-Muslim hate crimes have increased in Europe and the USA. There has also been an alarming rise in incitement and other harmful content posted online against both Palestinian and Jewish communities more widely. Content posted by Palestinians and advocates of Palestinian rights have reportedly been subjected to potentially discriminatory content moderation by different social media platforms.<sup>2</sup>

Meanwhile, research on Ethiopia released in October 2023 demonstrated how Meta's failure to curb incitement on its Facebook platform contributed to killings and other serious human rights abuses against members of the Tigrayan community.<sup>3</sup>

Racism has also been apparent in the treatment of those fleeing conflicts and other crises. The policies of migration deterrence and externalization that the European Union, other European states and the USA have adopted or maintained have forced people fleeing conflicts, as well as other crises, into dangerous journeys. This has contrasted with their generally positive treatment of Ukrainians seeking safety. In a positive development, Denmark, Finland and Sweden took steps in May 2023 to grant recognition of refugee status as self-evident to Afghan women and girls. However, in general, European countries have failed to provide sufficient safe and regular pathways to protect Afghans and other people fleeing conflicts and serious human rights violations.

## INTERNATIONAL SYSTEM

Multilateral institutions have often been unable or unwilling to pressure parties to armed conflicts to comply with international humanitarian law. While strained resources have been a factor, many actors within these institutions have failed to demonstrate courage or consistently apply their own principles. At worst, their members have displayed cynical and selfish gamesmanship.

The UN Security Council has been unable to take effective action on major conflicts. Predictably the USA weaponized its veto power to repeatedly prevent the Council from calling for a ceasefire in Gaza.<sup>4</sup> However, its paralysis has extended to issues on which there used to be common ground. In July 2023, it failed to reauthorize the cross-border mechanism for the delivery of humanitarian aid into Syria. Its Working Group on Children and Armed Conflict was unable to reach a consensus on grave violations against children in Afghanistan, Myanmar, Somalia and Syria, despite negotiations that continued for more than a year and in some instances, for two or more years.



The UN Human Rights Council has had an inconsistent record on tackling the consequences of armed conflict. In 2023, it established a human rights monitoring mechanism on Sudan and extended human rights reporting on Russia. However, it failed to extend crucial mandates. These included the International Commission of Human Rights Experts on Ethiopia, despite the conflict there having led to up to 600,000 civilian deaths and the commission's warnings of an "acute risk of further atrocities". They also included the Fact-Finding Mission on Libya, despite its conclusion that gross violations in the country have continued unabated with impunity. Some states actively opposed the extension of these crucial mandates and states that had previously supported their establishment abandoned this support in the face of resistance.

There were at least signs that the UN was willing to address the dire threats posed by the unregulated development of autonomous weapon systems, which threaten to leave decision-making on life and death to AI-driven algorithms. The UN General Assembly adopted a widely supported resolution in December 2023 stressing the urgent need to address this issue. The UN Secretary-General and the International Committee of the Red Cross have called for states to conclude a legally binding treaty on autonomous weapon systems by 2026.

Accountability for crimes under international law during armed conflicts has generally remained elusive and the Office of the Prosecutor of the International Criminal Court (ICC) has increasingly shown double standards and selectivity in the treatment of situations under its scrutiny. The Office of the Prosecutor closed its investigations in Kenya and Uganda and failed to open a previously announced investigation in Nigeria. However, ICC investigations have continued in a number of situations on which Amnesty International has documented crimes under international law. Notably, an ICC arrest warrant was issued against Russian President Vladimir Putin and Children's Rights Commissioner Maria Lvova-Belova for alleged war crimes, with an incumbent obligation on all ICC member states to arrest and surrender them, as confirmed by a high court in South Africa. The ICC Prosecutor belatedly issued statements confirming that the ICC's ongoing investigation in the situation in Palestine would cover acts committed in Israel and the Occupied Palestinian Territories on and after 7 October.

In addition, the adoption in May 2023 of the Ljubljana-The Hague Convention on International Cooperation in the Investigation and Prosecution of the Crime of Genocide, Crimes Against Humanity, War Crimes and other International Crimes (Mutual Legal Assistance Convention) will open opportunities for victims of crimes under international law to pursue justice through national courts.<sup>5</sup>

**All UN member states should take steps to reform the UN Security Council so that permanent members cannot use their veto power unchecked. They should sign and ratify without reservations the Mutual Legal Assistance Convention. They should address the root causes of conflicts, including racial and ethnic discrimination, and ensure the respect of international humanitarian law in armed conflicts, including the protection of civilians. They should strengthen UN institutions that play a preventative role, including the UN Human Rights Council, the Special Procedures system, and bodies that investigate, report, and preserve evidence of crimes under international law.**

## **BACKLASH AGAINST GENDER JUSTICE**

Despite progress in some countries, the backlash against the rights of women, girls and LGBTI people has intensified. Many governments have undermined sexual and reproductive rights and LGBTI rights and failed to tackle gender-based violence.

## **DISCRIMINATION AND SEXUAL AND REPRODUCTIVE RIGHTS**

In recent years, women's rights defenders and civil society organizations have advanced respect for women's rights and sexual and reproductive rights. However, those gains are being undermined. UN Women has warned that gender disparities are worsening.

Some governments have reinforced discrimination against women and girls. In Afghanistan, the authorities have banned women and girls from education beyond primary schools, working with UN offices and NGOs, and employment in most public offices. In Iran, the authorities have intensified their crackdown to enforce veiling. Women in both countries have faced brutal state reprisals for exercising or demanding their rights. In France in 2023, the authorities increased their restrictions on clothing deemed to be religious wear in schools and sport, discriminating against Muslim women and girls.

Progress was made in a few countries on sexual and reproductive rights in 2023. In Honduras, the government ended 14 years of prohibition on the use and sale of the emergency contraceptive pill, although abortion remained banned. In Mexico, the Supreme Court declared the criminalization of abortion unconstitutional. In Finland and Spain access to abortion was facilitated.

However, in other countries, authorities have undermined sexual and reproductive rights, including access to abortion. In the USA, the implementation by 15 states of total bans on abortion or bans with extremely limited exceptions has disproportionately affected Black and other racialized people. In Poland at least one woman died in 2023 as a consequence of being denied abortion services. Social media platforms like Facebook, Instagram, and TikTok have suppressed essential reproductive rights information following the 2022 US Supreme Court decision that ended federal protections for the right to abortion. Those defending abortion rights, including activists and healthcare workers, have been exposed to stigmatization, physical and verbal attacks, intimidation and threats, as well as being criminalized through unjust prosecutions, investigations and arrests.<sup>6</sup>

## **GENDER-BASED VIOLENCE**

The struggle of women's rights defenders has led in recent years to the welcome introduction of some measures to prevent violence against women and girls. Nevertheless, violence against women and girls has continued at an alarming level.

Legal protections to prevent and combat gender-based violence, including sexual and domestic violence, were strengthened in 2023 in countries including Japan, North Macedonia, Switzerland and Uzbekistan. However, authorities across the world have systematically failed to address entrenched gender-based violence and the impunity its perpetrators often enjoy, as well as neglecting the long-term needs of survivors. In Mexico, an average of nine women were murdered each day in 2023. In countries including Algeria and Tunisia, women were subjected to "honour killings". The devastating effects of harmful practices were exemplified by the deaths in 2023 of a 16-year-old who ended her life to escape a forced marriage in Niger and of a two-year-old who was subjected to female genital mutilation in Sierra Leone.

## **LGBTI PEOPLE'S RIGHTS**

Limited progress has been made to protect the rights of LGBTI people in a few countries, but attacks on LGBTI rights have intensified in many others.

There were positive changes to law or policy in several countries in 2023. In Latvia, the authorities recognized civil partnerships. In Taiwan, the authorities recognized the right of most transnational same-sex couples to marry. Namibia's supreme court ruled that spouses of Namibian citizens could regularize their immigration status based on same-sex marriages concluded outside the country. In Finland, Germany and Spain, the authorities facilitated gender self-determination.

However, 62 countries across the world have laws that criminalize same-sex sexual conduct, many of which trace their origins back to colonialism.<sup>7</sup> In 2023 there was a new wave of legal actions or proposals to diminish LGBTI rights. A new law in Uganda introduced the death penalty for the offence of “aggravated homosexuality”. In Ghana, parliament approved an “anti-gay” bill. Russia adopted new transphobic legislation, Bulgaria ended legal gender recognition for transgender people and the UK blocked the Scottish Gender Recognition Reform Act. In India, the Supreme Court refused to grant legal recognition to same-sex marriage.

There have been arrests and prosecutions of LGBTI people in many regions and restrictions on organizations defending LGBTI rights. In 2023, scores were arrested and, in some cases, even imprisoned under provisions that criminalize consensual same-sex sexual relations in countries including Burundi, Egypt, Libya and Tunisia or for organizing gay weddings or parties in Nigeria. In China, a prominent LGBTI organization was forced to close in the face of the government’s ongoing anti-LGBTI campaign. Russia effectively outlawed any public LGBTI rights-related activity by labelling as “extremist” an undefined “international LGBT movement”.

Violent crimes against LGBTI people have persisted and remained unpunished in many regions. In Guatemala, where same-sex marriage remained illegal, at least 34 people were killed because of their sexual orientation or gender identity. In Lebanon, authorities incited violence against LGBTI people. In Iraq, authorities ordered media to replace the term “homosexuality” with “sexual deviance”.

**All governments should support gender justice and allied movements to tackle discrimination against women and reinforce sexual and reproductive rights. They should prioritize programmes to tackle gender-based violence and meet the longer-term needs of survivors. They should advocate the repeal of laws and policies that discriminate against LGBTI people.**

## IMPACT OF ECONOMIC CRISES AND CLIMATE CHANGE

Economic crises, climate change and environmental degradation have disproportionately affected marginalized communities. Human rights defenders campaigning for the rights of these communities have also been targeted as part of the wider repression of dissent.

### ECONOMIC AND SOCIAL RIGHTS

The combination of conflict, climate change and the aftermath of the Covid-19 pandemic have fuelled a range of economic crises. In a context where 4.1 billion people are not covered by any social protection mechanism other than healthcare, these crises have had a deep human rights impact, including high levels of food and fuel insecurity. They also seriously threaten the fulfilment of the Sustainable Development Goals, which reached their midpoint in 2023. A report by the UN Secretary-General in April 2023 revealed that “of around 140 targets with data, only about 12% are on track”. As a result, on current trends 575 million people will be living in extreme poverty in 2030 despite a goal to eradicate it completely.

Economic shocks have deepened national indebtedness in countries already facing debt crises. According to a World Bank report of December 2023, about 60% of the world’s low-income countries were either in or at high risk of debt distress. Many more were spending vast sums of money, which they needed to fulfil human rights, on growing debt repayments. Countries in severe debt distress have included Egypt, Ethiopia, Ghana, Kenya, Pakistan, Sri Lanka, Tunisia, Ukraine and Zambia.

While the UN’s Food and Agriculture Organization has reported some reductions in global food prices compared to the peak in 2022, prices have remained very high compared to the period before Russia’s full-scale invasion of Ukraine in February 2022 and in many markets

have continued to rise. At different points in 2023, it was estimated that 78% of Sierra Leone's population were food insecure, 46% of South Sudan's population were experiencing high levels of food insecurity and 5 million people in Somalia were experiencing a food crisis. By mid-December, 93% of people in Gaza were starving, according to the WHO, making them vulnerable to death from otherwise curable diseases, with pregnant and breastfeeding women at particular risk.

Some countries are taking steps to change global tax and other forms of economic governance in order to better support economic and social rights realization. As part of this, there has been progress towards establishing a global regime for fairer taxation that could help mobilize resources for lower-income countries. The UN General Assembly passed a resolution calling for a two-step process to negotiate a UN Framework Convention on Effective and Inclusive International Tax Cooperation. It was proposed by Nigeria and backed overwhelmingly, despite opposition from a significant number of higher-income states including EU states, Japan, the UK and the USA.<sup>8</sup>

## **RIGHT TO A HEALTHY ENVIRONMENT**

Extreme weather events and slow onset crises made more likely and more intense by climate change have affected countries at all levels of income, but disproportionately affected lower-income ones. Governments and corporate actors have failed to tackle these adequately or to prevent acute environmental degradation.

Governments, especially those historic and high emitting countries facing heightened obligations under the legal principle of common but differentiated responsibility, have done far too little to phase out fossil fuels and other drivers of climate change. Many have continued to expand fossil fuel infrastructure, including with public funding.

The choice of the United Arab Emirates as the host of the last climate change conference, COP28, proved controversial not least because the state-owned Abu Dhabi National Oil Company, headed by the COP28 president, had announced plans to aggressively expand its fossil fuel production. The COP28 agreement to “transition away” from fossil fuels for energy was the first time that fossil fuels had been mentioned in a COP decision. However, it fell far short of what was needed, leaving loopholes that allow fossil fuel producers and states to continue with business as usual.<sup>9</sup> Meanwhile, the total of USD 700 million pledged at COP28 to the Loss and Damage Fund, which is intended to assist communities in lower-income countries who are suffering from disastrous weather events and other harms caused by global warming, was barely enough to get it up and running.<sup>10</sup>

In more positive developments, several national and regional courts, including courts in Cyprus and Ireland and the European Court of Human Rights, have recognized the right of groups and individuals to file claims that governments have taken insufficient action to tackle climate change or environmental degradation. These cases have the potential to hold governments and fossil fuel companies to account for specific harm and to lay the groundwork for further climate change litigation. Meanwhile, in March 2023, the UN General Assembly backed Vanuatu and other Pacific Island states by asking the International Court of Justice to provide an authoritative opinion on states' obligations and responsibilities surrounding climate change.<sup>11</sup>

## **DISPROPORTIONATE IMPACT ON MARGINALIZED PEOPLE**

Racialized groups, including Indigenous Peoples and others experiencing intersecting discrimination, have suffered disproportionately from the human rights harms associated with economic crises, climate change and environmental degradation.

This disproportionate harm is attributable to several factors, including the cumulative impact of present and past structural and direct discrimination. Consequently, marginalized

communities in countries throughout the world have sometimes been unable to afford or access medication and other essentials, including drinking water, sufficient food and power.

The high death toll among ethnic Rohingya from Cyclone Mocha, which hit Myanmar in May 2023, was largely attributable to the appalling conditions in which they have lived since being forcibly displaced in 2012. The health of those living in poverty and informal sector workers has been particularly damaged by the searing climate change-induced heatwaves in Pakistan. Indigenous Peoples and other marginalized groups have been exceptionally impacted by environmental degradation associated with large-scale extractive projects in regions including the Americas and Asia.

## **HUMAN RIGHTS DEFENDERS**

Human rights defenders campaigning for the rights of those adversely affected by economic crises, climate change and environmental degradation continue to be targeted by governments and non-state actors.

Trade unions campaigning to protect workers facing the effect of economic crises and those criticizing their government's handling of economic crises have been targeted in countries from Egypt to South Korea. In West and Central Africa, human rights defenders combating corruption, a significant drain on resources, have been threatened, imprisoned or killed.<sup>12</sup>

They are among large numbers of human rights defenders who have been persecuted, intimidated or even killed within wider patterns of repression of dissent. Three people from the Guapinol community in Honduras were killed in 2023. They had been campaigning against a mining company to protect the river on which their subsistence depends. Human rights defenders have also been among those affected by the new laws or regulations restricting the rights to freedom of expression or association that came into force in 2023 in countries including Bangladesh, China, Cuba, Hungary, India, Jordan, Pakistan, Papua New Guinea, Singapore and the UK.

Indigenous Peoples, climate justice activists and environmental human rights defenders have faced mass arrests and prosecution when engaging in peaceful acts of civil disobedience. When protesting, they have, like many other activists, been criminalized or been met with excessive or unnecessary use of force. The deployment of kinetic impact projectiles and other types of projectiles against protesters has led to thousands of injuries across the world, including permanent disabilities and scores of deaths.<sup>13</sup> The continued militarization of the police exacerbates this risk. Major producers of less lethal weapons have irresponsibly supplied them to security forces known for using them unlawfully.<sup>14</sup> It is important then that momentum for a legally binding treaty to control the trade in law enforcement equipment has been growing. In 2023 the UN High Commissioner for Human Rights, the UN Special Rapporteur on freedom of peaceful assembly and of association and the UN Special Rapporteur on torture all expressed their support for a Torture-Free Trade Treaty.

**Governments and international financial institutions should implement debt relief, including debt cancellation for countries that are unable to meet their human rights obligations due to high debt repayments. They should invest in universal social protection programmes that fulfil the right to social security for all and work together to establish a proposed Global Fund for Social Protection to support lower-income countries.<sup>15</sup> Governments should cooperate to establish a UN tax convention. They should commit to a full, rapid and equitable fossil fuel phase-out as part of a wider energy transition package. They should work towards a UN Torture-Free Trade Treaty. They must guarantee the protection of human rights defenders.**

# THREATS OF NEW AND EXISTING TECHNOLOGIES

The emergence of generative AI tools has made headlines in recent months, highlighting the threats that they and existing technologies pose to human rights, particularly the rights of those most marginalized in society. States have not taken sufficient steps to rein in the global trade in spyware or the surveillance-based business model of the biggest technology companies, known as Big Tech.

## RISKS OF ARTIFICIAL INTELLIGENCE

The launch in 2023 of ChatGPT-4, a tool which can synthesize and generate text, has drawn attention to how generative AI will transform people's working lives, their access to government services and their experience of internet platforms more generally. Like any new technology, generative AI may create opportunities but, without adequate and effective regulation, may also exacerbate risks to human rights in areas such as access to welfare, education and employment, labour rights, privacy and online safety. Risks include the reinforcement of racial and other inequalities, increased surveillance and the amplification of hate content online.<sup>16</sup>

Existing AI systems, among other technologies, have already amplified inequality and hurt marginalized communities in areas such as access to state services, policing, security and migration.<sup>17</sup> In Serbia, the new semi-automated social welfare system, funded by the World Bank, resulted in possibly thousands of people losing access to vital social assistance and disproportionately affected Roma and people with disabilities. Israel's use of facial recognition technology in the Occupied Palestinian Territories has reinforced restrictions on freedom of movement and helped maintain the system of apartheid. The New York Police Department revealed in 2023 how it used the technology to subject Black Lives Matter protests in the city to surveillance, but pressure mounted on the New York City Council to ban it. Meanwhile, venture capital firms investing in new technologies have often failed in their responsibility to respect human rights.<sup>18</sup>

## GLOBAL SPYWARE TRADE

States have failed to rein in the global trade in spyware. Research by Amnesty International in 2023 helped uncover the use of Pegasus spyware against journalists and civil society in Armenia, the Dominican Republic, India and Serbia. A major investigation on the Predator Files by the European Investigative Collaborations, in partnership with Amnesty International, uncovered how "EU-based and regulated" spyware has been freely sold to states all over the world.<sup>19</sup> In the aftermath of these revelations, the European Parliament adopted a resolution in November 2023 criticizing the lack of action to curb abuses by the spyware industry. This built on other signs that some policymakers are beginning to act, including a statement from 11 states in March 2023 that recognized the threats spyware presents to human rights.

## ABUSES BY BIG TECH

The harms of Big Tech's surveillance-based business model were laid bare again in 2023, not only in the context of armed conflict, but also in how they undermine the rights of children and other young people. TikTok's content recommender system and invasive data collection practices pose a danger to young users of the platform by amplifying depressive and suicidal content that carry the risk of worsening existing mental health challenges.<sup>20</sup> There has also been an alarming surge in incitement against LGBTI people on X (formerly Twitter).<sup>21</sup> The proliferation of political mis- and disinformation is likely to increase, an especially grave risk given the large number of elections taking place in 2024. Repressive political forces in many parts of the world have weaponized social media to attack minorities and pit communities against one another in an effort to bolster their chances of electoral success. Such efforts are

facilitated and exacerbated by the social media algorithms and business models of Big Tech, which prioritize “engagement” and profits at all costs. The risks are aggravated by the emergence of generative AI tools.

Some regulators, on the one hand, and victims seeking remedies, on the other, are making efforts to prevent further abuses. In July 2023, the Court of Justice of the EU delivered a major ruling against the surveillance-based business model underpinning Meta, the company that owns Facebook and Instagram. Shortly afterwards, the Norwegian authorities ordered Meta to stop showing personalized advertisements based on the online activity and estimated location of users in Norway. In the EU, civil society focused on pushing for robust implementation of the landmark Digital Services Act of 2022, the world’s first comprehensive regulation governing Big Tech and promising respect for human rights. However, there have been missed opportunities to address the risks of AI technologies. The EU reached an agreement on the EU Artificial Intelligence Act in 2023, but the final text did not go far enough to prevent harm and may even contribute to the expansion and legitimization of the surveillance activities of police and migration authorities.

**Governments should immediately ban highly invasive spyware and facial recognition technology. They should take robust legislative and regulatory steps to address the risks and harms caused by AI technologies. They should rein in Big Tech, particularly by addressing the harms of its surveillance-based business model.**

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1. “Challenges faced by women human rights defenders working in conflict, post-conflict or crisis-affected settings”, 5 June
  2. “Global: Social media companies must step up crisis response on Israel-Palestine as online hate and censorship proliferate”, 27 October
  3. “Ethiopia: Meta’s failures contributed to abuses against Tigrayan community during conflict in northern Ethiopia”, 31 October
  4. “Israel/OPT: US veto of ceasefire resolution displays callous disregard for civilian suffering in face of staggering death toll”, 8 December
  5. “International Justice Day: Harnessing the Rome Statute and strengthening the system of international justice”, 17 July
  6. *An Unstoppable Movement: A Global Call to Recognize and Protect Those Who Defend the Right to Abortion*, 24 November
  7. “Colonialism and sexual orientation and gender identity: Submission to the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity”, 15 June
  8. “Global: Vote in favour of international cooperation on tax helps advance human rights”, 22 November
  9. “Global: COP28 agreement to move away from fossil fuels sets precedent but falls short of safeguarding human rights”, 13 December
  10. “Global: Initial pledges at COP28 to finance the Loss & Damage Fund fall far short of what is needed”, 30 November
  11. “Global: UN backs Pacific Island states by asking the International Court to advance climate justice”, 29 March
  12. *Anti-Corruption Fight in Peril: Crackdown on Anti-Corruption Human Rights Defenders in West and Central Africa*, 11 July
  13. *‘My Eye Exploded’: The Global Abuse of Kinetic Impact Projectiles*, 14 March
  14. “The repression trade”, 11 October
  15. *Rising Prices, Growing Protests: The Case for Universal Social Protection*, 10 May; *Actions Speak Louder than Words: The World Bank Must Promote Universal Social Protection*, 10 October
  16. “Global: Companies must act now to ensure responsible development of artificial intelligence”, 14 June
  17. *Digitally Divided: Technology, Inequality, and Human Rights*, 2 October
  18. *Silicon Shadows: Venture Capital, Human Rights, and the Lack of Due Diligence*, 13 December
  19. *The Predator Files: Caught in the Net*, 9 October
  20. *‘I feel exposed’: Caught in TikTok’s surveillance web*, 7 November; *Driven into Darkness: How TikTok’s ‘For You’ Feed Encourages Self-Harm and Suicidal Ideation*, 7 November
  21. “Hateful and abusive speech towards LGBTQ+ community surging on Twitter surging under Elon Musk”, 9 February

# AFRICA REGIONAL OVERVIEW

Renewed violence in Sudan illustrated the immense suffering of civilians caught up in armed conflicts across the region, and the utter disregard by parties to conflicts for international humanitarian law. Reports of mass civilian casualties were frequent and shocking, particularly given the scale of targeted and indiscriminate attacks. Sexual violence remained a feature of armed conflict.

Criticizing governments remained dangerous in many African countries. Brutal crackdowns against those who protested government excesses, failures, or allegations of corruption, were pervasive and particularly targeted journalists, human rights defenders, activists and opposition leaders and members. The killings of prominent human rights defender Thulani Maseko in Eswatini and journalist Martinez Zogo in Cameroon, and the death in suspicious circumstances of Rwandese investigative journalist John Williams Ntwali, in one week in January, was a dark moment for the human rights movement.

Combined factors, including inflation, corruption, climate change and conflict, created unbearable living conditions. Millions of people lacked access to basic economic and social rights. Many countries were disproportionately affected by high food price inflation, and food insecurity reached staggering levels.

Incessant armed conflicts and extreme weather events displaced millions of people from their homes, and yet authorities in several countries flouted their obligations to provide protection to refugees and asylum seekers.

Gender-based discrimination and violence against women and girls remained entrenched, while homophobic attacks and clampdowns on LGBTI peoples' rights escalated across the region.

African governments remained largely indifferent to calls for them to tackle impunity, thereby allowing it to flourish, and fuelling the cycle of violations and abuses, and the disregard for the rule of law. Many governments undermined justice and accountability initiatives or openly frustrated international scrutiny of their human rights records.

## UNLAWFUL ATTACKS AND KILLINGS

Armed conflicts continued to have a devastating effect on civilians in Burkina Faso, Cameroon, the Central African Republic (CAR), the Democratic Republic of the Congo (DRC), Mali, Nigeria, Somalia, Sudan and elsewhere. When they were not deliberately targeted, including in ethnically motivated attacks, civilians bore the brunt of indiscriminate attacks, which sometimes involved airstrikes, rockets, mortars and other explosive weapons with wide-area effects. Some of these attacks constituted war crimes.

In Sudan, more than 12,000 people were killed when fighting erupted between the Sudan Armed Forces (SAF) and the Rapid Support Forces (RSF). Targeted attacks in many parts of the country, including the capital, Khartoum, but particularly in West Darfur, killed and injured civilians, as did explosive weapons launched by the SAF and RSF from densely populated neighbourhoods.

In Burkina Faso, members of the Ansarul Islam armed group killed at least 60 civilians in the town of Partiaga in February; six months later they killed 22 people in Nohao. Government forces targeted civilians. In one case, soldiers, accompanied by Volunteers for the Defence of the Homeland, killed at least 147 civilians in the village of Karma. In the DRC, armed groups killed at least 4,000 people and wounded thousands. In Nord-Kivu province, fighters of the



Allied Democratic Forces armed group killed some 23 people with machetes. In Ituri province, at least 46 people, half of them children, were shot and hacked to death overnight by fighters of the Cooperative for the Development of the Congo armed group. In Mali, attacks by Islamic State in the Sahel on the villages of Gaina and Boyna, Gao region, left 17 people dead. Two months later, an attack by members of the Group for the Support of Islam and Muslims on the villages of Bodio and Yarou in the Bandiagara region, resulted in 37 civilian deaths.

An airstrike by the Nigerian air force killed 21 civilians in Niger state, while a new conflict between Somaliland security forces and armed fighters resulted in 36 civilian deaths, in Somalia, mainly due to the indiscriminate shelling of Las Anod town by Somaliland security forces.

**Parties to armed conflicts must protect civilians by ending targeted and indiscriminate attacks on civilians and civilian infrastructure.**

## CONFLICT-RELATED SEXUAL AND GENDER-BASED VIOLENCE

Widespread conflict-related sexual and gender-based violence, including rape, gang rape, abduction and sexual slavery continued, and many survivors had no access to necessary medical and psycho-social support. Soldiers of the Eritrean Defence Forces held at least 15 women captive for nearly three months at a military camp in Ethiopia's Tigray region, raping them repeatedly. In Burkina Faso, alleged members of Ansaroul Islam abducted 66 women, girls and newborn babies near the village of Liki in the Sahel region. They were freed four days later at a checkpoint in Tougouri. Boko Haram fighters abducted over 40 women in Mafa local government area in Borno state, Nigeria.

In CAR, the UN announced that it had collected evidence of rape, incriminating 11 Tanzanian peacekeepers. In the DRC, over 38,000 sexual violence cases were reported in Nord-Kivu province alone during the first quarter of 2023. In Mali, the UN recorded 51 incidents of conflict-related sexual violence, during the same period, against women and girls. In Sudan, scores of women and girls were subjected to sexual violence, including rape, by members of warring sides, mainly RSF and allied militias. In one case, RSF members abducted 24 women and girls, holding them in a hotel in Nyala for days in conditions amounting to sexual slavery.

**Parties to armed conflicts should issue clear orders to their members or forces, prohibiting acts of sexual and gender-based violence; and governments should ensure that survivors of such violence have full access to medical and psycho-social healthcare.**

## REPRESSION OF DISSENT

### FREEDOM OF PEACEFUL ASSEMBLY

Across the region, protesters poured onto the streets to voice their concerns about a myriad of issues, including the high cost of living, poor governance and human rights violations. In many cases, security forces dispersed protests using excessive force; scores of protesters and bystanders were killed and injured, including in Angola, Ethiopia, Kenya, Mali, Mozambique, Senegal and Somalia. Police in Kenya killed at least 57 people during protests between March and July. In Senegal, at least 29 people were killed in June when police and armed men in civilian clothing fired live ammunition to disperse violent protests in the capital, Dakar, and Ziguinchor.

In other cases, protests were banned in advance, including in Chad, Guinea, Senegal and Sierra Leone. Bans were primarily targeted at rallies and demonstrations called for by civil society or opposition parties or leaders. In Chad, two demonstrations organized by opposition parties were among those banned by the Ministry of Public Security, ostensibly because the parties did not exist legally and had not met the conditions for authorization of a demonstration. In Guinea, a blanket ban, imposed on all political gatherings since May 2022, remained in place although several rallies supporting the head of state were allowed to proceed.

## **FREEDOM OF EXPRESSION**

Threats to the right to freedom of expression continued. Speaking out against government policies, actions or inaction, or publicly sharing information deemed damaging to the government carried the risk of arrest, arbitrary detention, or death. Thulani Maseko, a human rights defender in Eswatini, was assassinated in his home. Journalist Martinez Zogo's mutilated body was found five days after he was abducted in the Yaoundé suburbs in Cameroon. He had been reporting on the alleged corruption of people close to the government. John Williams Ntwali, an investigative journalist who reported on human rights-related issues, died in suspicious circumstances in Rwanda, one day after he told another journalist that he feared for his safety.

In South Sudan, seven journalists were arbitrarily detained at the National Security Service detention facility in the capital, Juba, in relation to a video circulated on social media, which allegedly showed the president urinating on himself. They were held for various periods of up to 10 weeks and released without charge; one of them appeared to have been tortured and otherwise ill-treated.

In Somalia, a court sentenced Abdalle Ahmed Mumin, a journalist and secretary general of the Somali Journalists Syndicate, to two months' imprisonment for "disobeying government orders". Having already spent over two months in detention on remand, he was released but re-arrested just over one week later and detained for another month. In Tanzania, at least 12 people were arrested between June and December for criticizing the Tanzania/UAE port agreement, and released unconditionally after a few days.

Judicial harassment of critics was common. In Burundi, journalist Floriane Irangabiye was sentenced to 10 years' imprisonment for "undermining the integrity of the national territory". Her conviction, based on comments made on a radio show, was upheld on appeal. In Benin, Virgile Ahouansè, news director of an online radio station, was given a 12-month suspended prison sentence for "disseminating false information". In 2022, he had broadcast an investigation containing witness statements accusing the police of extrajudicial executions. In Niger, Samira Ibrahim was convicted for "producing... data...to disturb public order", after she claimed on Facebook that Algeria did not recognize Niger's military regime.

Several journalists, human rights defenders and activists, including in CAR, Chad, Mali, Tanzania and Togo, were forced into exile. In Togo, Ferdinand Ayité and Isidore Kowonou of L'Alternative newspaper were sentenced to three years in prison and a hefty fine after publishing an article accusing two government members of corruption. They fled the country to avoid serving their sentences. In CAR, a journalist who wrote about alleged corruption in the National Assembly fled the country, following threats from an unidentified source. In Mali, human rights defender Aminata Dicko was forced into exile after denouncing abuses by the armed forces in a briefing to the UN Security Council, following which the gendarmerie summoned her for questioning in connection to allegations of high treason and defamation.

In Benin, Burkina Faso, Chad, Niger, Togo and elsewhere, authorities suspended media houses, newspaper outlets or news websites for various periods. Faced with social or political upheavals, authorities in Ethiopia, Guinea, Mauritania and Senegal suspended or disrupted

internet access. Nigeria's National Broadcasting Commission imposed punitive fines on 25 stations over their coverage of the 2023 general elections for allegedly breaching the broadcasting code. Other authorities went further, including in Benin where the Gazette du Golfe press group was suspended indefinitely. In Burkina Faso, two foreign correspondents were expelled from the country and in Niger, L'Évènement newspaper was closed for alleged non-payment of taxes.

## **FREEDOM OF ASSOCIATION**

Severe and unwarranted restrictions on the right to freedom of association increased. Opposition parties were targeted and their ability to organize and freely conduct their activities was stifled. In Burundi, authorities suspended almost all activities of the main opposition party, the National Congress for Liberty. Following the July coup in Niger, the military suspended all activities by political parties indefinitely. In Uganda, campaign gatherings and other activities of the National Unity Platform party were suspended. On a positive note, Tanzania's president lifted a 2016 ban on political parties organizing rallies and other political activities.

Authorities continued to weaponize laws to curtail human rights, including the right to freedom of association. In Angola, the NGO bill that, according to NGOs, could limit the right to freedom of association and give the executive excessive powers to interfere in their activities, was approved by parliament.

## **ARBITRARY ARRESTS AND DETENTIONS, AND TORTURE AND OTHER ILL-TREATMENT**

Arbitrary arrests and detention remained widespread. Mass arrests and detention, in many cases, were used during the dispersal by security forces of protests or during the enforcement of states of emergency. In August, the Ethiopian government imposed a six-month nationwide state of emergency, following armed clashes between the army and the Fano militia in the Amhara region. It provided the pretext for the detention of hundreds of people who were denied access to lawyers and courts. In Senegal, over 1,000 people were arrested and detained mostly for participating in protests, or for their alleged connection to the opposition party, PASTEF.

In other countries, including Botswana, Burundi, Niger and Zimbabwe, high-profile political figures were arrested or arbitrarily detained. In Botswana, several leaders of the Botswana Patriotic Front opposition party, and two journalists, were arrested and detained without charge for up to two days. Following the coup in Niger, President Bazoum and his family were detained in the presidential complex. Several other former government and ruling party officials were detained without charge. In Zimbabwe, Jacob Ngarivhume, the leader of opposition party Transform Zimbabwe was acquitted on appeal eight months after being sentenced to 48 months' imprisonment (12 suspended). He had been arrested in July 2020 for leading and organizing anti-corruption protests.

Arbitrary arrests and detention were also reported in the DRC, Equatorial Guinea, Mali and elsewhere.

Torture and other ill-treatment in detention remained a grave concern. Suspicious deaths in police custody were reported in several countries, including Equatorial Guinea, Lesotho, Mauritania and Nigeria. In Mauritania, human rights defender Souvi Ould Jibril Ould Cheine died after interrogation at a police station. An official autopsy concluded that his death was due to strangulation, contradicting the authorities' claim that he died of a heart attack. The public prosecutor ordered the arrest of the commissioner and police officers involved. In Nigeria, Faiz Abdullahi died in police custody in Kaduna state, after being tortured during interrogation. A 17-year-old student, died in hospital following torture during interrogation by police in Adamawa state.

## EXTRAJUDICIAL EXECUTIONS AND ENFORCED DISAPPEARANCES

In several countries, extrajudicial executions and other unlawful killings, and enforced disappearances continued to be used as tools of repression. In Burkina Faso, public figures were abducted or arrested and forcibly disappeared, including the national president of an organization representing pastoralists' interests. In Burundi, reports of enforced disappearances, mostly of political opponents, continued; the National Intelligence Service and members of the ruling party's youth wing, the Imbonerakure, were the main alleged perpetrators. In Eritrea, the fate and whereabouts of 11 members of the G-15, a group of 15 senior politicians who spoke publicly against the president in 2001, remained unknown along with that of 16 journalists accused of being linked to the G-15.

**Governments must end the harassment and intimidation of journalists, human rights defenders, activists, and opposition members and leaders; immediately and unconditionally release anyone who is arbitrarily detained; and ensure media freedom is respected, including by allowing media outlets to operate independently.**

## ECONOMIC AND SOCIAL RIGHTS

### RIGHT TO FOOD

Many African countries were among the world's most affected by high food price inflation. The number of food insecure people reached staggering proportions. The World Food Programme estimated that as of February, 78% of Sierra Leone's population was food insecure and 20% of households were severely food insecure. In December, OCHA said that 5.83 million people (46%) of South Sudan's population were experiencing high levels of food insecurity. In Namibia, acute food insecurity rose sharply, affecting 22% of the population.

Climate change and extreme weather events exacerbated the food crisis. In Madagascar, food insecurity increased after two cyclones struck in January and February, destroying cash crops and hindering humanitarian aid delivery to affected areas. In Somalia, an estimated 5 million people experienced food crisis; drought devastated the agriculture sector, which provides up to 90% of its exports.

Armed conflicts compounded the situation. In Burkina Faso, armed groups besieged at least 46 towns and cities, cutting off access to essential supplies, blocking residents' access to their farmlands and sabotaging water infrastructure. International aid agencies suspended food aid to Ethiopia's Tigray region for six months following evidence of supplies being diverted, allegedly by government agencies and the military. Over 4 million already food insecure people were affected, and hundreds reportedly died as a result.

Governments took measures to combat inflation and ensure a stable food supply to the domestic market. These included Sierra Leone's adoption of a programme to increase agricultural productivity and food self-sufficiency, and Côte d'Ivoire's suspension of rice and sugar exports. Meanwhile, the international response was insufficient. International funds assigned to food security in Chad was USD 96.9 million as of September, USD 128.1 million short of what was needed. In South Sudan, funding shortfalls for the UN's humanitarian project meant that emergency food assistance had to be prioritized for people experiencing the highest levels of food insecurity.

### RIGHT TO EDUCATION

The right to education was denied or severely impeded in conflict-affected countries, particularly in Burkina Faso, Cameroon, the DRC and Niger. In Burkina Faso, at least 6,549 schools were closed as of October, and only about 539 reopening during the year, affecting over one million children. In Cameroon, at least 13 violent incidents against educational

establishments were reported in the Northwest and Southwest regions, including the abduction of children and teachers, between January and July, and at least 2,245 schools were closed. In the DRC, the education of around 750,000 children was disrupted in two of the most conflict-affected provinces in the east. Thousands of schools were attacked, forced to close due to insecurity, or used as shelters for displaced people.

On a positive note, Zambia's Free Education Programme for primary school age children began in January under which an extra 4,500 teachers were recruited. In Tanzania, there was an overall increase in enrolment and literacy rates, and a reduction in barriers to children's access to school. However, despite the lifting in 2022 of the ban on pregnant girls and adolescent mothers attending mainstream schools, low retention rates continued.

## **RIGHT TO HEALTH**

Access to healthcare in many countries remained a challenge. The Ghana Health Service revealed in February that 27 pregnant women in Bawku municipality died between 2021 and 2022 due to their inability to access medical services. In South Africa, a strike action in March relating to wage disputes, hindered access to healthcare services and resulted in four deaths, according to the health minister. Meanwhile, shigellosis, cholera, typhoid and other disease epidemics were reported in Congo, South Sudan and elsewhere.

## **FORCED EVICTIONS**

Governments continued to carry out forced evictions in the name of development projects. In Benin, thousands of people who had been forcibly evicted in connection with tourism projects along the coast, between the cities of Cotonou and Ouidah, complained about the lack of adequate compensation. In the DRC's Lualaba province, the expansion of industrial-scale cobalt and copper mines, driven by the growing global demand for energy transition minerals, fuelled forced evictions of thousands of people from their homes and farmland.

In Uganda's Hoima district, security forces used violence to forcibly evict nearly 500 families from their land to allow for the construction of the East African Crude Oil Pipeline. In Tanzania, at least 67 Maasai Indigenous People were arrested, mainly in Endulen village, for refusing to leave their ancestral lands under ongoing enforced relocation plans to establish a protected wildlife area in the Ngorongoro Conservation Area.

**Governments must take immediate action to address socio-economic hardships, ensuring that resources are made available, in line with their minimum core obligations, to provide their populations with economic and social rights.**

## **INTERNALLY DISPLACED PEOPLES', REFUGEES' AND MIGRANTS' RIGHTS**

Nearly 7 million people were estimated to be internally displaced in the DRC, the highest number in Africa. The country hosted 500,000 refugees from armed conflict and persecution in other African countries. Between January and August, around 45,000 people fled the DRC for neighbouring countries, including Uganda which hosted over 1.6 million refugees, the largest refugee population in Africa.

Over 5.8 million people were internally displaced since April in Sudan, making it the scene of the largest displacement crisis in the world in 2023. Over 4.5 million of them were displaced between April – when the conflict began – and October, while about 1.4 million Sudanese and other nationalities fled to neighbouring countries. However, some countries denied Sudanese asylum seekers entry; the Egyptian authorities required all Sudanese nationals to obtain an

entry visa issued by the Egyptian consular office in Sudan, and introduced the additional entry requirement of security clearance for boys and men aged between 16 and 50.

In Niger, around 9,000 refugees and migrants who had been deported by the Algerian authorities arrived at the border village of Assamaka between January and April. In Malawi, police arrested hundreds of refugees from their homes and businesses in the capital, relocating them to the Dzaleka refugee camp.

**Governments must honour their obligations to provide protection to refugees, asylum seekers and migrants, including by respecting the right to claim asylum and to non-refoulement.**

## DISCRIMINATION

### WOMEN'S AND GIRLS' RIGHTS

The devastating effects of female genital mutilation were illustrated when a two-year-old girl died after being subjected to the practice in Sierra Leone. Child, early and forced marriage persisted in the region. Nearly 29% of women aged between 20 and 24 in Zambia had been married before they were 18. The case of 16-year-old Nazira who ended her life to escape a forced marriage shone a spotlight on the harm caused by early marriage in Niger.

There were several positive legislative developments. The DRC enacted a law criminalizing gender-based intimidation and stigmatization. In Sierra Leone, a new law required that 30% of seats in public office be held by women. In South Africa, a bill intended to establish a body to oversee the implementation of a strategic plan on gender-based violence was released for public comment.

### LGBTI PEOPLE'S RIGHTS

Some countries took anti-gay legislative steps. In Uganda a new law introducing the death penalty for the offence of “aggravated homosexuality” was followed by reports of increased violence against LGBTI people. In Kenya, an MP proposed a bill that could further criminalize consensual same-sex sexual relations. In Ghana, parliament approved an anti-gay bill. In Eswatini, the government flouted a court ruling when it refused to register an LGBTI organization.

The arrest and detention of LGBTI people was common. In Burundi, 24 people were arrested in February in Gitega at a workshop on economic inclusion. They, and two others later added to the case, were prosecuted on charges of “homosexuality” and “incitement to debauchery”. Seven were found guilty in August and nine of those acquitted were not immediately released, one of whom died in custody. In Nigeria, 69 men faced criminal trial for organizing a gay wedding in Delta state while another group of 59 men and 17 women were arrested in Gombe state for allegedly holding a “gay” birthday party.

Anti-gay rhetoric increased in Botswana, Cameroon, Ethiopia, Kenya, Malawi and Tanzania. In Botswana and Malawi, hundreds of protesters, backed by religious groups and government officials, demonstrated against the decriminalization of consensual same-sex sexual relations. In Cameroon, authorities threatened to suspend media outlets if they broadcast “programmes promoting homosexual practices”. In Ethiopia, an on- and offline campaign against LGBTI people was launched by social media influencers, religious leaders and popular artists. In Tanzania, the education minister banned books that include LGBTI content from schools.

On a positive note, Namibia's supreme court ruled that spouses of Namibian citizens could regularize their immigration status based on same-sex marriages concluded outside the country; and Kenya's supreme court affirmed the right to freedom of association for LGBTI people.

## PERSONS WITH ALBINISM

Crimes against persons with albinism, including reports of attempted abductions, physical attacks and desecration of graves, increased in Malawi. In Angola, the National Action Plan for the Protection and Promotion of the Human Rights of Persons with Albinism was adopted.

**Governments must urgently combat all forms of gender-based discrimination and violence against women and girls, including by addressing the root causes, and increasing efforts to eliminate harmful practices. Governments must strengthen protections of LGBTI people's rights including through legislation, and by effectively investigating reports of abuse and bringing suspected perpetrators to justice.**

## RIGHT TO A HEALTHY ENVIRONMENT

Several countries were affected by extreme weather events, the intensity and frequency of which could be related to climate change. However, governments were ill-prepared to respond to slow and rapid onset weather events across the region. In February and March, Cyclone Freddy affected millions of people in Malawi and Mozambique, killing 679 and 453 people, respectively. Floods claimed many lives in several other countries, including the DRC and Rwanda. In September, the first Africa Climate Summit was held in Nairobi to establish a united African position ahead of negotiations at the UN Climate Change Conference (COP28).

**Governments must take immediate measures to protect against the risk and impacts of the climate crisis and strengthen their preparedness for extreme weather events, including by seeking international assistance and climate finance from developed countries to adopt effective mitigation and adaptation policies, and to remediate the loss and damages experienced by the most marginalized.**

## RIGHT TO TRUTH, JUSTICE AND REPARATION

Following the Ethiopian government's cynical campaign to frustrate justice and accountability initiatives, the African Commission on Human and Peoples' Rights prematurely terminated the mandate of its Commission of Inquiry into the situation in the Tigray Region, without publishing any findings. The government also targeted the UN International Commission of Human Rights Experts on Ethiopia (ICHREE), resulting in the failure by member states at the UN Human Rights Council to table a resolution to renew ICHREE's mandate. Meanwhile, Burundi walked out of its review session at the UN Human Rights Committee, objecting to the presence of a human rights defender convicted in his absence on false accusations of participating in the 2015 coup attempt, while Tanzania prevented a UNESCO fact-finding delegation from visiting Ngorongoro to investigate reports of violent forced evictions against the Maasai Indigenous People.

Several countries introduced or considered introducing truth and reconciliation processes, albeit at the expense of pursuing justice and accountability for victims of crimes under international law and other serious human rights violations and abuses. The DRC's government adopted the Draft National Transitional Justice Policy, and the Ethiopian government started consultations for the adoption of a similar policy.

In South Sudan, the Council of Ministers approved two draft bills to establish the Commission for Truth, Reconciliation and Healing and the Compensation and Reparation Authority, which were yet to be tabled for debate in parliament. However, it continued to block the establishment of the Hybrid Court for South Sudan. Authorities in the Gambia agreed to establish a hybrid court to prosecute suspected perpetrators of serious human rights violations during Yahya Jammeh's presidency.

Several suspected perpetrators of crimes under international law were arrested. CAR's Special Criminal Court announced the arrests of four men accused of war crimes and/or crimes against humanity. Steps were taken to bring two genocide suspects to account: Fulgence Kayishema was re-arrested on a new arrest warrant that would allow his extradition to the International Residual Mechanism for Criminal Tribunals in Tanzania while Théoneste Niyongira was deported from Malawi to Rwanda.

**Governments must strengthen efforts to fight impunity by undertaking prompt, thorough, independent, impartial, effective and transparent investigations into crimes under international law and other serious human rights violations and abuses, bringing suspected perpetrators to justice and ensuring victims' access to an effective remedy.**



# AMERICAS REGIONAL OVERVIEW

Civic space continued to shrink across the Americas, threatening the progress made in recent decades in relation to human rights. Human rights defenders, particularly climate justice activists and those fighting to protect their land and the environment, and journalists were targets of harassment, criminalization, attacks and killings, thus, the region continued to be one of the most dangerous places for these activities. Most countries across the Americas lacked robust protection systems for human rights defenders. Peaceful demonstrations were met with unlawful force by security forces. Authorities persisted in violating people's rights to life, liberty, fair trial and physical integrity, and arbitrary detentions were widespread. Gender-based violence across the region remained entrenched and authorities failed to address impunity for these crimes and protect women, girls and other groups of people at risk of discrimination and violence. Progress in recent years to expand access to safe abortion experienced a marked setback across the region, even in countries where it had been decriminalized. LGBTI people continued to experience widespread persecution, as well as obstacles to legal recognition. Indigenous Peoples continued to be disproportionately affected by human rights violations and faced discrimination. In a number of countries, Indigenous Peoples were denied the right to free, prior and informed consent, particularly in relation to large-scale projects. Devastating economic, humanitarian and political crises across the Americas led to a dramatic increase in the number of people leaving their home countries in search of safety. Authorities in several countries failed to respect and protect the rights of refugees and migrants. Countries increasingly employed military force to manage their growing numbers. Impunity for human rights violations and crimes under international law remained pervasive, with many countries continuing to evade international scrutiny. Brazil, Canada and the USA were among the largest contributors to global greenhouse gas emissions. The expansion of fossil fuel extraction and fossil fuel production in the region threatened global climate goals. Governments failed to commit to rapidly and equitably phasing out the use and production of all fossil fuels and fossil fuel subsidies. But all is not lost. Despite the bleak outlook, human rights defenders and others speaking out to protect human rights across the Americas continued to fight in the face of increased adversity to ensure that structural changes are achieved with a view to creating a fairer and more equal region for all.

## FREEDOM OF EXPRESSION, ASSOCIATION AND PEACEFUL ASSEMBLY

Civic space continued to shrink at an alarming rate across the Americas. In countries including El Salvador, Nicaragua and Venezuela, where the right to freedom of expression was already under threat, governments imposed further legal and institutional measures against civil society groups in an attempt to silence critics. Between August 2022 and September 2023, Nicaragua revoked the legal status of more than 2,000 NGOs, bringing the number of NGOs closed since 2018 to 3,394. In August, the Central American University in Nicaragua was closed, accused of being a "terrorism centre", and properties belonging to entities including the Red Cross were confiscated. In Cuba, in May, a new law granted the government power to

order telecommunications providers to stop servicing users who published information deemed harmful to public order or morality.

El Salvador saw an increase in protests in 2023, as the situation in the country continued to deteriorate under the state of emergency imposed in March 2022. The authorities' obstructive response to these legitimate expressions of social discontent, which included stigmatization, threats, excessive surveillance of organizers and restrictions of movement, violated people's rights to freedom of association and peaceful assembly.

In countries including Argentina, Bolivia, Cuba, El Salvador, Haiti, Paraguay, Peru, Puerto Rico and Venezuela, authorities responded to public protests with repression. In Bolivia, the Ombudsperson's Office reported several instances of excessive use of force by police in response to a series of protests in January following the arrest of the governor of Santa Cruz.

In Argentina, Canada, Cuba, Mexico, Puerto Rico and the USA, governments filed criminal charges against peaceful protesters. Laws diluting legal obligations on the use of force were passed in Chile. In the USA, 16 states introduced bills restricting the right to protest. The state of North Carolina heightened penalties for existing "riot" offences and for protests occurring near pipelines.

The Americas remains a dangerous place for journalists. Media workers were threatened, harassed, killed and put under unlawful surveillance in Argentina, Colombia, Cuba, the Dominican Republic, El Salvador, Mexico, Paraguay and Venezuela. In the Dominican Republic, evidence showed that Nuria Piera, a high-profile journalist who reports on corruption and impunity, was targeted in 2020 and 2021 with NSO Group's Pegasus spyware, which enables unrestricted access to a device. The authorities denied involvement in the surveillance. In Mexico, at least five journalists were killed in connection with their work, according to the organization Article 19.

**States must repeal laws and practices that hinder the rights to freedom of expression, association and peaceful assembly. They must take additional measures to effectively protect people's rights to express their opinions and to safeguard the work of journalists.**

## HUMAN RIGHTS DEFENDERS

The Americas continued to be one of the most dangerous regions in the world for human rights defenders. Defenders working to protect land and the environment faced increased risks in countries including Bolivia, Brazil, Canada, Colombia, Ecuador, El Salvador, Honduras and Mexico. Black, Indigenous and women human rights defenders remained particularly at risk. Governments and non-state actors used a variety of tools such as harassment, stigmatization, criminalization and killings to stop human rights activists from doing their essential and legitimate work in countries including Brazil, Canada, Colombia, Cuba, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Peru and Venezuela. In Brazil, an average of three defenders had been murdered every month over the past four years, according to Justiça Global. Honduras had the highest number of human rights defenders killed per capita in the world, according to data from Global Witness. In July, a member of the Guapinol community in Honduras was shot dead in broad daylight six months after two of his family members were also killed. They had been campaigning against a mining company to protect the river on which their subsistence depends. At the end of the year, the killings remained unpunished.

Although most countries across the Americas lacked robust protection systems for human rights defenders, Colombia showed some signs of improvement. In Colombia, the Ministry of the Interior announced the strengthening of the collective protection programme for human rights defenders from grassroots organizations and communities, targeting those defending land and territory.

**States must ensure human rights defenders are able to carry out their activities safely by developing effective protection programmes, or by improving existing ones, as well as ensuring that those suspected of attacking activists are brought to justice.**

## **ARBITRARY DETENTION AND UNFAIR TRIALS**

Arbitrary detention remained widespread across the region. Authorities continued to violate people's rights to liberty, a fair trial and physical integrity in countries including Cuba, El Salvador, Nicaragua and Venezuela. In the USA, many detentions had discriminatory undertones.

In El Salvador, more than 73,000 arbitrary detentions had been recorded since the start of the state of emergency in March 2022. Most detainees were accused of “illegal associations”, a crime linked to gang activity and membership. These detentions violated due process guarantees through the absence of judicial orders and the concealment of the identity of the judges processing detainees.

In countries including El Salvador, Mexico, Nicaragua and Venezuela, detainees were often tortured or ill-treated, and in some cases forcibly disappeared. In Venezuela, there were around 15,700 arbitrary arrests between 2014 and 2023, and around 280 people remained in detention for political reasons, according to civil society organizations. Student activist and musician, John Álvarez, was detained on 30 August and was held incommunicado for over 24 hours. He was tortured and forced to incriminate a union leader and a journalist in a video recorded by police officers. He was released in December.

Fair trial rights were not respected in a number of countries including Bolivia, Cuba, El Salvador, Nicaragua, the USA and Venezuela. Thirty Muslim men remained arbitrarily and indefinitely detained in the detention facility at the US naval base in Guantánamo Bay, Cuba, in violation of international law. The men continued to be denied hearings despite the US Supreme Court ruling in 2008 that they have a right to habeas corpus.

**Authorities must guarantee rights to a fair trial and refrain from misusing the justice system. States must fulfil the right to reparation of those who have suffered arbitrary detention.**

## **EXCESSIVE AND UNNECESSARY USE OF FORCE**

Excessive and unnecessary use of force by law enforcement, including lethal force, permeated the region, particularly in Argentina, Brazil, Canada, Cuba, the Dominican Republic, Honduras, Mexico, Peru, Puerto Rico and the USA. In many cases, force was used disproportionately with a racist bias. In Brazil, at least 394 people were killed in police operations in the states of Bahia, Rio de Janeiro, and São Paulo between July and September, as the government continued to disregard measures to reduce police violence, including the use of body cameras. In the USA, at least 1,153 people were killed by police in 2023, according to media sources. In Peru, the state responded to protests across the country by using lethal force and excessively using less-than-lethal force, with a racist bias particularly targeting Indigenous Peoples. The number of deaths during the protests amounted to 49 civilians and one police officer, and hundreds of people injured, in under two months. At least 20 of those cases could be considered extrajudicial executions.

Police reform advanced with mixed results in Chile and Colombia. Authorities in Colombia introduced regulatory initiatives to change the structure and operation of some aspects of the police force, including a new manual on the use of force during protests. Comprehensive police reform was still pending.

Militarization of security continued in a number of countries, including El Salvador and Honduras, both of which had states of emergency in place. Ecuador and Mexico widened their legal frameworks to allow for the use of armed forces in public security tasks.

**Authorities must ensure law enforcement complies with international human rights law and standards, including on the use of force. They must ensure that those suspected of human rights violations are brought to justice.**

## WOMEN'S AND GIRLS' RIGHTS

Entrenched gender-based violence, including femicide, continued to be the norm across the region and authorities systematically failed to address impunity for these crimes. In Mexico, an average of nine women were murdered each day, according to the Executive Secretariat of the National Public Security System and most cases were never effectively solved. In Canada, the UN reported an increase in the number of Indigenous women and girls who were missing or had been murdered, and high rates of sexual assault and exploitation among Indigenous women, girls and two-spirit, lesbian, gay, bisexual, trans, queer, questioning, intersex and asexual (2SLGBTQQA+) people living near pipeline construction sites.

Access to sexual and reproductive rights remained extremely challenging throughout the region, even in countries such as Argentina where abortion was legalized in 2020 and Colombia where it was decriminalized in 2022. In El Salvador, a total ban on abortion remained in place and at least 21 women were facing charges related to obstetric emergencies. Chile made no progress in adopting a legal framework to fully decriminalize abortion and ensure equal and barrier-free access to safe abortion services. In Brazil, abortion remained a criminal offence; at least 19 people had died due to unsafe abortion by July, according to the Ministry of Health. In September, a lawsuit seeking the decriminalization of abortion in the first 12 weeks of pregnancy was put before the Federal Supreme Court, but voting was suspended.

In some countries, the rollback on access to abortion expanded. Following the 2022 US Supreme Court decision that ended federal protections to the right to abortion, 15 states implemented total bans on abortion or bans with extremely limited exceptions. The measures continued to disproportionately impact Black and other racialized people.

Nevertheless, some progress was made. In Honduras, abortion remained banned, but the government ended 14 years of prohibition on the use and sale of the emergency contraceptive pill. In Mexico, the Supreme Court declared the criminalization of abortion unconstitutional, as well as the suspension of medical personnel for performing or assisting with abortions.

**Authorities must end impunity for violent crimes against women and girls. They must also guarantee access to safe abortion and other sexual and reproductive rights, including comprehensive sex education.**

## LGBTI PEOPLE'S RIGHTS

LGBTI people continued to face widespread harassment, discrimination, threats, violent attacks and killings, as well as obstacles to legal recognition in countries including Argentina, Brazil, Canada, Colombia, Guatemala, Honduras, Paraguay, Peru, Puerto Rico and the USA. Impunity was the norm in most cases.

In Guatemala, where same-sex marriage remained illegal, at least 34 people were killed because of their sexual orientation or gender identity, according to the National LGBTIQ+ Human Rights Observatory. More transgender people were killed in Brazil than anywhere else in the world for the 14th consecutive year. In Peru, despite several reports of violence against and killings of LGBTI people, there was still no official registry of hate crimes. In

Paraguay, the judiciary rejected five lawsuits filed by transgender people demanding legal recognition of their names in accordance with their gender identity. In the USA, the passage of anti-LGBTI laws at state level increased dramatically. Only 54% of LGBTI adults in the USA lived in states with hate crime laws covering sexual orientation and gender identity and expression.

In Argentina, in April, Sofía Inés Fernández, a 40-year-old trans woman, was found dead in a police station cell in the town of Derqui, Buenos Aires, where she had been detained for alleged robbery. The accused police officers claimed that she had died by suicide, but the preliminary autopsy revealed asphyxia as the cause of death.

Despite the bleak outlook, there was some progress. In Colombia, a person received a university degree matching their non-binary identity for the first time in April.

**Authorities must strengthen protection for LGBTI people, including by effectively investigating reports of abuse and bringing perpetrators to justice.**

## INDIGENOUS PEOPLES' RIGHTS

Indigenous Peoples, historically subjected to racial discrimination and marginalization, continued to be disproportionately affected by human rights violations. In Colombia, 45% of all displacement victims in 2023 were Afro-descendants and 32% were Indigenous Peoples, according to the OCHA. In Brazil, Sônia Guajajara, an Indigenous woman, became the first minister of Indigenous Peoples. Brazil's Ministry of Health declared a national public health emergency due to the lack of assistance available for the Yanomami People, who were suffering from malnutrition, contamination, and sexual violence, largely caused by the presence of illegal mining activities in their territory in the Amazon region.

In several countries including Argentina, Canada, Ecuador and Venezuela, the right to free, prior and informed consent, particularly in relation to large-scale economic projects, was denied. In Canada, the National Action Plan for the UN Declaration on the Rights of Indigenous Peoples, released by the government in June, did not include accountability mechanisms, and free, prior-and-informed consent. Several Wet'suwet'en land defenders went on trial in May and October for protecting their territory against the construction of a pipeline. One was found not guilty in November; the others were awaiting decisions and could face prison sentences if found guilty.

Land tenure and entitlement problems continued in a number of countries. In Paraguay, the Tekoha Sauce Indigenous community of the Avá Guaraní Paranaense People were still waiting for the restitution of their ancestral territory, which had been seized by hydroelectric power company Itaipú Binacional. The company appealed a court decision that rejected an eviction order to remove the community from another area of their ancestral land.

**States must ensure Indigenous Peoples have ownership and control over their lands and resources. They must implement policies to end violence against Indigenous Peoples and guarantee justice, truth and reparation for the human rights violations they have endured.**

## REFUGEES' AND MIGRANTS' RIGHTS

Devastating political, humanitarian and economic crises across the Americas contributed to a systematic increase in the number of people leaving their home countries in search of safety and facing human rights violations in the process. More than 7.72 million Venezuelans had left the country by the end of the year, according to figures from UNHCR, the UN refugee agency. Authorities in Panama reported that 520,000 people crossed the border between Colombia and Panama through the Darien Gap, more than double the total number in 2022. There was

also a dramatic increase in the number of migrants, asylum seekers and refugees arriving in Mexico with the aim of reaching the USA or Canada.

Authorities in a number of countries, including Chile, Colombia, Ecuador, Mexico, Peru and the USA, failed to respect and protect the rights of migrants and refugees, including by denying them their right to seek asylum. In the USA, following the termination of immigration policy Title 42, the state implemented new migration measures that continued to drastically limit access to asylum at the US-Mexico border. These included presuming ineligibility in the majority of cases and mandatory use of a mobile phone app that offered limited appointments. This resulted in many asylum seekers being stranded at the border in inhumane conditions and exposed to violence and other abuses.

The US administration extended Temporary Protected Status for Haitian, Honduran, Nepalese, Nicaraguan, Somali, South Sudanese, Sudanese, Ukrainian, Venezuelan and Yemeni nationals, granting work authorization and protection from removal from the USA. A parole process was instituted for Cubans, Haitians, Nicaraguans and Venezuelans, which provided travel authorization for up to 30,000 individuals from these countries to enter the USA each month with US-based sponsors.

US authorities continued to employ arbitrary mass immigration detention, using private prisons to detain people seeking safety. In Canada, the provinces of Ontario, Quebec, Saskatchewan and New Brunswick announced an end to their immigration detention arrangements with the Canada Border Services Agency, joining British Columbia, Alberta, Manitoba and Nova Scotia in their commitment not to detain individuals solely on immigration grounds by July 2024. In Mexico, where detention conditions for migrants and asylum seekers were particularly dire, the Supreme Court issued a landmark ruling in March declaring that the maximum period of detention in an immigration detention centre was 36 hours, after which authorities had the obligation to release migrants and asylum seekers.

The deployment of the military to manage the rising numbers of migrants and refugees arriving at their territories expanded across the region. In Chile, in February, the government deployed military troops along its borders with Bolivia and Peru to prevent the irregular entry of people seeking safety, mostly affecting Venezuelans.

Venezuelans in Chile, Colombia, Ecuador and Peru faced significant barriers to access an asylum procedure and other temporary or complementary protection programmes. As a result, many could not regularize their status and access essential services, including health services. Authorities continued to fail to protect Venezuelan women facing gender-based violence, who were at particular risk. Many did not report the violence out of fear, mistrust or misinformation, and could not access services due to lack of regular status.

In the Dominican Republic, discrimination against Haitians or people of Haitian descent and anti-Black racism persisted and put migrants, asylum seekers, refugees, women and girls and LGBTI people at particular risk. Immigration authorities and law enforcement officials raided hospitals to conduct discriminatory searches for Haitian women and girls to arbitrarily arrest and deport them.

**Authorities must urgently cease unlawful deportations, respect the principle of non-refoulement and refrain from detaining refugees and migrants. States must also ensure everyone can apply for asylum and access a fair and effective asylum procedure, especially those fleeing mass human rights violations, and they must provide refugees the protection they are entitled to. They must combat racism and xenophobia against migrants, refugees, and asylum seekers.**

## RIGHT TO TRUTH, JUSTICE AND REPARATION

Impunity for human rights violations, including crimes under international law, continued to be the norm in countries including Bolivia, Brazil, Chile, Ecuador, El Salvador, Guatemala, Haiti, Mexico, Nicaragua, Peru, Uruguay and Venezuela, with advances in some countries.

In Bolivia, in October, the Interdisciplinary Group of Independent Experts for Bolivia reported that there had been little progress in the investigations into human rights violations committed in the context of the 2019 political crisis, during which 37 people died and hundreds were injured by the security forces. Investigations into killings by the police in Brazil were also ineffective. The three police officers indicted for the murder of activist Pedro Henrique Cruz in 2018 in Tucano, Bahia, had still not been brought to trial and his mother, Ana Maria, continued to suffer threats and intimidation. In Chile, impunity continued for the majority of human rights violations committed during the 2019 social upheaval. According to the Attorney General's Office in Chile, charges were only filed in 127 of the 10,142 complaints made by victims of violations committed at that time. These resulted in 38 convictions and 17 acquittals.

In Ecuador, human rights violations committed by security forces in the context of protests in 2019 and 2022 remained unpunished. In June, Executive Decree 755 stipulated that law enforcement officials suspected of having caused injury or harm to, or the death of, a person could only be apprehended or removed from office following conviction. In Colombia, as of June, little progress had been made in the implementation of the 2016 Peace Agreement.

Nevertheless, justice, truth and reparation processes did advance in some jurisdictions, including Argentina and Chile. In Argentina, trials before ordinary civilian courts continued for crimes against humanity committed under the 1976-1983 military regime. In Chile, the national search plan for people who had disappeared during the regime of Augusto Pinochet (1973-1990) was presented; its implementation remained pending. The government also announced a National Memory and Heritage Policy for the protection of memorial sites related to this period.

In June, the Pre-Trial Chamber of the ICC authorized the Office of the Prosecutor to resume his investigation into crimes against humanity in Venezuela, and an Argentinian federal prosecutor launched an investigation into crimes against humanity in Venezuela based on the principle of universal jurisdiction.

**States must commit to combat impunity and guarantee truth, justice and reparations.**

## RIGHT TO A HEALTHY ENVIRONMENT

States across the Americas region, particularly Argentina, Bolivia, Brazil, Canada, Ecuador, Mexico, Peru and the USA, have failed to take sufficient and effective measures to ensure people's right to a healthy environment and mitigate the effects of the climate crisis on human rights. This was particularly evident in the context of large-scale extractive projects that disproportionately affected Indigenous Peoples, fence-line communities living in the vicinity of these projects and other marginalized groups who are exceptionally vulnerable to environmental degradation. Despite Bolivia's commitment to maintain its forest cover, human rights defenders highlighted insufficient measures to prevent an intense forest fire season – worsened by climate change – towards the end of the year.

Many countries criminalized people, including Indigenous Peoples, who had actively protested extractive development projects that had a negative impact on the environment and vulnerable carbon sinks.

In 2023, global temperatures and greenhouse gas emissions reached record highs. Although the contributions of countries in the Americas varied significantly, Brazil, Canada and the USA

were among the largest contributors to greenhouse gas emissions in the region and globally. The expansion of fossil fuel extraction and projects that involve the burning of gas associated with the extraction of crude oil (gas flaring) in the region, as well as the maintenance of fossil fuel subsidies, threatened the global climate goals set in the Paris Agreement. Governments of the region failed to commit to rapidly and equitably phasing out the use and production of all fossil fuels and all types of fossil fuel subsidies.

**Authorities must urgently address the effects of the climate crisis on human rights by developing region-wide climate action. Industrialized and other high-emitting countries in the region must take the lead in climate mitigation, including by stopping the expansion of fossil fuel production and subsidies. Governments must also ensure protection for Indigenous Peoples and human rights defenders campaigning for climate justice and environmental rights. Developed countries in the region must also urgently scale up climate finance to support lower-income, developing countries' mitigation and adaptation strategies, and commit to providing additional dedicated funding for loss and damage.**

## **ECONOMIC AND SOCIAL RIGHTS**

Poverty and extreme poverty rates in the region, which increased significantly during the Covid-19 pandemic, returned to pre-pandemic levels in 2023, but countries continued to fail to take the necessary steps to meet the target to end poverty by 2030. Nearly 30% of the population in Latin America (183 million people) continued to live in poverty and 11.4% (72 million) in extreme poverty. Inequality remained the main challenge for countries to be able to promote inclusive growth and development, with 34% of total income in Latin America concentrated in the richest 10% of the population.

**States must take robust measures – fiscal and budgetary – to tackle poverty and inequality and to ensure they meet their human rights obligations regarding the rights to health, education, housing and social security and access to essential services and goods.**



# ASIA-PACIFIC REGIONAL OVERVIEW

There were modest gains for the rights of women and LGBTI people in several countries; a new law criminalizing torture and enforced disappearance was adopted in Thailand; and the mandatory death penalty was abolished in Malaysia. Yet, overall, the outlook for human rights in the Asia-Pacific region remained bleak.

Escalating armed conflict in Myanmar resulted in yet more civilian deaths and displacement. In Afghanistan, the Taliban intensified their repression especially against women and girls. A growing intolerance of dissent was evident throughout much of the region as restrictions on the rights to freedom of expression, assembly and association tightened in multiple countries and territories. Critics of government policies and actions, including human rights defenders, political activists and journalists, were arbitrarily arrested and detained; protests against injustice were often met with unlawful, sometimes lethal, force.

Long-standing patterns of discrimination against religious and ethnic minorities and so-called lower castes, women and girls, LGBTI people and Indigenous Peoples persisted. People belonging to these and other marginalized groups were particularly hard hit in countries suffering economic crises. They were also the first to suffer the often-deadly consequence of climate-change induced weather events, yet governments across the region failed to take effective action to curb carbon emissions or to put in place effective protection and adaptation measures.

## FREEDOM OF EXPRESSION

The right to freedom of expression remained under threat as many governments intensified crackdowns on media, human rights defenders, opposition parties, government critics and others.

Several countries maintained or intensified already extreme restrictions. In Afghanistan, journalists and other media workers were among those subjected to harassment and arbitrary detention, and more media outlets were shut down or were forced to close their doors. In Myanmar, journalists were among those sentenced to long terms of imprisonment in unfair trials. In North Korea, there was no let-up in the government's total control over civic space with harsh penalties imposed on anyone who criticized the government or engaged in "reactionary" ideology.

Elsewhere, government efforts to silence critical voices took multiple forms. New laws or regulations restricting the rights to freedom of expression came into force in Bangladesh, China, India, Pakistan, Papua New Guinea and Singapore. The new government in Fiji repealed a law limiting media freedoms, but other restrictive legislation remained.

In Cambodia, the licence of one of the few remaining independent media outlets was revoked. The Indian government weaponized the central financial and investigation agencies to carry out raids on and suspend the licences of media outlets and human rights organizations. Bhutan, where civil servants are barred from sharing information of public interest with the media, slipped down global press freedom rankings.

Censorship and surveillance technologies were increasingly used to suppress dissent. In China, new guidelines placed further restrictions on social media users, while social media companies required certain users to disclose their identity, raising concerns about the right to privacy. In Hong Kong, the draconian National Security Law and colonial-era sedition law were

used to censor books, songs, social media and other on- and offline content. In Viet Nam, Amnesty International found that state agents, or persons acting on their behalf, were likely behind a campaign targeting dozens of social media accounts using Predator spyware, while the Thai government failed to address concerns about its use of Pegasus spyware against human rights defenders, politicians and civil society activists.

Judicial harassment of those who shared information or expressed views critical of or deemed sensitive by governments was also commonplace. Journalists and activists in Viet Nam were prosecuted and imprisoned for “disseminating propaganda against the state”. In the Maldives, journalists were arrested for reporting on protests and other events. In Malaysia, the government not only failed to act on pledges to repeal laws restricting the rights to freedom of expression, but continued to use them to investigate film makers and book editors among others. In Thailand, authorities persisted in applying laws restricting online communication to prosecute critics, while government critics in the Philippines continued to face spurious charges. Peaceful calls for Papuan independence remained an imprisonable offence in Indonesia. In Laos, long-standing patterns of intimidation, arbitrary detention as well as unlawful killing, and enforced disappearance against human rights defenders continued. Likewise in Pakistan, journalists, human rights defenders and critics of the government and military establishment were among those subjected to arbitrary arrest and enforced disappearance.

There were signs that transnational repression of dissent was becoming entrenched. Chinese and Hong Kong authorities pursued activists, including nationals who had fled abroad, issuing arrest warrants, offering financial rewards and pressuring other countries to repatriate them. Two human rights defenders returned from Laos were subsequently detained in China. The Viet Nam authorities were implicated in the abduction from Thailand of a prominent YouTuber, while a Laotian human rights defender was shot dead in Thailand.

**Governments must repeal all laws and regulations that criminalize or otherwise restrict legitimate expression, end all unjustified investigations or prosecutions related to the legitimate exercise of the right to freedom of expression, and respect media freedoms.**

## **FREEDOM OF PEACEFUL ASSEMBLY AND ASSOCIATION**

With the exception of Fiji, where there were signs of greater tolerance, governments across the region sought to further curtail the right to peaceful assembly.

In Thailand criminal charges had been brought against nearly 2,000 people by the end of the year in connection with their participation in protests for political and social reform which began in 2020. The number of people detained for taking part in events to commemorate victims of an apartment block fire in Urumqi, China, in 2022 and associated protests against Covid-19 restrictions will probably never be known, but there were reports of ongoing harassment of participants and a Uyghur student was sentenced to three years' imprisonment for posting a video of the protests on social media. In Malaysia and Mongolia, authorities continued to use repressive laws to restrict the right to peaceful protest, while in South Korea, the increasingly hard line against “illegal” protests set the scene for extortionate claims for damages by a state-owned company against disability rights campaigners. In Myanmar, dozens of people were arrested for wearing flowers to mark the birthday of the imprisoned former State Counsellor Aung San Suu Kyi.

Unlawful use of force leading to injuries and sometimes deaths remained common. In Afghanistan, the Taliban reportedly used firearms, water cannons and stun guns to disperse demonstrations including protests in support of women's rights, among others. Authorities in both Pakistan and Sri Lanka sought to ban protests and frequently resorted to excessive and other unlawful force against protesters – deaths and many injuries resulted in both countries.

In Bangladesh, police used rubber bullets, live rounds and tear gas against opposition-led protests resulting in at least one death. Thousands of people were arrested. Security forces also used unlawful force against protesters in Indonesia, the Maldives and Nepal.

Restrictions on the rights to freedom of association also deepened in several countries. In Cambodia, the only opposition party was disqualified from taking part in elections and a leading opposition politician sentenced to 27 years' imprisonment. In the Philippines, human rights and humanitarian organizations were among those accused of links to banned communist groups or "red-tagged", leaving their members vulnerable to trumped-up charges, unlawful killing and other human rights violations. In South Korea, trade unions faced an increasingly hostile environment and dozens of labour activists were placed under criminal investigation.

**Governments must respect and facilitate the exercise of the rights to freedom of peaceful assembly and association. The work of human rights defenders must be respected and protected and a safe and enabling environment for their work ensured.**

## ARBITRARY ARRESTS AND DETENTIONS

Human rights defenders, political and environmental activists and others were arbitrarily arrested and detained for challenging government policies and actions or on the basis of their ethnic, religious or other identity.

In China, arbitrary detention and unfair trials of Uyghurs and people from other predominantly Muslim ethnic minorities in Xinjiang Uyghur Autonomous Region continued. In Myanmar, more than 20,000 people remained in detention for opposing the 2021 military coup and grossly unfair trials continued.

In Pakistan, the authorities used the Maintenance of Public Order Ordinance and the vaguely worded Anti-Terrorism Act to arbitrarily detain over 4,000 people involved in protests following the arrest of former prime minister Imran Khan in May. Another 103 civilians, including political leaders and activists, were put on trial in military courts. Although the courts in India granted bail or quashed detention orders of several arbitrarily detained journalists in Jammu and Kashmir, human rights defenders there and elsewhere in the country continued to be held without trial, often for years.

In Mongolia, inadequate procedural guarantees resulted in high numbers of arrests without warrants.

**Governments must end all arbitrary arrests and detention of government critics and others and immediately release anyone detained solely for the peaceful exercise of their rights to freedom of expression, peaceful assembly, association or other human rights.**

## IMPUNITY AND THE RIGHT TO JUSTICE

Impunity remained widespread and victims were routinely denied their rights to justice, truth and reparation.

Although the decision by the International Criminal Court to resume investigations in the Philippines offered some hope for families of the countless victims of unlawful killings during the ongoing "war on drugs", accountability for serious human rights violations there remained almost completely elusive. In Thailand, impunity prevailed for unlawful killings by state security forces. The governments of Sri Lanka and Nepal again failed to make significant progress towards delivering justice, truth and reparations to the tens of thousands of victims of crimes under international law and other grave human rights violations during the respective internal armed conflicts.

**Governments must address impunity by undertaking thorough, independent, impartial, investigations into crimes under international law and other serious human rights abuses, and by bringing suspected perpetrators to justice in fair trials. Full cooperation should be extended to international investigations and justice processes and reparations provided for historical human rights abuses.**

## **VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW**

Violations of international humanitarian law persisted in Myanmar, where indiscriminate and targeted air and ground attacks by the military and associated militias spread across the country resulting in over 1,000 civilian deaths. There were also reports of attacks by armed opposition groups on civilians linked to Myanmar's military authorities. In the context of ongoing armed resistance to the Taliban in Afghanistan's Panjshir province, there was new evidence of enforced collective punishments against the civilian population and extrajudicial executions of captured fighters from the National Resistance Front, while attacks by armed groups, primarily the Islamic State of Khorasan Province, resulted in thousands of casualties.

**All parties to armed conflicts must abide by international humanitarian law, including by ending indiscriminate or direct attacks against civilians or civilian infrastructure.**

## **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

Several countries remained mired in serious economic crises. Skyrocketing inflation in Laos and Pakistan and resulting cost of living hikes impacted the most vulnerable to marginalization. In Sri Lanka, where over a quarter of the population risked falling below the poverty line, access to food, healthcare and other basic needs became a daily challenge, particularly for daily wage earners and Malayaha Tamils. The humanitarian crisis in Afghanistan deepened, leading to fears of a further increase in the already high numbers of people reliant on humanitarian aid – yet the humanitarian response plan remained woefully underfunded.

In Papua New Guinea, chronic under-resourcing of the health system meant that much of the population could not access adequate healthcare. Food insecurity persisted in North Korea and healthcare including essential medicines and vaccines were often unavailable.

Forced evictions and house demolitions left thousands of people homeless and destitute or at risk thereof. In Cambodia, the process of forcibly evicting 10,000 families from the UNESCO World Heritage Site of Angkor continued. Close to 300,000 people were made homeless in India following the demolition of informal settlements in Delhi ahead of the G20 Summit, and demolitions of largely Muslim homes, businesses and places of worship continued in punishment for communal violence. In Indonesia, authorities responded with excessive force to communities protesting against planned evictions and infrastructure development projects, while in Laos the construction of a dam threatened to displace thousands of villagers, without adequate arrangements for compensation.

Cultural and linguistic rights and the right to education for ethnic minorities across China, were undermined by government policies including assimilationist policies targeting Tibetan and Uyghur children.

**Governments should ensure that economic, social and cultural rights are protected and that policies do not compound the violations of rights to food, health, and livelihood.**

## CORPORATE ACCOUNTABILITY

Corporate accountability for human rights abuses too often remained elusive. However, Amnesty International's research on Myanmar contributed to positive developments, with several companies linked to the supply of aviation fuel that was used by the Myanmar military in air strikes against civilians ceasing their involvement. Also, the EU, the UK, the USA and other countries passed targeted sanctions against some of these companies.

**Governments must put in place legislation that requires corporate actors to conduct human rights due diligence to ensure that their operations and those of their partners do not cause or contribute to human rights abuses, and that any harm resulting from their operations is remedied.**

## FREEDOM OF RELIGION AND BELIEF

Freedom of religion or belief remained under threat, especially in South Asia. In India, hundreds of incidents of violence and intimidation of Muslims were recorded. Violence against religious minorities was also widespread in Pakistan, where Ahmadi grave sites were desecrated, and allegations of blasphemy used to target minorities including to justify attacks against over 20 churches in a single day. In Afghanistan, religious minorities including Shia's and Hazara Shia's, Sikhs, Hindus, Christians, Ahmadiyya and Ismailis faced extreme discrimination under the Taliban, who also ensured formal religious teaching was exclusively based on the Sunni sect of Islam.

**Governments must take effective measures, including legal and policy reforms where required, to fully protect, promote and guarantee freedom of religion or belief without discrimination.**

## WOMEN'S AND GIRLS' RIGHTS

Legal protections against sexual violence were strengthened in Japan where the definition of rape under criminal law was extended to include non-consensual sex. In Fiji, legal obstacles to participation in elections for married women were removed.

But the reality for many women and girls in the region remained one of systemic discrimination and violence.

High numbers of incidents of harassment and violence including rape and other sexual violence, continued to be reported particularly in South Asia, and accountability was rare. In India, there was particular concern about the high number of incidents of sexual violence against Dalits, Adivasi and Kuki women by members of dominant castes.

Discrimination took many forms. In Afghanistan, the ever more extreme restrictions on women's and girls' rights and the scale of human rights violations against them reached the level of the crime against humanity of gender persecution. In Nepal, women continued to be denied equal citizenship rights. In Bhutan, Fiji, Japan and elsewhere women remained significantly under-represented in public office and the work force.

**Governments must accelerate efforts to uphold and promote women's and girls' rights, end gender and intersectional discrimination against women and girls and prevent and prosecute gender-based violence.**

## LGBTI PEOPLE'S RIGHTS

There was both progress in and setbacks to LGBTI rights. In Taiwan, authorities recognized the right of most transnational same-sex couples to marry and on 21 December, Thai lawmakers

began a process of legalizing same-sex marriages. Court rulings in Hong Kong, Nepal and South Korea gave greater recognition to the rights of same-sex couples and/or transgender people. However, in South Korea the Constitutional Court upheld the criminalization of consensual same-sex sexual relations within the Korean military. In addition, governments typically reacted by appealing against rights-affirming judgments and dragging their feet on implementation.

The precarious position of LGBTI individuals and groups was also illustrated in China, where a prominent LGBTI organization was forced to close in the face of the government's ongoing anti-LGBTI campaign. In Pakistan, political and Islamist groups led a disinformation campaign that put existing legal protections for transgender (*Khawaja Sara*) people at risk and resulted in increased violence against and harassment of transgender and gender diverse people. In India, the Supreme Court refused to grant legal recognition to same-sex marriage. In Malaysia, books and other materials considered to promote LGBTI lifestyles were banned and in Mongolia a pro-LGBTI march was banned.

**Governments should repeal laws and policies that discriminate against LGBTI people, including by decriminalizing consensual same-sex sexual relations, and should recognize same-sex marriage, promote and protect LGBTI people's rights and enable them to live in safety and dignity.**

## INDIGENOUS PEOPLES' RIGHTS AND ETHNIC AND CASTE-BASED DISCRIMINATION

Discrimination against Indigenous Peoples and on the basis of ethnicity and caste remained widespread. In countries including Cambodia, Indonesia and Malaysia, Indigenous Peoples' rights were ignored as commercial exploitation of their lands threatened their lives and livelihoods. Consultations with affected communities, where they occurred, were often superficial and Indigenous Peoples' activists were vulnerable to human rights abuses. In the Philippines, two Indigenous environmental protection activists were forcibly disappeared and Indigenous Peoples' rights leaders designated as terrorists.

An historic opportunity to progress the rights of First Nations People in Australia was lost with the rejection in a national referendum of a proposal to establish an Indigenous "Voice" that would have enabled them to make direct representations to parliament. In New Zealand, Māori people continued to experience discrimination and marginalization including in the criminal justice system where they continued to be significantly over-represented. In India, caste-based discrimination continued unabated.

**Governments must ensure effective access to justice to victims of ethnic and caste-based discrimination, end impunity for human rights abuses against Dalits, Indigenous Peoples and other at-risk groups, and prioritize policies and programmes to eliminate structural discrimination including in the criminal justice system.**

## TORTURE AND OTHER ILL-TREATMENT

The criminalization of torture and enforced disappearances in Thailand underscored the power of concerted campaigning by victims and human rights defenders, but there remained much to be done there and elsewhere to prevent torture and other forms of ill-treatment.

Multiple instances of torture and other ill-treatment of detainees were reported across the region, and deaths in custody were all too common. At least 94 detainees died in custody during the year in Bangladesh and at least 13 in Malaysia. The Nepali authorities failed to hold anyone accountable for the many credible allegations of torture and other ill-treatment. In

Afghanistan, torture of detainees was reportedly widespread and public corporal punishment amounting to torture or other ill-treatment was used. The Indonesian military was responsible for the arbitrary detention, torture and deaths in custody of Indigenous Papuan civilians, including children.

**Governments must prohibit and criminalize torture and other acts of ill-treatment and take effective measures to protect and prevent abuse of marginalized and at-risk groups. Where they occur, states must investigate allegations, hold those responsible to account and provide victims with timely remedy.**

## RIGHT TO A HEALTHY ENVIRONMENT

Devastating floods, soaring temperatures and deadly typhoons highlighted the vulnerability of the region to events induced by climate change. Yet measures to reduce carbon emissions and for preparedness and adaptation remained largely inadequate. As ever, the poorest and most marginalized suffered the gravest consequences for these failures.

The high death toll among ethnic Rohingya from a cyclone that hit Myanmar in May was largely attributable to the appalling conditions in which they have lived since being forcibly displaced in 2012. In India, almost 200 deaths were recorded in floods in the Himalayan region and heatwaves in Uttar Pradesh and Bihar states. Pakistan continued to experience searing climate change-induced heatwaves that severely impacted health, particularly of those living in poverty and informal sector workers.

Mitigation efforts, starting with emissions targets set by many states, including the biggest emitters, remained insufficient to keep the increase in average global temperatures below 1.5°C above pre-industrial levels. Policies and actions were often inconsistent with meeting targets to which states had committed. For example, Taiwan adopted legislation requiring the government to reduce emissions, but there was no timeline for phasing out fossil fuels and oil exploration continued.

There was little sign of reducing reliance on coal in the region's energy systems. On the contrary, new coal-fired plants and coal mining projects continued to be authorized by governments in Australia, China, Indonesia and South Korea, often in the face of strong domestic opposition. Japan was the only industrialized country in the world not to have committed to phasing out the use of coal in electricity production.

States repeatedly ignored the impact of extractive industries on the environment and on Indigenous Peoples and other affected communities. In Mongolia for example, there was still insufficient action to address the impact of mining operations in the Gobi region on the health and livelihoods of herder communities. In Papua New Guinea, the government issued a licence to reopen a gold mining operation previously associated with serious human rights abuses and environmental damage, despite these not being adequately addressed by the company involved.

**Industrialized and other high-emitting countries in the region must take the lead in climate mitigation, including by stopping the expansion of fossil fuel production and subsidies, and ensure that their climate policies are consistent with keeping global warming within 1.5°C. Governments must increase investment in disaster preparedness and adaptation and prioritize the protection of marginalized and other groups disproportionately impacted by the climate crisis.**

# REFUGEES' AND MIGRANTS' RIGHTS AND HUMAN TRAFFICKING

The indefinite detention of refugees and asylum seekers was ruled unconstitutional by courts in both Australia and South Korea, but protections for refugees, asylum seekers and migrants remained inadequate across the region and their human rights were widely disregarded.

Many refugees and migrants were arbitrarily and indefinitely detained, including in squalid immigration detention centres, or were denied adequate housing and basic services and lacked freedom of movement.

The Malaysian authorities failed to investigate the deaths of 150 people, including women and children, in immigration detention centres in 2022 and, in the meantime, concerns about conditions in the centres persisted. In Bangladesh, a fire in one camp and a cyclone rendered thousands of Rohingya refugees homeless yet again. In Thailand, a new mechanism for screening refugees and asylum seekers was established, but their indefinite detention continued, and poor conditions resulted in the deaths of two Uyghur men. A new immigration law in Japan sanctioned the continuation of indefinite detention of refugees and asylum seekers, while amendments to Taiwan's immigration law failed to include protections against refoulement.

There was serious concern about the fate of hundreds of North Koreans forcibly repatriated by the Chinese government despite warnings that they would likely face severe punishment. Following the Pakistan government's October announcement that unregistered Afghan refugees must leave the country within a month, over 490,000 people were forcibly returned to Afghanistan which many had fled for fear of persecution by the Taliban. Malaysia also violated the principle of non-refoulement by forcibly returning refugees to Myanmar where they faced serious human rights violations.

Government responses to human trafficking in Cambodia, Laos, Myanmar and Thailand remained inadequate, where foreign workers were recruited by deceptive means and forced, often under threat of violence, to work in cyber scams and illegal gambling operations.

**Governments must cease detaining asylum seekers on the basis of their immigration status and allow them to seek international protection. In no circumstances should anyone be forcibly returned to a place where they could face persecution or other human rights violations. Protections against human trafficking should be strengthened and survivors provided with legal and other support including for facilitation of repatriation where safe to do so.**

## DEATH PENALTY

In a positive move, the government of Malaysia repealed the mandatory death penalty for all offences and abolished the death penalty entirely for seven offences. However, the death penalty continued to be used extensively throughout the region, frequently in violation of international law and standards. In both China and Viet Nam, executions were reported but figures on the use of the death penalty remained classified as state secrets. In Afghanistan, death sentences were reported to have been imposed, including by methods such as stoning, found by UN bodies to amount to cruel, inhuman or degrading treatment or punishment. In Singapore, a woman was among those executed for drugs related offences, while anti-death penalty activists and lawyers were subjected to harassment.

**Governments that still retain the death penalty must take urgent steps to abolish it.**



## CHILDREN'S RIGHTS

The criminalization of children continued to be of concern in several countries. In both Australia and New Zealand, children as young as 10 years old could still be detained and youth detention facilities in both were also found to endanger children. In Thailand, nearly 300 children were among those criminally charged for their participation in the largely peaceful protests over recent years. They included a young man who was sentenced to one year's prison sentence, suspended for two years, for participating in a mock fashion show in 2020 – when he was 16 years old – satirizing the monarch. In North Korea, reports of the widespread use of forced labour including by children continued.

**Governments must never arrest or detain children for exercising their rights, including to freedom of peaceful assembly and expression. Governments should raise the minimum age of criminal responsibility to 14 years or above and must ensure children in conflict with the law are treated in accordance with the principles of child justice, including by strictly limiting the use of detention.**

# EUROPE AND CENTRAL ASIA REGIONAL OVERVIEW

## EASTERN EUROPE AND CENTRAL ASIA

Human rights and freedoms remained under profound and constant assault, fuelled by Russia's ongoing war against Ukraine which drove hardening authoritarianism across the region. Governments persecuted human rights defenders, suppressed dissent and often effectively criminalized the right to free expression and independent human rights information as "fake news" and attempts to "discredit" policies or institutions. Prospects for effective human rights promotion and protection were bleak.

War became a "new normal" in the region. Azerbaijan's blockade of a key route into the breakaway territory of Nagorno-Karabakh created a humanitarian crisis endangering the lives of thousands of people and, following its military offensive, over 100,000 people were displaced to Armenia almost overnight.

Russia's unceasing aggression against Ukraine grew into a war of attrition, with the list of war crimes and other crimes under international law constantly increasing. Civilians, including children, endured egregious suffering, through loss of life and injuries, destruction of homes and key infrastructure, continued mass displacement and environmental danger and destruction.

Efforts to establish international justice mechanisms prompted by the war in Ukraine and including on the crime of aggression, failed to deliver. The ICC issued an arrest warrant for President Vladimir Putin but Kazakhstan, Kyrgyzstan and Saudi Arabia were among non-ICC parties which hosted his visits.

Beyond the military conflicts, discrimination and reprisals against religious minorities were common. Torture and other ill-treatment remained endemic and those suspected of criminal responsibility enjoyed impunity. Violence against women and domestic violence persisted at high levels. Gender rights were in retreat. Air pollution, mainly from the burning of fossil fuels, blighted human health in countries across the region.

### FREEDOM OF EXPRESSION

Freedom of expression spiralled severely downwards as a growing palette of reprisals was deployed against critical voices, spanning accusations of "extremism", "justification of terrorism", "dissemination of knowingly false information" and LGBTI "propaganda".

Russia reached new heights of wartime censorship, sparing none among dissenting voices. Thousands were penalized, and hundreds faced unfounded criminal prosecution, including opposition activist Vladimir Kara-Murza, sentenced to 25 years for "state treason".

Azerbaijan, Belarus, Kazakhstan and Tajikistan amongst others locked up scores of government critics. Kyrgyzstan's draft media law forbade dissemination of "materials that harm the health and morality of the population". In Turkmenistan, free information remained suppressed such that shortages of essential food items and forced labour were hidden from view.

### FREEDOM OF ASSOCIATION

Throughout the region civil society was constrained or shut down, with Russia continuing to provide a vicious blueprint. There, an ever-growing number of individuals and civil society

organizations were labelled “foreign agents” or “undesirable organizations”, limiting their participation in public life. The criminal code was also amended to penalize “carrying out activities” of foreign NGOs without registered offices in Russia, effectively criminalizing any forms of cooperation with most civil society groups outside the country. Leading human rights organizations including the Moscow Helsinki Group, Sakharov Centre and Sova Centre were shut down.

Belarus closed prominent human rights group Viasna, among scores of other independent civil society organizations, and imprisoned its leading members for years. Kyrgyzstan plumbed new depths when a draft law “On Foreign Representatives”, modelled on Russia’s “foreign agents” law, moved toward adoption and threatened the closure of numerous NGOs. In Moldova, Shansa party members were arbitrarily denied the possibility of standing in local elections.

In a rare story of success, widespread public protest in Georgia against a draft Law on Transparency of Foreign Influence forced its withdrawal.

## **FREEDOM OF PEACEFUL ASSEMBLY**

Authorities across the region severely restricted peaceful street protest, already rare or non-existent in many countries, while large pro-government rallies were held in Russia and elsewhere. Unlawful use of force by law enforcement was a norm. Kyrgyzstan imposed a near blanket ban on peaceful demonstrations in the capital Bishkek and in some regions. Authorities in Belarus and Kazakhstan continued to identify and jail peaceful participants in past protests.

Police in Georgia deployed tear gas and water cannons to break up a largely peaceful protest in March. In Turkmenistan, police used unnecessary and disproportionate force to stop protests against bread shortages.

**Authorities must stop using pretexts to repress dissent and prevent discussion of their human rights records. They must end the harassment and prosecution of critical voices, stop security forces using unlawful force during protests and repeal or amend legislation violating the right to peaceful assembly.**

## **FREEDOM OF RELIGION AND BELIEF**

Discrimination and reprisals against religious minorities were common across the region. Tajikistan continued with repressive practices against Ismailis including penalizing collective prayer in private homes. Jehovah’s Witnesses were imprisoned for practising their faith in Russia and Russian-occupied Ukrainian territories, and law enforcement authorities targeted Catholic priests in Belarus and those of the Ukrainian Orthodox Church (effectively subordinated to the Russian Orthodox Church) in Ukraine. Devout Muslims in Uzbekistan continued to be prosecuted on overly broad and vaguely worded extremism-related charges.

**Governments must take effective measures to implement legal and policy reforms to fully protect, promote and guarantee freedom of religion or belief without discrimination.**

## **TORTURE AND OTHER ILL-TREATMENT**

In many countries torture and other ill-treatment remained endemic and those suspected of criminal responsibility enjoyed impunity. In Belarus those imprisoned under politically motivated charges faced inhumane conditions, including incommunicado detention and lack of adequate healthcare. In Kazakhstan, five of the six officially acknowledged cases of death caused by torture following protests in January 2022 reached court by the end of 2023, while most others were dropped for alleged lack of evidence. In Moldova detainees continued to suffer overcrowding and unsanitary conditions and poor health provision. In Georgia former president Mikheil Saakashvili was denied release on humanitarian grounds despite severely

deteriorating health and reported lack of adequate medical care. Aleksei Navalny in Russia was subjected to enforced disappearance and repeated arbitrary solitary confinement.

**Governments must act urgently to end torture and other ill-treatment, bringing all those suspected of criminal responsibility to justice in fair trials.**

## **GENDER-BASED DISCRIMINATION AND VIOLENCE**

In Uzbekistan, domestic violence was criminalized for the first time. However, war and legislation entrenching “traditional” and “family” values framed increasing gender-based violence and violence against women in the region. In Ukraine, an all-time high of domestic violence was recorded amidst the raging war, and Kyrgyzstan saw widespread abuse and sexual violence against children with disabilities, including girls. Sexist, misogynist language against political opponents, especially by the ruling party, was on the rise in Georgia, while women in Azerbaijan faced various forms of gender-based violence, including being targeted as instruments of political revenge.

**Governments must implement comprehensive policies to prevent gender-based violence against women and girls, including by tackling entrenched gender discrimination and harmful stereotypes, ensure access to protection and support for survivors and address impunity for related crimes.**

## **VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW**

Russia’s aggression against Ukraine was marked by persistent war crimes. Indiscriminate attacks by Russian forces on populated areas and civilian energy and grain export infrastructure were common. Both Russian and Ukrainian forces used cluster munitions despite their inherently indiscriminate nature and lasting risks for civilians. Ukraine was estimated as the world’s most heavily mined country. Torture and other ill-treatment of prisoners of war in Russia and Russian occupied territories of Ukraine was widespread. A Moscow court upheld a 13-year sentence against Ukrainian human rights defender Maksym Butkevych for a purported war crime he could not have committed.

Further to Azerbaijan’s military takeover of Nagorno-Karabakh, no progress was reported in investigating violations of international humanitarian law by either Azerbaijani or Armenian forces, including disproportionate and indiscriminate attacks and reports of torture and killings of captives in previous years in that region.

**All allegations of war crimes and crimes against humanity should be subject to impartial and independent investigations, including through the principle of universal jurisdiction.**

## **UNFAIR TRIALS**

Judicial systems in many countries were deployed to crack down on rather than protect human rights.

In Russia, courts demonstrated a profound bias against defendants and trials on charges of terrorism, extremism and high treason were habitually closed to the public.

The Belarusian judiciary continued to be weaponized to crack down on all dissent including by lawyers and human rights defenders. Sviatlana Tsikhnouskaya, Pavel Latushka, Maria Maroz, Volha Kavalkova and Sharhei Dyleuski were sentenced in their absence to lengthy prison sentences on trumped-up charges, while Nasta Loika was sent to prison for seven years. In Kazakhstan, celebrated athlete Marat Zhylanbayev was sentenced to seven years in prison for peaceful dissent. The US Department of State sanctioned four Georgian judges for corruption for abusing their position and undermining the judicial system.

The UN expressed deep concern about the overly broad definition of terrorist organizations in Tajikistan which made possible the application of emergency measures and restrictions on due process. When Germany deported asylum seeker Abdullohi Shamsiddin to Tajikistan, he was

forcibly disappeared before being sentenced to a seven-year term. In Uzbekistan dozens connected to the 2022 mass protests in Karakalpakstan were convicted in unfair trials on politically motivated charges.

## **CHILDREN'S AND OLDER PEOPLE'S RIGHTS**

While Russia's war in Ukraine created acute suffering and deprivation for all Ukrainians, children and older people were made more vulnerable.

UN data in November indicated that at least 569 children killed and over 1,229 were injured since February 2022. Estimated numbers of children unlawfully transferred by occupying Russian authorities to Russian occupied territories or to Russia itself was in the hundreds and possibly thousands. In March the ICC issued arrest warrants for President Vladimir Putin and Children's Rights Commissioner Maria Lvova-Belova for their role in this war crime.

Older people were disproportionately affected by the conflict, killed and injured at higher rates than any other civilians. Those displaced struggled to access private housing independently, and temporary shelters typically remained physically inaccessible for older people, particularly those with disabilities.

## **ECONOMIC AND SOCIAL RIGHTS**

Military conflict in the region continued to impact on economic and social rights. For nine months until its offensive in September, Azerbaijan's blockade of the Lachin corridor, a road connecting Nagorno-Karabakh to Armenia, caused critical shortages of basic necessities including food, medicines and fuel resulting in a humanitarian crisis in the breakaway region.

In September, in a serious attempt to unlawfully indoctrinate school children, high school students across Russia as well as occupied territories of Ukraine were issued new "unified" history textbooks which sought to whitewash the historical human rights record of Russian and Soviet authorities. Children in Russian-occupied territories were forced to learn the Ukrainian curriculum "in hiding", to avoid reprisals.

**Governments must ensure the rights of everyone to an adequate standard of living, and access to quality education.**

## **REFUGEES' AND MIGRANTS' RIGHTS**

People on the move continued to suffer across the region. Belarusian authorities violently forced migrants across EU borders where they faced pushbacks, and in Russia authorities used deception and pressure to recruit migrants into military service. The over 100,000 ethnic Armenians displaced from Nagorno-Karabakh to Armenia faced economic hardship and uncertainty about the prospects of return.

**Governments must ensure all those fleeing persecution and human rights violations have access to safety and international protection, and that no one is returned to face serious human rights abuses.**

## **RIGHT TO A HEALTHY ENVIRONMENT**

World War II-style military combat in Ukraine and countries who are major fossil fuel producers and emitters in the region spurred vast environmental destruction and pollution.

Russia's aggression in Ukraine produced severe air, water and land contamination, and unmanageable quantities of hazardous waste. The Kakhovka dam was destroyed in what appeared to be a deliberate military act widely believed to have been committed by Russian forces, resulting in waste contamination with long lasting ecological consequences beyond Ukraine's borders.

Human health also suffered from air pollution, mainly from the burning of fossil fuels. Such pollution was estimated to cause over 10,000 excess deaths annually in Kazakhstan, and 18%

of deaths from stroke and ischaemic heart disease in Belarus. Kyrgyzstan's capital was ranked one of the most polluted in the world.

Across the region, those seeking to protect the environment themselves suffered severe reprisals. Activists opposing a gold mining project in Armenia faced lawsuits seeking excessive financial compensation for the supposed harm to business caused by their environmental criticism. In Russia two major environmental NGOs were designated as “undesirable” and banned from the country.

**Governments must take immediate measures to protect individuals and communities against the risks and impacts of climate change and extreme weather conditions, including by seeking international assistance and cooperation to take sufficient climate adaptation and mitigation measures.**

## **LGBTI PEOPLE'S RIGHTS**

In Ukraine, a draft law on civil partnerships, including for same-sex couples, was registered in March, though it did not address the prohibition on child adoption by same-sex couples.

Russia, however, adopted new transphobic legislation and effectively outlawed any public LGBTI people's rights-related activity by labelling as “extremist” an undefined “international public LGBT movement”. In Central Asia and beyond, gender rights were in retreat, with Kyrgyzstan proposing legislative amendments to prohibit information that “denies family values” and promotes “non-traditional sexual relationships”, while in Turkmenistan and Uzbekistan consensual same-sex sexual relations remained a crime.

**Governments should repeal laws, policies and practices that discriminate against LGBTI people, including by decriminalizing consensual same-sex sexual relations and removing legal obstacles to same-sex marriage.**

## **WESTERN, CENTRAL AND SOUTH-EASTERN EUROPE**

In 2023 politicians in many European countries fomented social polarization on women's and LGBTI rights, migration, climate justice, and the horrific events in Israel and the Occupied Palestinian Territories (Israel/OPT). Many governments instrumentalized human rights to stigmatize various groups and enacted disproportionate restrictions on civic space, targeting climate protesters, people expressing dissenting views, particularly regarding solidarity with Palestinians, Muslims and other racialized individuals.

Systemic racism continued to violate rights and cost lives. States maintained policies of racialized exclusion towards people from Africa, the Middle East and Asia that resulted in deaths and harm being inflicted on people at sea and land borders. Governments did little to address the continued discrimination and segregation of Roma. The failure of states to implement anti-racism measures and the political exploitation of racism formed the backdrop to a spike in reports of antisemitism and anti-Muslim racism.

There was both progress and regression on gender-based violence and sexual and reproductive rights. The slide to surveillance societies continued. The most vulnerable, including people with disabilities, suffered inadequate social protection.

Double standards were evident in the rhetoric and policies of many states: towards Israel versus the simultaneous restrictions imposed on solidarity for Palestinian human rights; warm words at COP28 while continuing the use and production of fossil fuels and cracking down on protesters; and the complacency towards human rights backsliding within Europe but criticism of states outside the region.

## REFUGEES' AND MIGRANTS' RIGHTS

EU member states maintained deadly policies of racialized exclusion and externalization, and made little progress on responsibility-sharing within the EU. Negotiations on EU asylum reforms pointed to a compromise that would reduce safeguards and increase suffering for people seeking safety. States failed to establish safe and legal routes, instead subjecting people to abuse and unnecessary danger at land and sea borders. More than 600 racialized people including children died in a shipwreck off Pylos in Greece in one such incident alone, and hundreds of others from Africa, the Middle East and Asia were subjected to abuse and violence throughout the year as unlawful, summary forced returns remained a daily occurrence at borders across Europe.

The European Commission failed to trigger infringement proceedings against Latvia and Lithuania after they introduced the possibility of summary returns into domestic legislation. Impunity for violations at borders persisted: Spain failed to investigate effectively the 2022 deaths, torture and unlawful expulsions between Melilla and Morocco.

Some European countries failed to ensure the rights of Afghans to seek safety. In Germany, a humanitarian admission programme meant to admit 1,000 Afghan people per month benefited less than 100. Denmark, Finland and Sweden took positive steps to grant prima facie recognition of refugee status to Afghan women and girls.

Refugees and migrants faced attacks in the Czech Republic, Cyprus, Germany and Greece. Many politicians engaged in discriminatory and racist rhetoric which targeted refugee and migrant communities, including in Türkiye in the context of elections.

European states continued to externalize border control, disregarding human rights. More countries sought agreements on offshore processing of asylum seekers, such as Italy with Albania, while advancing an EU deal with Tunisia that risked rights violations. Cooperation with Türkiye, where thousands of people were subjected to refoulement, continued. Despite losing legal challenges, the UK government seemed intent on implementing its plan to transfer asylum seekers to Rwanda for processing of their asylum applications.

**Governments must put an end to policies of racialized exclusion. They must instead ensure that policies and practices protect, respect and fulfil the right to life of refugees and migrants, establish safe and legal routes and uphold people's right to asylum at borders.**

## WOMEN'S AND GIRLS' RIGHTS

Latvia ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence, while North Macedonia harmonized its laws with the treaty. Croatia announced that femicide would be a separate offence. Switzerland adopted a consent-based definition of rape and the Netherlands marked progress towards adopting such a definition.

Many countries, however, reported high figures for gender-based violence against women and girls against a backdrop of inadequate state actions to tackle it. Monitors in Albania, Austria, Greece, Italy, Serbia, Spain and Türkiye each reported dozens, if not hundreds, of femicides. The live-streaming of a killing in Bosnia and Herzegovina sparked protests, as did the mild punishment of a perpetrator in Bulgaria.

While a law in Finland entered into force allowing abortion on request in the first 12 weeks of pregnancy, and Spain passed a bill to allow abortions for 16-17-year-olds without parental consent, several countries retained restrictions on abortion. In Poland at least one woman died as a consequence of being denied abortion services. In Croatia, Ireland, Italy and Northern Ireland, health personnel frequently invoked conscience clauses. Some Austrian regions excluded abortion from the health system, while the Czech Republic saw care refused to non-

Czech EU citizens. Legislation banning abortion in Malta was amended but access remained highly restricted. Andorra was the only country with a total ban.

**Governments must urgently combat all forms of gender-based violence and address their root causes.**

## **RIGHT TO PRIVACY**

Several cities and cantons in Switzerland adopted bans on facial recognition in public spaces. In France, however, a new law authorized mass biometric surveillance for the 2024 Olympics.

Amnesty International revealed that the Intellexa Alliance of companies traded Predator spyware to many countries, including Austria, Switzerland, and Germany, and uncovered Predator use against a Berlin news site, European institutions, and researchers. In Spain, at least 65 people, mostly in Catalonia, were targeted by Pegasus spyware.

## **RIGHT TO A FAIR TRIAL AND EROSION OF JUDICIAL INDEPENDENCE**

Hungary, Poland and Türkiye continued to undermine judicial independence. Hungary took steps to limit the powers of the judiciary. In Poland, the government targeted critical judges. In Türkiye, the Court of Cassation refused to implement a Constitutional Court ruling, accusing its judges of overreach.

**Governments must stop the slide to surveillance societies, respect the right to a fair trial, and end the erosion of judicial independence.**

## **FREEDOM OF EXPRESSION**

Attacks against journalists were recorded in countries across the region. Türkiye continued to arrest or detain many journalists for bogus terrorism-related offences.

Politicians and businesses used strategic litigation against public participation (SLAPP) suits to silence journalists or activists in Austria, Bulgaria, Croatia, Greece, North Macedonia and Serbia. While Republika Srpska in Bosnia and Herzegovina criminalized defamation, Bulgaria reduced fines for defamation against public officials and Croatia adopted a plan envisaging the early dismissal of SLAPPs.

With few exceptions, states across the region proposed or adopted measures to disproportionately restrict views, including online, critical of Israel's bombing campaign in Gaza and in support of Palestinian human rights.

## **FREEDOM OF ASSEMBLY**

As the climate emergency deepened, peaceful protests increased, prompting harsh responses by authorities. Climate protesters engaging in peaceful acts of civil disobedience faced mass arrests, prosecution for harsh crimes and smear campaigns.

Many countries enacted disproportionate restrictions on assemblies. In the Netherlands, police used unlawful ID checks as a surveillance tool against protesters. In France, Italy, Serbia and Türkiye, among others, law enforcement often engaged in unlawful use of force as well as discriminatory policing.

Many governments imposed unlawful restrictions on protests in solidarity with Palestinians. Austria, France, Germany, Hungary, Poland, Switzerland and others pre-emptively banned such protests, citing vague risks to public order or national security. Media and politicians frequently used rhetoric that dehumanized Palestinians, spread racist stereotypes and conflated Muslims with terrorists.

France invoked counterterrorism legislation to ban peaceful protests and carried out arbitrary arrests. During the Prides, Turkish police implemented blanket bans, used unnecessary force, and arrested 224 people. The UK passed a bill expanding police powers, creating protest banning orders and allowing civil injunctions.



## **FREEDOM OF ASSOCIATION**

France continued to pursue the dissolution of several NGOs without due process. Türkiye intensified the use of intrusive NGO audits. In Bosnia and Herzegovina, Republika Srpska passed a law creating a registry of foreign-funded NGOs. In Hungary the government introduced a new law to limit foreign funding for NGOs.

**The space for all to exercise the rights to freedom of expression, association and peaceful assembly must be protected from state overreach.**

## **HUMAN RIGHTS DEFENDERS**

Human rights defenders working on women's or migrants' rights were frequent targets of repression. In Andorra, an activist faced steep fines after speaking out against the abortion ban. In Poland, Justyna Wydrzynska received eight months of community service for assisting a woman to access abortion pills. In Greece, migrants' rights defenders Sarah Mardini and Séan Binder were indicted for four felonies. Latvian authorities opened criminal proceedings against two defenders for humanitarian work at the Belarus border. Türkiye upheld the conviction of Osman Kavala, defying judgments of the European Court of Human Rights (ECtHR).

**Governments should protect human rights defenders and recognize their crucial role, rather than stigmatizing and criminalizing their activities.**

## **RACIAL DISCRIMINATION**

Racial profiling by law enforcement remained common. The French Council of State acknowledged discriminatory police checks but proposed no action. The Netherlands border police were found guilty of racial profiling. In the UK, a report flagged institutional discrimination in London's Metropolitan Police.

Germany reported record rates of hate crimes. The ECtHR again condemned Bosnia and Herzegovina for discriminatory electoral rules. In Latvia and Lithuania, some citizens of Russia faced the loss of residence permits.

Roma faced discrimination, segregation and social exclusion. The European Committee on Social Rights found Italy had violated Roma housing rights, while courts in Slovakia found that segregated classes for Roma pupils were discriminatory. The Bulgarian equality body investigated denial of entry for Roma to swimming pools. In North Macedonia, a Roma man died after being denied treatment due to the lack of an ID card; in Romania, a pregnant deaf Roma woman was denied medical care at a hospital and gave birth on the pavement.

In France, Muslim women were especially targeted for restrictions in sport and education. Antisemitic and anti-Muslim discriminatory speech and hate crimes spiked across the region as horrific events unfolded in Israel/OPT.

In the aftermath of the February earthquakes in Türkiye, civilians and state actors targeted migrants and refugees helping search and rescue with racist abuse.

## **LGBTI PEOPLE'S RIGHTS**

Latvia recognized civil partnerships, while Lithuania failed to do so. The ECtHR condemned Bulgaria and Romania for failing to recognize same-sex couples.

Discrimination persisted against LGBTI people. In Croatia and North Macedonia, Prides faced threats and discriminatory speech from both public officials and private individuals. Norwegian police found LGBTI meeting places to be at ongoing risk of violent attacks. In Türkiye, politicians used discriminatory rhetoric against LGBTI people.

Although Hungary faced legal action in the Court of Justice of the EU for its propaganda law, the authorities fined a bookstore for violating this legislation and the Media Council barred a TV

advertisement on Pride. The ECtHR condemned Lithuania for censorship of a book depicting same-sex relationships.

Transgender rights saw progress and setbacks. Germany abolished the discriminatory exclusion of transgender people, gay and bisexual men from blood donations. A new Self-Determination Act was discussed in parliament, which would enable self-determination for transgender, non-binary and intersex people on the basis of a simple declaration at the registry office. In Finland such recognition became available to adults upon application. In Spain a new law guaranteed access to health services and gender self-determination. However, Bulgaria ended legal gender recognition for transgender people and the UK government blocked the Scottish Gender Recognition Reform Act.

**Governments should meaningfully address systemic discrimination including against Jewish people, Muslim people, Black people, Roma and LGBTI people.**

## **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

In Finland, the government announced plans to cut public healthcare and raise user fees and taxes on medicines, which will disproportionately affect the most vulnerable. The European Social Committee deemed admissible a complaint against Greece regarding austerity cuts to healthcare. Slovenia passed a Long-Term Care Act, but faced a shortage of doctors.

Denmark and Finland announced cuts to social assistance. France, Ireland and Portugal had record levels of homelessness. Spain adopted a housing rights law, but failed to protect economically vulnerable people from evictions. In Serbia, the new semi-automated social welfare system resulted in possibly thousands of people losing access to vital social assistance and disproportionately affected Roma and people with disabilities.

The response of the Turkish government after the February earthquakes was inadequate in protecting people with disabilities.

**Governments must take immediate action to guarantee all people's economic and social rights, free from discrimination, including by assigning adequate resources and ensuring universal and comprehensive social protection.**

## **RIGHT TO A HEALTHY ENVIRONMENT**

In positive moves a Cyprus court recognized an environmental NGO's right to file public interest claims, NGOs in Ireland litigated against the failure to sufficiently reduce greenhouse gas emissions, and young people in Portugal brought a case against 33 countries at the ECtHR for insufficient action on climate change. The Council of Europe recognized politically the right to a healthy environment, but failed to adopt a binding legal instrument on this right.

Many countries, however, continued fossil fuel use. Bulgaria and Romania planned gas exploration in the Black Sea, Greece and Slovakia planned LNG terminals, Malta supported a major gas pipeline, Norway provided tax incentives for oil and gas fields and Germany approved finance for fossil fuel projects. French banks were among the biggest funders of fossil fuel extraction.

**Governments should phase out the use and production of fossil fuel through a just transition. They should also urgently scale up climate finance to lower-income countries and commit to providing additional dedicated funding for loss and damage.**

# MIDDLE EAST AND NORTH AFRICA REGIONAL OVERVIEW

The devastating escalation of violence in the Israel-Palestine conflict had profound ramifications across the region, and worldwide. From October, Israeli forces killed more than 21,000 Gazans, mostly civilians, many unlawfully, while Hamas deliberately killed civilians in Israel and held hostages and captives. The conflict's deep roots lie in Israel's forced displacement and dispossession of Palestinians in 1948, the military occupation of Gaza and the West Bank in 1967, Israel's ongoing system of apartheid against Palestinians, and its 16-year illegal blockade of the occupied Gaza Strip.

The impacts of other long-standing conflicts in Iraq, Libya, Syria and Yemen continued to blight the lives of millions of people, particularly those from marginalized communities, including internally displaced people, refugees and migrants, and ethnic minorities, many of whom were denied the most basic rights to food, water, adequate housing, healthcare and security. Indiscriminate attacks, destruction of infrastructure, forced displacement and abusive rule by security forces, militias and armed groups continued with impunity.

Regional governments failed to respond adequately to the impacts of sharp cost of living rises, economic crises and natural and climate change-linked disasters, all affecting the fundamental human rights of hundreds of millions of people. People expressing their political, social and economic grievances faced punitive measures intended to silence dissent. Authorities detained, tortured and unjustly prosecuted dissidents and critics, punishing them with harsh sentences, including the death penalty, travel bans, threats and other forms of harassment. Those targeted included journalists, online commentators, human rights defenders – including campaigners for the rights of women, LGBTI people and marginalized communities – political and trade union activists. In Egypt, Iran and Jordan, security forces used unlawful, sometimes lethal, force alongside enforced disappearances and mass arbitrary arrests to suppress protests. Most perpetrators of such human rights violations enjoyed impunity for their crimes.

Discrimination remained rife across the region on the basis of gender, race, nationality, legal status, ethnicity, sexual orientation, gender identity or expression, religion and economic class. In some countries it was entrenched in law.

Although extreme weather events like drought and intense heat brought death and destruction to parts of the region, governments failed to take the necessary action to tackle climate change and environmental degradation; several announced plans to expand fossil fuel production, including Qatar, Saudi Arabia and the United Arab Emirates, which hosted COP28.

## ISRAEL-PALESTINE CONFLICT

In October, the long-standing Israel-Palestine conflict exploded and the aftershocks for regional politics and international human rights law rippled across the region, and globally.

On 7 October, Hamas and other Palestinian armed groups committed war crimes, including deliberately killing hundreds of civilians in Israel, hostage-taking, and firing indiscriminate rockets into Israel. Subsequently, Israeli forces carried out heavy air bombardments of the densely populated Gaza Strip, committing war crimes including by killing and injuring civilians and destroying and damaging homes and other civilian objects in indiscriminate and other

unlawful attacks, unlawfully imposing a total siege on the already impoverished civilian population, and forcibly displacing nearly 1.9 million Palestinians from their homes.

Over the following 12 weeks, Israeli forces' relentless bombardment and ground offensive killed 21,600 Palestinians, according to Gaza's health ministry, a third of whom were children, injured many others, and flattened much of Gaza's built-up areas. Mounting evidence, supported by multiple testimonies, satellite imagery and verified photos and videos gathered by Amnesty International and others, showed how Israeli forces bombed crowded refugee camps and residential buildings, repeatedly wiping out entire families and destroying hospitals, churches, mosques, UN-run schools, bakeries, roads and other crucial infrastructure. Israel's vague warnings to "evacuate" northern Gaza, even as they continued to bombard supposedly safe areas in the south, amounted to forced displacement of the civilian population, in violation of international humanitarian law.

Thousands of other Palestinians died needlessly as a consequence of Israel's blockade and attacks on hospitals, which left 2.2 million Gazans without access to adequate drinking water, food, medical supplies and fuel, and the virtual collapse of the health system.

As international attention focused on Gaza, violent attacks on Palestinians in the occupied West Bank, including East Jerusalem, by Israeli armed forces and state-backed armed Jewish settlers intensified, killing 511 and forcing thousands to flee their homes. Such attacks were carried out with impunity. Israeli authorities also demolished hundreds of Palestinian buildings without military justification, displacing 2,249 people, and significantly increased their use of administrative detention.

## **INTERNATIONAL RESPONSE**

Despite the staggering levels of civilian bloodshed, destruction and suffering in Gaza and Israel, the international community failed to act meaningfully with some states, particularly the USA, continuing to arm parties to the conflict with weapons used in flagrant violations of human rights. The USA used its veto power to block the UN Security Council from taking effective action or for calling for a ceasefire.

Powerful nations, including the USA and many western European states, publicly backed Israel's actions, undermining respect for international humanitarian law and protection of civilians. The international community's unwillingness to uphold human rights and international humanitarian law emboldened Israel to continue carrying out its military offensive without regard for its devastating toll on civilians in Gaza.

On 16 November, a group of UN experts publicly warned that the world was witnessing "a genocide in the making" in Gaza.

In contrast to the international community's lack of meaningful response, hundreds of millions of people worldwide staged mass weekly demonstrations in solidarity with Gazans and to demand a ceasefire and an end to the blockade.

Such demonstrations also swept the region, including in countries that had normalized relations with Israel and where public protests were forbidden or dangerous. In Egypt, tens of thousands took to the streets nationwide with the authorities arbitrarily arresting dozens. In Bahrain, around 1,000 people demonstrated. Large demonstrations were also held in Algeria, Iran, Iraq, Jordan, Lebanon, Libya, Morocco, Syria, Tunisia and Yemen as well as in the West Bank.

On 11 November, at an unprecedented joint summit of the Arab League and the Organisation of Islamic Cooperation, leaders condemned Israeli aggression against the Gaza Strip, the war crimes and the "barbaric ... and inhuman massacres" perpetrated by the government of occupation. In December, South Africa applied to the International Court of Justice for proceedings to be initiated against Israel regarding its breaches of the 1948 Genocide Convention in Gaza.

Meanwhile, concerns about the conflict spreading grew. From 7 October, cross-border hostilities between Israel and Hizbullah and other armed groups in south Lebanon resulted in at least four Israeli civilian deaths and at least 20 civilian deaths in Lebanon. Between 10 and 16 October, Israeli forces fired artillery shells containing white phosphorus in military operations along Lebanon's southern border. Amnesty International called for the attack on Dhayra to be investigated as a possible war crime. On 13 October, Israeli artillery fire in southern Lebanon killed a journalist and injured six others. The same month, Israeli strikes in Syria killed eight soldiers and hit Aleppo airport four times. Since 9 October, the Israeli military struck the Rafah border crossing with Egypt numerous times, on one occasion injuring Egyptian border guards.

Globally, online hatred and racism against Palestinian and Jewish communities escalated, including incitement to violence, hostility and discrimination, and some governments repressed the rights to freedom of expression and assembly to stifle pro-Palestinian demonstrations and slogans.

**Under international humanitarian law, all sides in a conflict must protect civilians and civilian objects. Amnesty International calls for an immediate ceasefire to prevent further loss of civilian lives, to allow life-saving humanitarian aid to reach those in desperate need in Gaza, and for independent international investigations into crimes under international law committed by all parties. It calls for the immediate release of all civilian hostages held by Hamas, and of all Palestinians arbitrarily detained by Israel. The international community should impose a comprehensive arms embargo on all parties to the conflict.**

## OTHER VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

Other long-standing regional armed conflicts and their aftermaths devastated the lives of millions of people, with parties to the conflicts – some backed by foreign governments – committing war crimes and other serious violations of international humanitarian law.

In the 12th year of the conflict in Syria, all parties and their allies carried out unlawful attacks, killing civilians and destroying vital infrastructure. The Syrian government, supported by Russian government forces, launched multiple unlawful ground attacks and from October escalated aerial attacks on civilians and civilian objects in north-west Syria, killing dozens of civilians and displacing tens of thousands.

In Libya, militias and armed groups carried out unlawful attacks and used weapons with wide area effects in residential neighbourhoods, killing and wounding civilians and destroying civilian infrastructure during armed hostilities. Thousands remained arbitrarily detained in relation to the conflict or for their tribal or political affiliations. In Yemen, despite a decline in armed conflict and cross-border attacks, all parties to the conflict committed unlawful attacks and killings with impunity.

**All parties to armed conflicts must respect international humanitarian law, in particular ending direct attacks on civilians and civilian infrastructure, and indiscriminate attacks. Foreign governments must stop transfers of weapons where there is an overriding risk of their use to commit or facilitate serious violations of human rights or international humanitarian law.**

## REPRESSION OF DISSENT

Across the region, authorities continued to violate the rights of people who expressed critical or dissenting views, including online, whether about their government or security forces, human rights, economic policies, international affairs or social issues deemed “immoral”.

In the aftermath of Iran’s “Woman Life Freedom” uprising in 2022, authorities intensified their crackdown on women and girls defying compulsory veiling, and the harassment of relatives of unlawfully killed protesters and bystanders seeking truth and justice. They also arrested scores of journalists, lawyers and human rights defenders. The authorities disrupted internet and mobile phone networks during protests, prevented mass nationwide demonstrations on the anniversary in September, of the 2022 uprising, by carrying out arrests, and crushed smaller local protests using unlawful force and mass arrests.

Ahead of Egypt’s December presidential elections, in which genuine opposition candidates were barred from running, the authorities intensified their targeting of opposition politicians and their supporters; relatives of dissidents abroad; trade unionists; lawyers; journalists; and people critical of the authorities’ human rights record and their handling of the economic crisis, and the military’s role. Security forces continued to forcibly disappear, torture, unjustly prosecute and arbitrarily detain dissidents.

Some states used terrorism legislation or bogus charges to silence opposition and inflict harsh punishments on their critics.

In Algeria, authorities prosecuted activists and journalists for expressing critical views, mainly online, and shut down media outlets. Iraqi authorities attacked the right to freedom of expression and attempted to introduce laws and regulations to curb this right.

In Tunisia, authorities escalated their crackdown on dissent, increasingly using unfounded conspiracy and terrorism charges against high-profile opposition figures and other critics, and frequently using a new draconian cybercrime law. Members of the Ennahda opposition party were particularly targeted, with many of its leaders held in long-term pretrial detention. Over 50 political activists were investigated under trumped-up charges of “conspiracy,” while dozens of social and environmental protesters were unjustly prosecuted.

In Saudi Arabia, the authorities relentlessly targeted perceived dissidents. The Specialized Criminal Court (SCC), established to try terror-related crimes, sentenced individuals to lengthy prison terms following grossly unfair trials for exercising their rights to freedom of expression or association, including peaceful online speech. The SCC appeals court upheld Salma al-Shehab’s conviction for terrorism-related offences, including publishing tweets that “disturb public order, destabilize the security of society and the... state” for her social media posts supporting women’s rights. She was sentenced to 27 years in prison followed by a 27-year travel ban.

During the annual climate change conference (COP28), hosted by the United Arab Emirates (UAE), a mass trial began of over 80 Emiratis, including human rights defenders and prisoners of conscience already imprisoned for a decade, on trumped-up terrorism charges. At least 26 prisoners of conscience remained held in the UAE for the peaceful expression of their beliefs.

Apart from pro-Palestine marches, the enduring or intensified repression across much of the region impeded mass protests, and the few that went ahead were usually met with unlawful use of force and arrests.

Hundreds of thousands of Israelis demonstrated against proposed judicial reforms and were occasionally met with arbitrary arrests and police use of excessive force. Meanwhile, Israel’s Military Order 101 continued to suppress Palestinians’ right to peacefully protest and assemble in the West Bank.

In Jordan, the authorities increasingly stifled the peaceful activities of political activists, journalists, workers, political party members, LGBTI people and others under abusive and

vaguely defined laws. A new cybercrime law further repressed individuals' right to express their opinions online. At least 43 individuals were investigated or prosecuted for online expression, under abusive and vague laws. Nine were tried by the military State Security Court.

**Governments must respect the rights to freedom of expression, association and peaceful assembly, including by ensuring that journalists, human rights defenders and activists can enjoy these rights without harassment, violence and prosecution, and releasing those detained for exercising these rights.**

## **DENIAL OF ECONOMIC AND SOCIAL RIGHTS**

Rising inflation, government failings and other factors – locally, regionally and internationally – continued to put intense pressure on energy and food prices across the region, hitting hardest the least resource-rich and most populous countries, some of which were still recovering from the Covid-19 pandemic's economic and other impacts. This left millions of people food insecure, and undermined their rights to water, health and an adequate standard of living. Worst affected were people who experienced multiple forms of discrimination including women, low-paid workers, refugees, migrants and internally displaced people.

In Lebanon, the economic crisis deepened, with inflation hitting triple digits and food price inflation reaching over 300%. Many people, particularly those from marginalized groups, could not afford or access medication and other essentials, including potable water, sufficient food, power and other basic goods and vital services. Egypt's economic crisis had shattering impacts on socio-economic rights. The government allocated about half of the budget to debt repayment while failing to meet its budgetary obligations for spending on health and education, or adequately adjusting its social protection programmes. Combined with rising inflation, this pushed millions more into poverty.

In many countries, including those with burgeoning oil- and gas-rich economies, governments failed to protect low-paid workers from labour abuses, and denied workers the right to join independent trade unions and to strike. In the Gulf states, low-paid migrant workers continued to face extreme exploitation, discrimination, grossly inadequate housing, physical and mental abuses, wage theft by their employers and limited access to healthcare.

In Qatar, despite the high-profile campaigning on migrant workers' rights in connection with football's 2022 World Cup staged there, migrant workers faced abuses, including wage theft, forced labour and restrictions on changing jobs, and had inadequate access to grievance and redress mechanisms. The low minimum wage prevented workers from having an adequate standard of living or freeing themselves from debt bondage caused by paying illegal recruitment fees. In Qatar and some other states, domestic workers, mostly women, faced harsh working conditions and a high risk of physical and mental abuse, including sexual assault.

Dozens of Nepali migrant workers contracted to work in Amazon warehouses in Saudi Arabia suffered human rights abuses, including treatment that may amount to human trafficking for the purposes of labour exploitation. They were deceived about their jobs, had wages withheld and were housed in appalling accommodation. Some were verbally or physically abused, particularly when they complained about their conditions.

**Governments must take urgent action to establish social protection measures that protect everyone, including marginalized groups, against the adverse impacts of crises, and call for coordinated international efforts to guarantee the rights to health, food and an adequate standard of living. Governments must protect the right of workers to organize independent trade unions and to protest, and extend labour law protections to migrant workers.**

# DISCRIMINATION

## WOMEN AND GIRLS

Across the region, women and girls faced discrimination in law and practice, including in relation to the rights to freedom of movement, expression, bodily autonomy, inheritance, divorce, political office and employment opportunities. Gender-based violence remained common and perpetrators enjoyed impunity. In some countries, such violence increased and protections for women weakened. In Algeria and Iraq, the law allows rapists to escape prosecution by marrying their victim. Morocco rejected UPR recommendations to criminalize marital rape. “Honour killings” of women and other femicides continued including in Algeria and Tunisia.

In the Kurdistan Region of Iraq, the regional government allowed perpetrators of domestic violence to escape prosecution and failed to adequately protect survivors.

In Iran, authorities intensified their crackdown on women and girls who defied compulsory veiling by introducing new policies severely violating their social, economic, cultural, civil and political rights. Punitive measures included sending 1 million SMS warnings to women threatening the confiscation of their vehicles and referring thousands to the judiciary.

In Yemen, the Huthi de facto authorities and armed groups imposed restrictions on women’s movement and banned them from travelling without a male guardian or their guardian’s written approval. In Egypt, the authorities failed to adequately prevent sexual and gender-based violence by state and non-state actors, amid increased reports of women killed by family members or rejected suitors. Meanwhile, women were prosecuted for speaking out against sexual violence or on “morality” grounds.

## LGBTI PEOPLE

People across the region were arrested and prosecuted for their sexual orientation or gender identity, and many were given harsh sentences if convicted of consensual same-sex sexual relations. Attacks on the rights of LGBTI people intensified in Iraq, Jordan, Lebanon, Libya and Tunisia. In Lebanon, authorities incited violence against gay and lesbian people. In response, 18 media organizations jointly condemned the crackdown on freedoms; and a coalition of 15 Lebanese and international organizations urged Lebanon to scrap proposed anti-LGBTI laws.

In Libya, the Internal Security Agency in Tripoli and other militias and armed groups arbitrarily arrested individuals for their actual or perceived sexual orientation and/or gender identity, and aired their torture-tainted “confessions”. Iraqi authorities ordered media to replace the term “homosexuality” with “sexual deviance”. In Tunisia, courts handed down two-year prison sentences under provisions that criminalize consensual same-sex sexual relations. In Jordan, some parliamentarians spearheaded an anti-LGBTI campaign, calling for same-sex sexual relations to be criminalized, triggering hate speech and threats against LGBTI individuals and supporters.

## RACIAL, ETHNIC, NATIONAL AND RELIGIOUS COMMUNITIES

Across the region, members of racial, ethnic, national and religious communities and minorities faced discrimination in law and practice, including in relation to their rights to worship, enjoy equal access to employment and healthcare, and live free of persecution and other serious human rights abuses.

Israel continued to entrench its extreme form of discrimination – a system of apartheid – via oppression and domination over Palestinians through territorial fragmentation, segregation and control, dispossession of land and property, and denial of economic and social rights. This was achieved by the systematic commission of a wide range of human rights violations, including



forcible transfer, administrative detention, torture, unlawful killings, denial of basic rights and freedoms, and persecution.

In Iran, ethnic minorities, including Ahwazi Arabs, Azerbaijani Turks, Baluchis, Kurds and Turkmen, faced discrimination, restricting their access to education, employment, adequate housing and political office. Christians, Gonabadi Dervishes, Jews, Yaresan and Sunni Muslims also faced discrimination in law and practice. The Baha'i minority was particularly subjected to widespread and systematic violations.

Discriminatory law in Kuwait denied the Bidun (a native stateless population) access to free state services, including education, provided to citizens. In Egypt, authorities arrested and prosecuted members of religious minorities, and people espousing beliefs not sanctioned by the state. In Libya, Tabu and Tuareg communities, denied national identity cards due to discrimination, struggled to access basic services, amid rising racism and xenophobia.

**Governments must take urgent action to end gender-based discrimination and violence against women and girls, and LGBTI people and bring to justice those responsible for such crimes. They must also decriminalize consensual same-sex sexual relations. Governments must end discrimination based on race, national origin, ethnicity, religion, gender, sexual orientation and gender identity and expression and implement legal and policy reforms to grant equal rights for all without discrimination and to protect, promote and guarantee the right to freedom of thought, conscience, religion and belief.**

## RIGHTS OF INTERNALLY DISPLACED PEOPLE, MIGRANTS AND REFUGEES

Protracted conflicts in Iraq, Libya, Syria and Yemen left vast numbers of internally displaced people struggling to survive. Most faced barriers to accessing services, discrimination, blocks on their right to return home or reprisals if they tried to return without authorization, and restrictions and cuts to vital humanitarian aid.

In Iraq, at least 1.1 million people remained internally displaced as a result of the conflict with the armed group Islamic State, with the majority remaining in precarious situations almost six years after the conflict. In April, Iraqi authorities closed, without warning or coordination with humanitarian actors, the last operating internally displaced people's camp.

In Syria, around 2.9 million internally displaced people in the north-west continued to rely on UN-coordinated humanitarian assistance, and in 2023, at least 118,000 more people were displaced by armed clashes. The Syrian government restricted essential supplies from reaching civilians, including many internally displaced people, who lived in predominantly Kurdish areas in the northern Aleppo region, and already faced severe shortages of fuel and aid.

Natural disasters, the impacts of which were exacerbated by government mismanagement, impunity and the rule of militias, compounded the problems of displaced people and added hundreds of thousands to their ranks. Earthquakes in south-eastern Türkiye and northern Syria on 6 February displaced around 400,000 families in Syria and left nearly 9 million people in need of immediate humanitarian support. Many families lost their homes and were forced to live in temporary shelters and camps. The earthquakes also increased the humanitarian needs of all those previously displaced in north-west Syria, including the growing number living in tents with limited or no access to water, sanitation and healthcare.

Migrants' and refugees' rights took a battering across the region. In Lebanon, host to an estimated 1.5 million Syrian – and more than 200,000 other refugees – the government's failure to mitigate the impacts of the country's economic crisis left around 90% of Syrian refugees in extreme poverty, without access to adequate food and basic services. Increasing

anti-refugee rhetoric, sometimes fuelled by local authorities and politicians, intensified the hostile environment for refugees. In April and May, Lebanese armed forces raided Syrian refugees' houses, deporting most of them; in September they raided refugee camps in the Bekaa region and Arsal town and confiscated property. In Jordan, 2 million Palestinian and approximately 750,000 other refugees faced poverty and deteriorating conditions, partly due to international aid cuts.

From July, Tunisian authorities forcibly expelled thousands of Black migrants, asylum seekers and refugees, including children, to the desert along the Libyan and Algerian borders, leaving them without food or water, resulting in at least 28 deaths. The authorities, including President Saied, instigated an unprecedented level of racist violence against Black migrants. Police used tear gas against migrants, asylum seekers and refugees staging a sit-in outside UN offices in Tunis and tortured protesters in custody. In Libya, refugees and migrants, including those intercepted at sea by EU-backed coastguards and armed groups and forcibly returned to Libya, were subjected to indefinite arbitrary detention, torture and other ill-treatment, extortion and forced labour; and over 22,000 were forcibly and summarily expelled towards Chad, Egypt, Niger and Sudan.

Saudi Arabia forcibly returned to their home countries hundreds of thousands of people in a crackdown on undocumented migrants. In Iran, the estimated 5 million Afghan nationals living there faced deep-rooted discrimination, including barriers to basic services. Authorities threatened to deport Afghans who entered Iran irregularly and prohibited Afghans from living and/or working in some provinces.

**Governments must take concrete steps to ensure the voluntary, safe and dignified return of internally displaced people to their areas of origin. They must also end the arbitrary detention of refugees and migrants on the basis of their migration status, and protect them from torture and other ill-treatment in detention, refoulement and mass expulsions.**

## DEATH PENALTY

Most states retained the death penalty and some handed down death sentences, including for offences or acts protected under international law such as consensual same-sex sexual relations and apostasy, and for bogus or overly broad charges brought to silence dissent. Executions were carried out in Egypt, Iran, Iraq and Saudi Arabia. In Egypt, the number of executions fell, but in Iran it rose, and in Libya there were threats to resume executions halted since 2011. A Saudi Arabian court handed down for the first time a death sentence imposed for social media activity.

**Governments must immediately establish an official moratorium on executions with a view to abolishing the death penalty.**

## CLIMATE CRISIS

2023 exposed the terrible consequences of climate change regionally, including water shortages and extreme weather conditions that increasingly affected vulnerable areas and populations, and revealed the poor preparedness of many countries for such impacts.

Storm Daniel triggered the collapse of two poorly maintained dams in Libya's Derna city. Resulting torrents left 4,540 people dead, 8,500 missing and over 44,000 displaced. Unprecedented heatwaves in Algeria, triggered at least 140 fires that killed some 34 people and displaced 1,500. Record high temperatures were recorded in Morocco, reaching over 50°C in Agadir. Iraq and Syria faced sustained drought.

Meanwhile, regional states generally maintained a business-as-usual approach to fossil fuel production, contributing to the likelihood of an overshoot of the target to keep global warming

to below 1.5°C, and failed to respond adequately to environmental degradation. Iraq reported record revenues from oil sales and announced plans to drill new wells and increase oil production. Saudi Arabia announced plans to increase its output by about 1 million barrels a day by 2027 and increase by 50% its production of natural gas by 2030. It continued to play a spoiler role in international negotiations on the phase out of fossil fuels, blocking a G20 initiative to reduce the use of fossil fuels, and was one of the strongest opponents of including fossil fuel phase out in the COP28 decision. Kuwait retained plans to increase fossil fuel production until at least 2035, with the state-owned Kuwait Oil Company announcing in June that it would spend over USD 40 billion by 2028 to expand oil production. Qatar expanded its production of liquefied natural gas. However, Oman launched a programme to reduce carbon emissions, focusing on carbon neutrality goals for 2030, 2040 and 2050, although it continued to rely on and produce non-renewable sources of energy.

The choice of UAE as the COP28 host proved controversial not least because the state-owned Abu Dhabi National Oil Company, one of the world's largest producers of hydrocarbons which is headed by COP28 president Sultan Al Jaber, had announced plans to aggressively expand its fossil fuel production.

In December, at COP28, states agreed, for the first time, a decision that mentioned fossil fuels, but fell far short of what was needed, including by leaving loopholes allowing fossil fuel producers and states to continue with their current approach. States, including those most responsible for the climate crisis, also failed to provide adequate commitments on funding, either for climate finance to help other states transition to clean energy or to adapt to the harmful impacts of the climate crisis, and offered barely enough to operationalize the new Loss and Damage Fund.

**Governments must urgently take steps to mitigate the climate crisis, and to keep global warming to within the limit of 1.5°C above pre-industrial levels, including by curbing their carbon emissions (particularly those most responsible for historical emissions), and ending the funding of fossil fuel extraction. All states with the necessary resources should significantly increase funding to countries in need of assistance for human rights-consistent mitigation and adaptation measures.**

## TORTURE AND OTHER ILL-TREATMENT

Torture and other ill-treatment continued in official and unofficial places of detention, with rampant levels in Egypt, Iran, Libya, Saudi Arabia and Syria that sometimes led to deaths in custody with impunity; and continuing reports emerging of its use from Algeria, Iraq, Israel and the Occupied Palestinian Territories, Lebanon, Morocco, Palestine (State of) and the UAE. Torture was often used to extract “confessions” and methods included beatings, electric shocks, mock executions, suspension in contorted positions, rape and other sexual violence, denial of healthcare and prolonged solitary confinement.

In Egypt, torture and other ill-treatment remained routine in prisons, police stations and National Security Agency-run facilities, and included deliberate denial of healthcare, prolonged solitary confinement, bombardment with bright lights, constant camera surveillance, and denial of family visits. In Iran and Libya, it remained widespread and systematic, with filmed “confessions” extracted under torture broadcast publicly. In almost all cases documented across the region, authorities failed to adequately investigate torture allegations and suspicious deaths in custody. Whistle-blower Mohamed Benhlime told an Algerian court in July that law enforcement officers had tortured him, including by stripping him naked, tying his legs and hands and pouring cold water on him, and that he was also sexually harassed, beaten and threatened. The judge did not open an investigation into his allegations and he was sentenced to seven years' imprisonment.

**Governments must ensure independent, impartial and effective investigations into allegations of torture and other ill-treatment, and implement measures to prevent these crimes.**

## **IMPUNITY**

States across the region continued to facilitate impunity for perpetrators of serious human rights violations, highlighting the failings of deeply flawed domestic judicial systems.

In Egypt, impunity prevailed for crimes under international law and other grave human rights violations committed in 2023 or the past decade, including the unlawful killings in August 2013 of at least 900 people during violent dispersals of sit-ins by supporters of the ousted president Mohamed Morsi. Similarly, the investigation into the 2020 Beirut port explosion in Lebanon, which killed at least 236 people, remained suspended since December 2021 due to legal complaints filed against the investigation's judges by politicians implicated in the tragedy. In Iran, no public official was held accountable for unlawful killings, enforced disappearance, torture and other ill-treatment, including rape and other forms of sexual violence, and other crimes under international law or grave human rights violations committed during 2023 or previous years.

The international community failed to ensure accountability for human rights violations. In March, the UN Independent Fact-Finding Mission (FFM) on Libya issued its final report, concluding that “there are grounds to believe State security forces and armed militia groups have committed a wide array of war crimes and crimes against humanity”. However, the UN Human Rights Council did not extend the FFM's mandate. Concerns remained over the impartiality, independence, transparency and effectiveness of the investigations announced by the Tripoli-based Public Prosecution into the death and destruction following Storm Daniel, including examining whether the Libyan authorities and those in de facto control failed to protect the population's rights to life.

**Governments must combat impunity by undertaking thorough, independent, impartial, effective and transparent investigations into human rights violations and crimes under international law, and bringing suspected perpetrators to justice in fair trials in civilian courts.**

**THE STATE OF**

**THE WORLD'S**

**HUMAN RIGHTS**

**A-Z COUNTRY ENTRIES**



# AFGHANISTAN

## Islamic Republic of Afghanistan

**Amid a deteriorating humanitarian crisis and economic upheavals, people in Afghanistan suffered extreme repression and human rights violations. The Taliban placed increasing restrictions on women and girls, apparently aimed at erasing them completely from public arenas. There were international calls to investigate this gender persecution as a crime against humanity. Freedom of expression was eroded, and those peacefully expressing views critical of the Taliban faced enforced disappearance, unlawful detention, arbitrary arrest, torture and other ill-treatment. The culture of impunity continued, including for war crimes and crimes against humanity. Freedom of religion shrank further under Taliban rule. Ethnic groups, including religious minorities, faced increasing marginalization, prejudice and forced evictions. The Taliban enforced public executions and corporal punishment such as stoning and flogging.**

## ECONOMIC, SOCIAL AND CULTURAL RIGHTS

A devastating humanitarian crisis deepened during the year, exacerbated by the Taliban takeover in 2021, disasters such as earthquakes and floods, and consecutive years of drought. UN agencies estimated that the number of people in need of assistance increased from 18.4 million in 2022 to nearly 29 million by August 2023. The WHO warned that millions were at risk of malnutrition and disease with poor or no access to healthcare and food, including 2.3 million children at risk of acute malnutrition. In addition to international isolation and financial sanctions in response to the Taliban takeover, the country's UN humanitarian response programme had received only 34.8% of its funding as of November. Humanitarian challenges were set to increase amid Pakistan's mass deportation of Afghan

refugees. Iran and Türkiye also continued to deport Afghan refugees.

The healthcare system continued to be dependent on international aid and remained fragile due to lack of adequate infrastructure and resources.

## WOMEN'S AND GIRLS' RIGHTS

The Taliban's draconian restrictions on the rights of women and girls, together with the use of arbitrary arrest and detention, enforced disappearance and torture and other ill-treatment, were found by Amnesty International and the International Commission of Jurists (ICJ) possibly to amount to the crime against humanity of gender persecution.<sup>1</sup>

In April, the Taliban extended the ban on women working outside the home to include jobs with the UN, creating additional challenges in delivering humanitarian assistance. Bans remained on women working in the public sector, except in areas such as healthcare, primary education, or specific security institutions such as airports or women's prisons. Women were banned from appearing in public alone or travelling for more than 72km without a male chaperone. Beauty salons were forcibly closed from July, impacting some 60,000 women-owned businesses, according to UN reports.

The ban on women participating in sports activities, or visiting public parks, continued. In some provinces, including Herat, the Taliban authorities reported introducing additional localized restrictions such as banning lone women from going to restaurants.

Restrictions on girls' education expanded. In addition to the ban on girls' enrolment in education beyond primary school, in June international NGOs, including programmes led by UNICEF, were banned from providing community-based education and were requested to transfer programmes to local organizations. Nearly 4,500 women were reportedly dismissed from jobs in education in June and July.

Multiple UN agencies reported an increase in child and forced marriage, as well as gender-based violence and femicide with impunity. The Taliban progressively dissolved the institutional framework of support for survivors of gender-based violence that had operated under the former government, leaving survivors dependent on sharia law (Islamic law) and at risk of further abuse. There were widespread reports of women and girls suffering from depression, in some cases leading to suicide.

## **DISCRIMINATION**

People from Hazara, Uzbek, Turkmen and Tajik ethnic groups faced growing marginalization and forced eviction from their homes and land. Members of the Baloch community were reportedly detained and forcibly disappeared.

The Taliban settled disputes over land and livestock in favour of Kuchi communities, who are ethnically Pashtun and move seasonally, and forced local Hazara communities to pay compensation for cases related to missing livestock dating back over 20 years. There were reportedly instances of Kuchi communities attacking Hazara residents.

In addition to beatings of Hazaras and destruction of their property, including vehicles, houses and crops, six Hazara men were killed between June and August in Khas Urozgan area, Urozgan province. Concerns around impunity for these crimes continued. In October, two Hazaras were reportedly killed at the border between Lal wa Srajangal and Dawlat Yar districts of Ghor province. Several killings of Hazara men, including religious leaders, were reported in Herat province in November and December.

## **UNLAWFUL ATTACKS AND KILLINGS**

Civilians continued to face attacks across the country despite a reduction in conflict-related violence following the Taliban takeover. The UN Assistance Mission in Afghanistan (UNAMA) recorded 3,774 civilian casualties between August 2021 and May 2023 (1,095 killed; 2,679 wounded), the majority of which

were attributed to the armed group Islamic State of Khorasan Province (IS-KP). On 13 October, IS-KP claimed responsibility for an attack on a Shia/Hazara mosque in Baghlan province that left at least 20 people dead and more than 60 wounded.

In the context of fighting with the National Resistance Front (NRF), Amnesty International reported in June that the Taliban had enforced collective punishments on civilians in Panjshir province, including mass or village-wide arbitrary arrests. The report also verified that between 12 and 14 September 2022 alone, the Taliban had carried out at least 14 extrajudicial executions of NRF detainees in Khenj and Darah districts, with many more extrajudicial executions in Khenj, Darah and Rokha districts. The total number of people extrajudicially killed during this period is estimated at least 48, possibly many more.<sup>2</sup>

A pattern of mass extrajudicial executions of people associated with the former government and members of armed groups resisting the Taliban continued with impunity and constituted war crimes. UNAMA recorded at least 218 extrajudicial killings of members of the former government and security personnel between August 2021 and June 2023.

## **DEATH PENALTY, TORTURE AND OTHER ILL-TREATMENT**

People were subjected to arbitrary arrest and detention and enforced disappearance, and remained at risk of execution, death in custody and torture and other ill-treatment. UNAMA recorded 1,600 incidents of detention-related human rights violations between January 2022 and July 2023, half of them constituting torture and other cruel, inhuman or degrading treatment.

In June, Amnesty International found evidence that at least three civilians had been tortured to death by the Taliban after being accused of allegiance to the NRF in Panjshir province in 2022. No investigations into this or other cases of torture were reported.

In May, the UN expressed concern at the Taliban's continued use of public executions

and corporal punishment. At least one public execution was reported as of June. The de facto Supreme Court in Afghanistan reported that hundreds of individuals had been sentenced to *qisas* (retribution in kind), including stoning. The use of public corporal punishment amounting to torture and other ill-treatment continued. UNAMA documented that 274 men, 58 women and two boys had been subjected to public flogging between November 2022 and April 2023, and 103 individuals had been sentenced to such punishments as of May.

## **FREEDOM OF RELIGION AND BELIEF**

Religious minorities including Shia, Sikhs, Hindus, Christians, Ahmadiyya and Ismaili continued to face marginalization, prejudice and discrimination.

Restrictions on religious events and celebrations were imposed citing security reasons. These included restrictions on the Ashura commemoration in July, which is mainly observed by Shia Muslims. On 28 July, in Ghazni province, four Shia-Hazaras, including a child and a woman, were killed and six others were wounded by Taliban forces shooting to disperse Ashura commemorations.

The Taliban excluded Shia jurisprudence from the education system so that religious teaching was exclusively based on the Sunni sect of Islam.

## **FREEDOM OF EXPRESSION**

The space for freedom of expression and media continued to shrink drastically. In March, at least two journalists were reportedly killed in a bomb attack. Dozens were arbitrarily arrested and harassed for reports critical of the Taliban or violating Taliban rules. At least 64 journalists were detained by the Taliban for varying periods between August 2021 and August 2023. Murtaza Behboodi, a Franco-Afghan journalist, was released after nine months' detention.

More than 80% of women journalists stopped working between August 2021 and August 2023 because of increasing

restrictions. Other restrictions included women only appearing on television with their faces covered.

The Taliban forcibly closed the Hamisha Bahar radio and television station for 20 days in Nangarhar province for running mixed-gender classes in journalism.

Between the August 2021 Taliban takeover and August 2023, more than half of registered media outlets closed, and two thirds of all journalists left their jobs.

Repression of those who expressed views critical of the Taliban continued, including against people who expressed their criticisms via social media. Among them was Rasoul Parsi, a university professor arrested in March and who remained in detention at the end of the year.

## **FREEDOM OF PEACEFUL ASSEMBLY**

Unlawful and excessive force was used to attack peaceful protests, including many led by women. The UN reported that between March and June, 95 protests led by women had been documented across Afghanistan. The Taliban reportedly used firearms, water cannons and stun guns to disperse protests, including a women-led protest against the forced closure of beauty salons in the capital, Kabul, on 18 July.

Arbitrary arrests and enforced disappearances of protesters continued and many protests were moved to online platforms as a result.

## **HUMAN RIGHTS DEFENDERS**

Activists, human rights defenders, and members of civil society continued to face violence, intimidation, and surveillance, with many being subjected to arbitrary arrest, enforced disappearance and unlawful detention. Detainees suffered torture and other ill-treatment, including sexual abuse, according to UN reports.

Nida Parwani and Zhulia Parsi, two women human rights activists, were arrested on 19 and 27 September respectively, together with members of their family, and released in December. Matiullah Wesa, an education rights activist, was released in October after



seven months' imprisonment. Nargis Sadat and Parisa Azada Mubariz were arbitrarily arrested by the Taliban, and released after a period of imprisonment, while many other activists and journalists remained imprisoned.

## REFUGEES' RIGHTS

A pervasive fear of persecution by the Taliban led to thousands of people leaving the country. Many feared attacks by non-state actors such as IS-KP. More than 1.4 million Afghan refugees in Pakistan were at risk of forced return.<sup>3</sup> More than 490,891 Afghan refugees were reported to have been returned to Afghanistan by the Pakistani government by December. Many others faced deportation or the threat of deportation from Iran and Türkiye.

## INTERNALLY DISPLACED PEOPLE'S RIGHTS

As a result of years of conflict, Afghanistan had one of the largest populations of internally displaced people in the world. People who had been returned from Pakistan and other states faced harsh winter conditions without adequate resources, including housing, access to work, healthcare and adequate livelihood.

## LGBTI PEOPLE'S RIGHTS

Consensual same-sex relations remained illegal and punishable by death. LGBTI people continued to face a host of human rights violations perpetrated by the Taliban, including discrimination, targeted violence, threats and arbitrary detention. Many continued to live in hiding, fearing a risk to their lives, while some incidents of forced marriages of LGBTI people were also reported.

## IMPUNITY

A culture of impunity, particularly for crimes under international law, remained pervasive. The results of ongoing investigations by the ICC had not been made public by the end of the year.<sup>4</sup> Amnesty International called on the UN Human Rights Council to establish an

independent international accountability mechanism to collect and preserve evidence for possible criminal proceedings, in addition to the mandate of the UN Special Rapporteur on the situation of human rights in Afghanistan. In July, the Special Rapporteur stated that the severe discrimination against women and girls amounted to the crime against humanity of gender persecution. He further stated that the Taliban's aim of total domination over women and girls by governing with systemic discrimination could be "characterized as gender apartheid".

Access to justice for the people of Afghanistan was severely curtailed as the Taliban suspended or abolished formerly existing laws, instead introducing a narrow interpretation of sharia law and replacing former judicial and legal professionals with their preferred candidates.

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1. *Afghanistan: The Taliban's War on Women: The Crime against Humanity of Gender Persecution in Afghanistan*, 25 May
  2. *Afghanistan: "Your sons are in the mountains": The collective punishment of civilians in Panjshir by the Taliban*, 7 June
  3. "Pakistan: Halt mass detentions and deportations of Afghan refugees", 10 November
  4. "Afghanistan: ICC justice should match victims' demands", 6 December

# ALBANIA

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## Republic of Albania

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**Journalists were subjected to hate speech, physical assaults and a gun attack. Domestic violence against women continued, with 12 women killed by partners and family members. Albania and Italy agreed on the construction of two detention centres in Albania for migrants attempting to reach Italy. The CEDAW Committee reported a lack of progress on LGBTI people's rights. The spreading of infectious disease by negligence was abolished as a criminal offence. The reduced numbers of courts raised concerns about access to justice for citizens.**

## BACKGROUND

Local elections were held in May, with the ruling Socialist Party winning the majority of the municipalities.

## FREEDOM OF EXPRESSION

In March, a gun attack on the headquarters of the national television broadcaster Top Channel resulted in the death of a security guard.

In January, a journalist and his wife were physically attacked in Lezhë by two businessmen following the publication of an article he had written about a court case. Journalists were also attacked by political figures. Erion Veliaj, the mayor of Tirana, referred to an investigative journalist known as “O.X.” as a “contract killer” in response to an article she had written highlighting the role the mayor had played in the incinerator project for public waste management in Tirana.

## VIOLENCE AGAINST WOMEN AND GIRLS

Domestic violence against women was rife. According to police data, during the first three months of the year there were more than 1,000 reported cases of violence against women, resulting in 510 protection orders. Of the 5,210 cases of domestic violence recorded by the police in 2022, in March the public prosecutor’s office reported only 1,880 cases; men were responsible for 92.8% of the attacks. Between January and September, 12 women had been killed by their partners or other family members.

## REFUGEES’ AND MIGRANTS’ RIGHTS

In November, Albania and Italy signed an agreement establishing that Italy would build two detention centres in Albania to detain people intercepted by Italian authorities at sea while trying to reach Italian shores. Human rights organizations and others expressed concern about the impact this could have on the human rights of refugees, asylum seekers, and migrants, including automatic and therefore arbitrary detention.

## LGBTI PEOPLE’S RIGHTS

In October, a report by the CEDAW Committee noted that Albania’s 2016-2020 national action plan for LGBTI people had not succeeded in eliminating discrimination against lesbian, bisexual, transgender and intersex women, and expressed concern about the increasingly hostile environment they faced in the country.

## RIGHT TO HEALTH

The Constitutional Court abolished Article 89(b) of the criminal code as disproportionate. The Article, which came into force during the Covid-19 pandemic, provided for a sentence of up to eight years’ imprisonment for the unintentional spreading of infectious diseases that had serious consequences for or endangered people’s lives.

## RIGHT TO A FAIR TRIAL

On 1 February, a new judicial structure entered into force, reducing the number of courts in Albania from 34 to 16. There were concerns that this would make access to justice more expensive and more difficult.

## RIGHT TO LIFE

In December, a prisoner at Peqin high-security prison shot and killed one inmate and injured another, raising concerns about the security measures in place at the prison.

# ALGERIA

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## People’s Democratic Republic of Algeria

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**Authorities escalated their closure of civic space by convicting at least one activist, five journalists and a researcher for exercising their right to freedom of expression. Authorities shut down at least two online outlets and two affiliates of the League for the Defence of Human Rights (LADDH), ordered the closure of two human rights groups, and suspended at least one political party. Judicial authorities also closed down at least two churches. At least**

**36 femicides were reported. At least 18,302 migrants were summarily expelled from Algeria between January and December.**

## **BACKGROUND**

In February, Algeria recalled its ambassador in France after Algerian activist Amira Bouraoui fled to France. Authorities then prosecuted six individuals, including Amira Bouraoui and her mother, on fabricated charges, including “migrant smuggling” and forming an “association of wrongdoers”.

In March, the UPR concluded its review of Algeria. The country accepted recommendations to amend its repressive law on public meetings and demonstrations, and the provision that excuses rapists who marry their victims. It rejected the recommendation to amend overly broad provisions in the Penal Code that criminalize those who peacefully exercise their rights to freedom of expression and peaceful assembly.<sup>1</sup>

In September, the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association visited Algeria to assess the situation in the country, as did the UN Special Rapporteur on the Situation of Human Rights Defenders in December.

## **FREEDOM OF EXPRESSION**

Authorities investigated, prosecuted and convicted journalists, at least one activist and a geopolitics researcher in relation to critical views they had expressed, mainly online. In April, authorities shut down at least two online newspaper and radio outlets.<sup>2</sup>

On 2 April, an Algiers court ordered the dissolution of media company Interface Media and its two news outlets Radio M and Maghreb Emergent, headed by journalist Ihsane El Kadi, and the payment of a DZD 10 million fine (around USD 73,862) to the Audiovisual Regulatory Authority. In June, an appeals court sentenced Ihsane El Kadi to seven years in prison, with two years suspended, for his journalistic work, including in relation to his reports for the French newspaper La Croix.

On 4 July, a court in Algiers sentenced Amazigh activist Slimane Bouhafs to three years’ imprisonment and a fine on a bogus charge of “harming the integrity of the national territory” through his online publications.<sup>3</sup>

On 13 August, media reported that the *Barbie* movie was banned from Algerian cinemas for “harming morals”.

In August, authorities promulgated Law 23-14 on information, which imposes undue licensing and ownership regulations, such as requiring media organizations to be exclusively owned by Algerian nationals. It includes vague and broad provisions that ban journalists from, among other things, publishing “false information” or information that might “advocate colonialism, undermine national memory and the symbols of the war of national liberation”, and provides for a heavy fine and confiscation of property for any media receiving foreign funds not designated for subscriptions or advertising.

On 26 October, an appeals court in the eastern city of Constantine sentenced journalist Mustapha Bendjama to 20 months’ imprisonment, with 12 months’ suspended, for receiving foreign funds that “might harm state security” and “publishing classified information or documents on an electronic network” in relation to his journalistic work. The court also gave researcher Raouf Farrah the same sentence on the same charges for collecting money for people in detention and for his work as a researcher.

## **FREEDOM OF ASSOCIATION**

Authorities escalated their crackdown on independent groups, ordering the closure of two human rights groups and suspending at least one political party.

On 23 January, in Bejaia in eastern Algeria, authorities sealed the LADDH’s Centre for Documenting Human Rights, citing a 2022 judgment dissolving the LADDH. LADDH leaders had only that month learned of the June 2022 dissolution order that followed a complaint filed by the interior ministry.

On 30 January, in Tizi Ouzou in eastern Algeria, authorities sealed and closed down

the House of Human and Citizens' Rights, an LADDH affiliate since 1990 that ran a library and documentation centre.<sup>4</sup>

In February, Abderrahmane Zitout, whose brother Larbi belongs to Rachad, a political group the authorities had arbitrarily labelled as "terrorist" in February 2022, went on hunger strike for the third time to protest against his prolonged pretrial detention related to his brother's activism.<sup>5</sup>

On 23 February, the State Council, Algeria's highest administrative body, suspended the political party Democracy and Social Movement and ordered the closure of its headquarters.

In September, authorities arbitrarily prevented for the second consecutive year the political party Rally for Culture and Democracy from organizing its summer camp, planned for 28 September to 1 October in Batna .

## **FREEDOM OF PEACEFUL ASSEMBLY**

Authorities continued to unduly restrict the right to freedom of peaceful assembly, including by arresting people ahead of planned protests.

On 20 August, according to the National Committee for the Liberation of Detainees, at least 40 activists were arrested, including Soheib Debbaghi, Mohamed Tadjadit and lawyer Sofiane Ouali, to prevent a peaceful gathering in Ifri in eastern Algeria to commemorate the 1956 Soummam Congress, a historic event in the country's fight for independence. They were released later that day.

On 8 September, a judge in a tribunal in Amizour commune, northern Algeria, placed political activist Khaled Tazaghart under judicial control, confiscated his passport and banned him from travelling, on fabricated charges of "spreading false information" after he published on Facebook calls to gather peacefully in memory of victims of the wildfires in Algeria.

## **TORTURE AND OTHER ILL-TREATMENT**

Judicial authorities continued to ignore testimonies of torture given in court.

In July, a court in Algiers sentenced former military officer and whistle-blower Mohamed Benhlima to seven years' imprisonment and a fine. Mohamed Benhlima had sought asylum in Spain in 2019, before he was extradited to Algeria in 2021. During a court hearing on 12 July, he told the judge that law enforcement officers had tortured him by stripping him naked, tying his legs and hands, and pouring cold water on him. He said he had also been sexually harassed, beaten and threatened. The judge did not order an investigation into these allegations.

## **FREEDOM OF RELIGION AND BELIEF**

Authorities continued to use Decree Law 06-3, which restricts religions other than Sunni Islam. They closed at least two churches, bringing to 31 the number closed since 2018.

## **REFUGEES' AND MIGRANTS' RIGHTS**

Authorities did not amend Law No. 08-11 of 25 June 2008 to explicitly prohibit collective expulsions, nor did they adopt legislation implementing the UN Refugee Convention and its Optional Protocol.

According to the Directorate of Surveillance of the Territory, an official police body in Niger, Algeria summarily expelled at least 18,302 migrants – mostly from West Africa – to Niger between January and December.

## **WOMEN'S RIGHTS**

The Penal Code and Family Code continued to unlawfully discriminate against women in matters of inheritance, marriage, divorce, child custody and guardianship.

In May, the authorities promulgated Law 23-04 against human trafficking, which mentions "prostitution", sexual exploitation and forced marriage. This made the crimes punishable by up to 30 years in prison and fines, and by life imprisonment if the victim was subjected to torture or sexual violence.

The activist group Féminicides Algérie recorded at least 36 femicides. Women's rights groups continued to ask for femicide to be recognized as a crime.

## LGBTI PEOPLE'S RIGHTS

The Penal Code continued to criminalize consensual adult same-sex sexual relations, punishable by up to two years in prison and a fine.

In January, the trade ministry announced a campaign against all products that contained “colours and symbols contrary to the morals”, referring to the rainbow colours of the LGBTI movement.

On 10 August, the Audiovisual Regulatory Authority suspended Essalam TV, a private Algerian TV channel, from broadcasting for 20 days for showing a movie that portrayed a wedding between two men, which was deemed “contrary to the precepts of Islam and the values of the Algerian society”.

## WORKERS' RIGHTS

In May, authorities promulgated Law 23-02, which restricts the right to form trade unions, allowing authorities to refuse applications using vaguely worded provisions relating to “national unity” and “national values and constants”. It also allows authorities to dissolve a trade union on multiple grounds, including persisting in “illicit” strikes, and to fine any trade union that joins an international, continental or regional trade union without informing the authorities. Additionally, it provides for punishments of up to a year in prison and a fine for anyone who receives foreign donations and legacies without prior approval from the authorities.

## RIGHT TO A HEALTHY ENVIRONMENT

In April, Algeria experienced an extreme heatwave that the World Weather Attribution found was “almost impossible without climate change”. In July, at least 140 wildfires spread across 17 regions, killing at least 34 people and displacing 1,500.<sup>6</sup>

## DEATH PENALTY

Courts continued to hand down death sentences. The last execution was in 1993.

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1. “Algeria/Morocco: Deep issues remain despite UN human rights review”, 6 April

2. “Algeria: Conviction of journalist is latest escalation in crackdown on media”, 3 April
3. “Algeria: Activist sentenced following refoisement: Slimane Bouhafs”, 29 August
4. “Algeria: Reverse decision to dissolve leading human rights group”, 8 February
5. “Algeria: Jailed brother of activist on hunger strike: Abderrahmane Zitout”, 20 February
6. “Global: Call by presidents of five southern European states to tackle the climate crisis underscores the urgent need to phase out fossil fuels”, 3 August

# ANDORRA

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## Principality of Andorra

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**A woman human rights defender who raised concerns about women's rights, including access to abortion, stood trial accused of defamation. A total ban on abortion remained in place.**

## HUMAN RIGHTS DEFENDERS

In December, Vanessa Mendoza Cortés, the president of the women's rights organization Associació Stop Violències, stood trial accused of a “crime against the prestige of the institutions”. The prosecutor's office brought criminal charges against her in 2020 following her engagement with the CEDAW Committee when she spoke out about the harmful impact of a total ban on abortion in Andorra, and in July requested that the court fine her EUR 6,000, an additional EUR 6,000 to compensate the Andorran government and a six-month ban from exercising any public function.

In October, the UN Secretary General's annual report included Andorra in a list of 40 countries across the world where individuals and organizations faced reprisals for cooperating with the UN.

## SEXUAL AND REPRODUCTIVE RIGHTS

A total ban on abortion remained in place. Those in need of an abortion, and with the means to do so, had to travel to other countries to seek essential healthcare, violating their rights and inflicting additional stress.

In September, the UN Committee on the Rights of the Child called on the authorities to decriminalize abortion and ensure access for adolescent girls to safe abortion and post-abortion care services within Andorra.

## FREEDOM OF EXPRESSION

Defamation laws including the criminalization of legitimate criticism of the authorities remained in force, breaching international human rights law.

## DISCRIMINATION

Legislation banning the wearing of conspicuous religious symbols in educational institutions remained in place, discriminating particularly against Muslim women and girls who wished to wear headscarves.

# ANGOLA

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## Republic of Angola

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**The authorities used excessive or unnecessary force to impede or prevent the right to peaceful assembly. In most cases, where such force was used, protesters were arbitrarily arrested or detained. At least five protesters and one bystander were unlawfully killed, including at least two children. The right to freedom of association was threatened. Teachers faced underpayment as well as non-payment of their salaries. Hundreds of people were forcibly evicted from their homes. The severe and prolonged drought in the south had a devastating impact on the rights to food and health, particularly for children.**

## BACKGROUND

There was limited progress in the human rights situation following a year of turmoil around the 2022 general elections. The National Action Plan for the Protection and Promotion of the Human Rights of Persons with Albinism, and the National Action Plan for Promotion of the Human Rights of Persons with Disabilities were adopted. However, the UN Committee on the Rights of

Persons with Disabilities noted that Angola's approach to disability was yet to meet international standards.

On 30 May, the government increased fuel prices from AOA 160 (USD 0.26) to AOA 300 (USD 0.49) per litre. The rising costs, due in part to Russia's war in Ukraine, resulted in cost-of-living increases, which were compounded by high unemployment rates that disproportionately affected youth, and triggered further social unrest throughout the year.

## FREEDOM OF ASSOCIATION

The Status of Non-Governmental Organizations bill (NGO bill) was approved by parliament on 25 May. NGOs criticized it on grounds that, if enacted, it would limit the right to association and give the executive excessive powers to interfere in their activities, including the power to audit, dissolve or limit the operations of associations. At the end of the year, the bill was awaiting debate before a special parliamentary committee and final approval by the president.

## FREEDOM OF PEACEFUL ASSEMBLY

The authorities repressed peaceful demonstrations using excessive or unnecessary force leading in some cases to unlawful killings, intimidation, beatings and arbitrary arrests or detention. Activists were arrested for joining protests, and others simply for being in the vicinity of protest action.

On 10 February, the Angolan National Police (PNA) prevented a vigil from going ahead in the capital Luanda and in Benguela on grounds of public security. Three NGOs – Union (Omunga), the Youth Movement for Local Authorities (Movimento Jovens pelas Autarquias) and Friends of Angola (Amigos de Angola) – had called for the vigil to demand the decentralization of government powers to local authorities.

On 18 February, the PNA prevented members of the judiciary from continuing a peaceful march in Luanda, saying that they were following orders from their “superiors”.

Employees of the first and second instance courts, the Ministry of Justice and Human Rights, and the Attorney General's Office had begun their march at the Luanda District Court to demand better working conditions, promotion prospects and pay.

The PNA stopped a protest by activists planned to take place at the Largo da Sagrada Familia church in Luanda on 6 April, to call for the release of the activist Gilson da Silva Moreira (also known as Tanaice Neutro), and to denounce the abusive use of administrative detention against activists. Gilson da Silva Moreira was arrested on 13 January 2022 on allegations of “outraging the state, its symbols, and organs”. In October 2022, he was given a suspended prison sentence of one year and three months but was kept in jail until his release on 23 June 2023, following pressure from national and international civil society organizations.

PNA officers used excessive or unnecessary force when they disrupted a march on 22 April, organized by the Movement of Angolan Students in Luanda. They arrested five activists, injuring one of them. The protesters were demanding a peaceful resolution to a salary dispute between the government and the National Union of Higher Education Teachers (SINPES).

On 17 June, PNA officers used tear gas against hundreds of demonstrators in Luanda and Benguela to prevent them from peacefully protesting at the fuel price rise of 30 May, parliament's approval of the NGO bill and the Luanda City Council's 22 May decision to ban women vendors (*zungueiras*) from trading on the streets. There were reports of unspecified numbers of protesters being detained and wounded in Luanda.

On 16 September, the PNA broke up a peaceful demonstration by motorcycle taxi drivers protesting at restrictions imposed by the Luanda City Council on various routes in the city. Seven civil society activists were detained, including Gilson da Silva Moreira (see above), Gildo das Ruas, Adolfo Campos and Abrao Pedro dos Santos. On 19 September, a Luanda court sentenced them

to two years and five months' imprisonment each.

## UNLAWFUL KILLINGS

Security forces killed at least five protesters and one bystander in their attempt to stop protests.

On 15 February, the PNA confirmed that a 16-year-old boy, known only as Serginho, who was killed the day before in Luanda's Uije neighbourhood, had been shot by a police officer. The police said he was shot when officers tried to prevent clashes between rival groups during a protest by residents demanding better road conditions. The boy was not participating in the protest. According to the police, investigations to identify the officer responsible for the killing and bring him to account were ongoing at the end of the year.

Five people, including a 12-year-old boy, were killed and eight injured by PNA officers at a protest in Huambo province on 5 June. The protest had been organized by motorcycle taxi drivers against the fuel price rise. Police used tear gas and live ammunition to disperse the crowd and later said the killings and injuries were “unavoidable” and regrettable.<sup>1</sup> The authorities did not launch an investigation into the events.

## ARBITRARY ARRESTS AND DETENTIONS

On 28 January, the PNA arrested 12 young people as they gathered for a march at the Largo das Heroínas monument in Luanda to demand the release of activists they considered to be political prisoners. The police dumped three of them – Laurinda Gouveia, Geraldo Dala and Matulunga César – 60km from Luanda, in Bengo province. There was no information as to the fate of the remaining nine.

Five activists were arrested by the PNA on 2 June in Benguela province, in front of the office for deputies of the provincial Benguela government, for protesting at parliament's approval of the NGO bill. They were released by a court on 6 June, after paying a fine of AOA 50,000 (about USD 83).

## ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The dispute between the teachers' union, SINPES, and the government, which began on 27 February continued throughout the year. SINPES called on the government to comply with the memorandum of understanding signed by both parties in November 2021, which provided for, among other things, a monthly salary equivalent to USD 2,000 for a trainee assistant professor, and USD 5,000 for a full professor. They also demanded payment of outstanding salaries owed to them and to school administrators.

## FORCED EVICTIONS

On 27 February, officers from the PNA and the Criminal Investigation Service, with the support of the Viana municipal police, demolished about 300 houses in Zango 3 neighbourhood, section B in Luanda. Hundreds of people were left homeless. Residents who refused to leave their homes or gathered to protest were beaten and arrested. One of them, known only as Adilson, told human rights defenders that he was arrested and kept in a police station for five hours. According to residents, the demolitions were carried out to make way for a shopping complex.

## RIGHT TO A HEALTHY ENVIRONMENT

In the south, the population continued to suffer the impact of severe and prolonged drought. According to UNICEF, 3.8 million people needed humanitarian assistance, 2 million of whom were children; 600,000 people needed health assistance, and 1 million were in need of nutrition assistance. The government failed to provide timely humanitarian relief, and needs were addressed mainly by NGOs or UN agencies like UNICEF and the World Food Programme.

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1. "Angola: Police must exercise restraint during nationwide protests", 9 June

# ARGENTINA

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## Republic of Argentina

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**Gender-based killings continued unabated in 2023 and impunity persisted. Access to abortion remained inconsistent in many parts of the country, despite its decriminalization. The abusive use of force with a racist bias was widespread within the security forces. Restriction and criminalization of protest prevailed. Measures on climate change fell short of targets required to curb global emissions.**

## BACKGROUND

The country remained mired in an economic and social crisis. By June, 40.1% of the population was living in poverty and the unemployment rate was 6.2%. National elections took place in October and November, and the party La Libertad Avanza won with 55.65% of the vote.

In December, the president issued a presidential decree of necessity and urgency, repealing or modifying more than 70 laws, and introduced to Congress a bill on Bases and Starting Points for the Freedom of Argentinians, declaring a public emergency until 31 December 2025 and establishing regressive changes in healthcare, education, housing, freedom of expression and assembly, and gender, among other areas.

During the UPR, Argentina received 287 recommendations, including some relating to access to abortion, the Indigenous emergency land law and persistent institutional violence.

The UN Committee on Enforced Disappearances recommended the creation of a federal agency to coordinate the search for missing persons.

Congress had failed to appoint an ombudsperson since 2009. The Supreme Court, composed only of men, had had a vacancy since 2021.



## SEXUAL AND GENDER-BASED VIOLENCE

According to figures collected by NGOs, 308 gender-based killings were recorded in 2023, 62% of them in domestic settings. The latest official data showed that the number of hate crimes based on gender identity or sexual orientation had increased to 129 in 2022.

At the end of the year, limited results had emerged from the ongoing investigation into the disappearance and possible femicide of 28-year-old Cecilia Strzyzowski in the city of Resistencia in Chaco province.<sup>1</sup>

Sofía Inés Fernández, a 40-year-old transgender woman, was found dead in a police station cell in the town of Derqui, where she had been detained having been accused of robbery. The accused police officers claimed that she died by suicide, but the preliminary autopsy revealed asphyxia as the cause of death. By the end of the year no one was charged over her death.

In October, Congress approved a bill incorporating violence in digital environments into the definition of violence against women. The law provided for precautionary protection measures, including the power of judges to order digital platforms to remove violent content.

By the end of the year, the cases of two journalists, who had filed complaints with the courts after experiencing online harassment and violence, remained pending.

Between 2020 and 2021, 3,219 cases of child sexual abuse were registered, of which 74.2% of victims had been abused by someone in their close environment.

## SEXUAL AND REPRODUCTIVE RIGHTS

Significant obstacles persisted in accessing abortion services, despite a 2020 law legalizing abortion within the first 14 weeks of pregnancy. According to the National Ministry of Health, from approval of the law up to October 2023, the public health sector had registered 245,015 abortions. No official data was available on the number of abortions in the private sector, in a context in which 57% of the population use private healthcare.

According to official data released in 2023, at least 1,394 children aged under 15 gave

birth in 2021. Despite a decrease in pregnancies among children and adolescents aged between 10 and 19 between 2016 and 2021, more than 46,236 people in this age group gave birth during 2021.

## EXCESSIVE USE OF FORCE

In May, the CERD Committee highlighted the persistence of racial profiling in the abusive use of force by security forces, particularly against Indigenous Peoples, migrants, refugees and marginalized groups.

There were no significant advances in the investigation into the 2020 torture and death of Mauro Coronel in police detention in the province of Santiago del Estero. No one was charged over his death.<sup>2</sup>

In August, one of six police officers accused of killing 16-year-old Joaquín Paredes was sentenced to life imprisonment by a court in Cruz del Eje in the province of Córdoba. Joaquín and his friends had been celebrating a birthday in the street during Covid-19 isolation measures, when police shot them.

## RIGHT TO PRIVACY

TikTok, which had more than 16.5 million users in the country in 2023, failed to guarantee children's rights to privacy and health. The social media platform's extraction of personal data was not deactivated and geo-localization was used despite a lack of authorization by the user.

## FREEDOM OF EXPRESSION AND ASSEMBLY

Protests in the face of a reform to the constitution of Jujuy province adopted on 15 June were reportedly met with excessive and unlawful use of force.<sup>3</sup> Joel Paredes suffered the loss of his right eye as a result of a rubber bullet fired by the Jujuy police. The reform restricted the right to protest and Indigenous Peoples' exercise of consultation, participation and territorial ownership. Dozens of protesters were arbitrarily detained and criminalized, including Alberto Nallar, a human rights lawyer, charged with sedition and other offences. Sedition is a charge used unlawfully to criminalize dissent.

On 15 December, the Ministry of Security issued the “Protocol for the maintenance of public order in the event of roadblocks” (Resolution 943/2023). The protocol established that any demonstration involving street or road blockades constitutes a “crime in flagrante delicto” and enables the security forces to evict or disperse the protest. It also contains provisions to gather information and criminalize and stigmatize the leaders and participants of public demonstrations.

## IMPUNITY

Trials before ordinary civilian courts continued for crimes against humanity committed under the 1976-1983 military regime. Between 2006 and September 2023, 307 rulings were handed down, bringing the total number of convictions to 1,159 and acquittals to 178.

At the end of the year, a sentence by the Inter-American Court of Human Rights was still pending regarding the impunity over the bombing of the Argentine Israeli Mutual Association (AMIA) Jewish centre in 1994.

## RIGHT TO A HEALTHY ENVIRONMENT

Although Argentina took measures to reduce its emissions in sectors such as transportation and construction, it focused its energy strategy on fossil fuels, which prevented the country from reaching its climate targets due to increased emissions.

1. “Argentina: Woman disappeared amid possible femicide”, 3 July
2. “One dead, three years, no arrests: no justice for Mauro Coronel”, 1 September (Spanish only)
3. “Argentina: Violent repression and criminalization in response to protests in Jujuy”, 5 October

# ARMENIA

## Republic of Armenia

**Law enforcement officers used unlawful force during anti-government protests. Journalists faced harassment and violence from government supporters. No progress**

**was reported in investigating war crimes and other crimes under international law during the armed conflict with Azerbaijan in 2020. Discrimination against LGBTI people remained commonplace. Several lawyers reported being ill-treated while visiting clients in detention. Environmental activists continued to face harassment. The death penalty was abolished in all circumstances.**

## BACKGROUND

Public discontent and protests grew over the government’s handling of tensions with neighbouring Azerbaijan, including Azerbaijan’s blockade and military takeover of its breakaway Nagorno-Karabakh region populated by ethnic Armenians (see Azerbaijan entry). An influx of more than 100,000 refugees from Azerbaijan’s Nagorno-Karabakh region added to economic and humanitarian hardships. Relations with Russia, which Armenia had regarded as its security guarantor, sharply deteriorated, while the economy remained heavily dependent on Russia, including for basic imports and remittances. In December, Armenia freed two Azerbaijani prisoners of war after agreeing to work towards a peace deal with Azerbaijan.

## EXCESSIVE USE OF FORCE

Street protests were widespread, with incidents of violence by protesters as well as unnecessary, disproportionate and sometimes indiscriminate use of force by the police regularly reported.

On 19 September, thousands gathered in the capital, Yerevan, to demand the resignation of the prime minister and protest against Azerbaijan’s military offensive in Nagorno-Karabakh. Some protesters broke windows in government buildings and clashed with police. The Helsinki Committee of Armenia, an NGO monitoring the protests, reported that police at times used “disproportionate and indiscriminate force” including beatings and firing stun grenades directly into the crowd without warning. More than 140 protesters were reportedly detained and more than 30 were injured. Most protesters were released without charge,

while some faced administrative and criminal proceedings. By year's end there had been no effective investigation into the reports of unlawful use of force by the police.

## **FREEDOM OF EXPRESSION**

The media environment remained largely free and pluralistic, but was deeply polarized over the issue of Nagorno-Karabakh and conflict with Azerbaijan. International observers also reported an unprecedented level of disinformation and hate speech. In March, the European Commission against Racism and Intolerance (ECRI) welcomed the decriminalization in July 2022 of the provision which punished insulting government officials and public figures. Concerns remained regarding the safety of journalists who continued to be regularly subjected to pressure, insults and violence by government supporters. At least two journalists reported being subjected to an intense campaign of online harassment and threats, including by some public officials, after their critical questioning of the prime minister about events in Nagorno-Karabakh at a press conference on 25 July. The investigation into this alleged interference with journalistic activities was ongoing at year's end.

The government's attempts to restrict free expression online were deterred after draft amendments proposed in December 2022 were put on hold following international criticism. The amendments would have given the government the power to censor online content, block websites and curb internet access under martial law.

## **VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW**

No substantive progress was made in investigations into war crimes and other violations of international humanitarian law during the 2020 armed conflict with Azerbaijan and its immediate aftermath, or in bringing suspected perpetrators to justice. On 3 October, parliament voted to ratify the Rome Statute of the ICC.

Landmines previously planted by Armenian forces in and around Nagorno-Karabakh in Azerbaijan continued to pose a lethal threat and prevented the safe return of displaced people. According to Azerbaijan's de-mining agency, as of August the number of people wounded or killed by landmines since the war in 2020 had reached 303, including civilians. In July, Azerbaijani media reported that the minefield maps provided by Armenia were only 25% accurate and that maps for 600,000 mines were still missing.

## **REFUGEES' AND MIGRANTS' RIGHTS**

More than 100,000 people, virtually the entire ethnic Armenian population of Nagorno-Karabakh, were displaced to Armenia within a few days in September and October. Armenian authorities largely met the temporary needs of this rapid influx of a large number of refugees. Concerns remained, however, regarding durable solutions and access to adequate housing, income and employment.

## **RIGHT TO A FAIR TRIAL**

Several lawyers reported being harassed and ill-treated while visiting their clients in police detention centres and performing their professional duties.

Lawyers Marzpet Avagyan and Emanuel Ananyan described how on 9 February a group of police officers insulted, kicked and punched them at the police department of Yerevan. The lawyers alleged that they were assaulted while defending the rights of their clients who were minors and had also been subjected to torture or other ill-treatment by the same police officers.

## **LGBTI PEOPLE'S RIGHTS**

Discrimination against LGBTI people and social stigma based on a person's real or perceived sexuality remained commonplace.

In its report adopted in March, ECRI noted that LGBTI people in Armenia continued to face discrimination, marginalization, attacks and bullying. It recommended swift adoption of legal sanctions for discrimination on all grounds, including sexual orientation and

gender identity, removing the stigma of mental disorder from same-sex sexual orientation, and countering other forms of homophobic discourse.

## RIGHT TO A HEALTHY ENVIRONMENT

In February, authorities announced that production at the Almusar gold mine would resume despite outstanding concerns about potential environmental damage. Activists opposing the project continued to be harassed, including through lawsuits seeking excessive financial compensation for their environmental criticism.

## DEATH PENALTY

In October, Armenia ratified Protocol No. 13 of the European Convention on Human Rights, thereby completing abolition of the death penalty in all circumstances, including for crimes committed in times of war and imminent threat of war.

# AUSTRALIA

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## Australia

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**Discrimination against Aboriginal and Torres Strait Islander peoples remained entrenched. Children as young as 10 were imprisoned. Thousands of refugees were able to apply for permanent residency, and indefinite detention of asylum seekers was found unlawful. New laws were adopted restricting the right to peaceful protest. New fossil fuel projects were approved.**

## BACKGROUND

In February, the UN Subcommittee on Prevention of Torture cancelled plans to resume a visit to Australia, suspended in 2022, after failing to secure guarantees of unrestricted access to all detention facilities.

## INDIGENOUS PEOPLES' RIGHTS

On 14 October, Australians voted in a referendum against a constitutional amendment to establish the Aboriginal and Torres Strait Islander "Voice", a body that

would have been mandated to make representations directly to the parliament on issues affecting First Nations peoples.<sup>1</sup>

Twenty Aboriginal and Torres Strait Islander people reportedly died in custody.

Rates of detention of First Nations children declined, but they still represented over 50% of youth detainees. Rates of incarceration of Aboriginal and Torres Strait Islander adults increased despite the target to reduce it by at least 15% by 2031.

## CHILDREN'S RIGHTS

Children as young as 10 years old continued to be detained. In December, the Tasmanian government announced that the age of criminal responsibility in the state would be raised from 10 to 14 but not until 2029.<sup>2</sup> The Northern Territory and the Australian Capital Territory raised the age of criminal responsibility to 12 years old, but this was still inconsistent with international standards that recommend a minimum age of at least 14 years.

The Queensland government overrode protections under the state's Human Rights Act by adopting legislation making breach of bail of children a criminal offence and allowing children to be detained in adult police facilities.

A report of an official inspection into Banksia Hill Detention Centre in Western Australia found that "every element" of the youth detention facility was failing, putting the health and safety of detainees at risk. Boys transferred from Banksia Hill continued to be held in the maximum-security adult Casuarina Prison. On 19 October, a 16-year-old Aboriginal boy detained there died following a suicide attempt.

## REFUGEES' AND MIGRANTS' RIGHTS

In February, in a move affecting approximately 19,000 people, the immigration minister announced that people who arrived by boat before 2013 and were granted temporary protection visas would be eligible to apply for permanent residency.

In July, the Federal Court ruled in a case brought by Iranian-Kurdish refugee Mostafa

“Moz” Azimitabar, challenging the legality of his 14-month-long detention in hotels, that it was lawful for the government to detain asylum seekers in “alternative places of detention” but it lacked humanity.

In November, a landmark High Court decision found indefinite immigration detention was unlawful and unconstitutional in cases where there is no real prospect of detainees being removed from Australia, leading to the release of at least 148 people.<sup>3</sup> The government immediately passed emergency legislation imposing curfews on and requiring those released to wear tracking devices. In December, another law was passed enabling the Government to re-detain those released if they pose any risk of committing serious offences. Seven of those released were re-arrested.

The government maintained the policy of turning back boats carrying asylum seekers, or processing offshore those who arrive without a valid visa. In September, border forces transferred 11 asylum seekers to immigration detention centres in Nauru under these policies, marking the first such transfer in nine years.

## FREEDOM OF ASSEMBLY

On 18 May, South Australia adopted a law providing for a three-month prison sentence or a fine of AUD 50,000 (approximately USD 31,000) for “intentionally or recklessly” obstructing a public place. Anti-protest laws were used in several states against peaceful climate protesters and those protesting in support of Palestinian rights.

## RIGHT TO A HEALTHY ENVIRONMENT

The federal government strengthened the Safeguard Mechanism to limit emissions from Australia’s largest industrial polluters. In November, a treaty was signed with Tuvalu that includes provisions for migration pathways for those threatened by climate change and financial support for Tuvalu’s climate adaptation plans. However, the government continued to approve new fossil fuel projects.

1. “Australia: Heartbreaking result as Voice referendum ‘No’ votes prevail”, 14 October
2. “Australia: Safer future for Tasmanian children as age of criminal responsibility raised to 14 without exception”, 6 December
3. “Australia: Amnesty International welcomes high court ruling of indefinite detention as unlawful and unconstitutional”, 9 November

# AUSTRIA

## Republic of Austria

**Social security provisions remained insufficient. Access to safe and affordable abortion was limited. Unaccompanied children seeking international protection remained inadequately protected. Parliament approved the establishment of a police oversight body, amid concerns regarding its independence. Police prevented journalists from observing and reporting protests. Police accountability for unlawful use of force remained inadequate. Climate action was insufficient to meet Austria’s targets.**

## RIGHT TO SOCIAL SECURITY

In June, the government presented measures to alleviate the cost-of-living crisis, including providing increased support to families experiencing poverty and/or beneficiaries of social assistance. However, despite ongoing calls by civil society to adopt a new Basic Act on Social Assistance compliant with human rights law and standards, no structural legislative changes were adopted to sufficiently fulfil the right to an adequate standard of living for beneficiaries.<sup>1</sup> In March, the Constitutional Court declared a provision of the Viennese means-tested benefits unconstitutional as it contradicted the current Basic Act on Social Assistance.

## RIGHT TO HOUSING

Despite calls by NGOs, the government failed to adopt a national housing strategy. Although the city of Vienna expanded the capacity of emergency shelters, availability remained insufficient to meet needs.

## **WOMEN'S AND GIRLS' RIGHTS**

By year's end 26 women had been killed in suspected femicides, amid concerns regarding the lack of sustainable strategies to prevent such violence. Abortion had not been fully decriminalized. Access to affordable and safe abortion was limited due to its exclusion from the healthcare system.

Reforms to the care system presented by the Ministry of Social Affairs in June still failed to grant fair remuneration and social security to live-in care workers, the majority of whom were migrant women.

## **FREEDOM OF PEACEFUL ASSEMBLY**

At several protests in Vienna, the capital, police prevented journalists from observing and reporting protests.

Decision-makers publicly suggested criminalizing climate activists for their forms of protest and civil disobedience, in particular for blocking streets.

On 11 October, police banned a pro-Palestinian protest in Vienna, citing national security concerns. Despite the ban, the protest took place.

## **FREEDOM OF EXPRESSION**

In October, a freedom of information law was proposed that fell short of international standards because it exempted most municipalities from an active obligation to publish information of general interest.

There was a worrying increase in the number of attacks on press freedom and strategic litigation against public participation (SLAPP) suits against journalists and human rights activists.<sup>2</sup>

## **REFUGEES' AND MIGRANTS' RIGHTS**

In the context of ongoing disappearances of unaccompanied asylum-seeking children, Austria still failed to adopt federal provisions ensuring guardianship for such minors on their arrival, despite an existing legislative proposal by the Ministry of Justice.

In June, the European Committee for the Prevention of Torture described conditions for migrants awaiting deportation as appalling, dilapidated and dirty.<sup>3</sup>

## **DISCRIMINATION**

Law enforcement continued to use facial recognition technology without a clear legal basis, despite its potential discriminatory impact.

Austria failed to ensure human-rights compliant anti-discrimination legislation at federal and regional levels.

According to two NGOs, there was a rise in the number of reported antisemitic and anti-Muslim incidents during the year.

## **DETAINEES' RIGHTS**

In June, the European Committee for the Prevention of Torture expressed concern about prison conditions, including mental healthcare provision, the use of solitary confinement and the treatment of juveniles.

## **UNLAWFUL USE OF FORCE**

Police accountability for unlawful use of force remained inadequate. In March, the police used pepper spray and batons unnecessarily and disproportionately against climate activists at a protest in Vienna. Parliament approved a police oversight body to be established in 2024, although there were concerns over its independence. Police were still not required to wear identification badges, which continued to impede accountability.

## **RIGHT TO A FAIR TRIAL**

Austria's Federal Administrative Court had no formal leadership throughout the year. Other high functions within the judiciary also remained vacant due to suspected cronyism.

The Minister of Justice remained responsible for instructing prosecutors in ongoing proceedings.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Austria's climate action, including the sustainable reduction of carbon emissions, was not on track to reach its targets. The government also failed to adopt a climate action law.

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1. Austria: The Basic Act on Social Assistance in Austria: A Step Back for Human Rights, 17 October (German only)
  2. "Austria: SLAPP lawsuit against SOS Balkanroute dismissed: Success for civil society in Austria", 19 July (German only)
  3. "Austria: Council of Europe criticizes prison conditions in Austria: Amnesty International calls for reforms", 27 June (German only)

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# AZERBAIJAN

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## Republic of Azerbaijan

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**Azerbaijan's blockade of a key route into the breakaway territory of Nagorno-Karabakh endangered the lives of thousands of people and, followed by a military offensive, forced most of the ethnic Armenians to flee the region. The government's crackdown on freedom of expression intensified. Journalists, human rights defenders and activists were arrested in retaliation for their work. Peaceful protests were suppressed, and the work of media outlets and independent organizations remained unduly restricted. Women and girls continued to face gender-based harassment and violence.**

## BACKGROUND

On 19 September, Azerbaijan launched a major military offensive to disarm and disband the de facto authorities in the breakaway territory of Nagorno-Karabakh. Within hours its forces had regained control over the whole region, and within a few days in September and October more than 100,000 people – almost all of Nagorno-Karabakh's ethnic Armenian population – had fled to Armenia.<sup>1</sup> Those displaced faced economic hardships and uncertainty as no significant progress had been made by Azerbaijan to ensure their right to return in safety and dignity by year's end (see Armenia entry).

Azerbaijani authorities promised amnesty to those who had fought for the de facto authorities in Nagorno-Karabakh, except alleged perpetrators of war crimes. Several of Nagorno-Karabakh's ethnic Armenian leaders were arrested and charged with war crimes

as they tried to leave the region for Armenia. In December, Azerbaijan freed 32 Armenian prisoners of war after agreeing to work towards a peace deal with Armenia. The agreement also paved the way for Azerbaijan to host COP29, the global climate summit to be held in November 2024.

The authorities used the military victory to further cement their rule and entrench their clampdown on dissent.

Azerbaijan's human rights record was reviewed in the UN Human Rights Council's UPR in November.<sup>2</sup>

## VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

For nine months prior to the military offensive in September, Azerbaijan's blockade of the Lachin corridor, a road connecting Nagorno-Karabakh to Armenia, caused critical shortages of basic necessities including food, medicines and fuel, and a humanitarian crisis in the breakaway region. In February, the International Court of Justice ordered "unimpeded movement" in both directions, but this was ignored. Azerbaijani authorities insisted that Nagorno-Karabakh be supplied from territory controlled by Azerbaijan or that supplies from Armenia be subjected to thorough inspections, which the Armenian side rejected.<sup>3</sup>

No substantive progress was reported in investigating alleged war crimes and violations of international humanitarian law in previous years, including disproportionate and indiscriminate attacks by Azerbaijani military forces as well as credible evidence of violence, including killings, of civilians and prisoners of war by Azerbaijani forces. Impunity for these crimes continued to underline ongoing concerns over the Azerbaijani authorities' commitment to ensure protection of civilians in Nagorno-Karabakh.

## FREEDOM OF EXPRESSION AND ASSOCIATION

Restrictive NGO legislation continued to impose barriers such as arbitrary denial of

registration and restrictions over securing funding for human rights groups.

The media remained severely restricted. Government critics, journalists, media representatives and human rights defenders faced increased instances of violence, harassment and arbitrary arrests. Azerbaijani human rights organizations reported that the number of individuals jailed under politically motivated charges had doubled compared with the previous year, to more than 230 people.

A new restrictive media law adopted in 2022 required media outlets to register with the authorities. From November, the Media Development Agency of the Republic of Azerbaijan was reported to have begun legal action to close independent media entities that had been denied registration on arbitrary grounds.

Bakhtiyar Hajiyev, an opposition activist, remained imprisoned since his detention in December 2022 on politically motivated charges. In March, he ended a hunger strike shortly after intimate photographs, videos and conversations with women were leaked from his social media accounts.

Gubad Ibadoghlu, a renowned academic and anti-corruption activist, was arbitrarily arrested by plain-clothes police officers on 23 July in the capital, Baku, on fabricated charges of “religious extremism” and “acquiring or selling counterfeit money”. He was detained together with his wife (who was later released) shortly after helping set up a foundation aimed at benefiting students by seeking funding from assets confiscated under anti-corruption legislation. Gubad Ibadoghlu’s health deteriorated due to prison conditions and lack of adequate healthcare.<sup>4</sup>

More than a dozen activists were reportedly detained under administrative proceedings in September and October for criticizing the government and its military operations in Nagorno-Karabakh. Five men were arrested for posting anti-war content on social media. Three others – Nurlan Gahramanli, Emin Ibrahimov and Nemet Abbasov – were given 30 days’ administrative detention for purportedly disseminating harmful

information and disobeying the police.

Afiaddin Mammadov, a trade union leader, was arrested on fabricated charges of physical assault carrying up to five years in prison and remained in pretrial detention at year’s end.

In November and December, ahead of snap presidential elections expected in February 2024, police arrested at least 13 people on charges that appeared to be fabricated in retaliation for their criticism of the authorities. Prominent opposition politician Tofiq Yagublu was arrested for allegedly falsifying documents. Abzas Media director Ulvi Hasanli, his colleagues Sevinj Vagifgizi, Nargiz Absalamova and Mahammad Kekalov, and investigative journalist Hafiz Babali were jailed on charges of smuggling after Abzas Media reported allegations of government corruption. Independent journalists Teymur Karimov, Ibrahim Humbatov, Arshad Ibrahimov, Aziz Orujov and Rufat Muradli, as well as activists Mohyaddin Orujov and Ilhamiz Guliyev, were arrested on charges ranging from illegal construction to possession of drugs and extortion.

## **FREEDOM OF PEACEFUL ASSEMBLY**

The authorities continued to arbitrarily restrict the right to peaceful assembly. On 20 June police violently broke up a peaceful environmental protest in the village of Söyüdlü, Gadabay district, by local activists demonstrating against the planned expansion of a gold mine. Footage showed police beating protesters with truncheons and spraying a chemical irritant directly into the faces of several women protesters. Approximately 10 people were injured and a dozen were temporarily detained during the protest and its aftermath. This included at least three journalists briefly detained and beaten by the police while covering the protests and several activists arrested following the protests for their critical social media posts. Police also reportedly blocked access to Söyüdlü from 22 June for at least three weeks, allowing only residents and pro-government media outlets to enter.



## GENDER-BASED VIOLENCE

Women continued to face various forms of gender-based violence, including being targeted as instruments of political revenge.

Local women activists raised concerns about the safety and security of several women whose intimate photographs, videos and messages were leaked from the private accounts of arrested opposition activist Bakhtiyar Hajiyev (see above, Freedom of expression and association). The activists accused the government of being behind the leaks and making those women targets of violence, including from their own families, by releasing their names, images and, in one case, their home address. The investigation into the alleged cybercrime was ongoing at the end of the year.

1. *Azerbaijan: As Azerbaijani forces assume full control over Nagorno-Karabakh, it must respect and protect the rights of local ethnic Armenians*, 29 September
2. *Suggested Recommendations to States under Review in the 44th session of the UPR Working Group, 06 November 2023 – 17 November 2023*, 14 September
3. "Azerbaijan: Blockade of Lachin corridor putting thousands of lives in peril must be immediately lifted", 9 February
4. "Azerbaijan: Authorities must immediately release prominent scholar Gubad Ibadoghlu", 7 September

# BAHRAIN

## Kingdom of Bahrain

**The rights of people deprived of their liberty were violated, although reports of torture and other ill-treatment declined compared to previous years. Authorities continued to harass and prosecute their critics, repressed some peaceful protests and twice blocked Shia Muslims from reaching the main Shia mosque in Bahrain.**

## BACKGROUND

In March, Bahrain hosted an assembly of the Inter-Parliamentary Union, a body bringing together elected legislatures from around the world. In late August, Bahrain invited members of OHCHR, the UN human rights

office, to visit the country, then cancelled the visit on 13 September, the day before it was to begin. The same day, Bahrain signed a new agreement to bolster military and commercial ties with the USA.

On 15 September, at a UK airport, Bahraini authorities prevented a delegation, including exiled human rights activist Maryam Al-Khawaja and leaders from Amnesty International, Front Line Defenders and ActionAid Denmark, from boarding a flight to Bahrain.<sup>1</sup>

## DETAINEES' RIGHTS

Until September, authorities at Jaw Prison kept inmates in their cells 23 hours a day and prevented hundreds of Shia prisoners convicted of violent or non-violent opposition to the government from holding group religious ceremonies in the prison prayer room, a restriction not applied to other prisoners. The prison administration continued at times to arbitrarily and punitively cancel prisoners' phone calls and visits.

Between 7 August and 11 September, hundreds of Shia prisoners staged a hunger strike to protest at these forms of ill-treatment, which are contrary to the UN Standard Minimum Rules for the Treatment of Prisoners. The prison authorities subsequently agreed to allow prisoners two hours a day out of their cells, group prayers twice a day in groups of up to 50 in the prayer room, and more calls and visits under better conditions.

## TORTURE AND OTHER ILL-TREATMENT

Reports of torture and other ill-treatment declined compared to previous years.

On 15 August, guards at Jaw Prison pepper-sprayed and beat prisoner Ahmed Jaafar for demanding to meet a higher-ranking officer to discuss the hunger strikers' demands.

Throughout most of the year, the prison authorities denied adequate medical treatment to imprisoned human rights defender Abdulhadi Al-Khawaja, arbitrarily cancelling his hospital appointments or making him wait for appointments for hours

while shackled in a windowless, unventilated vehicle without air conditioning.<sup>2</sup>

## **UNFAIR TRIALS**

On 26 September, a court convicted 13 out of 65 defendants in a mass trial of prisoners for allegedly assaulting guards at Jaw Prison on 17 April 2021. Leaked contemporaneous accounts by at least five prisoners, and accounts given under interrogation by at least four, stated that guards attacked prisoners, not the other way around.

## **WORKERS' RIGHTS**

In July, Bahrain's royally appointed upper legislative chamber proposed a legal upper limit of BHD 120 (USD 320) per month for domestic workers' salaries. Like other migrant workers, domestic workers continued to lack the protection of a minimum wage.

Even though the effects of climate change began to be felt, with Bahrain experiencing its hottest August in over 100 years, the government did not revise its inadequate rules on heat protection, increasing the health risks for outdoor workers exposed to heat stress.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Bahrain remained one of the world's top five highest emitters of CO2 per capita, according to World Bank data. Bahrain's current Nationally Determined Contribution plan under the UN Framework Convention on Climate Change, which it set in October 2021, makes no reference to reaching net zero greenhouse gas emissions, stating only a "renewable energy target" of "10% by 2025".

## **FREEDOM OF EXPRESSION**

Bahraini authorities continued to harass and unjustly prosecute their critics.

On 30 March, a court convicted three members of an unorthodox religious group, the Altajdeed Society, for "insulting" Islamic figures and sentenced them to one year's imprisonment. After an appeals court upheld the verdict on 21 May, authorities arrested the two defendants still living in Bahrain.

On 22 May, police summoned a Shia cleric, Mohamed Sanqoor, for giving a sermon criticizing what he described as inhumane treatment of prisoners. Authorities interrogated him for three days, releasing him without charge on 25 May.

On 20 December, authorities detained opposition activist Ebrahim Sharif for tweets condemning the government's policy on Israel, Palestine, the USA and the Red Sea. They released him on 27 December, suspending prosecution without dropping the charges.

## **FREEDOM OF RELIGION AND BELIEF**

In June, security forces twice prevented Shia Bahrainis from reaching the Imam al-Sadiq mosque in al-Duraz for Friday prayers if they were not residents of the town. This mosque is the country's foremost Shia place of worship. Police blockades on the roads into al-Duraz turned back Shia commuters from other areas, while allowing non-Shia travellers to pass, on 9 and 16 June, three weeks after Mohamed Sanqoor was arrested (see above).

## **FREEDOM OF PEACEFUL ASSEMBLY**

The government reacted inconsistently to peaceful protests, repressing some but not others.

Authorities did not act to prevent or break up periodic marches and other street protests in the Shia-majority suburban areas to the west of the capital, Manama. Several such marches during the August-September prisoners' hunger strike approached without repression the Budaiya Highway, which was an important axis during the mass protests of 2011.

However, on other occasions, the government summoned, warned, intimidated and arrested actual or potential protesters. In February, for example, the government summoned several family members of Bahrainis imprisoned or killed in the past by government forces and warned them against protesting around the anniversary of the 2011 uprising. On 21 February, the police station in Sanabis, a Shia suburb of Manama, summoned Jameel Taher al-Samea, the

father of a young man executed in 2017, and compelled him to sign a statement pledging not to join any demonstrations. On 5 March, police arrested Hajer Mansoor, Ali Muhana, Muneer Mushaima and Najah Yusuf – all former prisoners or family members of prisoners – for peacefully protesting next to Bahrain’s Formula 1 racetrack. They were released after several hours without charge.

## WOMEN’S AND GIRLS’ RIGHTS

In June, in a positive step, Bahrain annulled Article 353 of its Penal Code, which had allowed rapists to escape prosecution if they married their victims.

There was no change to Article 4 of the Law on Bahraini Nationality, under which only men can pass on their Bahraini nationality to their children.

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1. “Bahrain: Maryam Al-Khawaja prevented from boarding flight for visit to demand father’s release”, 15 September
  2. “Bahrain: Prisoner of conscience on hunger strike: Abdulhadi Al-Khawaja”, 17 August

# BANGLADESH

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## People’s Republic of Bangladesh

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**The government intensified its crackdown on the rights to freedom of expression and peaceful assembly ahead of general elections scheduled for January 2024. Authorities used the powers in the Digital Security Act and other legislation to target journalists and human rights defenders, subjecting them to arbitrary detention and torture. There was a concerning increase in enforced disappearances and lack of accountability for deaths in custody. Occupational safety remained a distant dream for many workers. Refugees endured homelessness due to a fire in a camp and a cyclone as well as food insecurity. Rations for refugees were restricted due to the UN’s acute funding shortfall. Bangladesh remained extremely vulnerable to impacts of climate change.**

## BACKGROUND

2023 marked the 15th consecutive year that the Awami League remained the ruling political party.

## FREEDOM OF EXPRESSION

In September, the draconian Digital Security Act (DSA) was repealed and replaced with the almost identical Cyber Security Act (CSA), following tokenistic consultation.<sup>1</sup> Authorities had weaponized the DSA to threaten and silence thousands of journalists and critics, restricting liberty and rights to privacy as well as freedom of expression. The CSA retained many of the repressive features of the DSA, including verbatim all but two of the DSA offences, albeit with some reductions to the maximum sentences, maintaining broad powers of arrest and investigation.<sup>2</sup>

## JOURNALISTS

Journalists faced increasing attacks and prosecutions amid a deepening crisis for press freedom and a growing culture of zero tolerance for dissent more broadly.

In April, Prime Minister Sheikh Hasina labelled Prothom Alo – the country’s largest daily newspaper – “an enemy of the Awami League, democracy, and the people of Bangladesh” in parliament. Hours later, a group of individuals barged into the newspaper’s office in the capital, Dhaka, issuing threats and vandalizing its logo.<sup>3</sup> This was in reaction to an article by journalist Shamsuzzaman Shams, published by the media outlet on 26 March, Independence Day, covering the cost of living crisis in Bangladesh.

On 29 March, Shamsuzzaman Shams was arbitrarily arrested and detained under the DSA for publishing “defamatory, false and fabricated information”. He was initially denied bail and jailed. Although released on bail on 3 April, if convicted he could face up to seven years’ imprisonment.

In June, journalist Golam Rabbani was beaten to death by a group of men armed with machetes and steel bars. The attack came hours after a local court dismissed a case filed against Golam Rabbani under the DSA by the then Sadhurpara union council

chairman, who was also a member of the ruling party. Golam Rabbani's family alleged he was killed in retaliation for a series of reports he authored on the chairman, which also prompted the DSA case.

### **WOMEN AND GIRLS**

The DSA was used to punish individuals with links to critical voices in the diaspora. In November, Khadijatul Kubra, a second-year university student, was finally granted bail after spending over 14 months in arbitrary pretrial detention under the DSA, in connection with critical statements made against the government by a guest speaker during a webinar she had moderated when aged 17. Khadijatul Kubra was repeatedly denied bail by the Supreme Court, which stated she should take responsibility for the views expressed on her talk show.<sup>4</sup>

In August, the police arbitrarily arrested and detained 58-year-old Anisha Siddika on charges of "sabotage" against the government under the authoritarian Special Powers Act. This came three days after Anisha Siddika's son, who lives in the USA, published a Facebook post critical of the ruling party. While in police custody, Anisha Siddika was ordered to remove her face veil before police forcibly photographed her and posted it on their Facebook page. She also alleged that she was denied food and the opportunity to pray for 12 hours while in custody.<sup>5</sup>

### **HUMAN RIGHTS DEFENDERS**

In September, a cyber tribunal sentenced Adilur Rahman Khan and A.S.M. Nasiruddin Elan, leaders of human rights organization Odhikar, to two years' imprisonment under Section 57 of the draconian Information and Communication Technology Act 2006. Odhikar had published a fact-finding report documenting extrajudicial killings conducted by the state in response to a protest in 2013. The two men had endured a decade of persecution, intimidation and harassment by the state and were denied their right to fair trial. The state's relentless crackdown on Odhikar and its leaders had a chilling effect

on civil society, especially those documenting violations of human rights.

### **FREEDOM OF PEACEFUL ASSEMBLY**

Authorities used unlawful force coupled with widespread arrests to curb opposition-led protests throughout the year. Police unlawfully used rubber bullets and tear gas against largely peaceful protesters at a sit-in on 29 July in Dhaka. Law enforcement representatives beat unarmed protesters and fired tear gas near a hospital, while officers in civilian clothes used unlawful force against protesters.<sup>6</sup> Ahead of the protest, on 28 July, more than 500 opposition leaders and activists were arrested. The police boarded buses entering Dhaka and conducted searches of people's phones to prevent individuals from joining opposition rallies.

In an earlier protest on 18 July, the authorities used live bullets against protesters resulting in at least one death.<sup>7</sup> The police filed cases against over 12,000 unnamed and 1,036 named opposition activists in 14 districts. As opposition-led protests intensified, at least 1,727 opposition activists were arrested in Dhaka between 21 and 28 October, including the secretary general of the largest opposition party.

In August, Mominul Islam Jishan and five other leaders of the student wing of the main opposition party were picked up from Mominul Islam Jishan's home by a group of men in civilian clothing who identified themselves as members of the Detective Branch of the police. Their whereabouts remained unknown for over 24 hours before the police told the press that the six men were held under the authoritarian Special Powers Act and Arms Act.

### **ENFORCED DISAPPEARANCES AND EXTRAJUDICIAL EXECUTIONS**

Odhikar estimated 24 extrajudicial killings and 52 enforced disappearances in 2023, compared to 31 extrajudicial killings and 21 enforced disappearances in 2022.

In May, Ikramul Haque, a madrasa teacher, his wife, Anika Faria, and their six-month-old son were brought before a court in Dhaka in

an anti-terrorism case, one month after they were detained by the police. Their family told media that their whereabouts remained unknown during that period. The police denied the allegation of enforced disappearance and accused the couple of being recruiters for the banned militant group Ansar-al-Islam.

## **TORTURE AND OTHER ILL-TREATMENT**

Bangladesh failed to submit its report to the UN Committee against Torture, due in August.

Custodial deaths continued to be reported in the media with alarming frequency. Odhikar estimated at least 94 deaths in jail custody in the first nine months of the year. Authorities failed to ensure prompt, effective, impartial and independent investigations into deaths in custody.

In March, Sultana Jasmine, a government employee detained under the DSA died in custody due to internal bleeding in her head. The Supreme Court ordered a probe committee to be formed to investigate her death after finding inconsistencies in the official post-mortem report. The case remained ongoing.

In June, Ekramul Hossain, a farmer, died in police custody after being detained on drug related charges, although no drugs were found in his possession. His family alleged that the police tortured him in custody because they were unable to pay the demanded bribe. The police refuted this, claiming that Ekramul Hossain “tripped and fell” when trying to flee.

In July, a court in the north-western Natore district ordered the Superintendent of Police to prosecute five police officers accused of torturing three men to extract confessions in a robbery case. The Superintendent refuted the torture allegation by asserting that the men “fell and hurt themselves” when trying to escape from the police. The investigation order was later stayed by a higher court, while two of the police officers accused of torture were awarded prizes for “best police officers of the month” 10 days later by Natore police.

## **WORKERS’ RIGHTS**

April marked 10 years since the Rana Plaza collapse, which left more than 1,100 garment workers dead and thousands injured. Despite the reforms that followed, occupational safety remained a distant dream for many workers. The Safety and Rights Society estimated that at least 875 workers were killed in 712 workplace accidents in 2023, marking a rise from 712 deaths recorded in 2022.

In June, the president of the Bangladesh Garments and Industrial Workers’ Federation was beaten to death by a group of armed men outside a factory where he was intervening on behalf of workers over a dispute relating to unpaid wages.

In October and November, at least three workers were killed in protests relating to the national minimum wage for ready-made garment (RMG) workers due to lethal force used by law enforcement. RMG workers called for their monthly wage to be increased from BDT 8,000 (USD 74) to at least BDT 23,000 (USD 212). However, in November, the government announced that the minimum wage would increase to only BDT 12,500 (USD 114).

In November, the government amended the labour law to increase maternity leave from 112 days to 120 days and lower the number of workers’ signatures required for the formation of trade unions. Workers’ rights groups demanded the withdrawal of the Essential Services Bill tabled in parliament. The proposed law would render industrial action by workers – such as protests – unlawful in any sector deemed “essential” by the government.

Authorities weaponized labour laws to launch a criminal prosecution against 83-year-old Nobel Laureate Mohammad Yunus and three of his colleagues at Grameen Telecom, alleging non-compliance with the Labour Act 2006. The ongoing trial proceeded with unusual speed and was one of more than 150 cases filed against Mohammad Yunus since the Awami League party came into power in 2008, with the prime minister, Sheikh Hasina publicly denigrating him on many occasions.<sup>8</sup>

## REFUGEES' AND MIGRANTS' RIGHTS

Bangladesh continued to host over 1 million Rohingya refugees in camps in poor conditions for the sixth consecutive year.

In March, a devastating fire destroyed around 2,000 shelters and left around 12,000 Rohingya refugees homeless.<sup>9</sup> In May, cyclone Mocha, made worse by climate change, destroyed camp infrastructure and dwellings. In June, the UN announced that an acute funding shortfall forced the World Food Programme to further slash the value of refugees' monthly rations from USD 12 to USD 8. Days later, tens of thousands of Rohingya refugees in Bangladesh launched a protest demanding to be repatriated to Myanmar, citing their dire situation.

The UN Special Rapporteur on the situation of human rights in Myanmar urged Bangladesh to suspend its pilot repatriation project given the continuing risk for returning refugees.

In July, an ICC prosecutor visited the camps to collect testimony from refugees to aid the court's investigation against the Myanmar military for genocide. Mohammad Ebadullah, a junior refugee camp warden who was assembling refugees to testify, was stabbed to death just before the prosecutor arrived in the camps. Six other refugees were killed the day after his visit. While the ICC prosecutor told press that these killings were unrelated to the court's investigation, they underscored the deteriorating security in the camps.

On a positive note, in July, UNICEF announced that a record number of 300,000 Rohingya refugee children were enrolled for the 2023/24 school year.

6. "Bangladesh: Unlawful use of force against protesters must end immediately", 4 August
7. "Bangladesh: Authorities must exercise restraint in use of force to police protests", 19 July
8. "Bangladesh: Stop weaponizing labour law to harass Nobel Laureate Mohammad Yunus", 18 September
9. "Bangladesh: Urgent emergency measures must aid all impacted by fire in Rohingya refugee camps", 6 March

## BELARUS

### Republic of Belarus

**The rights to freedom of expression, association and peaceful assembly remained severely curtailed. Religious minorities faced discrimination. The justice system was abused to suppress dissent. Torture and other ill-treatment were endemic and impunity prevailed. Refugees and migrants suffered abuses at the hands of the authorities. Death sentences continued to be imposed.**

### BACKGROUND

Belarus's international isolation deepened, and its EU neighbours tightened border controls after Belarus agreed to host the Russian private military company Wagner and deploy Russian tactical nuclear weapons on its territory.

Some 350,000 people were estimated to have left Belarus since the crackdown on dissent in 2020, leading to workforce shortages. Authorities attempted to force many to return, including by halting passport renewals at Belarussian consulates abroad.

### FREEDOM OF EXPRESSION

Freedom of expression remained severely restricted. In May, amendments to the criminal code made it even easier for authorities to mount criminal prosecutions for "crimes of an anti-state orientation" and introduced criminal liability for "discrediting" the armed forces and other government forces including paramilitaries.

Books and other printed products continued to be outlawed for featuring "extremist

1. "Bangladesh: Government must remove draconian provisions from the Draft Cyber Security Act", 31 August
2. "Bangladesh: Open letter to the government: Feedback on proposed 'Cyber Security Act'", 22 August
3. "Bangladesh: Increasing intimidation and harassment of Prothom Alo signals deepening crisis of press freedom in the country", 12 April
4. "Student detained for a year for hosting webinar: Khadijatul Kubra", 25 August
5. "Bangladesh: Woman arrested after her son's Facebook post must be immediately released", 23 August

content” and dozens of people were arrested every month for subscribing to “extremist” Telegram messenger channels.

In January, Darya Losik was sentenced to two years’ imprisonment for “assisting extremist activity” because of an interview about her husband, prisoner of conscience Ihar Losik, on the Belsat television channel in 2022. She was accused of describing her husband as “a political prisoner” and protesting his innocence.

Belarusian courts continued to sentence individuals for “insulting” officials, “discrediting” state institutions and symbols, or “inciting animosity and enmity”.

In May, leading cultural figure Pavel Belavus was sentenced to 13 years’ imprisonment and a fine of BYN 18,500 (USD 5,500) on four criminal charges, including treason and “leading an extremist formation”. Among other things, he was accused of “spreading ideas of Belarusian nationalism aimed at changing the state power”.

## **FREEDOM OF ASSOCIATION**

The crackdown on independent civil society organizations, NGOs, professional organizations and ethnic and religious communities intensified. All 12 parties opposed to the government were refused re-registration and dissolved in an attempt to clear the field for elections in 2024.

Arbitrary charges of “extremism” were used to close civil society organizations, such as the human rights centre Viasna which in August was deemed an “extremist formation”.

Individuals were arrested for “financing extremist activities or organizations”. Kiryl Klimau was sentenced to four years’ imprisonment for sending six donations of USD 10 to charities supporting the victims of political repression.

## **FREEDOM OF RELIGION AND BELIEF**

From October, as part of a wide-ranging crackdown on dissent, all religious organizations were required to undergo re-registration or face closure.

Repression continued against Catholic priests. Starting on 31 May, Uladzislau Beladzed was arrested three consecutive times, each for 15 days, for “spreading extremist materials”. During a search of the Catholic cathedral in the capital Minsk, where he was serving, security forces reportedly beat several priests.

Authorities continued to persecute the New Life protestant church. In June, their church building was demolished. In August, two online publications from 2020 condemning violence against peaceful protesters were labelled “extremist” and two pastors were arrested. In October, the church was “liquidated” by a court decision because of “extremist activities”.

## **FREEDOM OF PEACEFUL ASSEMBLY**

The right to freedom of peaceful assembly remained severely restricted. Three years after the 2020 protests, the authorities continued to track down for unfounded prosecution and imprisonment both peaceful participants and those who supported them, including with donations.

## **UNFAIR TRIALS**

The authorities continued to abuse the justice system to crack down on all dissent, including political opponents, human rights defenders and lawyers. In March, Sviatlana Tsikhanouskaya, Pavel Latushka, Maria Maroz, Volha Kavalkova and Siarhei Dyleuski were sentenced in their absence under trumped-up charges to between 12 and 18 years’ imprisonment. The practice of closed hearings remained widespread.

The persecution of lawyers defending victims of politically motivated prosecution continued, with a human rights group reporting that at least 10 lawyers were imprisoned and more than 100 disbarred or refused extension of their licence in retaliation for performing their professional duties.

## **TORTURE AND OTHER ILL-TREATMENT**

Torture and other ill-treatment remained widespread and endemic with perpetrators

enjoying impunity. Individuals convicted under politically motivated charges faced harsh treatment and inhumane conditions, including denial of adequate healthcare, contact with family members and outdoor exercise. For months at a time there was no information about the whereabouts and condition of Syarhei Tsikhanouski, Maryia Kalesnikava, Ihar Losik, Maksim Znak, Mikalai Statkevich, Viktor Babaryka and other imprisoned high-profile activists, journalists and politicians.

In July, imprisoned artist Ales Pushkin died, reportedly from an untreated perforated ulcer, in the city of Hrodna. He had been serving a five-year sentence imposed after unfounded charges.

## HUMAN RIGHTS DEFENDERS

The authorities continued to prevent human rights defenders from carrying out their work, including through arbitrary detention.

In March, members of prominent human rights organization Viasna, Ales Bialiatiski, Valiantsin Stefanovic and Uladzimir Labkovich, were sentenced to 10, nine and seven years' imprisonment respectively, on false charges.<sup>1</sup>

Nasta Loika was sentenced on trumped-up charges to seven years' imprisonment in a closed trial in June. Her name was added to the list of individuals involved in "terrorist activities".

## REFUGEES' AND MIGRANTS' RIGHTS

Belarusian authorities continued to lure refugees and migrants to Belarus with a false promise of easy passage into the EU, then violently forced them across EU borders where they also faced pushbacks by Poland, Lithuania, and Latvia. Refugees and migrants at the border often faced torture and other ill-treatment by Belarusian authorities.

## DEATH PENALTY

Death sentences continued, but no executions were reported.

New provisions in the criminal code, adopted in May, extended the application of the death penalty to treason by "officials in

responsible positions", state officials and military officers.

## RIGHT TO A HEALTHY ENVIRONMENT

According to the WHO, fine particulate air pollution in Belarus, mainly from vehicle emissions, was three times greater than the organization's recommended safe limit and was responsible for 18% of deaths from stroke and ischaemic heart disease. The country's climate policies were incompatible with its obligations under the Paris Agreement.

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1. "Belarus: Sentencing of human rights defenders a 'blatant retaliation' for their work", 3 March

# BELGIUM

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## Kingdom of Belgium

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**Asylum seekers were left destitute and Afghan asylum seekers were denied international protection. New care centres for survivors of sexual violence were opened. The government withdrew its proposed ban on attending demonstrations as punishment for certain protest-related crimes. Climate activists were found guilty of trespassing following a peaceful action. Prisoners were detained in inhumane conditions. The Wallonia region continued to make irresponsible arms transfers. Municipalities' regulation of begging violated human rights.**

## REFUGEES' AND MIGRANTS' RIGHTS

Although the government partially increased the capacity of its reception system, authorities again left thousands of asylum seekers homeless and destitute by denying them access to accommodation. Despite thousands of court decisions, including decisions by the state's highest administrative court and the European Court of Human Rights, the government failed to solve the reception crisis caused by its continued failure to provide sufficient shelter capacity.<sup>1</sup>



The Commissioner General for Refugees and Stateless Persons continued to deny international protection to the majority of Afghan asylum seekers, with only 35% obtaining protection. Almost all Afghans remained unable to return to Afghanistan and failed asylum seekers were vulnerable to abuse.

## **SEXUAL AND GENDER-BASED VIOLENCE**

Two new care centres for survivors of sexual violence were opened, bringing the total to 10, with four more planned. Of the survivors seeking help at care centres, 90% identified as women. The average age of people seeking help was 24, and 32% of all victims were aged under 18.

## **DISCRIMINATION**

In July, the interior minister issued a new “professional profiling framework of action”, which was welcomed as a positive measure to address and stop ethnic profiling by the police.

## **DETAINEES’ RIGHTS**

Overcrowding in dilapidated prisons continued, with insufficient access to essential services, including healthcare and sanitary facilities.

In October, the Council of Europe repeated its criticism of structural problems in the prison system, and the lack of effective recourse, and urged authorities to take swift and durable measures to reduce the number of prisoners and improve conditions of detention.

## **FREEDOM OF EXPRESSION AND ASSEMBLY**

In December, following opposition by trade unions and human rights groups, among others, the government withdrew a proposal that would have allowed judges to impose a temporary general prohibition on participation in public assemblies as a complementary penalty on people convicted of protest-related criminal offences.

In April, 22 Greenpeace activists protested peacefully against fossil fuel investments at

the port of Zeebrugge; 14 were arrested and detained for 48 hours. In November, the Bruges court of first instance found them guilty of unlawful intrusion into the critical infrastructure of the port facility. No sentences were handed down.

## **IRRESPONSIBLE ARMS TRANSFERS**

The Wallonia region continued authorizing arms transfers to states where there was a substantial risk that they could be used to commit or facilitate serious violations of international human rights and humanitarian law. This included to Brazilian police and Nigerian and Indonesian military forces accused of serious human rights violations.

## **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

The Federal Institute for the Protection and Promotion of Human Rights and the Combat Poverty, Insecurity and Social Exclusion Service documented that in 253 out of a total of 581 cities and villages there were by-laws regulating begging that contravened human rights.

## **RIGHT TO A HEALTHY ENVIRONMENT**

In April, a non-exhaustive inventory by the federal government showed that the state annually spends around €13 billion in fossil fuels subsidies, although the actual figure may be as high as €19 billion.

In November, the Brussels Court of Appeal ruled that the federal, the Flemish and the Brussels Capital Region’s authorities had failed to implement adequate policies to tackle the climate emergency, and thus had violated the rights to life and to private life of the plaintiffs.

## **IMPUNITY**

In May, a prisoner swap led to the release and transfer home of Belgian aid worker Olivier Vandecasteele who had been held hostage in Iran. The corresponding early release and transfer to Iran of Iranian intelligence agent Assadollah Asadi contributed to a climate of impunity for the extraterritorial targeting of Iranian dissidents

for extrajudicial execution, torture and other ill-treatment, and undermined the rights of victims to justice.<sup>2</sup>

1. "Belgium: Urgent action needed to end human rights violations against asylum seekers", 31 October
2. "Iran/Belgium: Iran must be held accountable for hostage-taking after overdue release of Olivier Vandecasteele in prisoner swap", 26 May

## BENIN

### Republic of Benin

**Armed groups committed unlawful killings in the north of the country. Freedom of expression continued to be curtailed by the 2018 Digital Code. An opposition leader remained arbitrarily detained. The government made progress towards the implementation of the 2021 law legalizing abortion. Women confined to a hospital ward for non-payment of hospital fees were released. Thousands of people who had been forcibly evicted in connection with tourism development projects continued to demand adequate compensation.**

### BACKGROUND

Attacks by armed groups continued in the Alibori and Atacora departments bordering Niger and Burkina Faso. Around 40 inhabitants of these departments and 25 soldiers had been killed since 2019, according to the Beninese army. In August, 127 people accused of belonging to terrorist groups were released from prison after their cases were dismissed. Experts from Benin's Fisheries and Oceanological Research Institute warned of the risk of rising sea levels in several parts of the country, including the economic capital Cotonou, due to climate change.

### UNLAWFUL KILLINGS

President Patrice Talon ordered an investigation into the deaths of around 15 people in attacks by armed groups on

inhabitants of the commune of Kérou in the Atacora department in May.

### FREEDOM OF EXPRESSION AND ASSEMBLY

Freedom of expression continued to be threatened, notably by the 2018 Digital Code, which criminalizes with imprisonment the publishing of false information online. The government continued to use the security situation in the north of the country to justify ongoing restrictions on the right to strike.

On 24 May, the Public Prosecutor's Office requested a 12-month prison sentence for journalist Maxime Lissanon, who had been in custody since 13 January for "inciting rebellion". He was arrested following a post on his Facebook page during the legislative elections on 8 January, in which he wrote that representatives of the opposition party Les Démocrates had been prevented from entering polling stations.

On 15 June, Virgile Ahouansè, news director of the online radio station Crystal News, was given a 12-month suspended prison sentence for "disseminating false information". In December 2022, he had broadcast an investigation containing witness statements accusing the police of extrajudicial executions at a school in the city of Porto-Novo.

On 8 August, the High Authority for Audiovisual and Communication suspended until further notice "all means of mass communication" of the Gazette du Golfe press group, in connection with an alleged "apology for coups d'état".

On 31 August, police officers in Pendjari National Park arrested and detained Damilola Ayeni, a journalist for the Foundation for Investigative Journalism (FIJ), who was working on a Nigeria-Benin environmental report, according to FIJ. He was accused of participating in terrorist activities and was released nine days later without charge.

The ban on the right to strike for workers in the air and maritime transport, and oil and gas sectors was still in force after a law was passed by MPs in October 2022.

## ARBITRARY DETENTION

Opposition leader Reckya Madougou remained in detention despite a statement issued by the UN Working Group on Arbitrary Detention in 2022 considering her detention arbitrary.

## EXCESSIVE USE OF FORCE

Martin Hounga, aged 18, was killed during a police operation on the night of 4 September in the city of Hèvié. On 12 September the police announced that the case had been referred to the public prosecutor of the Abomey-Calavi court and to the police technical inspector to conduct a judicial and administrative investigation into the death.

## WOMEN'S RIGHTS

On 12 April, the government adopted a decree laying down the conditions for the implementation of voluntary abortion, which had been expanded by law in December 2021.

## RIGHT TO HEALTH

In May, four women confined to a ward in the Mènontin District Hospital since March for non-payment of hospital fees were released following a visit to the hospital by social services and a delegation from the Ministry of Health and the Ministry of Social Affairs.<sup>1</sup>

## FORCED EVICTIONS

Several thousand people who had been forcibly evicted in connection with tourism development projects along the coast, between the cities of Cotonou and Ouidah, continued to complain about the lack of adequate compensation. In many cases there were violations of international human rights law and Beninese law before, during and after the evictions, regarding prior notification and prior and fair compensation.

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1. "Benin: Women and their babies deprived of their liberty for unpaid hospital bills", 5 May (French only)

# BHUTAN

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## Kingdom of Bhutan

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**The poor detention conditions of prisoners convicted in the 1990s on politically motivated charges remained a concern. Press freedom declined and women and girls continued to face challenges to political participation. The National Assembly adopted the UN Convention on the Rights of Persons with Disabilities with four reservations.**

## BACKGROUND

In April, the fourth elections for the National Council, the upper house of the bicameral parliament, were held with a voter turnout of 54.64%. Twenty candidates were elected by voters as representatives of the 20 *Dzongkhags* (districts). Bhutan and China held their 25th round of boundary delineation talks in October. The People's Democratic Party (PDP), led by former prime minister Tshering Tobgay, and the newly formed Bhutan Tendrel Party (BTP) emerged as the two largest parties in the primary round of the fourth National Assembly elections held in November. The Druk Nyamrup Tshogpa party led by incumbent prime minister Lotay Tshering failed in the first round.

## FREEDOM OF EXPRESSION

Civil servants remained barred from sharing information relevant to public interest with the media under Bhutan Civil Service Rules and Regulations 2018 and Section 39 of Bhutan's 2010 Civil Service Act. Bhutan's press freedom ranking dropped from 33rd to 90th, according to the 2023 World Press Freedom Index. Journalists experienced challenges in obtaining access to state-held information.

## DETAINEES' RIGHTS

At least 37 prisoners who were convicted in the 1990s for "offences against the Tsa-Wa-Sum (king, country and people)", as defined by Bhutanese law, and who were subjected

to torture at the time of arrest and trial and denied access to defence lawyers, remained in detention in poor conditions. They received inadequate food, heating and bedding and were denied regular communications or visits from their families.

## WOMEN'S AND GIRLS' RIGHTS

Despite commitments in the National Plan of Action to Promote Gender Equality in Elected Offices, only nine women were registered as candidates in the National Council elections; one woman was elected in April. At the end of the year, fewer than 10% of registered candidates for the National Assembly elections in December 2023/January 2024 were women: three each from the PDP and the BTP.

In October, the CEDAW Committee raised concerns about failures to address negative gender stereotyping and the lack of women's political participation.

The CEDAW Committee also recommended measures to eliminate all forms of discrimination against ethnic minority women.

## ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Bhutan does not have a comprehensive social protection policy and many people, such as those with disabilities and LGBTI people, faced challenges in accessing social protection programmes.

In June, the National Assembly adopted the UN Convention on the Rights of Persons with Disabilities with four reservations. Bhutan is the only country in the South Asian Association for Regional Cooperation that has not ratified the Convention.

The CEDAW Committee expressed concern over the reduction in the female labour force from 61.2% in 2019 to 53.5% in 2022 and recommended that measures to increase women's access to employment be introduced.

Youth unemployment increased from 5.5% in 2004 to 15.7% in 2019 and remained a challenge. A pattern continued of youth migrating from rural to urban settings and

seeking employment overseas due to lack of opportunities in Bhutan.

# BOLIVIA

## Plurinational State of Bolivia

**Concerns persisted over the judiciary's lack of independence. Authorities failed to protect human rights defenders. Victims of human rights violations awaited reparation. Indigenous Peoples were affected by unregulated mining. Security forces attacked journalists during protests. Authorities took insufficient action to combat forest fires.**

## RIGHT TO A FAIR TRIAL AND DETAINEES' RIGHTS

The Inter-American Commission on Human Rights visited Bolivia in March and expressed particular concern about the judiciary's lack of independence from the government. In August, the commission requested information from the authorities on the condition of César Apaza, ex-leader of an association of coca leaf producers who had been in pretrial detention since September 2022 after law enforcement officials violently repressed protests by the association. In September, Apaza began a hunger strike, denouncing unfair judicial processes against him and ill-treatment by prison authorities.

## HUMAN RIGHTS DEFENDERS

Authorities failed to protect human rights defenders. According to local organizations, environmental human rights defenders remained among those most at risk.

On 2 June, dozens of people with alleged links to the ruling political party raided and occupied the offices of the Permanent Assembly on Human Rights in Bolivia (APDHB), an NGO in La Paz.<sup>1</sup> Following the raid, 84-year-old human rights defender and president of the APDHB, Amparo Carvajal, undertook a 52-day vigil outside the offices of the organization. The authorities failed to ensure the security and health of Carvajal

and her colleagues during the vigil. The Spanish consul in Bolivia facilitated a negotiated evacuation of the groups occupying the office, bringing the vigil to an end.<sup>2</sup> The normal functioning of the APDHB had not resumed by the end of the year.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

In October, the Inter-American Commission on Human Rights published its first report monitoring the implementation of recommendations made by its Interdisciplinary Group of Independent Experts for Bolivia in response to the 2019 political crisis. At least 37 people died and hundreds more were wounded by security forces during the crisis. The commission recognized some advances in support for victims, but it noted that ongoing investigations into grave human rights violations had registered little progress, and a comprehensive reparation programme had not been implemented.

## **INDIGENOUS PEOPLES' RIGHTS**

The government announced the implementation phase of a national plan to reduce the exposure of Indigenous Peoples to the unregulated disposal of mercury from gold mining. The announcement was not accompanied by any details on how the plan was to be implemented. Meanwhile, the authorities continued to permit new gold mining projects, which raised the risk of mercury contamination for communities across the country.

## **FREEDOM OF EXPRESSION AND ASSEMBLY**

During January, the Ombudsperson's Office reported several instances of excessive use of force by police in response to a series of protests following the arrest of the governor of Santa Cruz, Luis Fernando Camacho. Civil organizations documented attacks against 75 journalists during the protests.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Despite Bolivia's commitment to maintain its forest cover, human rights defenders cited inaction by authorities to abolish laws that for years have favoured agro-industry and extractive industries and enabled deforestation. Defenders also highlighted insufficient measures to prevent an intense forest fire season – made more intense by climate change – towards the end of the year.

1. "Bolivia: Human rights defenders at risk, 40+ days of vigil", 19 July
2. "Bolivia: Further information: Human rights defender ends 52-day vigil after invaders vacate occupied NGO office: Amparo Carvajal", 1 August

# **BOSNIA AND HERZEGOVINA**

## **Bosnia and Herzegovina**

**New laws in Republika Srpska further threatened freedom of expression and peaceful assembly. Thousands of migrants remained stranded in the country. LGBTI people faced physical attacks and discriminatory speech online. The murder of a woman by her partner screened live on social media sparked countrywide protests. Prosecutions for war crimes progressed slowly. Heavy reliance on fossil fuels caused alarming levels of pollution.**

## **BACKGROUND**

Bosnia and Herzegovina (BiH) remained embroiled in political crises. The Republika Srpska (RS) authorities passed laws that threatened the constitutional order of BiH, including one that suspended the rulings of the BiH Constitutional Court in the RS and another that suspended publication of the High Representative's decisions in the Official Gazette, thereby preventing them from entering into force. The EU warned that the laws had no legal basis and undermined BiH's accession process.

## **FREEDOM OF EXPRESSION AND ASSOCIATION**

The BiH Journalists' Association recorded an increase in attacks on journalists, with over 70 cases recorded in 2023, of which fewer than 25% were investigated.

In July, the RS National Assembly passed amendments to the Criminal Code to classify defamation as a criminal offence, punishable by a fine of up to BAM 3,000 (EUR 1,500). The UN, Council of Europe and EU condemned the move, saying it breached BiH's international human rights commitments. The Media Freedom Rapid Response project said the law posed an "existential threat" to independent journalism. In September, Journalist Club Banja Luka filed a petition to formally challenge the law before the RS Constitutional Court.

In September, the RS National Assembly adopted in its first reading the Law on Special Registry and Publicity of the Work of NGOs, establishing a registry of foreign-funded NGOs, classified as "agents of foreign influence", and requiring extensive reporting requirements and heavy penalties for non-compliance. The Council of Europe's human rights commissioner warned that the law would further restrict the rights of NGOs and human rights defenders, and the EU called for its withdrawal.

## **REFUGEES' AND MIGRANTS' RIGHTS**

The authorities recorded close to 35,000 arrivals in 2023, the majority from Afghanistan, Morocco and Syria. More than 2,500 refugees and migrants were stranded in BiH at the end of the year, most of them in Una-Sana Canton.

In June, the authorities stopped the construction of an EU-funded detention unit within the Lipa reception facility near Bihac, intended to accommodate people whose asylum claims had been rejected in an EU member state. The authorities denied any knowledge of the plan, and the BiH minister of human rights and refugees described the unit as a "a classic prison" unsuited to being

within a reception facility that also houses women and children.

Although the speed of processing asylum claims improved considerably, the asylum system remained largely ineffective. An overly restrictive approach to assessing claims led to only four people being granted refugee status by November.

## **DISCRIMINATION**

In August, the European Court of Human Rights ruled in the case of *Kovačević v. BiH* that the country's constitutional system, in particular its electoral rules, discriminated against people who did not identify as one of the constituent peoples (Bosniak, Croat or Serb) and denied them adequate representation in legislative and executive offices. BiH failed to implement five previous European Court of Human Rights rulings that the power-sharing arrangements in the country were discriminatory.

## **LGBTI PEOPLE'S RIGHTS**

A Gallup World Poll of 123 countries ranked BiH as one of the most hostile places in the world for LGBTI people.

In March, RS police banned a film screening organized by LGBTI groups in Banja Luka, citing threats from violent groups. The organizers, who sought shelter in another venue, were then attacked by a group of men. Activists said that police officers who were nearby failed to protect them. The Council of Europe's human rights commissioner said the authorities had an obligation to protect LGBTI people's right to freedom of peaceful assembly.

In a separate incident, participants in the 8 March women's rights protest were physically and verbally attacked because one participant was carrying a rainbow flag. The Council of Europe's human rights commissioner condemned the violence and urged police to investigate.

In the month leading up to the annual Pride march in Sarajevo in June, LGBTI activists faced widespread discriminatory speech on social media platforms, including from public officials.

## **VIOLENCE AGAINST WOMEN AND GIRLS**

In August, in the days following the murder of a woman by her partner who live-streamed the killing on social media, thousands of people across the country held demonstrations against domestic violence. They demanded criminalization of femicide, harsher penalties for domestic violence and more shelters for victims.

The authorities did not keep an official record of cases of femicide.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

The pace of prosecutions for war crimes remained slow. In November, the Council of Ministers extended the original December 2023 deadline for processing the remaining complex war crimes cases until 2025.

In May, the International Residual Mechanism for Criminal Tribunals confirmed the original guilty verdicts for former Serbian state security officials Jovica Stanišić and Franko Simatović, increasing their prison sentences from 12 to 15 years for war crimes and crimes against humanity in six municipalities in BiH.<sup>1</sup> More than 7,500 people remained missing as a result of the armed conflict.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Heavy reliance on the burning of coal and wood resulted in alarmingly high air pollution, with some cities among the most polluted in the world during the winter months.

Despite commitments made under the 2020 Sofia Declaration on the Green Agenda for the Western Balkans, the authorities made limited progress on reducing carbon emissions.

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1. "Bosnia and Herzegovina: War crimes convictions a historic moment for international justice", 31 May

# **BOTSWANA**

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**Republic of Botswana**

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**The right to freedom of expression was restricted. Severe medicine shortages undermined the right to health. Potential advances in the rights of LGBTI people were threatened. Gender-based violence remained prevalent. Botswana continued to use the death penalty.**

## **FREEDOM OF EXPRESSION**

During the UN Human Rights Council's UPR in May, concerns were raised about an increase in measures that repressed peaceful dissent, including the persecution of political opponents and the use of arbitrary detention.

Between 12 and 16 July, the Directorate of Intelligence and Security arrested leaders of the Botswana Patriotic Front opposition party Lawrence Ookeditse, Lazarus Lekgoanyana and Dinah Monte, in locations around the capital, Gaborone. Then, on 20 July, they arrested journalists Ryder Gabathuse and Innocent Selatlhwa at the Mmegi newspaper offices in Gaborone. Electronic devices belonging to all five of them were seized and retained. No charges were brought against them, the journalists were released after 24 hours, and two of the opposition leaders were released after several hours. Lawrence Ookeditse was detained for over 48 hours without charge, in contravention of national legislation.

## **RIGHT TO HEALTH**

A severe shortage of essential medicines in health facilities continued in several districts. The shortage was blamed on various factors, including inadequate funding for the procurement of medicines, delays in overseas deliveries, and corruption and mismanagement in the procurement system. In August, nurses went on strike over pay and refused to dispense medication after negotiations with the government reached a deadlock, compounding the crisis.

## **DISCRIMINATION**

### **LGBTI PEOPLE'S RIGHTS**

On 22 July, hundreds of protesters, backed by various religious groups, took to the streets of Gaborone to oppose a bill to legalize

consensual same-sex relations that was designed to align with a 2019 court ruling, which affirmed the human rights of LGBTI people.

### **GENDER-BASED VIOLENCE**

According to a report from research network Afrobarometer in January, gender-based violence remained a major concern in Botswana, with 50% of citizens saying it was common in their community. Over four in 10 respondents said that women reporting incidents of such violence against them were likely to face criticism, harassment or shaming. Also in January, sex workers said they were sexually assaulted, harassed and had money extorted from them by on-duty and uniformed police and military personnel.

In December, the Botswana Police Service said it recorded 87 cases of rape and 42 cases of statutory rape over the Christmas holiday period.

The Institute for Human Rights and Development in Africa (a pan-African NGO), made a complaint in August to the African Committee of Experts on the Rights and Welfare of the Child, regarding the government's failure to investigate and bring an alleged male offender, also a well-known figure, to justice in connection with the repeated rape of a child between 2017 and 2020.

### **DEATH PENALTY**

Botswana continued to use the death penalty. In May, Mmoloki Pholo was sentenced to death for the murder of Kemme Mercy Sebolao.

## **BRAZIL**

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### **Federative Republic of Brazil**

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**Brazil continued to have one of the highest levels of inequality in the world. Systemic racism persisted affecting the Black population's social, economic, cultural, political, and civil rights. Women, especially Black women, still experienced barriers to access their rights. Covid-19 cases**

**remained high and excess deaths far exceeded expectations. Food insecurity remained extensive and one third of the population remained below the poverty line. Low attendance in schools persisted and violence in schools increased. Police violence remained deeply concerning, resulting in unlawful killings and other serious rights violations; impunity prevailed. Human rights defenders and activists remained at significant risk. Extreme weather events caused death, destruction of property and displacement. Indigenous Peoples were denied the full enjoyment of their rights and progress was slow in the demarcation of land. Gender-based violence remained alarmingly prevalent, with transgender people at significant risk. Abortion remained illegal, putting pregnant people at risk.**

### **BACKGROUND**

Luiz Inácio Lula da Silva took office as president in January, after winning elections in 2022 for the third time. On 8 January, 3,900 protesters contested the election results in the capital, Brasília. By December, 1,345 people had been charged and 30 people had been convicted of crimes including “violent abolition of the democratic rule of law” and “attempted coup d’état”.

The Supreme Electoral Court barred former president Jair Bolsonaro from running for political office until 2030. Bolsonaro was being investigated for various crimes, including fraud schemes relating to Covid-19 vaccination records.

By December, the National Ombudsperson of Human Rights' Office had registered more than 3.4 million allegations of human rights violations in Brazil, including racism, physical and psychological violence and sexual harassment. This was an increase of 41% compared with the whole of 2022.

### **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

Social and economic rights continued to be violated, and racial and gender inequalities remained a key factor. Brazil had one of the



highest levels of inequality globally; the greatest gaps existed between Black and white people, especially women, in terms of income and rates of employment.

Despite a slight above-inflation increase in the minimum wage, and the expansion of the *Bolsa Familia*, Brazil's social welfare programme and one of the world's largest cash transfer programmes, the richest 1% of the population still owned almost half the country's wealth, according to the World Bank.

### **RIGHT TO HEALTH**

The number of excess deaths recorded between January and mid-July was 48,515 (18% more than expected). This was attributed to under-reporting of Covid-19 cases and its long-term effects, overcrowding in hospitals and health centres, and people experiencing sudden or chronic illness not seeking care due to fear of contracting Covid-19.

According to the Ministry of Health, maternal mortality led to 477 deaths between January and May, with Black and Indigenous women disproportionately affected. The rate of maternal mortality among Black women was double that among white women.

### **RIGHT TO FOOD**

Food insecurity disproportionately affected Black families; 22% of homes headed by Black women faced hunger. More than 70 million people suffered from food insecurity and 21.1 million (10% of the population) faced hunger. The government's Brazil Without Hunger plan aimed to reduce poverty by 2.5% and remove the country from the UN Food and Agriculture Organization's Hunger Map by 2030.

### **RIGHTS TO HOUSING AND WORK**

Systematic racism and sexism continued to restrict the rights to adequate housing and decent work. Of households headed by Black women, 63% were below the poverty line.

In 2022, 33% of the population were still below the poverty line, with 6.4% living in extreme poverty; 100 million people still lacked sanitation and easy access to water. Data from the Ministry of Social Development showed that 3 million families benefiting from

Bolsa Familia were lifted above the poverty line between March and September. The programme assisted 21.4 million families in 2023.

The housing deficit remained high, with at least 215,000 people experiencing homelessness, according to the Federal University of Minas Gerais. Brazil had 11,403 *favelas* (slum neighbourhoods in major cities), where around 16 million people (12% of Brazil's population) lived in 6.6 million households.

A large proportion of the population did not have access to a minimum wage. According to the Abruq Foundation, 50.8% of children up to 14 years (22.3 million) lived in households with a per-capita income of up to half the minimum wage, an increase of 2.7 million compared with 2022. Of these, 10.6 million (24.1%) lived on a per-capita household income of up to a quarter of the minimum wage.

The rate of unemployment fell from 9.2% in 2022 to 7.7% in the third quarter of the year (8.3 million people). There were 39 million people working in the informal sector.

During the year, the National Ombudsperson of Human Rights' Office received complaints about 3,422 cases of work analogous to slavery, 3,925 cases of labour exploitation, and 1,443 institutional practices that violated human rights.

### **RIGHT TO EDUCATION**

A UNICEF study showed that 2 million children and adolescents (10%) were not attending school in Brazil in 2023. The main reasons were child labour (48%) and learning difficulties (30%). Other factors included teenage pregnancy (14%) and racism (6%). Of children not attending school, 63% were Black. The Congress extended until 2033 its quota system, an affirmative action for university admission, and specifically included *quilombolas* (see below, *Quilombolas*) among the beneficiaries.

Violence in schools increased. By the end of October, there were 13 episodes of violent attacks with weapons in schools (30% of all incidents in the past 20 years), including

shootings, which left nine people dead. All the perpetrators were male; most victims were female.

## UNLAWFUL USE OF FORCE

Police violence, unlawful killings, and arbitrary detentions persisted. Due to systemic racism, Black people were disproportionately affected. Between July and September, at least 394 people were killed in police operations in the states of Bahia, Rio de Janeiro, and São Paulo. Despite the extent of the crisis, the executive secretary of the Ministry of Justice, and Public Security, referring to Bahia, reportedly commented: “You don’t fight organized crime with a rifle with roses.”

A 2019 Federal Supreme Court ruling that introduced measures to reduce police violence continued to be disregarded. Heavily armed police operations oriented towards the “war on drugs” in *favelas* and marginalized neighbourhoods resulted in intense shootouts, unlawful killings and extrajudicial executions, unlawful entry into and destruction of property, torture and other ill-treatment, restrictions on freedom of movement, enforced disappearances, and the suspension of essential services such as schools and health clinics. In October, more than 120,000 residents of the *favela* Complexo da Maré in Rio de Janeiro city were impacted by six days of police operations. During this period, more than 17,000 students did not have access to school and more than 3,000 medical service appointments were suspended.

In Baixada Santista region in São Paulo state, a police operation launched on 28 July in response to the death of a police officer resulted in the arrest of 958 people and 30 deaths and unlawful raids. Amnesty International, in partnership with the National Council for Human Rights, documented 11 cases of serious human rights violations perpetrated by state agents, including extrajudicial executions, unlawful entry of homes, and torture and other ill-treatment. In the state of Rio de Janeiro, a police operation in the neighbourhood of Vila Cruzeiro on 2

August resulted in 10 deaths and four injuries.

Police intervention continued to cause the deaths of children and adolescents. On 7 August, Thiago Menezes, 13 years old, was unlawfully killed by police while riding a motorcycle. On 4 September, the Rio de Janeiro state court ordered the preventive detention of four police officers involved in the killing. On 12 August, five-year-old Eloah Passos was hit by a stray bullet while playing inside her home. On 16 August, three-year-old Heloísa Santos died after being shot by a police officer while in a car with her family.

## IMPUNITY

The unlawful use of force by police continued not to be investigated promptly or effectively.

The enforced disappearance in 2014 of 16-year-old Davi Fiuza during a police raid in the city of Salvador, in Bahia state, remained unsolved. Three police officers indicted for the murder of activist Pedro Henrique Cruz in 2018 in Tucano, Bahia, had still not been brought to trial and his mother, Ana Maria, continued to suffer threats and intimidation.

On 26 September, the Rio de Janeiro State Public Prosecutor’s Office reopened the investigation into the murder of 10-year-old Eduardo de Jesus, who was shot dead by military police in Complexo do Alemão, Rio de Janeiro city, in 2015 while playing outside his home. Three police officers were indicted for the murder of 14-year-old João Pedro in 2020 while playing inside his house. At the end of 2023, they had still not been brought to trial and continued to participate in police operations.

In the state of Ceará, between June and September, 20 out of 33 police officers indicted for participating in the 2015 Massacre of Curió stood trial. Six of them were convicted of murder and torture, and 14 were acquitted. Another 13 had yet to be put on trial.

On 24 July, the Federal Police arrested former firefighter Maxwell Simões Corrêa as a third suspect in the long-running investigation into the murders of councillor and human rights defender Marielle Franco

and her driver Anderson Gomes in 2018. He and the two other suspects, former military police officers Ronnie Lessa and Élcio de Queiroz, remained under arrest and were facing charges.

## HUMAN RIGHTS DEFENDERS

Brazil failed to protect human rights defenders. According to Justiça Global, on average three defenders have been murdered in Brazil every month over the past four years.

The Programme for the Protection of Human Rights Defenders, established by decree in 2007, was still not supported by legislation and lacked differentiated approaches to gender, race, ethnicity, sexual diversity, and territory. Sixteen states lacked their own programmes, compromising the efficacy of the protection measures. According to the Ministry of Human Rights, out of the 269 cases under analysis in August, 30% involved the persecution of Indigenous defenders and 44% Black defenders.

Two precautionary measures for the protection of human rights defenders were granted by the Inter-American Commission on Human Rights: one regarding the Pataxó Indigenous People in Bahia state and the other for the Boa Hora III *Quilombola* territory in Maranhão state.

More than a year after the murders of environmental activists Bruno Pereira and Dom Phillips, the Federal Justice decided to try the defendants for murder and concealing a corpse. The Federal Police alleged that Rubens Villar Coelho, known as “Colômbia”, had ordered the murders, but the investigation had not been concluded by the end of the year.

The murder of Raimundo Nonato, an activist from the Landless Rural Workers’ Movement killed by three hooded men in 2022, remained unsolved.

In August, Yalorixá Maria Bernadete Pacífico (“Mãe Bernadete”), the 72-year-old leader of the Pitanga dos Palmares Quilombo in Simões Filho city, Bahia, was killed. Since 2017, she had been fighting for justice for

the killing of her son, known as “Binho do Quilombo”. Mãe Bernadete had made several complaints about being threatened and was included in the protection programme.

## RIGHT TO A HEALTHY ENVIRONMENT

Brazil had still not ratified the Escazú Agreement. Extreme weather events caused deaths, destruction of property and displacement, disproportionately affecting Black people, who were more likely to live in high-risk areas with no prevention or protection measures.

The National Civil Defence mapped approximately 14,000 areas with very high risk of geological disaster, potentially affecting the homes of 4 million people. Government responses did not properly address these risks and the rights to housing, water, security and life of thousands of people were severely compromised. On 16 February, on the coast of São Paulo state, heavy rainfall caused the deaths of 49 people, left 23 injured, rendered 2,251 homeless and displaced 1,815. Water, electricity and telephone services were affected. In June, heavy rains affected 31,000 families in Maranhão state, leaving six people dead, 1,920 homeless and 3,923 displaced. In the state of Acre, around 32,000 people were affected; in Pará state, at least 1,800 people were forced to leave their homes; and in the city of Manaus, 172 families lost their homes.

In September, the third cyclone of 2023 left 21 people dead and thousands homeless in Rio Grande do Sul state. Dozens of municipalities were flooded, power was cut off and homes were swept away. According to Climate Action Tracker, the government’s policies regarding adaptation and mitigation were “highly insufficient”, and all responses lacked planning and federal coordination.

Areas of the state of Amazonas recorded their lowest rainfall in the last 40 years causing extreme drought.

According to official data, deforestation in the Amazon, one of the world’s most important carbon sinks, decreased to the lowest rate in the last five years, but was still

equivalent to 1,300 football fields per day. During COP28, President Lula announced that Brazil would join the informal alliance OPEC+ (Organization of the Petroleum Exporting Countries and allied countries) and reinforced in his speech that Brazil would take the lead on climate policies to guarantee a just transition to a green economy. The COP also confirmed that Brazil would host the COP30 meeting in Belem do Para in the Amazon region in 2025.

## INDIGENOUS PEOPLES' RIGHTS

Sônia Guajajara, an Indigenous woman, became the first minister of Indigenous Peoples.

Indigenous Peoples were denied full enjoyment of their rights to their lands and territories, health, food security, self-determination and traditional ways of living. On 20 January, the Ministry of Health declared a national public health emergency due to the lack of assistance available for the Yanomami population, which was suffering from malnutrition, contamination and sexual violence, caused largely by the presence of illegal mining activities. Despite this, 263,000 hectares of illegal mining spots remained, almost 90% of which were located in the Amazon region.

The government approved the demarcation of eight Indigenous lands, but 134 procedures were still in the study phase, according to the National Indigenous Foundation. Congress passed a bill limiting the time frame for the demarcation of Indigenous lands at the beginning of October; the president partially vetoed the issue and eventually Congress rejected the president's veto.

As a result of conflict and violence relating to land demarcation, in January two young Pataxó men, Nawir Brito de Jesus and Samuel Cristiano do Amor Divino, were murdered in Bahia state. In June, a 16-year-old Pataxó teenager was murdered in the same state. In April, a Yanomami Indigenous man was killed after an attack by miners in Roraima state. In September, a Guarani Kaiowá couple, Sebastiana Gauto and Rufino

Velasque, were found dead in their house in Mato Grosso do Sul state, having been burnt to death.

According to the Ministry of Human Rights, 11 Guarani Kaiowá people were included in the Programme for the Protection of Human Rights Defenders.

### **QUILOMBOLAS**

According to the 2022 census, 1,327,802 people identified themselves as *Quilombolas* (traditional people who are descendants of Africans who escaped slavery), representing 0.65% of the Brazilian population. Little progress was made on land titles for *Quilombola* communities. The *Quilombola* Lands Observatory noted 1,787 titling processes underway as of October. Five new titles were granted to *Quilombola* communities in 2023, benefiting 960 families.

## SEXUAL AND GENDER-BASED VIOLENCE

The extent of gender-based violence remained alarming. From January to June, there were 599 femicides and 263 attempted femicides. Up to October, 86,593 reports of violence against women had been registered.

The state had still not implemented public policies against gender-based violence that addressed the intersections between gender and race.

Transgender people continued to face extreme violence and human rights violations. For the 14th consecutive year, more transgender people were killed in Brazil than anywhere else in the world. By October, the National Ombudsperson of Human Rights' Office had registered 3,873 human rights violations affecting transgender people, such as physical violence, discrimination and racism, compared with 3,309 cases in 2022.

## SEXUAL AND REPRODUCTIVE RIGHTS

Abortion remained a criminal offence. Up to July, according to the Ministry of Health, at least 19 people had died due to unsafe abortions. In September, a lawsuit seeking the decriminalization of abortion in the first 12 weeks of pregnancy was put before the

Federal Supreme Court, but voting was suspended.

# BULGARIA

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## Republic of Bulgaria

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**Independent journalists and media faced intense pressure and harassment, including by public officials. Parliament adopted measures to strengthen protection of victims of domestic violence. The definition of hate crimes was expanded to include sexual orientation. Discrimination against minorities remained widespread. Refugees and migrants faced violent pushbacks. Conditions in psychiatric care and social care institutions were concerning.**

### BACKGROUND

In April, the fifth consecutive general election in less than two years failed to produce a clear majority, leaving the country in a protracted political crisis. In July, Bulgaria experienced a prolonged heatwave, with temperatures reaching 40°C.

### FREEDOM OF EXPRESSION

Independent journalists and media outlets reporting on organized crime and corruption continued to face threats, harassment and smear campaigns. Public officials and businesses filed numerous strategic lawsuits against public participation (SLAPPs) against journalists and reporters.

In March, an insurance company filed a defamation lawsuit against independent news website Mediapool claiming a record BGN 1 million (EUR 500,000) in damages, putting the website at risk of bankruptcy.

In April, the Sofia City Prosecutor's Office published screenshots of a journalist's private communication with a source. The Media Freedom Rapid Response project called this an "alarming violation of source confidentiality". In the same month, journalists Dimitar Stoyanov, Atanas Tchobanov and Nikolay Marchenko were targeted by six defamation lawsuits over their

reporting on links between a suspected drug lord and Bulgarian police officials. Media associations publicly condemned "retaliatory and vexatious legal actions" against journalists.

In July, parliament adopted changes to the Criminal Code that provided greater, albeit insufficient, protection for journalists against SLAPPs, including a significant reduction in fines for defamation against public officials.

The Centre for Media Pluralism and Media Freedom identified Bulgaria as a "high risk" country in terms of media freedom and pluralism.

### GENDER-BASED VIOLENCE

In June, a man from Stara Zagora was arrested after a knife attack on his 18-year-old ex-girlfriend, who sustained injuries requiring more than 400 stitches. A local court's description of the wounds as "minor bodily harm" and its decision to initially release the assailant on 5 July prompted countrywide protests and demands to end impunity for domestic violence. Amid public pressure, the authorities re-arrested the man on 30 July and pressed fresh charges against him in November.

In August, parliament adopted amendments to the Criminal Code and the Law on Protection from Domestic Violence to expand the right to protection for people who experienced violence in an extramarital "intimate relationship". Civil society groups criticized the legal definition requiring an intimate relationship to have lasted at least 60 days to be subject to the law, while conservative groups objected to the amendments, saying that they promoted "gender ideology". Also in August, the government announced it was developing further measures to address the "hidden epidemic" of domestic violence.

### LGBTI PEOPLE'S RIGHTS

In February, the Supreme Court of Cassation ended the possibility of legal gender recognition for transgender people.

In July, parliament amended the Criminal Code to include attacks against people due to

their sexual orientation as hate crimes, and imposed harsher penalties for perpetrators.

Also in July, the Sofia Court of Appeals convicted the former presidential candidate Boyan Rassate of hooliganism following a 2021 attack on an activist in the LGBTI community centre Rainbow Hub and sentenced him to six months' probation.

In September, the European Court of Human Rights found that Bulgaria's failure to legally recognize same-sex couples violated people's right to private and family life.

## DISCRIMINATION

In July, the Commission for Protection against Discrimination fined the conservative Bulgarian National Movement Party BGN 1,000 (EUR 500) and prohibited them from publishing content on their website that incites hatred against ethnic minorities. The Commission described some publications on the website as hate speech, and said that making generalizations about ethnic groups constituted discrimination, which is prohibited by law.

Also in July, the Commission for Protection against Discrimination said it was investigating cases of Roma being denied entry to public swimming pools across the country.

In the same month, the Prosecutor's Office investigated the pro-Russian Revival party after its official social media channel depicted a photomontage of Solomon Passy – a former foreign minister of Jewish origin – wearing a concentration camp prisoner uniform and being taken away by Nazi soldiers, presumably to be gassed. The image was captioned: "If you don't like Russian gas, have some of ours."

## REFUGEES' AND MIGRANTS' RIGHTS

Summary returns of refugees and migrants, increasingly accompanied by violence, remained widespread at the borders, especially with Türkiye. In March, the European Commission launched a EUR 45 million pilot programme in Bulgaria with the reported aim of fast-tracking the asylum

process and bolstering border security and surveillance systems.

## RIGHTS OF PEOPLE WITH DISABILITIES

In March, the UN Human Rights Committee (HRC) said Bulgaria had violated multiple rights of Valya Lazarova, who was confined in a social care home for eight years due to an intellectual disability, and died in 2007. The HRC said Bulgaria had failed to ensure her protection and that she had "lost her life as a direct consequence of the deplorable conditions" in the care home.

In April, the European Committee for the Prevention of Torture visited Bulgaria to review progress on the implementation of its long-standing recommendations concerning the "extremely concerning" situation of people held in psychiatric institutions and social care homes. In November, the parliament established a temporary committee, tasked with proposing legislative changes to ensure that the rights of patients with mental illness are guaranteed in law.

## RIGHT TO A HEALTHY ENVIRONMENT

Bulgaria's reliance on fossil fuels remained high. In January, parliament voted to backtrack on plans for an early phase-out of coal-fired plants. In July, parliament tasked the minister of energy to explore further offshore fossil gas explorations in the Black Sea, contrary to its obligations under the Paris Agreement to reduce emissions. The European Commission said Bulgaria would need to greatly strengthen its renewable targets to reflect the EU's ambitious climate and energy targets.

# BURKINA FASO

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## Burkina Faso

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**Freedom of expression was curtailed with foreign journalists expelled and media suspended by authorities in the context of the post-coup transitional regime and the armed conflict. Armed groups and government forces committed unlawful**

**attacks. Several public figures were victims of enforced disappearances and women and girls were victims of abduction. Armed groups severely restricted the economic and social rights of civilians in towns and villages under siege.**

## **BACKGROUND**

The armed conflict continued between army forces together with the Volunteers for the Defence of the Homeland (VDPs) – an auxiliary force – and Ansaroul Islam and other armed groups. One Burkinabe in 10 was displaced by the conflict. The government's control over its territory was limited to 65%, according to the prime minister. The government extended the state of emergency to eight additional provinces and promulgated a decree allowing the authorities to conscript citizens for national defence purposes. Burkina Faso also contracted an alliance with Mali and Niger, the Alliance of Sahelian States, for defence purposes.

## **FREEDOM OF EXPRESSION**

Authorities who came to power by a coup in September 2022 clamped down on anyone they considered to be critical of their governance. Conscription was used by the authorities to silence and harass independent voices. In March, Boukaré Ouedraogo, president of Appel de Kaya, a civil society organization, was forcibly enrolled for a month as a VDP by the military, notwithstanding his visual impairment, after he criticized the government for the lack of drinkable water in the city of Kaya and for their inadequate response to the security situation. In early November, Daouda Diallo, secretary general of the Coalition Against Impunity and Stigmatization of Communities, was conscripted by the government, along with 11 other civil society actors and media figures who publicly expressed their criticism of government policies. On 1 December, Daouda Diallo was abducted by security forces and a few days later a picture showing him armed and in military clothing circulated on social media. On 27 December, Ablassé

Ouedraogo, a politician and former Minister of Foreign Affairs, was arrested at his home by individuals in civilian clothes and taken to an unknown destination.

### **JOURNALISTS AND MEDIA**

On 31 March, two correspondents for the French newspapers Libération and Le Monde were summoned to the State Security agency, the authority in charge of domestic intelligence, and questioned for their reporting on the conflict. Both were subsequently expelled from Burkina Faso.<sup>1</sup>

In March, the French media agency France 24 was suspended after broadcasting the written responses of the leader of Al-Qaida in the Islamic Maghreb to questions submitted by a journalist.

In May, two journalists from the Omega media group, Lookman Sawadogo and Alain Traoré, were detained and charged with “complicity in failing to report an offence” in the case concerning audio messages calling on citizens to burn down the palace of the Mogho Naaba, one of Burkina Faso's major traditional chieftains. They were acquitted in July.

In August, the Omega media group was suspended for one month after broadcasting an interview with a Nigerien political figure (a former member of the deposed president Bazoum's cabinet and spokesperson for a political movement opposed to the new military authorities).

## **UNLAWFUL ATTACKS AND KILLINGS**

### **ABUSES BY ARMED GROUPS**

According to reports from media and the NGO Burkinabe Movement for Human and People's Rights / Mouvement Burkinabe des Droits de l'Homme et des Peuples (MBDHP), at least 60 civilians were killed in February during an attack against the town of Partiaga (Tapoa province, Eastern region), allegedly by members of Ansaroul Islam.

On 11 May, according to a communiqué of the governor of the Boucle de Mouhoun region, at least 33 civilians were killed by an armed group in the village of Youlou while they were tending their fields.

On 6 August, suspected Ansaroul Islam members unlawfully killed at least 22 people during a raid in Nohao (a town in the Centre-Est region), in which tradespeople were targeted. A dozen cars and trucks carrying goods were also burnt during the attack.

#### **ABUSES BY GOVERNMENT FORCES**

On 13 February, military soldiers and VDPs abducted seven civilians, including at least one minor, from La Ferme in Ouahigouya, where there is a substantial population of displaced people. These individuals were taken to the Zondoma military camp and were beaten and stoned to death, a crime that was video recorded and spread via social media.

During 3-4 April, several soldiers based in Dori (Sahel province) beat up and shot dead seven civilians in Petit-Paris, also wounding several others, according to the MBDHP. The raid was reportedly in retaliation for the murder of a soldier in the neighbourhood a few days earlier.

On 20 April, soldiers accompanied by VDPs killed at least 147 civilians in the village of Karma (Yatenga province, Northern region) during a patrol operation. Members of the 3rd Rapid Intervention Battalion, a special unit of the army, participated in the operation.<sup>2</sup>

#### **ENFORCED DISAPPEARANCES**

Several public figures were victims of enforced disappearances.

On 25 March, El Hadj Hamidou Bandé, national president of the Ruugas, an organization representing pastoralists' interests, was abducted by four men in Fada Ngourma (Eastern region). A few days later, one of his associates, Moussa Thiombiano known as "Django", a Koglweogo chieftain, was abducted near his residence.

On 28 April, Mohamed Diallo, the 74-year-old imam of the Lafiabougou mosque in Bobo-Dioulasso (Hauts-Bassins region) was arrested at his home by men presenting themselves as members of the security and defence forces.

On 21 September, businessman Anselme Kambou was taken from his home by

suspected members of the intelligence services and taken to an unknown destination. In November, a court in the capital, Ouagadougou, ordered the intelligence services to release him but he remained in detention.

His fate and whereabouts, and those of the other three men above, remained unknown at year's end.

#### **GENDER-BASED VIOLENCE**

On 12 January, 66 women, girls, and newborns were abducted by alleged members of Ansaroul Islam, near the village of Liki (Soum province, Sahel region).<sup>3</sup> The women had been gathering food due to the siege against the town of Arbinda by Ansaroul Islam. They were freed in the town of Tougouri, on 16 January, during a routine road control of the truck they were in.

#### **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

Armed groups, such as Ansaroul Islam, abused the economic, social and cultural rights of thousands of Burkinabe by laying siege to at least 46 towns and villages. Inflation became endemic in several of the besieged towns such as Djibo, Tanwalbougou and Gayeri. Armed groups sabotaged water infrastructure in Djibo, attacked food supply convoys trying to reach these towns and forbade residents from farming their lands or grazing their livestock around many of these.

#### **RIGHT TO EDUCATION**

As of October, at least 6,549 schools were forced to close due to the conflict, according to the Ministry of Education. The same source stated that 539 schools were reopened in 2023. According to UNICEF, more than 31,000 teachers and over 1 million schoolchildren were affected by these school closures.

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1. "Burkina Faso: In the face of repeated attacks, the right to information must be protected", 7 April (French only)
  2. Burkina Faso: Responsibility of the army indicated in Karma massacre", 3 May
  3. Burkina Faso: "Death Was Slowly Creeping on Us": Living Under Siege in Burkina Faso, 2 November



# BURUNDI

## Republic of Burundi

**Journalists, human rights defenders and activists were arrested and prosecuted in violation of the rights to a fair trial, and to freedom of expression, association and peaceful assembly. Government officials interfered in the internal affairs of the main opposition party. Arbitrary arrests and detentions, and cases of enforced disappearance and violations of the right to life continued to be reported. Accusations of bias within the Truth and Reconciliation Commission persisted. High-level officials promoted discrimination and incited violence on the grounds of sexual orientation and gender identity, as well as against single mothers. Although violence against women remained a concern, reporting and prosecution of such crimes continued to be low. Measures taken by the government exacerbated the impact of the cost-of-living crisis, and the right to health was undermined. Almost 74,000 people remained internally displaced, most of them by natural disasters. Returning Burundian refugees and asylum seekers faced intimidation, extortion and arbitrary detention.**

## BACKGROUND

Former prime minister Alain-Guillaume Bunyoni was convicted on 8 December on charges including undermining the internal security of the state, undermining the proper functioning of the national economy, illegal taking of interest, illegal possession of weapons and insulting the president. He was sentenced to life imprisonment.<sup>1</sup>

In accordance with the 2018 constitution, the senate evaluated whether to continue with ethnic quotas in the executive, legislative and judicial branches of government.

The government rejected many pertinent recommendations made during its UPR in May.<sup>2</sup>

In July, the government delegation walked out of its review session at the UN Human Rights Committee, objecting to the presence of a human rights defender convicted in his absence on false accusations of participating in the 2015 coup attempt.

The UN Special Rapporteur on Burundi said the National Independent Human Rights Commission's reports "gloss[ed] over politically sensitive issues".

The armed group RED-Tabara claimed responsibility for an attack in Vugizo sector next to the border with the Democratic Republic of the Congo on 22 December and said that it killed nine soldiers and one policeman. The Burundian government said 20 people were killed, including 19 civilians. President Ndayishimiye accused neighbouring Rwanda of supporting the armed group, which Rwanda denied.

## FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

Journalist Floriane Irangabiye was convicted of "undermining the integrity of the national territory" on 2 January and sentenced to 10 years in prison. Her conviction, based on comments made on an online radio show, was upheld on appeal in May. A long-standing medical condition was exacerbated by her detention conditions in Muyinga prison and she requested a transfer to Bujumbura, where she was initially arrested, to be closer to her family and to have access to more appropriate medical care.<sup>3</sup> In October, she was moved to Bubanza prison, 40km from Bujumbura.

In June, the minister of interior suspended all activities of the main opposition party, the National Congress for Liberty (CNL), apart from meetings aimed at resolving internal party tensions. The CNL leadership and other observers accused the minister of interfering in the internal affairs of the party.

There were regular arrests of CNL members accused of holding unauthorized meetings.

## HUMAN RIGHTS DEFENDERS

On 14 February, human rights defenders Sonia Ndikumasabo, Marie Emerusabe, Audace Havyarimana and Sylvana Inamahoro

were arrested at the airport on their way to Uganda for a meeting. A fifth activist, Prosper Runyange, was arrested in Ngozi and transferred to Bujumbura. They were charged with rebellion, undermining internal state security and undermining the functioning of public finances, all on account of their human rights work.<sup>4</sup> In late April, Sonia Ndikumasabo and Marie Emerusabe were acquitted of all charges, and the rest were found guilty of rebellion and given one-year suspended sentences. All five were released.

## **ARBITRARY ARRESTS AND DETENTIONS**

Christophe Sahabo, managing director of Kira Hospital in Bujumbura, remained in detention, having been arrested in April 2022 and later charged with several economic crimes. There were repeated delays in the judicial proceedings.

## **ENFORCED DISAPPEARANCES**

Reports of enforced disappearances continued throughout the year, with the main alleged perpetrators continuing to be the National Intelligence Service (SNR) and members of the ruling party's youth wing, the Imbonerakure. Most victims were political opponents – members of the CNL and the Movement for Solidarity and Democracy – although members of the ruling National Council for the Defence of Democracy-Forces for the Defence of Democracy in conflict with the party hierarchy were also reported missing.

The government rejected UPR recommendations to ratify the International Convention against enforced disappearance.

## **RIGHT TO LIFE**

Burundian human rights organizations continued to document the regular discovery of lifeless bodies, often with marks of violence, in rivers and bushes around the country. The UN Special Rapporteur on Burundi and the UN Human Rights Committee expressed concern that bodies were often buried in haste, without their

identities being established or investigations into the circumstances of their deaths.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

In March, the Truth and Reconciliation Commission began public hearings. Its president told the media that the role of these hearings was to “reinforce and confirm the truth already found in the archives through mass graves and testimonies, but also in doctrine and published works” and to allow more people to express themselves. Accusations of bias against the Commission, due to its focus on the massacres of 1972, continued.

The African Commission on Human and Peoples' Rights shared its 2022 decision in favour of victims of violence by the police and the SNR during the 2015 protests, and requested the government to investigate and prosecute those responsible; apologize publicly to all victims; and provide adequate compensation, medical assistance and psychological support.

## **DISCRIMINATION**

On 22 February, 24 people were arrested in the political capital, Gitega, at a workshop on economic inclusion. They, and two others later added to the case, were prosecuted on charges of “homosexuality” and “incitement to debauchery”. Seven were found guilty in August. Nine of the people acquitted were not immediately released, and one whose health had deteriorated in detention, died before the prosecutor agreed to sign his release papers.

On 1 March, President Ndayishimiye made discriminatory and homophobic remarks at the national prayer breakfast, describing “homosexuality” as a “curse”. On 29 December, he said that LGBTI people found in Burundi “should be stoned”. The UN Human Rights Committee expressed concern about allegations of incitement of hatred and violence against people on the grounds of their sexual orientation and gender identity, including by state authorities and political leaders. The Committee called on the

government to repeal discriminatory legal provisions and investigate and prosecute those responsible for discrimination and violence.

## **VIOLENCE AGAINST WOMEN AND GIRLS**

In July, the UN Human Rights Committee, in its review of Burundi's report, expressed concern about persistent violence against women, coupled with the low rate of reporting and prosecutions. This was due largely to the risk of stigmatization and reprisals faced by victims, impunity for perpetrators, and the insufficient number of reception centres and protection measures for victims.

Also in July, the minister of interior made threatening and derogatory remarks about single mothers, following his earlier drive to prevent the registration of births of children to "unknown fathers". He called on local administrators in Busiga commune in Ngozi province to beat them until they revealed the name of their children's father.

## **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

Increasing prices of food, fuel, and other essential goods and services had a detrimental impact on the right to an adequate standard of living. Almost 10% of the national 2022/23 budget was allocated to social protection. However, more than half the population lived below the poverty line, and existing social protection programmes were already insufficient. Some of the measures taken by the government worsened the situation for those with the fewest resources. In June, the central bank gave 10 days' notice of its decision to withdraw and replace all BIF 5,000 and 10,000 (around USD 1.74 and 3.48, respectively) denomination notes dating from 2018. Individuals, among the 20% of the population holding bank accounts, could deposit a maximum of BIF 10 million (around USD 3,500). Many people reportedly lost savings held in cash.

## **RIGHT TO HEALTH**

The proportion of the national budget allocated to the health sector decreased from 13.4% in 2021/22 to 9.6% in 2022/23. While this may be explained by a sharp increase in the overall budget due to investments in agriculture and infrastructure, it fell short of the 15% target allocation set out in the 2001 Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases.<sup>5</sup>

In a discussion on the proposed code of ethics for healthcare providers in August, the Council of Ministers recommended identifying a hospital that could be invested in as a location suitable for the treatment of "dignitaries" so that they would not need to leave the country for medical treatment. With the Ministry of Public Health reporting that over 50% of under-fives suffer from chronic malnutrition, this raised concerns about budgetary priorities.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Almost 74,000 people remained internally displaced, 89% as a result of natural disasters. Numbers affected by natural disasters leapt from 106,698 in 2022 to 158,939 from January to August 2023, primarily due to torrential rains and flooding.

## **REFUGEES' AND MIGRANTS' RIGHTS**

Over 25,000 Burundian refugees and asylum seekers returned to the country, bringing the total number repatriated since 2017 to 233,271, although a significant number (273,712 people) remained in neighbouring countries. Returnees were subjected to intimidation, extortion and arbitrary detention. The UN Human Rights Committee called on the government to take all necessary measures to guarantee returnees' integration with security and dignity, and to conduct investigations into violations against them.

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1. "Burundi: Arrest of former prime minister an opportunity for accountability", 26 April
  2. "Burundi: Continued impunity and shrinking civic space", 22 September
  3. "Burundi: One year on, fresh calls for journalist's release", 30 August

4. "Burundi: Free five rights defenders, drop charges; end civil society crackdown", 14 March
5. "Public debt, tax reform and the right to health in Burundi", 27 June

# CAMBODIA

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## Kingdom of Cambodia

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**Human trafficking remained widespread and rescued survivors were held in poor conditions in immigration detention centres. Mass forced evictions of thousands of families from the Angkor UNESCO World Heritage Site took place. Freedoms of expression and association were further restricted as the licence of one of the last independent news outlets was revoked and the only remaining opposition party was barred from contesting national elections. A major political opposition figure received a lengthy prison sentence after an unfair trial. Unfair trials of labour activists also resulted in convictions. Rampant illegal logging and mining operations continued in forests in violation of the human rights of Indigenous Peoples.**

## BACKGROUND

The government crackdown on civil society organizations and political opposition that began in 2017 continued. National elections on 23 July were won by the ruling Cambodia People's Party after the disqualification of the only viable opposition party, the Candlelight Party. In August, the National Assembly endorsed Hun Manet as prime minister who replaced his father, Hun Sen.

## HUMAN TRAFFICKING

Despite a government crackdown, the human trafficking crisis continued. According to credible reports, migrant workers recruited by deceptive means and trafficked for forced labour continued to be held in fortified compounds where they were forced to work in cyber scams and online gambling operations run by criminal gangs. It was also reported that compounds that had previously been closed in the city of Sihanoukville had

reopened, calling into question the effectiveness of the taskforce set up by the Ministry of Justice in 2022 to coordinate investigations and prosecutions of those responsible for human trafficking of migrant workers to Cambodia.

Trafficking victims had their passports confiscated and were forced to work under threat of violence in illegal operations which emerged during the Covid-19 pandemic. During the year the authorities released more than 100 trafficked people from illegal compounds and transferred them to immigration detention centres. However, rescued survivors, some of whom had been subjected to rape and other physical violence, often spent months detained in overcrowded state-run detention centres, where they were required to pay for food and water and did not have access to legal counsel.<sup>1</sup>

## FORCED EVICTIONS

The authorities continued a process started in 2022 of mass forced evictions of a reported 10,000 families from the UNESCO World Heritage Site of Angkor, home to the Angkor Wat temple. Although many families had lived in the complex for several generations, the government claimed they were there illegally and were being relocated as part of a "voluntary relocation programme". However, there was a lack of genuine consultation and many of those evicted or who faced eviction were subjected to threats and intimidation. Evicted families, who left behind livelihoods as well as homes, did not receive adequate compensation, forcing many into debt. The government resettlement sites of Peak Sneng and Run Ta Ek lacked adequate housing, drinking water and sanitation.<sup>2</sup>

Hun Sen, the prime minister at the time, said the relocation programme was necessary to prevent Angkor from losing its World Heritage status. UNESCO had neither publicly condemned the government's actions nor set up an investigation into the allegations by year's end, despite being informed by Amnesty International in March

and again in September that forced evictions were being justified in its name.<sup>3</sup>

## FREEDOM OF EXPRESSION

In February, authorities revoked the licence of one of Cambodia's few remaining independent media outlets, Voice of Democracy (VOD). The closure was ostensibly for offending the then prime minister, Hun Sen, following a report about the authorization of financial aid to Türkiye by his son Hun Manet who was deputy commander-in-chief of the Cambodian army at the time. However, the closure followed the publication of a series of investigative reports by VOD about the human trafficking crisis and government officials' links to compounds where cyber-scamming was happening.<sup>4</sup>

## FREEDOM OF ASSOCIATION

Misuse of the criminal justice system to target and harass members and supporters of opposition political parties continued. In March, Phnom Penh Municipal Court found the leader of the Cambodia National Rescue Party, Kem Sokha, guilty of a trumped-up charge of treason and sentenced him to 27 years in prison.<sup>5</sup>

In the weeks before the national election, and following public calls by Hun Sen for violence against political opponents, there were multiple physical attacks, including with metal batons, by unidentified assailants on members of the Candlelight Party. In May, the National Election Committee disqualified the party from contesting the elections on politically motivated grounds.<sup>6</sup>

A month ahead of the elections, on 23 June, the National Assembly unanimously voted to adopt amendments to the election law which were also widely viewed as preventing political opposition and intimidating the public. Under the amendments the National Election Committee can impose a fine of up to KHR 20 million (approximately USD 4,850) on anyone who encourages people not to register or vote.

## WORKERS' RIGHTS

There was ongoing judicial harassment of members of the Labor Rights Supported Union of Khmer Employees of NagaWorld (LRSU) and other labour activists, linked to their support for calls for higher wages and the reinstatement of dismissed workers following mass layoffs by the Hong Kong-registered NagaWorld Casino in the capital, Phnom Penh, in late 2021. On 25 May, a Phnom Penh court found nine current and former LRSU members guilty of incitement to commit a felony or disturb public security under Articles 494 and 495 of Cambodia's Criminal Code. LRSU president Chhim Sithar was sentenced to two years' imprisonment. The remaining eight received suspended prison sentences of between one year and 18 months.<sup>7</sup>

## INDIGENOUS PEOPLES' RIGHTS

In July, the National Assembly adopted a new code on environment and natural resources which, unlike previous land and environmental laws, replaced the term "Indigenous communities" with "local communities", leading to concerns that the new code undermines respect for and protection of Indigenous Peoples' rights.

Illegal logging continued and new mining operations took place in Prey Lang forest, home to Indigenous Kuy communities. Photographic evidence showed illegal loggers carrying home-made firearms, and Prey Lang Community Network members told Amnesty International about incidents, including at least one in early 2023, in which loggers shot at them as a form of intimidation. Concerns remained that proposed changes to the Law on Forestry, first floated in 2022, to allow hunting in protected forests would threaten wildlife and exacerbate tensions between Indigenous Peoples, environmental activists and loggers.

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1. *Cambodia: New Violations, New Government, Same Old Harms*, 20 October
  2. "Cambodia: Mass evictions at UNESCO World Heritage Site Angkor violate international law", 14 November

3. “Cambodia: World Heritage Committee must not ignore ‘mass forced evictions’ around Angkor Wat”, 10 September
4. “Cambodia: Shuttering ‘Voice of Democracy’ outlet is attempt to slam door on independent media”, 13 February
5. “Cambodia: Opposition leader Kem Sokha sentenced to 27 years on fabricated treason charge”, 3 March
6. “Cambodia: Election takes place under cloud of human rights crisis”, 21 July
7. “Cambodia: Casino union leader Chhim Sithar and strikers convicted”, 25 May

# CAMEROON

## Republic of Cameroon

**The right to freedom of expression was seriously under threat, and two journalists were murdered. Political opponents, and anglophone people in the North-West and South-West regions, continued to be arbitrarily arrested. In the North-West and South-West anglophone regions, the Cameroonian army and armed separatist groups carried out unlawful killings and murders. In the Far North region, armed groups descended from Boko-Haram continued to carry out killings and abductions.**

## BACKGROUND

Nine out of 10 regions were affected by three major humanitarian crises: the armed conflict in the Lake Chad basin involving Islamic State’s West Africa Province (ISWAP) and Jama’atu Ahlis Sunna Lidda’awati wal-Jihad (JAS) armed groups; the armed violence in the North-West and South-West anglophone regions; and the 335,000 refugees from the Central African Republic with limited access to jobs, food, education, water, sanitation and hygiene services. In the Far North region, more than 380,000 internally displaced people were affected by flooding and a cholera outbreak. More than 630,000 people were internally displaced due to armed violence in the anglophone regions.

## FREEDOM OF EXPRESSION

Journalists faced attacks in the course of carrying out their professional duties.<sup>1</sup>

Martinez Zogo, a journalist and head of privately-owned radio station Amplitude FM, was abducted by unidentified men on 17 January and his mutilated body found five days later in the suburbs of Yaoundé. He had been investigating and reporting on the alleged embezzlement of hundreds of billions of CFA francs by political and business figures close to the government. The head of the General Directorate for External Research (Cameroon’s counter-intelligence agency), and a prominent media mogul and business tycoon were arrested and charged with complicity in Martinez Zogo’s torture and remanded in custody. On 3 February, the body of Jean-Jacques Ola Bébé, a priest and radio presenter and former colleague of Martinez Zogo’s, was found near his home in Mimboman, a suburb of Yaoundé. Shortly before his death he had made public comments about Martinez Zogo’s murder. There was no official communication about the launch of an investigation into this murder.

## ARBITRARY DETENTION

In March, the UN Working Group on Arbitrary Detention stated that the detention of anglophone journalist Thomas Awah Junior was arbitrary, and asked the Cameroonian authorities to “release [him] immediately and grant him the right to obtain compensation.” He had been sentenced by a military court in May 2018 to 11 years in prison on charges of “terrorism, hostility to the fatherland, secession, revolution, insurrection, spreading false news, and contempt for civil authority”.

Dozens of other anglophone people, including protest leaders Mancho Bibixy, Tsi Conrad and Penn Terence Khan, were still arbitrarily detained. They had been sentenced by a military court in Yaoundé to 15 years in prison, following their convictions in 2017 and 2018 for “acts of terrorism, secession, spreading false information, and contempt for public bodies and officials” in the context of the armed violence in the North-West and South-West anglophone regions.

Anglophone activist Abdul Karim Ali was still in pretrial detention since his arrest on 11 August 2022, after he appeared in a video accusing the Cameroonian military of torture. He was charged by a military tribunal alongside two of his colleagues for “hostility towards the homeland”, “failure to report”, “secession” and “rebellion”.

At the end of the year, 43 activists and opposition leaders were still arbitrarily detained after being sentenced by a military court for taking part in a march on 22 September 2022, organized by the Cameroon Renaissance Movement opposition party.

## RIGHT TO LIFE

### NORTH-WEST AND SOUTH-WEST REGIONS

In the two anglophone regions, both defence and security forces – sometimes in collaboration with local militias – and armed separatists carried out unlawful killings and murders.<sup>2</sup>

In June, at least 25 people were killed, 20 houses burnt down, and 2,500 people displaced due to armed violence in the village of Kedjom Keku, North-West region, according to the OCHA. Armed separatists targeted people they accused of not siding with them, collaborating with the army, or not paying the “liberation tax”.

On 6 August, the authorities exhumed the bodies of nine people, including five government officials, who had been abducted by armed separatist groups in June 2021.

On 4 October, armed separatists gathered inhabitants of the town of Guzang, North-West region together and shot dead two men.<sup>3</sup>

On 6 November, 25 people were reportedly killed in Egbekaw Village near Mamfe, South-West region by suspected armed separatists.

## ABUSES BY ARMED GROUPS

### FAR NORTH REGION

Armed groups affiliated to ISWAP and JAS, descended from Boko Haram, continued to carry out attacks on villages along the border with Nigeria and on islands in Lake Chad.

According to the OCHA, between 1 December 2022 and 30 November 2023,

more than 280 civilians were killed by armed groups and more than 210 abducted.

## RIGHT TO EDUCATION

Between January and July, at least 13 violent incidents against educational establishments were reported in the North-West and South-West regions, including the abduction of children and teachers, allegedly by armed separatist groups. In September, armed separatists forced schools to close for two weeks, and killed, abducted or physically assaulted several people for not obeying the lockdown, according to the OCHA. In both regions 2,245 schools remained closed due to the armed violence.

## RIGHT TO A HEALTHY ENVIRONMENT

On 9 September, a French court ordered the rubber plantation company Société Financière des Caoutchoucs – of which palm oil producer Société Camerounaise de Palmeraies is a subsidiary – to pay €140,000 to 145 villagers who were deprived of their land and suffered environmental pollution.

## LGBTI PEOPLE’S RIGHTS

On 12 June, the National Communication Council threatened to suspend media outlets if they continued to broadcast “programmes promoting homosexual practices”. The same month, the French ambassador for LGBTQ+ rights cancelled his visit to Cameroon after the authorities opposed the planned programme of activities.

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1. *Africa: Anti-Corruption Fight in Peril – Crackdown on Anti-Corruption Human Rights Defenders in West and Central Africa*, 11 July
  2. *Cameroon: With or Against Us: People of the North-West Region of Cameroon Caught Between the Army, Armed Separatists and Militias*, 4 July
  3. “Cameroon: The unlawful killings of two people by separatists must not go unpunished”, 6 October

# CANADA

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## Canada

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**Systemic racism and discrimination of Black and racialized people persisted. Wet'suwet'en territory remained under threat from pipeline construction. Violence against Indigenous women continued and the fate of missing Indigenous children remained unresolved. The human rights of asylum seekers and migrants were violated and two-spirit, lesbian, gay, bisexual, trans, queer, questioning, intersex and asexual (2SLGBTQQA+) people faced discrimination and violence. Canada did not meet emissions targets. Canadian corporations were linked to alleged human rights abuses abroad.**

## **DISCRIMINATION**

In March, a grievance by Black and racialized workers claiming systemic racism, discrimination and sexism against the Canadian Human Rights Commission was upheld.

In June, the Quebec government tabled Bill 32 requiring health and social services institutions to adopt a “cultural safety approach” towards Indigenous Peoples, but failed to recognize the existence of systemic racism and discrimination. The Quebec government had yet to adopt Joyce’s Principle to ensure Indigenous Peoples had access to healthcare and social services without discrimination.<sup>1</sup>

While the Quebec government adopted Bill 14 to combat racial profiling by police officers, the Quebec Minister of Public Security asserted that there was “no systemic racism”. An independent report revealed that racialized individuals were more likely to be stopped by police than White people.

A lawsuit filed by Black federal public service employees alleging systemic discrimination was ongoing.

In July, the Canadian Human Rights Tribunal approved a CAD 23.3 billion settlement to compensate more than 300,000 First Nations children who had been subject to discrimination by the government.

## **LGBTI PEOPLE’S RIGHTS**

Violence against 2SLGBTQQA+ people was pervasive. Alarming incidents of hate occurred, ranging from vandalism of Pride flags to protests at children’s drag story-time events. In September, large-scale protests took place aimed at eliminating sexual orientation and gender identity and expression curricula and policies from schools. Saskatchewan and New Brunswick passed legislation prohibiting 2SLGBTQQA+ youth from having their gender and pronouns recognized without parental consent.

## **INDIGENOUS PEOPLES’ RIGHTS**

The construction of the Coastal GasLink pipeline continued without the Wet’suwet’en Hereditary Chiefs’ free, prior, and informed consent. The Royal Canadian Mounted Police and private security officers intimidated and harassed Wet’suwet’en land defenders.<sup>2</sup> Several land defenders went on trial in May and October for protecting Wet’suwet’en territory against pipeline construction. One was found not guilty in November; the others were still awaiting decisions and could face prison sentences if found guilty.

The UN Special Rapporteur on the rights of Indigenous Peoples urged Canada to address the “epidemic” of violence against Indigenous women, noting the increase in missing and murdered Indigenous women and girls, and the high rates of sexual assault and exploitation experienced by Indigenous women, girls and 2SLGBTQQA+ people near pipeline construction sites. Only two of 231 Calls for Justice had been implemented four years after the final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

Canada’s National Action Plan for the UN Declaration on the Rights of Indigenous Peoples did not include accountability mechanisms and free, prior, and informed consent.

The Independent Special Interlocutor for Missing Children and Unmarked Graves and Burial Sites recommended the creation of a legal framework to protect unmarked graves and support Indigenous-led search



operations for missing children. Despite a legal agreement in April providing a framework for the search of burial sites, the Kanien'kehá:ka Kahnistensera (Mohawk Mothers) experienced difficulties in accessing the necessary archives and a lack of collaboration from stakeholders.

## **REFUGEES' AND MIGRANTS' RIGHTS**

The Safe Third Country Agreement (STCA) was expanded to the entire US and Canadian borders, including waterways. Asylum seekers crossing the border through non-official entry points are sent back to the USA unless they can avoid detection for 14 days. In June, the Supreme Court ruled not to overturn the STCA.

The Canada Border Services Agency (CBSA) continued to detain asylum seekers and migrants for indefinite periods on administrative grounds. In February, a coroner's inquest recommended an end to the use of jails for immigration detention after a refugee with mental health disabilities died after years of incarceration in immigration detention. Ontario, Quebec, Saskatchewan and New Brunswick announced an end to their immigration detention arrangements with CBSA. By July 2024, people will no longer be incarcerated in these provinces' jails solely on immigration grounds.<sup>3</sup>

Migrants' precarious migratory status exposed them to human rights violations. The Quebec government continued to exclude refugee claimant families from state-subsidized childcare and migrants with irregular status were denied healthcare.

## **CORPORATE ACCOUNTABILITY**

Canadian corporations abroad were linked to alleged human rights abuses including forced labour, displacement, sexual assault, environmental damages, and killings. In July, the Canadian Ombudsperson for Responsible Enterprise (CORE) launched investigations into Canadian corporations' involvement in the alleged human rights violations against the Uyghur people in China.

The effectiveness of CORE remained concerning. The UN Special Rapporteur on

the rights of Indigenous Peoples identified several shortcomings of CORE, including a lack of protective mechanisms for individuals filing complaints and the inability to compel companies to provide witnesses and documents.

Canadian company Ivanhoe Mines was linked to human rights violations as a result of the expansion of copper mines in the Democratic Republic of the Congo.<sup>4</sup>

Bill S-211 became law in May, but failed to sufficiently tackle forced and child labour in supply chains.

Canada failed to introduce mandatory human rights and environmental due diligence legislation, which should apply to Canadian companies' domestic and extraterritorial operations.

## **IRRESPONSIBLE ARMS TRANSFERS**

Canada continued to export weapons to countries where there was a substantial risk of them being used to commit or facilitate serious violations of international human rights or humanitarian law. Arms worth USD 1.2 billion were exported to Saudi Arabia, representing 57% of total arms exports. Since February, approximately USD 1 million of military goods, including "riot control agents", were approved for export to Peru amid repression of protests. Canada issued 315 export permits to Israel for weapons and military technology in 2022 and approved over USD 21 million worth of military exports to Israel between October and December 2023. .

## **RIGHT TO A HEALTHY ENVIRONMENT**

Canada was severely impacted by forest fires, which covered 18.4 million hectares. The fires had serious human rights impacts and displaced numerous Indigenous communities including the Fort Chipewyan community in Alberta and the Uashat mak Maniutenam community in Quebec.<sup>5</sup>

According to the Office of Auditor General, Canada will miss its target of 40-45% reduction in emissions by 2030 and net zero by 2050, with the oil and gas sector continuing to be the highest emitter. Canada

was one of five countries that will see an increase in fossil fuel production and subsidies for domestic and overseas projects in 2024. Canada was expected to reach record emissions levels in 2028 with plans to dig 8% more wells in the next year alone.

1. Overview of Human Rights in Canada 2023, 25 September (French only)
2. Canada: "Removed From Our Land for Defending it": Criminalization, Intimidation and Harassment of Wet'suwet'en Land Defenders, 11 December
3. "Quebec, New Brunswick to end immigration detention in provincial jails", 13 June; "Ontario win a 'tipping point' in movement against immigration detention", 16 June
4. DRC: Powering Change or Business as Usual, 11 September
5. "Health risks from Canadian wildfires an indictment of climate change failures", 7 June

## CENTRAL AFRICAN REPUBLIC

### Central African Republic

**The right to freedom of expression was curtailed. Restrictions were imposed on freedom of peaceful assembly in the context of a new constitution. The security situation deteriorated with grave human rights violations and abuses committed by all parties to the armed conflict. Four people were brought before the Special Criminal Court for crimes under international law. Sexual and gender-based violence remained widespread. Around 2.4 million people were food insecure.**

### BACKGROUND

In January, the president declared that corruption must be curbed in view of dwindling state resources. In May, parliament adopted anti-corruption legislation.

In July a new constitution that could allow the president to run for a third mandate was approved by over 95% of voters in a referendum. The political opposition challenged the legality and fairness of the process.

Clashes between Coalition of Patriots for Change-affiliated armed groups and government forces, aided by their allies, continued. As of October, 504,992 people were internally displaced. The International Monetary Fund gave financial support as part of an overall USD 191 million aid plan to avert a humanitarian crisis.

### FREEDOM OF EXPRESSION AND ASSEMBLY

In February, a journalist who wrote about corruption in the National Assembly fled the country while on parole, following threats from an unidentified source. He had been sentenced in 2022 to two years' imprisonment and a hefty fine on charges of defaming the assembly's first deputy chairman.

Another journalist was barred from parliament in March after he investigated alleged failures in the management of the assembly's budget.

A third journalist was arrested and detained for six days in March, accused of working for a newspaper considered to be a dissident publication, and for which he no longer worked. In 2021, the government had blocked online access to the newspaper.

During the referendum campaign, opposition parties belonging to the Republican Bloc for the Defence of the Constitution organized a demonstration in the capital, Bangui, on 14 July. The authorities banned the protest on grounds of the security situation and the "subversive" nature of the demonstration. They threatened to "bring the offenders into line".

### UNLAWFUL ATTACKS AND KILLINGS

According to the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), the human rights situation deteriorated, with an increase in violations and abuses committed by all parties to the conflict. MINUSCA recorded at least 103 summary executions between February and June carried out by the Central African army and armed groups. During the same period, 13 civilians working on a

mining site in the village of Chingbolo, 25km from Bambari, were killed in an armed attack. The government blamed members of the Coalition of Patriots for Change who denied responsibility.

The UN said it recorded 75 attacks allegedly by armed groups against humanitarian workers or their property between January and June. At least 17 health centres were attacked and looted for which armed groups were believed to be responsible.

According to OCHA, by 31 August, 19 civilians, including 11 children had been killed in 54 incidents and accidents involving explosive devices.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

During the year, the Special Criminal Court (SCC), a UN-backed hybrid court mandated to investigate and prosecute crimes under international law and other serious human rights violations in the country since 2003, announced the arrests of four men accused of war crimes and/or crimes against humanity. They are Abdoulaye Hissène, former leader of the Popular Front for the Rebirth of the Central African Republic, Vianney Semndiro, a former head of the Central African Armed Forces, and two fighters from the Anti-Balaka group, Philemon Kahena and François Boybanda.

On 16 June, the court passed its first decision on reparation for victims in the trial against Issa Sallet Adoum, Yaouba Ousman and Mahamat Tahir, members of the Return, Reclamation and Rehabilitation armed group (known as 3R). The defendants had been convicted in November 2022 of crimes against humanity and war crimes committed during the massacre of at least 46 civilians in 2019. In October 2023, they were ordered jointly and severally to pay compensation to the victims or their heirs.

In August, the SCC Assize Division heard the case of Kalité Azor and his co-defendants, all members of the Patriotic Rally for the Renewal of the Central African Republic armed group. They were handed

over to the SCC in May 2020, accused of war crimes and crimes against humanity.

## **SEXUAL AND GENDER-BASED VIOLENCE**

The Gender-based Violence Information Management System recorded 5,928 cases of sexual and gender-based violence between January and May. Rape and sexual violence accounted for more than 40% of cases, and 95% of survivors were women and girls. In August, OCHA said that two people were subjected to such violence in the Central African Republic (CAR) every hour.

In June, the UN announced that its Office of Internal Oversight Services had collected evidence of rape, incriminating 11 Tanzanian peacekeepers deployed on a temporary base in western CAR. The 60 members of the alleged perpetrators' unit were confined to base and later repatriated.

## **RIGHT TO FOOD**

According to UN figures, around 2.4 million people were food insecure, including 622,000 people who were living in an acute food insecurity situation due to the armed conflict, rising prices and floods, among other things. In November, 20% of the USD 303 million provided to CAR for humanitarian aid was earmarked for food security.

The International Rescue Committee said in April that CAR was increasingly vulnerable to the impacts of global warming, posing a threat to food security.

# **CHAD**

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## **Republic of Chad**

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**Victims' families were still awaiting justice for alleged unlawful killings by security forces during demonstrations in October 2022. The rights to freedom of expression, association and peaceful assembly continued to be restricted. Clashes in the south caused the deaths of more than 100 villagers. The right to food security was threatened by rising prices, poor rainfall, the mass arrival of refugees from Sudan and**

**a lack of humanitarian assistance. Early marriages and gender-based violence continued at high levels.**

## **BACKGROUND**

In March, the president of the transitional regime pardoned 380 alleged members of the rebel group Front for Alternative and Concord in Chad sentenced in 2022 to various terms of imprisonment. On 17 December, the country held a referendum on a new draft constitution, ahead of presidential elections promised for 2024. According to the World Bank, inflation was set to rise from 5.8% in 2022 to 13.2% in 2023, with food inflation expected to reach 13.9%.

## **RIGHT TO TRUTH, JUSTICE, AND REPARATION**

At the end of the year, no concrete progress had been made in an investigation announced by the minister of justice the day after the 20 October 2022 demonstrations, during which, according to the National Human Rights Commission, at least 128 people were killed. Victims' families, still waiting for answers, said they were afraid to ask the authorities to explain the lack of progress. On 20 October 2023, several Chadian human rights organizations denounced the fact that no members of the defence and security forces had yet been prosecuted for alleged unlawful killings.

## **FREEDOM OF PEACEFUL ASSEMBLY**

Some 259 people arrested for attending the banned demonstrations in October 2022 and tried behind closed doors in Koro Toro were pardoned in April; 119 others were pardoned in July.

In July, two demonstrations scheduled for the same date, organized by the Rally for Justice and Equity and the Party of Democrats for Renewal, were banned by the Ministry of Public Security. According to the Ministry, these two political parties did not exist legally and had not met the conditions for authorization of a demonstration, a statement disputed by the two party leaders. In August, a demonstration planned by the

Revolutionary Movement for Democracy and Peace was banned on the grounds that it was likely to disrupt public order.

On 1 August, the authorities stated that organizers of banned demonstrations could be punished by imprisonment of between six months and two years, contrary to international human rights standards.

## **FREEDOM OF EXPRESSION**

On 25 August, the High Media and Audiovisual Authority suspended popular news website Alwihda Info for eight days over its publication of two articles: one, reporting the removal of a colonel, was accused of "undermining cohesion and discipline" in the army, the other of making "insulting remarks" about the president. On 26 August, Alwihda's editor was allegedly subjected to a car chase by security agents, forcing him to take refuge with strangers for several hours. Another journalist for the website was prevented from covering an event organized by the Ministry of Transport in the north of the country on the same day.

A journalist working for the TV channel Toumai was released in May, having been arrested for recounting what he experienced during the October 2022 demonstrations. However, he received telephone threats and was forced to leave the country for his safety and security after speaking to media outlets about ill-treatment during his arrest and detention in Koro Toro prison.

## **RIGHT TO LIFE AND SECURITY OF THE PERSON**

According to OCHA, at least 135 people were killed, 359 injured and more than 26,000 displaced between January and June during clashes reported in southern departments bordering the Central African Republic (CAR). Survivors reported that the attackers were sometimes members of armed groups present in the CAR and sometimes groups of herders fighting for access to grazing land. The survivors complained of lack of timely protection of the population by security forces when alerts were raised and poor judicial

response when the suspected perpetrators were allegedly identified.

## RIGHT TO FOOD

Food insecurity worsened due to factors including oil price inflation and a humanitarian crisis in the east of the country, with Chad hosting more than 400,000 refugees from the conflict in Sudan.

OCHA reported in October that food insecurity and malnutrition were affecting some 5.7 million people in Chad, 2.1 million of whom were in a critical situation.

According to the Famine Early Warning System Network (FEWSNET), poor rainfall and continuing conflict were likely to lead to a further deterioration in food security throughout the country. The crisis response proved insufficient. FEWSNET reported reduced food supplies and cash transfers, while OCHA stated that only 31.8% of the necessary international humanitarian funding had been secured. As of September, international funds assigned to food security in Chad totalled USD 96.9 million, despite the identified requirements amounting to USD 225 million.

## WOMEN'S AND GIRLS' RIGHTS

According to a February report by the Group Emergency Rehabilitation Development, access to reproductive health for young people was poor and characterized by a succession of economic, social, family, and political constraints.

According to the report, 24.2% of women aged between 20 and 24 were married before the age of 15. The figure was 25% in rural areas and 21% in urban areas.

## GENDER-BASED VIOLENCE

Victims of gender-based violence continued to live in fear of reporting assaults, for social reasons or due to a lack of support from law enforcement or traditional authorities.

According to the Gender Based Violence Information Management System, 1,879 cases of gender-based violence were reported between January and June. Of these, 34% involved physical assault, 27%

psychological violence and 24% denial of opportunity, resources and/or services; for example, women being denied their share of inheritance or young girls being prevented from going to school.

# CHILE

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## Republic of Chile

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**Legislation increased protection for the police. Impunity persisted for human rights violations committed during protests in 2019. A plan for the search for forcibly disappeared people was presented. Refugees and migrants were still subject to discriminatory measures and faced obstacles to international protection. Violations of the rights of LGBTI people, Indigenous Peoples and women continued. Chile's position on new mining projects was inconsistent.**

## BACKGROUND

On 17 December, by a vast majority, Chile rejected a proposal for a new constitution; the 1980 constitution remained in force.

The government declared a state of emergency in several regions of the country.

The 50<sup>th</sup> anniversary of Augusto Pinochet coming to power by force was commemorated.<sup>1</sup> Historical denial about human rights violations during that period increased.

The government introduced a bill to reform anti-terrorism legislation. No significant progress was made in the reform of anti-discrimination law.

## EXCESSIVE USE OF FORCE

In April, the Naín-Retamal Law was approved with the stated aim of protecting the police.

The law increased penalties for crimes against the police, established privileged self-defence in favour of the police regarding the use of force, and modified the crime of unlawful coercion.<sup>2</sup>

No progress was made towards a comprehensive reform of the *Carabineros*

(police force), but the government did introduce bills to regulate the use of force for safeguarding public order and security.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

Impunity continued for most human rights violations committed during the 2019 social upheaval. According to the Attorney General's Office, as of December, out of 10,142 complaints relating to violations committed at that time, charges were filed in only 127 cases, resulting in 38 convictions and 17 acquittals.

Convictions were handed down against *Carabineros* officers for human rights violations committed in 2019 against Josué Maureira and Mario Acuña. A nullity appeal filed in defence of the army officer who shot Carlos Astudillo was rejected. In La Serena, four army officers were convicted for crimes of unnecessary violence committed in the context of the 2019 protests. Under the Nain-Retamal Law, a court acquitted five members of the *Carabineros* from Padre Hurtado municipality, who had been accused of unlawful coercion during the 2019 upheaval.

The Metropolitan North Central Prosecutor's Office continued investigating the alleged crime of unlawful coercion and crimes against humanity regarding former members of the President Piñera administration and *Carabineros* high command for their role during the 2019 upheaval. Ricardo Yáñez, general director of the *Carabineros*, did not attend most of the summons to testify as a defendant, and in another case exercised his right to remain silent. No formal charges were presented against *Carabineros* high command.<sup>3</sup>

The Roundtable for Integral Reparation delivered its conclusions, but no progress was made on a reparation policy for victims of human rights violations committed during the upheaval.<sup>4</sup>

The national search plan for people forcibly disappeared during the regime of Augusto Pinochet (1973-1990) was presented and its implementation remained pending. The government announced the National Memory

and Heritage Policy to protect memorial sites relating to this period.

A bill was introduced to conditionally lift the secrecy over the testimonies of torture victims collected by the Valech Commission, a national commission mandated to document political detentions and torture during the Pinochet era.

## **INDIGENOUS PEOPLES' RIGHTS**

The government announced the members of the Commission for Peace and Understanding, established to seek a political solution regarding the demands put forward by the Mapuche people.

Chile recognized the Selk'nam as Indigenous Peoples and included them as recipients of the legal rights assigned to Indigenous Peoples.

In February, a group of Mapuche people from the El Roble-Carimallín *lof* (the basic form of Mapuche social organization) protested outside Carimallín private land, in the community of Río Bueno, where the Norwegian company Statkraft planned to install a hydroelectric plant. The Mapuche claimed the project was situated in a sacred and culturally significant area. *Carabineros* broke up the demonstration with tear gas and riot guns, injuring four Mapuche people.

## **REFUGEES' AND MIGRANTS' RIGHTS**

In February, the government deployed military troops along its borders with Bolivia and Peru to prevent the irregular entry of migrants and refugees, mostly affecting Venezuelans seeking protection.<sup>5</sup>

Venezuelan nationals continued to face obstacles to protection, including the requirement to report their irregular entry into the country to access the asylum procedure.<sup>6</sup> These obstacles, together with the low rate of recognition of refugee status, have hindered access to education, health services and employment for Venezuelans in Chile.<sup>7</sup>

The National Public Prosecutor's Office gave the order to request pretrial detention for foreign nationals charged with crimes if they do not have a national identity card.

In June, a biometric registration process was implemented for foreigners aged over 18 who had entered Chile through unauthorized border crossings before 30 May 2023. This caused concern in the context of the government's restrictive practices and proposals regarding migrants and refugees, including irregular expulsions.

The government issued the National Migration Policy's decree in December, which enforced measures such as biometric registration and the creation of a committee in charge of expulsions.

## LGBTI PEOPLE'S RIGHTS

After a judgment from the Inter-American Court of Human Rights, the government acknowledged Chile's responsibility for violating the rights to equality and non-discrimination in the case of Sandra Pavez Pavez, a teacher who was discriminated against because of her sexual orientation.

## SEXUAL AND GENDER-BASED VIOLENCE

Women in Chile continued to be affected by gender-based violence. A bill to progress towards a comprehensive approach to addressing violence against women was still pending approval in Congress.

## SEXUAL AND REPRODUCTIVE RIGHTS

The Comprehensive Sex Education Bill announced in 2022 had not been passed by the end of the year.

Chile made no progress in adopting a legal framework to fully decriminalize abortion and ensure equal and barrier-free access to safe abortion services.

## HUMAN RIGHTS DEFENDERS

A law on the protection of human rights defenders had not been passed by the end of the year. The government did, however, start drafting a protocol for the protection of human rights defenders, the environment, communicators, and justice system operators.

## RIGHT TO A HEALTHY ENVIRONMENT

The government rejected the Dominga mining project in the Coquimbo region because of its environmental impact, but approved the Los Bronces Integrado mining project in the Metropolitan region, despite opposition by environmental organizations.

Chile announced its implementation plan for the Escazú Agreement.

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1. "Chile: 50 years since the coup d'état, exercising historical memory is vital for the country's future", 8 September
  2. "Chile: Bill on privileged legitimate defence could increase police abuses and impunity for these crimes", 30 March
  3. "Chilean prosecutor must act against impunity", 4 October
  4. "Chile: Comprehensive reparation for human rights violations committed in the context of the social upheaval", 31 May (Spanish only)
  5. "Peru/Chile: Authorities must end militarization of borders in response to arrival of people in need of protection", 27 April
  6. *Americas: Regularization and Protection. International Obligations for the Protection of Venezuelan Nationals*, 21 September
  7. *Chile: "No One Wants to Live in Hiding": Lack of Protection for Venezuelan Refugees in Chile*, 7 March

## CHINA

### People's Republic of China

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**National security continued to be used as a pretext to prevent the exercise of rights including freedoms of expression, association and assembly. Both on- and offline discussion of many topics was subject to strict censorship. Human rights defenders were among those subjected to arbitrary detention and unfair trials. The human rights situation in the Xinjiang Uyghur Autonomous Region remained grave and there was no accountability for grave human rights violations committed against Uyghurs, Kazakhs and other predominantly Muslim ethnic minorities in the region. UN experts raised new concerns that government policies and programmes were contributing to the destruction of the language and culture of ethnic groups, including Tibetans. Women's rights activists were subjected to harassment, intimidation,**

**arbitrary detention and unfair trials. Civic space in Hong Kong became ever more curtailed as the authorities maintained wide-ranging bans on peaceful protests and imprisoned pro-democracy activists, journalists, human rights defenders and others on national security-related charges. They also sought the arrest of opposition activists who had fled overseas. The Hong Kong courts ruled in favour of some LGBTI people's rights in several landmark cases.**

## **BACKGROUND**

China experienced a serious economic downturn and youth unemployment reached a record high at 21.3% among 16- to 24-year-olds. Labour strikes also reached the highest number in recent years as factory closures and wage cuts drove workers' protests.

The continued lack of transparency of the Chinese Communist Party and the government was demonstrated by the sudden disappearances from public life of foreign minister Qin Gang and minister of national defence Li Shangfu, and the sudden death of former premier Li Keqiang.

## **FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY**

Chinese authorities continued to severely curtail rights to freedoms of expression, association and peaceful assembly, including through the abusive application of laws often under the pretext of preserving national security.

People who participated in events to commemorate the victims of an apartment block fire in Urumqi, the capital of the Xinjiang Uyghur Autonomous Region, in November 2022 and associated protests against restrictive Covid-19 policies (known as the A4 protests or White Paper Revolution due to protesters holding blank sheets of paper) continued to face harassment. Among the dozens of mainly young protesters believed to have been detained were Cao Zhixin, Li Yuanjing, Zhai Dengrui and Li Siqi, who were released on bail in April after being held for approximately four months.

In June, a foreign ministry spokesperson confirmed that Kamile Wayit, a Uyghur university student, had been found guilty in March of "promoting extremism" ostensibly for posting a video about the A4 protests on the Chinese social media platform, WeChat. Kamile Wayit, who was reported to be suffering from depression and other health problems, was sentenced to three years in prison.<sup>1</sup>

In August, China's legislature announced proposed amendments to the Public Security Administrative Law to ban acts, clothing and speech that is "detrimental to the Chinese national spirit or hurts the feelings of the Chinese people". Chinese legal experts raised concerns that the lack of definition or scope of certain of the proposed revisions would give the authorities excessive powers to restrict freedoms.

Social media users were subjected to further regulation with the introduction in July by China's cyberspace regulator of new guidelines to regulate "self-media" (*zimeiti*) blogs and social media accounts, making account holders responsible for ensuring that posts are factually correct and sources identified when posting about current affairs or international politics. Social media companies subsequently introduced new policies requiring influencers and others with large numbers of followers to disclose their real names, raising concerns about right to privacy.

The targeting of journalists continued, including in connection with geopolitical tensions. In June, India's formal media presence in China ended with the expulsion of a *Hindustan Times* journalist amid tensions between the Chinese and Indian governments. In October, Australian journalist Cheng Lei, who had worked at Chinese state-owned television network CGTN, was released. She had been detained in August 2020 for allegedly "supplying state secrets overseas".

## **HUMAN RIGHTS DEFENDERS**

The government continued to systematically target human rights defenders amid efforts to



crush dissent and stifle civic space. Multiple cases of prosecutions, including of lawyers, scholars, journalists, activists and NGO workers, on vaguely defined national security charges, took place during the year.

Prominent activists were sentenced to long prison sentences, including legal scholar Xu Zhiyong and human rights lawyer Ding Jiayi who were sentenced to 14 and 12 years' imprisonment respectively in April after being found guilty in 2022 of "subversion of state power". They were among dozens of people targeted after attending an informal gathering in 2019 where the state of civil society and current affairs in China were discussed.<sup>2</sup>

In June, human rights lawyer Chang Weiping was sentenced to three and a half years' imprisonment for "subversion of state power" after sharing details of torture he said he was subjected to while detained in 2020 in relation to the same gathering. His sentencing took place nearly one year after he was convicted in a closed-door trial.<sup>3</sup>

In April, police detained human rights lawyer Yu Wensheng and his wife Xu Yan on their way to meet diplomats at the EU delegation in the capital, Beijing. In October, they were charged with "picking quarrels" and "inciting subversion of state power". Yu Wensheng had been previously imprisoned for his human rights work.

Citizen journalist Zhang Zhan, who was detained in May 2020 and later sentenced to four years' imprisonment, was admitted to a prison hospital in Shanghai in July due to the effects of her ongoing hunger strike.

In September, the trial began of prominent #MeToo activist and journalist Sophia Huang Xueqin and labour rights activist Wang Jianbing. The two were arrested in September 2021 and charged with "inciting subversion of state power" in connection with their involvement in trainings on non-violent protest and participation in private gatherings in Wang Jianbing's house to discuss shrinking civil society space.<sup>4</sup>

In October, veteran human rights lawyer Li Yuhan was sentenced to six and a half years' imprisonment for "picking quarrels and provoking trouble" and "fraud". Li Yuhan,

aged in her seventies and suffering from poor health, had been detained since late 2017 during which time she was denied regular access to lawyers and medical treatment and allegedly subjected to other forms of ill-treatment.<sup>5</sup>

There were concerns that legal amendments would further facilitate the targeting of human rights defenders. The Counter-Espionage Law, which had been used against human rights defenders in the past, was revised in April to include an expanded scope of espionage activities and provide more powers to investigate espionage-related matters.

## **WOMEN'S RIGHTS**

In May, the CEDAW Committee raised concerns about reports of intimidation, harassment and sexual and gender-based violence against women human rights defenders, as well as harassment for engagement with the Committee.

In February, authorities permitted women's and health rights defender He Fangmei to meet her lawyers for the first time after nearly two and a half years in detention. She was awaiting the verdict of her May 2022 trial on charges of "bigamy" and "picking quarrels and provoking trouble" in connection with her campaigning for safe vaccines and for justice for children, including her daughter, whose health she believed had been damaged by unsafe vaccines. Following He Fangmei's detention, authorities reportedly placed her two young daughters in a psychiatric hospital and her son in foster care and denied other family members access to them.

## **REFUGEES' AND MIGRANTS' RIGHTS**

In October, 18 UN experts called on China not to forcibly repatriate North Koreans following reports that China had sent back over 500 people, mainly women, to North Korea, despite previous warnings that the returnees could face harsh punishments including enforced disappearance, torture and other ill-treatment and possible execution (see North Korea entry).

## REPRESSION OF DISSENT

There were ongoing concerns about the repression of dissent overseas, including pressure by the Chinese authorities on other countries to forcibly repatriate Chinese nationals who faced arbitrary detention, torture and other human rights violations if returned. In July, human rights lawyer Lu Siwei was detained by police in Laos and forcibly repatriated to China in September where he was detained for several weeks. Although released on bail, Lu Siwei's freedom of movement and expression remained severely restricted.<sup>6</sup>

In July, the family of Yang Zewei were informed that he was detained in a juvenile detention centre in Hunan's Hengyang city. This followed reports that he was arrested in Laos in May after launching an online campaign to end internet censorship in China.

## ETHNIC AUTONOMOUS REGIONS

### XINJIANG UYGHUR AUTONOMOUS REGION

Amnesty International found no evidence of progress in implementing recommendations contained in the OHCHR's 2022 report which documented possible crimes against humanity against members of Uyghur and other predominantly Muslim groups in the Xinjiang Uyghur Autonomous Region. In September, the UN High Commissioner for Human Rights called again for "strong remedial action". In the meantime, systematic repression of Uyghurs, Kazakhs and those from other predominantly Muslim ethnic minority groups continued and impunity remained entrenched. During a visit to Urumqi in August, President Xi called on local authorities to strengthen curbs on "illegal religious activities".

Up to 1 million people had been arbitrarily detained in internment camps and prisons since the crackdown began in 2017 and there were further detentions and unfair trials in 2023. In June, a court in Urumqi sentenced Uyghur student Zulyar Yasin to 15 years' imprisonment for "separatism". In July, his mother, Rahile Jalalidin, was taken away

by the police after protesting about her son's sentence.

In February, state security police detained ethnic Kazakh journalist and artist Zhanargul Zhumatai from her mother's home in Urumqi after she communicated with contacts overseas and spoke out against the appropriation of land from Kazakh herder communities around Urumqi for the construction of roads and hydropower electricity projects. Zhanargul Zhumatai was previously detained for over two years in an internment camp, where she developed heart problems reportedly due to lack of medical care.

The use of forced labour of Uyghurs continued to be reported by independent researchers and media sources. In September, an ILO delegation visited Xinjiang Uyghur Autonomous Region to hold "technical discussions" about the implementation of ILO Conventions 29 and 105 relating to forced labour and ratified by China in 2022.

### TIBET

The extent of discrimination against and restrictions of the rights of Tibetans increasingly undermined their cultural identity and language. In February, five UN experts wrote to the Chinese government raising concerns about labour transfer programmes under which millions of rural Tibetans were allegedly removed from their homes and traditional livelihoods and placed in low skilled, low paid manufacturing jobs. The experts noted that the practice may negatively affect Tibetan minority languages, cultural practices and religion, and could amount to trafficking of persons for forced labour.

In March, the UN Committee on Economic, Social and Cultural Rights raised concerns about the negative impact of poverty alleviation schemes and resettlement, ostensibly to enable ecological restoration, on the lives and livelihoods of small-scale farmers and herders, including Tibetan nomads. The Committee urged an immediate halt to non-voluntary resettlement and relocation of these communities. It also

raised concerns about reported campaigns to eradicate Tibetan culture and language, the closures of schools teaching in Tibetan and other minority languages, and assimilation programmes including the coerced residential school system imposed on Tibetan children.

## **LGBTI PEOPLE'S RIGHTS**

In February, two students filed a lawsuit against the Ministry of Education, seeking to overturn disciplinary action against them “for violating university rules” after they distributed rainbow flags on Tsinghua University campus in 2022. Information about the lawsuit on social media was censored.

The authorities also maintained pressure on LGBTI groups. In May, the Beijing LGBT Center, one of the oldest and largest LGBTI advocacy and support organizations in China, announced that it was closing “due to forces beyond their control”. In August, on Qixi – China’s Valentine’s Day – WeChat banned the accounts of several LGBTI groups including Trans Brotherhood China, Beijing Lesbian Centre and the Beijing branch of Trueself without giving reasons.

## **DEATH PENALTY**

Information on the use of the death penalty was limited as figures on the number of sentences and executions remained classified as state secrets. The death penalty remained applicable for 46 offences, including non-lethal offences such as drug trafficking that do not meet the threshold of the “most serious crimes” under international law and standards.

The state media reported some cases in which individuals were sentenced to death. They included Yu Huaying who was sentenced to death in September by the Guiyang Intermediate People’s Court for abducting and trafficking children in the 1990s.

In December, the Philippines government announced that China had executed two Filipinos for drug-trafficking offences after

ignoring its appeals for the sentences to be commuted.

## **WORKERS’ RIGHTS**

The UN Committee on Economic, Social and Cultural Rights raised concerns about unsafe working conditions and widespread harassment in the workplace, including sexual harassment of women, and insufficient labour inspection mechanisms to investigate allegations of violations of relevant law and regulations. The Committee also raised concerns about the lack of sufficient accident and medical coverage, especially for informal sector workers, and inadequate social security coverage including for rural to urban migrant workers.

## **RIGHT TO A HEALTHY ENVIRONMENT**

A report published in February by Global Energy Monitor and the Centre for Research on Energy and Clean Air found that coal power plant construction in China in 2022 was six times higher than in the rest of the world combined. In September, China’s climate envoy Xie Zhenhua said that completely phasing out fossil fuels was “unrealistic”. China resumed the construction of temporarily halted coal-fired power plants and allowed the construction of new plants domestically and abroad, despite a recommendation in February by the UN Committee on Economic, Social and Cultural Rights to suspend permissions and pause financing for coal-fired power plants.

## **HONG KONG SPECIAL ADMINISTRATIVE REGION**

### **FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY**

The Hong Kong authorities continued to use the 2020 National Security Law (NSL), as well as colonial-era sedition provisions in the Crimes Ordinance and other restrictive laws, against pro-democracy campaigners, journalists, human rights defenders and others.

In the largest national security prosecution to date, the trial of 47 pro-democracy advocates began in February. All were

charged with “conspiracy to commit subversion” under the NSL in relation to their involvement in unofficial political party primaries for the 2020 Legislative Council elections that were ultimately postponed. Most were detained for over two years before the start of the trial, and some faced up to life imprisonment if found guilty.<sup>7</sup>

The repeatedly delayed trial on national security and sedition charges of Jimmy Lai, publisher and founder of the now closed pro-democracy newspaper Apple Daily, began in December, one year after it was originally scheduled. He has been detained since August 2020. In March, five UN human rights experts wrote to the Chinese government to express their grave concern about the arrest, detention and multiple prosecutions of Jimmy Lai in apparent connection with his criticism of the Chinese government and support for democracy in Hong Kong.

In March, national security police arrested two men for “sedition” for possessing banned children’s books whose authors and publishers were convicted of sedition in 2022.<sup>8</sup> Both were released on bail but could face up to two years in prison.

Prosecutions of members of pro-democracy and human rights groups continued even though most such groups had ceased to operate after the introduction of the NSL in 2020. On 4 March, three members of the Hong Kong Alliance in Support of Patriotic Democratic Movements in China (Hong Kong Alliance) – Chow Hang-tung, Tang Ngok-kwan and Tsui Hon-kwong – were found guilty of failure to comply with a 2021 police request under the NSL to provide information about the group’s membership, funding and activities. Chow Hang-tung, former vice-chair of the Hong Kong Alliance, refused to comply with bail conditions that restricted her right to freedom of expression and therefore remained in detention pending the outcome of her appeal. She was subjected to solitary confinement on multiple occasions, amounting to a total of 82 days.

On 1 March, the Hong Kong authorities lifted Covid-19 pandemic-related regulations

on public gatherings. However, the right to protest remained highly restricted and an atmosphere of intimidation prevailed. In March, the Hong Kong Women Workers’ Association called off a march to mark International Women’s Day, apparently due to police concerns that “violent groups” would be present and threats that participants may be arrested.

In June, the Hong Kong government sought a court order to ban the popular pro-democracy protest song “Glory to Hong Kong”, and threatened to prosecute anyone who performed, broadcast or published it under the NSL or sedition laws.

On 4 and 5 June, police detained at least 32 people near Victoria Park, where the annual candlelight vigil to commemorate the Tiananmen crackdown was held until it was banned in 2020. The police claimed that those detained were “displaying protest items loaded with seditious wordings, chanting and committing unlawful acts”. All were subsequently released without charge.

In June, 10 former staff members and others linked to the 612 Humanitarian Relief Fund (set up to assist participants in the 2019 pro-democracy protests with legal and other costs but disbanded in 2021) were arrested on suspicion of “conspiracy to collude with a foreign country or with external elements” under the NSL and of “inciting a riot”. They were accused of accepting donations from foreign organizations in order to provide financial assistance to individuals who had fled Hong Kong or organizations advocating for sanctions against Hong Kong officials.

In July, five UN experts wrote to the Chinese and Hong Kong governments to raise concerns about the human rights implications of the proposed Regulation of Crowdfunding Activities issued in December 2022. They particularly highlighted the risks to the freedoms of association, peaceful assembly and expression of applying vaguely defined national security and counterterrorism grounds as a primary criterion for assessing the nature and purpose of crowdfunding activities.

In September, Zeng Yuxuan, a 23-year-old mainland Chinese postgraduate law student at the Chinese University of Hong Kong, pleaded guilty to sedition and was sentenced to six months' imprisonment for planning to display a banner depicting a sculpture by a Danish artist commemorating the Tiananmen crackdown. Zeng Yuxuan was due to be released in October having served most of her sentence in pretrial detention, but was deported to mainland China where she was believed to be held incommunicado. Her transfer was thought to be the first time someone from mainland China has been deported from Hong Kong after being convicted of sedition.

In December, police arrested seven people and issued arrest warrants for two others who were living overseas for "inciting others not to vote, or to cast an invalid vote" in District Council elections.

### REPRESSION OF DISSENT

Targeting of overseas critics of the Hong Kong authorities continued. In July, police issued arrest warrants for eight activists, including three former legislators, who were self-exiled in Australia, the UK and the USA. They were accused of violating the NSL and a reward of HKD 1 million (approximately USD 128,228) was offered for information leading to their arrest. In October, four UN experts expressed serious concerns about the issuing of the warrants and called for the NSL to be reviewed. In December, five more overseas Hong Kong activists were added to the wanted list with the same rewards offered.

In November, 23-year-old student Yuen Ching-ting was sentenced to two months in prison for posting "seditious" messages on social media while she was studying at a university in Japan. Yuen Ching-ting, who pleaded guilty to posting 13 messages in support of Hong Kong independence, was arrested in March after returning to Hong Kong to renew her identity card.

In December, prominent student activist Agnes Chow posted on Instagram an account of how she was required to travel to mainland China and participate in "patriotic" events and visits to have her passport returned in

order to study in Canada. Agnes Chow was imprisoned in 2020 but remained under surveillance after she was released on bail in 2021 and her passport was confiscated. Following her arrival in Canada she said that she feared that she may never be able to return to Hong Kong and would be at risk of human rights violations if she did.

### LGBTI PEOPLE'S RIGHTS

There were positive developments for LGBTI people's rights resulting from court decisions on challenges against discriminatory policies and practices. In February, the Court of Final Appeals found that the government had breached the rights of two transgender people by rejecting their applications to amend their gender on their identity cards because they had not undergone full reassignment surgery.

In August, in a case brought by a lesbian couple, the High Court legally recognized the non-gestational parent as the second female parent of their child. In another landmark ruling in September, the Court of Final Appeals declined to recognize same-sex marriage but ruled that the government had a constitutional duty to provide an alternative legal framework for same-sex relationships to be recognized. The Court set a timeline of two years for the rights of same-sex couples, including access to hospitals and inheritance, to be protected on equal terms with those of opposite-sex couples.<sup>9</sup>

In two other cases in October, the Court of Appeal declared discriminatory the government's denial of same-sex married couples' rights to rent and own public housing. It also ruled in favour of granting equal inheritance rights.

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1. "China: Further information: Uyghur student convicted for promoting extremism: Kamile Wayit", 4 July
  2. "China: Heavy prison sentences for human rights activists 'disgraceful'", 10 April
  3. "China: Jailed sentence for lawyer who reported being tortured 'an outrage'", 8 June
  4. "China: #MeToo and labour activists facing 'baseless' trial must be released", 21 September
  5. "China: After six years deprived of liberty, human rights lawyer finally sentenced", 25 October

6. "China: Human rights lawyer extradited and detained: Lu Siwei", 27 October
7. "Hong Kong: Case against 47 pro-democracy figures must be dropped as politically motivated trial begins", 6 February
8. "Hong Kong: Arrests for possession of 'seditious' children's books a new low for human rights", 17 March
9. "Hong Kong: Same-sex marriage ruling a moment of hope for LGBTI rights", 5 September

# COLOMBIA

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## Republic of Colombia

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**Despite peace talks and ceasefires, civilians continued to be affected by armed conflict and human rights violations, including huge numbers of people being forcibly displaced. The government failed to implement comprehensive police reform but presented regulatory changes on the use of force during protests. Indigenous Peoples, Afro-descendants and peasant communities continued to be disproportionately affected by armed conflict. Femicide remained a huge concern, as did violence against LGBTI people. The Constitutional Court confirmed the decriminalization of abortion up to 24 weeks, but barriers to access remained. Attacks against human rights defenders persisted and the government announced measures to protect them. Progress was made in investigations for war crimes and crimes against humanity. Barriers for Venezuelans trying to access international protection or alternative regularization mechanisms remained.**

## BACKGROUND

During 2023, the first year of Gustavo Petro's presidency, armed groups strengthened and conflicts between them increased, while confrontations between the Colombian Armed Forces and armed groups decreased, according to the Ideas for Peace Foundation.

Peace talks between the government and the National Liberation Army advanced and a six-month ceasefire was implemented in August. In May, a ceasefire between the government and the Central General Staff

armed group was partially suspended following the latter group's killing of four Indigenous teenagers. In September, negotiations between the government and the Central General Staff resumed and a three-month ceasefire was implemented. The government tried to open negotiations with six other armed groups, among them urban armed groups in Medellín, Quibdó and Buenaventura cities, and the Colombian Gaitanist Self-Defence Forces.

Local elections were held in October, with some reports of violence in various regions of the country.

The Inter-American Court of Human Rights declared that Colombia was responsible for the elimination of the Patriotic Union political party and human rights violations against more than 6,000 members and militants of the party, and their families, over a 20-year period.

The government presented bills proposing social reforms on health, labour, pensions and education, but none had been approved by the end of the year.

According to the World Bank, Colombia had one of the highest occurrences of extreme weather events in South America. Approximately 84% of its population was exposed to multiple climate hazards.

The government started a consultation and implementation process for the gradual energy transition plan. The main objectives of the plan were increasing investments in decarbonization, gradual substitution of fossil fuel usage, and flexibilization of regulations for investments in renewable energies.

## EXCESSIVE AND UNNECESSARY USE OF FORCE

Temblores NGO and the Institute for Development and Peace Studies reported 191 cases of police violence during the first year of President Petro's government (August 2022 to July 2023), a 59% decrease compared with the previous year. Forty-three cases occurred in the context of protests. Racial profiling and policing continued to affect racialized groups.

In February, the Coalition for Police Reform, a group of human rights and police violence victims' organizations, presented a set of proposals for police reform with a human rights and intersectional approach. Despite this, the government failed to implement legal reforms for a comprehensive police reform. Various initiatives changing the structure and operation of the police were approved, among them the introduction of a new police manual about the use of force during protests.

## **DISCRIMINATION**

The Inter-American Commission on Human Rights expressed concerns about the impact of violence in the Pacific region on Indigenous Peoples, Afro-descendants and peasant communities.

### **INDIGENOUS PEOPLES' RIGHTS**

Indigenous Peoples were affected by violence and armed conflict throughout the country. In September, Indigenous communities in the Nariño province were forcibly displaced during armed violence. Some families reported being forcibly confined.

The Awá people, in the south of the Pacific region, continued to be attacked by armed groups and demanded faster and better institutional response. Since 2009 the Constitutional Court had said that attacks against the Awá people have put them at risk of being exterminated.

The Constitutional Court issued a ruling protecting the right of Indigenous Peoples to prior consultation regarding the administrative configuration of their territories.

### **AFRO-DESCENDANTS' RIGHTS**

In July, protests started after two incidents of possible racist police violence against two Afro-descendant young men in Valle del Cauca and Bolívar provinces, resulting in their deaths. Ilex Legal Action, Temblores NGO and the Institute on Race, Equality and Human Rights reported police involvement in systemic racism.

### **PEASANTS' RIGHTS**

The constitution was amended to recognize peasants as a collective rights-holder,

confirming and strengthening their protection against discrimination.

## **WOMEN'S RIGHTS**

In June, a bill was passed extending the reach of the gender-parity rule to more decision-making authorities. The gender-parity rule establishes a mandate guaranteeing a certain quota of women at the highest level of decision-making inside the Colombian institutional hierarchy.

## **GENDER-BASED VIOLENCE**

In May, a declaration of national emergency on gender-based violence was included in the National Development Plan 2022-2026. The Colombian Observatory on Femicides reported 483 gender-based killings of women and girls in 2023 up to November.

The Regional Information Network on LGBTI Violence reported 21 killings of LGBTI people in Colombia in 2023 under the category of "violence due to prejudice" (violence that seeks to harm a person due to the negative perception of their gender identity or sexual orientation).

## **SEXUAL AND REPRODUCTIVE RIGHTS**

In February, Doctors Without Borders reported the persistence of obstacles in accessing sexual and reproductive health services, including abortion, in Colombia. The Just Cause Movement identified at least nine barriers to abortion, among them a lack of awareness of the legal framework by health professionals, unnecessary requirements by health administrators, and undue delays in the provision of services.

In August, the Constitutional Court confirmed the decriminalization of abortion up to 24 weeks of pregnancy. The court reversed decisions that jeopardized the legal effect of a decriminalization decision made in 2022.

## **LGBTI PEOPLE'S RIGHTS**

In April, a person received a university degree matching their non-binary identity for the first time in Colombia.

## HUMAN RIGHTS DEFENDERS

The Ministry of the Interior announced the strengthening of the collective protection programme for human rights defenders from grassroots organizations and communities, who are often defending land and territory, increasing the target for the number of applicants to be covered by collective protection measures by the end of the year. The collective protection programme aims to prevent human rights violations and abuses against grassroots organizations and communities, identifying risk factors and adopting measures to prevent them from materializing or mitigate their effects. The programme coexists with individual protection programmes.

In August, the National Commission on Security Guarantees approved a national policy for dismantling criminal organizations that, among other human rights abuses, have attacked human rights defenders.

In September, the Ombudsperson's Office issued a national early alert regarding the crisis of violence against human rights defenders.

Despite the government's measures to mitigate the risks to human rights defenders, violence against them remained at very high levels.<sup>1</sup> According to the We Are Defenders Programme, there were 632 aggressions against human rights defenders up to September, of which 123 resulted in death.

## FORCED DISPLACEMENT

Forced displacement continued to disproportionately affect Afro-descendants and Indigenous Peoples. UNHCR, the UN refugee agency, reported that up to November, 163,719 people had been forcibly displaced in Colombia during 2023. According to the Inter-American Commission on Human Rights, citing OCHA, 45% of all displacement victims in 2023 were Afro-descendants and 32% were Indigenous Peoples.

In May, 300 families, comprising approximately 1,500 people, most of them Afro-descendants or Indigenous Peoples, were forcibly displaced in the context of

confrontations between the National Liberation Army and the Colombian Gaitanist Self-Defence Forces armed groups in Sipí municipality, Chocó province. In July, authorities in Antioquia province reported that at least 53 families had been forcibly displaced from their homes in the municipalities of Segovia and Remedios because of confrontations between the same armed groups.

## VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

The Ideas for Peace Foundation reported a significant increase in forced displacements, forced confinements, massacres and killings of social leaders during the first year of Gustavo Petro's presidency. Although several ceasefires were put in place during the year, their impact on the civilian population was limited.

In October, the UN Secretary General informed the UN Security Council that the ceasefire between the National Liberation Army and the government, in place since August, had de-escalated the confrontation, but had done little to decrease the impact of the armed conflict on the civilian population.

Between July 2022 and June 2023, the UN Mine Action Service registered 119 victims of anti-personnel mines throughout the country, including four children and 33 Indigenous and Afro-descendant people. In June, an anti-personnel mine perimeter set up by the Central General Staff armed group was reported in Nariño province.

In May, the Ombudsperson's Office called on the various armed groups to stop the illegal recruitment of children. The Coalition against the Recruitment of Children in the Colombian Armed Conflict registered 112 cases in the first semester of 2023.

Armed curfews and community confinements continued, mainly because of fighting between armed groups in rural areas. In June, the Ombudsperson's Office warned of an armed curfew enforced by the National Liberation Army in Chocó province, affecting nearly 5,000 people in the Nóvita municipality. UNHCR reported that as of



November, 72,389 people had been forcibly confined in Colombia during 2023. In September, citing OCHA, the Inter-American Commission on Human Rights said that Afro-descendant people made up 37% of all confinement victims in 2023 and Indigenous Peoples represented 25%.

## **FREEDOM OF EXPRESSION**

Several times during the year, the Foundation for Freedom of the Press recommended that President Petro take action to enable the media and promote freedom of the press, instead of creating a hostile environment, following clashes on social media between the president and media representatives and journalists.

The Foundation for Freedom of the Press reported 398 attacks on freedom of the press in Colombia as of October, including 132 cases of threats, 41 cases of harassment, and 51 cases of stigmatization.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

Between April and June, the Kroc Institute for International Peace Studies registered some progress in the implementation of the 2016 Peace Agreement, in light of the approval of a constitutional reform creating the Rural and Agrarian Jurisdiction. One of the main concerns was the implementation of the provisions regarding ethnic and gender perspectives. As of June, fulfilment of 74% of the provisions on the ethnic perspective and 70% on the gender perspective was deemed unfeasible within the agreed term.

The UN Secretary General reported to the UN Security Council that the Unit for the Search of Persons Deemed as Missing had recovered 86 bodies of missing persons between March and June, and had handed over the remains of seven to the relatives between June and September. Since 2018, the unit had recovered 929 bodies and handed over 196. In October, the Kroc Institute for International Peace Studies reported the start of the implementation of 28 regional search plans.

The Institute for Development and Peace Studies documented, as of December, the killings during 2023 of 44 former members of the guerrilla group FARC-EP who had signed the 2016 Peace Agreement. In March, former members of the group raised alarms about the deterioration of their security situation.

In September, the government presented a bill aimed at reforming the Victims and Land Restitution Law. According to the government, the objectives were to secure adequate funding for the implementation of the law and to implement durable solutions and differential approaches.

## **IMPUNITY**

In February, the Special Jurisdiction for Peace (JEP) charged 10 former FARC-EP members with war crimes and crimes against humanity for their involvement in attacks against Indigenous Peoples, Afro-descendants and peasant communities in Cauca and Valle del Cauca provinces.

In May, an adversarial trial was started by the JEP against a former congressman for his alleged participation in a crime against humanity of persecution against a political group in Caquetá province, committed jointly with members of FARC-EP.

In July, the JEP charged 10 former FARC-EP members with war crimes and crimes against humanity regarding 349 kidnappings committed in Tolima, Huila and Quindío provinces. The JEP also charged 15 former FARC-EP members with war crimes and crimes against humanity regarding the implementation of a social and territorial control policy in Nariño province affecting Indigenous Peoples, Afro-descendants, peasant communities, urban and rural populations, women and girls, LGBTI people, nature, and ancestral and collective territories.

In August, the JEP charged nine military men, including one former general, with war crimes and crimes against humanity regarding 130 extrajudicial executions and enforced disappearances committed in Antioquia province. An adversarial trial also

started against a former army colonel who did not accept his responsibility for extrajudicial killings and enforced disappearances in the Caribbean region.

## REFUGEES' AND MIGRANTS' RIGHTS

In August, Panamanian authorities claimed that the number of people crossing the Darien Gap had increased substantially and had already exceeded the total number of crossings in 2022. By the end of the year, the number had reached 520,000.

Throughout the year, civil society organizations called for more transparency around the number of Venezuelans living in Colombia. According to R4V platform, Colombia was home to 2.89 million Venezuelans. Nevertheless, Venezuelans faced barriers to access international or other complementary forms of protection that would allow them to regularize their status and access their rights in Colombia.<sup>2</sup>

1. *Colombia: Hope at Risk. The Lack of a Safe Space to Defend Human Rights in Colombia Continues*, 9 November
2. *Americas: Regularization and Protection: International Obligations for the Protection of Venezuelan Nationals*, 21 September

# CONGO

## Republic of the Congo

**Demonstrations organized by an opposition political party were banned. Opposition leaders remained arbitrarily detained. A triple epidemic hit the south of the country, highlighting the poor state of health centres. In Vindoulou, a lead recycling company continued its activities despite the absence of environmental impact assessments. Little progress was made on women's rights.**

## BACKGROUND

In August, the Congolese Labour Party of President Sassou Nguesso, in power for 38 years, obtained an absolute majority of the 72 seats at the senatorial elections, which took place against an economy marked by high

inflation. Petrol prices rose by 25%, which in turn led to an increase in the cost of essential goods. A coalition against the high cost of living, comprising eight human rights NGOs, was set up in August to protest against the increases in the price of petrol. In May, three opposition political parties launched a petition against alleged government corruption. In October, the country held the Three Basins Summit, bringing together leaders from the Amazon, Congo and the Borneo-Mekong South East Asia regions.

## FREEDOM OF PEACEFUL ASSEMBLY

The Mouvement Républicain, an opposition political party, called for a demonstration on 9 March to pay tribute to Guy Brice Parfait Kolelas, the main opposition figure, who died during the March 2021 presidential election. The demonstration was banned by the prefect of Brazzaville, as was a further demonstration planned for 23 March. The prefect accused the Mouvement Républicain of undermining social cohesion and disturbing public peace, and stated that it did not have the documentary evidence to justify its status as a political party. A coalition of NGOs requested that the authorities adopt a law that would simply require the notification of planned demonstrations to the authorities, instead of the need to request authorization beforehand, thereby complying with international human rights standards.

## ARBITRARY DETENTION

André Okombi Salissa, a candidate in the 2016 presidential election, remained in detention despite the UN Working Group on Arbitrary Detention declaring his detention as arbitrary and calling for his immediate release as well as compensation for the time he spent in detention. In 2019 he was sentenced to 20 years' hard labour for "undermining the internal security of the State and illegal possession of weapons and munitions of war".

Jean-Marie Michel Mokoko, another candidate in the 2016 presidential election, also remained in detention, despite the UN Working Group on Arbitrary Detention

declaring his detention as arbitrary. He was sentenced in 2018 to 20 years' imprisonment for the same crime of "undermining the internal security of the State and illegal possession of weapons and munitions of war".

## RIGHT TO HEALTH

In June an epidemic of shigellosis, cholera and typhoid spread across the south of the country. According to the WHO, as of 29 August a total of 2,389 suspected cases had been reported, including 52 deaths in the five departments of Niari, Pointe-Noire, Bouenza, Kouilou and Brazzaville. More than 90% of cases were concentrated in Dolisie, capital of Niari department.

On 26 July, the artist "DSP Malakay", who had criticized the poor management of the epidemic by the local authorities in Dolisie – in particular the lack of medical resources to treat patients – was arrested by the police in Dolisie and detained before being released without charge on 2 August.

## RIGHT TO A HEALTHY ENVIRONMENT

The residents of Vindoulou, a district of Pointe-Noire, launched legal proceedings in June to shut down a lead recycling plant located near their homes and a school. According to information provided by the residents' collective, lead tests were carried out on at least 15 residents, all of whom had levels 10 times higher than the limits recommended by the WHO. Residents also denounced the lack of an environmental impact assessment for the plant, which has been in operation since 2013.

In April, the NGO the Centre d'Actions pour le Développement published a report on the management of the Ntokou-Pikounda national park. According to the NGO, the Indigenous population had been the victim of several forced evictions, excessive use of force and arbitrary detention by eco-guards.

Congo participated in the One Forest Summit, held in Libreville in Gabon in March. Among the summit's recommendations were the creation of a €100 million fund to finance "biodiversity credits" for countries that had

safeguarded their forests and biodiversity, and the creation of 10 million jobs in green industries. The NGO CCFD-Terre Solidaire denounced in a statement what it considered potential "greenwashing" and highlighted the absence of the voice of local populations at the summit.

At the conclusion of the Three Basins Summit in October, participants committed to preserving their forests while also insisting on the need for greater international cooperation to protect the forests.

## WOMEN'S RIGHTS

A World Bank report published in March, titled *Women, Business and the Law 2023*, welcomed the adoption of the 2022 Mouebara law on combating violence against women. It noted, however, that women do not receive the equivalent of full pay from their employer while on maternity leave and recommended reform of the labour code and the social security code to end discrimination, including the dismissal of workers due to pregnancy.

# CÔTE D'IVOIRE

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## Republic of Côte d'Ivoire

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**Opposition party supporters were arbitrarily arrested for exercising their rights to freedom of expression, association and peaceful assembly. Courts declared illegal the forced evictions of hundreds of families in Abidjan. Over 7 million people were enrolled in the universal health coverage programme although concerns remained that some treatments were ineligible for reimbursement. The government took measures to contain the rising cost of essential consumer products. While cocoa cultivation continued to contribute to deforestation, a government-led project sought to conserve and increase forest stock. Child labour persisted in various sectors of the economy.**

## **BACKGROUND**

In September, peaceful municipal and regional elections were held three years after violent clashes erupted during presidential elections.

The remains of 47 people were returned to their relatives following judicial investigations into the 2010/2011 post-electoral crisis in which hundreds of people were unlawfully killed.

By November, UNHCR, the UN refugee agency, had registered over 30,000 people who were seeking refuge from the armed conflict in Burkina Faso.

Over 30 people died due to floods between April and July, according to the government.

## **FREEDOM OF EXPRESSION AND ASSEMBLY**

On 24 February, the authorities arbitrarily arrested 31 activists from the opposition African People's Party-Côte d'Ivoire (PPA-CI). They were arrested after they had accompanied their party's secretary general to attend a court summons for his alleged role in the attack on a military barracks in the economic capital, Abidjan, in 2021. On 9 March, 26 of them were sentenced to two years in prison for "disturbing public order" but were released on 22 March after their sentences were suspended on appeal.<sup>1</sup>

On 25 February, four people were arrested after they flew the Russian flag at a PPA-CI rally in Yopougon, a suburb of Abidjan. They were detained at the Abidjan Penitentiary Centre and released on 22 March without charge.

## **FORCED EVICTIONS**

In March, a court of first instance in Abidjan declared the forced evictions of hundreds of families by the Koumassi town council in Houphouët Boigny 1 and 2 districts in Koumassi commune, Abidjan, to be illegal. The evictions took place in 2021 as part of a flood prevention and improvement policy.

The Yopougon town council disregarded a July court of first instance ruling that declared unlawful the eviction of 178 families

from the Banco Nord Extension 2 area. In September, authorities continued with further evictions and home demolitions in the area.

## **RIGHT TO HEALTH**

The minister of employment and social protection revealed in October that 7.2 million people had been enrolled in the Universal Health Coverage (UHC) programme which was launched in 2022. It aimed to improve access to quality healthcare. However, according to media reports, concerns remained about the small number of drugs which were eligible for reimbursement under the programme, and the limited number of health centres that accepted UHC payments.

## **RIGHT TO FOOD**

According to the National Institute of Statistics report, published in December, the inflation rate reached 4.4% during the year. In response, the authorities took measures to protect the population's purchasing power. In September, they suspended the export of rice and sugar until the end of the year, to combat the rising cost of such products and to ensure a stable supply to the internal market.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Stage two of the Forestry Investment Project began in 2023 with financial support from the World Bank of USD 148 million.

According to the government, the project aimed to conserve and increase forest stock and improve the livelihoods of communities living in targeted forest areas. According to research published in May in the online journal *Nature Food*, "cocoa cultivation is an underlying driver of over 37% of forest loss in protected areas in Côte d'Ivoire". The report highlighted the need to ensure fairer prices and to support improved farming practices.

## **CHILDREN'S RIGHTS**

At the end of his visit to Côte d'Ivoire, the UN Special Rapporteur on contemporary forms of slavery said he had been informed during his visit that "child labour persist[ed] in various sectors of the economy, including agriculture,

domestic work, street vending and in artisanal gold mining.” He also raised concerns “about the fate of girls who have either been trafficked from countries in the region to Côte d’Ivoire for sexual exploitation or who are subject to forced and early marriage”.

1. “Côte d’Ivoire: Amnesty International demands immediate release of arbitrarily detained PPA-CI activists”, 13 March (French only)

## CROATIA

### Republic of Croatia

**Summary returns and violence against refugees and migrants continued. The government committed to tackling the growing number of strategic lawsuits against public participation threatening the work of journalists and media. Access to abortion remained restricted. The government announced measures to suppress widespread domestic violence. Victims of wartime rape faced obstacles in accessing rights. Roma and Serb minorities continued to experience entrenched discrimination.**

### REFUGEES’ AND MIGRANTS’ RIGHTS

According to the authorities, the number of people trying to enter Croatia through neighbouring countries increased by 70% compared with 2022, with over 65,000 recorded entries by November. Aid organizations continued to document violations against refugees and migrants, including illegal summary returns, physical violence, humiliation and theft by law-enforcement officials.

In October, the CERD Committee urged Croatia to cease collective expulsions and pushbacks, and investigate incidents of excessive use of force against refugees and migrants.

### FREEDOM OF EXPRESSION

Journalists investigating organized crime and corruption continued to face harassment,

including strategic lawsuits against public participation (SLAPPs). According to a survey by the Croatian Journalists’ Association, there were at least 945 SLAPPs against editors and journalists, mostly filed by public officials. Defamation remained a criminal offence. In December, the government adopted the National Plan on Culture and Media Development 2023-2027, which included concrete measures to facilitate early detection and dismissal of SLAPPs.

In July, the Ministry of Culture and Media proposed a draft media law, which, among other things, would allow publishers and editors to refuse to publish a journalist’s reports without explanation, and would require journalists to reveal their sources. The Croatian Journalists’ Association argued that the law would seriously undermine journalistic freedom and encourage media censorship. The International Federation of Journalists urged the government to “rethink” the proposal.

### SEXUAL AND REPRODUCTIVE RIGHTS

Widespread refusal by individual doctors and clinics to perform abortions on grounds of conscience, and the prohibitive cost of the procedure and medicines, continued to restrict access to abortion services. Abortion remained particularly inaccessible in rural and economically deprived areas.

### VIOLENCE AGAINST WOMEN AND GIRLS

Domestic violence remained rife. In September, the government announced a range of measures to address violence against women. These included amendments to the criminal code to classify femicide as a separate criminal offence and impose longer sentences for rape, among other measures aiming to strengthen victims’ rights. Women’s groups welcomed the measures and urged the government to adopt a comprehensive national plan to prevent and combat all forms of violence against women in line with the Council of Europe’s Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

In September, the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence praised steps taken to stop domestic violence, but urged the authorities to do more, including implementing comprehensive policies to address all forms of violence against women and increase the number of shelters and other support for victims.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

Women victims of wartime rape faced numerous barriers when applying for the status of civilian victims of sexual violence during the war, which guaranteed certain welfare benefits. According to civil rights organizations, victims had to provide excessive and difficult to obtain documentation and witness testimonies, while some applicants were wrongfully rejected because they were suspected of being related to members of the Serb military or the perpetrator was a member of the Croatian forces.

The CERD Committee expressed concern that some provisions of the Law on Civilian Victims of War were being interpreted in a discriminatory way against members of the Serb ethnic minority group and prevented them from exercising their rights as victims of war.

## **DISCRIMINATION LGBTI PEOPLE**

Over 10,000 people gathered in Zagreb in June to participate in the biggest annual Pride march to date. The march took place without incident, but in the weeks beforehand, LGBTI people faced widespread discriminatory speech, threats and harassment, both in public spaces and on social media platforms.

Conservative groups proposed an initiative to hold a referendum to constitutionally define marriage as a lifelong union between a woman and a man, which would rule out the possibility of legalizing same-sex marriage.

## **ROMA, SERBS AND ETHNIC MINORITIES**

Roma continued to face extreme poverty and live in substandard conditions in segregated neighbourhoods and informal settlements without proper infrastructure.

In October, the CERD Committee expressed concern about reports of racial discrimination against members of Roma and Serb minorities, particularly in employment and education, as well as the prevalence of discriminatory speech against minority groups and non-citizens, including by politicians and other public figures.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Despite the recent expansion of and a good potential for renewables, Croatia's energy consumption remained dominated by fossil fuels. Nevertheless, Croatia's 2030 target of 36.4% for renewables was ambitious and above the EU goal of 32%.

# **CUBA**

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## **Republic of Cuba**

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**Repression of dissent continued as activists, political opponents and journalists were harassed, persecuted and imprisoned. Human rights defenders faced obstacles and attacks, and some continued to be incarcerated without due process. The economic and humanitarian crisis continued with shortages of food, fuel and electricity. Discrimination remained prevalent, affecting Afro-descendants, women and girls, LGBTI people, political dissidents, and members of religious communities.**

## **BACKGROUND**

Cuba lacked a national human rights institution in compliance with the Paris Principles, the country remained closed to international human rights organizations, and the international media faced obstacles in monitoring the trials of political dissidents.

In November, the EU and Cuba held their fourth human rights dialogue, at which the

EU expressed concern over detentions and lengthy prison sentences related to protests in July 2021 (see below, Repression of dissent).

The year saw the implementation of a new Penal Code that retained the death penalty, as well as provisions that limited human rights and were used to silence and imprison activists.

## REPRESSION OF DISSENT

Surveillance and harassment of activists, opponents, journalists and artists continued to be widespread. Arbitrary detention and criminal processes without fair trial guarantees remained common and people deprived of liberty faced harsh prison conditions.

At least 793 people remained in detention in relation to their participation in the island-wide protests of 11 July 2021, according to the organization Justicia11J.

On 6 May, the government reacted with excessive force against people protesting at the poor living conditions and lack of human rights in Caimanera municipality, Guantánamo province. Law enforcement officials used physical violence, and at least five demonstrators were arbitrarily detained, according to the Inter-American Commission on Human Rights, which condemned the pattern of repression.

On 26 May, the Cuban legislature approved a law on social communication that continued the ban on privately owned media and established abusive restrictions on public information and internet use. The law granted the government power to order telecommunications providers to stop servicing users who published information deemed harmful to public order or morality.

José Daniel Ferrer García, a political activist and opposition leader, in prison since July 2021 when he was also subjected to enforced disappearance, was held incommunicado while his health declined. At the end of the year, he was still deprived of his liberty.<sup>1</sup>

Police commonly issued summons for journalists and activists to be interrogated in

relation to their lawful activities. In May, reporter Yeris Curbelo Aguilera was interrogated by state security forces after covering the protests in Caimanera municipality.

## HUMAN RIGHTS DEFENDERS

Human rights defenders and activists continued to be harassed, attacked and criminalized. On 14 February, state security agents arrested Josiel Guía Piloto at his home in Havana. He had previously been arbitrarily detained in 2011 due to his political dissent. At the time of his arrest, he was on hunger strike in protest at the constant harassment and surveillance to which he was being subjected.<sup>2</sup>

The government continued to incarcerate artists and prisoners of conscience Luis Manuel Otero Alcántara and Maykel “Osorbo” Castillo Pérez, who were sentenced in 2022 to five and nine years in prison, respectively, in a legal process that did not respect fair trial guarantees. Their physical and mental integrity was at risk due to harsh prison conditions, violence by other detainees, and poor medical care.<sup>3</sup>

The authorities rejected the recommendation by governmental medical staff to release Loreto Hernández García from prison due to his frail health. Spouses Loreto Hernández García and Donaida Pérez Paseiro, both Black activists, priests and leaders of the Free Yoruba Association of Cuba, are prisoners of conscience, detained since 2021 for peaceful participation in island-wide protests.<sup>4</sup> During 2023, Loreto Hernández García’s health deteriorated and both prisoners faced obstacles in communicating with their families.

## ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The economic and humanitarian crisis continued, with shortages of essential goods. People struggled to find enough food, fuel shortages made transportation less accessible, and blackouts were ongoing throughout the year. In May, the government stated that essential imports of fuel, food and

farm produce were affected by the economic crisis. The government reiterated the critical situation in September when further blackouts were forecast.

The economic crisis affected the health system and there were reports of shortages of medical supplies and medicines, as well as fewer medical staff being available.

In April, the Inter-American Commission on Human Rights expressed its concerns in a report on labour and union rights in Cuba and found significant challenges. The commission detailed job insecurity, lack of health and safety measures, unjustified dismissals on the grounds of political opinion, violations of the right to freedom of association, and lack of recognition of the right to strike, among other concerns.

## DISCRIMINATION

Discrimination persisted, affecting in particular Afro-descendants, women and girls, LGBTI people, political dissidents, and members of religious communities.

Afro-descendants continued to suffer the consequences of systemic and historical racism. Activists reported that racial inequalities persisted, creating racial disparities in political representation, access to adequate housing, and employment, among other rights. The state did not collect and publish data on racial inequalities disaggregated by race and ethnicity.

Gender-based discrimination continued. Lawmakers failed to include femicide as a crime in the Penal Code, while local NGOs and journalists registered the deaths of at least 86 women in what appeared to be gender-based attacks.

1. "Cuba: José Daniel Ferrer held incommunicado for months", 6 June
2. "Cuba: Ex prisoner of conscience detained", 17 February
3. "Cuba: Open letter to President Miguel Díaz Canel on human rights of prisoners of conscience", 18 May
4. "Cuba: Free the Yoruba prisoners of conscience", 21 June

# CYPRUS

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## Republic of Cyprus

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**Police reportedly failed to respond effectively to attacks against migrants, refugees and other racialized people. Forcible, summary returns by sea to Lebanon continued. A new inquest began into the death of army conscript Athanasios Nicolaou.**

## REFUGEES' AND MIGRANTS' RIGHTS

Although the authorities increased the capacity of the Asylum Service, there was still a significant backlog in processing asylum applications.

Cyprus continued forcible, summary returns by sea to Lebanon. NGOs denounced two such returns in July and August, stating that, on 30 July, 73 people sent back to Lebanon were then forcibly returned to Syria. In October, NGOs expressed their concern about Cyprus's plans to support Lebanese border management capacity and for joint border controls.

In 2023, the authorities carried out over 11,000 forced and voluntary returns.

UNHCR, the UN refugee agency, reported that "increasing numbers of asylum seekers are at risk of homelessness", noting the inadequate social support given to them.

As of October, asylum seekers must wait nine months (increased from one month) after submitting their asylum application before being allowed to work. The Cyprus Refugee Council expressed concern that this would push more people into irregular work and destitution.

In December, amendments to naturalization rules – passed without civil society consultation – tightened residency requirements, and introduced "irregular entry" as a criterion by which to judge an applicant's "good character", potentially affecting access to citizenship for refugees, subsidiary protection beneficiaries and migrants. Children born in Cyprus to parents whose entry or stay is irregular – including



those with one Cypriot parent – continued to face possible statelessness.

On 27 August and over the following days, mobs held racist demonstrations and attacked migrants, refugees, and other racialized people and migrant-owned businesses in Chloraka and Limassol. NGOs complained that police failed to respond effectively. In November, a trial started against 13 people charged in connection with the Limassol attacks.

## IMPUNITY

In June, following a police investigation, the Cyprus Legal Service decided not to reopen the criminal case regarding the death in 2005 of army conscript Athanasios Nicolaou. A new inquest into his death started in late October. A 2022 report by criminal investigators had concluded that his death was murder by strangulation and identified serious flaws in the police investigation.

## ENFORCED DISAPPEARANCES

Between 2006 and December, the remains of 1,044 missing individuals – 751 Greek Cypriots and 293 Turkish Cypriots – were identified by the Committee on Missing Persons in Cyprus in its mission to establish the fate and whereabouts of people who were subjected to enforced disappearance during the inter-communal fighting of 1963-1964 and the events of 1974.

## RIGHT TO A HEALTHY ENVIRONMENT

In May, the Administrative Court recognized for the first time environmental NGOs' right to file public interest claims in environmental matters. In October, the Administrative Court recognized for the first time environmental NGOs' right to access official documents of an infringement case between the Cypriot authorities and the European Commission in relation to Cyprus's failure to fulfil its obligations under EU legislation on the protection of natural habitats. Final judgments by the court of appeal were pending in both cases. A Eurostat report published in January revealed that 89% of Cyprus's overall supply of energy was from

fossil fuels – the joint second highest in the EU. According to experts, insufficiencies persisted in the designation, conservation and management of environmentally protected areas.

# CZECH REPUBLIC

## Czech Republic

**Ukrainian refugees suffered hate speech, discrimination, harassment and hate crimes amid rising economic and political tensions. Recent moves towards a consent-based definition of rape were inadequate. De facto segregation of Roma children in education continued. Equal marriage for same-sex couples was not permitted. Sterilization was still a requirement for transgender people seeking legal gender recognition. The police were found to be testing facial recognition technology. Climate action policies remained inadequate.**

## BACKGROUND

As part of the UPR process in January, the Czech Republic committed to improving the rights of same-sex couples, implementing a consent-based definition of rape and outlawing corporal punishment of children. However, implementation of these commitments, and some rulings of the European Court of Human Rights, remained slow or stalled.

## REFUGEES' AND MIGRANTS' RIGHTS

Some 350,000 Ukrainian refugees remained in the country. Against a background of economic recession and rising inflation, Ukrainians were subjected to hate speech, harassment and hate crimes; in August, two Ukrainian refugee women were violently assaulted in the town of Plasy due to their nationality.

Ukrainian refugees faced obstacles to integration, including language barriers in schools. Only low numbers of pupils enrolled in secondary education. Although the employment rate among Ukrainian refugees

was 64%, this was overwhelmingly in low-paid and low-skilled jobs.

## **SEXUAL AND GENDER-BASED VIOLENCE**

The ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) was debated in parliament but faced strong opposition from government and opposition politicians, some resorting to disinformation.

The Ministry of Justice proposed a new law to introduce a consent-based definition of rape into the criminal code. The bill was awaiting approval by parliament.

Although the term “domestic violence” was used in the criminal code, it was not defined. An amendment to the civil and criminal codes was in preparation but had not been brought before parliament by the end of the year.

## **DISCRIMINATION**

A memorial to the Roma and Sinti holocaust at the former Lety concentration camp was nearing completion and due to open early in 2024. In contrast, very little was done to concretely address the continuing de facto segregation of Roma children in education.

## **LGBTI PEOPLE’S RIGHTS**

The Equal Marriage Bill went through its first reading in parliament. However, the constitutional amendment to define marriage as a union between a man and a woman also passed its first reading, creating uncertainty for the future of equal marriage rights.

Sterilization was still required by law for transgender people seeking legal gender recognition, despite a 2017 ruling by the European Court of Human Rights that this was in breach of human rights. The criminal code still failed to recognize violence directed at people due to their sexual orientation or gender identity as a hate crime.

## **CHILDREN’S RIGHTS**

The minister of legislation created a working group to establish the post of a children’s

ombudsperson, announcing that it would be in place in 2024.

Corporal punishment of children remained legal. An amendment to the civil code was being prepared, which would describe corporal punishment as “unacceptable” but not make it punishable by law.

## **SEXUAL AND REPRODUCTIVE RIGHTS**

The law regulating abortion access remained outdated. Many medical facilities refused to provide abortions to non-Czech EU citizens due to incorrect claims by the Czech Medical Chamber – refuted repeatedly by the Ministry of Health and the ombudsperson’s office – that the law did not allow it.

## **IRRESPONSIBLE ARMS TRANSFERS**

The Czech Republic continued to export arms to Israel, Saudi Arabia and the United Arab Emirates, despite substantial risks that they could be used in serious violations of international human rights and humanitarian law.

## **MASS SURVEILLANCE**

The Ministry of Interior overturned the police’s decision not to provide information about their secret use of facial recognition software. The Ministry was awaiting a response from the police either providing the information or a reason not to do so.

## **FREEDOM OF PEACEFUL ASSEMBLY**

An attempt by the mayor of Prague to restrict protest marches on a major road in the city was overruled by the municipal court, which said that this violated the right to freedom of assembly without adequate justification.

## **RIGHT TO A HEALTHY ENVIRONMENT**

The government confirmed it was aiming to phase out coal use by 2033 and achieve carbon neutrality by 2050.

The Czech Republic had not yet adopted a legally binding climate law aimed at setting specific targets and enacting concrete measures to tackle climate change.

# DEMOCRATIC REPUBLIC OF THE CONGO

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## Democratic Republic of the Congo

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**The human rights situation remained dire. Persistent large-scale attacks against civilians by armed groups and the Congolese security forces fuelled the humanitarian crisis in which nearly 7 million people were internally displaced and thousands of others fled the country. Armed groups killed thousands of civilians, and the army carried out extrajudicial executions. Sexual and gender-based violence remained prevalent, with over 38,000 reported cases in Nord-Kivu province alone during the first quarter of the year. The rights to freedom of expression, peaceful assembly and association were routinely violated. Journalists, opposition members and activists, among others, were subjected to arbitrary detention and faced unfair trials. Mining projects in Lualaba province led to the forced eviction of thousands of people from their homes and livelihoods, while Indigenous Peoples faced eviction in the name of conservation. The armed conflict continued to devastate children's right to education. Natural disasters left hundreds dead and thousands missing. Prisons were severely overcrowded and inmates' conditions were generally appalling. No meaningful progress was made towards accountability and justice for victims of crimes under international law and other serious human rights violations.**

## BACKGROUND

Dozens of armed groups remained active, mainly in the eastern provinces of Ituri, Nord-Kivu and Sud-Kivu. The governments of the Democratic Republic of the Congo (DRC) and Rwanda exchanged belligerent rhetoric, accusing each other of supporting armed

groups. The Congolese authorities used local militia groups, who clashed with Rwandan-backed March 23 Movement (M23) rebels in early October, after months of relative calm on the front lines.

In October, President Tshisekedi announced that the “state of siege” (a form of martial law), in force in Ituri and Nord-Kivu provinces since May 2021, would be “eased”.

In the context of the general elections held in December 2023, the authorities stepped up their crackdown on dissenting voices, further shrinking civic space.

Meanwhile, most of the population was deprived of social, economic and cultural rights, including access to adequate food, clean water, sanitation, electricity, education, healthcare and housing.

## UNLAWFUL ATTACKS AND KILLINGS

Armed groups continued to carry out widespread attacks against civilians, killing at least 4,000, wounding thousands and abducting scores of others nationwide. In Ituri province, the Cooperative for the Development of the Congo (CODECO), a predominantly ethnic-Lendu armed group, targeted members of the rival Hema community, including within camps for internally displaced people. In one such attack on 12 June, at the Lala camp near the town of Bule, CODECO fighters shot and hacked to death at least 46 people overnight, half of whom were children, according to the Kivu Security Tracker. Armed groups identifying with the Hema community retaliated, attacking Lendu villages and killing scores of people.

In January, in Nord-Kivu province, fighters of the Allied Democratic Forces, a Ugandan armed group active in the region since the 1990s with allegiance to the Islamic State armed group, attacked Makugwe village in Beni territory. They killed at least 23 people with machetes, including six women, according to a local civil society organization. M23 rebels killed dozens of people in reprisals against civilians suspected of supporting rival armed groups or the Congolese army. According to local civil

society groups, they killed at least nine men on 6 August in Marangara, Rutshuru territory, while the village was under their control.

In Sud-Kivu province, attacks on civilians by armed groups affiliated to the Banyamulenge community on the one hand, and the Bembe and Fuliro communities on the other, resulted in casualties on both sides, according to the UN. In the western region, an armed group called Mobondo, which arose in the wake of inter-communal violence between the Yaka and Teke peoples, killed at least 100 people between January and October and committed other serious abuses with impunity, according to the UN Joint Human Rights Office. Provincial authorities said that disputes over land management in Tshopo province, central DRC, which broke out between the Mbole and Lengola peoples in February, resulted in over 500 deaths and the displacement of 77,000 people.

In July, the body of former minister and opposition MP Chérubin Okende was found in his car in the capital, Kinshasa, a day after his family reported him missing. He was last seen at the constitutional court, where he went to meet a judge about the public declaration of his assets. The authorities' promise to conduct a prompt, thorough, effective and transparent investigation into his murder yielded no results, and no one was held accountable.

## **INTERNALLY DISPLACED PEOPLE'S RIGHTS**

Nearly 7 million people were estimated to be internally displaced, the highest number in Africa; most displacements were triggered by armed conflict. As in 2022, Ituri and Nord-Kivu provinces were most affected with over 500,000 newly displaced people, according to the UN. In early October, fighting resumed in Nord-Kivu between local armed groups, sponsored by the Congolese authorities on the one hand and Rwandan-backed M23 rebels on the other, leading to the displacement of 145,000 people in the first half of the month alone.

## **SEXUAL AND GENDER-BASED VIOLENCE**

Conflict-related sexual and gender-based violence remained prevalent, including in the context of the worsening humanitarian crisis. According to UNICEF, more than 38,000 cases of sexual violence were reported in Nord-Kivu province alone during the first quarter of 2023, an increase of 37% compared with the same period in 2022.

Amid precarious conditions in the camps around the city of Goma, which hosted around 600,000 people most of whom were displaced by M23 attacks, women and girls were particularly at risk. Hundreds of them were subjected to sexual violence, including rape and forced prostitution, while searching for food, firewood and other essentials. In May, Doctors Without Borders (MSF) said levels of sexual violence in internally displaced people's camps in and around Goma reached an unprecedented "catastrophic scale"; MSF provided care to 674 victims in the last two weeks of April alone.

In September, the government enacted a law criminalizing and punishing gender-based intimidation and stigmatization, and the use of degrading treatment. The law also punishes forced levirate and sororate marriages (where a widow is forced to marry her dead husband's brother, or a woman is forced to marry her dead sister's husband, respectively); and gender-based harassment on social media platforms. In the same month, the criminal procedure code was amended to exempt victims of sexual and gender-based violence from the costs of criminal proceedings, which would be borne by the state. If implemented, the amendments promise to strengthen legal protection against various forms of sexual and gender-based violence, and ensure better access to justice for victims.

## **EXTRAJUDICIAL EXECUTIONS**

On 30 August in Goma, the army attacked followers of the political and religious group Messianic Judaic Natural Faith Towards the Nations. The attacks were carried out ahead of the group's planned demonstration against

the UN Organization Stabilization Mission in the Democratic Republic of the Congo, a peacekeeping mission. Soldiers killed at least 56 people and wounded at least 85 others according to officials. Three soldiers, including a commander, were convicted of the mass executions following a flawed investigation and trial.

## **FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY**

In March, President Tshisekedi enacted two laws that further curtailed the right to freedom of expression and press freedom. They included the digital code law, which carries a sentence of up to six months' imprisonment for relaying false information via social media or other electronic communication.

Demonstrations were routinely banned or violently dispersed. On 20 May, police and a youth group allegedly affiliated with the ruling party attacked protesters in Kinshasa who were demonstrating against the alleged lack of transparency in the electoral process. Opposition parties had organized the demonstration in which several of their leaders and supporters were injured. Francine Naba, a member of the opposition L'Envol de la RDC (The Rise of the DRC) party who had attended the protest, was found dead on 25 May in Kinshasa, a few hours after she was allegedly abducted by unidentified assailants. Nobody was held accountable for her murder.

Between May and July, several opposition leaders, including Moïse Katumbi, Martin Fayulu and Matata Ponyo, were prevented by provincial authorities from entering or holding meetings and rallies in several provinces.

## **ARBITRARY DETENTION AND UNFAIR TRIALS**

In September, police arrested journalist Stanis Bujakera Tshiamala and questioned him about an article that cited a leaked report attributed to the National Intelligence Agency (ANR). The report allegedly implicated the military intelligence services in Chérubin Okende's abduction and murder (see above,

Unlawful attacks and killings) and questioned the veracity of the authorities' official version of his death. Stanis Bujakera was charged with "forgery", "spreading rumours" and "disseminating false information" although he was not named as the author of the article in question. His trial began on 13 October, and he faced a possible 15-year prison sentence. He was denied provisional release several times and remained in detention.

Lens Omalonga, a young activist from L'Envol party, was arrested in Kinshasa in May and held incommunicado for six weeks by the ANR. His lawyer said he was brought before a judge in July and charged with contempt of the president and "harmful imputations" in connection with a social media post he had shared. He faced prosecution under the digital code law and other provisions, and was provisionally released in December.

Several members of the Tutsi and Banyamulenge communities were arrested, or abducted, detained and held incommunicado; others faced sham trials, accused of supporting M23 rebels or spying for the Rwandan government. In May, Lazare Sebitereko, a prominent civil society member from the Banyamulenge community in Sud-Kivu province was arrested and transferred to Kinshasa, where he was held incommunicado in a military intelligence cell.

At least 21 pro-democracy and opposition activists were arrested, and some of them prosecuted on trumped-up charges connected to their criticism of government policies. In June, a military court of appeal in Goma sentenced King Mwamiso of the civil society movement Fight for Change (Lutte pour le Changement), to five years in prison for "contempt of the army" after he criticized the state of siege. He had been in prison since September 2022.

## **HUMAN RIGHTS DEFENDERS**

After a drawn-out process lasting seven years, the human rights defenders' law was enacted in October. The law increased state control over the status and activities of civil society organizations and human rights

defenders. It required them to register with the National Human Rights Commission, an official body, or face criminal prosecution. Those disseminating information deemed “defamatory, insulting or slanderous” risked six months to two years in prison.

## **FORCED EVICTIONS**

The expansion of industrial-scale cobalt and copper mines in Lualaba province, driven by the growing global demand for energy transition minerals, fuelled forced evictions of people from their homes and farmland. The rights of thousands of people to adequate housing and freedom from violence, among other rights, were violated. The forced evictions continued throughout the year, and the authorities and the multinational companies concerned failed to comply with legal safeguards prescribed in international law and domestic legislation to protect people from forced evictions.<sup>1</sup>

## **INDIGENOUS PEOPLES' RIGHTS**

In February, a law came into force that protects and promotes the rights of Indigenous Peoples, the result of a campaign by civil society organizations lasting over 30 years. Despite this, systemic abuses against Indigenous Peoples, particularly in the name of conservation, continued. The Indigenous Bambuti people who live in and around national parks, including Salonga and Kahuzi-Biega, both World Heritage Sites, were subjected to persistent violence from security forces and park rangers, forced evictions and other abuses.

## **REFUGEES' AND MIGRANTS' RIGHTS**

Thousands of Congolese people continued to flee the country, seeking asylum, especially in African countries. According to UNHCR, the UN refugee agency, between January and August around 45,000 new refugees arrived from the DRC to neighbouring countries, particularly Uganda, Rwanda (see Uganda and Rwanda entries) and Tanzania. Meanwhile, the DRC continued to host half a million people who had fled armed conflict and persecution from other African countries,

in particular South Sudan, the Central African Republic, Rwanda and Burundi.

## **RIGHT TO EDUCATION**

The roll-out of the government's free primary education programme continued to flounder due to poor infrastructure, inadequate state funding and, most importantly, poor conditions for teachers. Teachers' unions resorted to strike action to push the government to honour its commitments to improve their pay, terms and conditions. The draft budget for 2024 reduced funding for the education sector from 21.6% to 18.4%.

The persistence and spread of armed conflict in eastern and western DRC continued to have a devastating impact on children's education. In March, a UNICEF report said that the education of around 750,000 children was disrupted in two of the most conflict-affected provinces in the east, due to mass displacement. Thousands of schools were attacked, forced to close due to insecurity, or used as shelters for displaced people.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Several regions were affected by flooding, landslides, fires and other natural disasters, the frequency and scale of which could be climate-change related.

Tens of thousands of people were displaced by natural disasters. In May, torrential rainfall resulted in massive flooding and mudslides in the towns of Bushushu and Nyamukubi, in Sud-Kivu's Kalehe territory. According to the International Federation of Red Cross and Red Crescent Societies, the disaster left over 400 people dead and more than 2,500 missing; scores of others were injured and 50,000 people were displaced. Thousands of houses were destroyed or seriously damaged. In September, heavy rainfall in the town of Lisala in Mongala province resulted in at least 17 fatalities, according to local authorities.

## **INHUMANE DETENTION CONDITIONS**

Conditions of detention remained appalling and so overcrowded that some prisons held 2,000% over their intended capacity. Inmates

suffered a lack of drinking water and medicines, and some starved to death. Makala Prison in Kinshasa, with a capacity for 1,500 people, held over 12,000 inmates as of October, over 70% of whom were pretrial detainees. Goma Central Prison, with a capacity for 300 people, housed over 7,000 inmates, 80% of whom were in pretrial detention.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

In February, the government adopted a Draft National Transitional Justice Policy, which provides for the establishment of judicial mechanisms to deal with the most serious crimes and human rights violations. No further steps were taken towards ensuring accountability and providing access to justice and effective remedies.

In May, the DRC made a second referral to the Office of the Prosecutor of the ICC (the first referral was made in 2004) requesting that investigations into alleged crimes within the court's jurisdiction, committed by Rwandan-backed rebels since January 2022 in Nord-Kivu province, be initiated. The Office of the Prosecutor committed to investigate all crimes within its jurisdiction, whoever the suspected perpetrators may be. Later that month, the ICC prosecutor undertook a three-day trip to the country, meeting Congolese and UN officials, members of civil society and victims' representatives. At the end of his visit, on behalf of the Office of the Prosecutor, he signed a memorandum of understanding with the government, designed to strengthen cooperation and complementarity between the court and the DRC.

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1. *Powering Change or Business as Usual? Forced Evictions at Industrial Cobalt and Copper Mines in the Democratic Republic of the Congo*, 11 September

# **DENMARK**

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## **Kingdom of Denmark**

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**Afghan women and girls were granted refugee status, and special legislation granting temporary residency for people from Ukraine and Afghanistan was extended. The European Court of Human Rights opened a case against the Ministry of Defence for joint responsibility for the torture of civilians in Iraq in 2004.**

## **REFUGEES' AND MIGRANTS' RIGHTS**

In January, the Refugee Appeals Board changed their rules to grant protection to all women and girl asylum seekers from Afghanistan. In March, the Refugee Appeals Board expanded the number of Syrian regions considered safe for return to include the province of Latakia, despite warnings that asylum seekers could not be guaranteed safety from persecution by the state due to their original decision to flee the country.

The authorities further extended the 2021 special legislation granting residency permits for Afghans until 30 November 2025, continuing the practice of offering only temporary residency. In September, special legislation offering protection to displaced Ukrainians was extended until March 2025.

## **DISCRIMINATION**

In January, the CERD Committee recommended that the Danish authorities improve systematic data collection about hate crimes and training sessions for police, prosecutors and judges.

## **FREEDOM OF EXPRESSION**

In September, the government responded to a series of Qur'an burnings with a legislative proposal criminalizing "improper treatment of religious scriptures of significant importance to a recognized religious community". The law was adopted by the parliament in December, although it was criticized for containing vague language which could have negative implications for freedom of

expression, as well as freedom of assembly and association. The law also took insufficient action to tackle anti-Muslim hatred, one of the underlying reasons for these Qur'an burnings.

## RIGHT TO A HEALTHY ENVIRONMENT

In August, two climate activists were fined for an earlier act of civil disobedience in 2021, instead of receiving prison terms demanded by the state prosecutor.

## ARBITRARY DEPRIVATION OF NATIONALITY

The Supreme Court ruled in March that the Ministry of Immigration had breached the principle of proportionality by withdrawing Danish nationality from a woman in 2020, who was being held with her two children in the prison-like camp of Al-Roj in Syria at the time.

A seven-year-old boy in Al-Roj camp was the only child of Danish nationality who had not been offered a return to Denmark together with his mother.

## IMPUNITY

In March, the government announced the establishment of a committee of experts in June to revise the Penal Code to include war crimes, crimes against humanity and torture as distinct criminal acts.

In October, the European Court of Human Rights communicated with the Danish government on the case of Abdulaal Naser and Others v. Denmark, the so-called "Green Desert" case, for consideration on whether the Ministry of Defence is jointly responsible with the UK government for the torture of Iraqi civilians detained by Danish troops in 2004 during the Iraq War. As of the end of the year, the Court had not yet made a decision on the merits of the case.

## TORTURE AND OTHER ILL-TREATMENT

In December, the UN Committee against Torture launched its concluding observations on Denmark's eighth periodic report, expressing concerns about compliance with

the convention, particularly about the treatment of refugees.

# DOMINICAN REPUBLIC

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## Dominican Republic

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**Discrimination remained widespread and structural, particularly affecting Haitians or Dominicans of Haitian descent. Congress failed to protect women, children and LGBTI people from gender-based violence and hate crimes. Law enforcement officials continued to use excessive force.**

## DISCRIMINATION

Discrimination against Haitians or people of Haitian descent and anti-Black racism continued. Women and girls, LGBTI people, migrants, asylum seekers and refugees were particularly at risk.<sup>1</sup>

Pregnant and post-partum women seeking medical attention were discriminated against if the authorities considered them to be Haitian. Immigration authorities and law enforcement officials visited hospitals to search for migrant women and girls to arbitrarily arrest and deport them.

In September, seven UN human rights mechanisms warned about the risk of refoulement and human rights abuses in relation to measures against pregnant women, and called on the authorities to separate migration control from access to public services.

## ARBITRARY DEPRIVATION OF NATIONALITY

Ten years since the ruling of the Constitutional Court that retroactively deprived thousands of Dominicans of Haitian descent of their nationality, the government still had not taken sufficient measures to mitigate and repair the human rights violations caused.<sup>2</sup> The authorities failed to



comply with the 2014 ruling on the issue by the Inter-American Court of Human Rights.

At the end of the year, tens of thousands of people remained stateless and were targeted by arbitrary restrictions on their rights to legal personality, a name, and a life free of discrimination. The majority were people of Haitian descent. The Inter-American Commission on Human Rights urged the Dominican Republic government to provide support to stateless persons to regularize their situation and address the effects of protracted and intergenerational statelessness.

## SEXUAL AND GENDER-BASED DISCRIMINATION AND VIOLENCE

Abortion remained prohibited in all circumstances. Congress failed to amend the Criminal Code to provide protection against torture, violence, and discrimination on the grounds of sexual orientation and gender identity. Femicide and hate crimes were not specific criminal offences.

The Committee on the Rights of the Child voiced concern over the absence of a minimum legal age for sexual consent and the high number of cases of sexual exploitation and abuse of children.

## EXCESSIVE USE OF FORCE

Excessive use of force by law enforcement officials continued to be reported, with no progress in combating impunity for these incidents. In February, a 12-year-old boy died after suffering gunshot wounds in a police operation during the carnival in the city of Santiago. Witnesses said the police failed to give him first aid.

## FREEDOM OF EXPRESSION

Nuria Piera, a high-profile journalist who focuses on corruption and impunity, was targeted with NSO Group's Pegasus spyware, which enables full and unrestricted access to a device.<sup>3</sup> It was the first confirmed case of its use in the country, but a technical analysis revealed that the first attack on her devices occurred in 2020. The Office of the Attorney

General and the Ministry of Interior and Police denied involvement in the surveillance.

1. "Americas: States must end racist treatment of Haitian asylum seekers", 20 June
2. "Dominican Republic: Authorities must end racist treatment and guarantee the right to nationality", 22 September
3. "Dominican Republic: Pegasus spyware discovered on prominent journalist's phone", 2 May

# ECUADOR

## Republic of Ecuador

**Armed forces were deployed throughout the country and their powers in public security tasks were expanded. Violence increased in the lead up to the general elections. Human rights violations remained unpunished. The state of crisis in prisons continued. Indigenous Peoples' rights continued to be violated. Flaring of gases during oil extraction persisted. Authorities failed to protect human rights defenders. Poverty and inequality affected much of the population and gender-based violence remained prevalent.**

## BACKGROUND

In May, faced with possible impeachment, former president Guillermo Lasso dissolved the National Assembly (Ecuador's legislative body) and called elections for August, which culminated in run-off elections in October. Daniel Noboa was voted in as the new president, along with 137 new members of the National Assembly.

The homicide rate rose sharply, and authorities responded with emergency decrees expanding the mandate of the armed forces. A constitutional reform to grant the military greater involvement in public security tasks was approved by the National Assembly in December. A national referendum to approve its implementation remained pending at the end of the year.

## **FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY**

In May, a presidential decree deployed the armed forces throughout the country, allegedly to “repress the terrorist threat” in response to organized crime groups. Subsequent decrees throughout the year expanded the mandate of the police and armed forces to enter private property to carry out searches, seize property and access correspondence.<sup>1</sup>

## **UNLAWFUL ATTACKS AND KILLINGS**

During the months prior to the elections, several candidates for political office were attacked or killed, including the seemingly politically motivated killing in August of presidential candidate Fernando Villavicencio.

## **IMPUNITY**

Serious human rights violations committed by security forces in the context of protests in 2019 and 2022 remained unpunished.

In June, Executive Decree 755 stipulated that law enforcement officials suspected of having caused injury or harm to or the death of a person could only be apprehended or removed from duty following conviction.

## **DETAINEES’ RIGHTS**

The authorities declared repeated states of emergency in prisons in response to several massacres. In July, 31 prisoners were killed and dozens wounded in the El Litoral prison in Guayaquil, and 137 prison guards were temporarily taken hostage in prisons across the country. Health services in prisons remained almost non-existent, and authorities failed to properly investigate killings and treat family members of detainees with dignity.

## **INDIGENOUS PEOPLES’ RIGHTS**

Indigenous Peoples’ rights were infringed by extractive projects in their territories. In May, Executive Decree 754 allowed mining companies to commence activities without Indigenous Peoples’ free, prior and informed consent. Following the decree, police and

military operations in the provinces of Cotopaxi and Bolivar resulted in 18 people being wounded and two arrests. In November, the Constitutional Court declared the decree unconstitutional, but allowed it to remain in force.

Oil spills in 2020 and 2022 in the Amazon had still not been investigated, and affected communities had still not received truth, justice and reparation.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Authorities failed to respect their commitment to the global initiative to phase out the use of flares during the extraction of crude oil by 2030 and continued to allow the flaring of gases.

In August, during a national referendum, a majority of voters opted to protect the Yasuní National Park in the Amazon and prohibit new oil exploration in the park.

## **HUMAN RIGHTS DEFENDERS**

Human rights defenders continued to be stigmatized, harassed, attacked or killed for carrying out their work. Defenders of territory, land and the environment were at particular risk. Authorities continued to fail to protect human rights defenders.

In February, Eduardo Mendúa, a leader from the A’i Cofán Indigenous People, was shot dead. Mendúa had been vocal in opposing oil drilling in the area. In April, the minister of energy and Mines publicly stigmatized lawyer and environmental activist Pablo Fajardo as an “international criminal”.<sup>2</sup>

## **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

Large sectors of the population continued to face socio-economic obstacles to access their rights to health, food and water, among others. Poverty rates remained above pre-Covid-19 levels as of June 2023, with 27% of the population living in poverty and 10.8% in extreme poverty. Public health spending continued to fall short of the 6% of GDP target recommended by the Pan American Health Organization.

The UN Special Rapporteur on extreme poverty visited the country in September and expressed alarm at the enormous disparity in poverty rates between urban and rural areas. According to the rapporteur, rural areas registered rates of multidimensional poverty as high as 70%, with poverty most pronounced in areas with large Indigenous populations. The rapporteur said that the acute poverty made young people easy recruits for organized crime and called on the authorities to continue improving the progressivity of the tax system.

## WOMEN'S AND GIRLS' RIGHTS

Several obstacles persisted that inhibited women from living free of violence. More than 1,500 gender-based killings had been committed since 2014, according to civil society organizations.

## REFUGEES' AND MIGRANTS' RIGHTS

Date-of-entry eligibility requirements imposed undue restrictions on the exceptional temporary residence visa for Venezuelan citizens (VIRTE), affecting the enjoyment of temporary protection for more than half a million Venezuelan nationals living in Ecuador.<sup>3</sup> Lack of regular status prevented Venezuelan women survivors of gender-based violence from accessing protection and care services.

1. "Ecuador: Authorities must safeguard human rights amidst pre-electoral violence", 10 August
2. "Ecuador: Ecuadorean human rights defender Pablo Fajardo stigmatized", 28 April
3. *Americas: Regularization and Protection: International Obligations for the Protection of Venezuelan Nationals*, 21 September

# EGYPT

## Arab Republic of Egypt

**Presidential elections took place in a repressive environment, with genuine opposition candidates prevented from running and the rights to freedom of expression, association and peaceful**

**assembly severely suppressed. Authorities released 834 prisoners held for political reasons but arrested over triple that number during 2023. Thousands of actual or perceived government critics remained arbitrarily detained and/or unjustly prosecuted. Enforced disappearances and torture and other ill-treatment remained rampant. Death sentences were handed down after grossly unfair trials but the rate of executions dropped. Impunity prevailed for grave human rights violations committed in 2023 and previous years. Women and girls, religious minorities and LGBTI individuals were subjected to discrimination, violence and prosecution for exercising their human rights. Authorities failed to address economic and social rights affected by the worsening economic crisis, and to protect workers from unfair dismissals by private companies. Forced evictions from informal settlements continued, and tens of thousands of North Sinai residents were barred from returning to their homes. Refugees and asylum seekers were arbitrarily detained for irregularly entering or staying in Egypt, and forced expulsions took place.**

## BACKGROUND

The "national dialogue" began in May, but opposition politicians and human rights defenders suspended their participation after renewed arrests of government opponents. The dialogue was suspended in September ahead of presidential elections held in December, amid a deepening financial and economic crisis. The incumbent president, Abdel Fattah al-Sisi, won the elections from which genuine opposition candidates were barred.

The president announced celebrations for the "end of terrorism" in January, while sporadic attacks in North Sinai continued. In August, the Sinai Foundation for Human Rights (SFHR), a rights group, reported the use of child soldiers in military operations in North Sinai. In a report to the UN Committee on the Rights of the Child issued in March, Egypt confirmed that 16 is the minimum age

for voluntary recruitment into the armed forces.

From 9 October, Israel repeatedly attacked the Rafah border crossing between Egypt and Gaza and severely restricted entry of humanitarian aid from Egypt into besieged Gaza.

## **FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY**

The authorities continued to crush dissent and stifle civil society. Among those targeted were opposition politicians and their supporters, relatives of dissidents abroad, trade unionists, lawyers, and people critical of the authorities' human rights record and their handling of the economic crisis and the military's role.

In January, after a grossly unfair trial, an Emergency Supreme State Security Court (ESSC) sentenced 82 people from Suez, including 23 who were children at the time of the alleged offences, to between five years' and life imprisonment in connection to anti-government protests in September 2019.<sup>1</sup>

Security forces arrested at least four journalists for their work or opinions. They included Hisham Kassem, a publisher and president of the Free Current Movement, a coalition of opposition liberal parties, who was sentenced in September to six months' imprisonment and a fine on charges of "defamation" for his online criticism of a former government minister's alleged corruption and of "insulting" public officials.<sup>2</sup>

At least 21 journalists remained in jail after being convicted or pending investigations into charges of "spreading false news", belonging to a "terrorist" group or "misuse of social media".

Over 600 news, human rights and other websites continued to be blocked. The authorities blocked the website of the NGO Cairo Institute for Human Rights Studies in January, and the news sites of Soula 4 and Masr 360 in June, but unblocked opposition news website Daarb in April.

Staff at Mada Masr, an independent media platform, faced politically motivated prosecutions and investigations, including in

relation to its publication in October of an investigative report on the Rafah border crossing.

Human rights defenders, trade unionists and journalists were among 820 people added to the government's "list of terrorists" throughout the year without due process, depriving them of civic and political rights.

In April, the deadline for registration under the draconian 2019 NGO Law came into force, putting unregistered NGOs at risk of closure.<sup>3</sup>

Arbitrary travel bans and/or asset freezes remained in place against at least 20 human rights defenders in connection to their work.

Security forces blocked people from registering their endorsements for prospective opposition candidates for presidential elections and arbitrarily arrested at least 137 supporters and relatives of opposition politician and aspiring presidential candidate Ahmed Altantawy. In September, Citizen Lab confirmed that Ahmed Altantawy's phone was infected with Predator spyware, assessing with "high confidence" the government's involvement.

In October, security forces in the cities of Cairo and Alexandria arrested dozens of people, including children, for protesting in solidarity with Palestinians in Gaza. At least 67 remained in pretrial detention over protest and terrorism-related charges at the end of the year, according to the Egyptian Commission for Rights and Freedoms.

## **ARBITRARY DETENTION AND UNFAIR TRIALS**

During the year, 834 prisoners held for political reasons were released, while the Supreme State Security Prosecution (SSSP) interrogated at least 2,504 suspected critics or opponents arrested in 2023 on accusations of involvement in terrorism-related crimes, cybercrimes, protests and spreading "false news".

Security forces refused to release 251 detainees who had been acquitted or provisionally released by prosecutors or judges, or had completed their prison sentences.

In June, President Sisi praised detentions for “saving Egypt”.

SSSP prosecutors and judges routinely renewed pretrial detention orders for thousands of detainees without allowing them to meaningfully challenge the legality of their detention. Detention renewal hearings took place via videoconference with detainees connected from prison, denying them the right to adequate defence and exposing them to reprisals for reporting abuse in front of prison guards.

Fair trial guarantees were systematically flouted in political cases. In March, following an unfair trial, an ESSC sentenced 30 people, including the head of the Egyptian Coordination for Rights and Freedoms, to between five years’ and life imprisonment on absurd charges stemming from their human rights work or peaceful dissent.

## **ENFORCED DISAPPEARANCES AND TORTURE AND OTHER ILL-TREATMENT**

Security forces, including the National Security Agency (NSA), continued to subject dissidents to enforced disappearance.

According to the Stop Enforced Disappearances campaign, at least 70 individuals arrested in 2023 were subjected to enforced disappearance, with the fate and whereabouts of six remaining unknown.

Torture and other ill-treatment remained routine in prisons, police stations and NSA-run facilities.

In January, security forces arrested lawyer Shaaban Mohamed on a street in Giza and subjected him to enforced disappearance in an NSA facility for six weeks, during which he was beaten, suspended and given electric shocks.

Prisoners continued to be held in conditions violating the absolute prohibition of torture and other ill-treatment, including through deliberate denial of healthcare, prolonged solitary confinement, bombardment with bright lights, camera surveillance around the clock, and denial of family visits.<sup>4</sup> Dozens of prisoners held in the Badr prison complex in Cairo governorate and the 10<sup>th</sup> of Ramadan

prison in Sharqia governorate, to which hundreds of political prisoners were transferred from mid-2022 and mid-2023, respectively, staged hunger strikes in protest at detention conditions.

## **DEATH PENALTY**

Criminal courts, including terrorism-circuits, and military courts imposed death sentences after unfair trials.

In January, a Cairo criminal court sentenced people to death for terrorism-related offences following a trial marred by allegations of enforced disappearance and “confessions” extracted under torture.

The number of executions carried out declined from previous years.

## **IMPUNITY**

Impunity prevailed for unlawful killings, torture, enforced disappearance and other grave human rights violations committed in 2023 and previous years. Ten years on, no official had been held accountable for the unlawful killings of at least 900 people during violent dispersals of sit-ins by supporters of the ousted president Mohamed Morsi on 14 August 2013.<sup>5</sup>

Authorities failed to investigate adequately the causes and circumstances of at least 47 deaths in custody following reports of torture or denial of healthcare. Security forces threatened relatives seeking truth and justice with arbitrary detention and other harm.

No officials were held accountable for the death of Mahmoud Abdel Gawad in July in Nabaroh police station, Dakahlia governorate, four days after his arrest, amid credible reports that police beat him severely and gave him electric shocks.

No investigations were opened into the death of lawyer Ali Abbas Barakat on 26 June, who had liver disease. He collapsed and lost consciousness on 10 June in al-Qanater prison in Greater Cairo, but the authorities waited 48 hours before transferring him to a prison hospital.

In September, the Italian Constitutional Court ruled that the trial in their absence of four Egyptian officers accused of the torture

and murder of Italian student Giulio Regeni in Egypt in 2016 can proceed in Italy. Proceedings had stalled because Egypt concealed the addresses of the suspects to prevent serving them notices of their trial.

## **GENDER-BASED DISCRIMINATION AND VIOLENCE**

Women continued to face discrimination in law and practice, including in matters of marriage, divorce, child custody and political office. Long-promised amendments to the Personal Status Law stalled amid concerns over lack of meaningful consultation with all women human rights defenders.

The authorities failed to adequately prevent gender-based violence by state and non-state actors, amid a proliferation of reports in Egyptian media of killings of women by family members or rejected suitors.

Women were prosecuted for speaking out against sexual violence or on “morality” grounds.

In November, an appeals economic court quashed a two-year prison sentence against model and TikTok influencer Salma Elshimy and fined her for “immoral” content “violating Egyptian family values”. At least three women influencers remained imprisoned on “morality”-related or other bogus charges.

The authorities continued to harass and prosecute individuals on the basis of their actual or perceived sexual orientation or gender identity. Several of them reported beatings and other abuse in police custody.

## **ECONOMIC AND SOCIAL RIGHTS**

Egypt’s severe economic crisis had devastating effects on people’s access to socio-economic rights.

The government allocated about half of the 2023/2024 budget to debt repayment and failed to meet the constitutionally mandated allocation of at least 3% and 6% of GDP to health and to basic and higher education, respectively.

After a deal reached with the International Monetary Fund in late 2022 to float the Egyptian pound, the currency lost significant value. By February, annual inflation hovered

around 40%. Food prices rose by 68% between August 2022 and July 2023, according to the Central Agency for Public Mobilization and Statistics (CAPMAS). According to a senior CAPMAS employee, the poverty rate rose significantly in 2022/2023, increasing the urgency for the government to adjust its social protection programmes.

The government failed to take adequate steps to mitigate the impact of the economic crisis on people’s rights, especially to an adequate standard of living. In September, the president announced an increase in the monthly minimum wage for public sector workers from 3,500 to 4,000 Egyptian pounds (USD 114-130), which economic rights experts considered incommensurate with inflation, and the authorities failed to act against private companies not paying the minimum wage.

In September, the president said “hunger and deprivation” were acceptable sacrifices for development and progress.

## **WORKERS’ RIGHTS**

The authorities continued to impede and intimidate striking workers seeking better pay or working conditions.

In October, security forces prevented striking workers from the Universal Group for Home Appliances from gathering near the company’s headquarters in 6 October city, and warned them against complaining to the Ministry of Manpower. The NSA also summoned and questioned some of the workers about the strike.

At least 14 teachers remained detained pending investigations into terrorism-related charges after they protested in October in the New Administrative Capital in Cairo governorate over their exclusion from appointments. Candidates for civil servant jobs complained about being denied certificates of completion of the military academy course, which became mandatory for appointments in 2023, on security grounds or for being pregnant or overweight.

## RIGHT TO HOUSING

Authorities continued to carry out forced evictions and house demolitions, including in Cairo's informal settlements and the historic "City of the Dead" cemetery, home to tens of thousands of residents, and arrested residents for protesting.

In March, an administrative court ruled against residents of Waraq Island in Giza who complained against a 2021 government decision to appropriate their lands for "the public good" without adequate compensation. In February, security forces dispersed a protest by scores of Waraq Island residents using tear gas and carried out arrests.

House demolitions and forced evictions took place in Al-Arish city in North Sinai, according to SFHR.

In October, the army unlawfully fired live ammunition to disperse hundreds of peaceful protesters who staged a sit-in in Sheikh Zuwayed city in North Sinai demanding to be allowed to return to their homes in Sheikh Zuwayed and Rafah city, also in North Sinai, from where they had been forcibly displaced since 2014 due to military operations against armed groups, including Wilayat Sinai, an affiliate of the Islamic State armed group.

## FREEDOM OF RELIGION AND BELIEF

Authorities continued to discriminate against Christians in law and practice.

No one was held accountable for sectarian attacks in January against Christians in the village of Ashruba in Minya governorate, which led to injuries and property damage.

The right to build or repair churches remained restricted by a 2016 law requiring approval from security agencies and other state bodies. In May, the prime minister announced that since the law came into force, the government had approved the legalization of 2,815 churches, approximately half of the submitted requests.

In a positive development, in March, a family court in Cairo applied Christian Orthodox by-laws in an inheritance case brought by Huda Nassralla, a lawyer at the Egyptian Initiative for Personal Rights, a

rights group. Generally, judges apply the Personal Status Law for Muslims, which discriminates against women in matters of inheritance.

Members of religious minorities, atheists and others not espousing state-sanctioned religious beliefs were summoned and questioned by the NSA or otherwise threatened or harassed, including by their educational institutions and online.

A Yemeni Christian convert from Islam, Abdul-Baqi Saeed Abdo, continued to be detained pending investigations by the SSSP on charges of "defamation of Islamic religion" and belonging to a "terrorist group" for social media posts about his beliefs.<sup>6</sup>

## REFUGEES' AND MIGRANTS' RIGHTS

From April, some 370,000 Sudanese nationals fled to Egypt, according to UNHCR, the UN refugee agency. The authorities tightened entry restrictions, requiring all Sudanese nationals to obtain visas from consulates and security clearance for boys and men aged between 16 and 50. Some Sudanese, Eritrean and Syrian nationals were barred from entry at land borders and at least one asylum seeker was forcibly returned to Sudan for not having valid residency.

Security forces arrested dozens of refugees and asylum seekers from Afghanistan, Syria and sub-Saharan African countries as well as Uyghurs from China for irregularly entering or staying in Egypt. In May, Alfred Djasnan, a Chadian refugee, journalist and president of the African Refugees Rights Initiative, was deported to Rwanda. He had been arrested after sub-Saharan Africans protested against their living conditions in front of the UNHCR office in 6 October city.

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1. "Egypt: Quash convictions in torture-tainted grossly unfair mass trial of 2019 protesters", 23 February

2. "Egypt: Immediately release prominent dissident on trial for online expression", 14 September

3. "Egypt: Independent civil society organizations at risk of closure after NGO deadline passes", 12 April

4. "Egypt: Tortured son of opposition figure held incommunicado: Anas al-Beltagy", 29 March

5. "Egypt: 'Decade of shame' since hundreds killed with impunity in Rabaa massacre", 14 August
6. "Egypt: Unjustly held Yemeni at risk of deportation: Abdul-Baqi Saeed Abdo", 7 September

# EL SALVADOR

## Republic of El Salvador

**The state of emergency initiated in 2022 was ongoing, resulting in widespread human rights violations, erosion of the rule of law, and criminalization of dissenting voices. Restrictions on freedom of association increased, and obstacles to peaceful protest and stigmatization of journalists and human rights defenders continued. The total prohibition of abortion remained in force. Authorities failed to approve legislation guaranteeing the rights of victims of crimes committed during the 1980-1992 armed conflict.**

## BACKGROUND

Following a proposal by President Bukele, the Legislative Assembly extended the state of emergency, which remained in place at the end of 2023. The assembly enacted and amended numerous laws that violated the right to a fair trial. International human rights mechanisms expressed their concerns that the extension did not conform with the exceptional and temporary nature required for the invocation of a state of emergency.

In October, President Bukele officially registered himself as a presidential candidate, despite objections from legal experts and civil society organizations citing the constitution's prohibition of immediate re-election.

## ARBITRARY DETENTION AND UNFAIR TRIALS

Between the start of the state of emergency on 27 March 2022 and the end of 2023, more than 73,000 detentions were recorded. Most detainees were accused of "illegal associations", a crime linked to gang activity and membership. The majority of the

detentions carried out under the state of emergency were arbitrary because they violated due process guarantees through absence of clear judicial orders, prolongation of administrative detentions, lack of precise information from authorities to detainees' families regarding their whereabouts, and concealment of the identity of the judges processing detainees. The state of emergency particularly affected impoverished and marginalized communities, deepening their vulnerability.<sup>1</sup>

National protection mechanisms, such as the Human Rights Ombudsperson's Office, recorded a significant increase in requests for the verification of detainees' whereabouts. Under the state of emergency, however, its capacity to fulfil its mandate was limited and it was unable to access all detention centres. The Supreme Court of Justice was also denounced by civil society organizations for its ineffectiveness in processing habeas corpus appeals, increasing detainees' vulnerability.

Although authorities reported the release of more than 7,000 detainees, 85% of these individuals were not acquitted of the "illegal associations" charges and continued to face legal proceedings that remained pending. The risk of these individuals undergoing unfair trials was exacerbated by regulations that allowed summary trials and hindered the right to effective defence.

## TORTURE AND OTHER ILL-TREATMENT

The Salvadoran penitentiary system faced critical levels of overcrowding, reaching a 300% occupancy rate, equivalent to more than 100,000 inmates. This accounted for 1.14% of the country's general population and positioned El Salvador as having the highest rate of incarceration globally, according to local civil society organizations.

Many detainees reported being subjected to torture and other ill-treatment, including restrictions on food, water and access to sanitary facilities, lack of adequate medical care, and excessive use of force by prison guards. Women inmates lacked attention to their specific needs, including access to



reproductive health services and protection against gender-based violence. Since the start of the state of emergency, at least 190 deaths caused by torture and lack of medical care had occurred in state custody.<sup>2</sup>

Several entities, such as the Attorney General's Office and the Human Rights Ombudsman's Office, did not effectively and diligently investigate these cases. The Attorney General's Office ordered the majority of investigations to be archived. The Inter-American Commission on Human Rights requested access to perform an independent assessment of prison conditions, but the authorities refused.

## **FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY**

El Salvador saw an increase in protests in 2023, as the situation in the country deteriorated under the extended state of emergency. Protesters denounced human rights violations under the state of emergency; demanded respect for economic, social, and cultural rights; and defended land and territory. The authorities' obstructive response to these legitimate expressions of social discontent violated people's right to freedom of expression and peaceful assembly. The authorities' actions included stigmatization and questioning the legitimacy of protesters by high-ranking state officials through social media and public statements; intimidation and threats towards, and excessive surveillance of, organizers and protesters; restrictions on movement by blockading roads and access points to specific areas to prevent participation in these activities; and the arbitrary detention and criminalization of protesters.

The government undermined the autonomy and effectiveness of labour unions. The Movement of Dismissed Workers recorded the disbandment of 10 unions in 2023 due to the elimination of an equivalent number of government departments. Additionally, the government imposed unwarranted restrictions on union registration processes and the accreditation of union boards. Authorities also disregarded

trade union immunity, failed to comply with collective bargaining agreements, and engaged in actions that jeopardized the job security of public sector employees.

According to local organizations, in 2023 at least 16 trade unionists were arrested and charged with offences such as public disorder and resisting arrest during peaceful protests. Under the framework of the state of emergency, at least three trade unionists were arbitrarily arrested, having been falsely accused of the crime of "illegal associations".

According to a 2022 investigation, 35 journalists and activists in El Salvador were subjected to Pegasus software-enabled espionage between 2020 and 2021. Despite appeals by the Association of Journalists of El Salvador (APES) to the General Attorney's Office to investigate these incidents and the reports of hacking of WhatsApp accounts, no findings had been released 21 months later, according to APES. The absence of a specialized team and the lack of a prompt, effective, impartial, and independent investigation have fostered widespread impunity and eroded independent journalism's trust in the authorities.

APES submitted a report about the impact of the state of emergency on press freedom. According to their records, between March 2022 and July 2023, there were 222 violations of freedom of expression and 385 cases of harassment against journalists and media outlets, most commonly digital attacks and stigmatizing statements. APES reported six instances of journalists being compelled to flee the country in the first half of 2023 due to escalating threats, intimidation, assaults, and the looming threat of criminalization. In April, El Faro, a digital media outlet, moved its administrative operations to Costa Rica because of the hostile climate towards journalism in El Salvador.

## **HUMAN RIGHTS DEFENDERS**

The authorities continued to stigmatize and harass human rights defenders through social media. This involved posting threatening content, such as statements by

state officials that incited harassment and attacks on the reputation of individuals and organizations, and the spread of misinformation through digital platforms to discredit and intimidate critical and dissident voices. This campaign of harassment affected the integrity, security, and personal well-being of human rights defenders and journalists, and limited their freedom of expression and association.

The state of emergency was used to criminalize human rights defenders by misusing anti-gang laws to justify their arbitrary detention. Most of these cases involved people defending land, territory and natural resources, and labour rights. International human rights mechanisms criticized the state for its lack of clarity and investigation concerning these detentions, as well as the absence of due process guarantees.

## RIGHT TO INFORMATION

There was a lack of transparency and severe restrictions on access to public information, and El Salvador was excluded from the Open Government Partnership. The government hindered access to essential data by imposing systematic restrictions on information and excessive requirements for providing data. Government departments such as the Bureau of Prisons and the Ministry of National Defence failed to meet international standards on requirements to restrict access to security information. The Legislative Assembly expedited legislative processes, restricting public participation in discussions around new laws, which limited transparency.

## SEXUAL AND REPRODUCTIVE RIGHTS

The total ban on abortion, which led to women facing imprisonment for charges relating to obstetric emergencies, remained in force, violating sexual and reproductive rights. Due to the ban, at the end of 2023 at least 21 women were facing legal proceedings on charges relating to obstetric emergencies.

## RIGHT TO TRUTH, JUSTICE AND REPARATION

Authorities continued to fail to adopt adequate legislation to guarantee the rights of the victims of crimes under international law committed during the civil war between 1980 and 1992. There was little progress in the investigation and prosecution of individuals suspected of criminal responsibility for crimes committed during the armed conflict.

1. "El Salvador: One year into state of emergency, authorities are systematically committing human rights violations", 3 April
2. "El Salvador: Policies, practices, and abusive, arbitrary legislation violate human rights and threaten civic space", 5 December

# EQUATORIAL GUINEA

## Republic of Equatorial Guinea

**The right to freedom of expression continued to be restricted. The year was marked by a military trial of opposition activists, arbitrary detentions and several allegations of torture and other ill-treatment, including at least one allegation that torture led to death in custody. LGBTI people continued to be persecuted.**

## BACKGROUND

On 31 January, Manuela Roka Botey was appointed by the president to serve as Equatorial Guinea's first woman prime minister. President Teodoro Obiang Nguema Mbasogo had been re-elected for a sixth term in office in November 2022 with 95% of the votes, according to the national electoral commission.

According to the World Bank, food prices and the rate of food insecurity, particularly among the rural population, remained high. Due to the country's over-reliance on imports for food consumption (80%), food price increases were fuelled by supply chain disruption arising from the war in Ukraine and the aftermath of the Covid-19 pandemic.

An outbreak of Marburg virus killed at least 12 people.

## **FREEDOM OF EXPRESSION**

Equatorial Guinea was ranked 120th out of 180 countries surveyed by Reporters Without Borders in its 2023 World Press Freedom Index. The government maintained a close watch over the media and censorship remained the norm. There were no independent media outlets. The legal landscape criminalizing the exercise of the right to freedom of expression and media freedom through the frequent use of slander and defamation laws continued to encourage self-censorship.

## **UNFAIR TRIALS**

In June, Gabriel Nsé Obiang Obono, leader of the banned opposition party Citizens for Innovation (CI), was sentenced by a military tribunal to 29 years' imprisonment for "homicide, abusive use of fundamental rights, insults to security forces" and "illegal possession of ammunitions". He had been arrested in September 2022 after police laid siege to the party's office in the capital, Malabo. Dozens of CI supporters, arrested alongside him, were convicted of the same charges, receiving sentences of between nine and 29 years in prison.

Human rights activist Anacleto Micha Ndong Nlang initially faced the same charges over the same event, even though he was arrested four days before the others (when he visited the office to see whether party supporters under siege needed assistance). His charges were subsequently changed to "contempt against authority" and his case sent to ordinary court. On 19 May, he was sentenced to six months in prison and fined XAF 100,000 (around EUR 152). He was released on 23 June, some nine months after his arrest.

## **TORTURE AND OTHER ILL-TREATMENT**

In January, the Spain-based opposition group Movement for the Liberation of the Third Equatorial Guinea (MLGE3R) announced the death in detention of one of its leading

activists, Julio Obama Mefuman, a dual Spanish and Equatorial Guinean citizen, and accused the authorities of torturing him multiple times. He had been serving a 60-year prison sentence in Oveng Azem prison on charges of participating in an alleged attempted coup. Foreign minister Simeón Oyono Esono Angué confirmed that Julio Obama had died in a Mongomo hospital following illness but refuted the accusations of torture.

The death of Julio Obama occurred less than two weeks after Spain's High Court opened an investigation against Carmelo Ovono Obiang, the son of the Equatorial Guinean president, and two other officials. They were accused of the alleged abduction and torture of four Equatorial Guinean nationals, including Julio Obama and another dual national as well as two other residents of Spain, all of whom were MLGE3R members.

On 16 February, the European Parliament adopted a resolution condemning "political persecution and repression of political opponents" in Equatorial Guinea, as well as the death of Julio Obama while in custody, and requesting an independent international investigation. In March, all three officials failed to appear at the Spanish High Court. The court ordered that Julio Obama's body be taken back to Spain, but this was ignored. In April, the Ministry of Foreign Affairs of Equatorial Guinea informed the Spanish government that it had opened an investigation into the alleged torture of the four men, thereby claiming jurisdiction over the matter. Court proceedings in Spain were still pending at the end of the year.

## **ARBITRARY DETENTION**

Young men remained in arbitrary detention after the government's "Cleaning Operation" against youth gang crime. In February, Pablo Santiago Nsue Ondo Angue, a 22-year-old man who was arrested under this scheme, died in Oveng Azem prison of cardiorespiratory arrest. He had remained in detention despite a court order granting him release in October 2022.

## LGBTI PEOPLE'S RIGHTS

In May, the organization for LGBTI rights, We are Part of the World, published a report denouncing alleged torture of 12 LGBTI people by the authorities. On 10 July, the Malabo office of the organization was allegedly searched by security forces with no warrant.

# ERITREA

## State of Eritrea

**Eritrea's human rights situation showed no sign of improvement. The authorities continued to subject political dissidents, members of religious congregations, journalists and Indigenous People to arbitrary detention and enforced disappearance. The right to practice religious beliefs was severely restricted, and a religious leader died in prison after being detained for 10 years. The Afar Indigenous People faced discrimination and other persecution. The use of indefinite mandatory military service intensified; women conscripts faced sexual violence in training camps.**

## BACKGROUND

Eritrean Defence Forces continued to carry out systematic and widespread sexual violence, including rape and gang rape, against women in neighbouring Ethiopia's Tigray region, months after the Cessation of Hostilities Agreement was signed in November 2022 (see Ethiopia entry). The government failed to initiate any investigation into these, and other crimes under international law committed in Tigray. The president denied well-founded allegations of the Eritrean army's conduct as "fantasy".

Eritrea continued to refuse to cooperate with international mechanisms, including the UN Special Rapporteur on the situation of human rights in Eritrea.

The ban imposed on independent media in 2001 remained in place.

## ARBITRARY DETENTION AND ENFORCED DISAPPEARANCES

The government continued its 22-year-long policy of arbitrarily detaining and, in some cases, carrying out the enforced disappearance of journalists, real or perceived political dissidents and members of religious congregations (see below, Freedom of religion and belief) as a tool of repression. Detainees' rights to judicial review and access to legal counsel were denied. The fate and whereabouts of 11 members of the G-15, a group of 15 senior politicians who spoke publicly against the president in 2001, remained unknown, along with that of 16 journalists accused of being linked to the G-15.

## FREEDOM OF RELIGION AND BELIEF

The authorities discriminated against people on the basis of their faith, denying those belonging to unregistered religions the right to practice their beliefs. Hundreds of people remained in prolonged arbitrary detention and some were subjected to enforced disappearance for belonging to unrecognized religious groups.

The Eritrean Orthodox Tewahedo Church, Sunni Islam, the Catholic Church and the Evangelical Lutheran Church of Eritrea were the only registered religions, while the Baha'i faith was recognized de facto.

On 9 April, Pastor Tesfaye Seyoum, the founder and leader of Meserete Kirstos Church, died in Mai Serwa prison, where he had been held for 10 years for belonging to a banned religion. The authorities did not permit his family to bury him for 10 days, and then compelled them to do so in the capital, Asmara, not his home town.

## INDIGENOUS PEOPLES' RIGHTS

The Afar Indigenous People continued to experience multiple government attempts to interfere with their customary way of life, including by banning them from fishing, their primary livelihood. According to the Special Rapporteur on the situation of human rights in Eritrea, they were "subjected to discrimination, harassment, arbitrary arrests,

disappearance, violence and widespread persecution”; and as of May, at least 57,000 of them were registered as refugees in Ethiopia, having fled their homes.

## FORCED LABOUR

The use of mandatory indefinite national military service persisted, as well as the forced labour attached to it, sometimes amounting to slavery.

In his report to the UN Human Rights Council in June/July, the Special Rapporteur on the situation of human rights in Eritrea said he had received information about “heavy round-ups” of conscripts in August 2022. Up to November 2022, the army used “coercive practices to force individuals to participate in military action in Ethiopia”, and families were forced to hand over their relatives, including children.

Reports of torture and other ill-treatment and sexual violence continued in conscript camps. The Special Rapporteur reported that former women recruits of the Sawa military training camp said that camp officials carried out rape and other forms of gender-based violence against female conscripts.

Many young people were forced to spend their final secondary school year at the Sawa military training camp, making it difficult for them to complete their education.

# ESWATINI

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## Kingdom of Eswatini

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**The authorities enjoyed impunity for attacks on human rights defenders and activists, and failed to investigate the unlawful killing of Thulani Maseko. Rights to freedom of expression, association and peaceful assembly were routinely violated. Opposition activists and dissenters faced unfair trials and harsh punishment. The right to health was restricted. Hundreds faced forced eviction. The government refused to allow an LGBTI rights group to register despite a supreme court ruling.**

## BACKGROUND

Parliamentary elections were held in August and September. A 1973 decree banning political parties remained in place, under which only independent candidates can run for election. King Mswati III held ultimate authority over all branches of government.

## UNLAWFUL ATTACKS AND KILLINGS

In January, human rights lawyer and activist Thulani Maseko was assassinated in his home. Despite condemnation and calls from the international community to conduct a transparent, independent and impartial investigation, the government has made no progress towards ensuring accountability for the killing. Thulani Maseko was killed weeks after attacks were carried out on human rights lawyer Maxwell Nkambule, and Penuel Malinga and Xolile Dlamini-Malinga, both members of the banned opposition party, People’s United Democratic Movement (PUDEMO). The authorities failed to investigate these, and other unlawful attacks and killings carried out since the government launched a brutal crackdown in response to pro-democracy and anti-police brutality protests in 2021. They also failed to bring to justice suspected perpetrators and ensure access to justice and effective remedies for victims.

## FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The authorities continued the persecution of members of the Swaziland Transport, Communication and Allied Workers Union (SWATCAWU) for organizing national strikes in 2022 to demand improved working conditions and political reform. Trumped-up charges of contempt of court were brought against SWATCAWU and two other labour unions; and in January the Royal Eswatini Police Service issued an arrest warrant for SWATCAWU’s general secretary, Sticks Nkambule. Routine threats, intimidation and harassment by security forces led him to flee into hiding.

On 25 January, police violently repressed student protesters in the city of Manzini, and

arbitrarily detained student leaders. Two days later, two activists were injured when police used live ammunition against protesters who were delivering a petition to the Manzini police headquarters.

## **TORTURE AND OTHER ILL-TREATMENT**

Arbitrary detention remained part of the state strategy of repression. On 1 June, former MPs Mthandeni Dube and Mduduzi Bacede Mabuzo were found guilty of terrorism, sedition and murder under the 2008 Suppression of Terrorism Act. They were arrested for publicly calling for political reform during the 2021 protests and face up to 20 years in prison. While in detention during 2022, they were beaten by correctional services officers, and denied access to their lawyers and medical treatment.

The security forces arbitrarily detained and tortured political and labour activists, including Brian Sihlongonyane, a PUDEMO member, who was abducted, tortured and dumped in a forest by members of the Umbuffo Eswatini Defence Force after he led the peaceful delivery of a petition to the UN on 12 April.

In separate incidents in June and July, police detained and beat members of the Communist Party of Swaziland (CPS) before releasing them without charge. The CPS members also reported that they were subjected to torture and other ill-treatment in police custody. No investigations were carried out by the authorities into the allegations made against the security forces.

## **RIGHT TO HEALTH**

Public healthcare remained systemically under-resourced, resulting in nationwide demonstrations in June and July. Health personnel and patients protested against the government's failure to supply drugs, medical supplies, equipment, transport and fuel in public clinics and hospitals. The health minister acknowledged the crisis, and later announced that a sub-committee tasked by the cabinet had introduced strategies for the

sustainable financing and delivery of healthcare.

## **FORCED EVICTIONS**

Hundreds remained at risk of forced evictions as the government failed to reform the country's land governance system, which limits the right to security of tenure. Communities in Sigombeni and the Malkerns continued their legal challenges to evictions.

## **LGBTI PEOPLE'S RIGHTS**

Consensual same-sex sexual conduct remained a criminal offence, and discrimination against LGBTI people and organizations was widespread. In July, the Supreme Court ruled that the Registrar of Companies' refusal to register the Eswatini Sexual and Gender Minorities (ESGM) as a non-profit organization was unconstitutional. The acting minister of commerce and trade rejected the ruling citing "Roman-Dutch Law", and directed the registrar to refuse ESGM's application.

# **ETHIOPIA**

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## **Federal Democratic Republic of Ethiopia**

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**After the signing of an agreement to end hostilities, evidence of aid supplies being diverted led humanitarian agencies to temporarily suspend food aid to the Tigray region. Fresh clashes between the federal army and Amhara Fano militias erupted in the Amhara region, and human rights violations, including arbitrary arrests and detentions, were committed in this context; extrajudicial executions were carried out in the Tigray region. Women in Tigray were subjected to sexual violence. Influential groups and individuals led a campaign that culminated in a government crackdown against LGBTI people. The internet was shut down in the Amhara region. Access to social media platforms was restricted across Ethiopia, and around 30 protesters were killed. The government successfully campaigned against regional and**

**international investigative mechanisms that could have led to justice and accountability for victims and survivors of crimes under international law.**

## **BACKGROUND**

The population forcibly displaced as part of the ethnic cleansing campaign against the Tigrayan community in the Western Tigray Zone were yet to return to their homes. New waves of people displaced from the zone, which is under the administration of Amhara regional civilian and security forces, continued arriving in other parts of the Tigray region. Local media reported that 47,000 people fled in March, while in September over 1,000 people, including those from mass detention centres, fled from the zone.

Fighting escalated in the Oromia region, after peace talks between the Oromo Liberation Army and the government failed for the second time, affecting civilians in the region.

## **RIGHT TO FOOD**

In May, some six months after the Cessation of Hostilities Agreement (CoHA) was signed in November 2022, the World Food Programme (WFP) and the US Agency for International Development (USAID) announced the temporary suspension of food aid to the Tigray region. The measure was taken after agencies found evidence of supplies being diverted, allegedly by government agencies and the military. Despite announcements in November and December from USAID and the WFP of their intention to resume food distribution, reports from the region indicated that they were yet to resume distribution in full. The suspension affected more than 4 million people who were already food insecure. Reports from local health professionals and government authorities indicated that, following the suspension, hundreds of people had died from hunger in the region.

## **ARBITRARY ARRESTS AND DETENTIONS**

The government imposed a six-month nationwide state of emergency on 4 August,

following widespread armed clashes between the Ethiopian National Defence Force (ENDF) and the Fano militia in the Amhara region. The emergency law granted sweeping powers to the security forces, resulting in hundreds of people being detained and denied access to lawyers and courts. While there was evidence of further gross human rights violations emerging during the clashes, the worsening situation prevented effective communication with people in the region, making it difficult to determine the extent of the violations (see below, Freedom of expression and assembly).

## **EXTRAJUDICIAL EXECUTIONS**

Eritrean Defence Force (EDF) soldiers continued to carry out extrajudicial executions against civilians in the Tigray region for months after the CoHA was signed. They executed at least 24 civilians between November 2022 and January 2023 in the Kokob Tsihah district. In 2023, Amnesty International verified the extrajudicial executions of at least 20 civilians between 25 October and 1 November 2022 in Mariam Shewito district. However, social workers in the district had a list of more than 100 civilians executed in the same period by the EDF.<sup>1</sup>

## **SEXUAL AND GENDER-BASED VIOLENCE**

The EDF perpetrated acts of sexual violence against women between November 2022 and late January 2023 in the Kokob Tsihah district in the Tigray region. During this period, EDF soldiers held at least 15 women captive for nearly three months, until 19 January 2023, at their military camp. The women were repeatedly raped by soldiers, in a situation that amounted to sexual slavery. In addition, they endured other physical and psychological abuse, and deprivation of essential resources like food, water and medical services.

The EDF also subjected women held captive in their homes in the same district to gang-rape and rape. Survivors, social workers and local officials said the EDF targeted these women based on suspicions that their

husbands, sons or other male relatives were associated with the Tigrayan forces.

Local civil society organizations and media reported multiple cases of abduction for forced marriage. The abduction of Tsega Belachew, an accountant in a bank, was among those cases that received national attention, including on social media. She was abducted on 23 May by a bodyguard of the mayor of Hawassa in the Sidama region and held for nine days before being released.

## LGBTI PEOPLE'S RIGHTS

An on- and offline campaign against LGBTI people was launched by social media influencers, religious leaders and popular artists. It culminated in early August with the authorities in the capital, Addis Ababa, raiding hotels, bars and entertainment centres they alleged were allowing “gay sexual activities” to take place. LGBTI people in Addis Ababa reported beatings after social media posts identifying them were circulated.

LGBTI rights defenders accused social media platforms, particularly TikTok, of failing to act against content that incited violence against people based on their sexuality or gender identity.

Consensual same-sex sexual relations continued to be criminalized and to carry a prison sentence of up to 10 years.

## FREEDOM OF EXPRESSION AND ASSEMBLY

The communication blackout, imposed by the federal authorities in the Western Tigray Zone, persisted for a third year. On 3 August, as a result of the clashes in the Amhara region, the authorities suspended internet access there, while some parts of the region faced a complete communication blackout. This continued to the end of the year.

On 9 February, following tensions caused by a disagreement within Ethiopia's orthodox church, at least 30 protesters were killed by security forces in the city of Shashamane in the Oromia region, according to the Ethiopian Orthodox Tewahedo Church. At the same time, the authorities banned members of church factions involved in the disagreement

from holding rallies and restricted access to social media until 17 July.

## IMPUNITY

The government continued to fail to investigate and prosecute alleged perpetrators of crimes under international law in open proceedings. Following a campaign by the Ethiopian government against justice and accountability efforts, the African Commission on Human and Peoples' Rights terminated the mandate of the Commission of Inquiry into the situation in the Tigray Region in May. The Commission of Inquiry never published a report on its findings or communicated the fate of the evidence it gathered to victims, survivors or the public. The government tried to garner support to prematurely terminate the mandate of the UN International Commission of Human Rights Experts on Ethiopia (ICHREE) in March. In September, however, the ICHREE published its report which concluded, among other things, that “the current situation across [Ethiopia]... continues to bear hallmarked risks of future atrocity crimes”. Despite the report's findings, member states at the UN Human Rights Council failed to table a resolution to renew the ICHREE's mandate.

Meanwhile, the government held consultations on a policy proposal for transitional justice, a process that focuses on reconciliation rather than justice and accountability for the victims and survivors.

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1. *Ethiopia: “Today or Tomorrow, They Should Be Brought Before Justice”: Rape, Sexual Slavery, Extrajudicial Executions, and Pillage by Eritrean Defence Forces, 4 September*

## FII

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### Republic of Fiji

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**A law restricting the media was repealed but other legislation limiting the rights to freedom of expression and peaceful assembly remained. Women were under-represented in public office although legal**



**obstacles to voting for married women were removed. Migrant workers remained vulnerable to exploitation.**

## **BACKGROUND**

The new government – elected in December 2022 in the first change of government since the 2006 coup – entered its first year in office.

## **FREEDOM OF EXPRESSION AND ASSEMBLY**

In April, parliament repealed the Media Industry Development Act (2010), under which journalists and media outlets faced fines or imprisonment for publishing information “against the national interest”. However, the Public Order Act, sedition provisions of the Crimes Act and other restrictive laws remained in place.

Police took a restrictive approach to policing protests, but the government showed increased respect for the right to peaceful assembly. On 25 August, police prevented members of the Fiji First political party from joining a peaceful protest against the release by Japan of Fukushima nuclear wastewater into the Pacific Ocean. In March, police attempted to block a “Reclaim the Night” march in support of ending violence against women. The march took place following ministerial intervention.

In July, the High Court dismissed on appeal the conviction of lawyer Richard Naidu who was found guilty in 2022 of contempt of court for publicly highlighting a spelling error in a court judgment.

In February, the opposition leader, former prime minister Frank Bainimarama, resigned from parliament after being suspended for criticizing the newly elected prime minister and president. In October, Frank Bainimarama and former police commissioner Sitiveni Qiliho were acquitted of charges of perverting the course of justice and abuse of power respectively for allegedly interfering in police investigations into complaints in 2020 about financial mismanagement at the University of the South Pacific.

## **DISCRIMINATION**

In May, parliament repealed an amendment to the Electoral Act removing the requirement that women who wished to vote under their married name must first apply for their name to be changed on their birth certificate.

Despite commitments by the new government to increase the representation of women in public office, the Fiji Women’s Rights Movement (FWRM) found that women’s representation on State boards and commissions was unchanged from 2020 at 20%. Women held just 10% of parliamentary seats in 2023.

The Fiji Women’s Crisis Centre (FWCC) recorded increased reports of rape to their organization compared to 2022.

## **RIGHT TO A HEALTHY ENVIRONMENT**

In a case brought by representatives of Indigenous People from Malolo island, the High Court found in April that the China-linked company Freesoul Real Estate Development was liable for civil damages for the illegal destruction of reefs and mangroves for which the company was fined in 2022.

## **MIGRANTS’ RIGHTS**

In September, authorities revoked the visas of seven South Korean nationals with leadership positions in the Grace Road company where allegations of mistreatment of migrant workers had been reported since 2018. The group, which operates a church and owns restaurants and other businesses in Fiji, employs around 400 workers from South Korea. According to media reports, the migrant workers were subjected to abuse and exploitation including non-payment of wages, the withholding of passports and physical assaults. Two of the seven were deported.

# **FINLAND**

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## **Republic of Finland**

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**Public healthcare services were inadequately resourced. A new law made abortion available on request up to 12**

**weeks of pregnancy. The government introduced cuts to social security. There were inconsistencies in the policing of protests. Measures to phase out fossil fuels remained inadequate. Legal gender recognition became available to transgender adults but not children and adolescents. The government announced plans to tighten immigration policies.**

## **RIGHT TO HEALTH**

Inadequate provision in public primary healthcare meant that people reliant on it faced barriers to accessing services, while those with access to occupational and private healthcare systems did not face similar obstacles.<sup>1</sup>

In June, the government announced plans to seek significant savings from public healthcare funding. The government also announced that it would raise healthcare user fees and tax on medicines.<sup>2</sup>

The government proposed removing the right to necessary healthcare from people residing in Finland without legal status.

In September, a law entered into force allowing abortion upon request in the first 12 weeks of pregnancy.

## **RIGHT TO SOCIAL SECURITY**

In December, the parliament adopted significant and widespread cuts to social security. According to legislative proposals, the government expected an increased risk of eviction and food insecurity as a result. The cuts were predicted to affect many already at-risk groups, including women, migrants, people with disabilities and families with children.

## **FREEDOM OF ASSEMBLY**

Police dispersed a number of protests that were disrupting traffic. There were regional inconsistencies in the policing of protests. Police failed to protect protesters, including from aggressive driving, in Kuusankoski and Jyväskylä in May and August, respectively.

In February, police unlawfully prohibited filming during a protest in Aalstunturi and in front of the Turkish embassy in Helsinki,

where a photojournalist was detained and his camera memory card confiscated. In August, at least one protester was arbitrarily detained in Jyväskylä.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Measures to equitably phase out fossil fuels and to conserve and enhance forests and other carbon sinks remained inadequate to achieve the government's aim of carbon neutrality by 2035. Biodiversity continued to decline because of intensive forestry and other land use. Finland increased climate finance to developing countries.

## **LGBTI PEOPLE'S RIGHTS**

In April, a law came into force making legal gender recognition available to transgender adults upon written application. No system was introduced for children and adolescents.<sup>3</sup> In November, civil society groups criticized the government for the lack of specific measures to advance LGBTI rights; discrimination against trans and intersex people remained widespread.

## **REFUGEES' AND MIGRANTS' RIGHTS**

The 2023 government programme confirmed extensive support to Ukrainian refugees. At the same time, it introduced plans to tighten immigration and asylum policies, including for people seeking protection from other parts of the world. These included making international protection temporary, preventing asylum seekers from applying for work-based residence permits, increasing the use of immigration detention, and tightening requirements for family reunification, permanent residency and citizenship.

Problems with submitting asylum claims were reported, particularly by people who had obtained residence permits on other grounds.

Claiming to act in response to an alleged attempt by Russia to "instrumentalize" migration movements, in November the government gradually closed all crossing points at the Russian border and they remained closed at the end of the year.

## INDIGENOUS PEOPLES' RIGHTS

In December, the government introduced a bill to reform the Act on the Sámi Parliament to enhance the protection of the rights of Sámi people. The proposal was the fourth attempt to reform the law, following failures during three previous government terms.

1. "Finland: 'I know I won't get help': Inequality of healthcare in Finland", 13 June
2. "Finland: Submission to the UN Committee on Economic, Social and Cultural Rights 74th Session, 25 September – 13 October 2023, Follow-up", 23 August
3. "Finland: New gender recognition law 'a major step towards protecting trans rights'", 1 February

## FRANCE

### French Republic

**Systemic racism and religious discrimination persisted, including against Muslim women and girls. Racial profiling continued with impunity. Excessive restrictions on protests and excessive use of force by police continued. Mass protests and unrest followed the killing of a 17-year-old boy of Algerian descent by police at a traffic stop. Racist, xenophobic and anti-LGBTI vandalism and violent attacks were frequently reported.**

**Parliament passed highly controversial new laws authorizing the use of mass video surveillance technology by law enforcement and introducing discriminatory immigration, nationality and asylum restrictions.**

## DISCRIMINATION

In January, the government launched its four-year National Plan Combating Racism, Antisemitism and Discrimination Linked to Origin, which failed to acknowledge or tackle institutional and systemic racism.

In June, OHCHR, the UN human rights office, urged the government to "seriously address the deep issues of racism and discrimination in law enforcement". The CERD Committee called on France to tackle "the structural and systemic causes of racial

discrimination, including in law enforcement, in particular in the police".

In October, France's highest administrative authority, the Council of State (Conseil d'État), acknowledged the practice of discriminatory police checks against Black and Arab men and boys but proposed no action.

Throughout the year, mosques, synagogues and cemeteries were subjected to racist attacks, often being vandalized with racist symbols and messaging promoting extremist political groups. After the escalation of violence in Israel and occupied Gaza, reports of attacks increased as schools and walls were defaced with Nazi and antisemitic symbols.

The CEDAW Committee expressed concern about persistent discriminatory stereotypes and high unemployment rates among undocumented migrant women, women belonging to ethnic or religious minorities, women with disabilities and older women.

### MUSLIM WOMEN AND GIRLS

Ignoring the recommendation of the Public Rapporteur, the Council of State ruled that the French Football Federation could maintain a discriminatory policy effectively prohibiting Muslim women and girl players who wore religious headgear from competing. In October, 69 teams called for the repeal of the French Federation for Basketball's discriminatory ban on the participation of women and girls wearing religious headgear.

In September, the minister for sports said in an interview that women wearing religious headgear could not represent France at the 2024 Paris Olympics. OHCHR criticized this decision, stating: "No one should impose on a woman what she needs to wear or not wear", and warning of the harmful consequences of such discriminatory practices.

In August, the minister for education sent an official bulletin to school directors prohibiting the wearing of *abayas* and *qamis* in all state schools. The bulletin failed to define these terms, despite their application to a range of loose-fitting clothing. Police were stationed outside some schools and,

within a week of the ban, scores of Muslim girls were refused entry, breaching their rights to education and non-discrimination.

### **LGBTI PEOPLE**

LGBTI groups signalled an increase in anti-LGBTI violence, with LGBTI community centres across mainland France and in overseas territories subjected to attacks and vandalism.

### **UNLAWFUL ATTACKS AND KILLINGS**

France's legal framework regarding the use of lethal force and firearms by law enforcement fell short of international human rights law and standards.

In June, a police officer shot and unlawfully killed a 17-year-old French child of Algerian descent, Nahel M, during a traffic stop. The killing sparked widespread outrage about lethal force, impunity and systemic racism in French law enforcement. Large-scale protests and unrest followed. In some areas, military units were deployed alongside law enforcement. At least 32 investigations were launched into incidents of excessive force by law enforcement during subsequent protests and unrest. Delivery driver Mohamed Bendriss was killed, and scores of people were seriously injured, some suffering permanent mutilation, after being struck with less lethal weapons.

There was no progress towards securing justice for the killing of Algerian national Zineb Redouane, who died after she was struck by a tear gas canister fired by police during a protest outside her apartment in December 2018.

### **FREEDOM OF ASSEMBLY**

Authorities repeatedly resorted to excessive, disproportionate and illegitimate restrictions on protests. Protesters were frequently subjected to arbitrary arrests and fines as well as confiscation of safety equipment, protest banners, pots, pans and amplifiers.

Local authorities often pre-emptively banned protests citing "public order" risks, without considering alternative options to facilitate peaceful assembly. In April, a Paris administrative tribunal overturned the latest

in a series of sweeping banning orders declaring it a "manifestly illegal infringement of the right to protest ... not necessary or proportionate to the preservation of public order".

In July, the administrative court of Cergy-Pontoise upheld a "public order" ban on a gathering to commemorate the anniversary of the death in custody of Adama Traoré. Police carried out violent arrests, and seriously injured Youssouf Traoré, brother of the late Adama. The court upheld the banning of a subsequent protest against police violence and systemic racism, again citing public order risks in the wake of widespread disturbances following the killing of Nahel M.

In October, the minister of the interior issued a memo calling on local authorities to pre-emptively ban all Palestine solidarity protests, a disproportionate and discriminatory attack on the right to peaceful assembly. The ban was challenged before the Council of State, which determined that local authorities should judge public order risks on a case-by-case basis.

Dispersal of protests using force, including indiscriminate baton strikes, was often a tactic of first resort. In March, the Council of Europe Commissioner for Human Rights expressed concern about excessive force and the arbitrary arrest and detention of protesters and bystanders. The UN Special Rapporteur for Environmental Defenders condemned the "disproportionate" law enforcement response to an environmental protest in Sainte-Soline, which had caused many injuries. One protester required neurological treatment after being placed in a month-long induced coma and spending six weeks in intensive care.

In June, UN rights experts expressed concern about excessive use of force against protesters, journalists and bystanders at pension reform and climate protests, including the use of stun grenades and tear gas, and the firing of rubber bullets from moving vehicles.

The Parliamentary Assembly of the Council of Europe expressed alarm at the injuries

suffered by protesters, and urged reform of law enforcement accountability mechanisms.

The European Court of Human Rights opened an investigation into alleged torture and other ill-treatment endured by Laurent Théron, who had lost vision in one eye due to a stun grenade thrown by a police officer in a 2016 protest.

In Mayotte, law enforcement officers unlawfully fired live ammunition towards the ground to disperse crowds during protests and unrest at the expulsion of undocumented migrants.

## **FREEDOM OF ASSOCIATION**

The Council of State annulled the government's dissolution of environmental activist group Uprisings of the Earth, citing the need to respect the right to freedom of association. Members of the group had been labelled "eco terrorists" by the interior minister.

During a parliamentary hearing in April, after the national Human Rights League had denounced excessive use of force by law enforcement, the interior minister suggested that the group's funding should be scrutinized.

## **MASS SURVEILLANCE**

Under the premise of hosting the Paris 2024 Olympic Games, parliament passed a new law authorizing the use by law enforcement of mass video surveillance technology powered by artificial intelligence.<sup>1</sup> Following widespread condemnation by civil society over the threat to privacy, non-discrimination and other rights, in November the Constitutional Court ruled unlawful the Ministry of Justice's expanded surveillance powers enabling remote activation of electronic devices to capture sound and image. It did, however, approve remote activation for geolocation.

## **UNFAIR TRIALS**

In April, Hassan Diab was convicted in his absence for the 1980 bombing of the Rue Copernic synagogue. The conviction went ahead despite calls from human rights

organizations for charges to be dropped on fair trial grounds and due to major irregularities in the decades-long pursuit of Hassan Diab.<sup>2</sup>

## **CRUEL, INHUMAN OR DEGRADING TREATMENT**

The UN Committee Against Torture again raised concern over France's refusals and delays in repatriating French national women and children held in prison-like conditions in camps in north-east Syria.

## **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

After initial votes in favour in parliament, the president reaffirmed his support for enshrining "the freedom to access abortion" in the constitution in 2024. The UN Committee on Economic, Social and Cultural Rights highlighted the severe inequalities between metropolitan France and "overseas territories", requesting that France address the "recurring problem of access to water in Mayotte and Guadeloupe".

### **CHILDREN'S RIGHTS**

In June, the UN Committee on the Rights of the Child raised concerns over the increasing number of children and families living in poverty.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

The Court of Cassation recognized universal jurisdiction in the French justice system in relation to two cases concerning war crimes committed in Syria. In October, parliament adopted a legislative amendment which would partially ease requirements for prosecutions of international crimes such as war crimes, crimes against humanity and genocide.

## **RIGHT TO A HEALTHY ENVIRONMENT**

In June, independent advisory body the High Council on Climate reported that France was not making sufficient progress towards its carbon neutrality goal.

In October, The Guardian newspaper published a report concluding that French

banks were the most prolific financiers of the biggest fossil fuel extraction projects in the world.

The government published its new Ecological Planning Strategy, including a pledge to end coal power use by 2027 having failed to meet its initial 2022 target.

In November, the Council of State again fined the government for failing to adequately tackle air pollution.

## REFUGEES' AND MIGRANTS' RIGHTS

Parliament approved a discriminatory, xenophobic “immigration control” law, which the Defender of Rights and National Commission for Human Rights had called to be rejected on human rights grounds. The law expanded administrative powers to detain and expel foreign nationals deemed a “threat to public order” or to have failed to “respect republican values”, regardless of residency status and without precise criteria. It also undermined the right to family life, housing and health and re-criminalized “irregular” residency, an offence previously abolished in 2012.

Barriers to residency renewal, regularization and appeal rights made the position of migrants more precarious, while diminishing judicial expertise at asylum courts reduced access to justice for asylum seekers. The practice of administrative detention for children was retained in Mayotte. Challenges to multiple provisions of the new law were brought before the Constitutional Council in December.

Throughout the year, France issued expulsion orders to, and detained citizens from, countries where a forced return could amount to refoulement, including Syria, Iran, Sudan, Afghanistan and Haiti.

In November, the interior minister ordered the deportation of an Uzbek national, “Mr A”, disregarding a European Court of Human Rights decision prohibiting his expulsion due to risk of torture. In December, the Council of State denounced the deportation and instructed the government to take all necessary action to ensure Mr A's return to France.

In February, the UN Committee on the Rights of the Child expressed deep concern about the detention of asylum-seeking families with children as well as unaccompanied children. It also criticized inhumane accommodation and age-testing methods.

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1. “France: Intrusive Olympics surveillance technologies could usher in a dystopian future”, 20 March
  2. “France: Resumption of baseless and flawed Hassan Diab prosecution undermines effective justice for victims of 1980 synagogue bomb attack”, 15 March

## GAMBIA

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### Republic of the Gambia

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**Despite significant progress in the realization of the right to truth, justice and reparation for the massive human rights violations committed during the Yahya Jammeh presidency, there were delays in providing access to justice and adequate reparations to victims. Draconian laws continued to threaten human rights, including the right to freedom of expression and media freedom. A national law to prevent and punish the use of torture was passed. The ban on female genital mutilation was not effectively enforced. Court proceedings started into the deaths in 2022 of more than 60 children after ingesting a cough syrup. The right to a healthy environment was threatened by overfishing and fishmeal factories.**

## BACKGROUND

The year saw judicial cases linked to crimes committed during the 22-year rule of former president Yahya Jammeh. In April, Ousman Sonko, former minister in Yahya Jammeh's government, was charged in a federal court in Switzerland for crimes against humanity, including participating, ordering, facilitating and/or failing to prevent murders, acts of torture, rapes and illegal detention. Another trial of an alleged former *jungler* (member of a paramilitary death squad) continued in

Germany for his suspected involvement in the killings of about 55 West African migrants in July 2005. In December, the National Assembly passed the anti-corruption bill.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

In April, a study commissioned by Journalists for Justice, a not-for-profit organization, highlighted shortcomings in the Truth, Reconciliation and Reparations Commission (TRRC)'s reparation programme, including lack of communication, a limited definition of "victim", the exclusion of some survivors of sexual and gender-based violence, and inadequate monetary compensation. The study notably echoed the concerns of a victims-led organization and the findings of a 2022 report by several NGOs, including the International Center for Transitional Justice on reparations for survivors of sexual and gender-based violence in Gambia.

In May, the government issued an implementation plan for the TRRC's recommendations and announced that the EU had pledged EUR 9 million to help Gambia in the transitional justice process in partnership with the UN Development Programme, which would provide technical support. The implementation plan provided for the creation of a Special Prosecutor's Office and a hybrid court in collaboration with ECOWAS "to try those with the greatest responsibility". In July, the government stated that it would establish a taskforce, which would include members of civil society, to expand the work already done by the TRRC on enforced disappearance.

In July, the ECOWAS Court of Justice ruled that Gambia had violated the right to life of Saul Ndow, a critic of Yahya Jammeh's government – who was subjected to enforced disappearance – and that despite the establishment of the TRRC, the almost 10-year delay in prosecuting those suspected to be responsible was unreasonable. The court also ordered the government to implement the TRRC's recommendations.

## **FREEDOM OF EXPRESSION**

According to the World Press Freedom Index of Reporters Without Borders, Gambia ranked 46<sup>th</sup> in the world and fifth in Africa in 2023. The organization noted that the country had made progress but also called on the government to abolish draconian media laws which continued to restrict the right to freedom of expression and media freedom. Section 51 of the Criminal Code Act, for example, criminalizes sedition against the president, and section 59 creates the vague offence of publishing false news with intent to "cause fear and alarm to the public", punishable by two years' imprisonment.

In June, the Gambian Press Union condemned the assault on two journalists at a political event and called on the police to investigate the incident and end the cycle of impunity. According to the organization, none of the 15 cases of assault on journalists they had recorded from 2017 to 2022 had been investigated.

## **TORTURE AND OTHER ILL-TREATMENT**

In March, the Prevention against Torture Act was passed by the National Assembly. The law aimed to prevent, and ensure accountability for, acts of torture and other ill-treatment.

## **WOMEN'S AND GIRLS' RIGHTS**

The Sexual Offences Act continued to exclude marital rape as an offence, despite previous calls by human rights activists to criminalize it.

In March, the head of the UN reproductive and sexual health agency stated that one in every two young girls in Gambia had undergone female genital mutilation, and that despite the fact that it was outlawed in 2015, there had been little enforcement, with only two cases going to trial and no convictions. She also noted that period poverty – the inability to pay for menstrual hygiene products – was rife throughout the country, particularly in rural areas. In August, three women were sentenced by a magistrate's court in the Central River Region to a fine of

15,000 dalasis (USD 223) or a year in jail, for carrying out female genital mutilation on eight girls. This was the first ever conviction for female genital mutilation in Gambia.

A project led by the International Fund for Agricultural Development was implemented during the year to increase women's access to land. The initial data collected between the end of 2022 and the beginning of 2023 revealed that although Gambian laws grant women equal ownership rights, there is often confusion between customary practices and legal systems, to the detriment of women.

A report issued by the Gender Management Information System revealed that between January and July, Gambia registered 117 cases of rape and 310 cases of gender-based violence.

## RIGHT TO HEALTH

In October, the case initiated by 19 families against the Ministry of Health, the Attorney General, the Medicines Control Agency and an Indian pharmaceutical company, went to trial after a cough syrup allegedly killed more than 60 children in 2022. After discovering that the medicines were not registered with the agency – as required by law – the government fired two of its executives, and stated that it was considering legal action against the Indian pharmaceutical company.

## RIGHT TO A HEALTHY ENVIRONMENT

The government set up a USD 25 million programme named “PROREFISH Gambia” to reinforce climate resilience in the fishing sector. Its implementation was planned for the 2023 to 2029 period in partnership with the Food and Agricultural Organization, the Ministry of Agriculture and the Ministry of Fisheries and Water Resources.

In May, Amnesty International published a report highlighting the negative impact of overfishing on socio-economic and environmental rights in the coastal town of Sanyang, including by foreign industrial trawlers and a fishmeal factory based there.<sup>1</sup>

1. *Gambia: The Human Cost of Overfishing*, 31 May

# GEORGIA

## Georgia

**Freedom of expression came under attack. Law enforcement officials used unnecessary and excessive force to break up peaceful protests. Selective justice and politically motivated prosecution of government opponents persisted. Police failed to adequately protect a Pride event. Violence against women and girls remained commonplace. Reports of arbitrary detentions of civilians in the breakaway territories persisted.**

## BACKGROUND

The ruling party continued to consolidate power, attempting to restrict freedoms and undermine civil society through various actions, including proposing legislation resembling the Russian “foreign agent” law.

Georgia's political divide and public protests intensified as the government's commitment to EU membership was increasingly questioned in view of growing ties with Russia and an increase in anti-Western rhetoric. In November, underscoring popular support, the European Commission recommended granting Georgia EU candidate country status, conditional on, among other things, improving the rule of law, addressing political polarization and strengthening judicial independence. This status was granted in December.

Migration from Russia following its full-scale invasion of Ukraine continued to contribute to spiralling inflation, a cost-of-living increase and economic inequality.

## FREEDOM OF EXPRESSION

The right to freedom of expression came under increased attack, especially following widespread demonstrations in March, which forced the government to recall the draft Law on Transparency of Foreign Influence targeting independent, foreign-funded organizations and media outlets as foreign agents of influence.



In April, parliament used newly adopted amendments to the parliamentary code of conduct for media, which require the consent of MPs for interviews, to suspend the accreditations of six journalists, reportedly in retaliation for their critical questions.

Human rights defenders and other civil society actors reported increased threats, smears and harassment for criticizing the government, as well as risks to physical safety. In July, at least six government critics reported being subjected to physical attacks that appeared coordinated. The attacks were publicly condoned by senior ruling party members. On 17 June, students protesting at Tbilisi State University during a lecture by the ruling party chair were reportedly beaten by a group of government supporters. One of the students described being threatened by a police officer with a gun while in hospital. An investigation into the incident was pending at year's end.

In October, several activists who took part in a training run by the NGO Center for Applied Nonviolent Actions and Strategies, were called in for questioning by the security services, who claimed that the trainers were orchestrating the violent overthrow of the government. The organizers and the UN Special Rapporteur on the situation of human rights defenders dismissed the allegation as groundless and an attempt to smear civil society.

## **FREEDOM OF ASSEMBLY**

The authorities increasingly used unnecessary and disproportionate force to break up peaceful protests and introduced new restrictive measures, particularly after widespread protests against the draft bill on transparency of foreign influence. By contrast, violent groups attacking members of the political opposition and the LGBTI community at Pride events, largely enjoyed impunity and were undeterred by police. On 17 October, the president vetoed an amendment to the Law on Assemblies and Demonstrations which would have prohibited protesters from erecting “temporary constructions” deemed “not essential” to the

gathering, thereby placing undue restrictions on freedom of assembly.

During the largely peaceful protests against the bill on transparency of foreign influence, on 2 March police broke up a rally and arrested 36 people on administrative charges, including two journalists covering the demonstration. On 7-8 March police used tear gas and water cannons without prior warning against thousands protesting in front of parliament, arresting 146 on administrative charges. Dozens were fined between GEL 500 (USD 190) and GEL 2,000 (USD 750) for petty hooliganism or disobeying police. At least one protester, Lazare Grigoriadis, was held in pretrial detention on charges of violence against police. Parliament withdrew the bill on 10 March.

On 2 June, seven activists conducting a peaceful sit-in in front of parliament, holding banners and blank pieces of paper, were arrested by police, denied contact with their families or lawyers, and fined up to GEL 2,000 (USD 750) for hooliganism and disobeying police.

## **UNFAIR TRIALS**

The judicial system continued to experience what local NGOs described as a crisis of legitimacy and trust as concerns regarding selective justice and politically motivated prosecutions persisted. On 5 April, the US Department of State sanctioned four senior Georgian judges for corruption, abusing their position and undermining the judicial system.

The trial of former president Mikheil Saakashvili, imprisoned on charges including corruption and abuse of power, continued. On 6 February, a court ruled against his release on humanitarian grounds, despite his severely deteriorating health and reported lack of adequate medical care.

On 23 June Nika Gvaramia, co-founder of the pro-opposition Mtavari TV, was released by presidential pardon. He had been sentenced to three years and six months' imprisonment on groundless charges of abuse of power. A week prior, the Supreme Court had rejected his appeal.

On 29 September, a court remanded in prison Lazare Grigoriadis (see above, Freedom of assembly) on charges dating to 2021, shortly before the legal limit for his pretrial detention in relation to the March protests was due to expire. Following his arrest on 29 March, senior government figures repeatedly referred to him as a criminal and made derogatory comments regarding his appearance and perceived sexual orientation.

## LGBTI PEOPLE'S RIGHTS

Anti-LGBTI propaganda by government officials and their supporters intensified, and police failed to adequately protect LGBTI rallies from violent protesters.

On 8 July, approximately 2,000 anti-LGBTI protesters stormed a private Pride event in Tbilisi, destroying and looting property, vandalizing the stage and setting fire to rainbow flags and placards. The police present at the scene failed to take action to prevent these violent disruptions.

## WOMEN'S RIGHTS

Violence against women remained common, including femicide and other forms of gender-based violence. On 15 June, in the case of *Gaidukevich v. Georgia*, the European Court of Human Rights found that the government had violated the right to life and the prohibition of discrimination by failing to protect a victim of domestic violence, including by not conducting an effective investigation into her presumed suicide.

Violence against women in politics remained widespread, with a new UN study finding that the government failed to address the problem despite its prevalence and severity. Women in politics continued to face sexist, misogynistic expressions and gender-based discrimination against political opponents, especially by senior members of the ruling party.

## RIGHT TO A HEALTHY ENVIRONMENT

The government published its Long-Term Low Emission Development Strategy committing Georgia to “climate neutrality” by 2050.

## ABKHAZIA AND SOUTH OSSETIA/ TSKHINVALI REGION

Freedom of movement continued to be restricted between government-controlled territory and the breakaway regions of Abkhazia and South Ossetia. Reports of killings, arbitrary detention and ill-treatment of civilians by the de facto authorities of the breakaway regions persisted. On 6 November, one man was shot dead and another detained by Russian troops while visiting a church along the South Ossetia administrative boundary line.

### TORTURE AND OTHER ILL-TREATMENT

The health of Irakli Bebuga, an ethnic Georgian resident of Gali serving nine years' imprisonment for burning the Abkhaz flag, reportedly deteriorated to a critical level due to chronic diseases and lack of adequate healthcare in detention. At least seven people continued to be held in arbitrary detention in substandard conditions by the de facto authorities of the breakaway regions.

# GERMANY

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## Federal Republic of Germany

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**Accountability for discriminatory abuses by police was hampered by the lack of effective independent complaints mechanisms. Several protests in solidarity with the rights of Palestinians were banned pre-emptively. Cases of administrative detention against climate activists gave rise to multiple human rights concerns. Politically motivated raids and physical attacks at refugee reception centres increased significantly. A court found the government in breach of the Climate Protection Act.**

## DISCRIMINATION

In May, the Federal Ministry of the Interior reported that hate crimes in the previous year had reached the highest number recorded. Every day, around seven antisemitic hate crimes were committed. Increases included hate crimes against Roma people (33%), and

those based on sexual orientation (15%), racism (14%), xenophobia (13%) and “hostility towards foreigners” (9%), with the latter three remaining the most common in absolute terms. According to the report of the Independent Expert Group on Anti-Muslim Sentiment presented in June, anti-Muslim racism was widespread across German society. Following the Hamas attacks in Israel on 7 October, and the subsequent Israeli bombardment and ground invasion of Gaza, civil society organizations reported a rise in antisemitic attacks against Jewish individuals and institutions as well as racist attacks against Muslims.

In October, a study by the Fundamental Rights Agency found that Germany was one of the top two countries in the EU where people of African descent experienced racial discrimination. A research project funded by the German Research Foundation found that 33% of respondents felt they had been discriminated against during interactions with police. Marginalized groups such as racialized people, LGBTI+ people and homeless people were at particular risk of discrimination and less likely to make complaints.

The Council of Europe decided to use enhanced supervision for the judgment on *Basu v. Germany* concerning inadequate investigations into allegations of racial profiling. The lack of effective, independent complaints mechanisms and mandatory identification badges for police at federal and state levels continued to hamper investigations into allegations of human rights violations by police.

### **LGBTI PEOPLE**

In March, an amendment to the Transfusion Act was passed, abolishing the discriminatory exclusion of gay and bisexual men as well as transgender people from blood donation. Parliament discussed a new Self-Determination Act enabling trans, non-binary and intersex people to obtain legal gender recognition by making a simple declaration at the registry office.

### **GENDER-BASED VIOLENCE**

According to figures presented by the Federal Criminal Police Office in July, more cases of gender-based violence were registered in 2022 than in the previous five years. Every hour, more than 14 women were victims of intimate partner violence. Almost every day, a partner or ex-partner tried to kill a woman.

From 1 October, motives based on gender or sexual orientation were explicitly included in the Criminal Code as aggravating factors for all crimes.

### **FREEDOM OF ASSEMBLY**

In May, the Berlin Assembly Authorities preemptively imposed blanket bans on protests in solidarity with the rights of Palestinians around the Nakba Remembrance Day in violation of the right to peaceful assembly. The grounds for the bans also violated the right to non-discrimination as they were based on stigmatizing and racist stereotypes of people perceived as Arab or Muslim. Also, after 7 October, numerous protests in solidarity with Palestinians were preemptively banned. There were media reports of unnecessary and excessive use of force by police, hundreds of arrests and increased racial profiling of people perceived as Arab or Muslim in the context of these protests.

Ahead of the international automotive fair in September, at least 27 climate activists were placed in preventative detention for up to 30 days under Section 17 of the Bavarian Police Tasks Act, allowing the police to request detention without concrete suspicion of a crime or initiating a criminal proceeding.

There were several media reports of excessive use of force in policing peaceful protests, including pain compliance holds as a means of dispersing climate activists blocking streets.

Public Prosecutor's Offices in two federal states investigated climate activist groups under Section 129 of the Criminal Code, accusing them of forming a criminal organization. These investigations involved extensive search and surveillance measures, including the interception of a press telephone and the confiscation of personal

data from support groups, creating a chilling effect on peaceful protest.

## **FREEDOM OF EXPRESSION**

After 7 October, a number of different restrictions on freedom of expression were imposed, particularly against those expressing solidarity with Palestinians. In November, the federal Ministry of Interior banned the phrase “from the river to the sea” as a symbol of Hamas, despite the slogan historically being used with a variety of different connotations and by different actors.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

In February, seven UN Special Rapporteurs expressed grave concerns at the alleged “lack of effective reparative measures afforded” to Ovaherero and Nama peoples in Germany’s former colony of “Southwest Africa” (now Namibia), including lack of “an unqualified recognition of the genocide committed” against them during colonization between 1904 and 1908.

## **REFUGEES’ AND MIGRANTS’ RIGHTS**

Some 1.1 million people from Ukraine were residing in Germany, of whom around 900,000 held a resident permit under the Temporary Protection Directive. Germany launched a humanitarian admissions programme for Afghans at risk in October 2022, which was originally designed to admit 1,000 individuals per month, but only 94 Afghan nationals had been transferred to Germany by the end of the year.

Politically motivated raids, assaults, vandalism and physical attacks on refugee reception centres increased significantly compared to 2022. The majority of the attacks were allegedly committed by far-right suspects. Family reunification procedures for refugees in Germany continued to be slow, leaving many families still separated after years apart.

Family reunification for subsidiary protection holders was subject to quotas and under the administration’s discretion.

## **RIGHT TO PRIVACY**

In February, the Federal Constitutional Court set high thresholds for the use of automated data analysis in police operations, ruling that it interfered with the right of the individual to make decisions based on informed consent concerning the communication of personal data to others.

## **CORPORATE ACCOUNTABILITY**

On 1 January, the Corporate Due Diligence Obligations in Supply Chains Act entered into force, creating binding obligations on enterprises to respect human rights. The law applied only to enterprises with 3,000 or more employees, to be extended to those with 1,000 employees from 2024. The law created no civil liability for violations.

## **SEXUAL AND REPRODUCTIVE RIGHTS**

A commission was instituted in March to discuss “reproductive self-determination and reproductive medicine”. However, despite the urging of the CEDAW Committee in May, no changes were proposed to fully decriminalize abortion to bring it into line with international human rights standards and the new WHO guidelines.

## **RIGHT TO A HEALTHY ENVIRONMENT**

In June, the cabinet approved a legislative proposal to amend the Federal Climate Protection Act. This would abolish binding emission reduction goals for each economic sector and requirement for the adoption of emergency programmes if these were not met. A ruling by the Berlin-Brandenburg Higher Regional Administrative Court in November confirmed that emissions budgets in the transport and building sectors were not met in 2021 or 2022.

Despite Germany’s self-imposed obligation to end the international financial support of fossil fuels projects by the end of 2022, state-owned development banks approved international finance for at least three projects in 2023.

## ECONOMIC, SOCIAL AND CULTURAL RIGHTS

In April, Germany ratified the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. As a result, from 20 July, individual complaints could be submitted to the Committee on the Covenant.

### IRRESPONSIBLE ARMS TRANSFERS

The government introduced “general licences” for the export of certain military equipment and dual-use goods. These replaced the making of decisions on a case-by-case basis, further reducing transparency and potentially facilitating irresponsible exports.

Despite mounting evidence of war crimes by the Israeli army in the occupied Gaza Strip, Germany continued to grant licences for the export of military equipment to Israel. Germany also licensed arms transfers posing a high risk to human rights and international humanitarian law to Saudi Arabia and the UAE.

## GHANA

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### Republic of Ghana

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**The president declined to sign into law a bill passed in parliament to proscribe accusations of witchcraft. A bill to further criminalize LGBTI people progressed in parliament. A partial abolition of the death penalty was revoked. The rights to freedom of expression and peaceful assembly continued to be threatened, and authorities used excessive force to disperse protests. The right to health of pregnant women was threatened by lack of access to medical facilities. Environmental activists decried the pollution generated by second-hand clothing imports.**

### BACKGROUND

The year was marked by high costs of living and food inflation amid growing national debt. In May, the International Monetary

Fund approved a three-year, USD 3 billion programme for Ghana with an immediate disbursement of USD 600 million. The rest was contingent on Ghana following through with commitments to restructure its domestic and external debts, cut spending and make fiscal adjustments, thus raising concerns about potential impacts on economic and social rights. The inflation rate reached 53.6% in January but fell to 26.4% in November. In October, the World Bank’s food security update ranked Ghana among 10 countries with the highest food inflation.

In July, UNHCR, the UN refugee agency, cautioned Ghana over its non-refoulement obligation after the government repatriated more than 500 Burkinabe people to Burkina Faso.

### WOMEN’S AND GIRLS’ RIGHTS

Female genital mutilation (FGM) continued to be practised but there was progress in changing attitudes. In April, 15 former “female circumcisers” in Wa renounced FGM while traditional leaders in the city denounced and committed to help combat the practice.

On 3 July, Tamale High Court condemned two women to 12 years in prison for the 2020 manslaughter of a 90-year-old woman accused of witchcraft. On 27 July, the parliament passed a law making it a crime to accuse someone of witchcraft and requiring the dismantling of “witch camps” for accused women banished or fleeing from their villages. In December, the president declined to sign the bill into law, citing procedural issues.

On 31 October, the Affirmative Action bill aimed at increasing the participation of women in public office had its first official reading in parliament, having first been introduced in 2016. The bill was still pending at the end of year.

### LGBTI PEOPLES’ RIGHTS

On 7 July, the parliament unanimously approved the 2021 Promotion of Appropriate Sexual Rights and Family Values bill during its second reading, taking it one step further

to becoming law. The bill further criminalized LGBTI people and introduced prison sentences for anyone expressing support or “sympathy” towards LGBTI people. LGBTI rights activists expressed concerns over their safety should the bill be passed. In the same month, the Supreme Court dismissed a legal challenge to block parliament from passing the bill.

## DEATH PENALTY

On 25 July, the parliament voted to remove the death penalty from the 1960 Criminal and Other Offences Act and the 1962 Armed Forces Act.<sup>1</sup> The president assented to the amendments the following month, making them law. In December, however, he revoked the changes, citing procedural issues. The constitution also continued to provide for the death penalty for high treason.

## FREEDOM OF EXPRESSION AND ASSEMBLY

Four years after the murder of Ghanaian investigative journalist Ahmed Divela, the investigation was ongoing, and no one had been brought to justice.

In April, a coalition of media associations asked for a repeal of Section 76 of the Electronic Communications Act and Section 208 of the Criminal and Other Offences Act, arguing that these laws had been “weaponized” to arrest several journalists and restrict the right to freedom of expression. Reporters Without Borders ranked Ghana 62nd among the 180 countries surveyed in its 2023 World Press Freedom Index, down two places from 2022.

In September, the police filed an injunction to prevent a planned protest over the high cost of living taking place, from 21 to 23 September, outside the presidential palace in the capital, Accra. The police arrested at least 49 protesters for unlawful assembly when the protest went ahead on 21 September, releasing them on bail the same day.

## EXCESSIVE USE OF FORCE

On 7 March, in Ashaiman, the military used excessive force, including beating and kicking people, while investigating the murder of one of their colleagues. During the operation, Ghana Armed Forces detained 184 people. The deputy defence minister apologized that innocent people were caught up in the operation. Parliament’s Committee on Defence and the Interior stated that it had conducted investigations but, at the end of the year, no report had been published.

## RIGHT TO HEALTH

In February, the Ghana Health Service revealed that 27 pregnant women in Bawku municipality had died between 2021 and 2022 due to their inability to access medical services. While some were unable to get to the hospital in time, others died due to staff shortages.

In April, Ghana became the first country to approve a malaria vaccine developed by Oxford University.

## RIGHT TO A HEALTHY ENVIRONMENT

Environmental activists warned that the government’s plan to import liquefied natural gas under a 17-year agreement would lead to more use of carbon and delay the transition to cleaner energy.

Environmental activists, clothes traders and fishermen denounced the pollution created by used textiles coming into the country from abroad. Fast fashion clothes donated from overseas continued to find their way to second-hand markets such as Kantamanto in Accra, with huge volumes then being discarded as waste due to poor quality and ending up on the beaches of Accra and in the Odaw river, the Korle Lagoon or the sea.

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1. “Ghana: Landmark vote to remove death penalty from laws is a major step forward”, 25 July

# GREECE

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Hellenic Republic

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**Reports of unlawful use of force in the policing of demonstrations persisted. Survivors of a shipwreck in which more than 600 people died blamed the Greek authorities for causing the incident. Human rights defenders continued to face criminalization for their work with refugees and migrants. An investigation by Greece's data protection authority identified 88 individuals as targets of Predator spyware. Violations of the rights of conscientious objectors to military service persisted. Destructive wildfires resulted in the loss of lives and natural habitat amid concerns at the failure of the firefighting system.**

## **EXCESSIVE USE OF FORCE**

Reports persisted of unlawful use of force in police operations, including the policing of demonstrations such as protests following the Tempi rail disaster in February.

In June, a court in the capital, Athens, convicted a police officer of torture in its “misdemeanour form” for beating a student during a Covid-19 check in Nea Smyrni square in March 2021. A second police officer was convicted as an accessory.

In November, an appeals court found police responsible for the life-threatening injuries sustained by psychologist Yiannis Kafkas during a 2011 demonstration in Athens, and awarded him compensation.

## **RIGHT TO LIFE**

In September, Kostas Manioudakis died following alleged ill-treatment by police during a stop-and-search operation in the village of Vryses in Crete.

In October, a prosecutor proposed indicting a police officer for intentional homicide and illegally discharging his weapon in relation to the lethal shooting of a 16-year-old Roma, Kostas Frangoulis, in 2022 in the city of Thessaloniki.

In November, 17-year-old Christos Michalopoulos was fatally shot by a police officer in Leontari in Aliartos municipality following a car chase. The officer was charged with homicide with possible intent and illegally discharging his firearm.

## **REFUGEES' AND MIGRANTS' RIGHTS**

Human rights violations continued at Greece's borders, including unlawful, summary returns, in some cases accompanied by violence.

On 14 June, several hours after its initial sighting by an aircraft of Frontex, the EU Border and Coast Guard Agency, a boat carrying an estimated 750 people, including many children, sank off the coast of Pylos. Only 104 people survived. Survivors consistently told Amnesty International and Human Rights Watch (HRW) that the Greek coastguard had towed the vessel with a rope, causing it to veer and then capsize.

Independent reports by reputable NGOs and media sources described a similar version of events, but this narrative was strongly denied by the Greek authorities.<sup>1</sup> Amnesty International and HRW also documented serious failures by the Greek authorities in handling the rescue efforts, noting in addition that the subsequent investigations opened by the Greek authorities into the actions of the coastguard made little progress and that authorities may have undermined the integrity of key evidence. In November, the Greek Ombudsman opened an inquiry into the coastguard's actions, citing their refusal to conduct an internal disciplinary investigation. In July, the EU Ombudsman announced an inquiry into the role of Frontex in search-and-rescue activities in the Mediterranean, including in the Pylos shipwreck. The incident highlighted the desperate need for safe and legal migration routes to Europe.

From July, there was a rise in refugees and migrants arriving by sea, bringing the total arrivals for the year to more than 41,000, compared with fewer than 13,000 in 2022. This exacerbated the already challenging living conditions in the reception facilities on the islands, such as in the “closed controlled access centre” (CCAC) on Samos, where the authorities imposed a regime of de facto detention on new arrivals. In January, the European Commission initiated infringement proceedings regarding Greece's failure to comply with EU law on asylum and migration.

This concerned obstacles to refugees' access to social protection, and the practice introduced by domestic law in 2022 of depriving people in reception and identification procedures of their liberty for up to 25 days. In July, the EU Ombudsman opened an inquiry into how the European Commission ensures compliance with fundamental rights in the context of its support to CCACs.

In October, the European Court of Human Rights condemned Greece for failing to grant adequate medical care to an HIV-positive asylum seeker in two reception facilities.

Wildfires in the Evros region (see below, Right to a healthy environment) fuelled racist rhetoric and abuses against migrants and refugees.

A legislative amendment passed in December allowed undocumented migrants who had been in Greece for at least three years as of the end of November 2023, and who held a job offer, to apply for a three-year residence permit. The amendment also reduced the time asylum seekers were required to wait before being able to work from six months to 60 days from the time their asylum requests were lodged.

## **HUMAN RIGHTS DEFENDERS**

Human rights defenders continued to face criminalization for their work with refugees and migrants. Although misdemeanour charges against Sarah Mardini and Séan Binder were dropped in August by the Supreme Court, the following month they and 22 other defendants were indicted for four felonies including forming and membership of a criminal organization, and facilitating irregular entry.

Concerns remained about the criminal charges ongoing against Panayote Dimitras, spokesperson of the NGO Greek Helsinki Monitor (GHM), and Tommy Olsen, head of the NGO Aegean Boat Report, in relation to their work assisting refugees and migrants at Greece's borders and reporting cases of border violence and unlawful returns. In January, authorities imposed restrictive measures on Panayote Dimitras, although a

ban on him working with the GHM was reversed in May. NGOs were also concerned about a smear campaign and judicial harassment of Panayote Dimitras.

## **RIGHT TO PRIVACY**

In July, an investigation by Greece's data protection authority into the use of Predator spyware traced 350 SMS messages attempting to install surveillance software; 88 individuals were notified that their mobile phones had been targeted.

In September, civil society and members of the European Parliament expressed concern about the sudden replacement by the Greek parliament of several members of the Hellenic Authority for Communication Security and Privacy (ADAE) at a crucial time for the investigation of the spyware scandal.

In October, during a European Parliament committee hearing, the head of ADAE expressed his concern that a current and a former member of ADAE were subjects of a criminal investigation, while to date no one had been charged for spyware use.

## **RIGHTS OF PEOPLE WITH DISABILITIES**

In September, a ferry captain and three of his crew were charged in connection with the drowning of Antonis Kargiotis, a ferry passenger. One of the crew was recorded using racist slurs about Antonis Kargiotis. Disability rights activists called on authorities to investigate a possible hate motive behind the case, due to the victim's reported health condition.

## **LGBTI PEOPLE'S RIGHTS**

During the year, derogatory and harmful discourse in political and media spheres about LGBTI people sparked concern.

In April, the Racist Violence Recording Network reported 38 hate crimes in 2022 where the targets were LGBTI individuals or those defending their rights.

## **FREEDOM OF EXPRESSION**

In April, it was reported that in December 2022 a court had accepted in part a civil lawsuit against journalist Stavroula Poulimeni



and the independent media cooperative Alterthess, ordering the media outlet to pay EUR 3,000 in damages to a gold mining company's senior executive. An appeal was filed against the ruling. The case, bearing the hallmarks of a strategic lawsuit against public participation (SLAPP), stemmed from an alleged breach of data protection laws after Stavroula Poulimeni reported on the executive's conviction by a first instance court for environmental damage.

## WOMEN'S RIGHTS

Between January and early December, there were 14 reported femicides. In its November report, the Group of Experts monitoring the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence (GREVIO) expressed deep concern that the 2021 "joint custody" legislation lacked sufficient safeguards to ensure that incidents of domestic violence were taken into account in the determination of child custody and visitation rights.

In October, a prosecutor proposed indicting two police officers for the group rape of a young woman at Omónia police station in Athens in October 2022, and a third police officer as an accessory.

## CONSCIENTIOUS OBJECTORS' RIGHTS

Conscientious objectors continued to face arrest and repeated punishment through fines and trials by military courts. According to information published in 2023, 67% of applications for conscientious objector status invoking non-religious grounds were rejected in 2022. Some of those discriminatory rejections were annulled by the Supreme Administrative Court, while others were pending before the court at year's end.

Greece still failed to implement the 2021 UN Human Rights Committee decision concerning the case of conscientious objector Lazaros Petromelidis, which found multiple violations of the ICCPR.

## RIGHT TO HEALTH

In September, the Council of Europe's European Committee of Social Rights found admissible a collective complaint filed by Amnesty International. The complaint argued that the Greek government had violated provisions of the European Social Charter on the right to health and the prohibition on discrimination due to the impact on the health system of austerity measures introduced after the 2009-2010 financial crisis.

During the year, health workers' unions reported significant challenges including persistent lack of staff and underfunding.

## RIGHT TO A HEALTHY ENVIRONMENT

Despite reported progress in reducing greenhouse gas emissions, fossil fuels still accounted for most of Greece's energy use. In December, three environmental organizations asked the European Commission to hold Greece accountable for systematically giving a "free pass" to oil and gas drilling off the country's coasts.

Human-induced climate change was found to increase the likelihood and intensity of extreme heat and floods in Greece. Between July and September, destructive wildfires and floods resulted in at least 38 confirmed deaths and the loss of natural habitat, the lives of thousands of animals and people's livelihoods. The wildfire in Evros region was the largest ever recorded in the EU and killed at least 20 people thought to be refugees and migrants.<sup>2</sup> Following the catastrophic wildfires, the World Wildlife Fund expressed concern at the failure of the national firefighting system and urged the authorities to adopt radical changes to protect forests.

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1. "Greece: 6 months on, no justice for Pylos shipwreck", 14 December

2. "Greece: Evros wildfire dead are victims of 'two great injustices of our times'", 23 August

# GUATEMALA

## Republic of Guatemala

**Civic space and freedom of expression were curtailed. There was widespread criminalization of judges, prosecutors, human rights defenders, journalists and key actors in the electoral process, forcing them into exile. The authorities stigmatized and failed to protect protesters demanding the resignation of the attorney general. Violations of the rights of women, LGBTI people and Indigenous Peoples persisted.**

### BACKGROUND

The electoral process in 2023 was beset with irregularities. Some Supreme Electoral Tribunal magistrates and several members of Semilla, the winning party of the presidential elections, were targeted with criminal lawsuits. The Semilla party was temporarily suspended, and in December, the Prosecutor's Office requested to lift the immunity of the newly elected president and vice-president. Various members of the international community denounced this persecution as undermining the rights to participation in public affairs and rule of law.

High levels of inequality, poverty and violence remained the main reasons for the forced migration of thousands of people from the country.

### FREEDOM OF EXPRESSION AND ASSEMBLY

In October, thousands of people around the country took to the streets to protest at the criminal prosecution of key actors in the electoral process. These peaceful mass protests, convened by Indigenous authorities to demand the resignation of the attorney general, paralysed the country for more than three weeks. The government and the Constitutional Court stigmatized the protesters.<sup>1</sup> According to local organizations, the authorities also failed to protect protesters against intimidation and attacks by armed individuals in several parts of the country,

which left at least one person dead in the town of Malacatán in San Marcos municipality.

In October, a court overturned the six-year prison sentence handed down in June against journalist José Ruben Zamora, who in spite of this remained in detention at the end of the year. The Inter-American Commission on Human Rights and international organizations had denounced violations of his rights to due process and judicial guarantees.

### ARBITRARY DETENTION AND UNFAIR TRIALS

International and regional human rights bodies expressed concerns about the lack of independence of the judiciary and the arbitrary actions by the Public Prosecutor's Office against people who were fighting impunity and corruption, as well as key actors in the electoral process. At the end of the year, at least 79 prosecutors, judges, human rights defenders and journalists were in exile for fear of being unjustly imprisoned.

In May, the UN Working Group on Arbitrary Detention declared the detention of former anti-corruption prosecutor Virginia Laparra arbitrary and demanded her release. In December, the Supreme Court of Justice ordered that she be granted domiciliary arrest because she had already spent half of the sentence in jail. In addition, a second criminal proceeding against her was pending at the end of the year.<sup>2</sup>

### HUMAN RIGHTS DEFENDERS

Human rights defenders continued to carry out their activities in a hostile and high-risk environment. The Unit for the Protection of Human Rights Defenders in Guatemala (UDEFEGUA) reported 5,965 attacks against human rights defenders between January and November, including threats, killings, harassment and arbitrary detentions. Criminalization increased, particularly against those involved in the fight against impunity and corruption. Human rights defender Claudia González, wrongly accused of the crime of abuse of authority, was released on bail after two months in detention.<sup>3</sup>

## IMPUNITY

There was little progress in the investigation and prosecution of human rights violations and war crimes perpetrated during the internal armed conflict between 1960 and 1996. A bill that would grant amnesty for those suspected of criminal responsibility for these crimes advanced in Congress. It was still pending approval at the end of the year.

## WOMEN'S AND GIRLS' RIGHTS

Levels of violence against women and girls remained high. Local organizations reported difficulties in accessing justice for women survivors of gender-based violence.

The CEDAW Committee raised concerns about the criminalization of abortion in Guatemala, where it was only permitted if the life of the pregnant woman was at risk, and the limited access to safe abortion and post-abortion services. High rates of child pregnancy remained of particular concern. Between January and October, the Observatory on Sexual and Reproductive Health recorded 52,878 births to girls and young women aged between 10 and 19.

## LGBTI PEOPLE'S RIGHTS

LGBTI people faced high levels of violence and discrimination. According to the National LGBTIQ+ Human Rights Observatory, at least 34 people were killed because of their sexual orientation or gender identity during the year. Same-sex marriage remained illegal.

## INDIGENOUS PEOPLES' RIGHTS

Indigenous Peoples continued to demand that their rights to their lands be recognized. In a context of insecure land tenure, violent evictions were reported. Ancestral authorities and those who defend land and territory faced unfounded criminal charges.

## RIGHT TO A HEALTHY ENVIRONMENT

The National Climate Change Fund, created in 2022, was still not operating by the end of the year.

The authorities warned that droughts and floods, linked to the impacts of El Niño and

aggravated by climate change, could exacerbate malnutrition.

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1. "Guatemala: Peaceful protesters face imminent risks", 12 October
  2. "Guatemala: Prisoner of conscience Virginia Laparra has now been arbitrarily detained in prison for one year", 23 February
  3. "Guatemala: Freedom for Claudia González", 12 September (Spanish only)

# GUINEA

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## Republic of Guinea

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**Access to the main social networks was disrupted, and news websites, radio and television were targeted. All demonstrations continued to be banned except those in favour of the transitional authorities. Security forces killed demonstrators and arbitrarily arrested journalists. Four people were convicted in the M'Mah Sylla case. The authorities launched legal proceedings on marine pollution.**

## BACKGROUND

The trial of former head of state Moussa Dadis Camara and several former senior security officials for their role in the 28 September 2009 massacre – during which 157 people were killed by defence and security forces and more than 100 were victims of sexual violence – resumed on 13 November, nine days after an armed commando attacked Conakry prison and released four of the main defendants, including Moussa Dadis Camara. All were caught except for Claude Pivi, former minister of presidential security. Following an explosion at the country's main fuel depot in Conakry on the night of 17/18 December – killing 24 people and injuring more than 450 – the resulting fuel shortage led to an increase in the cost of living, school and university closures and frequent power cuts.

## FREEDOM OF EXPRESSION

On 31 October, the ECOWAS Court of Justice ruled that Guinea had violated the rights to freedom of expression and of information by

restricting access to the internet and to social media in 2020.

Access to the main social networks remained disrupted since 24 November, with no official explanation from the authorities. Access to social networks and news websites was previously disrupted from 17 May during anti-government protests, and restored around a week later. On 30 November, Ousmane Gaoual Diallo, minister of post, telecommunications and digital economy, stated that “the internet is not a right”. He had acknowledged the previous disruption to the internet, but attributed it to a technical problem with an undersea cable. The news website Guineematin.com was inaccessible from 15 August to 5 November, with no reason given. The High Authority of Communication wrote to Canal + Guinée on 6 and 9 December to ask them to stop broadcasting Djoma FM and TV, Espace FM and TV and Évasion FM and TV for “national security reasons”. Another distributor, StarTimes, announced the withdrawal of Djoma TV, Espace TV and Évasion TV for the same reasons.

## **FREEDOM OF PEACEFUL ASSEMBLY**

A blanket ban on all political gatherings in Guinea remained in place since May 2022. In Conakry, however, although gatherings called by the opposition Living Forces of Guinea coalition were prohibited, several rallies in support of the head of state were allowed to go ahead.

On 1 June, the Kankan court of first instance sentenced two women to six months’ imprisonment – four months suspended – and a fine of GNF 1 million (around EUR 110) each, and seven women to a six months’ suspended sentence and a fine of GNF 500,000 (around EUR 55). All nine were convicted of “criminal participation in an assembly”, after marching on 24 May to demand the return to power of former president Alpha Condé.

Following violent protests on the night of 27-28 March in Kankan against the lack of electricity, during which an image of the president was burnt, on 13 April the city’s

court of first instance sentenced 15 people to imprisonment of between four and 18 months, including on charges of unauthorized assembly.

## **UNLAWFUL KILLINGS**

According to civil society organizations, media and political parties, since 5 September 2021 at least 37 people had been killed by defence and security forces during protests.

One person was killed in Wonkifong, Kindia region on 16 April during an anti-drugs operation by the security forces. Several people were wounded in Boffa, Boké region on 19 September when the military allegedly shot at people who had blocked roads to protest against the lack of electricity.

On 27 March, the Dixinn court of first instance in Conakry sentenced a senior officer of the gendarmerie to 10 years’ imprisonment and ordered him to pay GNF 100 million (around EUR 11,000) in damages for the murder of a 19-year-old man on 1 June 2022 in Hamdallaye, Conakry during a demonstration against the increase in the price of petrol.

## **ARBITRARY ARRESTS AND DETENTIONS**

Oumar Sylla and Ibrahima Diallo of the National Front for the Defence of the Constitution and Saikou Yaya Barry of the Union of Republican Forces were provisionally released on 10 May after more than 10 months’ arbitrary detention. They had been accused of “criminal participation in an assembly, complicity in the destruction of public and private buildings, intentional assault and battery, arson and looting” for mobilizing to demand the restoration of the constitutional order. On 13 June, the Dixinn court of first instance in Conakry acquitted Oumar Sylla and Ibrahima Diallo.

On 16 October, 13 journalists were violently and arbitrarily arrested in Kaloum, Conakry, taken to the central police station and then indicted at the court of first instance. They had been taking part in a peaceful demonstration organized by the Guinean Union of Press Professionals to demand that

the authorities lift restrictions on access to certain news websites.<sup>1</sup> They were released the same day after being charged with “participating in an illegal assembly on a public highway”.

## SEXUAL AND GENDER-BASED VIOLENCE

On 4 April, four men were sentenced by the court of first instance in Mafanco, Conakry to between one and 20 years’ imprisonment for the rape and other abuses leading to the death of M’Mah Sylla on 20 November 2021. The perpetrators were also ordered to pay GNF 1 billion (around EUR 110,000) in damages to the victim’s father.

On 18 October, the UN agencies in Guinea called on the authorities to fulfil their obligations to combat violence against women and girls, following the death of a nine-year-old girl after being raped in Dubréka, Kindia region four days earlier.

## RIGHT TO A HEALTHY ENVIRONMENT

In March, the president officially relaunched work on the Simandou iron ore mine, planned to include the construction of a railway and a port, despite concerns by civil society organizations about the consequences on local residents’ economic and social rights, and impacts on climate change. After 500 fishermen complained of skin rashes, Guinean authorities carried out an inspection on 14 April and found large areas of pollution 74km off the coast of Conakry. On 19 June, the Ministry of Justice asked the Court for the Repression of Economic and Financial Offences to initiate legal proceedings against “suspected ore carriers, individuals or legal entities that own, use or are responsible for the said ships”, for “alleged acts of marine pollution causing skin rashes among small-scale fishermen and environmental damage”.

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1. “Guinea: Amnesty International calls for charges to be dropped against 13 journalists who took part in a peaceful rally”, 19 October

# HAITI

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## Republic of Haiti

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**Hunger and lack of essential goods and services were widespread. Gang violence including killings, abductions and sexual violence remained unpunished. Judges, prosecutors, journalists and human rights defenders were at risk. Hundreds of thousands of people remained internally displaced or fled the country, while the USA and the Dominican Republic offered Haitians limited access to international protection and expelled thousands of them.**

## BACKGROUND

Criminal groups were present throughout the country and exercised considerable influence over important areas of the country, including the capital, Port-au-Prince, and its metropolitan area.

In October, the UN Security Council approved the deployment of a multinational security support mission in Haiti, a measure requested by the Haitian government. The mission was going to be led by Kenyan law enforcement, which had a record of excessive and unnecessary use of force, including lethal force.<sup>1</sup>

## ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The scarcity of essential goods and services continued throughout the year. In July, the World Food Programme announced that it would have to stop providing food assistance to 100,000 people due to budget cuts, despite the fact that half of the population (4.9 million people) were unable to source food daily. Despite a slight reduction in expected hunger levels announced by the government and UN agencies, millions continued to lack sufficient food, and environmental changes and climate shocks affected food production.

Health services were insufficient and had reduced capacity due to economic constraints and violence that had caused

displacement of people and interference with humanitarian operations. Cholera cases surged in June in the context of an epidemic that had seen nearly 70,000 suspected cases since October 2022. In May, the WHO announced further support and funding to help overcome health deficits.

## IMPUNITY

Impunity for the widespread violence across the country continued to be almost absolute. Sexual violence was prevalent, including rape of women and girls to instil fear, gain and demonstrate control, or as punishment, according to Human Rights Watch.

In February, the UN High Commissioner for Human Rights called on authorities to strengthen the security forces and the judicial system to address gang-related violence.

The Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights alerted that at least three journalists were killed in 2023: Paul Jean Marie of Radio Lumière, Ricot Jean of Radio-Télé Évolution Inter, and Dumesky Kersaint of Radio Télé Inurep. Dozens of journalists fled their homes amid harassment, abductions, shootings and assaults on media facilities.

In May, armed individuals on a motorcycle opened fire on the vehicle of Judge Wilner Morin, who handled corruption cases and was the president of the National Association of Haitian Judges. In September, Québex Jean, deputy prosecutor in Mirebalais district, was killed at his home by unidentified armed individuals. The investigations into these cases were ongoing at the end of the year.

On 26 August, armed individuals opened fire on a group of people protesting against the prevalence of crime and violence in Haiti, killing at least seven people and injuring 10. The march took place in Canaan settlement, north of Port-au-Prince, and was attended by hundreds of protesters.

## REFUGEES' AND MIGRANTS' RIGHTS

Despite the November 2022 call by UNHCR, the UN refugee agency, to halt the deportation of Haitians, the Dominican

Republic forcibly returned thousands of Haitians and closed the border with Haiti. The USA continued to deport Haitian nationals despite a US extension and redesignation of Temporary Protected Status for Haitians in February 2023 and the continued operation of humanitarian parole programmes.

By June, more than 190,000 people remained internally displaced, according to the International Organization for Migration. Most of these people had fled their homes in response to armed gang violence.

## HUMAN RIGHTS DEFENDERS

In March, the Inter-American Court on Human Rights ordered provisional measures in favour of members of the human rights organization ECCREDHH. The court considered that the group were at risk of suffering irreparable harm to their rights to life and personal integrity. Members of the group had faced harassment and violence by unknown assailants since at least 2015 in a context of generalized violence against human rights defenders.

On 18 August, armed individuals shot at the headquarters of the NGO National Human Rights Defence Network (RNDDH) in Port-au-Prince. The attack occurred hours after the organization published an investigative report on the crisis of violence in Haiti. RNDDH believed that a police officer had been involved in the shooting.

1. [“Haiti: Open letter to all members of the Security Council regarding the development of an international security force in Haiti”, 18 August](#)

# HONDURAS

## Republic of Honduras

**The militarization of public security and violence towards human rights defenders caused great concern. Some progress was made around sexual and reproductive rights, but abortion remained illegal. LGBTI people faced violence and discrimination.**

**The government failed to take measures to address climate change.**

## **BACKGROUND**

After weeks of impasse, Congress designated an interim attorney general in November, which was highly criticized. The process of creating an international commission against impunity was underway but still pending at the end of the year. In June, the government deployed military and law enforcement police to control prisons after a clash that killed 46 people in a women's prison. Thousands of people were forced to leave the country due to the high levels of violence, impunity, inequality and poverty, the impacts of which were exacerbated by climate change.

## **EXCESSIVE AND UNNECESSARY USE OF FORCE**

At the end of the year, the state of emergency allowing militarization and restriction of rights in more than half of the country's municipalities had been in force for more than 12 months. The Ombudsperson (CONADEH) registered more than 360 complaints against security forces and questioned the necessity and proportionality of the prolonged measure.

The UN Special Rapporteur on extrajudicial executions expressed concern about the widespread impunity, limited investigative capacity, and lack of independent and impartial investigations. A police officer was convicted for negligence causing the death of Keyla Martinez, who died in police custody in 2021. The prosecutor's office, civil society organizations and Keyla Martinez's family rejected the conviction, which did not consider key evidence or gender-based violence.

## **HUMAN RIGHTS DEFENDERS**

According to Global Witness, Honduras had the highest number of land and environmental defenders killed per capita in the world. The coordinator of the Black Fraternal Organization of Honduras suffered an attempted attack in September and three people from the Guapinol community were

killed. In October, the Inter-American Commission on Human Rights granted precautionary measures to members of the Municipal Committee for the Defence of Common and Public Assets and their lawyers. In December, the Inter-American Court of Human Rights declared the state of Honduras responsible for violation of the collective rights of a Garifuna community. The elaboration of a protocol to investigate attacks against human rights defenders, ordered by the Inter-American Court of Human Rights in 2018, remained pending. At the end of the year, Honduras had not signed the Escazú Agreement.

## **SEXUAL AND REPRODUCTIVE RIGHTS**

In March, the government allowed the use and sale of the emergency contraceptive pill, ending 14 years of prohibition. Despite high levels of child and teenage pregnancies, the president vetoed the Pregnancy Prevention Act, aimed at providing comprehensive sex education. Abortion remained prohibited in all circumstances.

## **LGBTI PEOPLE'S RIGHTS**

LGBTI people continued to face violence and discrimination, and same-sex marriage remained prohibited. At the end of the year, authorities had not adopted a procedure for the recognition of the gender identity of non-binary persons, which was ordered by the Inter-American Court of Human Rights in a 2021 ruling.

## **RIGHT TO A HEALTHY ENVIRONMENT**

The UN Special Rapporteur on the promotion and protection of human rights in the context of climate change highlighted the devastating effects of prolonged droughts, floods caused by hurricanes, coastal erosion and sea-level rise on the poorest communities, particularly on their livelihoods, which also forced many to flee the country. He urged Honduran authorities to adopt prevention, adaptation and mitigation measures to protect the rights of these populations.

# HUNGARY

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## Hungary

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**A controversial new law was adopted aiming to further restrict the rights of teachers and silence their dissent. Bookshops were fined for breaching the homophobic and transphobic “Propaganda Law”. Asylum seekers were refused access to protection in the country. Parliament adopted judicial reforms in a bid to access suspended EU funds, although systemic deficiencies undermining the free speech of judges remained. The government’s commitment to reduce greenhouse gas emissions fell short of the EU targets.**

## BACKGROUND

To regain access to EU funds suspended by the European Commission and the European Council, Hungary pledged to adopt and implement anti-corruption measures, amend legislation concerning the rights of LGBTI people, asylum seekers and refugees, restore academic freedom, and introduce reform to strengthen the independence of the judiciary. In response the EU institutions decided to restore Hungary’s access to parts of the cohesion fund.

The government prolonged the state of emergency, using Russia’s ongoing aggression against Ukraine as a pretext to circumvent parliamentary decision-making and uphold its anti-immigration regime.

Hungary came last in the European Implementation Network’s ranking of EU countries based on their implementation of leading judgments issued by the European Court of Human Rights (ECtHR), with 76% of judgments from the last 10 years not implemented.

## FREEDOM OF ASSEMBLY AND ASSOCIATION

Police used tear gas multiple times in April and May to disperse students protesting against controversial legislation to further centralize the public education system and

silence teachers voicing dissent. During a demonstration in May, police arrested and detained five protesters, four of them minors, for allegedly attacking police officers.

Parliament adopted legislation dubbed the “Vengeance Act” in July, further restricting teachers’ autonomy and silencing their criticism towards educational policies.

Teachers fired for participating in acts of civil disobedience in 2022 took the state to court, seeking to overturn their dismissals and secure compensation.

Police banned seven protests expressing solidarity with people living in the Occupied Palestinian Territories under the pretext of protecting public safety, without meeting the legal threshold for the ban.

Despite severe criticism from the Council of Europe and NGOs, new legislation was adopted in December aiming to further silence critical voices and deter organizations from public participation in Hungary. The vaguely worded law created a new authority and tasked it with investigating organizations and individuals considered a “threat to national sovereignty”.

## DISCRIMINATION

### LGBTI PEOPLE

Fifteen EU member states and the European Parliament intervened through the Court of Justice of the European Union (CJEU) to support LGBTI rights in an ongoing infringement procedure against the so-called “Propaganda Law” adopted in 2021. This law banned the “promotion and portrayal of homosexuality and gender change” in linear media services. The court case was pending at the end of 2023.

Authorities began to implement sanctions under the propaganda law by issuing fines to bookshops that displayed books depicting homosexuality in their youth literature sections and failed to sell them in closed packaging. One company appealed against the decision; the case was pending at the end of 2023.

In June, the ECtHR found that Hungary had violated the rights of transgender people by failing to provide an adequate procedure for



legal gender recognition. The judgment related to a case that preceded the banning of legal gender recognition in 2020.

The Media Council refused to allow a TV commercial for the annual Budapest Pride festival and march on the grounds that it would “propagate homosexuality”. The organizers appealed against the decision; the case was pending at the end of 2023.

In July, a rainbow-coloured bench inaugurated to celebrate Budapest Pride was vandalized several times by football club supporters and far-right activists. The perpetrators graffitied “Stop LGBTQ” at the scene, referring to the government’s ongoing homophobic and transphobic campaign. A police investigation regarding the hate incident was pending at the end of 2023.

### **WOMEN**

In its periodic review of Hungary, the CEDAW Committee raised serious concerns about reproductive rights in the country, highlighting the limited access to safe and legal abortions and the government’s reinforcement of gender stereotypes.

Hungary still had not ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), which it signed in 2014.

The 2023 Gender Equality Index, published by the European Institute of Gender Equality, ranked Hungary 26<sup>th</sup> out of the 27 EU member states based on its overall performance, and placed it last in the power domain.

### **ROMA**

Far-right groups organized a series of protests in Roma neighbourhoods to intimidate Roma people. Police did not put in place adequate measures to protect Roma people from harassment and threats. Racism and discrimination against Roma people in employment, housing and education persisted.

## **REFUGEES’ AND MIGRANTS’ RIGHTS**

The Council of Europe adopted an interim resolution exhorting Hungary to terminate and provide remedy for collective expulsions

to Serbia. Summary returns of refugees and migrants continued throughout 2023, reaching 100,108 cases by the end of December.

In June, the CJEU ruled that Hungary had violated EU rules by restricting asylum seekers’ access to protection in its territory or at its borders. The government continued to uphold a system introduced in 2020 restricting people’s ability to claim asylum in Hungary; this was possible only if a so-called “letter of intention” was first filed and accepted at the Hungarian embassies in Belgrade or Kyiv. By the end of 2023, access to submit asylum applications under this system had been granted in only 16 cases. The limitations did not apply to Ukrainian refugees, 40,605 of whom had been granted temporary protection since Russia’s invasion of Ukraine in 2022.

The ECtHR delivered six judgments ruling that Hungary had violated the rights of refugees and migrants by arbitrarily detaining them and using excessive force against people at the border.

## **RIGHT TO A FAIR TRIAL**

The Committee of Ministers of the Council of Europe issued an interim resolution in March condemning Hungary for still not implementing the *Baka* judgment of 2016 to guarantee freedom of expression for judges and counter the chilling effect among them of restricting this freedom.

In May, Hungary adopted significant judicial reforms in order to access suspended EU funds. The reforms strengthened judicial independence and limited the formerly excessive powers of the National Office for the Judiciary, the administrative body of the justice system. However, an assessment by NGOs found that EU requirements had still not been fully addressed.

Government officials and pro-government media continued to discredit judges on the National Judicial Council for voicing criticism of government policies that weakened the independence of the judiciary.

## RIGHT TO A HEALTHY ENVIRONMENT

The Climate Change Performance Index found that Hungary had committed to reduce greenhouse gas emissions by 50% by 2030, falling short of the EU target of 55% or more.

People in several cities protested at their local governments against the opening of factories by China-based battery manufacturers without thorough environmental impact studies having been conducted.

Following a government decree in September, companies violating environmental requirements through industrial pollution were exempted from sanctions as long as they signed a contract pledging to refrain from further breaches.

# INDIA

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## Republic of India

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**National financial and investigation agencies were weaponized against civil society, human rights defenders, activists, journalists and critics, further shrinking civic space. Government officials, political leaders, and supporters of the Bharatiya Janata Party (BJP) – the ruling political party at the federal level – advocated hatred and violence against religious minorities with impunity, particularly Muslims, marking a rise in hate crimes. Punitive demolitions of largely Muslim properties – including homes, businesses and places of worship – resulting in mass forced evictions after episodes of communal violence, were commonplace and went unpunished. India continued to impose arbitrary and blanket internet restrictions including internet shutdowns. The government withheld the Twitter (now known as X) accounts of journalists and civil society organizations without due process. Dalits, Adivasis and other marginalized groups continued to face violence and entrenched discrimination, with women and girls facing specific attacks on their right to bodily autonomy. Despite a formal ban on manual**

**scavenging, more than 300 people had died cleaning sewers and septic tanks since 2018.**

## BACKGROUND

In September, India hosted the 18th G20 Heads of State and Government summit in the capital, New Delhi. In March, India engaged with the UN Human Rights Council UPR and accepted 221 out of 339 recommendations, including those to eliminate caste discrimination, guarantee the right to freedom of expression, and to protect the rights of religious minorities. It noted recommendations to repeal, amend or bring the Foreign Contribution (Regulation) Act (FCRA), the Unlawful Activities (Prevention) Act (UAPA) and the laws on sedition and criminal defamation in line with international human rights standards. In November, India also underwent the fourth mutual evaluation of laws and regulations on anti-money laundering and countering financing of terrorism by the Financial Action Task Force whose recommendations have been exploited by the government to target human rights defenders, activists, and government critics. On 17 October, the Supreme Court failed to grant legal recognition to same-sex marriage and left it to the parliament to formulate necessary legislation.

## FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

On 21 December, the Indian parliament passed the Bharatiya Nagarik Suraksha Sanhita, a bill which seeks to reintroduce the sedition law that had been arbitrarily used to suppress government critics and increases the possible punishment for sedition from seven years to life imprisonment. The Supreme Court had temporarily suspended the sedition law in 2022.

On 6 April, the government published the draconian Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2023, expanding its control over online content. The Rules authorize a “fact check unit of the central government” to identify online content “in

respect of any business of the Central Government” as “fake or false or misleading”. Online intermediaries, including social media companies and internet service providers, will be required to take down any such content. Failure to remove content may result in liability for any third-party information hosted on their platform.

On 18 March, the authorities imposed a blanket internet shutdown in Punjab state; 27 million people lost access to the internet for at least five days. From 3 May, Manipur state witnessed long periods of internet shutdowns, with the authorities allowing intermittent access for short periods. According to digital rights organization Access Now, India had imposed 84 internet shutdowns in 2022, the highest number in the world for five years in a row.

In April, comedian Yash Rathi and rappers Raj Mungase and Umesh Khade were investigated by the Uttarakhand police and Maharashtra police respectively for alleged defamation and promotion of enmity between different groups. The accusations against them included allegedly making objectionable remarks against Lord Ram in a comedy set and singing songs highlighting the prevailing poverty and corruption in India.

On 31 October, opposition leaders and journalists were notified they were on Apple's global threat list and that their iPhones may have been targeted by “state-sponsored attackers”.

### **HUMAN RIGHTS DEFENDERS**

The authorities weaponized the central financial and investigation agencies to crack down on civil society organizations and human rights defenders using tax, money laundering, foreign contribution and anti-terror laws. On 14 February, tax authorities carried out coordinated raids – presented as “surveys” – at the Delhi and Mumbai offices of the BBC media organization weeks after it broadcast a documentary critical of the prime minister Narendra Modi. The Ministry of Home Affairs revoked the FCRA licence of the Centre for Policy Research in February, and in June suspended for six months the licence of the Centre for Equity Studies, a

non-profit organization run by renowned human rights activist Harsh Mander, preventing the organizations and activists from accessing essential funds. On 20 March, the Ministry of Home Affairs recommended an enquiry by the Central Bureau of Investigation against Aman Biradari, another organization run by Harsh Mander. In July and September, the Income Tax authorities removed the tax exemption status of the Centre for Policy Research, Oxfam India and CARE India.

### **JOURNALISTS**

Restrictions were placed on human rights defenders, activists and journalists in digital spaces. On 20 March, authorities blocked the Twitter (now known as X) accounts of leading Punjab-based journalists, political leaders and members of the Punjabi diaspora as the authorities launched an operation to search for Amritpal Singh, leader of the organization Waris Punjab De. In June, Wall Street Journal journalist Sabrina Siddiqui faced online abuse from political leaders and BJP supporters for questioning the prime minister Narendra Modi about the deteriorating human rights situation of religious minorities in India during his visit to the USA. Her Muslim and Pakistani heritage was targeted by online trolls.

On 3 October, the Special Cell of the Delhi police raided the homes of at least 46 journalists associated with the media organization NewsClick under the UAPA – India's primary counterterrorism law – for allegedly raising funds for terrorist acts, promoting enmity between different groups and criminal conspiracy under the Indian Penal Code, among other accusations.

### **ARBITRARY ARRESTS AND DETENTIONS**

Eight human rights activists continued to be detained without trial in Maharashtra state under the UAPA. They were academics Shoma Sen and Hany Babu; poet Sudhir Dhawale; lawyer Surendra Gadling; civil rights activist Rona Wilson; and three members of the cultural group Kabir Kala Manch: Ramesh Gaichor, Jyoti Jagtap and Sagar Gorkhe. They were arrested between 2018

and 2020 by the National Investigation Agency, India's main counter-terror agency, for their alleged involvement in violence during the Bhima Koregaon celebrations near the city of Pune in 2018.

At least seven Muslim students, councillors and human rights activists continued to be detained without trial since 2020 under the UAPA for allegedly orchestrating religious violence in Delhi in February 2020 that killed at least 53 people, mostly Muslims.

Academic and human rights activist GN Saibaba continued to be imprisoned since 2017 despite his deteriorating health condition.

On 28 May, Delhi Police arrested women wrestlers and their supporters for organizing a march towards the new parliament building. They were demanding the arrest of the head of the Wrestling Federation of India, who was accused of sexually harassing the wrestlers.

On 3 October, the Special Cell of Delhi police arrested Prabir Purkayastha, founder of NewsClick, and its head of human resources, Amit Chakraborty, under the UAPA for allegedly raising funds for terrorist acts. They remained in detention.

## **FREEDOM OF RELIGION AND BELIEF**

Advocacy of hatred against Muslims continued to proliferate. According to Hindutva Watch, a USA-based research organization, 255 incidents of advocacy of hatred and violence targeting Muslims were recorded in the first six months of 2023. In an emblematic case, on 22 September, a current Hindu MP used demeaning slurs based on religious identity against a Muslim MP. He later apologized and was issued with a warning.

### **WOMEN AND GIRLS**

Attacks on the right to freedom of religion particularly affected and further marginalized Muslim women and girls.

In a welcome step, on 15 June the new Karnataka state government announced the decision to repeal the draconian and discriminatory Karnataka Protection of Right to Freedom of Religion Ordinance, 2022,

popularly known as the “anti-conversion law”, which contains undue restrictions on conversions, including for the purpose of marriage. However, the ban on wearing a hijab in schools and colleges in the state of Karnataka continued to remain in place, hindering the meaningful participation of women and girls in Indian society and impacting their access to education.

On 23 January, the Assam state government announced a crackdown on people who had “participated in child marriage” in the previous seven years, leading to mass arrests of over 3,000 people, mostly Muslims. At least four women died by suicide under the mounting pressure of the crackdown. Women from socially and economically disadvantaged communities also drew back from public health facilities, fearing arrests of their family members, thereby putting their health at further risk.

## **UNLAWFUL ATTACKS AND KILLINGS**

Ethnic violence continued in Manipur state as state and national authorities failed to protect ethnic minorities from violence and displacement. The tribal and predominantly Christian Kuki community faced the brunt of violence from the majority Meitei community. More than 200 people were killed, of whom roughly two thirds were Kukis. More than 50,000 people were displaced.

On 31 July, a Hindu officer of the Railway Protection Guard shot dead four people travelling to Mumbai; three were Muslims.

In August, communal violence broke out in Nuh town, Haryana state, after a rally organized by Hindu nationalist groups Bajrang Dal and Vishwa Hindu Parishad passed through Muslim majority areas of Nuh. The violence left seven dead and at least 200 people injured.

Lynchings continued with impunity. According to media reports, between January and December at least 32 Muslim men and one woman were killed by vigilantes and radical Hindu groups in the states of Assam, Bihar, Delhi, Haryana, Jharkhand, Karnataka, Madhya Pradesh, Maharashtra and West Bengal.

## **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

### **FORCED EVICTIONS**

Ahead of the 18th G20 summit, multiple authorities demolished informal settlements in different parts of Delhi, allegedly to “beautify” the city, stop encroachments onto other land and conserve the environment. According to media reports, between February and April at least 1,425 properties were demolished in the Mehrauli, Tughlaqabad, Moolchand Basti and Yamuna floodplains area of the city, resulting in the forced evictions of over 260,800 people.

In August, the railway authorities demolished at least 90 homes in Nai Basti, a predominantly Muslim neighbourhood in Mathura city in Uttar Pradesh. It was alleged that they had encroached on public land. The homes were destroyed without providing reasonable notice or alternative sites for resettlement, amounting to forced eviction.

Following the communal violence in Nuh, the Haryana state authorities demolished at least 300 properties, mostly belonging to Muslims. The Punjab and Haryana High Court ordered a halt to further demolitions and raised concerns about the lack of legal process and “ethnic cleansing” being conducted by the state government.

## **DISCRIMINATION**

### **HATE CRIMES BASED ON CASTE**

Hate crimes, including violence against members of scheduled castes and scheduled tribes, were committed with impunity. More than 50,000 suspected crimes against members of scheduled castes and more than 8,000 crimes against Adivasis, India’s Indigenous People, were reported in the latest figures from the National Crime Record Bureau. While the members of scheduled castes and scheduled tribes constituted 24% of the total population, they accounted for 32% of the prison population in 2021.

Despite a formal ban on manual scavenging in India, between 2018 and 2023, 339 people died while cleaning sewers and septic tanks, with nine such deaths officially recorded as of June. This was primarily due

to lack of implementation of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act 1993 which prohibits compelling anyone to practise manual scavenging.

## **INDIGENOUS PEOPLES’ RIGHTS**

### **SEXUAL AND GENDER-BASED VIOLENCE**

Throughout the year, media reported that Adivasi women faced sexual violence from members of dominant castes, often with complete impunity. In May, two Indigenous Kuki women were stripped naked and paraded by a mob of men belonging to the dominant Meitei community in Manipur, after which one of them was raped. A First Information Report was filed with police two months later, after a video of the incident surfaced on social media, leading to public outrage.

In September, designated tailors at a school in Uttarakhand state, attended by over 250 Adivasi students, sexually assaulted more than 100 Adivasi girls. No arrests had been made by the end of the year.

### **LAND RIGHTS**

Contradicting a 1996 Supreme Court judgment, on 4 August, the parliament passed the Forest Conservation (Amendment) Act exempting private and deemed forests traditionally held by Indigenous communities from the 1980 Forest (Conservation) Act. The amendments exempted private companies from requiring prior approval from the government for deforesting the land and setting up industries.

## **JAMMU AND KASHMIR**

In a positive step, on 18 November, the High Court of Jammu and Kashmir and Ladakh granted bail to journalist Fahad Shah who had been in detention since February 2022 under the UAPA in retaliation for his legitimate journalism. On 9 November and 11 December respectively, the Court also quashed the detention orders of journalist Sajad Gul and human rights defender Asif Sultan under the Jammu and Kashmir Public

Safety Act, legislation that allows the authorities to administratively detain an individual without charge or trial. They had been in detention since January 2022 and August 2018 respectively. However, human rights defender Khurram Parvez continued to be detained since 2021 under the Unlawful Activities (Prevention) Act.

On 19 August, the Indian authorities blocked access to Fahad Shah's online news outlet, The Kashmir Walla, and its associated social media accounts on Facebook and X (formerly Twitter).

On 4 and 5 February, the district municipal corporations and Union Territory revenue authorities demolished the homes and properties of residents in at least four districts – Srinagar, Budgam, Anantnag and Baramulla – in Jammu and Kashmir.

On 11 December, the Supreme Court of India upheld the constitutional validity of the abrogation of Article 370 of the Constitution of India by the government on 5 August 2019. Article 370 guaranteed far-reaching powers to the Union Territory of Jammu and Kashmir on a wide range of issues, with the exception of foreign affairs, defence and communication. The Court also recommended the creation of an independent truth and reconciliation commission to investigate human rights violations committed by state and non-state actors in the region and ordered the Indian government to hold legislative assembly elections in the Union Territory by September 2024.

## RIGHT TO A HEALTHY ENVIRONMENT

The government lacked adequate disaster preparedness policies and failed to effectively respond to floods and air pollution exacerbated by climate change. The Himalayan region remained vulnerable to intense floods which killed at least 72 people in August.

The authorities failed to provide adequate support to marginalized communities affected by heatwaves, leaving at least 96 people dead in the states of Uttar Pradesh and Bihar.

In November, the air quality index in Delhi hit 500, which is 100 times the limit deemed to be healthy by the WHO.

# INDONESIA

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## Republic of Indonesia

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**Peaceful demonstrators were arrested and excessive force was used to break up protests. Military operations in Papua resulted in unlawful killings and torture and other ill-treatment. Pro-independence activists were imprisoned. Torture and other ill-treatment by security forces of criminal suspects was commonplace, in some cases resulting in deaths. Non-state armed groups in Papua were also responsible for unlawful killings. The government failed to conduct meaningful consultations with populations affected by controversial development projects. Indonesia remained heavily reliant on coal for energy generation and plans to phase out fossil fuels were inadequate.**

## BACKGROUND

Tensions in Papua increased following the taking hostage in February of a pilot, a New Zealand national, by members of the National Liberation Army of Free Papua Organization (TPNPB-OPM) at Paro Airport in the remote highlands of Nduga regency, Papua Pegunungan province. In response the Indonesian military raised the operational status in Nduga to “combat alert” and deployed additional troops to the area, raising fears for the safety of civilians there and in surrounding areas.

## FREEDOM OF ASSEMBLY

Security forces arrested peaceful demonstrators and used excessive force to disperse protests, often resulting in injuries.

On 5 August, police arrested 18 people who were resting in West Sumatra Grand Mosque in the provincial capital Padang during protests against plans for an oil and petrochemical refinery in Nagari Air Bangis village in Barat regency. Police removed other

protesters from the building, some of whom were praying at the time, including women who were dragged from the mosque. At least five journalists who were live-streaming or reporting on the event were physically assaulted and threatened by police officers. All of those arrested, including community leaders and activists, students and lawyers, were subsequently released without charge. These events followed a six-day protest in Nagari Air Bangis by residents concerned about the risk posed by the construction of the refinery to their livelihoods and the local environment.

On 14 August, security forces arrested seven people and used tear gas to disperse protesters who were blocking a road in the city of Bandung, West Java, to protest against the planned eviction of around 300 residents of Dago Elos, a suburb of the city. Those arrested included Dago Elos residents and a lawyer who was supporting them in the land dispute. All were released on 16 August but three were charged with committing violent acts. Several people were reportedly injured as a result of excessive use of force by the police.<sup>1</sup>

## **FREEDOM OF EXPRESSION**

Authorities continued to prosecute people for crimes against the security of the state for exercising their right to freedom of expression, including those calling for independence of Papua. At least three Papuan activists were imprisoned during the year for expressing their opinions.

On 8 August, Jayapura District Court found Yoseph Ernesto Matuan, Devio Tekege and Ambrosius Fransiskus Elopere guilty of treason under Articles 55 and 106 of the Criminal Code and sentenced them to 10 months' imprisonment each. The three students were arrested in November 2022 while participating in a vigil at Jayapura University of Technology and Science to commemorate the 21st anniversary of the abduction and killing of pro-independence leader Theys Eluay, at which the Morning Star flag, a symbol of Papuan independence,

was raised. All three were released in September having served their sentences.<sup>2</sup>

## **UNLAWFUL KILLINGS**

At least 26 incidents resulting in unlawful killings by security forces were reported in Papua, involving a total of 58 victims.

In September, security forces shot and killed five Indigenous Papuans in Dekai, the capital of Yahukimo regency, Papua Pegunungan province. The security forces claimed that the five, who were aged between 15 and 18, were killed in a firefight with the TPNPB-OPM. Other sources denied that the youths were members of the armed group but rather were returning to their village having bought food in Dekai. Anyone leaving Dekai was required to report to a security post on the outskirts of the city and if they failed to do so they were automatically considered to be members of the TPNPB-OPM. The authorities had not initiated investigations into the alleged killings by the end of the year.

## **TORTURE AND OTHER ILL-TREATMENT**

Security forces subjected detainees to torture and other ill-treatment to extract information or confessions.

Torture and other ill-treatment remained commonplace in Papua, where incidents of arbitrary detention and torture also occurred in the context of military operations in and around Nduga regency. On 6 April, the military detained and tortured six Indigenous Papuans from Kwiyawagi village in Lanny Jaya regency, Papua Pegunungan province. The six, who included four boys, were transported by helicopter to the military headquarters in Timika, where 17-year-old Wity Unue died, reportedly as a result of injuries sustained from torture. The five others were released without charge on 20 April, but were reported to be in poor health. No one had been brought to justice by the end of the year.

In September, eight members of the narcotics division of Jakarta Metropolitan Police were named as suspects in the beating to death of a suspected drug dealer

during interrogation in July. None of the eight had been charged by the end of the year.

In August, the body of Imam Masykur was found more than three weeks after he was abducted and tortured by three soldiers from the Presidential Security Force and the Indonesian military. According to the Asian Human Rights Commission, the three detained the 25-year-old in the capital, Jakarta, after accusing him of selling illegal drugs and demanded a ransom for his release. Imam Masykur's body was found in a reservoir in West Java. In December, the three perpetrators were sentenced to life imprisonment and dismissed from the military.

## **ABUSES BY ARMED GROUPS**

Eleven incidents resulting in the unlawful killings of 24 victims by the TPNPB-OPM in Papua were documented during the year.

On 28 August, a spokesperson for the armed group claimed that it had killed Michelle Kurisi Doga in Kolawa, Lanny Jaya regency, Papua Pegunungan province. At the time of her death, Michelle Kurisi Doga was travelling to gather data on displacement resulting from military operations in Nduga, but according to the spokesman they suspected her of being a member of military intelligence.<sup>3</sup>

The New Zealand national taken hostage by the TPNPB-OPM in February had not been released by the end of the year.

## **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

The government failed to carry out meaningful consultations and effective human rights due diligence processes before allowing work to start on the Rempang Eco-City project, a multibillion-dollar industrial and tourism development project on Rempang Island. The project involves the relocation of around 7,500 residents from 16 villages primarily inhabited by the Tempatan Indigenous Peoples that would result in loss of access to their ancestral lands. The national development project met with strong opposition from Tempatan Peoples and other

local communities. Consultations on the project were held with affected communities in August, but security at some of the meetings was reportedly heavy and observers described the meetings as a one-way dissemination of information from the government and the company to residents.

A series of protests against the acquisition of land for the Rempang Eco-City project were held in August and September, culminating in clashes with security forces on 7 September during which some protesters threw stones and water bottles and security forces responded with water cannon, tear gas and rubber bullets. At least 20 protesters were injured and approximately 25 pupils from two schools located near the site of the protests required hospital treatment from the effects of tear gas. Following the events of 7 September, new joint police/military security posts were established on the island. According to the local branch of the NGO Legal Aid Institute, at least 35 people were charged with using or threatening to use violence against officials carrying out their duties, which carries a maximum prison sentence of one year and four months.<sup>4</sup>

## **RIGHT TO A HEALTHY ENVIRONMENT**

Although Indonesia generated an increasing amount of its electricity from renewables, it remained heavily reliant on coal for electricity generation. Coal was also Indonesia's biggest export product. Plans to phase out the use of fossil fuels in energy production, set out in Presidential Regulation No. 112 of 2022 on the Acceleration of Renewable Energy Development for Power Supply, were inadequate because, among other factors, although the regulation banned new coal-fired energy plants, it permits the development of those already planned. As such, the government proceeded with a planned 35 thousand-megawatt power generation project, agreed in 2015, involving the construction of 109 mainly coal-fired power plants across the country.



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1. "Indonesia: The Indonesian people have not yet gained freedom from state violence", 16 August (Indonesian only)
  2. "Indonesia: Release three Papuan students from treason charge", 8 August (Indonesian only)
  3. "Indonesia: Investigate the perpetrators of the murder of Michelle Kurisi and armed violence against civilians in Papua", 30 August (Indonesian only)
  4. "Indonesia: Do not force Batam residents to accept national strategic project", 8 September (Indonesian only)

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# IRAN

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## Islamic Republic of Iran

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**In the aftermath of the 2022 "Woman Life Freedom" uprising, authorities further suppressed the rights to freedom of expression, association and peaceful assembly, and intensified their crackdown on women and girls defying compulsory veiling laws. Security forces crushed protests using unlawful force and mass arrests. Thousands were subjected to interrogation, arbitrary detention, unjust prosecution, and imprisonment for peacefully exercising their human rights. Enforced disappearances, and torture and other ill-treatment were widespread and systematic. Women and girls, LGBTI people, and ethnic and religious minorities were subjected to systemic discrimination and violence. Cruel and inhuman punishments, including flogging, were imposed and implemented. The use of the death penalty as a tool of political repression intensified and executions increased. Trials remained systematically unfair. Systemic impunity prevailed for past and ongoing crimes against humanity relating to prison massacres in 1988 and other crimes under international law.**

## BACKGROUND

In March, the UN Human Rights Council renewed the mandate of the Special Rapporteur on Iran. In his February report, he pointed to the "possible commission of international crimes, notably the crimes against humanity of murder, imprisonment,

enforced disappearances, torture, rape and sexual violence, and persecution" during the "Woman Life Freedom" uprising of 2022.

The UN Independent International Fact-Finding Mission on Iran, and other independent UN experts and international human rights monitors, were denied entry to Iran.

In November, in its concluding observations on the fourth periodic report on Iran, the UN Human Rights Committee called on the authorities to amend or repeal compulsory veiling laws and to disband the morality police. It also expressed concern about impunity for the pattern of lethal force used during largely peaceful protests, and called on authorities to establish impartial and independent investigations into killings, torture and other human rights violations during successive protests to ensure that perpetrators are brought to justice and victims receive reparation.

In May, unjustly imprisoned Belgian national Olivier Vandecasteele was released and allowed to leave Iran under a Belgium/Iran deal that enabled the premature release and return to Iran of Iranian intelligence agent Assadollah Asadi, who was serving a 20-year sentence in Belgium for a thwarted bomb attack against Iranian dissidents in France. The deal contributed to ongoing impunity for the commission of hostage-taking and other crimes under international law by the Iranian authorities (see Belgium entry).<sup>1</sup>

Iran continued to provide military support to government forces in the armed conflict in Syria (see Syria entry).

Iran continued to provide drones to Russia, which were used to target and destroy civilian infrastructure in Ukraine, and transferred the technology and manufacturing expertise to allow Russia to manufacture the same drones.

Iran denied involvement in or prior knowledge of the 7 October attack on Israel by Hamas and other Palestinian armed groups.

## **FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY**

Authorities censored media, jammed satellite television channels, and continued to block and/or filter mobile apps and social media platforms, including Facebook, Google Play, Instagram, Signal, Telegram, WhatsApp, X (formerly Twitter) and YouTube.

The Internet User Protection Bill, which would violate people's right to privacy and further erode online freedoms and access to the global internet, remained pending before parliament.

Internet and mobile phone networks were disrupted during and ahead of expected protests.

The authorities resorted to repressive tactics to prevent mass nationwide protests, while security forces crushed smaller local protests using unlawful force and mass arrests.

In May, security forces used unlawful force against villagers protesting against a house demolition in Gojag village, Hormozgan province, resulting in injuries.

During and in advance of the anniversary of the "Woman Life Freedom" uprising in September, authorities suppressed protests and memorials, including by arbitrarily arresting relatives of victims and forcing thousands of university students to sign undertakings not to protest.<sup>2</sup>

Attacks on weekly Friday protests in Zahedan city in Sistan and Baluchestan province peaked on 20 October as security forces unlawfully used tear gas, shotguns and water cannons against thousands of protesters and worshippers, including children, and carried out mass arbitrary arrests.<sup>3</sup>

Thousands of people, including children, were subjected to abusive interrogations, arbitrary detention, unjust prosecution, and suspension or expulsion from education or employment for peacefully exercising their human rights. Victims included protesters, women removing mandatory headscarves in public, journalists, actors and musicians, writers and academics, university students, LGBTI individuals, and human rights defenders, including women's rights activists,

anti-death penalty campaigners, lawyers, and families seeking truth and justice for victims of unlawful killings.

The authorities continued to ban independent political parties, civil society organizations and trade unions, and subjected workers and labour rights activists to reprisals for striking and holding peaceful gatherings, including on International Workers' Day.

## **ARBITRARY DETENTION AND UNFAIR TRIALS**

Trials were systematically unfair, resulting in thousands of people being arbitrarily detained. Systematic due process violations included denial of the right to a lawyer from the time of arrest, admission of torture-tainted "confessions" as evidence, and summary trials, resulting in imprisonment as well as sentences of flogging and death.

The judiciary played a central role in entrenching impunity for torture, enforced disappearances and other human rights violations, as it lacked independence and included senior officials who must themselves be investigated for crimes under international law.

Authorities sought to further undermine the independence of the Iranian Bar Association through legislative changes and other repressive measures.

Impunity prevailed for the ongoing practice of arbitrarily detaining foreign and dual nationals for leverage, which, in some cases, constituted the crime of hostage-taking.

The arbitrary house arrest of dissidents Mehdi Karroubi, Mir Hossein Mousavi and Zahra Rahnavard entered its 13th year.

## **ENFORCED DISAPPEARANCES AND TORTURE AND OTHER ILL-TREATMENT**

Authorities routinely subjected detainees to enforced disappearance and incommunicado detention, frequently in facilities controlled by the Ministry of Intelligence, the Revolutionary Guards and various bodies of Iran's police.<sup>4</sup>

Torture and other ill-treatment were widespread and systematic, including

beatings, floggings, electric shocks, mock executions, denial of food and water, and prolonged solitary confinement. State television aired torture-tainted “confessions”.

Prisoners were subjected to cruel and inhuman conditions, including extreme overcrowding, unsanitary conditions, poor ventilation, infestation with mice or insects, and poor or no access to bedding, toilet and washing facilities.

Prison officials and prosecution authorities often deliberately denied prisoners adequate healthcare, including for torture-related injuries. Suspicious deaths in custody amid credible reports of torture and other ill-treatment, including beatings and denial of healthcare, went unaddressed and unpunished. Among those who died in suspicious circumstances were Ebrahim Rigi and Javad Rouhi, who had been detained in relation to the 2022 uprising.

The Islamic Penal Code retained punishments amounting to torture and other ill-treatment, including flogging, blinding, amputation, crucifixion and stoning.

Courts issued at least 188 flogging sentences, and at least nine were implemented; two amputation sentences were implemented; and one blinding sentence was upheld by the Supreme Court, according to the Abdorrahman Boroumand Center for Human Rights in Iran.

## **DISCRIMINATION AND VIOLENCE AGAINST WOMEN AND GIRLS**

The authorities continued to treat women as second-class citizens, including in relation to marriage, divorce, child custody, employment, inheritance and political office.

The legal age of marriage for girls remained at 13, and fathers could obtain judicial permission to subject their daughters to forced marriage at a younger age.

Authorities intensified their nationwide crackdown on women and girls who defied compulsory veiling, introducing policies that severely violated their social, economic, cultural, civil and political rights and restricted their freedom of movement.<sup>5</sup> Punitive policies included: sending more than

1 million women SMS warnings threatening confiscation of their vehicles; immobilizing women’s cars; denying women access to employment, education, healthcare, banking services and/or public transport; and referring women to the judiciary, which imposed imprisonment, fines and degrading punishments, such as washing corpses. Based on official announcements, over 1,800 businesses were forcibly closed for not enforcing compulsory veiling.

“Morality” policing returned, resulting in intensified harassment and violence against women and girls in public.

In December, the Expediency Council intervened to approve the draconian Bill to Support the Family by Promoting the Culture of Chastity and Hijab, and sent it for final approval to the Guardian Council, which returned the bill to parliament again for further amendments. The bill provides for up to 10 years’ imprisonment for anyone who defies compulsory veiling, and criminalizes non-state actors, including businesses, who refuse to enforce compulsory veiling.

On 28 October, 16-year-old Armita Garawand died after 28 days in a coma amid reports that an enforcer of compulsory veiling laws assaulted her. Authorities arrested a journalist investigating the incident, circulated propaganda videos absolving themselves of responsibility, and subjected those attending her commemorations to arbitrary detention, beatings and/or other forms of harassment.

Between January and April, thousands of schoolgirls were poisoned and hospitalized as a result of chemical attacks deliberately targeting girls’ schools nationwide in what appeared to be a coordinated campaign to punish schoolgirls for removing their mandatory hijabs during the 2022 uprising. The authorities subjected parents, schoolgirls, teachers, journalists and others to violence, intimidation and arbitrary arrest for criticizing the authorities’ failure to stop the attacks and for seeking truth and accountability.

In April, parliament approved the general principles of the bill Preventing Women from

Harm and Improving Their Security Against Misbehaviour. Some of its provisions were referred for further examination to relevant parliamentary committees. The bill had been introduced over a decade ago to address violence against women, but the text was watered down to remove mentions of “violence”. It failed to define domestic violence as an offence, criminalize marital rape and child marriage, and ensure men who murder their wives or daughters face proportionate punishments.

Authorities failed to provide adequate gender-specific healthcare to women prisoners.

## **DISCRIMINATION**

### **ETHNIC MINORITIES**

Ethnic minorities, including Ahwazi Arabs, Azerbaijani Turks, Baluchis, Kurds and Turkmen, faced widespread discrimination, curtailing their access to education, employment, adequate housing and political office. Continued under-investment in regions populated by ethnic minorities exacerbated poverty and marginalization.

Persian remained the sole language of instruction in primary and secondary education, despite repeated calls for linguistic diversity.

Security forces unlawfully killed with impunity dozens of unarmed Kurdish cross-border couriers (*kulbars*) between the Kurdistan regions of Iran and Iraq, as well as Baluchi fuel porters (*soukhtbar*) in Sistan and Baluchestan province.

### **RELIGIOUS MINORITIES**

Religious minorities, including Baha’is, Christians, Gonabadi Dervishes, Jews, Sunni Muslims and Yaresan, suffered discrimination in law and practice, including in access to education, employment, child adoption, political office and places of worship. Hundreds were subjected to arbitrary detention, unjust prosecution, and torture and other ill-treatment for professing or practising their faith.

People born to parents classified as Muslim by the authorities risked arbitrary detention,

torture or the death penalty for “apostasy” if they adopted other religions or atheism.

Members of the Baha’i minority were subjected to widespread and systematic violations, including through prohibition from higher education and forcible closure of their businesses or confiscation of their properties, as well as mass arbitrary detentions.

Authorities prevented Baha’i burials in a cemetery they have used for decades in Tehran and forcibly buried several deceased Baha’is at the nearby Khavaran mass grave site, believed to contain the remains of victims of prison massacres in 1988, without their families’ prior knowledge and in violation of Baha’i burial practices.

Authorities raided house churches and subjected Christian converts to arbitrary arrest and punishments such as imprisonment and internal “exile”.

### **LGBTI PEOPLE**

LGBTI people suffered systemic discrimination and violence. Consensual same-sex sexual relations remained criminalized with punishments ranging from flogging to the death penalty.

State-endorsed “conversion therapies” amounting to torture or other ill-treatment remained prevalent, including against children. Hormone therapy and surgical procedures, including sterilization, were mandatory for legal gender recognition.

Gender non-conforming individuals risked criminalization and denial of access to education and employment.

## **REFUGEES’ AND MIGRANTS’ RIGHTS**

The estimated 5 million Afghan nationals in Iran faced widespread discrimination, including barriers to education, housing, employment, healthcare, banking services and freedom of movement.

State media and some officials railed against Afghan asylum seekers, fuelling hate speech and hate crimes against Afghan nationals in Iran.

In November, authorities announced that repatriation of “illegal” Afghan migrants had started in August and that, since then,

450,000 had “voluntarily” returned to Afghanistan.

## DEATH PENALTY

Executions increased from 2022 and the number of drug-related executions almost doubled.

The death penalty was imposed after grossly unfair trials and for offences not meeting the threshold of the “most serious crimes” involving intentional killing. The offences included drug trafficking, financial corruption, vandalism, and vaguely worded offences such as “enmity against God” (*moharebeh*) and “corruption on earth” (*efsad-e fel-arz*).

The death penalty was also retained for acts protected by the rights to privacy and freedom of expression, religion or belief, including “insulting the Prophet”, drinking alcohol, and consensual same-sex sexual relationships between adults or outside marriage. Adultery remained punishable by stoning.

Authorities used the death penalty as a tool of political repression against protesters, dissidents and ethnic minorities.<sup>6</sup>

Two men were executed for “apostasy” solely for the peaceful exercise of their right to freedom of religion through social media activities.

Six young men were arbitrarily executed in relation to the 2022 uprising after unfair sham trials based on torture-tainted “confessions”.

The oppressed Baluchi minority made up a disproportionate number of those executed.<sup>7</sup>

Several individuals who were below 18 at the time of the crime were executed, including Hamidreza Azari, who was 17 at the time of his execution. Scores of others remained on death row.

## IMPUNITY

In May, the president announced the formation of the non-judicial Special Committee for Examining the Unrest of 2022 amid concerns over the impartiality and independence of its members. The committee failed to carry out investigations in

line with international standards or make its findings public.

No public official was held accountable for unlawful killings, torture, enforced disappearance and other crimes under international law or grave human rights violations committed in 2023 or before.

Authorities continued to cover up torture and other ill-treatment, including rape and other forms of sexual violence, perpetrated by state officials against protesters detained during the 2022 uprising, and pressured victims to withdraw complaints or face reprisals. They also subjected families of victims unlawfully killed during the uprising to harassment and intimidation, arbitrary detention, bans on memorial ceremonies, and destruction of their loved ones’ grave sites. They continued to deny responsibility for the 2022 death in custody of Jina/Mahsa Amini and harassed her family.

Authorities continued to conceal the truth surrounding the January 2020 missile strike against Ukraine International Airlines flight 752, which killed 176 people. In April, following a trial mired in secrecy, a military court sentenced a commander to 13 years’ imprisonment and nine others to between one and three years in prison. In August, the case was sent for appeal to the Supreme Court.

Impunity prevailed for ongoing crimes against humanity relating to the extrajudicial execution and enforced disappearance of several thousand political dissidents in 1988, with many of those involved holding top official positions, including the president.

## RIGHT TO A HEALTHY ENVIRONMENT

Environmental experts criticized the authorities’ failure to address Iran’s environmental crisis, marked by loss of lakes, rivers and wetlands; deforestation; air pollution; water pollution caused by the discharge of wastewater into urban water sources; and land subsidence.

Iran maintained high levels of fossil fuel production and subsidies.

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1. "Iran/Belgium: Iran must be held accountable for hostage-taking after overdue release of Olivier Vandecasteele in prisoner swap", 26 May
  2. "Iran: One year after uprising international community must combat impunity for brutal crackdown", 13 September
  3. "Iran: New wave of brutal attacks against Baluchi protesters and worshippers", 26 October
  4. "Iran: Further information: Activist forcibly disappeared for over a year: Ebrahim Babaei", 14 March
  5. "Iran: International community must stand with women and girls suffering intensifying oppression", 26 July
  6. "Iran: Executions of tortured protesters must trigger a robust reaction from the international community," 19 May
  7. "Iran: Chilling execution spree with escalating use of death penalty against persecuted ethnic minorities", 2 March

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# IRAQ

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## Republic of Iraq

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**Iraqi authorities took no meaningful steps to bring to justice members of security forces and state-affiliated militias involved in the violent crackdown on nationwide protests in October 2019. Security forces continued to forcibly disappear men and boys, and the fate of thousands of Iraqis who were subjected to enforced disappearance in previous years remained unknown. Iraqi authorities attacked freedom of expression and prepared new laws to further curb this right. Authorities intensified their repression of LGBTI people's rights. Protection from gender-based violence remained severely limited in central Iraq and the Kurdistan Region of Iraq. The majority of the 1.1 million internally displaced people in Iraq continued to live in precarious situations and unable to access basic rights.**

## BACKGROUND

On 18 December, provincial elections were held across Iraq, except in the four governorates in Kurdistan Region of Iraq (KR-I), where elections were scheduled for early 2024. The low 41% voter turnout was largely attributed to apathy and lack of faith in the authorities.

Throughout the year, Türkiye's Ministry of National Defence claimed air strikes on positions held by the Kurdistan Workers Party (PKK) in the mountains and in the KR-I, including a drone attack in October on a refugee camp that hosts over 12,000 refugees, injuring one woman and two children.

Drought, exacerbated by climate change, reduced agricultural production. Contaminated water was linked to cholera outbreaks across Iraq, and the WHO reported at least 1,302 cases and at least seven deaths by mid-November.

In July, the Iraqi government severed diplomatic relations with Sweden after reports that an Iraqi immigrant burned a copy of the Qur'an outside its embassy in Sweden's capital Stockholm. In Iraq, followers of Shia cleric Muqtada al-Sadr attacked the Swedish embassy in Baghdad. In September, a court in Baghdad sentenced 18 police officers to prison terms of between 18 months and three years for their failure to prevent the attack.

In October, Iraq's political parties, leaders of the Popular Mobilization Units (PMU) and religious clerics responded to Israel's bombardment of Gaza, calling for mass protests in support of Palestine. By the end of the year, several of the largest factions of the PMU, which later came to call themselves the Islamic Resistance in Iraq, claimed drone and rocket attacks on US bases in Iraq's western governorate of Anbar as well as in the KR-I.

## IMPUNITY

Iraqi authorities took no meaningful steps to bring to justice members of security forces and state-affiliated militias involved in the violent crackdown on the nationwide October 2019 protests (also known as the Tishreen protests), despite the establishment of several investigative and fact-finding committees.<sup>1</sup> During the crackdown, hundreds of people were killed, thousands were maimed and scores abducted.

Armed actors, including PMU members, continued to harass and intimidate relatives

and loved ones of activists who disappeared or were killed in the context of the October 2019 protests. In an emblematic case, family members of Sajjad al-Iraqi – an activist who was forcibly disappeared in September 2020 in Nasiriya and whose fate remained unknown – said they were subjected to numerous threats and put under pressure to drop a court case related to the activist's disappearance. The family said that those making the threats are linked to the abductors and the PMU.

In April, a letter from the Prime Minister's Office to Amnesty International outlined measures taken by the Fact-Finding Committee, established in October 2020 and reactivated in November 2022, to commence reaching out to representatives of the Tishreen protesters. The office said the committee had investigated more than 215 cases obtained from a Baghdad court and reviewed thousands of medical reports, victim autopsy forms and reports of forensic experts. It added that reparations had been paid to the families of those killed, amounting to IQD 10 million (about USD 7,650) for each victim.<sup>2</sup> However, the committee were yet to publish any findings. Activists, protesters and families of those injured or killed also raised concerns about accessing reparations, including the requirement of medical documents that most of the injured could not obtain during the protests.

## **ENFORCED DISAPPEARANCES**

The fate of thousands of Iraqis who were forcibly disappeared during the armed conflict to regain control of territory from the Islamic State armed group, as well as during the 2019 nationwide protests, remained unknown.<sup>3</sup> In June, Iraq's Ministry of Foreign Affairs responded to a letter from Amnesty International about the disappearance of at least 643 men and boys from the governorate of Anbar since 2016, stating that no proof had been found of the involvement of government forces and that no criminal complaints had been brought by families of the disappeared against security forces for the abductions.<sup>4</sup>

Iraqi security and intelligence forces, including the PMU, continued to forcibly disappear men and boys taken from checkpoints, homes and streets. Human rights organizations and activists in a number of governorates, notably Salah al-Din, Anbar, Ninewa and Basra, continued to report instances of enforced disappearances at the hands of factions of the PMU that had a presence in these areas.

In April, the UN Committee on Enforced Disappearances estimated that 250,000 to 1 million individuals had been forcibly disappeared in Iraq since 1968 and urged Iraq to criminalize the practice. In response, on 6 August Iraqi authorities presented their draft law on missing persons to parliament, which had the stated aim of helping relatives learn the fate of their missing family members and be given access to reparations, including by setting up a national commission for the missing. However, the latest draft seen by Amnesty International failed to criminalize enforced disappearances or outline penalties for perpetrators.

## **FREEDOM OF EXPRESSION**

Iraqi authorities carried out a series of attacks on freedom of expression and attempted to introduce laws and regulations to curb this right.<sup>5</sup>

In January, the authorities announced a campaign to crack down on "indecent content" online. In mid-February, a judge in Baghdad's investigative court specialized in media and publishing issues, announced that the courts had already charged 14 people for publishing "indecent" or "immoral" content on social media, and sentenced six of them to prison terms ranging from six months to two years. All were charged under Article 403 of the Penal Code, which criminalizes published material that "violates public integrity or decency". Between April and December, an additional 13 people had been charged. The majority were released on bail or after charges against them were dropped, but at least one person was convicted and sentenced to a prison term of three months and 10 days.

In July, Iraqi authorities reintroduced to parliament draft laws – the Law on Freedom of Expression and Peaceful Assembly, and the Law on Cybercrimes – that, if passed, would severely curtail the rights to freedom of expression and peaceful assembly.<sup>6</sup>

In the KR-I, government critics scheduled for release remained behind bars after authorities brought spurious new charges against them. They included journalists Sherwan Sherwani and Guhdar Zebari, imprisoned in the KR-I since October 2020 following a grossly unfair trial. Guhdar Zebari was informed on 16 August, the day he was scheduled for release, that he had been charged with another offence. He remained in detention at a facility of the Asayish, the KRG security and intelligence agency, until his trial on 1 October, when he was sentenced to a further six months' imprisonment for possession of an unlicensed weapon. Sherwan Sherwani was due to be released on 9 September, but on 20 July, a court sentenced him to an additional four years in prison on charges relating to falsifying Guhdar Zebari's signature on a petition to the Erbil Adult Reform Prison, to which the latter confirmed he had consented. On 1 November, an appeals court in Erbil reduced Sherwan Sherwani's sentence to two years.<sup>7</sup>

## **LGBTI PEOPLE'S RIGHTS**

Authorities escalated their crackdown on the rights of LGBTI people.

On 9 August, the Iraqi Communications and Media Commission issued a directive banning media outlets from using the word “gender” and requiring the term “homosexuality” to be replaced with “sexual deviance” in all published and broadcast language.<sup>8</sup>

On 15 August, the Iraqi parliament carried out the first reading of a law, proposed by the parliament's deputy speaker, that would impose the death penalty for people found to be in a same-sex sexual relationship, as well as punitive measures for trans people seeking gender affirmation treatment. The

draft law was withdrawn in September following local and international outrage.

In the KR-I, on 6 September, the authorities in Erbil city arrested and detained two well-known beauty experts for, respectively, cross-dressing and posting “indecent” images on social media, which the prosecution deemed to be “disrupting the order of society”. They were released the following week without charge.

Activists and NGO workers in the KR-I reported being threatened with arrest warrants and summoned for questioning in regard to their work and activism for LGBTI people's rights.

## **VIOLENCE AGAINST WOMEN AND GIRLS**

The Iraqi parliament failed to criminalize domestic violence and to adequately protect women and girls from gender-based violence. In April, a court in Baghdad sentenced the father of Tiba al-Ali to six months' imprisonment for her murder on 1 February, leading to protests in Baghdad against the lenient sentence.<sup>9</sup>

Authorities took no steps to amend provisions of Iraq's Penal Code that allow a husband to punish his wife, and parents to discipline their children using corporal punishment, and provide for a mitigated sentence for “honour killings”. The Penal Code also allows rapists to avoid prosecution by marrying their victim.

Failure by the KRG to bolster state-established protection mechanisms and services seriously undermined the ability of survivors of domestic violence to flee abuse. Slow judicial processes and difficult living conditions in shelters often left women with little choice but to drop charges against their abusers, further perpetuating impunity.

In April, Iraqi authorities announced that Yazidi survivors of violence were required to file a criminal complaint to access and receive reparation, as set out in the Yazidi Survivors Law of 2021, which seriously undermines survivors' best interests and hinders adequate, prompt and effective reparation.<sup>10</sup>



## **INTERNALLY DISPLACED PEOPLE'S RIGHTS**

At the beginning of the year, at least 1.2 million men, women and children remained internally displaced as a result of the conflict with Islamic State, with the majority still living in precarious situations almost six years after the government declared victory over the armed group.

In April, Iraqi authorities closed, without warning or coordination with humanitarian actors, the last operating camp in Ninewa governorate in north-west Iraq for those internally displaced by the conflict with Islamic State. The only remaining camps were in areas under KRG control. The closure of the Ninewa camp left hundreds of families at risk of secondary displacement without any plan for those unable to return to their areas of origin.

Security and intelligence forces operating in civil status directorates in several governorates continued to subject hundreds of families, most of them female-headed, to a process of blacklisting due to their perceived affiliation with Islamic State. They prevented families from accessing civil status documentation that is essential for accessing basic rights and left families at risk of arrest at checkpoints.

By the end of the year, at least 1.1 million Iraqis remained displaced, of whom 175,000 were in camps and the rest were in situations of secondary displacement.

## **RIGHT TO A HEALTHY ENVIRONMENT**

In relation to climate change, Iraq continued to rank among the most climate-vulnerable and least-prepared countries. Despite this, actors believed to be part of the PMU intimidated and, in some cases, abducted environmental activists and experts. In February, unidentified armed actors from Al-Hilla town in Babil governorate abducted an expert who had frequently raised alarms about Iraqi marshes drying out; his fate remained unknown for two weeks. Following his release, he stated that he had been tortured and otherwise ill-treated. No

investigation into the incident or arrests were made public.

Despite receiving support to develop a national adaptation plan, the government had not published anything by the end of the year.

Iraq announced plans to drill new wells and increase oil production, contrary to the UN conclusion that countries must substantially reduce production to keep global warming to less than 1.5°C. In October, Iraq reported record revenues from oil sales since the beginning of 2023, amounting to over 90% of its total revenues, but this income did not lead to any plans to diversify the economy.

## **RIGHT TO WATER**

Despite its natural resources, Iraq has become one of the most water-stressed countries in the world. For the second consecutive year, Iraq's Ministry of Water Resources announced that water levels in Iraq were the lowest ever. Iraqi authorities continued to attribute the scarcity to dam building in neighbouring countries. Others, including UNICEF, attributed the increasing water scarcity to a range of factors, including poor water management, and raised concerns about over-use of non-renewable water resources.

By September at least 21,798 families remained displaced across the southern and central governorates of Iraq due to drought and water scarcity exacerbated by climate change, according to the International Organization for Migration.

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1. "Iraq: Four years after Tishreen protests, no justice for state and militia violence", 27 September
  2. "Iraq: Letter of response from the Government of Iraq to Amnesty International on 2 April 2023", 4 May
  3. "'More than a million years of waiting and campaigning': Families of the disappeared mark the International Day for the Disappeared in Beirut", 30 August
  4. "Iraq: Letter of Response from the Government of Iraq to Amnesty International on 8 June 2023", 26 June
  5. "Iraq: Joint statement: Iraqi authorities must cease chilling crackdown on free speech", 3 March
  6. "Iraq: Draft laws threaten rights to freedom of expression and peaceful assembly", 18 July

7. "Iraq/KRI: Further information: Journalists face additional prison time: Sherwan Sherwani and Guhdar Zebari", 24 August
8. "Iraq: Authorities must immediately reverse media ban on the terms 'homosexuality' and 'gender'", 9 August
9. "Iraq: Action must be taken on gender-based violence after murder of Tiba Ali by her father", 3 February
10. "Iraq: Statement on the implementation of the Yazidi Survivors Law", 14 April

## IRELAND

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### Ireland

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**The crisis in housing availability worsened, including for asylum seekers. Concerns emerged about the Data Protection Commission's failure to hold Big Tech companies such as Meta and Google accountable for violations of the right to privacy. Criminalization of aspects of sex work continued to put sex workers at higher risk of violence.**

### RIGHT TO HOUSING

The crisis of housing availability and affordability worsened, and led to record numbers of people experiencing homelessness, including children. In November, 13,514 people were living in emergency homelessness accommodation. This included 4,105 children, the largest ever number and 17% higher than during the same month in 2022. In its Concluding Observations published in February, the UN Committee on the Rights of the Child called on the government to address the root causes of homelessness among children, strengthen measures to phase out emergency accommodation schemes and significantly increase the availability of social housing for families.

By year's end, a review of housing policy by the government-established Housing Commission had still not been published, and a constitutional referendum on housing promised by the government had not been scheduled.

### REFUGEES' AND MIGRANTS' RIGHTS

The worsening housing crisis continued to seriously impact the availability and quality of accommodation for asylum seekers, with some new arrivals offered only tents and sleeping bags.

In October, the Ombudsman for Children published a *Special Report on the Safety and Welfare of Children in Direct Provision* showing that the government's "crisis-driven response" to significantly increased numbers of people seeking protection affected the welfare of children living in state-provided accommodation. Progress on reforms to the "direct provision" accommodation system for asylum seekers, as promised in the government's 2021 white paper, had "stalled or regressed", the report said.

### RIGHT TO PRIVACY

There were concerns about the Irish Data Protection Commission's poor record in holding Big Tech companies such as Meta and Google accountable for disregarding the privacy rights of millions of social media users in Europe and around the world. In June, legislation was passed allowing the commission to deem all its enforcement procedures confidential, potentially further shielding Big Tech from scrutiny.

### SEXUAL AND REPRODUCTIVE RIGHTS

A report of the government's review of the 2018 Health (Regulation of Termination of Pregnancy) Act published in April found concerning gaps in, and barriers to the provision of, appropriate abortion care. It acknowledged the negative impact of conscience-based refusal by medical professionals to provide abortion care and recommended removing criminal liability for healthcare professionals.

### WORKERS' RIGHTS

The 2017 law criminalizing the purchase of sex and retaining the "brothel-keeping" offence – preventing sex workers from working together – had still not been reviewed, despite a statutory requirement for a review within three years. Therefore, no

progress was made in addressing evidence that the legal framework exposed sex workers to a higher risk of violence and other abuse.

## **FREEDOM OF EXPRESSION AND ASSOCIATION**

No progress was made in addressing restrictions imposed by the Electoral Act 1997 (as amended in 2001) on the freedom of civil society organizations to access funding for campaigning purposes.

## **RIGHT TO A HEALTHY ENVIRONMENT**

In June, the Environmental Protection Agency published its greenhouse gas emissions projections for the period 2022-2040, concluding that the government's climate policies and measures, even if fully implemented, would not achieve the emissions reduction targets set out in Ireland's climate legislation. It found that almost all sectors – including agriculture, electricity, transport and industry – were projected to exceed their national sectoral emissions ceilings for 2025 and 2030.

# **ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORIES**

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## **State of Israel**

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**In May, Israel launched a five-day offensive in the occupied and blockaded Gaza Strip, killing 11 Palestinian civilians. Following a Hamas-led attack in southern Israel on 7 October during which at least 1,000 people were killed, of which 36 were children, and some 245 were taken hostage or captive, Israel conducted intense military operations that killed 21,600 Palestinians in Gaza, a third of them children, and wrecked 60% of homes. In October, Israel intensified its 16-year blockade on Gaza, cutting off all**

**supplies, including food, water, electricity, fuel and medicines, aggravating the humanitarian catastrophe. Following 7 October, Israeli authorities increased restrictions on freedom of movement across the occupied West Bank. Israeli authorities deepened the apartheid system oppressing Palestinians in Israel and the Occupied Palestinian Territories, by implementing laws and policies of segregation, deprivation and forced displacement. In Gaza alone, 1.9 million Palestinians were forcibly displaced due to Israeli offensives, out of a population of 2.2 million. State-backed settler violence increased. In the Negev/Naqab in southern Israel, Israeli forces continued to demolish Bedouin homes and whole villages, including one village for the 222nd time. In the West Bank, Israeli policing operations were the most lethal since 2005, with 110 Palestinian children among those killed. Detentions of Palestinians without charge or trial reached record levels. Inside Israel, police sometimes used excessive force and arbitrary arrests at anti-government demonstrations, and imposed bans on anti-war protests in Palestinian communities. LGBTI people continued to face discrimination in law and practice.**

## **BACKGROUND**

Politicians who incited racial hatred, and proposed to annex Palestinian territory and forcibly deport Palestinians, were given military and policing responsibilities by the Benjamin Netanyahu government. Finance minister Bezalel Smotrich became governor of the occupied West Bank in February, and security minister Itamar Ben-Gvir formed a volunteer “national guard” in April. Their Jewish supremacist notions became mainstream after Hamas's 7 October attack (see Palestine entry).

On 25 July, the International Court of Justice (ICJ) received submissions regarding the legality of Israel's occupation of the Occupied Palestinian Territories (OPT).

From September, the Israeli Supreme Court heard petitions against an amendment to the

Basic Law: The Judiciary. The government-proposed amendment undermined the independence of the judiciary and its ability to preserve the civil rights of Jewish citizens.<sup>1</sup>

Opposition to the government was manifest in weekly mass protests, which stopped after 7 October. Benny Gantz's centrist party joined the government and emergency war cabinet on 11 October.

The defence ministry supported the evacuation of 54 communities in southern Israel and 43 in northern Israel after attacks from the Gaza Strip and Lebanon.

## **VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW**

### **THE GAZA STRIP**

The year's first Israeli offensive against occupied and blockaded Gaza, from 9 to 13 May, killed 11 Palestinian civilians, including four children, and destroyed 103 homes. The initial air strike killed Khalil al-Bahtini, a senior member of Al-Quds Brigades (the armed group affiliated with Islamic Jihad), his wife and young daughter, as well as their neighbours Dania and Iman Adas.<sup>2</sup> Al-Quds Brigades fired hundreds of indiscriminate rockets towards Israeli towns (see Palestine entry).

The second round of hostilities, with its cataclysmic humanitarian consequences for Gaza, saw unprecedented numbers of civilian casualties. On 7 October, amid the firing of thousands of indiscriminate rockets, fighters from Palestinian armed groups attacked southern Israel; at least 1,000 people were killed, and some 3,300 others injured, while some 245 were taken hostage and captive (see Palestine entry). In the following 12 weeks, Israeli forces' aerial bombings and ground offensives killed 21,600 Palestinians, a third of whom were children, according to Gaza's Ministry of Health.

Amnesty International's in-depth field investigation of the killing of 229 people in nine unlawful air strikes found that Israel violated international humanitarian law, including by failing to take feasible precautions to spare civilians, or by carrying out indiscriminate attacks that failed to

distinguish between civilians and military objectives, or by carrying out attacks that may have been directed against civilian objects.<sup>3</sup>

On 19 October, an Israeli air strike destroyed part of the Saint Porphyrius church compound in Gaza City, where hundreds of displaced people were sheltering, killing 18 civilians. Ramez al-Sury's three children and 10 other relatives including babies were killed there.<sup>4</sup> On 22 October, Israeli forces dropped US-made Joint Direct Attack Munitions, killing 19 civilians in the Abu Mu'eileq family home in Deir al-Balah in southern Gaza, the area then designated as safe by Israeli orders.<sup>5</sup>

According to OCHA, by the end of the year, 65,000 homes were destroyed, forcibly displacing 1.9 million Palestinians. In addition, 76 healthcare facilities, 370 schools, 115 mosques and three churches were damaged or destroyed.

Also on 7 October, the Israeli government blocked electricity sold to Gaza. On 9 October, it imposed a full siege, cutting off all supplies including food, water, fuel and medicines.

Media workers were also attacked. The Committee to Protect Journalists reported that 70 journalists were killed. Film-maker Roshdi Sarraj was killed in an air strike on 22 October on his home in Gaza City.

Medical personnel also faced attacks in the area. By December, 23 of 36 hospitals had been forced to close because of damage and lack of electricity. The WHO reported that 600 patients and medical personnel were killed in attacks on medical facilities, including 76 ambulances. In the north of Gaza, al-Ahli and al-Shifa hospitals were operating at 5% of capacity while being overwhelmed with wounded and sick people. Hospital bed occupancy was at 310%, according to the Palestinian Red Crescent Society. Its al-Amal hospital in Khan Yunis was targeted with a drone on 24 December, killing a 13-year-old boy.

### **LEBANON**

Hizbullah, a political party with an armed wing, and other armed groups in Lebanon,

fired rockets at northern Israel (see Lebanon entry). On 16 October, Israeli artillery used white phosphorus to shell the southern Lebanese town of Dhayra. Cross-border strikes killed some 120 people in Lebanon, and more than 10 in Israel. Israeli strikes on a group of seven journalists in south Lebanon on 13 October killed Reuters journalist Issam Abdallah.

## **APARTHEID**

Israeli authorities maintained their system of apartheid, passing laws that deepened the segregation of Palestinians from Israelis, confined Palestinians to deprived locations, and implementing policies that furthered the systematic dispossession of Palestinians. Wanton destruction, home demolitions, denial of access to livelihoods, and state-backed settler violence, all intensified forced displacement.

An amendment to the Citizenship and Entry into Israel Law passed on 15 February facilitated the stripping of Palestinians' citizenship and permanent residency, potentially rendering some Palestinians stateless. On 25 July, the Knesset approved an amendment to the Cooperative Societies Ordinance that expanded admission committees in 437 Jewish collective towns, with powers to exclude Palestinians under the vague pretext of "social unsuitability", according to Adalah, a legal organization protecting the rights of Palestinian citizens of Israel.

## **FORCED DISPLACEMENT**

OCHA recorded demolitions without military justification of 1,128 buildings, forcibly displacing 2,249 Palestinians in the West Bank including East Jerusalem. Additionally, the Israeli High Court of Justice approved the demolition of six homes of relatives of suspected attackers, despite Israeli civil rights organization HaMoked's objection that this constituted collective punishment. Meanwhile, Israeli authorities approved the construction of 18,500 settler homes in East Jerusalem alone, according to Israeli urban planners Ir Amim. Settlements in the rest of

the West Bank, illegal under international law, also continued to expand.

Settler violence spread with the accession of politicians who incited racial violence, and significantly increased after 7 October. Israeli settlers killed 18 Palestinians and injured 367, while Palestinian attackers killed 18 settlers and injured 107, according to OCHA.

Military and settler actions created coercive environments that displaced all 1,009 inhabitants of 16 herding communities, according to human rights organization B'Tselem. On 11 October, Israeli settlers killed three Palestinians in a family home in Qusra, near Huwara. A fourth was shot dead when Israeli soldiers came to protect the settlers. On 30 October, dozens of settlers set fire to two homes in Isfay al-Tahta in Masafer Yatta, southern West Bank. Many settlers were armed, some wore army uniforms, and most violent settlers enjoyed impunity for their crimes.<sup>6</sup>

The authorities continued to deny recognition to Palestinian citizens of Israel in 35 Bedouin villages in the Negev/Naqab in southern Israel, and to conduct home demolitions there. In July, courts approved the forced eviction of all 500 residents of Ras Jrabah. The residents had asked to be incorporated as a neighbourhood into the nearby Jewish city of Dimona but the local authorities dismissed that request without due consultation. On 27 September, Israeli forces demolished the village of al-'Araqib for the 222nd time.

In Gaza on 12 October, the Israeli army issued a vague collective "evacuation order" to all 1.1 million residents in northern Gaza. In November and December, Israeli forces ordered the displacement of civilians in southern areas, including Deir al-Balah and Khan Younis. By early December, 1.9 million Palestinians were forcibly displaced in Gaza.

## **UNLAWFUL KILLINGS**

### **WEST BANK INCLUDING EAST JERUSALEM**

The year was the deadliest for Palestinians in the West Bank since 2005, as Israeli policing operations became increasingly lethal amid

impunity for police killings and incitement from leaders.

According to OCHA, Israeli forces killed 493 Palestinians, mostly civilians, during operations against armed groups in Jenin and Nablus. Over 12,500 were injured.

Defence for Children International-Palestine reported that Israeli forces killed 110 children in the West Bank including Jerusalem in 2023. On 5 June, Mohammed al-Tamimi, aged three, succumbed to his wounds after being shot by Israeli forces in Nabi Saleh north of Ramallah as his father drove him to a birthday party. No criminal investigation was opened.

Throughout the year, Jenin refugee camp in the north endured Israeli law enforcement operations that killed at least 23 Palestinians between January and July. Revenge attacks by armed Palestinians against Israeli civilians killed four near the settlement of Eli on 20 June. On 21 June, hundreds of settlers attacked the Palestinian village of Turmusayya south of Eli, killing one resident and setting 15 houses on fire. From October, Israeli forces raided Jenin repeatedly, killing at least 116 people, according to the Palestinian ministry of health, including in an air strike on Al-Ansar mosque on 22 October.

## **RIGHT TO TRUTH, JUSTICE AND REPARATIONS**

Israeli authorities failed to promptly, thoroughly and independently investigate crimes and violations committed by the Israeli army, including unlawful killings in the West Bank and war crimes in Gaza. Israel continued to refuse to cooperate with the UN commission of inquiry and to deny entry to the UN Special Rapporteur on the OPT. At the end of October, the ICC prosecutor visited Israel, the West Bank, and the Rafah Crossing on Egypt's border with Gaza. On 29 December, South Africa applied to the ICJ for proceedings to be initiated against Israel regarding its breaches of the 1948 Genocide Convention in Gaza.

## **FREEDOM OF MOVEMENT**

Arbitrary restrictions on Palestinians' movement were further tightened after 7 October, in some cases amounting to collective punishment. The closures prevented patients' transfer to hospitals.

In the West Bank including East Jerusalem, OCHA documented 645 checkpoints, roadblocks and barriers, 80 of which were in Hebron in the south, where some 600 settlers lived illegally in the midst of the most populous West Bank city. After 7 October, the Israeli army imposed a 14-day total curfew on some 750 families in 11 neighbourhoods in downtown Hebron, according to B'Tselem. Checkpoint 54 in Hebron, fortified with facial recognition technology, automated the exclusion of Palestinians. Facial recognition technology also restricted Palestinians' access in East Jerusalem.<sup>7</sup> The army imposed closures of villages and refugee camps, and restricted access to farmland.

Thousands of workers from Gaza in Israel and the West Bank found their work permits revoked without warning on 11 October, when Israeli forces detained them. They were held incommunicado for at least three weeks on military bases, where two of them died; the deaths were not properly investigated. Israeli forces shot at least eight Palestinian fishermen at sea, causing permanent injuries. More than 90% of fishermen's families lived in poverty, according to the Gaza Fishermen's Union, due to restrictions on fishing areas and exports.

## **RIGHT TO HEALTH**

Health services in the OPT deteriorated from January, when Israel withheld tax revenues collected on behalf of Palestinian authorities, resulting in medicine shortages. Due to Israel's blockade, nearly 400 children in Gaza were denied access to critical treatment in the first half of the year, according to Save the Children.

Gazan health facilities were wrecked by attacks from October onwards, and medical reserves were used to treat some 55,000 injured people. As the borders were sealed, even severely injured people could not seek

treatment outside Gaza. Overcrowding in improvised shelters with one toilet per 486 people, no clean water or sanitation, caused a surge in respiratory, stomach and skin infections. One thousand injured children had legs amputated in inadequate conditions, according to UNICEF. By mid-December, 93% of people in Gaza were starving, according to the WHO, making them vulnerable to death from otherwise curable diseases, with pregnant and breastfeeding women at particular risk.

## **ARBITRARY DETENTION**

Israeli forces arrested 2,200 Palestinians in the month following 7 October, according to the Palestinian Prisoners Club.<sup>8</sup> Israeli authorities invoked the “Unlawful Combatants” Law, a category that does not exist in international humanitarian law, to hold without charge or trial 661 Palestinians from Gaza. Some 3,291 Palestinians were held under administrative detention, without charge or trial, according to HaMoked.

The ICRC confirmed that Palestinian prisoners were denied contact with their families and lawyers after 7 October, under “state of emergency” orders that were extended on 31 October until the end of the year.

Israeli authorities refused to share their summary of evidence and arguments in the conviction of prisoner of conscience Mohammed al-Halabi, a humanitarian worker from Gaza.

## **TORTURE AND OTHER ILL-TREATMENT**

On 5 and 6 April, Israeli forces beat men, women and children worshipping at Al-Aqsa mosque in Jerusalem, inflaming religious tensions. They arrested at least 450 Palestinians on the mosque esplanade, later released barefoot and beaten.

Torture and other ill-treatment increased after 7 October, with at least six prisoners dying in unclarified circumstances, according to the Public Committee against Torture. Israeli soldiers beat Palestinians while detaining them in the street in Gaza

blindfolded, stripped of their clothes, with their hands tied, on two occasions.<sup>9</sup>

In March, a court extended the prolonged solitary confinement of Ahmad Manasra, who suffered repeated mental health crises.<sup>10</sup> In May, prisoner Khader Adnan died after a three-month hunger strike without adequate medical care, making him the first Palestinian prisoner to die on hunger strike in 30 years.

## **FREEDOM OF EXPRESSION AND ASSEMBLY**

After the government announced judicial reform plans in January, hundreds of thousands of Israelis demonstrated in protest. Police in some cases responded with excessive force and carried out dozens of arbitrary arrests.

Military Order 101 continued to suppress Palestinians’ right to peacefully protest and assemble in the West Bank. In September, Israeli forces vandalized the student council building of Birzeit University. On 8 November, the High Court of Justice rejected a petition demanding police permission for anti-war demonstrations in Palestinian towns in northern Israel. Demonstrations by Jewish citizens of Israel were permitted.

## **RIGHT TO A HEALTHY ENVIRONMENT**

In September, the government approved a climate change bill, which committed to reducing emissions by 30% by 2030 but lacked enforcement mechanisms.

Israel, a high-income country, failed to take steps to phase out fossil fuels. Rather, on 29 October, the energy ministry launched new gas exploration.

The heavy bombardment of Gaza emitted pollution and greenhouse gases, harming the environment and health for years to come, according to the UN Special Rapporteur on human rights and the environment.

## **LGBTI PEOPLE’S RIGHTS**

Government ministers incited discrimination against LGBTI people and women, whose personal status continued to be governed by religious law. On 28 December, the Israeli

High Court ruled that the state can no longer discriminate against same-sex couples looking to adopt children.

## CONSCIENTIOUS OBJECTORS

Eight conscripts – Jewish and Arab citizens of Israel – were imprisoned for refusing military service, stating that their principles forbid the oppression of Palestinians. Yuval Dag was imprisoned four times between March and June.

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1. "Israel/OPT: Defending the rule of law, enforcing apartheid – the double life of Israel's judiciary", 13 September
  2. "Israel/OPT: Civilian deaths and extensive destruction in latest Gaza offensive highlight human toll of apartheid", 13 June
  3. "Israel/OPT: Damning evidence of war crimes as Israeli attacks wipe out entire families in Gaza", 20 October
  4. "Israel/OPT: 'Nowhere safe in Gaza': Unlawful Israeli strikes illustrate callous disregard for Palestinian lives", 20 November
  5. "Israel/OPT: US-made munitions killed 43 civilians in two documented Israeli air strikes in Gaza – new investigation", 5 December
  6. "Israel/OPT: Impunity reigns for perpetrators of settler violence", 3 March
  7. *Israel/OPT: Automated Apartheid: How Facial Recognition Fragments, Segregates and Controls Palestinians in the OPT*, 2 May
  8. "Israel/OPT: Horrifying cases of torture and degrading treatment of Palestinian detainees amid spike in arbitrary arrests", 8 November
  9. "Israel/OPT: Urgently investigate inhumane treatment and enforced disappearance of Palestinians detainees from Gaza", 20 December
  10. "Israel/OPT: After nearly two years in solitary confinement, Ahmad Manasra too ill to attend his hearing", 21 September

# ITALY

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## Republic of Italy

**There were new reports of torture and other ill-treatment by prison and police officers. Climate justice activists faced disproportionate restrictions on the right to peaceful assembly. Gender-based violence remained at unacceptably high levels. Access to asylum was significantly restricted, including through unlawful measures. Concern about hate speech and hate crime persisted and anti-discrimination safeguards were inadequate. Access to abortion remained difficult in**

**parts of the country. Italy was at risk of failing to meet carbon emission reduction targets.**

## TORTURE AND OTHER ILL-TREATMENT

In June, five police officers in Verona were placed under house arrest as part of an investigation into acts of torture aggravated by racial hatred, mostly against foreign nationals. Others were also investigated for violent offences, while many more were transferred for failing to report their colleagues' abuses, including the chief of the city police. In March, more than 20 prison officers under investigation for alleged torture in the prison of Biella were suspended. The trial continued of 105 prison officers and other officials accused of multiple offences, including torture, following the suppression of a protest in the Santa Maria Capua Vetere prison in April 2020. Two other officers who had chosen an accelerated court proceeding were acquitted in June.

A draft bill to abrogate the crime of torture raised concerns that Italy was preparing to backtrack on international obligations to guarantee freedom from torture.<sup>1</sup>

## FREEDOM OF EXPRESSION AND ASSEMBLY

A government-backed bill to criminalize the defacing or damaging of heritage buildings and artifacts during demonstrations was under discussion in parliament. In April, the UN Special Rapporteur on environmental defenders under the Aarhus Convention criticized the bill and urged the authorities to refrain from disproportionately restricting peaceful acts of civil disobedience by climate justice protesters. In November, another government-backed bill proposed harsher penalties for protesters involved in organizing road blocks in certain circumstances.

Police used excessive force against protesters on some occasions. In July, in Piedmont, at a largely peaceful demonstration to oppose a high-speed railway project, police made unnecessary and indiscriminate use of tear gas.



## **VIOLENCE AGAINST WOMEN AND GIRLS**

There were 97 killings of women in domestic violence incidents, with 64 killed by their partners or former partners. Strengthened protective measures to prevent attacks were proposed, including in response to the killing of a young woman by her former boyfriend in November, in the town of Pordenone in Friuli-Venezia Giulia. In December, following her visit in June, the Council of Europe's Commissioner for Human Rights criticized the shortage of shelters for women victims of gender-based violence and the scarcity of funds for service providers.

Parliament failed to bring rape laws in line with the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

## **REFUGEES' AND MIGRANTS' RIGHTS**

The central Mediterranean route remained the most dangerous migration route in the world, with 2,498 people drowning or going missing during the year trying to reach Europe, a dramatic increase from 1,417 in 2022. Most had departed from Libya and Tunisia. More than 157,600 people arrived irregularly by sea, including more than 17,300 unaccompanied children, compared with about 105,000 people in 2022.

Thousands of the people disembarked in Italy were rescued by Italian authorities. There were concerns, however, that Italy was not always fulfilling its search-and-rescue obligations. In February, at least 94 people, including 34 children, drowned near the beach of Steccato di Cutro, Calabria, in Italian territorial waters. Six hours before the ship sank, Frontex, the EU Border and Coast Guard Agency, had shared information about the boat with Italian authorities, who had not immediately launched a rescue operation. Criminal investigations were ongoing to determine responsibilities.

NGOs rescuing people at sea remained subject to unnecessary requirements, including that they request a port for disembarkation and make their way there immediately after each rescue, limiting the

possibility of saving more people in one operation. In some cases, authorities forced NGO rescue ships to navigate over 1,000km to reach ports assigned for disembarkation, when closer suitable ports were available. In January and again in December, the Council of Europe Commissioner for Human Rights asked the government to withdraw the measures.<sup>2</sup>

In March, the government updated the list of "safe countries of origin", adding Nigeria and confirming Tunisia among them, despite evidence of widespread human rights violations in both countries. In May, parliament abolished special protection permits, a complementary form of protection for asylum seekers and others who would be at risk if repatriated, and significantly limited permits based on other grounds. It also introduced accelerated border procedures to examine asylum applications from people coming from countries regarded as "safe". Some of the new provisions were in breach of international standards. In October, the courts ordered the release of several people detained under the new accelerated border procedures, ruling that asylum seekers could not be deprived of their liberty solely on the basis that they were from countries presumed to be safe. The government appealed against the rulings. In October, parliament approved further measures aimed at restricting access to asylum and expanding the possibility of expelling people.

In November, the prime ministers of Italy and Albania agreed the creation of two detention facilities for asylum seekers and migrants on Albanian territory, claiming these would be under Italian jurisdiction, leading to concerns about arbitrary detention, refoulement and effective access to asylum.

### **COOPERATION WITH LIBYA**

Support for Libyan authorities to contain people in that country continued, including by renewing the Memorandum of Understanding, regardless of overwhelming evidence of widespread, serious human rights violations against refugees and migrants disembarked in Libya. In March, a shipwreck in the Libyan search-and-rescue

region, which claimed more than 30 lives, provided a further illustration of the inability of Libyan authorities to fulfil their search-and-rescue responsibilities. Despite this, in June, parliament extended support for Libyan coastguards aimed at increasing their capacity to conduct interceptions at sea.<sup>3</sup>

### **CRIMINALIZATION OF SOLIDARITY**

The case against the crews of the *luventa* and other NGO rescue ships before the tribunal of Trapani in Sicily for facilitating irregular migration in connection with rescue operations in 2016 and 2017 had not concluded by the end of the year. This preliminary hearing had already lasted 18 months.

### **DISCRIMINATION**

In August, the CERD Committee expressed concern about racist hate speech; racist political discourse, including from members of government; the proliferation of racist hate incidents; and the many cases of racist abuse and ill-treatment against ethnic minorities and migrants by law enforcement officials.

In November, a Jewish monitoring centre reported a significant increase in antisemitic incidents in October, following the start of the new conflict in Israel and the Occupied Palestinian Territories.

Laws against hate speech and hate crimes were not extended to offer LGBTI people, women and people with disabilities the same protections available to victims of hate based on racist, religious, ethnic and nationalist motives.

Children of foreign nationals born and/or grown up in Italy continued to be deprived of an effective access to citizenship, with more than 1.5 million children facing discrimination in accessing rights as a result.

### **SEXUAL AND REPRODUCTIVE RIGHTS**

In several regions, obstacles to access abortion persisted, mostly due to the high number of doctors and other healthcare providers refusing to deliver abortion care. There was concern over the proliferation of

national and regional bills focusing on the protection of the fetus.

### **RIGHT TO A HEALTHY ENVIRONMENT**

Record-breaking temperatures in July, made much more likely by climate change, saw a 7% increase in mortality over the average in southern Italy. In June, the government published a new Energy and Climate Plan, which some experts noted revealed insufficient emissions reductions, could allow the postponement of coal phase-out to 2028 and showed that the country was struggling to meet the EU target for lower carbon emissions by 2030. The government continued to invest in fossil fuel projects overseas, breaking a 2021 commitment, and heavily subsidized fossil fuel use.

### **IRRESPONSIBLE ARMS TRANSFERS**

In November, the government suspended new licences for exporting weapons and military equipment to Israel. Exports relying on past licences continued, however, despite mounting evidence of unlawful attacks on civilians and civilian objects by Israel in the occupied Gaza Strip.

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1. "Italy: Backtracking on guaranteeing freedom from torture", 3 November
  2. "Italy: Withdraw measures that hinder the work of search and rescue NGOs and increase the risk of drownings", 1 February
  3. "Italy: Avoidable loss of life at sea calls for swift review of search and rescue procedures and visa policies", 17 March

## **JAPAN**

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### **Japan**

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**The government failed to commit to ending the use of coal in electricity production. There was limited progress towards greater legal recognition of LGBTI people's rights, but discrimination against them, as well as women and ethnic Korean people, remained entrenched. A new immigration law violated the rights of refugees and asylum seekers. The retrial of Japan's longest-serving death row prisoner began.**

## **RIGHT TO A HEALTHY ENVIRONMENT**

Despite record-breaking summer temperatures and associated deaths, Japan remained the only wealthy industrialized country not to have committed to phasing out the use of coal in electricity production. Environmental experts remained critical of government plans, first announced in 2022, to blend ammonia with coal to reduce power sector carbon emissions, as being largely ineffective as well as dangerous for humans and wildlife. They called instead for investment in renewable energy.

## **DISCRIMINATION**

### **LGBTI PEOPLE'S RIGHTS**

In June, the legislature passed a law on sexual orientation and gender identity which required the government to draw up a plan to promote LGBTI people's rights and protect them from "unjustified" discrimination. The law did not define what is meant by "unjustified" and fell short of ensuring equal rights for LGBTI people.

In a landmark ruling in October, the Supreme Court found unconstitutional provisions in the Gender Identity Disorder Special Cases Act requiring transgender people to undergo sterilization as a requirement for changing their gender in the family registry.<sup>1</sup>

The legal ban on same-sex marriage and other forms of gender-based discrimination continued to be contested in the courts. In June, the Fukuoka District Court ruled that the prohibition on same-sex marriage was not unconstitutional, but recommended legislative changes to guarantee better protections for same-sex couples.<sup>2</sup> In September, the Sapporo District Court ruled that a person in a same-sex relationship was not entitled to spousal benefits.

### **WOMEN'S RIGHTS**

Japan slid down the rankings on gender equality in the World Economic Forum's annual Global Gender Gap Report, falling from 116th to 125th out of 146 countries. The report found that despite almost complete parity on educational attainment and health, political

representation of women had declined in recent years and that they held only 10% of parliamentary seats and less than 10% of ministerial posts.

### **ETHNIC KOREANS**

Discrimination against ethnic Koreans continued. On the centenary in September of a massacre of ethnic Koreans in Japan, the government refused to officially recognize the event or apologize.

## **GENDER-BASED VIOLENCE**

Parliament adopted amendments to the Penal Code in June under which certain forms of non-consensual sexual intercourse were recognized for the first time as rape, and the age of sexual consent was raised from 13 to 16. The statute of limitations for reporting rape was extended from 10 to 15 years.

In June, Rina Gono, a former member of Japan's Self-Defence Forces, brought a civil lawsuit against five former soldiers for mental distress caused by sexual violence committed against her while serving in the military, and against the government for failing to prevent or properly investigate the assaults. In December, Fukushima District Court found three of the five soldiers guilty of "forced indecency" and sentenced them to suspended prison sentences of two years each. A report on a Ministry of Defence-commissioned investigation, published in August, found an entrenched culture of harassment, including sexual harassment, in the military.

## **CORPORATE ACCOUNTABILITY**

Hundreds of victims sought compensation for sexual exploitation and abuse linked to the deceased founder of Johnny and Associates Entertainment, a talent agency behind the success of Japanese boy bands. The company issued a public apology, but following a visit to Japan in July and August, the UN Working Group on Business and Human Rights criticized the inadequate responses by the government and the company.

## REFUGEES' AND MIGRANTS' RIGHTS

In June, parliament passed a controversial Immigration Control and Refugee Recognition Bill which permits the deportation of individuals who have applied for refugee status three times or more. The Bill also maintained the principle of detention of asylum seekers, with an exception for cases where non-custodial monitoring measures are applied, and failed to prohibit the detention of children. No maximum length of detention was provided for, and due process continued to be denied by failing to allow judicial reviews of detention orders.<sup>3</sup> A joint letter from UN experts in April raised concerns about the planned amendments, noting that Japan's detention policies constituted arbitrary detention.

In April and July, two asylum seekers from Türkiye and Iran were awarded damages of JPY 220,000 (approximately USD 1,500) and JPY 5.5 million (approximately USD 37,000) respectively. They had sued the government in 2022 in relation to their arbitrary detention by the immigration authorities.

## DEATH PENALTY

The retrial of Hakamada Iwao, the longest-serving death row prisoner in Japan, began in October following an order by the Tokyo High Court in March which found that his original conviction in 1968 was based on a forced confession and doubtful supporting evidence. Hakamada Iwao was temporarily released from custody in 2014.<sup>4</sup>

1. "Japan: Transgender rights progress as court rules surgery not required for legal gender change", 25 October
2. "Japan: Fukuoka ruling on same-sex couples shows progress on LGBTI rights", 8 June
3. "Japan: 'Endless Migration': Migrants speak out as government proposes harsh immigration bill", 14 March
4. "Japan: Retrial ruling is step towards justice for world's 'longest-serving' death row prisoner", 13 March

# JORDAN

## Hashemite Kingdom of Jordan

**The authorities escalated their crackdown on freedom of expression and association for political activists, journalists, workers, political party members, LGBTI people and others through the use of abusive and vaguely defined laws. Debt imprisonment continued, in breach of international law. Civilians continued to be tried in military courts. A new law granted Jordanian women married to non-Jordanian men the right to retain their nationality, but they remained unable to pass their nationality to their spouse and children. LGBTI people faced harassment and abuse fostered by "immorality" provisions in the Penal Code and an anti-LGBTI campaign led by some parliamentarians.**

## BACKGROUND

In May, King Abdullah II ended the state of emergency declared in March 2020 at the start of the Covid-19 pandemic in Jordan, which granted the authorities powers to curtail human rights, including the rights to freedom of expression and peaceful assembly.

According to UNHCR, the UN refugee agency, Jordan hosted 655,283 Syrian, 66,686 Iraqi, 12,882 Yemeni and 7,578 Sudanese and Somali refugees in 2023. It also hosted 2 million Palestinian refugees registered with the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). In March, UNHCR and the World Bank reported that the poverty rate among Syrian refugees had reached 66%. In July, the World Food Programme and UNHCR announced aid cuts due to funding shortages.

## ARBITRARY DETENTION

Local governors continued to use the Crime Prevention Law of 1954 to administratively detain anyone "deemed to be a danger to society", without charge and without access

to due process guarantees. In February and March, for example, the governor of Madaba city arbitrarily detained at least two activists under this law simply for peacefully exercising their rights to freedom of expression and assembly, respectively. In June, the minister of interior ordered local authorities to release 503 people in administrative detention held under the Crime Prevention Law. However, according to lawyers, they were not released.

On 7 May, acting on a request from the United Arab Emirates (UAE), airport security officials in the capital, Amman, detained Turkish-Emirati citizen Khalaf al-Rumaithi. He was released on bail and allowed to enter Jordan but was re-arrested on 8 May before being extradited to the UAE in secrecy and in violation of a Jordanian court order.<sup>1</sup> Khalaf al-Rumaithi had been living in exile in Türkiye for a decade after being sentenced in the UAE in his absence to 15 years' imprisonment following a grossly unfair trial of 94 dissidents.

### **DEBT IMPRISONMENT**

Growing unemployment and an increase in the cost of living significantly affected people's access to essential goods and services, including food, fuel and water. Given the lack of an adequate social protection scheme, hundreds of thousands of people were in debt to make ends meet. At least 158,000 people faced debt imprisonment under the Execution Law, which provides for a prison sentence of six months for unpaid debt of more than JOD 5,000 (USD 7,049). Such debt imprisonment breaches international law.

A 24-year-old woman told Amnesty International that she had sponsored her 60-year-old father to obtain a loan to cover living expenses. Her father was unable to pay back the loan, which left them both at risk of imprisonment as the debt exceeded JOD 5,000.

### **FREEDOM OF EXPRESSION**

The authorities investigated or prosecuted at least 43 individuals for online expression, including eight political activists and one

journalist, using abusive and vague laws such as the Cybercrime Law, Anti-Terrorism Law and Penal Code. Nine were tried at the State Security Court (SSC), a military court, on trumped-up or vague charges, including "undermining the regime", spreading fake news that "undermines the state's prestige" and "inciting religious or sectarian strife".

In January, the SSC charged Sofian al-Tal, Abed Tawahia and Omar Abu Rassa' with "undermining the regime", which carries a sentence of up to 20 years in prison. The political activists were arrested in December 2022 for planning to publicly criticize the king's annual speech.

On 9 August, the Amman First Instance Court, an appeal court, increased the prison sentence of journalist Ahmad al-Zobi from three months to one year. He had been convicted of "inciting sectarian and racial strife, as well as conflict between the components of the nation" for a Facebook post in which he criticized an official during a transport drivers' strike against rising fuel prices. On 21 August, the minister of justice rejected Ahmad al-Zobi's request to appeal against the verdict before the Court of Cassation.

On 12 August, the king approved a new cybercrime law, further repressing individuals' right to freely express their opinions online. The law introduced harsher prison terms of a minimum of three months and fines of up to JOD 32,000 (USD 45,115).<sup>2</sup> Two independent news platforms told Amnesty International that they had removed their comments section because Article 33 of the law allows "the prosecutor or court [to] order any website, social media platform, or person responsible for a public account to remove or block content deemed to have violated the law, to temporarily ban the user or publisher, and to hand over relevant information, including users' personal data."

In November, security forces arrested at least three individuals under the new cybercrime law for their online opinion about the conflict in Gaza, Palestine, including defending Palestinian rights. The public

prosecutor charged them with “inciting sedition, strife, and hatred”, “sending, re-sending, or publishing libel or slander information”, “defaming of an official body” and “publishing pictures, information, or news of law enforcement officials”.

## **FREEDOM OF ASSOCIATION**

In May, the authorities intimidated scores of Partnership and Salvation Party members into resigning from their party positions so that the number of founding members fell below 1,000, the minimum required for registration under the Political Parties Law of 2022. A lawyer and party member told Amnesty International that the party had fulfilled all conditions for registration, including the minimum number of members who have never been convicted of crimes that violate “honour, morals and security”. However, a week after the party held its first annual meeting, the independent elector committee dissolved it, claiming that 130 members had been convicted of crimes that violated the Political Parties Law. The party brought a case before the Administrative Court after the accused members submitted proof of innocence to the electoral committee.

The authorities failed to call for the election of a new board for the teachers’ syndicate after a court order dissolved the previous one in 2020. A lawyer told Amnesty International that the authorities forced several members of the former board into early retirement in an effort to prevent them from participating in elections.

## **WOMEN’S RIGHTS**

In January, parliament approved a law granting Jordanian women married to non-Jordanian men the right to retain their nationality. Formerly, women had to renounce their nationality when marrying a non-Jordanian man, only regaining it if they were widowed or divorced. Women remained unable to pass their nationality to their spouse and children.

In March, parliament approved amendments to the Labour Law, which

included imposing fines of JOD 2,000-5,000 (USD 2,820-7,049) on individuals found responsible for sexual harassment in the workplace.

## **LGBTI PEOPLE’S RIGHTS**

The authorities continued to use vaguely defined Penal Code “immorality” provisions to target LGBTI individuals, even though same-sex sexual relations are not criminalized by law.

In July, some parliamentarians spearheaded an anti-LGBTI campaign on social media, calling for same-sex sexual relations to be criminalized, which triggered a wave of hate speech and threats by members of the public against LGBTI individuals and supporters. Two activists told Amnesty International that security services intimidated and harassed the organizers of a screening of an LGBTI-related film into cancelling the event.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Jordan continued to be one of the most water-stressed countries in the world. It reported that it is using more water resources than are being renewed and that climate change will significantly decrease the amount of water resources available.

In September, Jordan announced a cut on water subsidies for households that consume more than 6m<sup>3</sup> of water per month.

The government did not announce a new Nationally Determined Contribution; in 2021, it had raised its macroeconomic greenhouse gas emission reduction target from 14% to 31% by 2030. The authorities said they would not be able to meet this target nor implement needed adaptation measures without significant financial support.

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1. “UAE: Authorities must ensure man forcibly deported is safe, afforded fair trial rights”, 18 May
  2. “Jordan’s new proposed cybercrimes law will strongly undermine digital rights”, 27 July

# KAZAKHSTAN

## Republic of Kazakhstan

**The rights to freedom of expression, peaceful assembly and association continued to be unduly restricted. Prosecution of members of the security forces for unlawful killings, and torture and other ill-treatment during mass protests in January 2022 continued, but often resulted in sentences not commensurate with the gravity of the offence. Police regularly disrupted or prevented peaceful political street protests. Practising religion outside registered religious organizations remained banned. Widespread violence against women and girls continued. Climate action policies remained inadequate.**

## BACKGROUND

President Kassym-Jomart Tokayev's promise in 2022 to "reload and renew all key political institutions" by mid-2023 was fulfilled only nominally. Snap parliamentary elections in March were marred by numerous allegations of violations in favour of the ruling Amanat party, which secured a majority.

Kazakhstan hosted an official visit by Russian president Vladimir Putin in November, but rejected accusations of subverting Western economic sanctions against Russia by pursuing cooperation with that country.

Human rights violations continued in the wake of protests in January 2022, when at least 219 civilians and 19 law enforcement officers were killed after security forces used rubber bullets and firearms indiscriminately and unlawfully against peaceful protesters and violent mobs, looters and bystanders.

## FREEDOM OF PEACEFUL ASSEMBLY

Legislation and practice relating to peaceful assemblies remained unduly restrictive. Prior permission was required even for a single person picket, and holding or simply planning an "unauthorized" assembly or picket was punishable by up to 15 days in

jail. The 12-month statute of limitation for this "offence" allowed the authorities to jail protesters long after the event, often to prevent them from participating in further protests. For example, ahead of the announced but "unauthorized" peaceful protests on Republic Day on 25 October, 13 activists, supporters of the unregistered political party Alga, Kazakhstan!, were arrested and detained for 15 days for attending "unauthorized" rallies in the past.

Some protesters faced much harsher criminal punishment. In July, five people who had peacefully protested in January 2022 received sentences of up to eight years' imprisonment after an unfair trial marred by allegations of torture and witness intimidation.<sup>1</sup>

Peaceful assemblies could only be held in designated locations (of which there were only three or four in any city or town) without the risk of a fine or jail. A feminist march planned for 8 March in the city of Almaty was banned on the pretext of another group having already booked the only street designated for marches. The feminist rally was instead held in a designated cramped square and the other group's march did not take place at all.

## EXCESSIVE USE OF FORCE

During the year only three cases against police officers or soldiers for unlawful use of firearms during the January 2022 events reached court. They included a contract soldier acquitted in November by the Almaty Garrison Military Court. He had been charged with abuse of authority for shooting and killing a four-year-old girl who was in a car with her siblings on their way to shop for groceries.

## TORTURE AND OTHER ILL-TREATMENT

Impunity for torture and other ill-treatment remained widespread. Amendments to the criminal code in January separated the offence of torture from other ill-treatment, with torture to be investigated by specialized prosecutors.

Most criminal cases for torture and other ill-treatment following the January 2022 events were dropped for alleged lack of evidence. Some cases were requalified as abuse of authority or other lesser crimes, and some were dropped due to plea agreements with the suspects. Out of the six officially acknowledged cases of death caused by torture, five reached court by the end of 2023. They included two police officers given a non-custodial sentence of four years' conditional imprisonment in the city of Semei on a charge of torture causing the death of Zhandos Zhotabayev. A nurse was also sentenced in the same case to one year's conditional imprisonment for non-fulfilment of duties.

Prosecutions in other cases of torture and other ill-treatment were marred by many procedural violations. Only a few victims of torture received compensation, up to the equivalent of EUR 245, from the state-run Victim Compensation Fund.

## **FREEDOM OF EXPRESSION**

The human rights community in Kazakhstan recorded 23 people imprisoned on political grounds during the year, including human rights defenders, activists, bloggers and journalists.

In July, the law on Internet Platforms and Internet Advertising entered into force. It mandated fines for unintentionally posting or spreading false information on social media and any other internet platforms by users, owners, and online influencers. In November, following a complaint by a private individual, a court fined the Radio Free Europe/Radio Liberty editorial office in Kazakhstan (Radio Azattyq) the equivalent of EUR 200 for a publication stating that the Collective Security Treaty Organization "was run by Russia".

## **FREEDOM OF ASSOCIATION**

Ten individuals were convicted and imprisoned following unfair trials for being supporters of unregistered peaceful opposition political parties or movements allegedly linked to the Democratic Choice of Kazakhstan movement, designated

"extremist" by a court in the capital, Astana, in 2018. On 30 November, Marat Zhylyanbayev was sentenced to seven years' imprisonment for purportedly financing and supporting "extremist activities". Participation in organizations designated "extremist" remained punishable by up to six years' imprisonment. Five more individuals were under investigation at year's end.

Registering an opposition political party remained virtually impossible, and operating without registration could entail prosecution. In April, Zhanbolat Mamay, the leader of the Democratic Party of Kazakhstan, which had been arbitrarily denied registration, was convicted of organizing mass unrest during the January 2022 events. He was given a six-year suspended sentence and banned from participating in any public events including on social media.

In September, for the first time ever, the State Revenue Committee published a list of physical and legal entities who had received foreign funding during the first six months of 2023. The list included 240 individuals and organizations including such prominent human rights NGOs as the Kazakhstan International Bureau for Human Rights and Rule of Law and the International Foundation for Protection of Freedom of Speech "Ädil Söz". "The requirement to report foreign funding extended to fees payable for conducting surveys and polls, providing legal aid, or collecting and distributing information.

## **FREEDOM OF RELIGION AND BELIEF**

Practising a religion outside a registered religious organization remained prohibited. Any missionary activity remained subject to mandatory state accreditation, and only members of registered religious organizations could apply for such accreditation. Religious organizations could only be registered if they had no fewer than 50 founding members for local organizations, 500 members for regional organizations, and 5,000 for nationwide organizations. Distributing religious materials was prohibited without prior agreement by state-approved religious experts.



In August, the Ministry of Education reinforced the ban on any religious symbols as part of school uniforms, sparking intense public debate. Local human rights defenders estimated that as a result of hijabs falling within this ban no fewer than 2,000 Muslim schoolgirls were withdrawn from school by their parents between September and November alone.

## **VIOLENCE AGAINST WOMEN AND GIRLS**

Violence against women and girls continued to be widespread throughout the country. The majority, and possibly all, of the 64 domestic killings officially registered from January to August were of women. The penalty for a first offence for what was officially regarded as a minor physical assault committed in a family setting was only a formal police warning.

## **RIGHT TO A HEALTHY ENVIRONMENT**

In its 2023 ranking, the Climate Change Performance Index noted Kazakhstan's small improvement relative to other countries, but criticized its climate policies and action as leading to rising, rather than falling, emissions and therefore inconsistent with a 1.5°C global temperature rise pathway. Kazakhstan remained among the top 30 greenhouse gas polluters globally.

Meanwhile, the country suffered environmental disasters exacerbated by climate change, including forest fires in Abai region in eastern Kazakhstan leading to the death of 14 firefighters. Air pollution, mainly from burning fossil fuels, especially coal, was estimated to have caused more than 10,000 premature deaths annually.

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1. "Kazakhstan: Release peaceful protesters", 31 July

# **KENYA**

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Republic of Kenya

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**Security forces continued to enjoy impunity for extrajudicial killings, unlawful killings and enforced disappearances. The right to**

**peaceful assembly was violated, with at least 57 protesters killed by the authorities in an attempt to suppress dissent. The authorities failed to take measures to protect the right to life. Trials of police officers accused of unlawful killings were repeatedly delayed. LGBTI people's rights were threatened by a proposed homophobic bill. Radical taxation reforms and the rising cost of living threatened Kenyan people's ability to sustain themselves. A proposed increase in individual health insurance contributions undermined the right to health for those who could not afford them. Five million people were at risk of acute food insecurity because of the prolonged drought. The government failed to promote the right to privacy of thousands of Kenyans who unknowingly sold private information to the WorldCoin company. Parliament took steps to abolish the death penalty.**

## **BACKGROUND**

President Ruto's first year in office was marked by a spike in the cost of living, prompting nationwide demonstrations.

On 9 October, the high court put a temporary block on the deployment of 1,000 police officers to assist the Haitian National Police in tackling widespread gang violence, pending a petition filed by the Thirdway Alliance Party. Civil society organizations also objected to the deployment, citing the Kenyan police's continued unlawful use of force, especially against protesters. A few days later a cabinet resolution was passed to deploy officers to Haiti, but on 24 October the high court extended the block. The intended deployment, which was backed by the UN Security Council and the US government, was approved by parliament in November but had not been implemented by the end of the year.

## **EXTRAJUDICIAL EXECUTIONS AND ENFORCED DISAPPEARANCES**

There were 136 extrajudicial executions during the year. Most of the victims died while in police custody or had last been seen in police custody. Only 28 cases, including

from previous years, were subject to judicial proceedings.

There was insignificant progress towards holding police officers accountable for extrajudicial killings, including in the case of at least 37 bodies found in Yala River, and other bodies found elsewhere, in 2022. The government failed to implement the National Coroners Service Act, which includes a provision that provides for the creation of an office of the coroner general to coordinate investigations into unexplained killings.

In February, Lilian Waithera was killed by an unidentified assailant while assisting in an anti-corruption case against senior government officials. A suspect was arrested but there was no further information from the authorities regarding the investigation into her killing.

Ten men were forcibly disappeared. The government failed to facilitate prompt, thorough, impartial, independent, transparent and effective investigations into enforced disappearances or extrajudicial executions or to ratify the International Convention against Enforced Disappearance.

## **FREEDOM OF EXPRESSION AND ASSEMBLY**

Between March and July, police used excessive force to disrupt and prevent protests against the increasing cost of living and alleged 2022 electoral irregularities. According to the Independent Policing Oversight Authority, 57 people were killed during the demonstrations. Amnesty International verified 30 of these cases, attributing the deaths to live bullets, blunt force trauma, and smoke inhalation as a result of tear gas. Police officers also used water cannons against protesters and assaulted them. During this period, emergency healthcare providers, journalists, human rights defenders and activists could not access their places of work due to road closures and disruptions along their usual routes. Health workers could therefore not provide emergency services.

The National Police Service refused to acknowledge several protest notifications and

declared planned demonstrations illegal. The government attempted to further restrict the right to peaceful assembly by adding provisions to the Public Order Act, which undermined constitutional protections.

In October, the police disrupted at least one private meeting organized against ongoing Israeli attacks on Gaza. The government had expressed its support for Israel.

## **RIGHT TO LIFE**

For six years, the authorities failed to investigate reports of abuses against hundreds of people, allegedly carried out by Good News International Ministries in Kilifi county. In March, mass graves were discovered containing the bodies of at least 428 people, including at least nine children, according to a senate committee's report. Media sources attributed the deaths to leaders of Good News International Ministries. Post-mortems revealed that they had suffered starvation, blunt force trauma and strangulation. In April, some of the suspected perpetrators were arrested and were facing trial for terrorism-related charges. They included the leader of Good News International Ministries who was also sentenced to 12 months' imprisonment for operating a film studio and producing films without a licence.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

There was no progress in court cases against police officers charged with unlawful killings. The case of a police officer accused of killing two unarmed boys in Eastleigh, Nairobi, in 2017 was yet to be heard. The case against the police officer accused of killing Yassin Moyo, a 14-year-old boy, in 2020 during the Covid-19 curfew, was yet to be heard, having been adjourned several times. The case against the officer accused of killing Carilton Maina in 2018 in the Kibera Laini Saba area was adjourned more than 10 times. Evans Njoroge, a Meru University student, was shot at close range during a peaceful protest in 2018. The case against the police officer

accused of having followed and shot him was yet to be concluded.

The National Dialogue Committee, which was formed to hear Kenyan people's views, and to advise the government on national issues, including on the "anti-government" protests (see above, Freedom of expression and assembly), failed to effectively address police brutality and remedies for the 57 people killed, and for many others who were injured, during protests.

## **LGBTI PEOPLE'S RIGHTS**

In February, the Supreme Court affirmed the right to freedom of association for LGBTI people, and directed the Non-Governmental Organizations Coordination Board to register associations representing LGBTI rights, without discrimination. The judgment sparked a backlash, including death threats against LGBTI people. In April, the Homa Bay Town MP, Peter Kaluma, proposed the Family Protection Bill to parliament, which, if adopted, would further criminalize consensual same-sex sexual conduct and prescribe the death penalty for "aggravated homosexuality".

In January, Edwin Chiloba, a gay man, was killed in what was described by the authorities as intimate partner violence. Government agencies failed to investigate allegations that his killing was motivated by his sexuality.

## **ECONOMIC AND SOCIAL RIGHTS**

The government did not keep its promise to apply progressive taxation. In June, parliament passed the Finance Act 2023, which introduced new taxes and increased the cost of health insurance and pension contributions for salaried employees. It also introduced a housing levy and imposed a value-added tax on certain goods, doubling the price of fuel and essential commodities.

Later in June, the Finance Act was challenged at the high court's Constitutional and Human Rights division, which stopped the national treasury from implementing the new increases. However, the National Treasury and Economic Planning cabinet

secretary appealed against the decision on grounds that it would lead to a loss of KES 0.5 billion (around USD 3.25 million) a day. In July, the appellate court lifted the freeze on the implementation, paving the way for the increased taxes to be imposed.

## **RIGHT TO HEALTH**

The government proposed an increase of 2.75% in the healthcare contributions of all salaried employees. The increase was likely to have an adverse economic impact on many Kenyans.

On 20 October, the government launched the Universal Health Coverage scheme to ensure accessible healthcare for all, in line with their 2022 manifesto.

The Ethics and Anti-Corruption Commission Report 2023 detailed incidents of corruption in health procurement processes.

## **RIGHT TO A HEALTHY ENVIRONMENT**

In July, the government lifted a five-year ban on logging commercial trees, threatening native trees and forests.

In September, Kenya hosted the Africa Climate Week and the Africa Climate Summit, culminating in the Nairobi Declaration, which called for the adoption of financial models to fund initiatives ostensibly to address climate change, but which in many ways failed to effectively prioritize human rights and climate justice for Africa.

The drought in northern Kenya persisted for the fourth year, putting 5 million people including refugees at risk of acute food insecurity.

Refugees in Dadaab and Kakuma refugee camps remained vulnerable to extreme weather events. The camps are located in arid and semi-arid climate zones, exposing residents to high temperatures and low rainfall in confined and severely overcrowded areas. Refugees' access to sanitation, water, food and other necessities was extremely limited.

## **RIGHT TO PRIVACY**

By June, the Kenyan government had digitalized 5,000 government services, which

raised concerns among Kenyans about privacy rights. In July, the government's digital platform suffered a denial-of-service cyberattack (an attack intended to shut down a machine or network), which raised further doubts about the state's capacity to guarantee privacy.

In September, over 350,000 Kenyans "sold" their iris scans to WorldCoin, a US company, in exchange for cryptocurrency tokens worth KES 7,000 (around USD 45). In October, a court order halted this practice, and the Office of the Data Protection Commissioner revoked WorldCoin's registration status, citing breaches of the Data Protection Act 2019.

## DEATH PENALTY

Kenyan courts continued to impose death sentences. In September, an MP introduced bills to remove the death penalty from legislation. Article 26(3) of the constitution, which permits the use of the death penalty, and the Armed Forces Act were not put forward for amendment. However, the Parliamentary Justice and Legal Affairs Committee initiated a law review to ensure that all acts prescribing the death penalty are amended in legislation.

# KOSOVO

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## Republic of Kosovo

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**The trial of former president Hashim Thaçi on charges of crimes against humanity and war crimes began in the Hague. A cooperation agreement was reached with Serbia to locate people missing since the conflict ending in 1999. State support for survivors of domestic violence was insufficient, forcing many back to abuse. Journalists and media faced increased hostility. A court suspended licences for hydropower plants in Deçan.**

## BACKGROUND

In March, Kosovo and Serbia reached an EU-brokered agreement to normalize diplomatic relations, in which Serbia committed not to

object to Kosovo's membership of international organizations. In September, an incident in Banjska, a village in Zvečan municipality, which resulted in the murder of a Kosovo police officer and three armed Serbs who had barricaded themselves inside an Orthodox monastery, further strained relations.

## RIGHT TO TRUTH, JUSTICE AND REPARATIONS

In April, at the Specialist Chambers in the Hague, the trial commenced of former president Hashim Thaçi and three other former commanders of Kosovo's Liberation Army accused of war crimes and crimes against humanity. In December, the Appeals Panel decreased the sentence for war crimes against former commander Salih Mustafa from 26 to 22 years' imprisonment.

The Specialist Chambers asked Kosovo to establish a compensation fund for victims of war crimes.

Also in April, the Court of Appeals in Kosovo increased the sentence against former Kosovo Serb police officer Zoran Vukotić from 10 to 13 years' imprisonment for war crimes against the civilian population, including rape and expulsion of ethnic Albanians from their homes.

## ENFORCED DISAPPEARANCES

In May, Kosovo and Serbia reached an agreement to cooperate in locating over 1,600 people who went missing between 1 January 1998 and 31 December 2000. Prompt implementation of the agreement seemed unlikely due to strained relations.

## VIOLENCE AGAINST WOMEN AND GIRLS

In March, the Constitutional Court held the state responsible for violating the right to life of Sebahate Morina, who was murdered by her husband in March 2021, establishing that the police and prosecution had failed to protect her.

A report found that the state response to domestic violence neglected the needs of survivors for long-term support to live independently, forcing many back to abusive environments.<sup>1</sup>

## FREEDOM OF EXPRESSION

### JOURNALISTS

Journalists faced a rising level of attacks, threats and pressure. In June, following a boycott of local elections in the north of Kosovo by the ethnic Serb majority, journalists were attacked by violent protesters while reporting on tensions arising as newly elected ethnic Albanian mayors tried to enter their offices.

International press freedom organizations called on authorities to establish “a protocol to ensure journalists’ safety during violent protests and riots”.

In June, the government suspended the business certificate of media company Klan Kosova sparking criticism by national and international press freedom organizations. A court suspended the decision with an interim measure in August, pending a final decision.

## DISCRIMINATION

### ROMA, ASHKALI AND EGYPTIAN PEOPLE

Roma, Ashkali and Egyptian people faced high rates of unemployment and lack of equal access to education and health services. Dozens of Roma people protested in Gračanica in August, following reports that a Roma man had been beaten and injured by the police. The outcome of an investigation by the Police Inspectorate of Kosovo was pending at the end of the year.

### WOMEN

In August, a court found that the police discriminated against Luljeta Aliu on the basis of her gender when they failed to register her report on a violation of a domestic violence protection order in 2017. The court remanded the case to the police directorate for review.

### LGBTI PEOPLE

LGBTI people continued to face discrimination and low levels of social acceptance. Despite commitments voiced by authorities, no specialized shelters were established for LGBTI survivors of domestic violence.

## RIGHT TO A HEALTHY ENVIRONMENT

In May, a court ruled in favour of citizens and local NGOs, Center for Strategic Litigation and Pishtarët, to annul licences for the operation of hydropower plants in Deçan on the grounds that they were issued in violation of legal requirements.

## FREEDOM OF PEACEFUL ASSEMBLY

In November, the police banned a pro-Palestinian protest ahead of a Kosovo-Israeli football match citing security concerns. Two people were arrested ahead of the match for “opposing the established rules”, and one of them was placed on detention for 48 hours, reportedly for “placing a Palestinian flag with nationalist graffiti in a bar”.

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1. *Kosovo: From Paper to Practice: Kosovo must keep its obligations to survivors of domestic violence, 31 August*

# KUWAIT

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## State of Kuwait

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**Freedom of expression remained restricted for government critics. Kuwaiti plans to significantly increase fossil fuel production defied the international scientific consensus on how to prevent extreme climate change. Migrant workers’ rights were abused. Kuwait’s stateless population, the Bidun, continued to face discrimination.**

## BACKGROUND

The cabinet resigned under parliamentary pressure in January. The prime minister formed a new cabinet in June.

## FREEDOM OF EXPRESSION

Authorities continued to use repressive laws to suppress freedom of expression when Kuwaitis criticized the authorities, in particular regarding the issue of the Bidun, Kuwait’s native stateless population.

In January, the Ministry of Awqaf and Islamic Affairs banned the lawyer and preacher Ahmad al-Asfour from giving

sermons for three months because he had said the state should provide the Bidun with “a dignified life”.

On 10 August, authorities arrested Fadhel Dhahi, a Bidun activist previously prosecuted for participating in a peaceful pro-Bidun protest in August 2022. They charged him with “cybercrimes” for his use of X (formerly Twitter) to criticize Kuwait’s treatment of the Bidun. He was released on bail on 31 August, but the case against him was ongoing at the end of the year.

Also in August, the Ministry of Information submitted to parliament a draft Law on Regulation of Media, which, like the existing law, would criminalize criticism of the emir, and would now explicitly criminalize criticism of the crown prince and Islamic religious figures and require state permission to establish a publishing venture. The proposed law would add as a new crime speech that “leads to shaking confidence” in the country’s currency or economy. The same month, authorities banned any showing in Kuwait of an Australian film because it featured a transgender actor.

On 3 September, authorities arrested Bidun human rights activist Mohammad al-Bargash, who had been vocal on social media and in peaceful demonstrations for Bidun rights for several years. Like Fadhel Dhahi, he had participated in and was prosecuted for his role in the August 2022 protest. Authorities refused to publish the charges against him or share them with any party other than the defence attorney because it was a secret “state security” case. Judicial authorities charged him with “undermining the country’s prestige and standing” by spreading “false and biased news and rumours” about it on X and in media interviews. On 25 October, after more than seven weeks in prison, he was acquitted and released.

## **FREEDOM OF PEACEFUL ASSEMBLY**

Public protests in Kuwait remained infrequent and Kuwaiti law continued to criminalize those involving over 20 people that had not received prior permission from

authorities. There were no public demonstrations of significant size in 2023.

In February, a trial of 21 Kuwaitis, both Bidun and recognized nationals, who peacefully protested for Bidun rights in 2022, concluded with convictions and sentences that involved fines but not prison terms.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Kuwait maintained plans to continue increasing fossil fuel production until at least 2035, contrary to the international scientific consensus that phase-out of fossil fuels needs to begin immediately to prevent extreme climate change. The state-owned Kuwait Oil Company announced in June that it will spend over USD 40 billion between 2023 and 2028 to expand oil production, including digging new oil wells.

In October, former Kuwait Petroleum Corporation manager Haitham al-Ghais, also secretary general of the Organization of the Petroleum Exporting Countries (OPEC), called for USD 12 trillion of further international investment in the oil industry by 2045.<sup>1</sup>

Kuwait remained one of the world’s top five emitters of CO2 per capita, according to World Bank data. It faced increasingly extreme summer heat due to climate change in recent years, including a heatwave in July.

## **MIGRANT WORKERS’ RIGHTS**

Migrant workers, who make up the vast majority of the private sector workforce, continued to be barred from forming unions, although after five years of residence they can join existing unions created by Kuwaiti nationals.

A study published by Kuwaiti and international researchers in April found increased rates of injury among migrant workers in the private sector who do outdoor labour and have had to work in rising temperatures in recent years. The study noted that the government’s regulatory approach to health and safety for these workers is inadequate. The existing policy – a simple time-based ban on outdoor physical labour from 11am to 4pm during the summer – does not ensure that workers are not

labouring in dangerous levels of heat, since temperatures are often hazardous outside of those months and hours. Authorities did not respond with any initiatives to modify this policy.

The government undermined protection for migrant domestic workers by shutting down a safe house rented by the embassy of the Philippines in Kuwait for workers fleeing abusive domestic employers.

For the second consecutive year, Kuwait continued its policy of denying visitor visas to families of migrant workers.

## RIGHT TO EDUCATION

Authorities continued to discriminate against the Bidun in access to the right to education.

As has been the case for three decades, Bidun families who could not claim a special exemption (such as having a male family member in the military or police) could not send their children to the free government schools, and instead had to register them in for-profit private schools. Because the Bidun population had, on average, far lower income than recognized nationals, the schools Bidun families could afford were often inferior to the free government schools and lacking in basic equipment.

The government did not allow Bidun families with expired cards from the Central System for the Remedy of the Situation of Illegal Residents, the agency governing Bidun affairs, to register their children for school in advance like Kuwaiti citizens. Instead, no announcement authorizing school registration for this group was made until 12 September, giving them just two working days to register before classes started. Many Bidun do not renew their Central System cards, which expire annually, because when they do, they are at risk of being assigned a false, non-Kuwaiti nationality on their new card, making it more difficult for them to ever end their statelessness.<sup>2</sup>

## DEATH PENALTY

Kuwait imposed new death sentences and carried out executions, with the number of

executions significantly above the average of recent years.

## LGBTI PEOPLE'S RIGHTS

In January, a court acquitted two defendants charged with “seeking to resemble the other gender” because the Constitutional Court overturned the law criminalizing this conduct in 2022 on the grounds that it was unacceptably vague. There were efforts in parliament to formulate a new law that would more explicitly criminalize transgender people.

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1. “Global: OPEC chief’s call for huge investment in oil is a formula for climate disaster”, 3 October
  2. *Kuwait: ‘I Don’t Have a Future’: Stateless Kuwaitis and the Right to Education*, 17 August

# KYRGYZSTAN

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## The Kyrgyz Republic

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**The authorities intensified their campaign to stifle all forms of public criticism and peaceful dissent. Journalists and activists critical of the government faced arbitrary detention, unfounded prosecutions, and unfair trials. Some activists were held in conditions amounting to torture or other ill-treatment. Peaceful demonstrators faced serious restrictions. Legislative initiatives endorsing cultural traditions and regulating NGOs unduly restricted the rights to freedom of expression and association and threatened to stifle the previously vibrant civil society. Women and girls with disabilities faced a higher risk of sexual violence and lacked effective access to justice.**

## BACKGROUND

In January, the presidents of Kyrgyzstan and Uzbekistan signed a border demarcation agreement that included a contentious deal on joint management of the Kempir Abad (Andijan) freshwater reservoir in the south of the country. Peaceful protests against ceding

control of this vital resource had led to arrests in 2022.

A controversial bill signed into law in October gave the president the power to overturn decisions made by the Constitutional Court if they went against “moral values and the social conscience of the people”.

## **FREEDOM OF EXPRESSION**

The authorities intensified their campaign to suppress freedom of expression and repress dissent. Kyrgyzstan fell 50 places in the Reporters without Borders 2023 Press Freedom Index to rank 122 out of 180 countries.

In May, a revised version of a restrictive 2022 draft media law was issued for public consultation following critical independent expert reviews by the OSCE and the UN Special Rapporteur on freedom of expression. The new draft, however, failed to remove problematic clauses giving the government undue control over media regulation, extending media registration requirements to include online resources, and prohibiting the dissemination of “materials that harm the health and morality of the population”. The draft law was still pending at the end of the year.

The authorities continued to use the 2021 Law on Protection from False Information to further restrict media outlets.<sup>1</sup>

In September, the Ministry of Culture blocked the website of the independent Kloop Media Public Foundation after the State Committee for National Security complained that an article profiling an opposition politician contained “false” allegations that he had been tortured. Kloop also faced legal proceedings to close its operations after the prosecutor’s office in Bishkek, the capital, claimed that it was not registered as a media outlet and that its publications contained “sharp criticism” of government policies and “caused harm” to public health and well-being.

## **UNFAIR TRIALS**

Twenty-seven people faced politically motivated prosecutions simply for exercising

their human rights. They had been arrested for peacefully expressing concerns about ceding control of the Kempir Abad (Andijan) freshwater reservoir in 2022 (see Background) and had initially been detained on false charges of organizing mass disorder. However, in January, the Ministry of Internal Affairs classified the case as “secret”, limiting defendants’ access to case materials. In April, they were charged arbitrarily with attempting to violently overthrow the government, which carries a maximum sentence of 15 years’ imprisonment. Legal proceedings started in July and were ongoing at the end of the year.

## **TORTURE AND OTHER ILL-TREATMENT**

While 16 defendants in the Kempir Abad case (see above) were transferred to house arrest, 11 remained in detention in conditions that could amount to torture or other ill-treatment in a pretrial detention centre in Bishkek. Rita Karasartova, transferred in June, described spending eight months locked in a small, unventilated cell with nine women for 23 hours a day. She was denied the necessary medical treatment for her deteriorating health condition, as well as visits and telephone conversations with her family.

## **FREEDOM OF PEACEFUL ASSEMBLY**

A blanket ban on demonstrations imposed by courts in 2022 on central areas of Bishkek, apart from a small park, was extended up to 31 December.<sup>2</sup> In September and October, courts imposed similar blanket bans on protests in central public places in Chon-Alai district in Osh region. State organized rallies remained exempt.

In January, police in Bishkek detained 27 supporters of the Kempir Abad defendants at a rally in the designated park. Some journalists covering the peaceful march were also detained; most were released without charge after several hours. A number of activists were fined for breaching the rules on holding peaceful protests.



## FREEDOM OF ASSOCIATION

In October, parliament passed in the first reading unnecessarily restrictive draft amendments to existing legislation on NGOs, which would oblige all organizations receiving funding from abroad to register as “foreign representatives”, despite widespread criticism by civil society, government representatives and international experts. Under the updated legislation, the authorities would be able to suspend the activities of an NGO for six months without a court decision or to close the organization entirely if it had failed to additionally register as a “foreign representative”.<sup>3</sup> Penalties included up to 10 years’ imprisonment.

## DISCRIMINATION

### WOMEN AND GIRLS

In July, the Constitutional Court ruled that adults could choose to form the middle name required for official use from their mother’s name – a “matronymic” – rather than being restricted to using their father’s name to form a patronymic. The case was brought by feminist activist and artist Alтын Kapalova, an action publicly condemned by senior public officials, including the president. The decision was said to have prompted parliament to adopt a law giving the president the power to overrule the Constitutional Court (see above, Background).

In October, the UN Committee on the Rights of the Child (CRC) expressed deep concern at the persistent high incidence of gender-based violence, in particular the widespread abuse and sexual violence against children with disabilities, including girls. The CRC also noted that the legal definition of rape was limited to the use of force, did not include marital rape, and applied only to female victims in a “helpless state”.

Women and girls with disabilities experienced intersectional discrimination based on both gender and disability. The law obliged those who had been subjected to sexual violence to undergo a psychological assessment to ascertain whether they had the capacity to give credible evidence.

## LGBTI PEOPLE’S RIGHTS

In June, parliament passed a draft law On the Protection of Children from Harmful Information prohibiting the dissemination of broadly defined information that denied “family values”, encouraged “disrespect for parents” and promoted “non-traditional sexual relationships”.

The draft media law (see above, Freedom of expression) also prohibited the promotion of “same-sex marriage”. The UN Special Rapporteur on freedom of expression warned that such prohibitions would result in discrimination against individuals based on their sexual orientation and gender identity.

## RIGHT TO A HEALTHY ENVIRONMENT

In October, the CRC expressed grave concern about the large number of children in urban areas exposed to unsafe levels of air pollution. Air quality in Kyrgyzstan was eight times the WHO guideline value for particulate matter (PM2.5). Unregulated urban development, destruction of green spaces, heavy dependence on coal and waste materials for heating and increasing automobile emissions contributed to Bishkek being ranked among the most polluted cities in the world, especially in winter. According to the WHO, 32% of deaths from stroke and ischaemic heart disease were caused by air pollution.

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1. [“Kyrgyzstan: Closure of Azattyk Radio \(RFE/RL\) is a major blow to media freedom”, 27 April](#)
  2. [“Kyrgyzstan: Suppression of the right to freedom of peaceful assembly in Kyrgyzstan”, 16 March](#)
  3. [“Kyrgyzstan: Draft NGO law poses grave threat to thriving civil society”, 25 October](#)

## LAOS

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### Lao People’s Democratic Republic

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**Human rights defenders were under heightened attack both at home and abroad, targeted in a pattern of arbitrary detention, enforced disappearance and killings. Two Chinese dissidents were**

**deported from Laos to China, where they faced threats of torture and other ill-treatment and unfair trials due to their activism. The government intensified its efforts to crack down on online criticism. Government and private sector investment in developing hydropower facilities continued to expand, despite concerns about the environmental, social and economic impacts.**

## **BACKGROUND**

Laos remained mired in a serious economic crisis due to rising inflation and continuous depreciation of the national currency. The International Monetary Fund identified that the country's gross debt was 121.7% of GDP in 2023 and categorized the country as “in debt distress”. The crisis threatened people's food security as various basic food products, including wheat, flour, eggs, meat and cooking oil, reached record high prices in June, according to the UN Food and Agriculture Organization.

The government continued to invest in power generation projects, including hydropower dams, despite mounting public debts and concerns about inadequate compensation for affected communities.

## **HUMAN RIGHTS DEFENDERS**

In a September press release, the UN Special Rapporteur on the situation of human rights defenders raised concerns regarding “a pattern of serious human rights violations targeting human rights defenders” in Laos. Such violations, which have been ongoing for decades, involved arbitrary detentions, enforced disappearances, violations of the right to a fair trial and intimidation of those engaged in human rights work.

Anousa “Jack” Luangsouphom, a 25-year-old human rights defender, was shot in the face and chest and severely injured by an unidentified man at a coffee shop in the capital, Vientiane, on 29 April. Jack was a vocal critic of the government who ran two Facebook pages, “Driven by the Keyboard” and “Sor Tor Lor – the Republic”, which featured commentaries on social,

environmental, economic and political issues in Laos, such as haze pollution, the human rights of schoolchildren and LGBTI rights.<sup>1</sup> Lao authorities claimed that the shooting was potentially linked to a love affair or business dispute, but did not provide information about any investigation into the attempted murder.

Attacks against Lao human rights defenders occurred both within Laos and abroad. Bounsuan Kitiyano, a 56-year-old human rights defender and UNHCR-recognized refugee, was shot dead in Thailand's Ubon Ratchathani province on 17 May. The Lao and Thai governments were urged to undertake a prompt, thorough, effective, impartial and independent investigation into these cases and prevent further violence against human rights defenders.<sup>2</sup>

Chinese dissidents who came to Laos to flee persecution were targeted for deportation, despite the risk they would face human rights violations upon return, including torture and other ill-treatment and unfair trial. Yang Zewei, the founder of the Ban the Great Firewall group which advocated against online censorship in China, disappeared between 31 May and 2 June in Vientiane where he had been living in exile. Yang Zewei's whereabouts became known on 7 July when Chinese authorities issued an arrest warrant and detained him at the Hengyang Youth Detention Center in China, for allegedly “inciting subversion of the state power”.

In a similar incident, on 28 July Lao authorities arrested and detained Lu Siwei, renowned human rights lawyer from China, while he was en route to join his family in the USA. UN experts noted that the detention was arbitrary. Lao authorities refused to reveal his fate and whereabouts. On 4 October, Amnesty International received confirmation that Lao authorities had returned Lu Siwei to China, despite calls for his release from human rights organizations.<sup>3</sup>

## **CORPORATE ACCOUNTABILITY**

The government continued to build dams for producing hydroelectric power, with support

from foreign investors including Chinese, Thai and South Korean companies. In September, the developers of Pak Beng Dam in Oudomxai province of northern Laos signed a power purchase agreement with the Electricity Generating Authority of Thailand, despite concerns expressed by human rights groups and others about the lack of information regarding compensation for villagers affected by displacement. The project's environmental impact assessment report suggested the construction will lead to the resettlement of 4,700 people in 26 villages.

## HUMAN TRAFFICKING

Hundreds of people continued to be trafficked into and held captive to work in scam centres in the Golden Triangle Special Economic Zones (GTSEZ) in north-western Laos. Victims, mostly university graduates, came from numerous countries and included over 100 Sri Lankans and seven Cambodians. They were forced to surrender their passports on arrival and to defraud “customers” with the sale of fake cryptocurrencies and other scams. There were reports of victims being held in travel debt bondage and subjected to harsh working conditions, including physical punishments such as electric shocks.

The situation was exacerbated by the fact that GTSEZs are exempt from national economic and labour laws. Research by the UN indicated that access to this area by law enforcement authorities is restricted, leading to weak governance and challenges in guaranteeing accountability for human rights abuses.

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1. “Laos: Brazen shooting of human rights defender ‘Jack’ must be investigated immediately”, 3 May
  2. *Thailand/Laos: Investigate the Killing of Lao Refugee and Put an End to Transnational Repression of Human Rights Defenders*, 26 May
  3. “China: Human rights lawyer at risk of torture after return from Laos”, 4 October

# LATVIA

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## Republic of Latvia

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**Legislative amendments undermined access to asylum at the border. The law on civil partnerships was adopted.**

## BACKGROUND

In August, prime minister Arturs Krišjānis Kariņš was replaced by Evika Siliņa, who led a new coalition government.

## TORTURE AND OTHER ILL-TREATMENT

In July, the European Committee for the Prevention of Torture reported allegations of ill-treatment of people in police custody and prisons. People in migration detention also reported to the Committee cases of severe ill-treatment by officials at the border.

## REFUGEES’ AND MIGRANTS’ RIGHTS

In June, legal amendments granted border guards powers to “prevent” irregular entries at the border, which in practice can result in unlawful summary returns.<sup>1</sup> Another amendment – triggered in August and due to expire in February 2024 – introduced the option of activating an “enhanced” border protection regime in case of “disproportionately large” irregular crossings. Between August 2021 and August 2023, when a state of emergency was in force at Latvia’s borders allowing summary returns, border officials committed serious abuses against refugees and migrants.

During the year, Latvia reported 13,863 “prevented” border crossings, increasing from 5,286 in 2022.

## HUMAN RIGHTS DEFENDERS

In January, the authorities opened criminal proceedings for smuggling against two members of the NGO I Want to Help Refugees, for their work assisting refugees and migrants at the border.

## DISCRIMINATION

As a result of legislative changes in 2022 connected to Russia's invasion of Ukraine, certain permanent residence permits granted to Russian citizens were set to expire in September. Almost 18,000 people affected had to pass a Latvian language test as part of the procedure to renew their residence permits. At the end of the year, 1,213 Russian citizens were liable to be deported, having failed to regularize their stay under the amended law. The ombudsman observed that this requirement risked violating the constitutional principle of equality and non-discrimination.

In October, media and journalists' organizations expressed concern about a parliament-backed proposal, that from 2026 onwards public media would only produce content in Latvian and languages belonging to the "European cultural space", affecting access to information for the large Russian-speaking population.

## GENDER-BASED VIOLENCE

On 30 November, Latvia ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

## LGBTI PEOPLE'S RIGHTS

The law on civil partnership was finally adopted in November.

## RIGHT TO A HEALTHY ENVIRONMENT

Unlike most EU countries, Latvia's greenhouse gas emissions in the first and second quarters of the year were higher than the same period in 2022. The European Commission continued infringement proceedings against Latvia for failure to comply with EU standards on reduction of emissions of certain pollutants.

## ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Following recommendations by the UN Committee on Economic, Social and Cultural Rights in 2021, the statutory minimum wage was increased from EUR 500 to EUR 620 per

month and several other benefit payments were increased.

1. "Latvia: Legal amendments would empower border guards to torture and push back migrants and refugees", 21 June

# LEBANON

## Republic of Lebanon

**Cross-border hostilities between the Lebanon-based armed group Hezbollah and Israeli forces escalated following attacks by Palestinian armed groups in Gaza on southern Israel on 7 October. During the ongoing economic crisis, the Lebanese government failed to adequately protect people's rights to health, social security and housing, which had particularly devastating impacts on marginalized groups. Impunity remained widespread, including for those responsible for the fatal 2020 Beirut port explosion. The authorities escalated the use of criminal defamation and insult laws to stifle freedom of expression and retaliate against critics, particularly targeting journalists, trade unionists and activists. Authorities systematically attacked the rights of LGBTI people. Some authorities stoked hostility towards refugees.**

## BACKGROUND

The impacts of the economic crisis that erupted in 2019 deepened. The authorities' failure to address the crisis left millions of people unable to access their rights, including to food, water, education and health. According to UNICEF, 86% of households were unable to afford essentials. On 15 September, the International Monetary Fund criticized the "lack of action" by Lebanese authorities on urgent economic reforms necessary to unlock a multi-billion-dollar aid package.

Political deadlock hampered decision-making: government continued to function in a caretaker capacity and parliament failed to elect a president.

From 7 October, cross-border hostilities in southern Lebanon escalated significantly, with shelling by Israeli forces killing at least 20 civilians, and weapons fired by Hizbullah and other Lebanon-based armed groups at northern Israel killing at least four Israeli civilians.

## **VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW**

### **ISRAELI FORCES**

The Israeli army fired artillery shells containing white phosphorus in military operations along Lebanon's southern border between 10 and 16 October. Amnesty International called for an attack on Dhayra town on 16 October to be investigated as a possible war crime.<sup>1</sup>

Three Lebanese journalists in southern Lebanon were killed while covering the hostilities. On 13 October, Israeli artillery fired into southern Lebanon killed Reuters journalist Issam Abdallah and injured six other journalists. Amnesty International verified over 100 videos and photographs, analysed weapon fragments from the site, and interviewed nine witnesses. The findings indicate that the group was visibly identifiable as journalists and that the Israeli military knew or should have known that they were civilians, yet attacked them anyway in two separate strikes 37 seconds apart. Amnesty International concluded that both strikes were likely a direct attack on civilians that must be investigated as a war crime.<sup>2</sup> On 21 November, reporter Farah Omar and cameraman Rabih Maamari from the TV station Al Mayadeen, and their local guide, Hussein Akil, were killed in a strike in Teir Harfa village, Tyre district.

### **RIGHT TO HEALTH**

The government failed to alleviate the impacts of the economic crisis on people's right to health. After it lifted subsidies on most medications in 2021 and 2022, prices rocketed. As a result, demand for free or low-cost medication provided by public primary healthcare centres increased drastically, while government funding of the centres

decreased, denying people access to vital medication. Marginalized groups suffered disproportionately.

An Amnesty International investigation published in June found that a rapid rise in the number of deaths in custody between 2019 and 2022 was partly due to a lack of adequate healthcare.<sup>3</sup> Prisons had too few medical staff and lacked basic medication, and the government failed to pay private and public hospitals to treat prisoners, sometimes leading hospitals to turn away prisoners even when emergency treatment was required.

### **RIGHT TO SOCIAL SECURITY**

The government still had not adopted a universal social protection programme or taken the steps necessary to fund such a programme. A significant portion of the population, particularly those working in the informal sector, had no form of social protection, and the value of assistance for those eligible was often inadequate to meet basic needs. Lebanon's limited poverty-targeting cash assistance programmes were unable to help a large number of people in dire need.

### **RIGHT TO HOUSING**

The impact of the February earthquakes in Türkiye and Syria was felt across Lebanon. Many residents, particularly those in Lebanon's coastal city of Tripoli, already lived in buildings at risk of collapse. Government promises to assess the structural integrity of buildings and cover the cost of alternative housing for three months for people whose homes were deemed to be at risk did not materialize. On 16 October, a building in Mansouriyeh town in the Metn district of Mount Lebanon governorate collapsed, killing eight people.

### **IMPUNITY**

Impunity remained widespread.

The investigation into the 2020 Beirut port explosion remained suspended since December 2021 due to legal complaints filed against the investigation's judges by politicians summoned for interrogation or

charged in relation to the case.<sup>4</sup> On 25 January, two days after lead judge Tarek Bitar tried to resume the investigation, the general prosecutor filed charges against him, including “usurping power”, and ordered the release of everyone detained in connection with the explosion. The Beirut Bar Association and the Lebanese Judges Association said the decision to release all remaining suspects was illegal. In March, Australia delivered a joint statement on behalf of 38 states at the UN Human Rights Council expressing concern that the domestic investigation into the explosion had been “hampered by systemic obstruction, interference, intimidation, and a political impasse.”

There was no meaningful progress in the investigation into the assassination of activist and intellectual Lokman Slim, who was found shot dead on 4 February 2021 in his car in southern Lebanon.<sup>5</sup> On 2 February, UN human rights experts expressed deep concern at the lack of progress to ensure accountability for the crime.

## **FREEDOM OF EXPRESSION**

Authorities increasingly used criminal defamation and insult laws to stifle criticism and retaliate against, harass or intimidate their critics.

Amnesty International documented the cases of 10 journalists, trade unionists and activists summoned for interrogation pursuant to criminal insult and defamation cases filed against them by powerful individuals because of their criticism. Security and military agencies who summoned and interrogated those targeted failed to safeguard their due process rights and engaged in intimidating behaviour, such as threats of detention or pressure to sign pledges to stop criticizing the complainant. The defamation and insult provisions appear in the Penal Code, the Publications Law and the Military Code of Justice, and are punishable by up to three years’ imprisonment.

On 11 July, journalist Dima Sadek was sentenced to one year in prison and fined on

criminal charges of defamation and incitement after she criticized on Twitter (now known as X) members of a political party.

## **LGBTI PEOPLE’S RIGHTS**

Authorities systematically attacked the human rights of LGBTI people and incited violence against them.

In July, nine parliamentarians submitted a draft law to repeal Article 534 of the Penal Code, which punishes “all sexual intercourse contrary to the order of nature” with up to one year’s imprisonment and a fine. In response, in August, a parliamentarian and the minister of culture submitted two separate draft laws that would explicitly criminalize consensual same-sex sexual relations and the “promotion of homosexuality”.

On 23 August, members of Soldiers of God, a Christian radical group, attacked people attending a drag event in a bar in Beirut and threatened further violence against LGBTI people. The Internal Security Forces arrived during the attack, but did not arrest anyone.

On 25 August, 18 media organizations issued a joint statement against the crackdown on freedoms, including the targeting of LGBTI people.

On 5 September, the Coalition to Defend Freedom of Expression in Lebanon, which comprises 15 Lebanese and international organizations including Amnesty International, urged the authorities to immediately scrap the proposed anti-LGBTI laws and end the attacks on rights and freedoms.<sup>6</sup>

## **REFUGEES’ AND MIGRANTS’ RIGHTS**

Lebanon continued to host the largest number of refugees per capita globally, with an estimated 1.5 million Syrian refugees, including 795,322 registered with UNHCR, the UN refugee agency, and 13,715 refugees of other nationalities. According to UNHCR, 90% of Syrian refugees were living in extreme poverty.

In the first half of the year, the hostile environment for refugees was exacerbated by an alarming rise in anti-refugee rhetoric, in

some cases fuelled by local authorities and politicians.

In April and May, the Lebanese Armed Forces raided houses of Syrian refugees, most of them registered with or known to UNHCR, across Lebanon, including in Mount Lebanon, Jounieh, Qob Elias and Bourj Hammoud, and immediately deported most of them. Some were arrested or disappeared upon their return to Syria. Deportees told Amnesty International they were not afforded the right to challenge their deportation or argue their case for protection.

On 11 May, 20 national and international organizations called on the authorities to “halt summary deportations to Syria, which are in breach of the principle of non-refoulement”. They also called on the international community to step up its assistance to Lebanon and resettle more refugees living in Lebanon.

In September, the Lebanese Armed Forces raided refugee camps in the Bekaa region and Arsal town and confiscated internet boxes, solar panels and batteries.

## RIGHT TO A HEALTHY ENVIRONMENT

Lebanese authorities failed to transition away from heavy fuel oil to power its plants in line with the government’s 2022 Electricity Plan. Meanwhile, widespread state electricity shortages forced people to rely on expensive and highly polluting private diesel generators.

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1. “Lebanon: Evidence of Israel’s unlawful use of white phosphorus in southern Lebanon as cross-border hostilities escalate”, 31 October
  2. “Lebanon: Deadly Israeli attack on journalists must be investigated as a war crime”, 7 December
  3. “Lebanon: Sharp increase of deaths in custody must be a wake-up call for authorities”, 7 June
  4. “Lebanon: Unacceptable lack of justice, truth and reparation three years after Beirut blast”, 3 August
  5. “Lebanon: Killers of activist Lokman Slim must be brought to justice”, 3 February
  6. “Lebanon: Attack on freedoms targets LGBTI people repressive legislation; unlawful crackdown”, 5 September

# LESOTHO

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## Kingdom of Lesotho

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**Security forces suppressed peaceful demonstrations at the Polihali Dam and surrounding areas. The government proposed a motion in the national assembly to reintroduce cybercrime legislation, which threatens to undermine the right to freedom of expression, and to expand enforcement powers. The right to privacy was violated. There were suspicious deaths in custody. Women continued to face discrimination. An overnight curfew imposed during May threatened livelihoods.**

## BACKGROUND

In July, the 138th session of the UN Human Rights Committee raised concerns regarding the establishment of the Human Rights Commission, the arbitrary use of states of emergency, and past human rights violations and impunity.

## FREEDOM OF EXPRESSION AND ASSEMBLY

On 23 May, Lesotho Defence Force officers suppressed peaceful protests by communities affected by the construction of the Polihali Dam in the district of Mokhotlong. The protests, which took place during the Lesotho Highlands Water Project Phase II launch, were against inadequate and delayed compensation, lack of consultation regarding the construction and other related issues.

Also in May, the government tabled a motion in the national assembly to reinstate the Computer Crime and Cybersecurity Bill 2022. Civil society organizations and some media houses sought the bill’s withdrawal pending further consultations. Civil society members argued that, if enacted in its current form, the bill could shrink civic and political spaces and media freedom; and that some of its provisions could expand enforcement powers and stifle the right to freedom of expression and access to information.

## RIGHT TO PRIVACY

In May, while the prime minister was overseas, a minister in his office signed warrants authorizing National Security Service (NSS) officers to seize and retain mobile phones and other sources of information belonging to opposition politicians Machesetsa Mofomobe and Moeketsi Shale. The NSS accused them of involvement in the killing of radio personality Ralikonelo Joki. Following this, the high court declared Section 26 of the National Security Act, which allows for such executive warrants, unconstitutional.

## DETAINEES' RIGHTS

On 20 May, Ntabejane Kanono, a former soldier, was reported dead at Maseru Maximum Security Prison. The preliminary autopsy reports suggested that he may have died of poisoning. Ntabejane Kanono had been convicted of fraud by the Court-Martial Court after he, along with other soldiers, sued the army's commander, seeking compensation for alleged torture and unlawful arrests against them in 2015, following which the army accused them of mutiny.

On 29 July, Mahloko Mohlori, aged 60, died in police custody at Thaba-Tseka Police Station after being arrested for a traffic offence. The government autopsy report recorded poison as the possible cause of death, but the family doctor's report confirmed the cause of death as respiratory failure.

## TORTURE AND OTHER ILL-TREATMENT

In December, correctional officers severely assaulted at least 10 detainees (nine of whom were soldiers) at the Maseru Maximum Security Prison. One of them, civilian Tlotliso Bereng, suffered serious spinal injuries during the attack and was later transferred to South Africa for medical treatment.

## WOMEN'S RIGHTS

The UN Human Rights Committee concluded that the application of customary laws permit discrimination against women, particularly

relating to inheritance of property, marriage, nationality, and access to land and chieftainship.

## RIGHT TO WORK

Between 16 and 26 May, the Commissioner of Police imposed a nationwide curfew between 10pm and 4am to curb violent crime. The step was prompted by the killing of Ralikonelo Joki (see above, Right to privacy). The law society and business representatives criticized the curfew for its adverse effect on night-time business operations, including nightclubs, restaurants, bars, street vending and hawking, which had already suffered the economic impact of Covid-19.

# LIBYA

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## State of Libya

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**Militias, armed groups and security forces across Libya intensified their suppression of dissent, and attacks on civil society. Thousands of people remained arbitrarily detained in conditions violating the absolute prohibition of torture and other ill-treatment, while hundreds of peaceful protesters, activists, journalists and others were arrested solely because of the peaceful exercise of their human rights. Militias and armed groups killed and wounded civilians and destroyed civilian infrastructure during intensified armed hostilities. Armed groups forced thousands of people out of their homes, including in reprisal for their alleged affiliation or to appropriate their lands. Amid pervasive impunity and ongoing funding and integration of abusive militias and armed groups in state institutions, calls for accountability grew in the aftermath of the staggering loss of life, destruction and forced displacement in the wake of Storm Daniel. Discrimination and violence against women and girls remained pervasive. LGBTI individuals continued to be subjected to arbitrary arrests, unjust prosecution and other abuse. Ethnic minorities continued to face discrimination and barriers to**



**accessing health, education and other services. Refugees and migrants, including those intercepted at sea by EU-backed coastguards and armed groups, were subjected to torture and other ill-treatment, extortion and forced labour; thousands were forcibly expelled without due process.**

## **BACKGROUND**

Libya's political stalemate continued as rival factions failed to agree a new unity government or set new dates for long-delayed presidential and parliamentary elections.

In June, a leaked report by the Administrative Control Authority pointed to 80,000 administrative and financial violations across state institutions under the Tripoli-based Government of National Unity (GNU) in 2022. In October, Libya's audit bureau released its annual report revealing widespread embezzlement of public funds in 2022.

In August, the Libyan Central Bank announced reunification after a decade-long division. The move followed struggles over its control and the shutting down of oil fields by actors affiliated to the Libyan Arab Armed Forces (LAAF) armed group.

In September, Storm Daniel triggered the collapse in Derna city of two dams, neither of which had been maintained for decades, leaving about 4,540 people dead and 8,500 missing, and causing widespread destruction and displacement.

Also in September, the UN Panel of Experts on Libya reported that foreign fighters and private military companies were continuing to pose a severe threat to security in Libya and that the arms embargo, in force since 2011, was being violated with impunity.

## **ARBITRARY DETENTION, UNLAWFUL DEPRIVATION OF LIBERTY AND UNFAIR TRIALS**

Thousands of people, including children, were arbitrarily arrested and detained by militias, armed groups and security forces solely for their actual or suspected political or tribal affiliations and/or opinions; or following

grossly unfair trials, including by military courts; or without legal basis.

According to the GNU Ministry of Justice, in October over 18,000 people were held in 31 prisons nationwide, two-thirds of them without trial. Thousands more were held in detention facilities controlled by militias and armed groups.

In May, Libya handed over to Tunisia four Tunisian women and their five children who had been arbitrarily detained without charge or trial since 2016 solely for being relatives of killed fighters with the Islamic State (IS) armed group.

Attacks on judges, prosecutors and lawyers continued. Deterrence Apparatus for Combating Terrorism and Organized Crime (DACTO) militiamen continued to arbitrarily detain Farouq Ben Saeed, a military prosecutor from Tripoli, abducted in June.<sup>1</sup>

## **TORTURE AND OTHER ILL-TREATMENT**

Torture and other ill-treatment remained systemic in prisons and other detention facilities across Libya. On camera "confessions" extracted under torture continued to be published online and on TV.

At least 15 people died in custody across Libya amid reports of physical torture and deliberate denial of medical care, including in facilities controlled by DACTO, the Internal Security Agency (ISA) in Derna, the Stability Support Apparatus (SSA) militia, and the Interior Ministry's Directorate for Combating Illegal Migration (DCIM). In August, the body of Walid Al-Tarhouni was found in Tripoli's Abu Salim Hospital morgue with signs of torture, according to a forensic report. SSA militiamen had abducted him in July.

Detainees were held in conditions violating the absolute prohibition of torture and other ill-treatment, including overcrowding; lack of hygiene, sufficient food and access to sunlight; and denial of family visits.

## **FREEDOM OF ASSOCIATION**

Militias, armed groups and security forces across Libya further stifled civic space, including through arbitrary arrests, summons for interrogation and other forms of

harassment of Libyan and foreign NGO staff and humanitarian workers.

Between March and May, the GNU issued multiple decrees that threatened to dissolve NGOs unless they complied with the repressive Law No. 19 of 2001 on NGOs.

In April, the Department of Criminal Investigation allied to the LAAF arbitrarily arrested five members of the pro-Saif al-Islam al-Gaddafi Together for the Homeland party in Sirte city, and held them without charge or trial until their release in October.

In May, the ISA in Tripoli arrested and aired torture-tainted forced confessions of Libyan contractors of the Italian NGO Ara Pacis “admitting” to working for the resettlement of sub-Saharan African nationals in southern Libya, amid rising smear attacks on NGOs working on refugee and migrant rights. Ara Pacis’s activities in Libya were suspended indefinitely.

## **FREEDOM OF EXPRESSION AND ASSEMBLY**

Militias and armed groups arbitrarily arrested, detained and threatened hundreds of activists, journalists, protesters and others solely for exercising their rights to freedom of expression and peaceful assembly.

In February, the ISA in Benghazi arrested singer Ahlam al-Yamani and content creator Haneen al-Abdali for “offending the traditions of Libya”, accusing them of violating Law No. 5 of 2022 on Cybercrimes. They were released in April without charge or trial.

During the year, the ISA in Tripoli arbitrarily arrested at least one child, four women and 22 men solely for exercising their human rights, and published some of their forced “confessions” alongside claims of their involvement in activities contravening “Libyan values”, including “apostasy”, “homosexuality”, proselytizing and feminism. Eighteen remained detained awaiting trial, including on the charge of “apostasy”, which carries the death penalty.

Between May and September, in the cities of Tripoli, Benghazi and al-Zawiya, militias and armed groups unlawfully fired live ammunition into the air to disperse peaceful

protests against their grip on power and the deteriorating security situation.

The Tariq Ben Zeyad (TBZ) armed group arrested at least nine protesters who had gathered at Derna’s Sahaba Mosque on 18 September calling for accountability and resignations of politicians in the wake of the catastrophic floods. Most were released within 10 days, but a protest organizer and one other activist remained detained at the end of the year.<sup>2</sup>

In October, investigations by the European Investigative Collaborations revealed that corporate entities within the “Intellexa alliance” had sold surveillance technology to the LAAF in 2020.

## **UNLAWFUL ATTACKS**

During sporadic localized clashes, militias and armed groups violated international humanitarian law, including by carrying out indiscriminate attacks and destroying civilian infrastructure and private property.

In January, a 10-year-old boy, Abdel Moez Masoud Oqab, died after the detonation of unexploded ordnance left from the 2019 armed conflict in Tripoli’s Qasr Bin Ghashir district.

In May, the Tripoli-based Ministry of Defence carried out air strikes on targets in al-Zawiya city and other locations in western Libya, with the declared aim of rooting out criminal networks, leading to injuries of civilians and destruction of civilian infrastructure, including a medical clinic.

In August, fighting in residential Tripoli neighbourhoods, including Ain Zara, Firnaj and Al-Tibbi, between DACTO and the 444 Brigade using explosive weapons with wide-area effects, killed at least 45 people and injured over 164, including civilians.

Clashes between 6 and 8 October in Benghazi between the LAAF and fighters loyal to Al-Mahdi Al-Barghathi, a former minister of defence, left at least five people dead and more injured, including civilians, amid an internet shutdown imposed by the LAAF. LAAF affiliates also took hostage 36 women and 13 children to compel Al-Mahdi Al-Barghathi and his son to hand themselves

over. The fate of Al-Mahdi Al-Barghathi and 33 of his relatives and supporters following their abductions remained unknown at the end of the year.

In September and October, the TBZ and other armed groups destroyed civilian homes in apparent reprisal for their owners' political affiliations, including in Qasr Abu Hadi, south of Sirte, and Benghazi.

## **IMPUNITY**

Officials and commanders of powerful militia and armed groups enjoyed near total impunity for crimes under international law and serious human rights violations committed in 2023 and previous years.

In March, the UN Independent Fact-Finding Mission (FFM) on Libya concluded that “there are grounds to believe State security forces and armed militia groups have committed a wide array of war crimes and crimes against humanity”. Despite this, the UN Human Rights Council ended the FFM's mandate and adopted a capacity-building resolution with no monitoring and investigative component.

In May, the GNU prime minister signed a decree integrating members of militias from Tripoli, Misrata city and other parts of western Libya into a new security force, the National Apparatus of Support Forces, without any vetting.

Also in May, the ICC prosecutor announced four new arrest warrants in connection with the Libya situation, but did not name the suspects.

In December, the Tripoli-based public prosecutor concluded investigations in relation to the collapse of the Derna dams and referred 16 middle-ranking officials to the Accusation Chamber for negligence and mismanagement, amid concerns over the transparency and independence of the investigation and its failure to address the responsibility of senior officials and powerful commanders of armed groups.

## **DISCRIMINATION**

### **WOMEN AND GIRLS**

Women faced discrimination in law and practice, including in relation to marriage, divorce, inheritance, employment, the right to impart their nationality to their children, and political office. Women politicians, activists and municipal councillors faced gendered threats and insults, including online.

From April, the ISA in Tripoli required women travelling alone to complete a form on their reasons for travelling abroad without a male “guardian” (*mahram*).

Authorities failed to protect women and girls from violence by armed groups, militias, their family members and other non-state actors; in some cases, militias prevented survivors from lodging judicial complaints.

### **LGBTI PEOPLE**

Consensual same-sexual relations remained criminalized. The ISA in Tripoli and other armed groups continued to arrest individuals for their actual or perceived sexual orientation and/or gender identity, amid reports of torture and other ill-treatment. In her May report, the UN Special Rapporteur on violence against women and girls stated that GNU officials had said there were no LGBTI individuals in Libya.

In September, the ISA in Benghazi confiscated rainbow-coloured toys, clothing and other items from stores, claiming that these encourage “homosexuality”.

### **ETHNIC MINORITIES AND INDIGENOUS PEOPLES**

Members of the Tabu and Tuareg communities without national identity cards owing to discriminatory laws and regulations governing Libyan citizenship faced barriers in accessing education and health services.

In August, LAAF-affiliated armed groups raided the “Chinese Company” neighbourhood in Umm Al-Aranib, looting private belongings and arbitrarily arresting Tabu men, according to local activists and politicians. The attack took place against a backdrop of rising racist and xenophobic rhetoric against Tabus.

### **INTERNALLY DISPLACED PEOPLE**

Over 170,664 people remained internally displaced, according to the International

Organization for Migration (IOM). They included 44,862 people who lost their homes in the wake of Storm Daniel, with most sheltering with relatives or renting private accommodation amid need for basic services and trauma support.

From March, the TBZ evicted thousands of Benghazi residents from their homes, including from the historic city centre, without compensation, and harassed those who protested.

People displaced during previous armed hostilities in Benghazi, Derna and other parts of eastern Libya as well as Murzuk town in south-west Libya were unable to return to their areas of origin, owing to a risk of persecution or retaliation by armed groups.

In January, militias forced dozens of families of Tawerghans, internally displaced since the 2011 armed conflict, out of informal settlements where they had been sheltering around Tripoli and Bani Walid city. LAAF and affiliated armed groups prevented hundreds of internally displaced Tawerghans from returning to seven camps for internally displaced people in and around Benghazi, where they had lived for years and from where they were told to evacuate on 10 September ahead of Storm Daniel. Scores were forced to return to the city of Tawergha despite a lack of services and employment opportunities.

## **REFUGEES' AND MIGRANTS' RIGHTS**

Security forces, armed groups, militias and non-state actors committed widespread and systematic human rights violations and abuses against refugees and migrants with impunity.

According to the IOM, as of 25 November, 947 migrants had died and a further 1,256 had gone missing at sea off the Libyan coast in 2023. In addition, 15,057 were intercepted at sea and forcibly returned to Libya by EU-backed coastguards in western Libya as well as the LAAF-affiliated Libyan Special Naval Forces and the TBZ in eastern Libya.

On 19 August, the TBZ intercepted in Malta's search and rescue area a boat carrying about 110 people, mainly Lebanese

and Syrian nationals. The boat had departed from Akkar in Lebanon heading for Italy, and disembarked them in Benghazi. Five of the people from the boat said they were arbitrarily detained in a large tent in Benghazi port and that some, including children, were subjected to forced labour.

From late April, security agencies across Libya carried out mass arrests targeting thousands of refugees and migrants, including those with valid visas or who had registered with UNHCR, the UN refugee agency.

As of September, 3,913 foreign nationals were arbitrarily detained in DCIM-run detention centres, while thousands of others were held by the SSA and other militias and armed groups. They were held in cruel and inhuman conditions and subjected to torture and other ill-treatment, including sexual violence, extortion of ransoms to secure their freedom, and denial of adequate medical care.

From July, Tunisian authorities forcibly expelled thousands of refugees and migrants to deserted areas on the border between Tunisia and Libya, leaving them without food or water and resulting in reported deaths (see Tunisia entry).

Armed groups affiliated to the LAAF forcibly expelled over 22,000 refugees and migrants towards Chad, Egypt, Niger and Sudan, without giving them the opportunity to challenge their deportation or seek international protection.

## **DEATH PENALTY**

Libya's legislation retains the death penalty for a wide range of offences. In July, the public prosecutor, Al-Siddiq Al-Sour, announced the establishment of a committee to examine the resumption of executions, which had been halted since 2011.

Death sentences continued to be passed after grossly unfair trials, including by military courts. In May, a court in Misrata sentenced 23 people to death for their involvement with IS, after a trial marred by allegations of torture and enforced disappearances.

## RIGHT TO A HEALTHY ENVIRONMENT

Libya had still not ratified the Paris Agreement, nor submitted mitigation or adaptation strategies, while announcing plans to double fossil fuel production by 2030. The country's poor preparedness for the impacts of climate change was laid bare by the vast loss of life in the wake of Storm Daniel. Officials in eastern Libya provided Derna residents with conflicting instructions on whether to evacuate or respect a curfew ahead of the flooding. The World Meteorological Organization deemed that deaths could have been avoided with proper warnings and evacuations. According to a study published by the World Weather Attribution, similar extreme events have "become up to 50 times more likely and up to 50% more intense compared to a 1.2°C cooler climate."

1. "Libya: Military prosecutor forcibly disappeared: Farouq Alsqidig Abdulsalam Ben Saeed", 24 July
2. "Libya: Lift restrictions on media and facilitate relief efforts in wake of catastrophic floods", 21 September

## LITHUANIA

### Republic of Lithuania

**The authorities continued to summarily return refugees and migrants to Belarus, and passed legislation to this effect. The Constitutional Court struck down legislation on detention of asylum seekers and migrants. Belarusian and Russian nationals faced increasing obstacles in renewing residency permits and other documentation. Same-sex unions were still not legalized.**

### REFUGEES' AND MIGRANTS' RIGHTS

Lithuania continued to host at least 52,262 people who had fled Ukraine following Russia's full-scale invasion. However, other refugees and migrants, mostly from the Middle East and Africa, were pushed back to Belarus, with at least 2,599 people being subjected to summary forced returns, despite the risk of torture and other ill-treatment by

Belarusian authorities. In May, upon the government's proposal, parliament approved legal amendments enshrining the power of border guards to carry out pushbacks, in violation of international law. The Lithuanian authorities completed the construction of a physical barrier along the land border with Belarus and insisted that asylum seekers apply for protection at official border crossing points. However, in August, the government closed two of the six crossings and announced the future closure of another two.

In June, the Constitutional Court found that provisions of the Law on the Legal Status of Foreigners, introduced in 2021 and April 2023 and providing for the automatic detention of asylum seekers and those considered irregular migrants, violated Article 20 of the constitution, protecting liberty. In December, parliament approved legislative amendments introducing some guarantees against arbitrary detention and limiting the maximum length of detention to five months. The measure did not provide for reparation to the thousands of people who had suffered prolonged arbitrary detention between 2021 and 2023. At the end of the year, 38 asylum seekers and migrants were being detained in Lithuania.

In June, an inquiry by the Lithuanian Bar Association confirmed serious malpractice in the provision of legal aid to refugees and migrants.

In September, the Ministry of Interior reported a decline in attempted crossings from Belarus, but also an increase in the number of refugees and migrants entering via Latvia. The Lithuanian authorities carried out checks at the Latvian border and summarily removed 1,072 refugees and migrants – including unaccompanied minors – to Latvia.

During the second half of the year, the Ministry of Interior designated a total of 1,654 Belarusian and Russian citizens living in Lithuania as a threat to Lithuania's national security, partly based on a questionnaire which asked for individuals' views on the Russian aggression in Ukraine. As a result, many Russian and Belarusian nationals were refused asylum, visas, renewal of residence

permits, or continued Lithuanian citizenship. In August, Olga Karach, a Belarusian activist based in Lithuania, was declared a threat to national security and refused asylum, and only allowed to remain on a temporary residence permit.

## LGBTI PEOPLE'S RIGHTS

In January, the European Court of Human Rights found that the Lithuanian authorities had acted unlawfully by censoring a fairy-tale book depicting, among others, same-sex relationships. A legislative proposal to repeal the prohibition of the promotion of non-traditional family models was voted down by parliament in November, and another, to provide some limited rights to LGBTI couples through the introduction of gender-neutral civil unions, had not been adopted by parliament by the end of the year.

## RIGHT TO A HEALTHY ENVIRONMENT

The year was marked by extreme weather associated with climate change, including drought, heatwaves and violent storms, which caused damage to livelihoods and health. Lithuania had no clear plan to phase out fossil fuels, and long-term emissions reduction proceeded at a slower pace than the EU average.

# MADAGASCAR

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## Republic of Madagascar

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**Detention conditions remained poor. Restrictions on the rights to freedom of expression, association and peaceful assembly persisted; and security forces used excessive force to disperse protesters. The state authorities failed to protect environmental human rights defenders from threats, intimidation, harassment and arbitrary arrest. Extreme weather events and drought led to widespread internal displacement, and levels of food insecurity increased. Women, LGBTI people and persons with albinism suffered discrimination.**

## BACKGROUND

President Andry Rajoelina's re-election was confirmed by the Supreme Constitutional Court on 1 December.

## DETAINEES' RIGHTS

Detention conditions, including in prisons, police and gendarmerie stations and psychiatric facilities, remained poor. In May, the UN Subcommittee on Prevention of Torture visited Malagasy prisons and reiterated its concerns about overcrowding. The National Independent Commission for Human Rights, serving as the National Preventive Mechanism (a body that monitors and makes recommendations to protect detainees' rights) remained understaffed and under-resourced. This hindered its ability to monitor and improve the human rights situation in detention facilities.

## FREEDOM OF ASSEMBLY AND ASSOCIATION

During the pre-election period, security forces halted the electoral campaigning activities of opposition parties. On 4 April, the Ministry of Interior declared that political meetings must be held indoors, and that all public demonstrations should be authorized under Order 60-082 of 13 August 1960. This law, which was applied throughout the electoral campaigning period, fell short of international standards on the right to peaceful assembly. The purpose of the ministry's declaration was to curtail this right for opposition parties. During the campaigning period between 10 October – when electoral campaigning for presidential elections began – and 16 November, violations to the rights to freedom of expression and peaceful assembly were documented on at least 20 occasions.

In October, the Prefecture of Antananarivo banned opposition party protesters from entering several key areas of the capital. Journalists were arrested and presidential candidates were injured, and there were reports that political activists and bystanders were arbitrarily detained. The authorities misused criminal law to arrest, detain or

threaten people expressing dissenting views. OHCHR, the UN human rights office, expressed concern at the deterioration in the human rights situation, noting the security forces' use of unnecessary and disproportionate force against protesters.

Environmental activists' rights to peaceful assembly and association were also violated. The authorities failed to protect them from threats and attacks by other community members or security forces. On 5 July, environmental human rights defender Angélique Decampe received death threats from another community member in connection with her work to safeguard the Vohibola forest from poachers and deforestation. Also in July, security forces arrested over 80 protesters from the Association for the Struggle of the South (LUSUD) in the Anosy region when they blocked a road to prevent mining company Rio Tinto (operating under the subsidiary name of QIT Madagascar Minerals) from continuing its extraction activities. They were all released by August. However, arrest warrants remained pending against LUSUD leaders Eugène Chrétien and Laurent Manjary, who had not been arrested during the protest.

## **FREEDOM OF EXPRESSION**

On 23 March, the authorities arrested Lôla Rasoamaharo, the owner of La Gazette de la Grande Ile newspaper, on charges of extortion, defamation, threats and insults, after they raided the newspaper's office and confiscated materials. This followed a protracted dispute between Lôla Rasoamaharo and the mayor of Antananarivo, conducted through their respective newspapers.

## **RIGHT TO A HEALTHY ENVIRONMENT**

According to the National Office of Risk and Disaster Management, Cyclone Cheneso resulted in the displacement of approximately 90,870 people and claimed at least 33 lives in the south-eastern region in January. It was followed by Cyclone Freddy, which destroyed cash crops and led to increased levels of food

insecurity in the region in February. Humanitarian aid delivery to affected areas was hindered by the damage caused to infrastructure, including health centres, and the remoteness of affected areas.

The situation in the drought-stricken Grand South region somewhat stabilized during the year, and there was an improvement in access to humanitarian aid. However, food security remained precarious. Local populations' dependence on humanitarian assistance rendered them more vulnerable to additional climate change-related extreme weather events. During the year, the government implemented measures to prevent disasters caused by cyclones, issuing alerts and evacuating affected areas. However, it did not receive the necessary funding from developed states as required under the Paris Agreement, making it difficult for Madagascar to adapt to climate change and address the resulting losses and damages.

## **INTERNALLY DISPLACED PEOPLE'S RIGHTS**

Internal displacement resulting from slow onset events like rising sea levels and increasing temperatures, as well as rapid onset events, became more pronounced. According to the Internal Displacement Monitoring Centre (an international NGO) and media reports, over 2,000 people from the Grand South region relocated to urban and rural areas in the north to escape the drought. The absence of government protection for internally displaced people resulted in reported cases of sexual violence against women, human trafficking, and tensions between host communities and internally displaced people, often linked to disputes over land use.

## **DISCRIMINATION**

Women and girls, LGBTI people and persons with albinism were among groups facing discrimination and inequality.

Women's reproductive rights and access to healthcare was restricted; abortion remained illegal in all circumstances. Gender-based

discrimination was pervasive and disproportionately affected women and girls, particularly in educational settings, where, according to media reports, preconceived ideas about gender roles led to inequality and discrimination against girls.

LGBTI people experienced discrimination and marginalization in law and practice. In May, a 56-year-old transgender woman was subjected to physical violence by military personnel on the basis of her identity.

Persons with albinism were persistently targeted; they were subjected to ritual killings and attacks. There were at least 12 documented cases of abduction of persons with albinism during the year, motivated by false beliefs that the body parts of persons with albinism can be used to bring good luck.

## MALAWI

### Republic of Malawi

**The rights to freedom of expression and peaceful assembly were restricted. Hundreds of refugees and asylum seekers were arrested and forced to relocate to camps and abandon their livelihoods. Violent attacks on persons with albinism increased. LGBTI people faced discrimination. Cyclones left hundreds dead and over 659,000 displaced; women were at increased risk of gender-based violence in displacement camps. There were signs that the cholera outbreak was easing.**

### FREEDOM OF EXPRESSION AND ASSEMBLY

On 30 August, former MP Bon Kalindo was arrested when he delivered a court order to the district commissioner's office. The order confirmed that a protest planned for the following week could proceed, after it was blocked by the district council. He was released the next day after a court suspended his arrest warrant. On 7 September, he led peaceful protesters on a march to State House to deliver a petition calling for the president's resignation. When

another group threw stones at the peaceful protesters, police dispersed the demonstration with tear gas.

### JOURNALISTS

In May, the president told journalists that he was committed to upholding the constitution by respecting freedom of expression. Two weeks later, Francis Mzindiko, a Times Group newspaper journalist, was attacked by supporters of the ruling Malawi Congress Party after he filmed them fighting with members of another party in Blantyre.

### REFUGEES' AND MIGRANTS' RIGHTS

In March, the government ordered all refugees and asylum seekers to return to Dzaleka refugee camp by 15 April or face enforced relocation. In May, police arrested hundreds of them from their homes and businesses in the capital Lilongwe, relocating them to the camp. Police confiscated property and demanded bribes from some of them, and many had to abandon their livelihoods. Dzaleka camp, believed to host over 50,000 refugees, had a capacity for 12,000, while around 8,000 lived just outside the camp. UNHCR, the UN refugee agency, said healthcare services and water and sanitation facilities were inadequate.

### DISCRIMINATION

#### PERSONS WITH ALBINISM

Crimes against persons with albinism, including reports of attempted abductions, physical attacks and desecration of graves, increased. In May, Ajasi Salim from the southern village of M'boola sustained injuries in an attack. In June, Tony Robert's grave was violated in M'maliha village in Blantyre; police and local community members confirmed that only his torso remained. Standing Voice, a rights NGO, documented three attempted abductions of children under 10, including a one-year-old. Only one arrest was made in all reported cases.

### LGBTI PEOPLE'S RIGHTS

In July, religious leaders held national demonstrations, attended by cabinet ministers, to protest against the



decriminalization of consensual same-sex sexual conduct. The protests were triggered by a case before the constitutional court in which Wim Akster and Jana Gonani, a local transgender woman, challenged penal code provisions criminalizing such behaviour, and under which Jana Gonani had been convicted in 2021. The case was adjourned in August and no judgment delivered by the end of the year. LGBTI rights organization Nyasa Rainbow Alliance (NRA) said that the participation of influential individuals in the protests led to increased discrimination in relation to LGBTI people's access to basic services, including healthcare. Speech advocating hatred against NRA staff and LGBTI people also increased.

## RIGHT TO A HEALTHY ENVIRONMENT

On 13 March, a state of disaster was declared when Cyclone Freddy struck for the second time in one month. At least 679 people died and 659,278 were displaced by heavy rains that destroyed roads, homes, crops and livestock in the south. The Disaster Management Affairs and the Department of Climate Change and Meteorological Services (government bodies) took steps to increase public awareness about the impact of heavy rainfall, targeting flood-prone areas. The government relocated at-risk households to areas less vulnerable to flooding.

## WOMEN'S AND GIRLS' RIGHTS

High rates of unemployment, poverty and natural disasters exposed women to sexual exploitation, trafficking and gender-based violence. The Malawi Human Rights Commission recorded abuses including gender-based violence (54), sexual exploitation (23) and child marriage (34) against women and girls displaced into camps by Cyclone Freddy.

In July, the government disclosed that 18 women had been repatriated to Malawi out of over 300 who had been lured with fake job offers to Oman, where they suffered abuses including rape, torture, appalling conditions and poor pay.

## RIGHT TO HEALTH

The government took measures, including monitoring water quality and promoting public awareness, to address the cholera outbreak. In August, it said that there had been no new reported cases for 14 days in the 26 affected districts since March 2022. As of 15 December, the outbreak had affected 59,114 people, of whom 1,771 died.

# MALAYSIA

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## Malaysia

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**The government failed to fulfil commitments to reform laws restricting the right to freedom of expression and continued to use repressive laws to silence critical voices and prevent peaceful protest. Punitive treatment of refugees and migrants continued, including indefinite detention and forced return in violation of the principle of non-refoulement. Further custodial deaths were recorded. The mandatory death penalty was abolished and 1,020 death row prisoners became eligible for resentencing.**

## FREEDOM OF EXPRESSION

The government did not act on commitments made during the 2022 general election campaign to reform laws that curtailed freedom of expression and to adopt a Freedom of Information Act.

Authorities continued to use repressive laws – including the Communications and Multimedia Act; provisions of the Penal Code relating to causing disunity or hatred on grounds of religion and public fear or distress; and the Sedition Act – to silence critical voices both on- and offline. In March, police questioned the director, producer and four others involved in making a film about a woman exploring the concept of the afterlife that was criticized by government officials and religious groups. The film was banned in September, and police investigations into the filmmakers were ongoing at year's end.<sup>1</sup>

On 16 October, Kean Wong, editor of the book *Rebirth: Reformasi, Resistance, and Hope in New Malaysia* which was banned in 2020, was arrested for sedition. He was released after two days but investigations were continuing.<sup>2</sup>

The Printing Presses and Publications Act was increasingly used to restrict the right to freedom of expression of LGBTI people. In February, the Home Ministry banned three books for “immoral” content and promoting “LGBTI lifestyle”. In May, the ministry seized and subsequently banned LGBTI-themed products of a globally known watch company, introducing new penalties of up to three years’ imprisonment for selling or wearing them.

## **FREEDOM OF ASSEMBLY**

Authorities continued to use the Peaceful Assembly Act (PAA), the Penal Code and the Minor Offences Act to restrict the right to peaceful protest.

In March, police questioned under the PAA and Minor Offences Act seven organizers of and participants in the Women’s March Malaysia that took place to mark International Women’s Day.

In May, police questioned the organizers of two separate Labour Day rallies, also under the PAA.

In July, police arrested eight members of the widely persecuted Ahmadi religious minority for joining a gathering in support of LGBTI rights. All were released after one day but remained under investigation.

## **REFUGEES’ AND MIGRANTS’ RIGHTS**

There were ongoing allegations of human rights violations in immigration detention centres where refugees and migrants were indefinitely detained. In February, human rights groups called for investigations into conditions after the government revealed that 150 foreigners, including seven children and 25 women, had died in the centres in 2022. In December, authorities disclosed that 12,400 people, including 1,400 children, were being held in immigration detention centres. An announcement in August that 80

children and their parents or guardians would be transferred to temporary facilities “more conducive to their care” was criticized by human rights groups because it amounted to continued indefinite detention.

In January, the authorities forcibly deported 114 adults and children to Myanmar where they were at risk of serious human rights violations. All had been subject to a legal challenge by Amnesty International Malaysia and Asylum Access Malaysia to prevent deportations to Myanmar.<sup>3</sup>

In April, the government announced that it was investigating the arrival of hundreds of migrant workers who, despite paying exorbitant fees to intermediaries, did not have jobs and were therefore vulnerable to forced labour. In December, police detained over 1,000 people in raids targeting undocumented migrants in the capital, Kuala Lumpur; 171 migrant workers were detained when attempting to lodge a complaint with police in Johor against the failure of their agents to provide promised jobs.

In a suspected case of enforced disappearance, Myanmar refugee and activist Thuzar Maung, her husband Saw Than Tin Win and three children were abducted by unknown people from their home in Selangor state. A police investigation was opened, but they remained missing.<sup>4</sup>

## **DEATH PENALTY**

The Abolition of Mandatory Death Penalty Act 2023, which came into force in July, fully abolished the death penalty for seven offences and introduced sentencing discretion for all offences to which the mandatory death penalty was applicable. Terms of imprisonment of 30 to 40 years and whipping, which violates the prohibition of torture and other cruel, inhuman or degrading treatment or punishment, were introduced as alternative sentences to the discretionary death penalty and to replace life imprisonment.<sup>5</sup>

The Revision of Sentence of Death and Imprisonment for Natural Life (Temporary Jurisdiction of The Federal Court) Act entered into force on 12 September, providing the

possibility for all individuals sentenced to death or imprisonment for their natural life and who had their sentences upheld by the Federal Court to apply to have their sentences reviewed. A total of 1,020 people were eligible to apply under the Act.<sup>6</sup>

The moratorium on executions, established in 2018, remained in place, but the courts continued to impose death sentences for offences where it was an applicable punishment.

## TORTURE AND OTHER ILL-TREATMENT

At least 13 people, including three foreigners, died in police custody.

The Independent Police Conduct Commission Act, establishing a body to investigate police misconduct and provide oversight, came into force on 18 October despite criticism over the commission's lack of independence as well as investigative and enforcement powers.<sup>7</sup>

## INDIGENOUS PEOPLES' RIGHTS

Palm oil plantations, logging and the construction of dams continued to threaten the lands and livelihoods of Indigenous Peoples. In April, seven members of the Temoq Indigenous People brought a legal challenge against the government for its approval of the environmental impact assessment report of a proposed palm oil project in Rompin district, Pahang state. The challenge claimed the government had failed to take account of how the project breaches their rights to a clean, safe and sustainable environment.

## RIGHT TO A HEALTHY ENVIRONMENT

In February, the government announced it would need two to three years to develop the national climate change bill that was expected to legislate for climate change mitigation actions, despite promising to finalize it by the end of 2022.

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1. "Malaysia: End escalating harassment of Mentega Terbang Filmmakers", 22 March

2. "Malaysia: Update to the detention of Kean Wong, editor of Rebirth: Reformasi, Resistance, and Hope in New Malaysia", 17 October

3. "Malaysia: Amnesty International Malaysia condemns deportation of more Myanmar nationals, including children", 23 February
4. "Malaysia: Myanmar refugee activist and family still missing a month after suspected enforced disappearance", 4 August
5. "Malaysia: World Day against the Death Penalty: Call for full abolition renewed three months after repeal of mandatory death penalty enforced", 10 October
6. "Malaysia: Resentencing process must be a fair and meaningful opportunity for commutation of death sentences", 19 June
7. Malaysia: Strides and Setbacks - Amnesty International: Submission to the 45th Session of the UPR Working Group, January - February 2024, 12 July

# MALDIVES

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## Republic of Maldives

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**Authorities further restricted press freedom, including through penalizing and arresting journalists reporting on protests. The police routinely used unlawful force to suppress protests, and human rights defenders faced reprisals. Gender inequality was particularly evident in political representation. The Maldivian government announced plans to reinstate the use of the death penalty.**

## BACKGROUND

Mohamed Muizzu of Progressive Alliance – a coalition between the Progressive Party of Maldives and the People's National Congress – defeated Ibrahim Solih of the Maldivian Democratic Party in the presidential elections on 30 September. In August, the Supreme Court upheld the Elections Commission of Maldives' disqualification of former president Abdulla Yameen of the Progressive Party of Maldives from standing in the election following his conviction in 2022 for corruption.

## FREEDOM OF PEACEFUL ASSEMBLY

Police routinely used unlawful force to disrupt peaceful protests and arbitrarily arrested protesters. In January, nine people were wrongfully arrested during peaceful protests. In June, police used pepper spray at an opposition protest leading to several injuries.

Protests were organized against India's influence in the Maldives ("India Out")

protests), calling for the removal of Indian military personnel stationed in the country. Protests were also organized to call for the release of former president and current opposition leader Abdulla Yameen, who was serving an 11-year jail term after his conviction in 2022. In March, 12 protesters were arrested, including Adam Asif, a member of Abdulla Yameen's legal team.

## **FREEDOM OF EXPRESSION**

### **JOURNALISTS**

At least four journalists were arrested by the police while reporting on protests throughout the year. On 19 January, Mohamed Samah was placed under house arrest for a month after covering a protest. On 16 March, Hussain Juman was detained after reporting on a Progressive Party rally and released without charge the next day. On 7 February, police used pepper spray on two journalists and pushed one to the ground with their shields, causing him to lose consciousness.

The new Evidence Act took effect in January, allowing judges to compel journalists to reveal their sources or be subject to fines or jail if they refuse. Journalists increasingly faced harassment and threats, including death threats, from the state and other actors over articles they published related to corruption and religion. Authorities failed to investigate and ensure accountability. On 22 November, the criminal court dropped charges against the accused in the murder of blogger Yameen Rasheed in 2017.

## **FREEDOM OF ASSOCIATION**

In March, the Civil Court of Maldives upheld the Ministry of Youth, Sports and Community Empowerment's 2019 decision to de-register the Maldivian Democracy Network, which had been unable to function since it was shut down in 2019.

## **WOMEN'S AND GIRLS' RIGHTS**

Women's rights activists raised concerns about the continued lack of political representation. During the presidential election in September, all eight candidates were men. Women continued to be

significantly under-represented in political life, comprising just 4.6% of members of parliament.

## **HUMAN RIGHTS DEFENDERS**

In October, the UN Human Rights Council raised concerns that the police had failed to investigate targeted harassment, threats and intimidation against individuals affiliated with the women's human rights organization Uthema, related to their 2021 report to the UN CEDAW Committee.

The case of Ahmed Rilwan, an investigative journalist and human rights defender who disappeared in April 2014, remained unresolved after a court on 22 November dropped charges against a man accused of murdering him.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Maldives remained one of the countries most vulnerable to climate change. Rising sea levels had already caused severe erosion of inhabited islands and depleted freshwater resources.

At COP28 in November, states reached an agreement on the operationalization of a new loss and damage fund to support communities most severely affected by the climate crisis. The Maldives called upon higher-income countries to contribute to this vital fund.

Recent Maldivian administrations have failed to comply with environmental laws and regulations and neglected the concerns of local communities around mitigating the detrimental impacts of development projects, such as no compensation for loss of housing. Environmental groups warned of risks from climate change to reef ecosystems, seagrass meadows, mangroves, wetlands and island shelterbelts, which are the basis of many livelihoods, including tourism and fishing.

# **MALI**

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**Republic of Mali**

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**Rights to freedom of expression and peaceful assembly were repressed. Journalists and a human rights defender were forcibly disappeared and government critics arbitrarily detained. Government forces, foreign military personnel and armed groups committed grave violations and abuses, including extrajudicial executions and unlawful killings. The UN recorded hundreds of cases of sexual violence against women and girls. Cases linked to violence and discrimination based on work and descent resulted in convictions.**

## **BACKGROUND**

Armed conflict between the army and armed groups continued. The Group for the Support of Islam and Muslims (GSIM) and the Islamic State in the Sahel (ISS) fought for control of the Gao region.

A new constitution was adopted after it was voted for via a referendum.

In June, the UN Security Council approved the termination as of 31 December of the UN Multidimensional Integrated Stabilization Mission in Mali. In the context of the gradual departure of UN troops, and the breakdown of the 2015 peace and reconciliation agreement, fighting erupted in August between government forces and the Strategic Permanent Framework for Peace, Security and Development (CSP-PSD), a coalition of armed groups. In November, government forces regained the town of Kidal from the CSP-PSD.

## **FREEDOM OF EXPRESSION**

In January, Aminata Dicko, a human rights defender, was forced into exile in the cities of Geneva and Paris after denouncing abuses by the armed forces in a briefing to the UN Security Council, following which the gendarmerie summoned her for questioning in connection with allegations of high treason and defamation.

Cheick Mohamed Cherif Koné and Dramane Diarra, magistrates and members of the 20 February Appeal, a pro-democracy association, were disbarred from the magistrate's roll in August and September,

respectively. In 2021, Cheick Koné was removed as senior advocate-general at the supreme court after he criticized judicial investigations, including in the case of former prime minister Soumeylou Boubèye Maïga who died in pretrial detention in 2022.

## **FREEDOM OF PEACEFUL ASSEMBLY**

In August, in Bandiagara district, Mopti region, security forces killed one person and injured seven others when they fired at people protesting against killings by armed groups.

## **ARBITRARY ARRESTS AND DETENTIONS**

In March, journalist Mohamed Youssouf Bathily, also known as Ras Bath, was arrested and charged with making unfounded claims and discrediting the state after he declared on the radio that Soumeylou Boubèye Maïga was “assassinated” (see above, Freedom of expression). In July, he was acquitted on the first charge but remained in detention.

During the same month, Rokiatou Doumbia, also known as Rose Vie Chère, was arrested for criticizing on TikTok the government's economic performance and security policies. She was charged with “inciting revolt” and “disturbing public order”, given a one-year prison term and ordered to pay XOF 1 million (about USD 1,636) in August.

In September, Adama Ben Diarra, also known as Ben le Cerveau, a National Transitional Council (CNT) member, was arrested when he said via radio that the government should organize presidential elections for February 2024 in accordance with its agenda. He was given a two-year sentence (one year suspended) for “discrediting the state” and removed from the CNT.

## **ENFORCED DISAPPEARANCES**

On 26 January, Sory Koné, the programme director of Radio DANAYA in Soubra, Ségou region, was abducted from his home by unidentified people, suspected to be members of the security forces. His whereabouts and fate remained unknown.

Journalists Aliou Touré and Idriss Martinez Konipo were held, presumably by security force members, in unknown locations for five and three days, respectively, during April.

The fate and whereabouts of human rights defender Hammadoun Dicko, abducted in December in the capital, Bamako by unidentified individuals, remained unknown.

## **VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW**

### **ARMED GROUPS**

On 22 April, the GSIM attacked army bases in Sévaré, Mopti region, next to the airport and a UN camp. The government said 10 civilians were killed and 61 others wounded. Twenty houses and shelters hosting internally displaced people were destroyed during the attack.

Between 27 and 28 June, ISS fighters attacked Gaina and Boyna villages in the Gao region, killing 17 villagers. After the attack, they stole livestock and abducted at least four villagers from Boyna.

In July, armed assailants attacked Djankoin village, in the Ségou region, killing at least 10 civilians, according to local and media sources.

During August, according to the media, GSIM fighters carried out attacks in Bandiagara region, killing 15 civilians in Bodio and 22 others in Yarou.

From August onwards, the GSIM restricted access to the city of Timbuktu, after the army reoccupied Goundam and Ber military camps in the Timbuktu area, following the withdrawal from the area of UN troops.

According to OCHA, at least 33,100 people from Timbuktu had moved to neighbouring countries since the siege began.

On 7 September, armed combatants attacked a civilian passenger boat leaving Gao for Mopti, near Zarhoy village, killing at least 49 civilians and 15 soldiers.<sup>1</sup>

### **GOVERNMENT FORCES AND ALLIES**

In May, OHCHR, the UN human rights office, published its findings on a military operation in Moura during March 2022, concluding that some 500 people had been summarily executed and at least 58 women raped by

Malian soldiers and foreign military personnel in a five-day operation. No one was held accountable for the killings. Armed forces and allied foreign military personnel deployed in Mali continued to carry out international humanitarian law violations.

On 6 March, according to Human Rights Watch, soldiers and foreign military personnel rounded up 200 men in Sossobé, Mopti region, and took them to the mosque during a joint patrol. According to witnesses, the bodies of five of them were later found on the outskirts of Sossobé, while the fate and whereabouts of 21 others who were blindfolded, handcuffed and taken away in helicopters remained unknown. The rest were released.

In another joint military operation later in March, also involving Dozo hunters, 26 people, including a six-year-old boy, were killed in Ouenkoro, according to media reports. Soldiers collected smartphones from people in the local market to prevent them from communicating evidence of violations.

According to witnesses, on 9 May, foreign military personnel attacked a temporary herders' camp in Gogoro in Douentza region, killing 11 civilians. The whereabouts and fate of four people, including a 10-year-old boy, whom they abducted, remained unknown.

During an army offensive on 5 October, soldiers accompanied by foreign military personnel, extrajudicially executed 17 villagers in Ersane in Bourem district, Gao region. Media and local sources said all of them were beheaded, and 15 of the bodies were left booby-trapped.

## **SEXUAL AND GENDER-BASED VIOLENCE**

In April, the UN said it had recorded 470 incidents of sexual violence carried out by armed groups and government and allied forces, between January and March, 51 of which were conflict related. All the victims were women and 11 were girls as young as 12.

## **DISCRIMINATION**

Violence and discrimination against people based on work and descent remained

prevalent. In May, UN experts called on the Malian authorities to criminalize slavery, noting that descent-based slavery remained widespread. Between February and March, the Assizes Court in Kayes convicted 56 people in connection with attacks, including the killings of victims of work and descent-based discrimination which took place in the towns of Diandioumé in 2020, and Bafoulabé in 2021.

1. "Mali: Amnesty International condemns attack on Timbuktu boat, calls for protection of civilians", 8 September (French only)

## MALTA

### Republic of Malta

**Parliament decriminalized abortion in limited cases where the life of the pregnant person was in grave danger. Concerns persisted about failures to assist refugees and migrants at sea. The European Court of Human Rights found that the migration detention system was hindering human rights protection. Proposed reforms to strengthen freedom of expression were inadequate. The proposed TransGas pipeline was contrary to EU targets to refrain from investing in new fossil fuel projects.**

### SEXUAL AND REPRODUCTIVE RIGHTS

In June, parliament amended the criminal code making it lawful for a doctor to terminate a pregnancy if the pregnant person's life was at immediate risk and before "fetal viability". Doctors were allowed to refer pregnant people whose health was in grave jeopardy to a medical panel to be granted access to an abortion. Cases of grave risk to health that were "not life-threatening" were excluded from the amendment, and abortion remained illegal in all other circumstances.<sup>1</sup>

### REFUGEES' AND MIGRANTS' RIGHTS

Approximately 380 people disembarked in Malta after being rescued at sea. Continuing concerns over Malta's failure to give, or

delaying of, assistance to, people in peril at sea in its search and rescue region, were compounded by a lack of transparency about rescue operations and the response to calls for rescue.

In May, the Tareq Ben Zeyad armed group affiliated with the Libyan Arab Armed Forces intercepted and brought back to Libya a boat carrying about 500 people. The Armed Forces of Malta (AFM) denied involvement in this forced transfer. Rescue NGOs had alerted Malta to the boat's position in the Maltese search and rescue region. The AFM stated that no boat had been found at the reported position and they had not coordinated a rescue. UN agencies in Libya reported the arrival of a boat carrying about 500 people two days later in Benghazi.

In July, at a constitutional court hearing of a case brought by 32 asylum seekers for breach of their rights, the prime minister claimed their detention aboard ferries had been related to managing the Covid-19 pandemic. Between late April and early June 2020, Malta arbitrarily detained more than 425 people rescued at sea in substandard conditions aboard ferries positioned outside territorial waters. The case was ongoing at year's end.

In October, in *A.D. v Malta*, the European Court of Human Rights ordered Malta to pay EUR 25,000 to an Ivorian asylum seeker who, aged 17, had been arbitrarily detained in inhuman and degrading conditions and without access to effective remedies. The court noted that Malta's migration detention system was hindering human rights protection in these areas and that measures at a national level were required in execution of the judgment.

In November, three asylum seekers known as the El Hibli 3, who had opposed attempts to unlawfully return them to Libya in 2019 when two of them were still children, were indicted on charges including acts of terrorism. The three men faced life imprisonment.<sup>2</sup>

## RIGHT TO TRUTH, JUSTICE AND REPARATION

The trial of a businessman accused of commissioning the 2017 killing of journalist Daphne Caruana Galizia had yet to start. In September, the Council of Europe Commissioner for Human Rights (commissioner) expressed concern at the delay in ensuring that all those responsible for the killing were brought to justice.

## FREEDOM OF EXPRESSION

In September, the commissioner noted that legislative proposals to strengthen freedom of expression were inadequate and that civil society and the media community had not been consulted on the amendments. Furthermore, concerns remained about journalists' access to information.

In July, a report by the European Commission criticized the review of the Freedom of Information Act and the obstacles faced by the media and citizens when requesting access to information held by public authorities.

## RIGHT TO A HEALTHY ENVIRONMENT

Malta was vulnerable to the impacts of global heating, including on agricultural productivity, health and availability of water. With 92% of its energy derived from fossil fuels, a report in June by NGO Friends of the Earth claimed that the government's proposed Melita TransGas pipeline connecting Malta and Italy would lock Malta into a future of fossil fuel use that was contrary to EU targets to refrain from investing in new fossil fuel projects. In 2021, Malta had negotiated with the European Commission a target of reducing carbon emissions by 19% by 2030 compared with 2005 levels. This was less than the 36% reduction proposed by the commission.

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1. "Malta: Lives put at risk as parliament waters down bill seeking to partially decriminalize abortion", 28 June
  2. Malta: Human Rights Violations Against Refugees and Migrants, Impunity and Abortion Ban Continue, 1 August

# MAURITANIA

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## Islamic Republic of Mauritania

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**At least one person died in police custody following acts of torture. An activist was the victim of an enforced disappearance by Mauritanian police in collaboration with their Senegalese counterparts. The rights to freedom of expression and peaceful assembly were violated by repressive measures including internet disruption and excessive use of force. Descent-based slavery persisted in the country. UN experts reported a general culture of impunity around gender-based violence.**

## BACKGROUND

In May, the ruling party was declared winner of the legislative, regional and local elections, one year after Mohamed Ould Ghazouani had won the presidential election. Some opposition parties contested the results based on fraud allegations. In December, former president Mohamed Ould Abdel Aziz was sentenced to five years' imprisonment for corruption.

## TORTURE AND OTHER ILL-TREATMENT

On 9 February, human rights defender Souvi Ould Jibril Ould Cheine was summoned to the Dar Naim 2 police station over an unpaid debt and taken into custody. He was later transferred to Sheikh Zayed Hospital and pronounced dead. Souvi's death was initially attributed to a heart attack but, following protests, a Ministry of Health autopsy determined the cause as traumatic asphyxiation due to strangulation. The Public Prosecutor ordered the arrest of the commissioner and all police officers present during Souvi's arrest and interrogation.

In June, at a press conference, lawyers representing the family of Oumar Diop, who died after police detention, alleged that he had been tortured. Police claimed Oumar was arrested after a fight, questioned at Sebkh police station, and later transferred to hospital due to breathing issues, where he



died shortly after arrival. The autopsy report attributed his death to cardiac arrest caused by excessive cocaine and alcohol consumption. The family lawyers called for a thorough investigation.

## **FREEDOM OF EXPRESSION**

In June, mobile internet access was shut down by authorities for several days after nationwide protests over the death of Oumar Diop in police custody. Access was also blocked multiple times during high school exams. According to the government, this was to prevent cheating.

On 28 July, a 19-year-old high school student was detained at the women's prison in the capital, Nouakchott for "insulting and backbiting the prophet" in her baccalaureate exam comments. The student's copy was shared on social media by an exam official, who deemed the remarks blasphemous. Blasphemy against the prophet remained punishable by death as per the law.

## **ENFORCED DISAPPEARANCES**

On 14 September, activist Youba Siby, also known as Youba El Ghaouth, was arrested by the Criminal Investigation Division in Senegal. He was subjected to enforced disappearance for 20 days, with the Senegalese and Mauritanian authorities providing no information as to his fate or whereabouts.<sup>1</sup> On 6 October, Mauritania's National Human Rights Commission reported that Youba Siby was being held in Nouakchott Civil Prison without legal representation or contact with his family. He received a two-year sentence for "inciting hatred" and "undermining army morale" via social media.

In October 2023, the UN Committee on Enforced Disappearances found that proposals to establish a truth and reconciliation process in relation to Mauritania's "*Passif Humanitaire*" ("humanitarian liability") period of mass human rights violations, between 1989 and 1992, which involved disappearances, detentions, executions and expulsions, had not been considered in depth. The committee called for the

investigation of all disappearances in this period and the prosecution of those responsible, including military and civilian leaders.

## **FREEDOM OF PEACEFUL ASSEMBLY**

On 27 September, the Initiative for the Resurgence of the Abolitionist Movement (IRA) staged a peaceful sit-in at the Ministry of Justice to protest the arrest of Youba Siby. Security forces violently dispersed the protesters despite having been notified of the planned action. The IRA reported over 10 injured, with victims taken to various hospitals.

## **DISCRIMINATION**

### **SLAVERY**

In the July report on Mauritania, the UN Special Rapporteur on contemporary forms of slavery noted the persistence of both descent-based and modern forms of slavery in certain parts of the country. The report highlighted the social, economic and political exclusion experienced by currently and formerly enslaved individuals and their descendants. While efforts to raise awareness of anti-slavery laws were recognized, the Special Rapporteur stressed the importance of ensuring victims were informed of their rights and the process for seeking redress.

### **WOMEN'S AND GIRLS' RIGHTS**

In its October statement following a visit to the country, the UN Working Group on discrimination against women and girls commended the country's efforts in enhancing its institutional, political and legal framework for gender equality. However, it emphasized the need to address lack of access to justice and the culture of impunity surrounding gender-based violence. It called for an end to harmful practices such as female genital mutilation and child marriage, which often led to the sacrificing of education and health, and the risk of death during childbirth.

1. "Mauritania: Amnesty International condemns the enforced disappearance Youba Siby and subsequent violations of his rights", 16 October

# MEXICO

## United Mexican States

**The authorities continued to criminalize the rights to freedom of peaceful assembly and expression. Land, territory and environmental defenders were criminalized for protesting and there were frequent killings of journalists and defenders.**

**The government's failure to protect refugees and migrants continued, nevertheless, the Supreme Court ruled that the maximum stay in an immigration detention centre was 36 hours. Access to abortion eased, with a ruling that the criminalization of abortion was unconstitutional. The number of femicides remained very high and cases were not properly investigated. More than 114,000 people had been registered as missing and disappeared since 1962. Relatives searching for disappeared people continued to face serious risks, such as enforced disappearance, murder, repression and threats. The Inter-American Court of Human Rights ruled that Mexico must eliminate the concept of *arraigo* detention (precautionary detention without charge) and modify the pretrial detention system. The independence of the judiciary remained under threat, including through the arbitrary detention of judges. The construction of the "Mayan Train" continued despite environmental concerns. The government's failure to phase out fossil fuels persisted, and work began at the "Dos Bocas" refinery. Many states had yet to change their civil codes regarding same-sex marriage, despite its authorization throughout Mexico in 2015.**

## BACKGROUND

Murders and enforced disappearances increased in the 16 years that the military were involved in public security operations.

The National Human Rights Commission (CNDH) determined that members of the military and National Guard (the federal law enforcement institution) had committed serious human rights violations in 28 cases, including multiple crimes under international law, such as torture, extrajudicial executions and enforced disappearances.

In April, the Supreme Court invalidated the transfer of the National Guard to the Ministry of Defence (SEDENA), on the grounds that the constitution expressly stated that the National Guard was a civil entity and its actions had to be determined by the Secretariat of Public Security and Citizen Protection. In October, the Executive branch insisted that the National Guard had performed well and proposed to send another request to Congress to enable the National Guard to become part of the SEDENA, denying allegations of human rights violations from victims, civil society organizations and human rights activists.

Lack of transparency, accountability and access to information from SEDENA continued. In October, the Commission for Access to Truth, Historical Clarification and the Promotion of Justice for serious human rights violations between 1965 and 1990 published a report denouncing SEDENA's obstruction of access to historical documentation relating to human rights violations committed during the political repression of 1965 to 1990.

## FREEDOM OF PEACEFUL ASSEMBLY

The authorities continued to criminalize and use excessive force against people exercising their right to protest, and used the judicial system disproportionately to criminalize land, territory and environmental defenders.<sup>1</sup> In San Cristóbal de las Casas, Chiapas state, members of the Colonia Maya neighbourhood's board of directors were accused of abduction for their protest against the construction of residential housing in an environmentally protected area. In March and July, Miguel López Vega and Alejandro Torres Chocolatl, Nahua communicators and defenders in Zacatepec, Puebla state, were

finally freed of charges of “obstruction of public works” for their protest against the construction of a drain that would pollute the Metlapanapa River. In May, César Hernández Feliciano and José Luis Gutiérrez Hernández, Tzeltal defenders in Chilón, Chiapas state, were found guilty of the crime of “riot” for opposing the construction of a National Guard barracks in their territory. In March, Juan Diego Valencia Chan, Arturo Albornoz May and Jesús Ariel Uc Ortega, Mayan defenders in Sitaltepec, Yucatán state, were accused of “attacks on roadways” for opposing the activities of a large pig farm in their territory because of the pollution, water contamination and health problems it was causing.

In September, authorities of the city of León, Guanajuato state, acknowledged excessive use of force against women who had been protesting against gender violence in 2020 and apologized to the victims.

## **EXCESSIVE USE OF FORCE**

Military forces continued to use unnecessary and excessive force and carry out extrajudicial executions. Impunity persisted for these crimes and human rights violations.

On 26 February, Mexican soldiers allegedly killed five young men travelling in a pick-up truck in the city of Nuevo Laredo, Tamaulipas state. On 18 May, a surveillance camera showed members of the military forces allegedly killing five men in the same city. After the dissemination of the video, CNDH opened an investigation into the case, finding serious human rights violations and recommended that the army collaborate with the prosecutor’s investigations and support the victims’ families financially and psychologically.

In October, a criminal court in the city of Monterrey, Nuevo León state, established the criminal responsibility of members of the army for the extrajudicial execution in 2010 of Jorge Antonio Mercado Alonso and Javier Francisco Arredondo Verdugo, students at the Monterrey Institute of Technology and Higher Education.

The presence of military forces deployed in public spaces increased. In January, 6,060 members of the National Guard were temporarily deployed in the Mexico City subway system alleging security concerns. Local NGOs reported that the measure was inadequate because the main problem was the lack of maintenance of the subway, and the presence of the military did not increase security in the transport system.

## **FREEDOM OF EXPRESSION**

Journalists and human rights defenders continued to be at significant risk. At least five journalists were killed in possible connection to their work, according to the organization Article 19. A report published in 2023 by the NGO Global Witness stated that 31 land defenders and environmental activists were killed in 2022. During the year, at least 13 human rights defenders were murdered, according to OHCHR. The Protection Mechanism for Human Rights Defenders and Journalists counted at least 188 cases of kidnappings, threats and physical aggressions against human rights defenders and journalists in 2023.

In April and May, new cases of the use of Pegasus spyware emerged against two members of the NGO Miguel Agustín Pro Juárez Human Rights Centre (Centro Prodh), and Alejandro Encinas, then undersecretary for human rights. The surveillance could be linked to their work on grave human rights violations, such as the Ayotzinapa case (see below, Enforced disappearances).

## **REFUGEES’ AND MIGRANTS’ RIGHTS**

The number of migrants, asylum seekers and refugees arriving in Mexico with the aim of reaching the USA or Canada increased. The Mexican Refugee Agency announced that 141,053 people had sought asylum in Mexico in 2023, most of them from Haiti, Honduras, Cuba, Guatemala and El Salvador.

The authorities continued to fail to protect the rights to life and security of migrants, asylum seekers and refugees. On 28 March, at least 40 migrants died and another 29 were hospitalized in the city of Ciudad

Juárez, Chihuahua state, due to a fire in a migration detention centre. Migrants were allegedly left locked up after the fire had started.<sup>2</sup>

In March, the Supreme Court issued a landmark ruling declaring that the maximum stay in an immigration detention centre was 36 hours, after which migrants and asylum seekers must be released. The court also stated that migrants and refugees must have a proper legal defence to protect their rights.

## WOMEN'S RIGHTS

The government agreed to keep public memorials commemorating women's rights campaigners. In June, authorities placed metal fences around the Roundabout of Women who Fight in Mexico City to remove the memorial, but after pressure from civil society organizations and activists, Martí Batres Guadarrama, Mexico City's head of government, agreed to keep the memorial.

Access to abortion improved in Mexico. In September, the Supreme Court declared the criminalization of abortion unconstitutional in the Federal Criminal Code in a case brought by feminist organizations. The decision meant that the authorities were obliged to guarantee access to abortion to women and people with gestational capacity. Likewise, the Supreme Court stated that the suspension of medical personnel and midwives for performing or assisting with abortion was also unconstitutional, since it had a discriminatory effect.

Cases of sexual violence and femicide remained high, and due diligence to investigate these crimes properly was lacking. Approximately nine women were murdered per day on average in 2023, according to the Executive Secretariat of the National Public Security System. In Ciudad Juárez, Chihuahua state, where the documentation of femicide started 30 years ago, there had still been no justice for many victims. Local organizations, victims' families and Amnesty International publicly honoured the memory of the women who had been killed.

In January, a Prosecutor's Office Specializing in Femicides was created in

San Luis Potosí state at the insistence of families that femicides be investigated properly. In February, the Attorney General's Office of the State of Mexico recognized inadequacies in the investigations into the femicides of Nadia Muciño Márquez, Daniela Sánchez Curiel, Diana Velázquez Florencio and Julia Sosa Conde, and offered a public apology.

## ENFORCED DISAPPEARANCES

The number of missing and disappeared people remained high. In 2023, the National Search Commission (CNB) registered at least 12,031 new cases of missing and disappeared people, of whom 8,426 were men, 3,596 were women, and nine were unidentified. According to official figures, a total of 114,004 people were registered as missing and disappeared between 1962 and the end of 2023.

Relatives searching for disappeared people faced serious risks, including enforced disappearance, killing, repression and threats. In May, Teresa Magueyal, who had been searching for her son since 2020, was murdered in Celaya, Guanajuato state. In October, Griselda Armas, who had been searching for her son since September 2022, was killed in Tacámbaro, Michoacán state, along with her husband. In August, families searching for disappeared people demanded access to the Institute of Forensic Sciences and Social Reintegration Centre, but reported that staff of the Attorney General's Office of Querétaro attacked them and threatened them not to report the incident.

In July, the Interdisciplinary Group of Independent Experts (GIEI) published its sixth and final report relating to the case of 43 students from Ayotzinapa, Guerrero state, who were forcibly disappeared in 2014. The experts emphasized the participation of Mexican military forces in the enforced disappearances and the lack of access to information held by public institutions. The GIEI subsequently announced its departure from the country due to lack of cooperation from the Mexican authorities. The president reacted by expressing his support for the

army, criticizing civil society organizations representing the victims, and announcing an ongoing criminal investigation against Omar Gómez Trejo, former head of the Special Investigation and Litigation Unit for Ayotzinapa, who resigned in 2022 after denouncing undue interference by the Attorney General's Office in the investigation of the case.<sup>3</sup>

In August, the head of the CNB, Karla Quintana, resigned after the president announced the creation of a new census on disappearances, arguing that CNB figures were unreliable and too high. Civil society organizations and activists feared that the Executive branch might try to lower the official numbers of disappeared people to hide the failure of federal public security policies. In October, Teresa Guadalupe Reyes Sahagún was appointed as the new head of the CNB; civil society organizations expressed concern around the lack of consultation, participation, transparency and scrutiny in the recruitment process, as well as her lack of experience. In December, the Executive presented the results of the new census on disappearances, decreasing the official number of disappeared and missing people between 1962 and August 2023. It also revealed that they did not have enough information to search for 79,955 of those people.

## **ARBITRARY ARRESTS AND DETENTIONS**

The Inter-American Court of Human Rights condemned Mexico in two judgments regarding arbitrary detention. The first case involved the arbitrary detention in 2006 of three men, two of them Indigenous, including Jorge Marcial Tzompaxtle Tecpile. The men were detained by police and confined for more than three months in *arraigo* detention (precautionary detention without charge) without access to a judge, and then put in pretrial detention for a further two years.<sup>4</sup> The second case concerned Daniel García Rodríguez and Reyes Alpizar Ortiz, who were held in pretrial detention for more than 17 years for their alleged participation in a

homicide, subjected to torture and other ill-treatment, and held in *arraigo* detention.

In both cases, the court ordered Mexico to reform its legal framework, eliminating *arraigo* detention and modifying the pretrial detention system. The court stated that mandatory pretrial detention was contrary to the American Convention on Human Rights.

In September, the UN Working Group on Arbitrary Detention urged the Mexican authorities to remove mandatory pretrial detention and *arraigo* detention provisions from the constitution. The working group also expressed concern over the militarization of public security, the excessive use of force during arrests, and the deprivation of liberty under an overly punitive drug policy since 2006.

The president continued to make public accusations against the Supreme Court and the judiciary when their decisions went against the plans of the Executive branch. In June, Judge Angélica Sánchez, based in Veracruz state, was accused of “crimes against public faith and influence peddling”, after her decision to release a man accused of homicide due to lack of evidence. She was detained in the capital, Mexico City by members of the police and National Guard assigned to the National Commission against Kidnappings (CONASE), in coordination with the Attorney General's Office of Veracruz. The Federal Public Defender's Office described her detention as an attack on judicial independence. Serious irregularities were raised, including arbitrary detention and the lack of authority of the National Guard and CONASE to detain her. In July, she was released from prison and held under house arrest.

## **RIGHT TO A HEALTHY ENVIRONMENT**

The construction of the “Mayan Train” (a 1,525km intercity railway across the Yucatán Peninsula) continued in 2023, threatening the environment in southern Mexico, as well as the right to a clean, healthy and sustainable environment. Activists and civil society organizations denounced the government's failure to enforce the federal

environmental law while building the railway and stated that the project would have an adverse effect on the ecosystem, particularly the underwater system in the south-east of the country. The federal environmental law states the authorities' obligations to protect the environment and carry out environmental impact assessments of public works. The Secretariat of the Commission for Environmental Cooperation of the Mexico-United States-Canada Treaty recommended that the Mexican authorities produce a report on the risks and impacts related to the project.

The government continued promoting the production and use of fossil fuels. Authorities inaugurated the "Dos Bocas" refinery in the Tabasco state in 2022 and operations began in 2023.

Eighty-four people from the El Bosque community in Tabasco state were evacuated on 1 November due to sea level rises attributed to the climate crisis. They demanded relocation and that their basic needs be met, including housing, schooling and public services. The government had promised to relocate them, but nothing had materialized by the end of the year.<sup>5</sup>

## LGBTI PEOPLE'S RIGHTS

Same-sex marriage had been authorized in all 32 states since 2015, but some states had not yet modified their civil codes. In June, the local congress of Nuevo León state amended the civil code to establish that two people aged over 18 years could get married regardless of their sex. Other states that had not yet modified their codes to recognize same-sex marriage included Aguascalientes, Chiapas and Chihuahua.

## RIGHT TO HEALTH

In May, the authorities amended various articles in the General Law on Health to state that the Mexican Institution of Public Health would provide access without fees to health services, medicines and other supplies to people not affiliated to a public health institution. Non-affiliated people are those without a formal job in which public

healthcare is paid by the employer, those without a family member in formal employment, or those who were not students. Although the amendments aimed to guarantee the right to health, particularly to individuals in more vulnerable situations, activists and organizations claimed that the Mexican Institution of Public Health did not have sufficient economic resources to fulfil the guarantee.

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1. "Mexico: Land and freedom? Criminalizing defenders of land, territory and environment", 13 September
  2. "Mexico: 39 people die in migrant detention centre fire", 30 March
  3. "Mexico: Authorities' actions impede access to truth and justice for Ayotzinapa", 2 October
  4. "Mexico must comply with the judgment of the ColDH regarding arraigo and pretrial detention", 30 January (Spanish only)
  5. "Mexico: Climate displaced community needs urgent relocation", 8 November

# MOLDOVA

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## Republic of Moldova

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**The rights to freedom of association and expression were violated. Torture and other ill-treatment remained unaddressed, and impunity prevailed for past violations. The right to privacy was compromised by a new law on the security service and its activities. Discrimination against LGBTI people remained commonplace. Authorities introduced a new immigration regime under which refugees risked losing access to critical goods and services. Moldova adopted a climate change adaptation programme. In the breakaway Transnistria region, the killing of an opposition leader remained unsolved.**

## BACKGROUND

The economic downturn underpinned by Russia's invasion of Ukraine continued, further affecting living standards in one of the poorest countries in Europe and fuelling opposition-led anti-government protests. Tensions with Russia escalated and 45 Russian diplomats and other staff were

expelled over accusations of espionage. A growing number of Russian nationals were refused entry to Moldova if the border police concluded that they had failed to provide well-founded reasons for visiting the country; in some weeks there were dozens of such cases. Some people travelling by air were stranded for hours and even days at the airport as a result.

## **FREEDOM OF ASSOCIATION**

The Sor party, the main driving force behind ongoing anti-government protests since 2022, was declared “unconstitutional” by the Constitutional Court and banned, accused of seeking to destabilize Moldova in collusion with Russia. Its five serving MPs remained in parliament as independents. Many party members left and joined the Shansa party. On 3 November, the Commission for Exceptional Situations (a body whose formal remit is limited to immigration and energy security) banned members of the Shansa party from standing in the 5 November local elections.

## **TORTURE AND OTHER ILL-TREATMENT**

Institutional causes of torture and other ill-treatment in detention remained unaddressed. Detainees in adult and juvenile penitentiary institutions continued to suffer overcrowding, unsanitary and otherwise inadequate detention conditions and poor health provision.

## **IMPUNITY**

Impunity remained endemic for past human rights violations by members of law enforcement agencies.

The NGO Legal Resources Centre from Moldova (LRCM) analysed decisions by the Supreme Court from July 2013 to February 2022 and concluded that court hearings in alleged torture cases took considerably longer compared with other criminal cases, and resulted in an acquittal rate 13 times higher and more lenient sentences. LRCM believed the likely cause was judges’ fear of the suspects or collusion between judges, suspects and the prosecution. No plans to

address these long-standing issues were made public.

No further progress was made in the case of the abduction and forcible return to Türkiye of seven Turkish teachers by Moldovan security services in 2018, beyond the fining in 2020 of the former director of the Security and Intelligence Service (SIS) for a related economic offence.

## **RIGHT TO PRIVACY**

The Laws on the Security and Intelligence Service and on Counter-Intelligence Activities, adopted by parliament on 8 June and 7 July respectively, reflected critical comments on their earlier drafts by the Council of Europe’s Venice Commission and Moldovan civil society. The revised laws tamed the government’s intention to give the SIS extensive and vaguely defined powers to engage in covert surveillance and interception of private communications. The new laws mandated judicial approval for such measures, although some legal provisions remained general and open to abusive interpretation.

## **FREEDOM OF EXPRESSION**

In October, the SIS extrajudicially blocked access to 22 (mostly Russia-based) online media platforms and suspended broadcasting by six television channels, ostensibly for publishing information “that may cause tension or social conflict”, according to the head of the SIS.

## **LGBTI PEOPLE’S RIGHTS**

In June, a Pride march took place in the capital, Chişinău, bringing together some 500 participants. Despite the mayor’s threats to ban the event, it proceeded without incident. Discrimination against openly LGBTI people remained commonplace, however, as did homophobic statements by religious activists and some officials.

## **REFUGEES’ AND MIGRANTS’ RIGHTS**

In January, for the first time, the government enacted the Temporary Protection regime envisaged under the 2008 Law on Asylum.

This required Ukrainians and other refugees falling under its provisions to apply for protection within 90 days of arriving at the border. Previously, refugees' status and rights were administered under state of emergency legislation, by a Commission for Exceptional Situations, and via derogation from national legislation, such as by lifting limitations concerning the right to work and access to essential services. National and international NGOs raised concerns that many refugees risked losing access to employment and certain other rights due to the tight deadline, poor information, lack of proof of residence, or other bureaucratic requirements. As of 3 December, Moldova was hosting 112,811 refugees from Ukraine.

## **RIGHT TO A HEALTHY ENVIRONMENT**

According to the UN Development Programme, Moldova was “one of Europe's most climate change-vulnerable countries, particularly prone to floods and droughts”, with 80% of its territory having been affected by floods over the past two decades. An extreme heatwave was recorded in the summer.

On 30 August, the government adopted the National Climate Change Adaptation Programme until 2030 and its Action Plan, aimed at aligning the country with global efforts to limit the negative impacts of climate change.

## **TRANSNISTRIA REGION**

### **IMPUNITY**

In July, the local Communist Party leader, Oleg Khorzhan, was found dead with stab wounds in his home. He had been released in 2022 on completing a sentence imposed in 2018 for an alleged assault on de facto law enforcement officers. Oleg Khorzhan was a public critic of the de facto authorities, and reported on human rights abuses in prison. No effective investigation into his death had been carried out by year's end.

# **MONGOLIA**

## **Mongolia**

**Criminal convictions against peaceful protesters were upheld. Authorities restricted the right to peaceful assembly of LGBTI people. Arbitrary detention was common and concerns about confessions obtained under duress persisted. The authorities failed to protect herder communities from environmental degradation caused by mining operations.**

## **FREEDOM OF EXPRESSION AND ASSEMBLY**

In January, an appeal court confirmed the convictions of five activists belonging to the groups “No War” and “No Double Standard”. They were sentenced in November 2022 to 12 months' confinement to their districts of residence for resisting a law enforcement officer during a peaceful demonstration in October 2021. In April, the Supreme Court dismissed a further appeal by the five.

Following a public outcry, on 27 January the President vetoed the Protection of Human Rights on Social Networks bill, which provided the government with new powers to monitor and delete social media content and to suspend and delete accounts on grounds of protecting “national unity” and “state secrets”. The bill was adopted by parliament without public consultation on 20 January.<sup>1</sup>

According to the LGBT Centre Mongolia, the authorities refused to allow a march in support of LGBTI rights to take place during the Equality and Pride Days in August.

## **ARBITRARY DETENTION AND TORTURE AND OTHER ILL-TREATMENT**

The UN Working Group on Arbitrary Detention raised concerns about procedural guarantees, including the high percentage of arrests conducted without advance warrants particularly by specialized agencies such as the General Intelligence Agency and the Independent Authority Against Corruption, and about continued reports of confessions



obtained under duress. Other concerns raised included the failure to provide defence lawyers with full and timely access to their clients' files and its impact on their ability to effectively challenge the necessity of pretrial detention.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Coal and other mining operations in the Gobi region continued to cause environmental damage and negatively impact the health and livelihoods of herder communities. A new report by the NGO Forum-Asia, on the impacts of mining operations in Dornogovi province, found that dust and noise pollution and failure to safely manage hazardous waste had resulted in allergies, infections, respiratory and mental health problems among nomadic herders, as well as the shrinkage of available pasture and declining livestock health.

## **RIGHT TO WATER**

In May, following investigations by the mayor's office into hundreds of complaints from residents in the Khan-Uul district of the capital, Ulaanbaatar, about the poor quality of drinking water and resulting ill health, including rashes and stomach problems, it was announced that state officials and companies responsible for installing the water pipes will be held accountable.

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1. "Mongolia: The government of Mongolia is inadequately implementing its obligation to protect freedom of expression", 17 July (Mongolian only)

# **MONTENEGRO**

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## **Montenegro**

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**The UN Human Rights Council urged Montenegro to effectively prosecute war crimes, promptly investigate torture, and strengthen the judiciary.**

## **BACKGROUND**

Presidential elections in April ended Milo Djukanović's three-decade rule. Following

June's parliamentary elections, a coalition government focusing on economic and judicial reform was formed in late October. In November, parliament elected the seventh constitutional court judge, ending months of deadlock.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

The only active war crimes prosecution continued against a former Bosnian Serb Army soldier, indicted for rape and murder in Bosnia and Herzegovina in 1992.

The European Court of Human Rights failed to recognize as victims the relatives of at least 66 forcibly disappeared Bosniak refugees deported to Republika Srpska in 1992 – and most of them murdered – on the grounds that they had received state compensation, and that the nine police officers responsible had been acquitted of war crimes. The 2012 proceedings had failed to respect international humanitarian law.

A legislative amendment adopted in May, which denied compensation to civilian war victims killed or forcibly disappeared outside Montenegro, was withdrawn in December, and a new amendment was proposed to include all civilian war victims. This would include relatives of the 20 passengers abducted in 1993 by Bosnian-Serb paramilitaries from a train travelling through Bosnia and Herzegovina, then murdered.

## **TORTURE AND OTHER ILL-TREATMENT**

In July, the European Committee for the Prevention of Torture urged Montenegro to end the culture of impunity for torture and other ill-treatment, ensuring that all allegations were effectively investigated. Some 200 complaints remained outstanding.

After nine months' inaction, the interior minister suspended police officers accused of torturing Marko Boljević and Benjamin Mugoša; proceedings opened in April and May, respectively. In October, the refusal to prosecute 10 police officers for the torture of Jovan Grujičić' was finally reversed.

## FREEDOM OF EXPRESSION

Press freedom improved, but journalists rarely received replies to freedom of information requests. Impunity persisted for attacks on journalists, including the 2004 murder of Duško Jovanović, editor of Dan newspaper.

In January, the Appeals Court quashed proceedings against investigative journalist Jovo Martinović, wrongly convicted and imprisoned for drug trafficking.

## VIOLENCE AGAINST WOMEN AND GIRLS

The authorities failed to guarantee women access to protection, support and justice in cases of domestic violence, and discriminated particularly against Roma and Egyptian women and women with disabilities.

## LGBTI PEOPLE'S RIGHTS

Lesbian and bisexual women in life partnerships were denied reproductive treatment, and the 2020 law on life partnerships was still not fully implemented. The government failed to draft the gender recognition law, delaying implementation until 2024. Impunity continued for attacks, online threats and discriminatory statements by politicians.

## REFUGEES' AND MIGRANTS' RIGHTS

UNHCR, the UN refugee agency, observed a 35% decrease in refugees and migrants entering Montenegro. Two Montenegrin border police were indicted in February for assaulting migrants in 2022.

## RIGHT TO A HEALTHY ENVIRONMENT

In October, 27 NGOs addressed the European Commission president, urging the EU not to support the construction of a liquified natural gas terminal at Bar, potentially increasing fossil fuel use in the region.

# MOROCCO/ WESTERN SAHARA

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Kingdom of Morocco

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**Authorities convicted at least six individuals, including activists, journalists and a lawyer, for peacefully exercising their right to freedom of expression. They also sporadically repressed dissent in Western Sahara. Authorities tortured and otherwise ill-treated some individuals perceived as critics. Domestic legislation continued to entrench gender inequality and criminalize consensual adult same-sex sexual conduct and abortion. Impunity prevailed regarding the death of at least 37 migrants and the disappearance of 76 who were attempting to cross the border between Morocco and the Spanish enclave of Melilla on 24 June 2022.**

## BACKGROUND

On 19 January, the European Parliament passed a resolution on the situation of journalists in Morocco, urging the authorities to respect freedom of expression and media freedom.

In April, the UN concluded its UPR review of Morocco. The country accepted several recommendations, including one to strengthen the protection of migrants' rights, but rejected recommendations to criminalize marital rape and decriminalize consensual same-sex sexual relations between adults.

On 8 September, a 6.8-magnitude earthquake hit Al Haouz region in south-west Morocco. The WHO estimated that more than 300,000 people were affected in the city of Marrakech and in the High Atlas Mountains. According to the Moroccan authorities, 2,901 people were killed and thousands more injured.

On 31 October, the UN Security Council renewed for a year the mandate of the UN Mission for the Referendum in Western

Sahara, which still had no human rights component.

## **FREEDOM OF EXPRESSION**

Courts continued to display intolerance to free speech, convicting at least six individuals, including activists, journalists and a lawyer, for expressing their views.

On 20 February, a court of appeal sentenced human rights defender Rida Benotmane to 18 months in prison on charges relating to his social media posts and YouTube videos dating from 2021, in which he criticized abuses by the security forces, called for the release of political detainees and accused the government of oppressing free speech.<sup>1</sup>

In May, a first instance tribunal sentenced activist Saida El Alami to two years in prison and a fine for “offending the king”, which she denied. On 17 May, the same court confirmed on appeal a three-year prison sentence against lawyer Mohamed Ziane for “insulting” public officials and institutions in connection with a video posted on YouTube in which he criticized the head of the security forces.<sup>2</sup>

On 20 July, the Court of Cassation, Morocco’s highest court, rejected the appeals of journalists Omar Radi and Soulaïman Raïssouni, thereby confirming their six- and five-year prison sentences, respectively.<sup>3</sup>

On 27 November, Casablanca’s appeals court convicted Said Boukioud to three years’ imprisonment and a fine for Facebook posts published in December 2020 in which he criticized the government’s relations with Israel.

## **REPRESSION OF DISSENT**

On several occasions, authorities restricted dissent and the right to peaceful assembly in Western Sahara.

Between 4 May and 20 June, police put under surveillance the house of Sahrawi activist Mahfouda Lefkir in Laayoune city in the north of Western Sahara, after she visited Dakhla city in the south of Western Sahara in solidarity with activists there. Law enforcement officers followed her every time

she left her home, stopped activists visiting her by beating them in front of the house, and verbally insulted her and her family.

On 14 May, authorities expelled without due process an Italian national, Roberto Cantoni, a researcher investigating the use of renewable energy in Morocco and Western Sahara, from Laayoune to Agadir, a southern coastal city in Morocco.

On 4 September, law enforcement officers forcibly dispersed a peaceful protest in Laayoune on the first day of the first visit to Western Sahara of Staffan De Mistura, the Personal Envoy of the UN Secretary-General for Western Sahara. The officers physically and verbally assaulted at least 23 Sahrawi protesters, including two women – Salha Boutenkiza and Mahfouda Lefkire – as well as Bouchri Ben Taleb. They dragged the protesters along the ground, and beat and threatened them. On 7 September, law enforcement officers in Dakhla arbitrarily arrested at least four Sahrawi activists, including Hassan Zerouali and Rachid Sghayer, and detained them in the city’s Oum Bir police station for seven hours, preventing them from meeting Staffan De Mistura.

On 21 October, law enforcement officers prevented the Sahrawi human rights organization CODESA (Collective of Sahrawi Human Rights Defenders) from holding its first national congress in Laayoune. Attendees told Amnesty International that law enforcement officers used physical violence against them.

Authorities maintained the physical closure imposed in 2022 of the Laayoune headquarters of the Sahrawi Association of Victims of Grave Violations of Human Rights Committed by the Moroccan State.

## **TORTURE AND OTHER ILL-TREATMENT**

Authorities tortured and otherwise ill-treated some individuals perceived as critics.

On 18 April, law enforcement officers arbitrarily detained for 90 minutes Abd El Tawab El Terkzi in Laayoune after he appeared in a video of a Spanish tourist saying that he was a proud Sahrawi and favoured the self-determination of his people.

The officers tortured and otherwise ill-treated him by cuffing and hooding him, slapping his face, spitting on him, and threatening to rape him and kill him using acid.

As of May, at least five people were denied the right to read and write in prison; Rida Benotmane, a writer and member of the Moroccan Association for the Defence of Human Rights; 80-year-old Mohamed Ziane, a human rights lawyer and academic; and three journalists, Taoufik Bouachrine, Omar Radi and Soulaïman Raïssouni (see above, Freedom of expression).<sup>4</sup>

In February, Morocco forcibly returned without due process Hassan Al Rabea, a Saudi citizen, to Saudi Arabia, where he was at risk of torture and other human rights violations. Moroccan security officers detained him on 14 January at Marrakech airport at the request of Saudi Arabia, which had charged him with terrorism-related crimes.<sup>5</sup>

## **WOMEN'S RIGHTS**

Domestic legislation entrenched gender inequality, including in relation to women's rights to inheritance and custody of children.

The Penal Code criminalized abortion unless necessary to save "the mother's health or life" and if performed by a doctor or surgeon. Women who had or attempted to have an abortion outside these legal exceptions faced six months to two years in prison and a fine. The Penal Code also punished anyone involved in providing an abortion with one to five years in prison, doubled if the person performing the abortion habitually does so, and a fine.

## **LGBTI PEOPLE'S RIGHTS**

Article 489 of the Penal Code punished adult same-sex sexual conduct or "unnatural" acts with six months to three years in prison plus fines.

In April, Le Desk, a Moroccan digital news outlet, reported that a French school in Kenitra, a city in north-west Morocco, had dismissed a teacher after a group of parents filed a complaint in February for "apology of

homosexuality" after the teacher encouraged students to accept same-sex sexual relations.

## **IMPUNITY**

The authorities continued to fail to hold anyone to account for the deaths of at least 37 migrants and the disappearance of 76 others on 24 June 2022 when Moroccan and Spanish security forces used excessive force against around 2,000 Sub-Saharan African migrants attempting to cross the border between Morocco and the Spanish enclave of Melilla.

## **RIGHT TO WATER**

In its 2023 Global Water Security Assessment, the UN University classified Morocco as water insecure. Water scarcity, largely attributable to climate change, was rapidly approaching the absolute water scarcity threshold in the country.

In February, the National Human Rights Council of Morocco published a report warning of the decline of water resources in the country. The Council called on authorities to take urgent measures, including fighting water pollution; investing in and developing water infrastructure and alternative water sources, such as treating wastewater and desalination; and examining the impact of agriculture, particularly of high water-consuming products such as watermelons and avocados, on water stress. Citing General Comment No. 15 of the UN Committee on Economic, Social and Cultural Rights, the Council reminded Moroccan authorities of their obligation to ensure that everyone has "sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses."

## **RIGHT TO A HEALTHY ENVIRONMENT**

World Weather Attribution reported that Morocco experienced climate change-related extreme heatwaves. In April, high temperature records were broken in several parts of the country, with temperatures exceeding 41°C in some cities. On 11 August, the General Directorate of Meteorology documented a temperature of

50.4°C in Agadir, the highest ever recorded in the country.

## DEATH PENALTY

Courts continued to hand down death sentences. The last execution was in 1993.

1. "Morocco/Western Sahara: Further information: Human rights defender's conviction upheld: Rida Benotmane", 28 February
2. "Morocco: Further information: Human rights lawyer's case to be reviewed: Mohamed Ziane", 28 April
3. "Morocco: Authorities must ensure Omar Radi's fair trial rights", 3 March
4. "Morocco: Denying imprisoned academics and journalists access to read and write violates their right to freedom of expression", 3 May
5. "Morocco: Man at risk of forcible return and torture: Hassan Al Rabea", 31 January

# MOZAMBIQUE

## Republic of Mozambique

**The Al-Shabaab armed group killed 17 civilians; armed forces and their allies carried out abuses against civilians. The rights to freedom of expression, peaceful assembly and association were repressed. Police used live ammunition against opposition members and supporters during the election period, killing protesters and bystanders; hundreds were arbitrarily detained. A man died in police custody in suspicious circumstances. The police failed to protect people from kidnappings by criminals.**

## BACKGROUND

Mozambique began its two-year term at the UN Security Council in January.

The government established the Inter-ministerial Commission for Human Rights and International Humanitarian Law but significant human rights abuses, driven by the conflict in Cabo Delgado province, and other structural factors, continued.

Although Mozambique was responsible for only 0.02% of global greenhouse gas emission, it was one of the countries most affected by climate change.

Twelve people died and about 40,000 others were affected by floods in Maputo province in February. In March, five children died and 20 houses were destroyed as a result of heavy rains in the city of Pemba.

Between February and March, more than 1.3 million people were affected by Cyclone Freddy in Inhambane, Sofala, Manica, Tete, Zambezia and Niassa provinces; floods caused the displacement of 250,000 people, killed 453 and injured 630. Around 51% of those affected were women and children. The authorities failed to provide timely humanitarian assistance to the victims.

Municipal elections took place on 11 October in 65 municipalities.

## VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW

The armed group Al-Shabaab, the Defence and Security Forces (FDS) and the Southern African Development Community's Mission in Mozambique (SAMIM) committed war crimes against civilians in the northern province of Cabo Delgado, in the context of ongoing armed conflict.

Between June and September, Al-Shabaab carried out attacks in the Mocímboa da Praia district. They killed a man and burnt 10 houses in Limala, and killed a woman in Kalugo and 13 people in Naquitengue. In July, the group beheaded two Christian men in Litamanda in Macomia district.

On 24 July, an FDS officer raped a 17-year-old girl in Nangade district. Also in July, a SAMIM officer shot and injured a man in Ingoane, Mucojo district. The authorities failed to open investigations into both cases.

## FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

Security forces repressed protesters. In January, a massive police presence involving the Rapid Intervention Unit and police canine units prevented 130 Namaacha municipality staff members from marching in Maputo province to protest at a five-month delay in salary payments. One protester said they all retreated in fear.

On 8 August, the Police of the Republic of Mozambique (PRM) prevented striking doctors from providing free healthcare services around the Zimpeto neighbourhood in the capital, Maputo. On 21 August, a government spokesperson threatened doctors still under probation with dismissal if they continued striking.

## **EXCESSIVE USE OF FORCE**

On 18 March, the PRM fired live ammunition, rubber bullets and tear gas at hundreds of people in the cities of Maputo and Beira, attending a peaceful gathering to honour the late outspoken rapper, Edson da Luz. A woman, known only as Belarmina, died after being shot, and dozens were injured, including Inocêncio Manhique who lost an eye; 22 others were arrested in both cities.

In the period up to and following the municipal elections, security forces used live ammunition to prevent protests and gatherings by members and supporters of the opposition party, Renamo. On 12 October, the PRM shot three people, one of whom died, in Chiúre district, Cabo Delgado province. They also fired at supporters in the city of Nampula, wounding a child, and continued the attack between 1am and 4am the following day. Later that day, another person was injured by gunfire used to disperse Renamo supporters in Guruè municipality, Zambezia province.

The announcement, on 26 October, that the ruling party had won the election in the municipalities contested by Renamo was followed by two days of protest by Renamo members and supporters. The PRM again used excessive force to disperse the protests, killing at least four bystanders. In Nampula, Atipo Ajum, aged 14, was shot dead while selling drinks on the street; Sabonete Saíde was killed when he was hit by a bullet in his house. In Nacala municipality, Issa Félix was shot dead when he tried to cross the street, and 17-year-old Braimo Arlindo was killed when he and his father, who was seriously injured, tried to shelter from gunfire. Dozens suffered symptoms of tear gas inhalation.

Witnesses said that PRM officers in Maputo were joined by plain-clothes officers and riot police using AK-47s. On 27 October, a police spokesperson said the killings were being investigated but that the police would use all means to prevent violent protest.

In December, at least one person – a 15-year-old boy – was killed in Marromeu district, and five others injured by bullets fired by police in Guruè when the PRM used excessive force to disperse opposition supporters protesting the October election results.

## **ARBITRARY ARRESTS AND DETENTIONS**

Security forces subjected people, including protesters, to arbitrary detention.

Angolan national, Gerson Emanuel Quintas (also known as Man Genas), his wife and two children remained under house arrest in Maputo, having been arrested by the PRM on 26 February after claiming asylum. Gerson Emanuel Quintas had reportedly fled death threats in Angola after apparently exposing a senior police officer for alleged involvement in drug trafficking.

In July, Macassar Bacar was found dead at the 3rd Police Station in Maputo, the day after he was arrested by the National Service for Criminal Investigation. The police said he died from natural causes, but a local NGO suspected that he had died under torture.

In November, the minister of interior said that hundreds of people had been detained and charged in connection with the October protests. Only 17 of them had been released by the end of the year. Most of them remained in detention (see above, Excessive use of force).

## **RIGHT TO LIFE AND SECURITY OF THE PERSON**

Businesspeople of Asian descent or their families continued to be targeted by kidnappers demanding ransoms for their release. The PRM failed to take adequate measures to ensure their security. During the year, entrepreneurs Sheinaz Gani, Sanjay Dhalani and Firoz Mussa Judge were released from months of captivity after being

kidnapped in Maputo between March and September. Firoz Mussa Judge was freed after his family paid a ransom to his captors.

# MYANMAR

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## Republic of the Union of Myanmar

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**The human rights crisis in Myanmar worsened as the military authorities continued their crackdown on peaceful opposition and intensified operations against growing armed resistance. Unfair trials of pro-democracy activists and others regarded as opponents of the military authorities continued and more than 1,600 people were sentenced to imprisonment, hard labour or death. More than half a million people were displaced by internal armed conflicts. Tens of thousands of ethnic Rohingya people forcibly displaced over a decade ago remained in squalid displacement camps in Rakhine State. The military authorities prevented humanitarian aid from reaching them after a devastating cyclone in May. Multiple countries imposed sanctions on companies and individuals responsible for supplying the Myanmar military with aviation fuel which it has used to carry out aerial attacks including on civilians and houses, places of worship and other civilian infrastructure. Rights to freedom of expression, association and peaceful assembly remained severely curtailed and journalists were among those imprisoned for their legitimate work.**

## BACKGROUND

Military rule continued after the ousting of the democratically elected government on 1 February 2021. Myint Swe remained the military-appointed president while army general and coup leader, Min Aung Hlaing, continued to lead the State Administration Council. The military authorities persisted with their campaign to eliminate all opposition and international efforts proved ineffective in stemming the violence and

preventing grave human rights violations against civilians.

The State Administration Council twice extended the state of emergency by six months and reneged on its commitment to hold multi-party elections in 2023. The National Unity Government, formed in 2021 by ousted representatives of the deposed National League for Democracy-led government, and armed groups collectively known as People's Defence Forces, continued to oppose military rule. Fighting intensified in central Myanmar, and in October an alliance of three non-state armed groups known as the Three Brotherhood Alliance launched a large-scale offensive known as Operation 1027, seizing military bases, checkpoints and border crossings in north-eastern Myanmar. They also targeted locations where victims of human trafficking were forced to work in cyber scams.

## UNLAWFUL ATTACKS AND KILLINGS

Since the coup more than 4,000 people, mostly civilians, have been killed by the military in its attempt to assert control, including at least 1,345 people in 2023. Unlawful killings particularly occurred in the context of military aerial and ground attacks that constituted acts of collective punishment against civilian populations, and also following the capture of both armed and peaceful opponents of the coup. There were also reports of over 30 deaths in custody, including as a result of torture or other ill-treatment. The military intensified air strikes, which were frequently indiscriminate or directly targeted civilians and civilian objects.

Aerial attacks, that previously occurred mainly in border areas, intensified in Myanmar's heartlands. Sagaing Region, located in central and north-western Myanmar, was increasingly targeted with devastating consequences. On 11 April, in the single deadliest aerial attack since the coup, military aircraft bombed a gathering of people who were inaugurating a new local administrative office in the village of Pa Zyi Gyi in Kanbulu township. At least 100 civilians were killed, including 35 children, as

well as 18 people aligned with armed opposition groups. The military admitted the attack but claimed that the high number of fatalities was due to explosives stored at the site of the gathering. On 27 June, an aerial attack near a monastery in Nyaung Kone village in Sagaing Region's Pale township reportedly killed a monk and at least nine other civilians. According to media reports, air strikes or aerial attacks resulting in civilian deaths also took place in Bago Region and in Chin, Kachin, Kayah, Kayin, Mon and Rakhine states.

On 9 October, a military air strike followed by mortar fire from ground forces on a camp for internally displaced persons in Mung Lai Hkye village, Kachin State, killed at least 28 civilians, including children, and injured at least 57 others. Amnesty International investigations pointed to the use of an aerial delivered unguided bomb, an inaccurate weapon whose effects cannot be limited as required by international humanitarian law.<sup>1</sup>

Intensive ground operations also took place in Sagaing Region and elsewhere during which there were reports of extrajudicial executions and sexual violence. A military unit known as the Ogre Column was identified as being responsible for particularly brutal attacks including beheadings and dismembering and mutilating the bodies of victims. On 11 March, military forces reportedly killed at least 22 civilians at a monastery in Nan Nein village in southern Shan State.

## **ARBITRARY DETENTION AND UNFAIR TRIALS**

By the end of 2023, the number of people arrested by the authorities since the coup had surpassed 25,000. According to the Assistance Association for Political Prisoners, as of December nearly 20,000 people remained in detention, including political opposition leaders and activists, human rights defenders, journalists, students, lawyers and medical workers.

Grossly unfair trials continued in which more than 1,600 people were sentenced to terms of imprisonment, hard labour and, in

some cases, death. Trials took place in makeshift courts in prisons and in military tribunals, and defendants typically had limited or no access to lawyers. In May, political activist and writer Wai Moe Naing was found guilty of high treason and sentenced to 20 years' imprisonment. He was originally arrested in 2021 for leading peaceful protests and was already serving 34 years in prison on related charges. In August, Byu Har, a well-known hip-hop artist, was reportedly sentenced to 20 years' imprisonment following his arrest in May after he publicly criticized military leaders for repeated electricity blackouts.

In September, the military authorities arrested Kyaw Aye, the father of prominent political activist Kyaw Ko Ko who was wanted by the military authorities. The detention of relatives of political opponents had become a familiar tactic of retribution.

The military authorities announced several amnesties during the year in which over 20,000 prisoners were released. Most were held on criminal charges, although 2,153 of those released in May were serving sentences under Article 505(a) of the Criminal Code, which criminalizes dissent against the military and has been widely used to crack down on peaceful opposition since the coup. In one instance, the military said that it was pardoning them on "humanitarian" grounds to mark a Buddhist holiday but threatened to reimprison anyone who "reoffended".<sup>2</sup>

Under a pardon in August, ousted president Win Myint's prison sentence was reduced by four years and former state counsellor Aung San Suu Kyi's by six years. However, they continued to serve eight and 27 years in prison respectively, having previously been found guilty of a series of politically motivated charges.

Lack of access to detention facilities by independent observers meant that information on the health of detainees was scarce, although in October the military announced that family visits to prisoners, suspended during the Covid-19 pandemic, could resume. Individuals sentenced to death



and those serving life sentences were reportedly denied visits by family members. Inhumane conditions of detention continued as did reports of torture and other ill-treatment of detainees. There were also reports of political prisoners being killed or going missing while being transferred between detention facilities.

## **HUMAN TRAFFICKING**

OHCHR, the UN human rights office, estimated that around 120,000 people were held in compounds in areas often controlled by pro-military militias, bordering Thailand and China, where they were forced to work in cyber scams and illegal gambling run by criminal gangs. In November, the Three Brotherhood Alliance, which has ties to China, said it had released victims from compounds along the Chinese border as it targeted Laukkai township, a notorious cyber-scramming centre in Shan State. Many of those forced to work in the scams were lured to Myanmar from neighbouring countries, including China and Viet Nam, with promises of jobs and then forced, sometimes under threat of violence, to participate in online scams.

## **INTERNALLY DISPLACED PEOPLE'S RIGHTS**

According to OCHA, more than 2.6 million people were internally displaced. This included at least 500,000 people displaced as a result of intensified fighting following the start of Operation 1027 in late October. Many displaced people continued to live in deplorable conditions, often lacking essential goods and services and at constant risk from air strikes and other military operations.

Approximately 148,000 Rohingya and other Muslim people remained internally displaced and subjected to the long-standing state-sponsored institutionalized system of segregation and discrimination so severe that it amounts to the crime against humanity of apartheid. The majority remained confined in squalid internment camps in Rakhine State where they have been since 2012.

The appalling conditions in which Rohingya people lived was considered a significant contributing factor to the number of fatalities resulting from Cyclone Mocha that hit western Myanmar in May. At least 100 Rohingya living in internment camps in Sittwe township in Rakhine State reportedly died. In addition to the severe impact on internment camps, houses and infrastructure in the townships of Rathedaung and Sittwe as well as in Chin State and Sagaing and Magway regions were also destroyed, disproportionately affecting internally displaced people and other vulnerable communities.

In the aftermath of Cyclone Mocha, the military authorities impeded and, in some cases prevented, humanitarian assistance from reaching affected communities. There were also reports that the military authorities delayed authorizations to international humanitarian organizations trying to scale up their operations to provide humanitarian aid in the region.<sup>3</sup>

## **CORPORATE ACCOUNTABILITY**

Following evidence linking foreign and domestic companies to the supply of aviation fuel to the Myanmar military, the UK, the USA, Canada, the EU and Switzerland imposed sanctions of varying severity on companies and individuals in Myanmar and Singapore involved in the procurement and distribution of aviation fuel into Myanmar. In August, the USA extended the reach of potential sanctions, stating that anyone involved in this industry was at risk. In an apparent attempt to evade sanctions, the supply chain shifted from direct transport of jet fuel from suppliers to Myanmar, to indirect transfers through Viet Nam and Singapore.<sup>4</sup>

The Swedish H&M clothing company announced that it would phase out its operations in Myanmar following the August publication of a report by the NGO Business and Human Rights Resource Centre that found serious abuses including low or unpaid wages, gender-based violence and a crackdown on union activities in Myanmar's garment sector. It followed a similar

announcement in July by the Spanish company that owns the Zara fashion brand.

## **FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY**

The military crackdown made peaceful protest virtually impossible. Nearly 100 people were reportedly arrested for wearing, selling or buying flowers on 19 June, the birthday of Aung San Suu Kyi.

Surveillance was pervasive. People continued to be arrested in connection with online posts, creating an atmosphere of self-censorship.

The military continued to use unlawful association laws to prosecute perceived opponents. In April, a court inside Myitkyina Prison in Kachin State sentenced prominent religious leader and human rights defender Hkalam Samson to six years' imprisonment for unlawful association, terrorism and inciting opposition.

Media freedoms remained severely restricted. At least six journalists and other media workers were arrested or sentenced to prison terms during the year. They included photojournalist Sai Zaw Thaike, who was accused of disseminating information that could cause public alarm or misunderstanding towards the military authorities. He was found guilty on a bogus charge of sedition by a military tribunal in Yangon's Insein Prison in September and sentenced to 20 years' imprisonment with hard labour. Sai Zaw Thaike had worked for the online news outlet Myanmar Now, which was banned by the military after the coup. In May, a court in Yangon sentenced photojournalist Hmu Yadanar Khet Moh Moh Tun to 10 years in prison with hard labour on terrorism charges. She was already serving a three-year prison sentence for incitement to rebellion and the dissemination of so-called false news.

According to Reporters Without Borders, over 60 journalists and other media workers were detained as of December. On 10 June, authorities revoked the media licence of the independent news outlet the Ayeyarwaddy Times for allegedly publishing information

that disrupts public peace and tranquillity. On 29 October, military authorities reportedly raided the office of the news outlet Development Media Group in Sittwe township, arresting a reporter and an office guard.

## **DEATH PENALTY**

Death sentences continued to be imposed, including on political prisoners, but no executions were known to have taken place. Death sentences against 38 people were reportedly commuted to life imprisonment in an amnesty granted in May.

## **ABUSES BY ARMED GROUPS**

According to OHCHR, armed opposition groups regularly carried out attacks against civilians and civilian infrastructure. Local administrators, civil servants and others perceived as being affiliated to or collaborating with the military were among those reportedly killed. In some cases, attacks involved bomb and grenade attacks on public offices, including one in June on a tax office in Yangon in which four employees and two other individuals were injured. OHCHR reported that the National Unity Government had responded to its requests to adopt measures to ensure that anti-military armed groups affiliated with it comply with relevant provisions of international law.

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1. "Myanmar: 28 civilians killed in military air strike – new investigation and witness testimony", 13 October
  2. "Myanmar: Follow 'long overdue' pardons by releasing all those unjustly detained", 3 May
  3. "Myanmar: Military Authorities Exacerbate the Suffering Caused by Cyclone Mocha", 14 June
  4. "Myanmar: New shipments of aviation fuel revealed despite the military's war crimes", 1 March

# **NAMIBIA**

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## **Republic of Namibia**

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**The right to freedom of peaceful assembly was further threatened. The sanitation crisis continued and acute food insecurity**

**increased. A court judgment recognized the rights of some same-sex couples. Indigenous Peoples were denied rights to participate in talks about reparations. The right to a healthy environment was threatened.**

## **FREEDOM OF PEACEFUL ASSEMBLY**

Protesters defied a high court ruling denying permission for a youth protest against unemployment, in the capital, Windhoek, in March. Police arrested several activists and politicians for their involvement after they gathered at the Katutura Youth Centre for the demonstration. They included social justice activists Michael Amushelelo and Dimbulukeni Nauyoma, and parliamentarian Inna Hengari.

## **RIGHT TO HEALTH**

There was a severe sanitation crisis. In May, a Center for Collaborative Investigative Journalism report said 50% of the population did not have access to safe and hygienic toilets. The crisis was most acute in informal settlements, where as many as 90% of residents lacked adequate access to toilets and were forced to resort to defecation outside, resulting in environmental contamination and the rapid spread of diseases like cholera, typhoid and debilitating diarrhoea.

## **RIGHT TO FOOD**

Between July and September, the Integrated Food Security Phase Classification reported that acute food insecurity rose sharply, affecting 22% of the population (579,000 people compared to 350,000 in 2022). The surge was attributed to severe drought, diminished crop and livestock yields, soaring food prices, the economic downturn and high unemployment rates.

## **DISCRIMINATION**

### **LGBTI PEOPLE'S RIGHTS**

In February, a supreme court ruling recognized the right of spouses of Namibian citizens to regularize their immigration status based on same-sex marriages concluded

outside the country, overturning an earlier high court judgment. In July, however, parliament passed legislation banning same-sex marriages. If enacted, it could remove the right of same-sex couples to have their marriages recognized, even if those marriages are performed in accordance with the law of another country. This could nullify the February judgment, in line with Article 81 of the constitution, which provides for the reversal of a supreme court decision if it is “contradicted by an Act of Parliament lawfully enacted”.

### **INDIGENOUS PEOPLES' RIGHTS**

In February, seven UN Special Rapporteurs raised concerns regarding the government's alleged failure to ensure the meaningful participation of the Indigenous Nama and Ovaherero Peoples in reparations negotiations, and the lack of effective reparative measures afforded to them. The Nama and Ovaherero Peoples were victims of genocide by Germany's colonial rule. Germany acknowledged responsibility in 2015 but refused to provide direct reparations to victims, committing rather to financing development projects. The Special Rapporteurs said both governments had allowed insufficient consultation and information-sharing, which hindered the affected communities' ability to contribute to the terms of the reparations agreement.

## **RIGHT TO A HEALTHY ENVIRONMENT**

In April, the minister of environment heard appeals regarding Canadian-based oil company ReconAfrica. In one appeal, community organizations in Kavango East and West regions claimed ReconAfrica had not adequately consulted with them on its drilling activities, had provided insufficient information on environmental and social impacts, and had failed to obtain their free, prior and informed consent for the work. ReconAfrica counter-claimed the allegations, asserting that it had consulted with, and obtained consent from, the communities. In September, a parliamentary investigation reportedly revealed that the company had violated national laws.

# NEPAL

## Federal Democratic Republic of Nepal

**Security forces continued to use unnecessary and excessive force to disperse and detain protesters, resulting in four deaths. Authorities banned TikTok and carried out arrests to limit freedom of expression. The government failed to deliver justice, truth and reparations to victims of the 1996-2006 conflict. Torture and other ill-treatment by security forces was reported and authorities failed to carry out credible and independent investigations into deaths in custody. Gender-based discrimination continued in law and practice. The marriage of an LGBTI couple was registered for the first time. Migrant workers were subjected to abusive and illegal recruitment practices.**

## FREEDOM OF EXPRESSION AND ASSEMBLY

Security forces continued to detain activists and individuals criticizing the government and ruling party politicians, and frequently resorted to unlawful force against protesters.

In February, five protesters demanding justice for sexual violence cases were detained by police. In March, Padam Limbu died after being hit during a baton charge by police at a protest by Indigenous Peoples in Morang district. The government later declared him “a martyr”, pledging relief support to his family.

The authorities continued to crack down on protests by victims of loan sharks, mostly low-income farmers who gathered in the capital, Kathmandu, calling for justice for financial crimes. In April, at least 40 protesters were injured by police using batons and water cannons and at least 20 were detained. Days later, the Home Minister apologized for the excessive use of force by police.

In May, police detained and ill-treated two journalists in Kanchanpur district who had been reporting on a clash involving police. Following condemnation by the journalists’

federation, the district police chief committed to punish the officers responsible.

In June, police detained at least 16 activists in Kathmandu protesting against corruption related to government officials allegedly collecting money from hundreds of Nepali nationals with the promise of Bhutanese refugee status and resettlement in high income countries.

In August, police used unnecessary force against Indigenous Peoples protesters, many of whom were detained and assaulted. The Prime Minister announced that those responsible would be punished but no charges were filed by the end of the year.

In November, the government banned the TikTok app to “protect social harmony and family unity”.

In December, one protester was shot dead in Bara district and two protesters died due to excessive force by police in Lalitpur district.

## RIGHT TO TRUTH, JUSTICE AND REPARATION

The government again failed to make significant progress towards delivering truth, justice and reparations to the tens of thousands of victims of crimes under international law and other grave human rights violations committed by both sides during the 1996-2006 conflict. The Truth and Reconciliation Commission and the Commission of Investigation on Enforced Disappeared Persons, which had respectively collected more than 60,000 and 3,000 complaints from victims, failed to resolve a single case in 2023. In March, the government presented to parliament a Bill for the Amendment of the Investigation of Enforced Disappeared Persons, Truth and Reconciliation Commission Act (2014) without adequately consulting conflict victims. The Bill failed to comply with a 2015 Supreme Court ruling to bring it in line with domestic and international human rights standards and appeared to shield alleged perpetrators from prosecution for some crimes under international law.<sup>1</sup> At the end of the year, the Bill remained pending at the lower house.

Amid widespread concerns about government misuse of amnesty provisions to arbitrarily release ruling party affiliates, in November the Supreme Court overturned a Presidential amnesty to a man convicted of murder, ruling the necessity of consent by victims' families.

## **TORTURE AND OTHER ILL-TREATMENT**

Reports continued of torture and other ill-treatment of pretrial detainees with impunity. By the end of the year, there were no convictions under the 2017 Criminal Code, which criminalized the practice. In addition, the authorities failed to investigate and publicize reports of investigations into past custodial deaths alleged to have resulted from torture.

In January, three women were beaten by government forest guards for entering a forest to collect grass in Bara district; police refused to lodge complaints against the guards. In July, human rights defender Manohar Kumar Pokharel was assaulted at the District Police Office in Saptari district when visiting a detainee. In August, two prisoners died from alleged torture by police officers guarding them in Sankhuwasabha prison. The Sankhuwasabha District Court remanded seven police officers and eight prisoners in the prison while they were on trial for offences relating to the two prisoners' deaths.

## **DISCRIMINATION**

Gender-based discrimination continued in law and practice. In May, the President authenticated the Nepal Citizenship (First Amendment) Bill which denied women equal citizenship rights. In a positive move for Muslim women, in September, the Supreme Court declared unconstitutional the practice of "triple talaq", Islamic instant divorce.

In June, the Supreme Court issued an interim order to the government to register same-sex marriages with "temporary documentation," pending its final verdict. However, same-sex couples continued to face barriers in practice as lower courts refused to register marriages, citing a lack of

enabling legislation. In November authorities in Lamjung district registered a marriage between Nepalis of the same legal gender for the first time.

Despite provisions in law and policy to address discrimination based on caste, numerous incidents of discrimination against members of the Dalit community were reported, including by elected officials, with impunity. In December the West Rukum District Court convicted 26 people for the killing of six men because of the relationship of one of them with a girl from a dominant caste.<sup>2</sup>

## **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

Hundreds of families living in informal settlements across the country remained at risk of forced eviction by local authorities without legal safeguards. In March, the Kathmandu Metropolitan Office issued a directive to people living in slums and informal settlements along the riverbanks in Kathmandu to vacate the areas within a week. The Patan High Court suspended the demolition order and ordered the government, including the Metropolitan Office, to arrange housing for those who would be made homeless as a result of the evictions.

The government failed to adequately monitor, investigate and sanction the illegal activities of recruitment agencies and agents that charge migrant workers exorbitant fees. Effective measures to prevent, investigate and clarify the deaths of migrant workers, such as through bilateral dialogues with the governments of destination countries, were not taken. Difficulties in accessing the Workers Welfare Fund left many families of deceased migrant workers without support.<sup>3</sup>

In November, an earthquake in Karnali province resulted in more than 150 deaths and damage to some 25,000 homes and other public infrastructure. The government's relief support was inadequate, especially given the harsh winter season, and at least 24 earthquake-affected people living in makeshift tents died.

1. Nepal: Transitional Justice Bill needs to protect victims, not abusers; proposed law disregards domestic and international legal standards, 24 March
2. "Nepal: District Court's historic verdict a welcome step for justice for Dalit community", 7 December
3. Saudi Arabia: 'Don't worry, it's a branch of Amazon': Exploitation of migrant workers contracted to Amazon in Saudi Arabia, 10 October

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# NETHERLANDS

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## Kingdom of the Netherlands

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**The government continued to enter into third-country agreements on migration despite human rights concerns. Border police were found guilty of racial profiling. Peaceful protesters faced harsh charges and were subjected to unlawful surveillance measures. Parliament voted in favour of a consent-based definition of rape.**

### REFUGEES' AND MIGRANTS' RIGHTS

In July, the Netherlands was one of the leading parties to an EU agreement on migration with Tunisia, despite mounting evidence of human rights abuses.<sup>1</sup>

The government still failed to automatically recognize Afghan women and girls as refugees.

In March, the Inspectorate of Justice and Security (IJS) concluded that there was no legal basis for using force against asylum seekers in the Hoogeveen reception centre, where people can only leave on their own initiative if they waive their rights to, among other things, accommodation, medical care and counselling. In 2022 the IJS found that staff had used "disproportionate violence" against people held at the centre, including children. The minister for migration disputed the report of disproportionate violence and noted that staff were authorized to use force.

In spite of minor improvements, the Curaçao authorities continued to detain Venezuelans seeking safety and deny them protection.<sup>2</sup>

### DISCRIMINATION

In February, the Hague Court of Appeal banned ethnic profiling by the border police, ruling that the use of ethnicity in selection decisions and risk profiles led to discrimination.<sup>3</sup>

### FREEDOM OF PEACEFUL ASSEMBLY

Throughout the year police used unlawful identity checks, as well as social media monitoring, drones and unannounced home visits, as surveillance tools against peaceful protesters.<sup>4</sup>

In August, seven climate protesters were convicted for online posts calling on people to join peaceful demonstrations in the form of a roadblock on the A12 motorway. In March, May and September, police used water cannons against protesters on the A12 and reported people attending with young children to a child safety hotline.<sup>5</sup>

In November, the IJS reported that authorities had failed to address serious threats and subsequent violence in 2022 directed by a hostile audience at anti-racism protesters in the municipality of Staphorst. The protesters were demonstrating against people dressing as the folkloric figure known as "Black Pete".<sup>6</sup>

### GENDER-BASED VIOLENCE

In July, parliament passed a new sexual offences law including a consent-based definition of rape. The bill was pending before the senate at the end of the year.

### RIGHT TO A HEALTHY ENVIRONMENT

Although the government stressed the need to phase out fossil fuel production and use ahead of COP28, new plans for gas extraction remained under discussion. Tax breaks continued for companies using oil, gas and coal, amounting to annual fossil fuel subsidies of up to EUR 46 billion. In October, parliament called on the government to draw up scenarios for phasing out all fossil fuel subsidies. In December, at COP28, the government launched an international coalition to phase out such subsidies.

1. "EU/Tunisia: Agreement on migration 'makes EU complicit' in abuses against asylum seekers, refugees and migrants", 17 July
2. Curaçao: Little Improvement in Protection of Venezuelans, 7 February
3. "Netherlands: Court of Appeal bans ethnic profiling", 14 February (Dutch only)
4. Netherlands: Unchecked Power: ID Checks and Collection of Data from Peaceful Protesters in the Netherlands, 31 May
5. "Netherlands: A week of climate demonstrations: five striking cases", 18 September (Dutch only)
6. "Netherlands: Municipality of Staphorst falls seriously short in tackling St Nicholas' arrival", 11 May (Dutch only)

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## NEW ZEALAND

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### New Zealand

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**Inquiries found multiple breaches by the government in upholding the rights of Māori. Human rights concerns persisted in the criminal justice system including in relation to youth justice processes and conditions of detention.**

### BACKGROUND

In January, Prime Minister Jacinda Ardern resigned and was replaced by Christopher Hipkins. In October, there was a change of government after the national elections and Christopher Luxon was sworn in as prime minister in November.

Eleven deaths were recorded related to February's Cyclone Gabrielle, likely to have been worsened by climate change.

### INDIGENOUS PEOPLES' RIGHTS

The Waitangi Tribunal, a body that hears claims brought by Māori regarding Te Tiriti o Waitangi and the Treaty of Waitangi, found multiple breaches of the treaty obligations to uphold the rights of Māori. In February, a report on the administration of justice published by the Waitangi Tribunal highlighted inadequate funding arrangements for claimants impacting the ability of Māori to fully participate in tribunal processes. In May, the Waitangi Tribunal released a report into housing policy and services for Māori, which found multiple breaches of the treaty in addressing Māori homelessness.

### REFUGEES' AND MIGRANTS' RIGHTS

In March, the government introduced a bill to increase the length of time a person seeking asylum who arrived in New Zealand as part of a "mass arrival" could be detained without a warrant from 96 hours to up to 28 days.

### DETAINEES' RIGHTS

A report on the Department of Corrections by the Chief Ombudsman published in June found that the Department did not sufficiently consider the fair, safe and humane treatment of people in prison in their decision-making, thereby placing detainees' rights at greater risk of being ignored.

In July, the 7th periodic review of the UN Committee against Torture raised serious concerns including about the disproportionate representation of Māori in the prison system and conditions of detention.

### CHILDREN'S RIGHTS

The UN Committee against Torture's review referred to long-standing concerns about the treatment of children in the justice system, including the minimum age of criminal responsibility, which remained at 10.

The findings of the Office of the Children's Commissioner (now known as the Children and Young People's Commission) on two youth justice residences included evidence of ill-treatment of children in both, and allegations of sexually inappropriate behaviour by staff in one. In June, the former Children's Commissioner stated that children's residences were unsafe and should be replaced by a system that is "fit for purpose".

### RIGHT TO A HEALTHY ENVIRONMENT

According to the research group Climate Action Tracker, New Zealand continued to have an overall rating of "highly insufficient" based on its climate policies, action, nationally determined contribution target and climate finance.

# NICARAGUA

## Republic of Nicaragua

**The ongoing political crisis was marked by severe human rights violations, including the stripping of Nicaraguan nationality from political opponents, and arbitrary arrests and detentions of human rights defenders, religious leaders and Indigenous leaders. Violations of religious freedom targeted the Catholic Church and the closure of NGOs continued. Impunity for crimes against humanity prevailed. The persecution of Indigenous Peoples continued with deadly attacks by armed groups.**

### BACKGROUND

Since the beginning of the political crisis in 2018, there had been a violent and repressive state crackdown on dissent. This brutal suppression had resulted in at least 355 documented deaths, more than 2,000 injuries, a wave of arbitrary detentions and unjustified dismissals, and the arbitrary expulsion and deprivation of nationality of more than 300 people.

### ARBITRARY DEPRIVATION OF NATIONALITY

On 9 February, the government unexpectedly released and expelled more than 200 political opponents who had been arbitrarily detained between 2018 and 2021. The charges against most of these individuals included treason and terrorism-related offences in judicial processes that lacked fair trial guarantees.

The National Assembly (Nicaragua's legislative body) approved a change to the constitution, stating that individuals convicted of political crimes would lose their Nicaraguan nationality. This policy was arbitrarily applied to strip Nicaraguan nationality from all those expelled in February, as well as from others who were already in exile, including political opponents, journalists, human rights defenders, and members of the Catholic Church.

In response to this, third countries offered citizenship to those who had been made stateless. Nevertheless, many of the exiled Nicaraguans faced severe obstacles such as language barriers and discrimination, which obstructed their integration and access to human rights including education, work and health. The UN-mandated Group of Human Rights Experts on Nicaragua (GHREN) urged host countries to provide support, including language education and vocational training, and to combat discrimination, to facilitate the effective integration of these Nicaraguans into their new societies.

At the same time, the government began the process of confiscating assets from these individuals, without due process, leaving many in a state of economic vulnerability. The Inter-American Commission on Human Rights (IACHR), labelled the deprivation of nationality and asset seizure as “serious human rights violations” and demanded that the government allow the safe and voluntary return of these individuals to the country while halting these practices and restoring the rights of those affected.

The Inter-American Court of Human Rights reaffirmed provisional measures for activists stripped of their nationality, including human rights defenders Guillermo Gonzalo Carrión Maradiaga and Vilma Núñez de Escorcia. The court demanded that the state annul the criminal proceedings against them and refrain from detaining them.

### FREEDOM OF ASSOCIATION

The IACHR identified the situation in Nicaragua as one of the most severe examples of closure of civic space in the region, citing the mass cancellation of legal status and forced dissolution of civil society organizations.

Between August 2022 and September 2023, Nicaragua revoked the legal status of more than 2,000 NGOs, meaning they could no longer function in the country. This brought the total to 3,394 since 2018.

During the year, the authorities closed the Central American University, accusing it of being a “terrorism centre”, and confiscated



properties belonging to organizations including the Red Cross and the Central American Institute of Business Administration.

## ARBITRARY ARRESTS AND DETENTIONS

The UN reported violations of religious freedom, with the Catholic Church targeted by sanctions, harassment, and arbitrary detentions of clergy and laypeople.

At least 119 individuals continued to be arbitrarily detained after unfair trials, including Rolando Álvarez, the Catholic bishop of Matagalpa, who was sentenced to 26 years in prison for conspiracy and spreading false news. Three students were arrested in August on similar charges following the closure of the Central American University. In December, OHCHR, the UN human rights office, condemned the forced disappearance of Bishop Isidoro Mora and the wave of detentions of religious leaders, including Monsignor Carlos Avilés.

## IMPUNITY

In March, GHREN concluded that it had reasonable grounds to believe that authorities at the highest levels, including President Daniel Ortega and Vice President Rosario Murillo, had since April 2018 been involved in human rights violations and acts that constituted crimes against humanity. GHREN also recommended to the international community that human rights violations in Nicaragua be investigated and civil society supported.

The OHCHR, the Inter-American Commission on Human Rights and the EU called on President Ortega's government to investigate human rights violations and ensure justice. By the end of the year, however, no investigations had been undertaken and the crimes remained unpunished. Furthermore, the government had continued with its repressive tactics, making the defence of human rights from within the country almost impossible.

## INDIGENOUS PEOPLES' RIGHTS

Indigenous Peoples continued to face severe human rights violations, despite international condemnation. Arbitrary detentions and unfair trials of Indigenous leaders were reported, along with deadly attacks by armed groups. Despite deaths and injuries in communities including the Wilú, Musawas and Sabakitang, impunity prevailed, with the government failing to investigate and redress the abuses. Repressive legislation worsened the situation, such as the removal of legal status for Indigenous organizations, and the ban on public demonstrations included in the law against money laundering, financing of terrorism, and proliferation of weapons of mass destruction, which had been in effect since July 2018.

# NIGER

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## Republic of Niger

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**The rights to freedom of expression, peaceful assembly and association were severely restricted by the military who seized power by a coup in July. Several high-profile political figures were arbitrarily detained, and women were sexually assaulted in the aftermath of the coup. Armed groups killed civilians in unlawful attacks. Child marriage remained prevalent. Migrants forcibly returned from Algeria were extremely vulnerable. Rights to education, food and water were obstructed by armed conflict, exacerbated by climate change.**

## BACKGROUND

In July, the Nigerien military toppled President Mohamed Bazoum in a coup and took power as the National Council for the Salvation of the Fatherland (CNSP). The military detained President Bazoum and his family in the presidential complex and in August he was accused of "high treason". ECOWAS closed all land and air borders and suspended all commercial and financial transactions by its member states with Niger.

According to the Ministry for Humanitarian Action and Disaster Management, massive floods due to heavy rainfall caused at least 51 deaths, affected 161,252 people, and ruined nearly 2,207 hectares of croplands.

## **FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY**

On 5 June, the weekly newspaper *L'Èvènement* was closed by authorities for non-payment of taxes. Its editor Moussa Aksar had been experiencing harassment since 2020, following articles in the newspaper related to the overpricing of defence equipment by the Ministry of Defence in the 2010s.

On 26 July, spontaneous demonstrations by supporters of the president were violently dispersed by the military in the capital Niamey. Following the coup, the CNSP suspended all activities by political parties until further notice.

On 30 September, journalist Samira Sabou was arrested at her mother's home in Niamey by hooded men presenting themselves as members of the security forces.<sup>1</sup> She was subsequently transferred to the Criminal Investigations Unit of the Niamey Police and charged with “producing and distributing data likely to disturb public order”. She was released on 11 October pending trial.

On 3 October, Samira Ibrahim, a social media user known also as “Precious Mimi”, was convicted, and faced a six-month suspended sentence and a fine of XOF 300,000 (USD 479) for “producing data that could disturb public order”. She was charged following a Facebook post in which she said that Algeria had refused to recognize the CNSP.

## **ARBITRARY DETENTION**

On 23 January, Abdoulaye Seydou, coordinator of activist group M62-Moutountchi/Bourtchintarey: Sacred Union for the Salvation of National Sovereignty and the People's Dignity and of the Pan-African Network for Peace, Democracy and Development appeared before the High Court in Niamey for the “production and

dissemination of data likely to disturb public order”, after he denounced the deaths of gold miners during a military operation in Tamou town in 2022. The prosecutor dropped the initial charges and accused him of “complicity in the arson of sheds and houses used as dwellings”. Detained since his High Court appearance, Abdoulaye Seydou was sentenced in April to nine months in prison and freed on appeal in July.

Following the coup, several officials of the former government and the former ruling party were detained without charge by the military. In addition to President Bazoum and his family, former minister of petroleum Sani Mahamadou Issoufou, former minister of home affairs Hamadou Adamou Souley, former defence minister Kalla Moutari, and former minister of finance Ahmad Jidoum were also detained without charge.<sup>2</sup>

## **UNLAWFUL ATTACKS AND KILLINGS**

On 2 February, members of Islamic State in the Sahel (ISS) killed 10 Malian refugees in Egarek village in Tahoua region. Due to the conflict in Mali's Ménaka region, more than 8,000 Malians had sought refuge in Niger as of February 2023.

On 2 May, a local militia killed at least 17 civilians of the Fulani community in the village of Kandadji in Tillabéri region due to suspicions of their collaboration with ISS.

On 15 August, according to local sources, at least 20 civilians belonging to the Songhay community were killed during an attack by ISS in the villages of Tomare and Issile Kotogoria in Tillabéri region.

## **WOMEN'S AND GIRLS' RIGHTS**

Child marriage continued to be widespread. The minimum legal age for marriage remained 16 years for girls, despite commitments to raise it to 18 years during the 2021 UPR. According to Niger's Institute of National Statistics, more than three out of four women in Niger were married before turning 18.

In March, Nazira, a 16-year-old girl from Daré in the commune of Matameye, Zinder

region, ended her own life to escape a forced marriage.

## SEXUAL AND GENDER-BASED VIOLENCE

During the week following the coup, at least four women were sexually assaulted by youth vigilantes patrolling Niamey, according to the police and the Nigerien League for Women's Rights. None of the perpetrators had been charged for these offences by the end of the year.

## REFUGEES' AND MIGRANTS' RIGHTS

Between January and April, around 9,000 refugees and migrants who had been deported by the Algerian authorities, including nationals from various West African countries, arrived at the border village of Assamaka, 200km from the closest major town, Arlit, according to the International Organization for Migration. In April, a UN report declared that current human, logistical and financial resources in Niger were not adequate to care for all migrants. Due to the regular expulsion of West African nationals by Algeria, the refugee and migrant population in Assamaka surpassed the village's original population, affecting access to health, protection and food security for both populations.

In December, the government abrogated a 2015 law that criminalized the smuggling of migrants.

## RIGHT TO EDUCATION

Armed conflict severely hampered the right to education. As of June, almost 958 primary schools were closed or non-functional nationwide, of which 891 were in the Tillabéri region, according to the Regional Directorate for Education. These school closures impacted the right to education of more than 81,500 Nigerien children.

## RIGHT TO FOOD AND WATER

Conflict and climate events heightened food insecurity and water shortages impacted the rights to food and water, affecting 2.5 million people, according to the International Rescue Committee. According to UNICEF data,

almost 1.5 million children under the age of five were likely to be victims of malnutrition, with at least 430,000 of them expected to suffer from the deadliest form of malnutrition.

As of October, 58% of the financial requirements needed to implement the humanitarian response plan were unfunded, according to OCHA.

1. "Niger: Amnesty International calls for the immediate release of journalist Samira Sabou", 4 October (French only)
2. "Niger: Authorities putting rights at risk", 26 October

# NIGERIA

## Federal Republic of Nigeria

**There were sanctions against the media and criminal charges against journalists for alleged defamation. Defence and security forces used excessive force, mainly to disperse protests. People were tortured during police interrogation. Authorities continued to carry out forced evictions. Authorities failed to put in place measures to mitigate the impact of climate change. All parties to the armed conflict committed violations of international law. Cases of enforced disappearances were documented. Sexual and gender-based violence remained rife. Men were charged under the Same-Sex Marriage Prohibition Act. Resettled internally displaced people lacked sufficient food and access to basic amenities.**

## FREEDOM OF EXPRESSION

On 14 March, the National Broadcasting Commission (NBC) fined 25 stations over their coverage of the 2023 general elections for allegedly breaching the broadcasting code. On 1 April, the NBC fined Channels Television NGN 5 million (USD 6,540) over views expressed by Datti Baba-Ahmed, the Labour Party vice-presidential candidate, during a TV programme. However, on 10 May, the Federal High Court in Abuja barred the NBC from imposing fines on broadcast stations.

On 18 March Chude Franklin Nnamdi, a Labour Party supporter, was arrested by police in Onitsha, Anambra state, for alleged cyberstalking – in contravention of section 24 of the Cybercrimes (Prohibition, Prevention, etc) Act, 2015 – over his criticism on social media of Charles Soludo, governor of Anambra state.

On 18 August, the authorities withdrew accreditation from 25 journalists and media houses, excluding them from covering activities at the presidential villa in Abuja, on vague grounds of “security concerns and overcrowding of the press gallery area”.

On 7 October, the NBC issued Arise TV “a final warning” for airing a programme containing “unguarded incendiary remarks... against the Legislature, Executive, Judiciary and Mr. President.”

On 1 November, police – in collusion with the Imo state government – beat and blindfolded Joe Ajaero, president of Nigeria Labour Congress, during a protest in Owerri municipality over workers’ unpaid salaries and pensions.

### **JOURNALISTS**

The authorities continued to clamp down on journalists and use criminal sanctions for “defamation”.

In January, Agba Jalingo faced criminal charges for alleged defamation of a relative of Ben Ayade, former governor of Cross River state. On 7 February, investigative journalists Gidado Yushau and Alfred Olufemi were convicted of conspiracy and defamation over a report on drug abuse in Kwara state.

On 18 April, a police officer physically assaulted Benedict Uwalaka, a photojournalist, for covering a protest by aviation union members in Lagos state.

Prisoner of conscience Omoyele Sowore continued to face bogus treason charges at the Federal High Court in Abuja for calling for #RevolutionNow protests in 2019.

### **UNLAWFUL ATTACKS AND KILLINGS**

Security forces used excessive force, including in the dispersal of peaceful protests and assemblies.

On 5 April, a police officer shot dead Onyeka Ibe for refusing to pay a NGN 100 bribe (USD 0.13) in Delta state.

On 29 June, soldiers shot dead three youths protesting at extortion and underemployment in Afokpella community in Etsako local government area, Edo state.

A leaked government memo dated 19 July indicated that the Lagos state government had in its possession the bodies of 103 people killed during the #EndSARS protests in October 2020, and had approved their secret mass burial.<sup>1</sup> On 10 October, the Lagos state government announced the suspension of the burial.

On 6 September, armed police officers teargassed and used excessive force on University of Lagos students protesting against an increase in tuition fees from NGN 19,000 (USD 24.76) to NGN 190,000 (USD 247.65). Olorunfemi Adeyeye and six other students were arrested, beaten and threatened with death by police.

On 9 October, police officer Drambi Vandi was convicted in the High Court in Lagos state for the murder of Omobolanle Raheem, who he shot dead on 25 December 2022 on the Lekki-Epe road after trying to stop her car. He was sentenced to death by hanging.

### **TORTURE AND OTHER ILL-TREATMENT**

On 30 July, Faiz Abdullahi died in police custody in Kaduna, Kaduna state, after being tortured during interrogation. Abdullahi Tukur Abba, a 17-year-old student, died in hospital following torture during interrogation after he was picked up by police on 5 August in Yola, Adamawa state.

### **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

On 29 May, President Bola Tinubu announced the removal of the fuel subsidy, leading to a steep rise in food prices and the cost of living.

On 2 August, the Nigeria Labour Congress went on strike over issues including low wages and the eight months’ non-payment of salary for university teachers. On 1 October, President Tinubu announced a temporary

monthly minimum wage increase of NGN 25,000 (USD 31).

## **FORCED EVICTIONS**

The authorities continued to forcibly evict residents, without adequate notice or compensation or making alternative resettlement plans, rendering hundreds of people homeless. On 21 and 22 May, security agents and the Kaduna State Urban Planning and Development Authority demolished structures belonging to supporters of the Islamic Movement of Nigeria. On 27 July, over 12,000 people were rendered homeless and over 250 houses were demolished in communities in Oworonshoki, Lagos state.

## **RIGHT TO A HEALTHY ENVIRONMENT**

The authorities failed to put in place adequate measures to mitigate the impact of heavy rainfalls and floods, exacerbated by climate change.<sup>2</sup> In June, four people died and 166 houses were submerged by flooding in Abuja, and eight people died as floodwaters submerged Agege community, Lagos state.

In August, over 700 houses and farms were destroyed by flooding in Cheledi community, Bauchi state, and five communities were displaced as houses and farmlands were submerged by floods in Niger state. Also, in August, farms in Ogbaru, Anambra state, were affected by severe flooding, leading to the death of over 25,000 birds in a poultry farm.

Oil-related pollution and environmental damage continued in the Niger Delta.<sup>3</sup> The clean-up by Shell remained inadequate.<sup>4</sup> Shell had not explained how it planned to address the pollution of Nigerian communities linked to its operations.<sup>5</sup>

## **VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW**

### **ABUSES BY ARMED GROUPS**

There were continued human rights abuses by Boko Haram and Islamic State's West African Province in the north-east; assailants, locally called "bandits", in the north-west and

centre; and "unknown gunmen" in the south-east. On 23 January, gunmen beheaded Christopher Ohizu, a local government administrator in Imo state. On 5 and 6 April, gunmen killed at least 46 people in the village of Umogidi, Benue state.

On 22 August, Boko Haram fighters abducted over 40 women and girls in Mafa local government area, Borno state. On 19 September, gunmen attacked and killed about eight security operatives comprising soldiers, police officers and members of the Nigeria Security and Civil Defence Corps in Ehime Mbano local government area, Imo state.

On 24 December 2023, gunmen carried out deadly attacks on 20 communities of Bokkos and parts of Barkin-Ladi local government area of Plateau state, killing over 194 people and leaving dozens injured and displaced.

### **ATTACKS ON EDUCATIONAL INSTITUTIONS**

The Nigerian state failed to protect educational institutions from attacks and abductions.<sup>6</sup> In January, gunmen abducted six pupils, aged four to six years, from LGEA Primary School in Alwaza, Nasarawa state. In March, herders attacked the Community Grammar School in Alaropo Nla, Oyo state, injuring pupils and teachers. On 22 September, gunmen abducted 30 schoolgirls from their hostels at the Federal University of Gusau, Zamfara state. On 4 October, gunmen attacked Federal University Dutsin-Ma in Katsina state and abducted five female students.

On 9 October, gunmen abducted four female students – Rahila Hanya, Josephine Gershon, Rosemary Samuel and Goodness Samuel – at the Nasarawa State University in Angwan Ka'are community, Nasarawa state.

### **UNLAWFUL ATTACKS AND KILLINGS BY SECURITY FORCES**

Defence and security forces committed human rights violations during their operations against armed groups.

On 24 January, an air strike by a suspected Nigerian air force drone killed dozens of civilians in Rukubi local government area, Nasarawa state. On 25 January, at least 21 civilians were killed in an air strike by the

Nigerian air force in Niger state. In September, security forces attacked Umualumaku community in Ehime Mbano local government area, Imo state, setting several houses and vehicles ablaze, in reprisal over the killing of members of the Nigeria Security and Civil Defence Corps, police and army. On 3 December, Nigerian military air strikes killed over 120 people attending a religious ceremony at Tudun Biri village, Kaduna state.

## ENFORCED DISAPPEARANCES

Maduabuchi Obinwa, aged 22, disappeared after his abduction on 24 April 2022, when security agents from the Awkuzu State Criminal Investigation Department raided his house in Ekwulobia, Anambra state. Obiora Agbasimalo, a governorship candidate, was abducted by gunmen on 18 September 2021 while going to an election campaign outing in Azia town, Anambra state. Sunday Ifedi and Calista Ifedi, a couple, were taken by security operatives from their home in Enugu on 23 November 2021, because of their alleged membership of the Indigenous People of Biafra. The fates and whereabouts of all these people remained unknown at the end of the year.

## VIOLENCE AGAINST WOMEN AND GIRLS

According to the minister of women's affairs, as of October there were 24,720 reported cases of sexual and gender-based violence during the year, including 975 deaths. On 15 June, an eight-months' pregnant woman was raped by John Akpo at Irabi, Benue state. On 22 June, the police arrested Chukwuemeka Orji for raping a 13-year-old domestic worker in Aba, Abia state.

On 14 July, the mutilated body of 32-year-old Dorcas Shangev was found in Makurdi, Benue state. On 15 July, 27-year-old Chinyere Awuda was beaten to death and dumped in an abandoned hotel pool in Awka, Anambra state.

## LGBTI PEOPLE'S RIGHTS

On 27 August, police arrested 69 men for organizing a gay wedding in Delta state. On 4

September, they were charged under the Same-Sex Marriage Prohibition Act at a High Court in Delta state and detained in prison. On 19 September, they were granted bail, with harsh terms, and their criminal trials continued. On 22 October, 59 men and 17 women were arrested at Duwa Plaza shopping mall, Gombe, Gombe state, for allegedly holding a gay birthday party and planning to hold a gay wedding.

## INTERNALLY DISPLACED PEOPLE'S RIGHTS

More than 2.4 million people remained internally displaced in the north-east. The Borno state government closed four camps in July and resettled 11,000 households. Most of the resettled people lacked adequate food and access to basic amenities. On 6 October, Dr Betta Edu, the minister of humanitarian affairs and poverty alleviation, handed over 40 housing units to internally displaced people in Zamfara state.

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1. "Nigeria: Authorities must disclose identities of #EndSARS protesters due for mass burial", 24 July
  2. "Nigeria: Authorities must act now to save lives amid threat of deadly flooding", 21 July
  3. "Nigeria: Shell must clean up devastating oil spills in the Niger Delta", 2 February
  4. "Nigeria: New government must ensure Shell's sale of its Niger Delta oil business does not worsen human rights abuses", 26 May
  5. Nigeria: Tainted Sale?, 26 May
  6. "Nigeria: Authorities must uphold children's rights to education in northern Nigeria", 24 January

## NORTH KOREA

### Democratic People's Republic of Korea

**Freedom of expression, already severely restricted, was further curtailed by a new law that carried severe punishments for using or disseminating "South Korean-style" language. Forced labour, including by children, continued to be reported. Government policies contributed to ongoing food insecurity and healthcare provision was inadequate. Arbitrary detention of**

**government critics in appalling conditions persisted and there was concern about the fate of North Koreans forcibly returned from China.**

## **BACKGROUND**

North Korea's borders, closed since January 2020 in response to the Covid-19 pandemic, partially reopened with the resumption of passenger train services, buses and flights to and from China in August. However, the authorities reportedly further fortified the border and authorized border guards to use lethal force against anyone attempting to cross it.

The movement of cargo between North Korea and Russia was observed, including of military equipment and ammunition which was sent to Russia ahead of the summit between North Korean leader Kim Jong-un and the Russian president in September. There were also reports of possible Russian shipments of military supplies to North Korea. A constitutional amendment was adopted which enshrined North Korea's policy on nuclear force to ensure its "right to existence" and "deter war".

## **FREEDOM OF EXPRESSION**

The government continued to enforce draconian laws that prevented any form of freedom of expression. It monitored and controlled communication channels and information flows both in and out of the country.<sup>1</sup>

Harsh penalties were imposed on individuals accused of engaging in "reactionary ideology and culture". Those caught viewing, reading or listening to content deemed to be "reactionary", including films, books and songs, faced several years in prison, while those involved in distribution risked life imprisonment or the death penalty.

On 18 January, the government adopted a new law to "eliminate" "South Korean-style" speech (referred to as "puppet language"). The Pyongyang Cultural Language Protection Law imposes severe punishments for using or disseminating "South Korean-style"

language. Under article 58 of the law, "any person found to be speaking, writing, sending messages, or exchanging emails in the puppet language or creating printed materials, video recordings, compilations, pictures, photographs, or scrolls using the puppet language's writing style" is liable to a minimum of six years' reform through labour. If the crime is considered severe, the sentence is increased to a life term of reform through labour or the death penalty.

Parents are also liable to punishment under the law by being publicly shamed if their children are found accessing South Korean content or imitating "South Korean-style" speech. The law requires relevant authorities to make use of public arrests, trials and public executions to "break the spirit" of those "polluted" by South Korean language and culture.

There were reports of the arrest of two teenage boys in March for watching South Korean films, and concerns that they may face execution.

## **FORCED LABOUR**

Reports of the widespread use of forced labour continued. According to the UN human rights office, OHCHR, state institutions continued to rely on the forced mobilization of men and women to maintain operations in construction, mining, agriculture and other key sectors of the economy. Forced labourers worked with minimal compensation.

There were also continued reports of the use of forced child labour including on construction sites and in mines. According to the UN, forced mobilizations of children for labour took place at schools and in youth organizations such as the Youth League, in which membership is mandatory.

Workers were also sent to foreign countries such as China and Russia to generate revenue for the state. Former overseas workers interviewed by the UN described conditions that amounted to forced labour, including tight restrictions on freedom of movement and low pay, with most of their wages taken by the North Korean state. They

also reported being subjected to extensive surveillance, being required to undertake physically demanding and sometimes dangerous work, a lack of health and safety measures and long working hours without breaks or days off.

## RIGHT TO FOOD

South Korea-based research institutions reported that crop production in North Korea increased in 2023. Nevertheless, food insecurity was a persistent problem. In March, the UN Food and Agriculture Organization reported that a significant proportion of the population suffered from inadequate food consumption and poor dietary diversity. The causes of food insecurity were rooted in government economic policies, regular crop failures and possibly also related to international sanctions. The situation was further exacerbated by the government's privileging of military spending over ensuring that food and other basic needs of the population were met, and its reluctance to cooperate with the international community.<sup>2</sup>

Strict border controls made smuggling of food difficult with the result that food and other essential supplies were less available in unofficial markets, where a significant proportion of North Koreans shop.

## RIGHT TO HEALTH

The right to health was severely compromised. The government's response to the Covid-19 pandemic remained highly inadequate and healthcare treatment and essential medicines were often unavailable.

Childhood vaccines remained in short supply, although following the temporary resumption of railway freight operations between China and North Korea in late 2022, vaccines were delivered. UNICEF reported that over 350,000 children and 150,000 pregnant women received vaccinations in March in a "catch-up immunization campaign". This followed the reported failure in 2022 to make available the third dose of diphtheria, tetanus and pertussis-containing vaccine, necessary for full immunization

against these diseases, due to country-wide lack of stock.

## ARBITRARY ARRESTS AND DETENTIONS

Although the constitution, penal code and other laws contain explicit prohibitions against arbitrary arrest and detention, in practice the right to liberty and security of the person and the right to a fair trial were routinely violated. There was a pervasive fear of falling foul of the authorities and of being denounced by fellow citizens, and the government frequently used arbitrary arrest and detention as a means of suppressing opposition or perceived dissent.<sup>3</sup>

Political prison camps (*kwanliso*) were believed to remain in operation, although the authorities continued to deny their existence. Those detained in the camps included thousands of people who had expressed dissenting views or otherwise criticized the government. Prisoners in the camps were subjected to forced labour and inhumane conditions.

There were serious concerns about the fate of hundreds of people, mainly women, who the Chinese authorities reportedly forcibly returned to North Korea in October. North Korean authorities regard anyone who escapes the country as "criminals" or "traitors" for "illegally" crossing the border. In the past, returnees have been arbitrarily detained and subjected to torture and other ill-treatment (see China entry).

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1. ["North Korea: Deteriorating human rights situation calls for international attention"](#), 7 February
  2. ["North Korea: UN Security Council meeting must refocus attention on neglected human rights situation"](#), 17 March
  3. [North Korea, 60+ Voices – Reflecting on Everyday Lives in North Korea, revised edition, 11 October](#)

# NORTH MACEDONIA

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## Republic of North Macedonia

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**Impunity and ill-treatment persisted. Women's rights activists and supporters of the Gender Equality Act were vilified by**



**religious bodies; online threats were pervasive. Systemic discrimination against Roma resulted in a preventable death.**

## **BACKGROUND**

Bulgaria's 2021 veto on North Macedonia's accession to the EU remained, after parliament failed in August to agree a constitutional amendment enshrining Bulgarians as "constituent people".

## **IMPUNITY**

In February, the European Court of Human Rights dismissed pardons issued in 2016 to 56 former ministers and government officials by then-president Gjorge Ivanov. In March, the justice minister subsequently renewed efforts to extradite former prime minister Nikola Gruevski from Hungary to stand trial in nine criminal cases.

In October, several prosecutions against former officials were discontinued after the government reduced sentences for criminal offences including "abuse of office" and participating in a "criminal enterprise". The officials included former secret police chief Sašo Mijalkov and others awaiting retrial for the illegal wiretapping of more than 4,200 individuals, including journalists.

## **TORTURE AND OTHER ILL-TREATMENT**

A state of emergency was declared in Idrizovo prison in June, and the police and army were drafted in after chronic understaffing led to security threats. In 2021, the European Committee for the Prevention of Torture had identified sections of the prison as inhumane, overcrowded and unsanitary.

An underfunded National Preventive Mechanism, inadequate training and investigations, and a lack of implementation of an independent oversight mechanism for guards and police enabled impunity for torture and other ill-treatment.

## **FREEDOM OF EXPRESSION**

A new Law on Civil Liability for Insult and Defamation reduced fines imposed on journalists; however, investigative journalists

were subjected to strategic lawsuits against public participation. In October, Investigative Reporting Lab Macedonia was fined for alleging that a former vice-president was responsible for air pollution.

Online threats against female journalists increased. The authorities had taken no action against a religious official who in July explicitly threatened to maim or kill journalist Rita Behadini after she had criticized attacks on feminism by religious bodies.

## **VIOLENCE AGAINST WOMEN AND GIRLS**

Six women were killed by family members or a former partner. In February, the criminal code was harmonized with the Council of Europe's Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), recognizing gender-based violence and introducing stalking and sexual harassment as offences. In September, the Council of Europe's monitoring body GREVIO advocated adding psychological violence and further offences, and criticized the police and social welfare bodies for failing to implement the Istanbul Convention.

The Istanbul Convention and proposed Gender Equality Act were strongly opposed by the Macedonian Orthodox Church (MOC), other religious bodies, some local authorities and political parties.

## **LGBTI PEOPLE'S RIGHTS**

Threats to life – mainly online – before Skopje Pride in June, were followed by a massive protest by the MOC and other religious communities against the proposed Gender Equality Act and Law on Birth Registry. Threats were so severe that the Macedonian Helsinki Committee produced a safety guide for LGBTI people.

In September, a man was sentenced to two years' imprisonment for seriously injuring the president of LGBTI United in Skopje in August 2022. The sentence reflected the discriminatory nature of the attack.

## DISCRIMINATION

### ROMA

Systemic discrimination against Roma continued, including in segregated education, access to adequate housing and water, and within the criminal justice system.

In May, Mehmet Kamber, a 20-year-old Romani man, died in hospital after being denied treatment for hypoglycemia because he lacked an identity card, despite having his birth certificate. In September, the Commission for Prevention and Protection Against Discrimination recommended the Ministry of Interior amend legislation that prevents Roma living in informal communities from obtaining identity cards.

### REFUGEES' AND MIGRANTS' RIGHTS

UNHCR, the UN refugee agency, reported that 11,645 refugees and migrants had entered the country by 30 November, less than half those in 2022. Border police continued to arbitrarily detain refugees and migrants, most of whom were then unlawfully pushed back into Greece. Others were unlawfully detained as witnesses against smugglers.

In April, Fatmata, a 23-year-old woman, was shot dead by North Macedonian police near the Greek border while travelling in a car with her husband, an alleged people-smuggler.

### RIGHT TO HEALTH

In September, hundreds of people joined bereaved families protesting at the non-custodial sentences received by hospital managers convicted in June for causing the deaths of 12 patients and two relatives in a fire at the Tetovo Covid-19 unit in 2021. The duty-doctor was acquitted. In the same month, following mass protests, prosecutors finally opened investigations into alleged corruption at Skopje university oncology clinic, including the unlawful sale of medicines.

## NORWAY

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### Kingdom of Norway

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**The Parliamentary Ombudsperson raised serious concerns about inadequate healthcare for people in detention experiencing mental illness. LGBTI meeting places were at ongoing risk of violent attack. The prevalence of gender-based violence against women and girls remained high. Following a period of government non-compliance with a Supreme Court judgment that wind farms on the Fosen peninsula violated the rights of Sami people to herd reindeer, agreement was reached with Sami communities in the south of the peninsula. Significant investments in new oil and gas fields were approved notwithstanding emissions reduction targets.**

### CRUEL, INHUMAN OR DEGRADING TREATMENT

In March, a report released by the Parliamentary Ombudsperson expressed concerns about long-standing issues in Norway's prisons and detention facilities, including over the use of solitary confinement, inadequate mental healthcare services and rising levels of suicide and suicide attempts. Recommendations made by the European Committee for the Prevention of Torture in 2019, including that people in prison should be allowed to spend a minimum of eight hours per day outside their cells, had yet to be implemented. The most recent figures presented by Oslo Economics in September showed that prison inmates in 24 wards, spread over 17 prisons, had not received this minimum allocation in 2022.

### DISCRIMINATION

In May, an official report on the June 2022 mass shooting at a gay club during Oslo Pride, which killed two people and injured at least 21, found that the attack could have been prevented had the Police Security Service (PST) taken information about

prevailing threats seriously. The PST assessed that LGBTI meeting places were at ongoing risk of attacks. Organizers cancelled a rainbow festival for children during Bergen Pride due to threats of violence.

## VIOLENCE AGAINST WOMEN AND GIRLS

In January, the Ministry of Justice and Public Security launched a public consultation on a proposed revision to the Penal Code definition of rape. Human rights bodies were concerned that the proposed new provision criminalizing sexual acts committed without consent would not fully comply with the freely given consent standard required by Article 36 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).<sup>1</sup>

The prevalence of gender-based violence against women and girls in Norway remained high. In February, the Norwegian Centre for Violence and Traumatic Stress Studies revealed that more than one in five women had reported suffering rape through force, coercion or while incapacitated, at least once in their lifetime. The majority of victims had been raped more than once, many for the first time before the age of 18.

## RIGHT TO A HEALTHY ENVIRONMENT

In February, week-long demonstrations in the capital, Oslo marked 500 days of government non-compliance with a Supreme Court verdict declaring wind farm licences on the Fosen peninsula a violation of human rights. In March, the government formally apologized to Indigenous Sami communities that their rights to herd reindeer in the area had been violated by the wind farm turbines, yet the projects remained fully operational. In December, agreement was reached between one wind farm operator and Sami communities in the southern herding district of the peninsula. Mediation continued for other projects.

Ongoing government tax incentives encouraged oil companies to invest NOK 200 billion (almost USD 20 billion) in new production, with 19 new oil and gas field

licences approved in June, notwithstanding an emissions reduction target of 55% by 2030.

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1. [Norway: Submission to the UN Committee on the Elimination of Discrimination against Women: 84th Session, 6 – 24 Feb 2023, 9 January](#)

# OMAN

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## Sultanate of Oman

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**Prosecutions related to freedoms of expression, and religion and belief continued, and summons and detention of government critics remained frequent. Oman took no concrete steps towards protecting women and girls from gender-based violence or ending gender-based discrimination. A new labour law improved some workers' rights, but labour protections for migrant workers remained weak.**

## BACKGROUND

On 21 March, Oman acceded to the Arab Charter on Human Rights.

## FREEDOM OF EXPRESSION

Authorities cracked down on individuals critical of government actions and policies, including those related to corruption and the failure to address the rising cost of living.

On 9 and 16 August, security forces summoned, respectively, businessman Hani al-Sarhani and religious cleric Masoud al-Maqbali for interrogation about their online criticism of state corruption. Masoud Al-Maqbali was released on 24 August; the Muscat Primary Court sentenced Hani al-Sarhani to two years' imprisonment under the Law on Combating Information Technology Crimes. He was released on bail after paying a fine of OMR 600 (USD 1,550) and appealed the sentence.

On 30 September, the Internal Security Service summoned and subsequently detained without charge activist Talal al-Salmani after he appeared in a video calling on the government to provide a better

standard of living, including improved access to electricity. His whereabouts remained unknown at the end of the year.

Oman made no steps to amend articles of its penal code that infringe upon the rights to freedom of expression and peaceful assembly, specifically Article 269, which criminalizes actions deemed by the authorities as hostile to Islam or denigrating of Islamic values; and Article 115, which criminalizes broadcasting and publishing material that would “undermine the stature of the state” or weaken confidence in the economy.

## **FREEDOM OF RELIGION AND BELIEF**

On 21 August, Omani human rights groups reported that an appeals court retried four people in a case known as “Ghaith spaces” – a space on Twitter (now known as X) devoted to intellectual discussions. All four were arrested in 2021 on charges of using the internet and information technology to provide material that “would prejudice religious values and public order” arising from their participation in online discussions on freedom of thought, religion and atheism. In June 2022, a first instance court sentenced Maryam al-Nuaimi and Ali al-Ghafri to three and five years’ imprisonment, respectively; acquitted Ghaith al-Shibli; and referred the case against Abdullah Hassan to the Specialized Court for review. Maryam al-Nuaimi was released on 20 April 2023 under an amnesty. Ali al-Ghafri remained in prison.

## **WOMEN’S AND GIRLS’ RIGHTS**

Civil society actors lamented the continued prevalence of the practice of female genital mutilation (FGM), despite its criminalization in 2019. In response to concerns about FGM raised by the UN Committee on the Rights of the Child, Omani authorities stated only that a database dealing with the issue had been established.

Civil society organizations renewed their calls for the adoption of laws that criminalize domestic violence and provide effective access to protection and justice for survivors.

Oman failed to take steps to end discrimination against women despite civil society’s increased demands for equal rights for women, including with respect to marriage, divorce, inheritance, nationality and child custody, as well as restrictions on movement and the type of work allowed. Abortion continued to be criminalized.

## **MIGRANTS’ RIGHTS**

On 25 July, a new labour law came into effect for private sector workers, of whom 80% are migrant workers. The law introduced positive changes, including lowering the maximum working week from 45 to 40 hours, increasing paid sick leave and allowing employees to leave an employer if the latter fails to pay wages for two consecutive months. However, the new law fails to safeguard against discrimination and workplace harassment, including sexual harassment. It continues to exclude domestic workers, who remain governed by a 2004 ministerial decree that falls significantly short of the guarantees offered to other workers in the new labour law.

## **RIGHT TO A HEALTHY ENVIRONMENT**

In May, Oman’s transport, communication and information technology ministry launched a programme to reduce carbon emissions from these sectors, under phase one of the national strategy to tackle climate change that focuses on carbon neutrality goals for 2030, 2040 and 2050. However, Oman continued to rely on and produce fossil fuels, including from a new diesel production refinery that exported its first shipment in September, and did not commit to phasing them out.

# **PAKISTAN**

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## **Islamic Republic of Pakistan**

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**Political volatility increased and authorities continued their assault on dissenting voices, political opposition and people critical of the government and the military**

**establishment. Human rights violations such as enforced disappearances, arbitrary arrests and detentions, excessive restrictions on protests and violence against religious minorities continued unabated with little or no justice for victims.**

**Transgender people faced an onslaught of violence, harassment and discrimination following a vicious disinformation campaign and the targeting of legislation that protects their rights. Pakistan battled increased incidents of extreme weather and natural disasters due to climate change.**

## **BACKGROUND**

The deepening economic crisis was marked by skyrocketing inflation which reached 29.66% in December, according to the Pakistan Bureau of Statistics. Hikes to cost of living and fuel prices severely impacted the population amid rising political tensions.

On 14 August, caretaker Prime Minister Anwar ul Haq Kakar took over ahead of general elections that constitutionally are to be held within 90 days of a caretaker government being appointed. However, the Election Commission of Pakistan sought a longer timeline to update the delimitation of constituencies, according to new census results. In November, after intervention by the Supreme Court, the election date was set for 8 February 2024.

## **FREEDOM OF PEACEFUL ASSEMBLY**

Hours before the start of the annual march by Aurat March, the country's largest women's movement, on 8 March, International Women's Day, and a rally by the opposition political party Pakistan Tehreek-e-Insaf (PTI), the Punjab Home Department issued a notification banning "all kinds of protests, demonstrations and sit-ins" for the following seven days in Lahore district. The blanket ban was deemed unlawful since the authorities failed to adequately demonstrate its necessity, using vague reasoning such as the "overall security situation".<sup>1</sup>

The prohibition on protests was imposed under section 144 of the Code of Criminal Procedure (a colonial-era law from 1898),

which has been used excessively by district administrations to restrict gatherings. The Lahore district administration had refused permission for the Aurat March in Lahore several days earlier on 3 March, citing "controversial cards and banners for awareness of women's rights" among the justifications. The decision was successfully appealed at the Lahore High Court and permission was granted before the blanket ban was reimposed on the morning of the march.

On 8 March, peaceful protesters at the Aurat March in the capital, Islamabad, were violently dispersed by police, and barbed wire and containers were used to block the protest site. Women and *khawajasira* (transgender) people were injured during the heavy-handed response. One person was killed at the PTI rally.

Former Prime Minister Imran Khan was arrested on 9 May in connection with corruption charges. On the same day, his supporters came out in large numbers nationwide to protest his arrest. Some groups forcibly entered the military headquarters in the city of Rawalpindi and others set fire to a military commander's official residence in Lahore. While there were pockets of violence from protesters, they were met with unlawful use of force by military and police. According to media reports, at least eight people were killed and hundreds injured.

In December, police baton-charged, employed tear gas and water cannons and arrested over 200 peaceful protesters of the Baloch Long March, including many women, children and elderly people, in Islamabad. The protesters were subsequently released.

## **ARBITRARY ARRESTS AND DETENTIONS**

Authorities used the Maintenance of Public Order Ordinance and the vaguely-worded Anti-Terrorism Act to crack down on political opposition. In May, authorities conducted mass arrests and arbitrary detentions of over 4,000 people, including political leaders, alleged to have committed crimes during the 9 May protests. Authorities stated they had

used geo-fencing, social media surveillance and CCTV to identify alleged perpetrators.

A total of 103 civilians charged in connection with the 9 May protests were sent to trial by military courts in contravention of their right to a fair trial and obligations under the ICCPR. Although cases challenging the constitutionality of military courts were pending at the Supreme Court, the trials continued. The National Commission for Human Rights (NCHR) found failures in arrest proceedings and prison standards. As of 9 June, 295 cases were registered in Punjab, the province with the most arrests; 52 were under the Anti-Terrorism Act, 1997. Many protesters, including prominent PTI supporter Khadija Shah who was detained for over seven months, faced re-arrests despite being granted bail. Many PTI leaders were reportedly forced to resign from the party.

Human rights lawyer Jibran Nasir was briefly abducted on 1 June. On 20 August, lawyer and human rights defender Imaan Mazari, as well as Ali Wazir, a leader of the Pashtun Tahafuz Movement (PTM), and other PTM activists, were arrested on allegations of sedition, damaging public property and obstructing government officials. Their arrests came after their participation in the PTM *jalsa*, or public rally, in Islamabad on 18 August, and were in violation of their right to freedom of assembly, association and expression. Imaan Mazari's arrest was carried out in a manner that contravened due process. Imaan Mazari and Ali Wazir were released on bail on 28 August but were promptly re-arrested the same day on terrorism charges. Both were released on bail the following month. Ali Wazir was re-arrested on 14 November over allegations related to making speeches against state institutions, and then was released after eight days. PTM leader Manzoor Pashteen was arrested on 4 December after speaking at a sit-in against passport and visa requirements at the Pakistan-Afghanistan border in Chaman, Balochistan. He remained in custody at the end of the year.

## **FREEDOM OF EXPRESSION**

On 4 February, the Pakistan Telecommunication Authority (PTA) blocked Wikipedia due to the platform's refusal to take down "sacrilegious content". The ban was lifted two days later.

On 5 March, the Pakistan Electronic Media Regulatory Authority (PEMRA) placed a blanket ban on the broadcast of speeches by Imran Khan and suspended the transmission of ARY TV, a private news network. PEMRA accused Imran Khan of attacking state institutions and promoting hatred. From 9 May, following Imran Khan's arrest, the PTA imposed an "indefinite" ban on mobile internet and blocked major social media platforms, including YouTube, Twitter and Facebook. Although the authorities claimed to have restored mobile internet on 12 May, people continued to experience difficulties in accessing social media sites. In December, social media access was blocked for hours across the country during the PTI's "virtual" rally.

Prior to the caretaker government being appointed in August, Parliament passed at least six laws and amendments that sought to restrict freedom of expression and civic space, including the space for parliamentary debate and dissent.

On 15 August, President Arif Alvi signed into law the vaguely-worded PEMRA (Amendment) Bill 2023. The NCHR and media expressed concerns that it could be used to further restrict the right to freedom of expression.

## **WOMEN'S AND GIRLS' RIGHTS**

Violence against women and girls continued to be endemic, with access to justice remaining out of reach for many. Despite the government's pledge during its fourth UPR review to enact the Domestic Violence (Prevention and Protection) Bill 2021, it had yet to make any concrete efforts to do so.

On 16 August, a murder case was filed in Hyderabad following the death of a nine-year-old girl employed as a domestic worker. Videos of the girl at her employers' house bearing signs of physical abuse were made

public and the postmortem report showed that she had been raped and assaulted. In July, a 15-year-old girl employed as a domestic worker was hospitalized with signs of physical abuse, neglect and malnutrition. In November a woman died in a so-called “honour” killing in Kohistan on the orders of a *jirga* (tribal council).<sup>2</sup>

## ENFORCED DISAPPEARANCES

As in previous years, enforced disappearances of journalists, human rights defenders and critics of the government and military establishment were carried out by authorities with impunity. Families continued to publicly campaign for truth and justice for their missing loved ones.

A spate of disappearances of government critics followed the violent protests of 9 May. They included YouTuber Imran Riaz Khan, who disappeared on 11 May,<sup>3</sup> and political leaders such as Usman Dar. Both men reappeared after four months and one month respectively without being charged. No one was held accountable for their or others' disappearances.

Throughout the year there were many reports of disappearances in the province of Balochistan and of Baloch students in other parts of the country. Two Baloch students, Salim Baloch and Ikram Naeem, disappeared on 4 July and prominent Baloch journalist Abid Mir disappeared on 8 March. Ikram Naeem and Abid Mir were released three and five days after their disappearance respectively, and Salim Baloch was released after more than a month. The safety and whereabouts of many other Baloch people, including students, remained unknown at the end of the year. There were also reports of extrajudicial killings, including that of Balach Mola Bakhsh by the Counterterrorism Department in November.

## RIGHT TO A HEALTHY ENVIRONMENT

Climate change continued to take an immense toll on Pakistan, despite historically its small contribution to greenhouse gas emissions.<sup>4</sup> The country had seen some of the highest temperatures in the world in

recent years and the WHO predicted that heatwaves would intensify and increase in frequency.

Research by Amnesty International found that climate-induced heatwaves affected the health of people in the cities of Jacobabad and Lahore in ways that included heatstroke, fatigue, breathing difficulties and fever. Those living in poverty or working in the informal sector with limited or no access to coping measures were particularly affected. Robust social protections were not included in heatwave and disaster management plans, and many people were not in a position to follow public health advice such as reducing working hours and keeping homes cool.

According to a report by the Swiss air quality technology company IQAir, Lahore consistently was ranked as one of the most air polluted cities in the world, impacting people's rights to life, health and healthy environment.

## LGBTI PEOPLE'S RIGHTS

Transgender (*khawajasara*) and gender diverse people were subjected to increased incidents of violence, harassment, intimidation and murder.<sup>5</sup> Political and Islamist groups led a dangerous disinformation campaign against the Protection of Transgender Persons (Protection of Rights) Act 2018, which provides legal recognition to transgender people based on self-determination and protects them from discrimination based on their real or perceived gender identity. In April, the Senate Standing Committee on Human Rights confirmed the proposal of a new Bill to repeal and replace the Transgender Persons Act 2018 to “attain consistency with the injunctions of Islam”. The proposed Bill removes the provision that allows for self-identification without undergoing a medical examination, replaces the word “transgender” with “intersex”, and criminalizes the provision of gender-affirming healthcare.

The Federal Shariat Court later set aside some provisions of the Act relating to gender identity, the right to self-perceived gender

identity and the right of inheritance for transgender people, stating that the provisions were “un-Islamic”. This verdict was challenged before the Supreme Court.

## REFUGEES’ AND MIGRANTS’ RIGHTS

Many Afghan nationals fled to Pakistan following the Taliban takeover of Afghanistan in 2021. Afghan refugees in Pakistan were subsequently subjected to waves of arbitrary arrests, detentions and harassment by authorities, including the threat of deportation.<sup>6</sup> In October the government announced a crackdown on “illegal immigrants” and imposed a 30-day deadline to leave the country. From September until the end of the year, more than 490,891 Afghan refugees across Pakistan were deported. Harassment, discrimination, arrests and arbitrary detention of refugees across the country intensified following the announcement of the deadline. Detainees held in detention centres set up across the country were denied legal safeguards, access to legal counsel or communications with family members.

## FREEDOM OF RELIGION AND BELIEF

Religious minorities continued to be subjected to violence and harassment. Vague and draconian blasphemy laws were routinely used to target minorities and allowed extremist groups to operate with impunity.

A man in Nankana Sahib accused of desecrating the Qur’an was dragged out of a police station by a vigilante mob in February and beaten to death. On 7 August a teacher accused of blasphemy in Turbat was shot and killed. On 16 August, after blasphemy allegations were made against two Christian residents of Jaranwala, a city in the district of Faisalabad, vigilante mobs attacked at least 24 church buildings and at least 80 Christian houses. Media reports stated that over 100 people were arrested in connection with the violence and 21 First Information Reports to initiate legal processes had been filed; police claimed trials will start in early 2024. Ahmadi places of worship and grave sites continued to be desecrated with no accountability or

justice. On 19 January and 2 February two Ahmadi mosques in the Martin Quarters area of Karachi were attacked by groups of men. On 25 July, an Ahmadi mosque in the Shah Faisal Colony of Karachi was attacked and anti-Ahmadi graffiti was sprayed on the premises. Similarly in August, a media report stated that eight Ahmadi Muslims were arrested for allegedly “preaching their beliefs” in Lahore. The NCHR reported at least 34 incidents where religious sites of Ahmadi Muslims were attacked between January and September. A community spokesperson told the media that over a span of two weeks in September, 74 Ahmadi graves were vandalized in the city of Daska, Punjab province. In several areas of Punjab, Ahmadi Muslims were prevented from carrying out the ritual animal sacrifice on Eid ul Adha, a religiously significant day for Muslims.

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1. “Pakistan: Blanket ban on protests in Lahore must be lifted immediately”, 8 March
  2. “Pakistan: Authorities must end impunity of tribal councils as so-called ‘honour killings’ continue unabated”, 30 November
  3. “Pakistan: YouTuber and TV anchor forcibly disappeared: Imran Riaz Khan” 23 June
  4. “Pakistan: A burning emergency - extreme heat and the right to health”, 4 June
  5. “Pakistan: Reject proposed rollbacks on the proposed Transgender Persons Act”, 17 May
  6. “Pakistan: Government must not deport Afghan Refugees” 4 October

# PALESTINE (STATE OF)

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## State of Palestine

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**On 10-13 May, Palestinian armed groups fired hundreds of indiscriminate rockets towards Israel. On 7 October, fighters affiliated with the armed wing of Hamas and other Palestinian armed groups entered southern Israel and killed at least 1,000 people, most of them civilians, including 36 children; took some 245 hostages and**



**captives. Around 12,000 rockets were fired from October towards Israel, killing 15 people there. During the year, Palestinian authorities in the West Bank and the Gaza Strip repressed the rights to freedom of expression, association and assembly. Torture and other ill-treatment were reported in Palestinian detention centres. Members of Palestinian armed groups summarily killed several suspected “collaborators”. In Gaza, death sentences were passed and executions were carried out.**

## **BACKGROUND**

Palestinians throughout the Occupied Palestinian Territories (OPT) and in Israel, as well as Palestinian refugees, continued to suffer the impacts of Israel's system of apartheid.

Less than 40% of the occupied West Bank continued to be administered by Fatah, a nationalist Palestinian party, while the occupied and besieged Gaza Strip was administered by Hamas, a nationalist Islamist party, in the absence of national elections since 2006. In July, leaders of the rival Palestinian factions met in Egypt for a “reconciliation committee”, with no outcomes.

The poverty rate among Palestinians reached 25%, according to the World Bank, affecting particularly Gaza, where, before October, 73% of residents already depended on humanitarian aid. In January, Israel withheld the transfer of taxes collected by Israeli authorities on behalf of Palestinian authorities. The resulting funding deficit exacerbated poverty, with public sector employees receiving reduced wages and businesses constrained by Israeli restrictions. The transfer of tax revenues to the authorities in the West Bank partly resumed in November.

Gaza's economy and infrastructure collapsed in October under the destruction wrought by Israel's military operation combined with the tightening of Israel's 16-year illegal blockade. After the first month of conflict, the UN Development Programme

found that 96% of people in Gaza needed basic support for survival. The effects of the conflict also negatively impacted the economy in the West Bank. In Gaza, Israeli forces killed 21,600 Palestinians, according to Gaza's Ministry of Health (see Israel and the OPT entry), while in the West Bank, they killed 493 Palestinians, making 2023 the deadliest year since at least 1967.

In October and November, Qatar and other intermediaries negotiated the release by Hamas of 109 hostages and by Israel of 240 Palestinians from Israeli detention.

## **VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW**

### **ABUSES BY ARMED GROUPS BASED IN GAZA**

In May, Al-Quds Brigades, affiliated with Palestinian Islamic Jihad, and smaller armed groups, fired hundreds of indiscriminate rockets towards Israeli towns, killing two civilians in Israel and three Palestinian civilians in Gaza, including two children. Israeli forces had killed Palestinian fighters as well as 10 civilians in Gaza on 9 May (see Israel and the OPT entry).

On 7 October, Hamas fighters and members of other Palestinian armed groups, and armed individuals, entered southern Israel and attacked military and civilian areas. Video evidence showed fighters deliberately shooting at civilians and taking civilians as hostage. According to Israeli official records, at least 1,000 people were killed, the majority civilians. One of the sites attacked was the Nova music festival in Re'im in south-west Israel, where 364 people were killed, according to the Israeli police.<sup>1</sup> Among those killed were Palestinian workers from Gaza and migrant workers from south-east Asia.

### **HOSTAGE-TAKING**

On 7 October, Palestinian armed groups took some 245 hostages and captives, including children and older people. Hostage-taking is a war crime under international law.

Palestinian fighters abducted two-year-old Aviv Asher and her four-year-old sister Raz from kibbutz Nir Oz on 7 October and held them hostage until 24 November. Hamas released four hostages on 20 and 23

October, in coordination with the ICRC. Between 24 and 30 November, Hamas released 105 more hostages, some of whom reported ill-treatment. The ICRC was denied access to those held.

#### **OTHER UNLAWFUL ATTACKS**

Some 12,000 indiscriminate rockets fired in the 12 weeks from October killed 15 people in Israel, according to Israeli authorities, and damaged buildings in Israel and Palestine. A rocket fired from Gaza on 7 October killed five children aged between 11 and 14 in the Bedouin village of Kuhleh in the Negev/Naqab in southern Israel. Some 120,000 Israelis were displaced from their homes in southern Israel due to Palestinian armed groups' attacks.

### **FREEDOM OF EXPRESSION AND ASSEMBLY**

According to the Palestinian Centre for Development and Media Freedoms (MADA), assaults against journalists increased, especially when they covered events that were critical of the authorities. Palestinian police generally dispersed independent protests quickly, using excessive force.

#### **WEST BANK**

Palestinian security officers routinely harassed protest organizers and dissidents with threatening phone calls and visits. On 18 June, Palestinian Preventive Security forces beat Abdel Majid Hassan, head of Birzeit University student council. They then detained him and fellow student Yahya Farah in Ramallah for a month. The students' families reported that they were tortured.

In October, Palestinian police used force to disperse demonstrations in solidarity with people in Gaza, in apparent coordination with Israeli military officials. On 17 October, after al-Ahli hospital in Gaza City was hit, protesters in Ramallah, the West Bank's administrative centre, gathered to protest the inaction of Palestine's President Mahmoud Abbas. They were dispersed with stun grenades and tear gas.

#### **GAZA STRIP**

On 30 July and 4 August, thousands of demonstrators in Gaza City and Khan Yunis

demanding that the Hamas administration supply fuel and electricity reliably and stop requisitioning welfare payments from families in poverty. The demonstrators were violently dispersed; dozens were arrested. Plain-clothes officers assaulted a journalist covering the protest on 30 July in Gaza City, according to MADA. In Khan Yunis, police destroyed the phones of protesters who had filmed the events, according to journalists at the scene.

### **FREEDOM OF ASSOCIATION**

#### **WEST BANK**

Presidential decrees appointed favoured officials throughout governmental and judicial institutions in the West Bank, undermining the independence of the judiciary.

On 5 June, officers interrogated the directors of Aman, a coalition of civil society organizations working for governmental accountability. The directors were accused of "defamation of high officials" after the publication of their annual report on 17 May.

#### **GAZA STRIP**

In January, Palestinian police officers disrupted workshops for journalists and students organized by a women's group in Gaza City. Police interrogated staff about violating rules on gender segregation, and forced them to sign morality "pledges", according to testimonies given to the UN commission of inquiry.

### **ARBITRARY DETENTION**

According to the Independent Commission for Human Rights (ICHR), which acts as the Palestinian national human rights institution, 235 Palestinians were arbitrarily detained in the West Bank and 61 in Gaza, where no data is available from October.

In the West Bank, Palestinian legal services organization Lawyers for Justice reported that in June and July, at least 20 journalists, political activists and lawyers were arbitrarily arrested on charges of defaming the Palestinian authorities, inciting ethnic strife, and slandering the president.

Legal proceedings in relation to the 2021 death in custody in the West Bank of

dissident Nizar Banat stalled amid bureaucratic delays and intimidation of witnesses.<sup>2</sup>

## **TORTURE AND OTHER ILL-TREATMENT**

ICHR received 94 complaints of torture and other ill-treatment in Palestinian detention in the West Bank and 86 in Gaza.

In Hebron in the West Bank, Palestinian forces arbitrarily detained 22 Palestinians on 23 May and tortured all of them, according to Lawyers for Justice. Consequently, five had to be hospitalized, their families said.

## **UNLAWFUL KILLINGS**

On 8 April, members of a Palestinian armed group in Nablus city in the northern West Bank killed a man they suspected of working for Israeli surveillance, the first killing of an alleged “collaborator” in nearly 20 years. On 24 November, members of an armed group in Tulkarem refugee camp west of Nablus publicly killed two Palestinian men who they claimed were “collaborators”. Palestinian police made no arrests in either case.

In Gaza, armed men affiliated with Hamas rounded up approximately a dozen men on 21 November, alleging that they worked for Israeli forces, and summarily killed them.

## **DEATH PENALTY**

The Palestinian authorities in Gaza imposed new death sentences, according to Palestinian human rights organization Al Mezan. Executions of prisoners on death row for “collaboration with the enemy” were carried out on 7 October.

## **WOMEN’S AND GIRLS’ RIGHTS**

Women still did not have equal rights to men in personal status law, which continued to be subject to religious law. According to the Palestinian Central Bureau of Statistics, 59% of married women and girls experienced violence at the hands of their partner, and the Women’s Centre for Legal Aid and Counselling expected the numbers for 2023 to rise due to conflict and deprivation. Less than 2% of survivors complained to the police, and of those cases, 40% were

investigated, according to the Palestinian Initiative for the Promotion of Global Dialogue and Democracy.

Sisters Wissam and Fatimah al-Tawil were arrested without explanation on 5 January from a safe house where they had escaped their father’s abuse. Hamas security services handed them over to their paternal uncle, who drove them to their father’s home in Rafah in the south of Gaza. They were subsequently not heard from directly, as their father held them captive.<sup>3</sup>

On 25 September, Palestinian police together with UN agencies opened an office for investigating and prosecuting domestic violence in Hebron, after a similar office opened in Nablus.

## **LGBTI PEOPLE’S RIGHTS**

Consensual same-sex sexual conduct continued to be banned in Gaza on the basis of a 1936 British Mandate ordinance.

In September, after the UN Relief and Works Agency (UNRWA) published guidance to staff regarding treating all genders and LGBTI people equally, the Hamas authorities condemned the guidance for promoting “deviance and moral decay”.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Palestinian authorities in the West Bank failed to meet their goal of recycling 30% of domestic solid waste, which was generated at the high rate of 1kg per capita daily, according to the Palestinian Central Bureau of Statistics. Less than 10% of plastic was recycled, and a third of solid waste polluted the environment in unregulated dumps, according to Heinrich Böll Stiftung, a political foundation affiliated with the German Green Party.

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1. “Israel: Palestinian armed groups must be held accountable for deliberate civilian killings, abductions and indiscriminate attacks”, 12 October
  2. “Palestine: Justice remains elusive two years after the killing of Nizar Banat”, 24 June
  3. “Palestine: Grave fears for Gaza sisters returned to abusive father by Palestinian security services”, 11 January

# PAPUA NEW GUINEA

## Independent State of Papua New Guinea

**The government introduced a draft media policy that would give it additional powers to regulate and control journalists and media outlets. Law enforcement measures proved ineffective in curbing inter-ethnic violence in which at least 150 people were killed and thousands displaced. Access to adequate healthcare remained severely restricted. A licence was issued to reopen a gold mining operation previously associated with serious human rights abuses and environmental damage, despite these not being adequately addressed by the company involved.**

### BACKGROUND

The Autonomous Region of Bougainville continued to push for the implementation of the 2019 referendum on independence but was hindered by discussions on the reopening of the Panguna copper mine which would represent the main source of income for an independent Bougainville. Foreign affairs minister Justin Tkatchenko resigned in May in the wake of protests against alleged racist remarks that he made against critics of the lavish expenditure by the minister and members of his family when attending the coronation of King Charles III in the UK.

### FREEDOM OF EXPRESSION

On 12 February, the government published a draft National Media Policy that included proposals to regulate journalists, media outlets and the currently independent PNG Media Council (PNGMC). An initial public consultation period of just 12 days was extended after the PNGMC called for more inclusive consultations on a law that would increase government control of the media and undermine press freedom. Legislation to

give effect to these controversial policies had not been adopted by year's end.

In June, the government issued a policy directive banning media outlets from accessing parts of Parliament House, adding to measures introduced in 2022 restricting media access to government officials.

### RIGHT TO LIFE

Long-standing patterns of inter-ethnic violence that had intensified around national elections in 2022 escalated further in the highland provinces of Enga, Hela and Southern Highlands. In July, the Enga provincial government imposed a temporary night-time curfew in an attempt to curb violence. However, the violence resulted in widespread displacement and more than 150 deaths were reported in August in Enga. The national police commissioner issued a directive in August authorizing the use of lethal force against any person carrying firearms, bush knives and other weapons in the affected provinces.

### RIGHT TO HEALTH

Much of Papua New Guinea's population continued to be denied the right to adequate healthcare due to the chronically under-resourced health system. It was projected that in 2023 only an estimated 72% of people living with HIV would receive antiretroviral medication, and more than half of the at-risk population, including sex workers, men who have sex with men and transgender people, would not be reached by HIV prevention programmes.

### RIGHT TO A HEALTHY ENVIRONMENT

In March, the Canadian mining company Barrick Gold Corporation (Barrick) announced plans and received government permission to reopen the Porgera copper and gold mine in the Enga province of the highlands, where environmental degradation and serious human rights abuses, including rape, sexual assault and forced evictions, took place before its closure in 2020. Impacted Indigenous Peoples and civil society organizations claimed that

compensation provided by Barrick was inadequate and that the company had failed to address environmental contamination resulting from previous mining operations at the site.

In April, the finance manager and another staff member of the Climate Change and Development Authority, responsible for coordinating national climate change policies and action, were charged with corruption and misappropriation of the equivalent of around USD 1.3 million of funds intended for climate change mitigation projects.

An investigation by an Australian media outlet uncovered illegal logging in a protected forest in New Ireland province by a company that was promoting a “carbon credit” scheme. Commercial logging in the area was allegedly authorized by corrupt government officials.

## PARAGUAY

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### Republic of Paraguay

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**The Inter-American Court of Human Rights condemned the state’s use of torture. There were reports of illegal use of force, arbitrary detentions, and criminalization of social protest after the general elections.**

**Indigenous and peasant communities were affected by forced evictions and exposure to toxic substances. The judiciary rejected the name recognition claims of six transgender people. Sexual abuse of children and adolescents and forced pregnancies of girls remained a great concern, as did violence against women.**

### BACKGROUND

Paraguay and Brazil began revising the Itaipu Treaty, 50 years after it was signed. Negotiations concerning the sale of energy produced by hydroelectric installations on the Paraná River did not include participatory mechanisms.

In April, the Inter-American Court of Human Rights ruled that the state had complied with its judgment in the case of *Ríos Avalos and*

*Others v. Paraguay*, concerning violations of judicial independence following the removal from office of two Supreme Court Justices in 2003.

### FREEDOM OF EXPRESSION AND ASSEMBLY

Restrictions on freedom of expression and assembly persisted. The National Mechanism for the Prevention of Torture reported arbitrary detentions, unlawful use of force, and torture against demonstrators participating in post-election protests in May. In June, a 22-year-old protester, Rigoberto Luis Duarte Ríos, died after being shot in the head.

In February, Alexander Álvarez Ramírez, producer and host of a radio programme in the city of Pedro Juan Caballero, was murdered. His death was considered to be related to his work as a broadcaster, but no information had been released about the investigation by the end of the year.

### TORTURE AND OTHER ILL-TREATMENT

Impunity for torture and other ill-treatment persisted. In May, the Inter-American Court of Human Rights condemned the state for the arbitrary detention and torture suffered by Jorge Luis López Sosa in 2000. The court ordered financial compensation and the implementation of a training programme on the prohibition, prevention and investigation of torture.

Miguel Ángel Correa, a victim of arbitrary detention and torture in the context of the Curuguay massacre – a forced eviction in 2012 that ended in a shootout leaving 17 dead, including six policemen – submitted a communication to the UN Committee against Torture, denouncing the Paraguayan state for the inaction of the Public Prosecutor’s Office in charging the alleged perpetrators.

The Public Prosecutor’s Office reported no progress in identifying those responsible for the torture and other ill-treatment of 35 people at the Ciudad del Este naval base in 2020.

## **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

There were persistent complaints and legal actions by patients, particularly oncology patients, due to insufficient resources in the public health system.

Despite having been created by law, there was no progress in the constitution of a commission to analyse legal means for the restitution of more than 8 million hectares of land destined for agrarian reform and illegally awarded during the military regime to its supporters. The reform would grant thousands of people the right to an adequate standard of living, including adequate food.

Forced evictions of peasant and Indigenous communities continued. The Paraguayan Human Rights Coordinating Committee reported that the 15 de Enero Avá Guaraní Indigenous community, located in the department of Caaguazú, had been evicted leaving 20 families, including 41 young children, homeless and living on the roadside and vulnerable to other human rights violations.

In June, a law was passed allowing the transfer of Marina Kue lands to their peasant occupants who had been claiming their land titles for decades. Despite the restitution, 11 years after the 2012 Curuguaty massacre, families of victims were still awaiting justice (see above, Torture and other ill-treatment).

## **INDIGENOUS PEOPLES' RIGHTS**

The National Plan for the Rights of Indigenous Peoples continued to lack adequate finance, which hindered its implementation.

The Tekoha Sauce Indigenous community of the Avá Guaraní Paranaense people were still waiting for the restitution of their ancestral territory, which had been seized by hydroelectric power company Itaipú Binacional, violating their rights as Indigenous Peoples. The company appealed a court decision that rejected an eviction order to remove the community from another area of their ancestral land.

In July, non-state armed groups invaded and forcibly settled in Tekoha Guasu Yvy Pyte

territory, which is considered sacred territory of the Pai Tavyterā Indigenous People. Indigenous community leaders had denounced illegal logging and death threats in January.

## **LGBTI PEOPLE'S RIGHTS**

Discrimination and profuse advocacy of hatred against LGBTI people persisted with impunity. The judiciary rejected five lawsuits filed by transgender people demanding legal recognition of their names in accordance with their gender identity. In September, an appeals court overturned the first decision recognizing the change of identity of Mariana Sepúlveda, a transgender woman who sued for such recognition in 2016.

The criminal investigation into the physical aggression suffered in 2019 by LGBTI people during a march in the city of Hernandarias continued without progress. The Supreme Court had not resolved an action of unconstitutionality filed by Amnesty International and the organization Diversxs Alto Paraná in 2019 against the prohibition of the march.

## **CHILDREN'S RIGHTS**

Children's rights continued to be violated. The Ministry of Public Health and Social Welfare registered 8,900 births by adolescent girls aged between 15 and 19 years, of which 593 were Indigenous, and 326 births by younger girls aged 10-14 years, of which 85 were Indigenous.

## **WOMEN'S RIGHTS**

The Ministry of Women registered 45 femicides and 42 attempted femicides in 2023. In some cases, the victims had previously reported their aggressors and judicial protection measures were in place.

Congress discussed a draft law to eliminate the adoption of a gender perspective in public policies, including education.<sup>1</sup>

In September, the Senate approved a bill that declared a social emergency in the face of violence against women, children and adolescents. The bill established a series of measures for education, institutional

communication and the training of public servants, aimed at promoting change in the sociocultural patterns that sustain gender inequality. The measures will remain in force for five years, but the bill did not include budget allocations to finance them.

## RIGHT TO A HEALTHY ENVIRONMENT

A UN Special Rapporteur noted that peasant communities and Indigenous Peoples faced an alarming level of exposure to toxic substances due to the uncontrolled use of agrochemicals and identified significant barriers in the access to environmental justice.

1. "Paraguay: Senate must reject bill that prohibits education with a gender perspective", 20 September

# PERU

## Republic of Peru

**Security forces responded to protests with excessive use of force, especially in regions with largely Indigenous populations.**

**Reparations for the La Pampilla refinery oil spill had still not happened. Human rights defenders remained at significant risk, and impunity for killings prevailed. Sexual and gender-based violence remained prevalent, including against children and adolescents. Authorities obstructed the right to abortion in cases of child pregnancy. New legislation undermined gender equality. LGBTBI people continued to face violence and discriminatory legislation. Authorities denied Venezuelans the protection they were due. Victims of forced sterilization had still not been granted reparation. Authorities released former president Alberto Fujimori from prison, disregarding a ruling of the Inter-American Court of Human Rights and undermining justice for victims.**

## BACKGROUND

The political and social crisis that began in December 2022 continued into 2023.

Authorities weakened institutions such as the Public Prosecutor's Office, the Constitutional Court, the Ombudsperson's Office and the National Board of Justice, posing threats to human rights.

## FREEDOM OF PEACEFUL ASSEMBLY

Protests that began in December 2022 in response to a change of government continued during January and February. Authorities responded with lethal force and excessive use of less-lethal force. The crackdown resulted in 50 deaths (49 civilians and one police officer), with hundreds of people injured. Security forces' use of unlawful force had a racist bias, particularly targeting Indigenous Peoples. Security forces carried out at least 20 possible extrajudicial executions.<sup>1</sup>

In July, protests resumed during national celebrations for Independence Day. Security forces used tear gas and rubber pellets disproportionately, carried out possible arbitrary arrests, and harassed journalists.

In November, amid investigations that led to her dismissal from office, the Attorney General presented a constitutional complaint against President Dina Boluarte and four former ministers for the deaths of five people in Ayacucho, Cusco, the capital, Lima and Puno, and of injuries to one man in Lima during protests in December and January.<sup>2</sup> The criminal investigation resumed against police officers regarding the deaths of two young men and dozens of injured people who protested on 14 November 2020 in relation to the presidency of Manuel Merino.

The Police Protection Law, which eliminated the principle of proportionality in the use of force, remained active in contravention of international standards.

## RIGHT TO A HEALTHY ENVIRONMENT

Two years after the oil spill from the La Pampilla refinery in Ventanilla district, Callao province, fishermen in the vicinity claimed that formal registration of people affected by the spill was still incomplete. Affected people continued to report that they had not been provided with effective remedies.

Furthermore, the necessary remediation and clean-up had not been carried out.

People affected by environmental contamination in Espinar, Cusco and other regions had still not received specialized health services, despite a court ruling in 2020 obliging the health system to provide such services in Espinar province, and implement a cross-sector intervention plan with an allocated budget in several regions.

## **HUMAN RIGHTS DEFENDERS**

The killings of four human rights defenders were reported: land defender Cristino Melchor Flores in Piura region; Santiago Contoricón, an Indigenous Asháninka human rights leader in Junín region; Quinto Inuma, an Indigenous Kichwa leader in San Martín region who was granted protection measures in 2021; and Benjamín Flores from the Kakataibo Indigenous community. Impunity persisted for most killings of defenders, including for the murder of environmental defender Roberto Pacheco in 2020 in Madre de Dios region.

The Ministry of the Interior continued to lack a protocol for the protection of human rights defenders as part of the Protection Mechanism for Human Rights Defenders.

## **SEXUAL AND GENDER-BASED VIOLENCE**

In 2023, the Ministry of Women and Vulnerable Populations registered 142,182 cases of violence against women, girls and adolescents, a 7% increase on 2022. Of these, 28,991 were cases of sexual violence, of which 50% were against female adolescents aged between 12 and 17 years. Over the same period, the ministry registered 11,944 cases of rape – of which 7,757 (66%) were against children and adolescents – but only 2,922 rape kits were delivered. Also over the same period, 170 femicides were registered (an increase of 16% compared with the same period in 2022), and 258 attempted femicides.

According to the Ministry of Interior, 10,817 women and girls were reported missing, representing 59% of all missing persons. Only 50% of these women and girls had been

found; despite this, a specialized search system with a gender focus had not been implemented.

## **SEXUAL AND REPRODUCTIVE RIGHTS**

In June, the UN Committee on the Rights of the Child ruled that Peru had failed to fulfil its obligations to protect Camila, a 13-year-old Indigenous girl who had been denied an abortion. The ruling binds the Peruvian state to provide abortions in all cases of child pregnancy. Various organizations denounced at least five cases of pregnant girls aged under 15 years who had been denied abortions in Loreto, Cajamarca and Cusco regions. According to the Ministry of Health, in 2023, there were 1,354 births by girls and adolescents aged under 15 years, including four girls aged under 11 years.

## **LGBTI PEOPLE'S RIGHTS**

LGBTI organizations reported that in 2023 there were at least eight murders of transgender women, which could be considered hate crimes. Despite this, there was still no official registry of hate crimes. There still lacked an accessible and transparent administrative process to allow transgender people to obtain an identity document without resorting to judicial processes. Marriage and children of same-sex couples were still not legally recognized.

## **REFUGEES' AND MIGRANTS' RIGHTS**

More than 1.5 million Venezuelans in need of protection living in Peru faced obstacles to seeking asylum. As of July, 98% of asylum applications remained pending. Visas that were available failed to comply with basic conditions, such as protection from forcible return or access to health services.<sup>3</sup> Thousands of Venezuelans were denied the right to work because officials did not recognize their status and corresponding rights. Venezuelan women were especially at risk, and many who had suffered gender-based violence did not attend protection facilities due to fear, mistrust or misinformation.



Stigmatization and xenophobic discourse against Venezuelans were promoted by the authorities and media.

On 10 November – the official deadline for foreign nationals to regularize their migratory status – authorities announced that they would expel everyone lacking a regular migratory status, leaving thousands unprotected, both within and outside the country.

## RIGHT TO TRUTH, JUSTICE AND REPARATION

After 31 years, the remains of Dora Oyague, Marcelino Rosales, Bertila Lozano, Felipe Flores Chipana and Armando Amaro Condor, among 10 people from La Cantuta university who were forcibly disappeared, tortured and killed in 1992, were returned to their families.

For the first time, the Inter-American Court of Human Rights reviewed a case regarding the forced sterilization policy of the 1990s – that of Celia Ramos. In November, the Supreme Court upheld a 2022 ruling ordering reparations to the victims. In December, however, the Criminal Chamber of the Supreme Court annulled the opening of the judicial investigation against former president Alberto Fujimori and other authorities for this policy.

In December, the Constitutional Court ordered the release of Alberto Fujimori, contravening the rights of victims of grave human rights violations for which the former president had been found responsible and disregarding the orders of the Inter-American Court of Human Rights prohibiting his release.

Twenty years after the final report of the Truth and Reconciliation Commission in 2003, many of the recommendations had not been complied with, and 19,000 people remained forcibly disappeared as a result of the internal armed conflict.

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1. Peru: Lethal Racism: Extrajudicial Executions and Unlawful Use of Force by Peru's Security Forces, 25 May
  2. "Peru: Investigations against president and security forces must not put justice for victims at risk", 6 December

3. Americas: Regularization and Protection: International Obligations for the Protection of Venezuelan Nationals, 21 September

# PHILIPPINES

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## Republic of the Philippines

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**Extrajudicial executions including under the “war on drugs” continued. The ICC rejected the government’s appeal to stop the resumption of its investigation into violations in the context of the “war on drugs”. The practice of “red-tagging” human rights defenders and others persisted, and counterterrorism legislation was increasingly used against humanitarian workers. Freedom of expression continued to be restricted. Enforced disappearances of environmental activists and Indigenous persons were reported.**

## EXTRAJUDICIAL EXECUTIONS

Extrajudicial executions in the context of the “war on drugs” that started in 2016 continued into the second year of President Ferdinand Marcos Jr.’s administration, despite his public pronouncements that the campaign against illicit drugs would focus on treatment, rehabilitation and reintegration. According to media monitoring by the university-based research group Dahas, at least 329 people were killed in 2023 by state agents during police-led anti-drug operations or by unknown individuals.

Other unlawful killings took place including the killing by police of two teenage boys, John Francis Ompad and Jemboy Baltazar, in separate incidents in August in Rodriguez town, Rizal province, and Navotas City. Eight suspects, including seven police officers, were charged with their killings. In September in Bangued City, unknown assailants shot dead Saniata Liwliwa Gonzales Alzate, a lawyer who provided free legal services to low-income litigants. Investigations into the killing of Alzate were ongoing at year’s end.

## IMPUNITY

Impunity prevailed in most of the many thousands of documented cases of unlawful killings.

In August, government prosecutors affirmed the Department of Justice's dismissal of a complaint against 17 police officers brought by the wife of labour activist Emmanuel Asuncion. He and eight other activists were killed during police operations in Luzon on 7 March 2021.<sup>1</sup> A petition to review the dismissal remained pending at year's end.

In June, a court sentenced three men to between two and eight years' imprisonment as accessories in the killing of high-profile radio broadcaster Percival Mabasa (known as Percy Lapid) in October 2022.<sup>2</sup> The murder followed his on-air criticism of government officials, including the former director of the Bureau of Corrections, Gerald Bantag, who, despite being charged with Percy Lapid's death, had not been arrested by year's end.

In a rare break from the trend and in only the second known conviction of a police officer for drug-related killings, former police officer Jeffrey Perez was sentenced to up to 40 years' imprisonment in March for killing teenagers Carl Arnaiz and Reynaldo de Guzman in 2017.

In July, the ICC Appeals Chamber rejected the government's appeal against the resumption of the ICC prosecutor's investigations into crimes against humanity, including in the context of the "war on drugs".

## REPRESSION OF DISSENT

Despite pressure from the UN Human Rights Council to end the practice, "red-tagging" (whereby organizations and individuals are publicly linked to banned communist groups) continued through the year. "Red-tagging" made individuals vulnerable to unlawful killing and other serious human rights violations.<sup>3</sup>

On 13 March, the government's National Task Force to End Local Communist Armed Conflict "red-tagged" human rights groups including Karapatan and the Philippine Alliance of Human Rights advocates, as well

as other legal assistance groups supporting a proposed Human Rights Defenders Protection Law.

In September, the Department of Education publicly stated that 16 public high schools in Metro Manila were involved in recruitment activities for the Communist Party of the Philippines and its armed wing, the New People's Army (NPA).<sup>4</sup>

The authorities increasingly used counterterrorism legislation against "red-tagged" groups, including humanitarian organizations. In March, in the first conviction under the Terrorism Financing Prevention and Suppression Act since it was enacted in 2012, a court found a former cashier of Catholic group Rural Missionaries of the Philippines guilty of being an accessory to terrorist financing. Four nuns and 11 other members of the group, whom prosecutors accused of being a conduit for the NPA, faced similar charges. In May, the military filed a complaint against humanitarian group Community Empowerment Resource Network for "financing terrorism" under the same law.

In May, a court in Muntinlupa City acquitted prisoner of conscience and former senator Leila de Lima for conspiring to trade in illicit drugs. In November, she was released on bail while the last of the politically-motivated drug-related cases against her continued.<sup>5</sup>

## FREEDOM OF EXPRESSION

In January and September, the Court of Tax Appeals acquitted prominent journalist and Nobel laureate Maria Ressa and the holding company of her news website Rappler of all five tax evasion charges against them.<sup>6</sup> In December, the Department of Justice dropped a charge alleging that she had violated the law against foreign ownership of media organizations. Appeals against the verdict in a separate cyber-libel case, in which Maria Ressa was sentenced to seven years' imprisonment, and an order to close Rappler remained pending.

In December, a government prosecutor dismissed a complaint alleging violations of environmental laws filed by the police against artist Max Santiago and three others involved

in burning an effigy of the president during a protest in July. Charges against 14 other individuals for organizing the protest without a permit remained pending.

## ENFORCED DISAPPEARANCES

On 5 September, two environmental protection workers, Jhed Tamano and Jonila Castro, disappeared near the capital, Manila. Before releasing them, the military presented the women at a press conference on 19 September, saying that they were being held in a “safe house” after they had sought help from the authorities. However, the women publicly accused the military of abducting them and filed a petition with the Supreme Court requesting protection from the police and other government agencies. The military subsequently filed perjury charges against them, which remained pending at the end of the year.

## INDIGENOUS PEOPLES’ RIGHTS

On 28 April, “red-tagged” Indigenous Peoples’ rights defenders Dexter Capuyan and Gene Roz Jamil de Jesus disappeared in Taytay, Rizal province, after reportedly being forcibly taken by individuals who said they worked for a police agency. In September, the Court of Appeals dismissed a petition filed by their families to compel the authorities to produce Capuyan and de Jesus in court. The Philippine National Police denied any involvement in the case.<sup>7</sup>

In July, the state Anti-Terrorism Council designated four leaders of an Indigenous Peoples’ rights group, the Cordillera Peoples Alliance, as terrorists, enabling the government to investigate their activities and freeze their financial assets.

## LGBTI PEOPLE’S RIGHTS

In May, the House of Representatives’ Committee on Women and Gender Equality approved a bill to protect people from discrimination based on their sexual orientation, gender identity and expression, and sex characteristics. The bill would still need to be approved by both the House of Representatives and the Senate, but in

September the senate majority leader said this was not a priority.

On 7 October, drag performer Pura Luka Vega was released on bail from police custody after being arrested for breaching a law against “indecent or immoral acts” that “offend any race or religion”. Pura Luka Vega had been arrested three days earlier for reciting the Lord’s Prayer dressed in a costume resembling Jesus. If convicted, they face a substantial fine and/or up to 12 years’ imprisonment.

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1. “Philippines: Ensure justice for ‘Bloody Sunday’ killings and other attacks against activists”, 25 January
  2. “Philippines: Ensure thorough, independent and impartial investigation into journalist’s killing”, 1 February
  3. “Philippines: Oral Statement: Item 6 – Consideration of UPR reports”, 27 March
  4. “Philippines: Amnesty encourages VP Sara to lead DepEd into a rights-based and learner-centered path”, 6 September
  5. Granting Leila de Lima bail must lead to dismissal of last bogus charge against her, 13 November.
  6. “Philippines: Nobel laureate Maria Ressa acquitted on politically-motivated tax evasion charges”, 18 January
  7. “Philippines: Indigenous rights activists reported missing: Dexter Capuyan and Gene Roz Jamil “Bazoo” de Jesus”, 16 May

# POLAND

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## Republic of Poland

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**Poland continued to rely on fossil fuels and challenged new EU legislation combating climate change before the Court of Justice of the EU. A Senate commission found that use of the Pegasus spyware had rendered the 2019 parliamentary election unfair. Parliament debated controversial legislation which would prohibit NGOs from providing anti-discrimination education in schools. Access to abortion remained limited. An amendment to the law on domestic violence expanded the offence to cover both cyber and economic violence. Border guards continued to violate the rights of refugees and migrants reaching the country via the Belarusian border. The government continued to target judges and prosecutors**

**who raised concerns over reforms to the judiciary.**

## **BACKGROUND**

Opposition parties won a majority of seats in parliamentary elections in October. The new government announced a number of measures aimed at restoring the rule of law and criminalization of hate crimes.

## **RIGHT TO A HEALTHY ENVIRONMENT**

In July 2022 thousands of fish and other wildlife died after an environmental disaster in the River Oder. By year's end the government had still not taken effective action to restore the river's ecosystem despite ongoing pollution and risks to marine life, health and livelihoods.

Poland continued to rely on fossil fuels including coal and in July challenged the EU's recently adopted climate legislation, including a 2035 ban on new combustion engine cars, in the Court of Justice of the EU.

## **RIGHT TO PRIVACY**

On 6 September, the Senate's Extraordinary Commission for clarification of illegal surveillance reported that the use of Pegasus spyware against opposition figures and government critics was unlawful, and rendered the 2019 parliamentary elections unfair.

## **RIGHT TO EDUCATION**

In August parliament continued debating an amendment to the Law on the Education System, the so-called Lex Czarnek 3.0. The latest iteration, a citizens' proposal, aimed to prohibit NGOs from supporting schools by providing anti-discrimination and sex education not covered by the school curriculum. The change in the law ultimately did not happen.

Concerns remained about access to education for Ukrainian refugee children, given language challenges, among other issues. An estimated 200,000 Ukrainian school children remained outside any educational system.

## **RIGHT TO SOCIAL SECURITY**

In July parliament adopted a law which will increase the amount of child benefit paid under the so-called Family 500+ programme to PLN 800 (EUR 184).

However, Poland had still not accepted any of the UN mechanisms allowing complaints of alleged violations of social, economic and cultural rights to be lodged at the international level.

## **SEXUAL AND REPRODUCTIVE RIGHTS**

Access to abortion remained limited, with pregnant people at risk as hospitals did not provide abortions even in life-threatening situations. At least one woman was said to have died as a consequence of being denied abortion services in May.

In March activist Justyna Wyrzyńska was convicted under draconian and discriminatory laws for providing information to and supporting a pregnant woman experiencing domestic violence who needed a safe abortion. She was sentenced to eight months of community service. The verdict was not final pending an appeal by her lawyers.

Police continued to harass women suspected of having had an abortion. In April a woman from Kraków was strip searched and her electronic devices were confiscated by police officers after she told a doctor whom she had consulted on another matter that she had had an abortion the previous week.

## **GENDER-BASED VIOLENCE**

An amendment to the law on domestic violence entered into force in June. It contained a new definition of the offence to include both cyber and economic violence and broadened the range of potential perpetrators to include ex-partners. The definition of rape in criminal law continued to fall short of that in the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

## FREEDOM OF EXPRESSION

In December the newly appointed minister of culture and national heritage unilaterally dismissed the boards of several public broadcasters. Although public media needed urgent reform, the form of the intervention violated human rights standards with regard to freedom of expression.

## DISCRIMINATION

In December an MP used a fire extinguisher to put out a menorah that had been lit in parliament for the Jewish festival of Hannukah. Although he was suspended from his party, and parliament lifted his immunity, his action met with approval from a section of society.

## REFUGEES' AND MIGRANTS' RIGHTS

Refugees and migrants reaching the country via the Belarusian border continued to face official hostility. Border guards violently forced people back to the border, denying them international protection. Some people who were forced back by Polish border guards were subsequently also mistreated by Belarusian guards and sent back into Białowieża Forest. From the beginning of the crisis in 2021 until the end of 2023 at least 55 migrants and asylum seekers were reported to have died due to lack of medical care, malnutrition and exhaustion.<sup>1</sup>

Thousands of refugees and migrants, including children, who had managed to cross into Poland from Belarus continued to be arbitrarily detained in closed centres for foreigners. Automatic detention with no individual determination led to many court rulings awarding compensation for unlawful detention.

Many Ukrainian refugees were still living in group housing centres, despite their temporary nature, and faced challenges finding rental accommodation. Most refugees were required to pay up to 75% of the cost of group accommodation. While this obligation was supposed to exclude certain groups of people, it still applied to the majority of people who were currently in those centres,

which caused some refugees to return to Ukraine.

A referendum in October asked suggestive and misleading questions, including one which implied that the refugees were “illegal”. The referendum was preceded by a notable increase in anti-immigrant rhetoric by politicians and pro-governmental media. In protest many voters refused to participate, and a final turnout of under 50% meant the results were void.

## UNFAIR TRIALS

The government continued to target judges and prosecutors who raised concerns over reforms to the judiciary. In January parliament granted the Supreme Administrative Court jurisdiction over disciplinary cases regarding judges, despite this contravening the Polish Constitution. It did not resolve issues concerning the independence of judges, who could still be dismissed if they questioned the legality and the decisions of the National Council of the Judiciary (KRS), established to participate in their appointment. The KRS was restructured in order to grant the executive more control over the judiciary and to exercise political control over judicial appointments.

In July, the European Court of Human Rights ruled in *Tuleya v Poland* that the Disciplinary Chamber of the Supreme Court, which had lifted Judge Igor Tuleya's immunity from prosecution and suspended him from judicial duties, was not an independent and impartial court. The measures taken against the judge were found to have violated his rights to a fair trial, to a private life and to freedom of expression.

In July parliament passed an amendment to the Defence of the Homeland Act that prevented a single judge, Piotr Raczkowski, from continuing to serve as a judge. The amendment stipulated that any military judge released from military service must also retire as a judge. At the time of the amendment, Piotr Raczkowski was the only judge who fell into that category. He was well-known for criticizing the government in power at that

time, which had already tried to remove him from office by different means.

A law on investigating Russian influence on internal security – the so-called Lex Tusk – was adopted in April, despite widespread concerns about its negative implications for human rights. These included fears that the law may be used to target and stigmatize opposition politicians, dissidents and others who may be running for political office or who may be critical of the government.<sup>2</sup>

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1. Poland: Amicus Curiae Brief on the Ruling on Providing Assistance at the Polish-Belarusian border, 15 December (Polish only)
  2. "Poland: Law establishing special commission threatens human rights", 28 June

## PORTUGAL

### Republic of Portugal

**Seven police officers accused of torturing migrants received permission to resume their duties. Concerns about low prosecution rates for domestic violence persisted. The number of families without adequate housing was triple that in 2018. Six young people brought a landmark court case against 33 countries for inaction against climate change.**

### TORTURE AND OTHER ILL-TREATMENT

In December, following a visit in 2022, the Council of Europe's Committee for the Prevention of Torture reported that ill-treatment of detainees by police officers is a persistent practice. The report reiterated Portuguese authorities' obligation to ensure effective investigations into these allegations, and the application of fundamental safeguards to address impunity within the police.

In June, Évora's court of appeal acquitted one military police officer and reduced the sentences of four other officers convicted of torturing migrants in the city of Odemira, Beja region. After an initial suspension from their roles, all seven police officers involved in the

case received permission to resume their duties.

According to a report by the Ombudswoman published in April, the average occupancy rate of prisons in December 2022 was 100.8%, with 25 out of 49 prisons overcrowded.

### DISCRIMINATION

#### GENDER-BASED VIOLENCE

In March, the UN Committee on Economic, Social and Cultural Rights (CESCR) expressed concern at the "persistent high level of domestic violence" in Portugal. The committee urged the authorities to address low prosecution rates for suspected perpetrators of domestic violence, as well as insufficient provision of shelters for victims seeking safety.

### MIGRANTS' RIGHTS

In March, the governmental annual report on internal security estimated an increase of 18.2% in the number of people subjected to human trafficking, almost half for labour exploitation. In February, an adult and a child died, and 14 other people were seriously injured, in a fire in an overcrowded house in the Mouraria neighbourhood of the capital, Lisbon; all were migrants.

### FREEDOM OF ASSEMBLY

In February – two years after it emerged that, for over a decade, Lisbon City Council had been passing to foreign embassy officials the personal details of protesters demonstrating in front of embassies – three activists sued the municipality of Lisbon for alleged breaches of their rights. The case was brought one year after the National Data Protection Commission fined Lisbon City Council EUR 1,200,000 for 255 breaches of data law.

### RIGHT TO HOUSING

In October, the government admitted there were 86,000 families with housing needs, triple the number in 2018. Data from the National Statistics Institute in January estimated that 9.2% of people lived in

overcrowded housing, affecting nearly 20% of families who were at risk of poverty. In March, the CESCR expressed concern about persistent housing shortages and a lack of data on access to adequate housing for marginalized groups.

## RIGHT TO A HEALTHY ENVIRONMENT

In January, the UN Special Rapporteur on human rights and the environment urged the government to “improve access to environmental information, strengthen public participation and facilitate access to justice”.

In September, the European Court of Human Rights began hearing a case brought by six young people from Portugal against 33 countries, including their own. Citing problems of extreme heat and wildfires, they argued that governments were breaching their human rights by failing to do enough to cut greenhouse gas emissions and protect them from climate change.

# PUERTO RICO

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## Commonwealth of Puerto Rico

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**The government often used excessive force against protesters. Access to abortion was at risk due to legislative bills introduced during the year. LGBTI people continued to face discrimination and had diminished access to housing. Femicides continued to occur with impunity. Discrimination against Afro-descendants persisted. Higher food and electricity prices put people’s rights at risk.**

## FREEDOM OF EXPRESSION AND ASSEMBLY

The government continued to intimidate protesters and to use excessive force during demonstrations. Violence committed by police officers often went unpunished. At least 17 people protesting displacement and environmental destruction were arrested during demonstrations.

On 29 January, police arrested five women and one man during a protest to demand

compliance with a court order to demolish an illegal construction in a coastal area in the municipality of Aguadilla. In July, five protesters were charged for “obstructing the actions of a public authority”.

On 4 March, police arrested three environmental activists during protests demanding the demolition and removal of debris, already ordered by a court, from an illegal construction site neighbouring a beach in Rincón municipality. The construction project had been the subject of protests since 2021 because of its infringement on public property.

On 6 July, residents of the Island Municipality of Vieques protested against the auction of public land, claiming that it exacerbated the problem of displacement due to high real estate prices. The community organization Colmena Cimarrona stated that the police had physically assaulted some women demonstrators.

## SEXUAL AND REPRODUCTIVE RIGHTS

There were several attempts to pass laws to restrict abortion, following the US Supreme Court’s decision in 2022 to end constitutional recognition of the right to abortion. In March, House Bill 1644, which was ultimately withdrawn, sought to punish women who have an abortion in Puerto Rico with 25 years’ imprisonment. The Senate continued debating Bill 495, introduced in 2021, which would require prior authorization of at least one parent or legal guardian before a person under 18 years of age could access an abortion.

In May, members of the Legislative Assembly requested government intervention regarding four abortion clinics that had allegedly failed to notify the authorities of procedures performed on persons under 15 years of age. Targeted regulations such as these could be used to discredit clinics and hinder access to abortion.

## LGBTI PEOPLE’S RIGHTS

The transgender community continued to face discrimination. In June, the House of Representatives rejected Bill 764, which

sought to limit the participation of transgender athletes in the gender category with which they identify.

Also in June, members of the legislature tried to censor a children's reading activity because of the participation of people in drag and transgender persons. The activity took place after a change of venue. In August, House of Representatives Bill 1821 was introduced to criminalize artistic activities or those aimed at children's or family entertainment that are performed in drag.

The Senate approved Bill 427, which aimed to establish a public policy to prevent discrimination against older LGBTI people accessing housing and those living in care homes. An investigation by the Centre for Investigative Journalism and news outlet *El Nuevo Día* highlighted the discrimination against this group in long-term care centres due to a lack of appropriate training and procedures for dignified treatment.

According to the most recent census in 2020, Puerto Rico was the US jurisdiction with the lowest percentage of LGBTI people (0.5%) or same-sex couples (0.2%) who reported owning a home.

## **WOMEN'S AND GIRLS' RIGHTS**

According to the Gender Equality Observatory of Puerto Rico NGO, at least 72 femicides and suspected femicides were recorded in 2023. In April, the Puerto Rico Institute of Statistics added a section on femicides to its statistical platform and 19 femicides had been recorded by the end of the year.

In June, the House of Representatives approved Bill 1583, which recognized non-lethal strangulation, suffocation, and positional asphyxia of women without lethal intent as forms of gender-based aggravated mistreatment. Such actions were previously criminalized through criminal offences without a gender perspective. At the end of the year, the bill was still pending before the Senate.

In May, the Committee on Women's Affairs of the House of Representatives concluded an investigation which found that the Police Bureau had failed to properly investigate

domestic violence cases involving police officers.

Women and girls continued to be at risk of human trafficking, a crime seldom punished on the island. The government and legislature continued to debate Senate Bill 1237, introduced in June, which proposed the creation of a human trafficking observatory and a strategic plan to combat this crime.

## **DISCRIMINATION**

Racial discrimination continued to be a concern, and anti-Black racism continued to manifest routinely and be normalized. A 2021 law that provided for the collection of statistics on racism and mandated an education campaign to promote anti-racist awareness and recognition of African descent in Puerto Rico had not been fully implemented.

Racist violence escalated and the authorities failed to conduct prompt, independent, impartial and effective investigation of possible discriminatory motives. In August, a court found a man not guilty on charges of disturbing the peace in a case of alleged racist violence. The case involved a dispute between neighbours in which one party had allegedly racially discriminated against and harassed the other party since at least 2019.

## **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

The economic situation and the cost of living impacted on people's enjoyment of their rights. Inflation on food items was 5.1% as of October, according to the Puerto Rico Consumer Price Index.

In June, the US Census Bureau released community resilience estimates for Puerto Rico, using 2019 data. This indicated that 46.1% of Puerto Rico's population had three or more risk factors, such as poverty, disability, employment and age, and would therefore be less resilient to withstand and recover from a disaster.

In February, a new consumer charging model was announced (with a flat rate and a



consumption-based tariff) designed to help pay off the Puerto Rico Electric Power Authority's debt to public and private creditors. The new model caused an increase in the cost of electricity, leading to a number of protests. The island suffered several blackouts during the year.

# QATAR

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## State of Qatar

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**Authorities continued to restrict the right to freedom of expression and silence critical voices. Migrant workers continued to face a range of abuses, including wage theft, forced labour and exploitation, and had inadequate access to grievance and redress mechanisms. Women continued to face discrimination in law and practice. Discriminatory laws put LGBTI people at risk of detention.**

## FREEDOM OF EXPRESSION

The authorities continued to curtail the rights to freedom of expression and peaceful assembly, including by arbitrarily detaining individuals for exercising their human rights.

In 2023, activists received reliable reports confirming that in mid-2022 the Criminal Court of Appeal in the capital, Doha upheld the convictions against brothers Hazza and Rashed al-Marri, both of them lawyers, for offences that included contesting laws ratified by the emir, “threatening” the emir on social media, compromising the independence of the state, organizing unauthorized public meetings, and “violating” social values online. They had been sentenced to life imprisonment. The charges related to speeches they made or poetry published online critical of the country’s electoral law that discriminates against members of al-Marri tribe.

Two activists imprisoned for online posts were released after serving their sentences. One of them, Abdullah al-Mohannadi, was released in August after completing an eight-month sentence imposed for posts and

activism relating to the National Campaign for Travel-Banned Citizens. However, he remained subject to a travel ban.

## MIGRANTS' RIGHTS

Migrant workers continued to face serious abuses, including wage theft, restrictions on changing jobs and inadequate grievance and redress mechanisms.

In early January, hundreds of marshals and security guards contracted to Qatar-based Teyseer Security Services, who had worked excessive hours without rest days on FIFA World Cup 2022 sites, staged protests days before their contracts expired to demand they be paid their dues in full.<sup>1</sup> They told Amnesty International that representatives of Teyseer and the government promised they would be compensated, a pledge that was not honoured.

Qatar’s monthly minimum wage continued to be too low for workers to have an adequate standard of living or free themselves from debt bondage caused by paying illegal recruitment fees, according to the ILO.

The authorities appeared to implement Qatar’s heat stress legislation for outdoor workers in the construction sector, but not in the security sector.

Migrant workers continued to face bureaucratic hurdles when seeking to change jobs without the permission of their employers, even though such permission was no longer a legal requirement.

Live-in domestic workers, most of whom are women, continued to face particularly harsh working conditions and abuses as a result of the government’s ongoing failure to implement measures introduced in 2017 to protect them.

Migrant workers remained banned from joining and forming trade unions, a right afforded to Qatari nationals.

## RIGHT TO TRUTH, JUSTICE AND REPARATION

Migrant workers continued to face barriers in accessing justice and receiving remedy for a range of abuses, including historic ones. The problems included: delays in the legal process for up to a year; language barriers; non-payment of dues when cases were won;

the exclusion of some abuses such as the payment of illegal recruitment fees; and the inability of workers to access justice remotely once they leave the country.

The authorities did not disclose the 2023 figure for the state-run compensation fund for workers, but told Amnesty International that the fund had “increased its payments” without providing any information to support the claim. The fund caps compensation at USD 5,500 per worker, preventing some workers from receiving their full wages.<sup>2</sup>

The authorities continued to fail to investigate effectively the deaths of migrant workers and to hold employers or authorities accountable, precluding any assessment of whether the deaths were work-related and depriving families of the opportunity to receive compensation. Qatar and FIFA, football’s world governing body, failed to ensure long-overdue remedy, including compensation for the vast numbers of workers whose rights were abused for a decade while working on projects related to football’s 2022 World Cup.

## WOMEN’S RIGHTS

Women continued to face discrimination in law and practice. Under the guardianship system, women need the permission of a male guardian – usually their husband, father, brother, grandfather or uncle – to marry, study abroad on government scholarships, work in many government jobs, travel abroad if aged under 25, and access reproductive healthcare.

While family law provides that the husband should “refrain from hurting [his wife] physically or morally”, women remained inadequately protected in law against domestic violence.

## LGBTI PEOPLE’S RIGHTS

Qatari laws discriminate against LGBTI people, and authorities continued to detain individuals solely for their sexual orientation or gender expression.

The penal code criminalizes a range of same-sex consensual sexual acts between adults. Article 296(3) punishes with

imprisonment anyone who “leads or induces or tempts a male, by any means, into committing an act of sodomy or debauchery.” Article 296(4) punishes with imprisonment anyone who “induces or tempts a male or female, by any means, into committing acts contrary to morals or that are unlawful.”

In an interview broadcast in September, the prime minister stated that, “This [referring to a question on LGBTI rights] is something not acceptable in our faith... as long as they are respecting the law in public areas, no one’s safety is in question.”

## RIGHT TO A HEALTHY ENVIRONMENT

Qatar continued to be one of the world’s top five CO2 emitters per capita. It also expanded its production of liquefied natural gas, and in June, signed a 27-year supply agreement with China and European oil companies.

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1. [“Qatar: Hundreds of migrant workers employed as security guards at FIFA World Cup denied justice for abuses”, 15 June](#)
  2. [A Legacy in Jeopardy: Continuing Abuses of Migrant Workers in Qatar One Year After the World Cup, 16 November](#)

# ROMANIA

## Romania

**Roma continued to face systemic segregation and discrimination. Same-sex marriage and partnership remained unrecognized. New legislation risked restricting freedom of peaceful assembly and expression disproportionately. Reported cases of domestic violence increased. Romania failed to take adequate action to decarbonize its economy.**

## BACKGROUND

Numerous protests took place in 2023 concerning, for example, young people’s right to access inclusive education without discrimination or censorship, attempts to restrict the right to protest, women’s rights, teachers’ low salaries, underfunding of education, and the need to tackle the climate emergency by phasing out fossil fuels. No

major incidents were reported during the protests.

Romania's record on implementing judgments by the European Court of Human Rights (ECtHR) remained the poorest in the EU, according to the European Implementation Network and Democracy Reporting International.

## DISCRIMINATION

Police violence against Roma remained prevalent and procedures to investigate it were inadequate. In March, a court upheld a complaint by two Roma men tortured by police in 2021 in the city of Tulcea. In August, the relatives of a young man who died in police custody in the city of Arad filed a criminal complaint against the Romanian police with the support of NGOs. The case remained pending at the end of the year.

In August, a pregnant, deaf Roma woman was treated in a discriminatory and negligent manner after being denied medical care at a hospital in the town of Urziceni due to a lack of appropriate facilities. As a result, she had to give birth on the pavement outside. A criminal complaint was filed against the hospital and a petition alleging multiple discrimination was submitted to the National Council for Combating Discrimination (CNCD). The Ministry of Health condemned the incident and launched an investigation.

In August, the CNCD found that a school in the county of Vâlcea had indirectly discriminated against Roma pupils by creating separate classes based on ethnicity and residence criteria. As a result, the school was fined and given a six-month deadline to remedy the situation.

In September, the Council of Europe criticized Romania's failure to effectively protect Roma from discrimination. It deplored the prevalence of anti-Roma hate speech from politicians. It also noted little tangible progress in overcoming segregation in education and housing or in reducing the gap between Roma and the rest of the population in access to healthcare, clean water and sanitation.

## LGBTI PEOPLE'S RIGHTS

In May, the ECtHR ruled in the case of *Buhuceanu and others v. Romania* that same-sex families needed some form of legal recognition to enable them to access equal rights.

Following the judgment, civil society organizations urged the government to adopt adequate instruments of protection and legal recognition for all families, including LGBTI-parent families. At the end of the year, however, same-sex marriage and partnership remained unrecognized.

## FREEDOM OF EXPRESSION AND ASSEMBLY

In May, parliament adopted a legislative proposal increasing criminal penalties for acts of "outrage" against public officials and "disturbing of public order and peace", among other offences. These criminal offences lacked legal clarity and disproportionately restricted the rights to freedom of expression and peaceful assembly. Around 50 NGOs had raised concerns in an open letter when the proposal was introduced in February. The President promulgated the law in July.

## GENDER-BASED VIOLENCE

Law enforcement agencies registered an increase in reported incidents of domestic violence compared with 2022.

In February, an NGO national study found that respondents increasingly disapproved of violence against women compared with 20 years before. However, one in four accepted that a woman could not go out without her male partner and 23% that he could forbid her choice of friends. Some 19% of respondents found it "not at all or slightly serious" if a woman was raped after agreeing to visit a man's house. Women did not report violent incidents out of fear for themselves or their children, a distrust of the authorities, a lack of alternative accommodation options and feelings of shame.

## RIGHT TO A HEALTHY ENVIRONMENT

According to a Eurostat report in January, Romania continued to rely on fossil fuels, including coal, for 72% of its energy supply. In April, a consultation started on the country's Long-Term Strategy to achieve the decarbonization of the economy by 2050. NGOs criticized shortcomings in the implementation of Romania's commitments to decarbonization. They also denounced projects including deforestation to enable mining works and offshore gas exploitation around the Black Sea coast.

# RUSSIA

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## Russian Federation

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**Russia continued its war of aggression against Ukraine and allowed its forces to commit war crimes with impunity. Meanwhile, the human rights situation at home continued to deteriorate. Freedoms of expression, peaceful assembly and association were further severely restricted. Government critics faced arbitrary prosecution, lengthy prison terms, violent attacks committed with impunity, and other reprisals. Authorities used extensive anti-terrorism and anti-extremism legislation against opposition and religious groups, individual critics and lawyers. Torture and other ill-treatment in detention were widespread and largely went unpunished. Trials were unfair, especially in political cases and those involving Ukrainian prisoners of war. New transphobic legislation was adopted, and the so-called "LGBT movement" was designated as "extremist". Russia refused to cooperate with international human rights institutions and, after the ICC issued an arrest warrant for President Vladimir Putin, criminalized assistance to it. Authorities failed to prevent antisemitic and anti-refugee violence. Measures to tackle the climate crisis were insufficient and major environmental NGOs were banned from the country.**

## BACKGROUND

Russia committed numerous violations of international humanitarian law in Ukraine (see Ukraine entry), while its invasion largely stalled. Ukrainian military attacks reached deeper inside Russian territory, and Russian authorities reported dozens of civilian casualties. The government continued to heavily control and manipulate information on the war. Estimates of Russian military casualties reached hundreds of thousands killed and wounded. Dozens of arson attacks on conscription centres and other governmental buildings were reported across the country. On 23-24 June, Evgeny Prigozhin led the Wagner Group, a private military company he had founded, in an aborted military coup. He avoided prosecution but was killed in a suspicious plane crash on 25 August.

Russia continued to face international isolation. In September, the newly appointed UN Special Rapporteur on the situation on human rights in the Russian Federation reported on "the increasingly repressive crackdown on the peaceful exercise of human rights." Authorities refused to recognize the mandate or permit a country visit. In November, Russia withdrew from the Treaty on Conventional Armed Forces in Europe.

Despite its refusal to cooperate with UN human rights mechanisms, Russia sought to return to the Human Rights Council, but lost the vote in October. Authorities continued to ignore decisions of the European Court of Human Rights regarding Russia's violations of the European Convention on Human Rights committed while Russia was a state party.

## FREEDOM OF EXPRESSION

Any form of criticism of the authorities was severely suppressed.<sup>1</sup> Media outlets, social media platforms and individuals faced heavy fines, arbitrary blocking, prosecution and other reprisals under an expanding set of punitive legal rules. These included being designated a "foreign agent" and allegations of "extremism", "justification of terrorism",

“dissemination of knowingly false information”, “discreditation”, “incitement to hatred” and LGBTI “propaganda”.

On 29 March, authorities arrested US journalist Evan Gershkovich on questionable espionage charges. His trial remained pending at year’s end.

On 4 May, theatre director Evgenia Berkovich and playwright Svetlana Petriychuk were arrested on false charges of “justification of terrorism” for their award-winning play about women who married members of armed groups in Syria. They were still awaiting trial in detention at the end of the year.

People expressing opposition to the invasion of Ukraine, to Russia’s violations there or to war in general faced particularly harsh persecution.<sup>2</sup> At least 140 individuals were sentenced to prison for statements, protests or other activities opposing the war, compared with 22 in 2022.

Opposition and human rights activist Vladimir Kara-Murza was sentenced in April to 25 years’ imprisonment on false charges of state treason, dissemination of “fake information” about the armed forces and participation in an “undesirable organization”.

Aleksei Moskal'yov, a businessman and single father in Tula region, was arrested on 27 February on charges of “discrediting the armed forces” for criticizing the war on Ukraine on social media. Authorities placed his 13-year-old daughter in an orphanage; after a campaign on her behalf, they handed her to other family members. Aleksei Moskal'yov’s sentence of two years’ imprisonment was overturned in December.

On 13 April, a court upheld the three-year sentence on Vladimir Rummyantsev, a coal stoker from the city of Vologda, for “disseminating knowingly false information about the Russian armed forces”. Vladimir Rummyantsev had used a home radio studio to rebroadcast banned media outlets with information about the war.

Oleg Orlov, a well-known human rights defender, was on trial for publishing an article criticizing Russia’s invasion of Ukraine.

Many university professors and schoolteachers were said to have lost their jobs for criticizing the authorities or the invasion of Ukraine. Svetlana Drugovoyko-Dolzanskaya was dismissed from St Petersburg State University on 11 October after she testified as a linguistic expert in support of prisoner of conscience Aleksandra Skochilenko.

Some of those imprisoned faced additional, new charges while already serving their terms. For example, in October, prisoner of conscience and former opposition municipal councillor Aleksei Gorinov, who had been sentenced to seven years’ imprisonment in 2022 for an anti-war speech at a council meeting, was charged with “justification of terrorism”.

In November, another prisoner of conscience, journalist Maria Ponomarenko, who had been sentenced to six years’ imprisonment for sharing a video about Russia’s bombing of the drama theatre in Mariupol, Ukraine, faced new dubious charges for “causing bodily harm” to penal colony personnel.

## **FREEDOM OF PEACEFUL ASSEMBLY**

Freedom of assembly remained suppressed. Relevant unduly restrictive legislation used vague language allowing for arbitrary interpretation. Domestic laws prohibited spontaneous assemblies and protests near governmental buildings and in many other places, and contained numerous other restrictions on venues and organizers. Authorities used their broad powers to deny authorization, and the police showed zero tolerance for “unauthorized” assemblies, however small and infrequent.

In some parts of the country, peaceful rallies remained prohibited under the pretext of Covid-19 regulations. Restrictions were often discriminatory; for example on 29 September, Moscow city authorities banned a vigil to commemorate victims of Soviet-era repressions while allowing a large pro-government rally to proceed on the same day.

## **FREEDOM OF ASSOCIATION**

Authorities continued to target civil society organizations, including human rights groups, using Russia's extensive repressive legislation. In 2023, 54 organizations and 172 individuals were labelled "foreign agents" and 56 organizations were designated "undesirable".

Leading human rights groups, including the Moscow Helsinki Group, Sakharov Centre and Sovva Centre, were officially dissolved on the pretext of violations of "foreign agent" regulations or technicalities.

Several politically motivated criminal cases were initiated against members of Memorial, the country's oldest human rights organization, which had been liquidated in 2022. They included charges of "discrediting the armed forces" and "rehabilitation of Nazism". Memorial member Aleksandr Chernyshov was arrested on 5 May and accused of "smuggling items of cultural value" for allegedly trying to take Memorial's archive out of the country. He remained incarcerated at the end of the year.

Grigory Melkonyants, co-chair of Golos, Russia's leading election watchdog, was arrested on 17 August for cooperating with an international coalition of election monitors deemed an "undesirable organization". He was placed in pretrial detention.

Charges of extremism were used against groups and individuals critical of the authorities. On 17 May, a court upheld the arbitrary designation of youth pro-democracy group Vesna as an "extremist" organization and prohibited its activities. Six individuals remained in detention at the end of the year on accusations of participating in Vesna.

Prominent opposition figure Aleksei Navalny and his associates faced further extremism-related charges on account of their involvement with NGOs he had founded. On 4 August, Aleksei Navalny, who had been arbitrarily deprived of liberty since 2021, received another politically motivated sentence increasing his imprisonment to 19 years. His associates Lilia Chanysheva, Ksenia Fadeeva, Daniel Kholodny and Vadim Ostanin had been arrested, tried and

sentenced, or were serving prison terms at the end of the year. Individuals who had donated money, no matter how small the amount, were also prosecuted, including activist Gleb Kalinychev who was awaiting trial in detention for allegedly donating about USD 30 to Aleksei Navalny's Anti-Corruption Foundation.

In August, the criminal code was amended to penalize "carrying out activities" of foreign NGOs without registered offices in Russia. It effectively criminalized any forms of cooperation with most civil society groups outside the country.

## **FREEDOM OF RELIGION AND BELIEF**

Authorities continued the unfounded prosecution of Jehovah's Witnesses since their church was arbitrarily banned in 2017. As of December, more than 100 believers remained in detention.

Members of Muslim groups, including Hizb ut-Tahrir, faced prosecution and unfair trials on extremism and terrorism-related charges for their religious views.

## **CONSCIENTIOUS OBJECTORS' RIGHTS**

In a rare precedent, on 16 March, a court allowed Pavel Mushumansky, a Christian believer who had been enlisted to take part in Russia's war against Ukraine, to undergo alternative civilian service. This option, however, remained unattainable for nearly all other conscientious objectors.

## **TORTURE AND OTHER ILL-TREATMENT**

Torture and other ill-treatment in custody remained widespread. Perpetrators enjoyed impunity or received lenient sentences. Only one case ended in conviction under the article of the criminal code penalizing torture that was introduced in 2022.

Authorities targeted specific prisoners such as Aleksei Navalny with various forms of ill-treatment, including denial of adequate medical care, arbitrary placement in punishment cells (often for multiple consecutive terms), psychological pressure, threats and use of physical force.

On 14 June, anti-war activist Anatoly Berezikov was found dead in a detention centre in the city of Rostov-on-Don, where he had been placed following dubious administrative proceedings, a day before his release. Shortly beforehand, he had told his lawyer and a court that he feared for his life, having been threatened by officers of the Federal Security Service and tortured with electric shocks. These allegations were ignored by the authorities, and police declared his death to be suicide. His lawyer, and a human rights defender who was helping Anatoly Berezikov, had to leave the country after the police searched their homes.

## UNFAIR TRIALS

Criminal courts demonstrated a profound bias against defendants. Only 0.4% of defendants were acquitted or had their prosecution terminated by courts. Judges routinely and unquestioningly accepted the prosecution's evidence, including testimony given under torture, and rejected strong evidence of innocence. Trials, especially involving charges related to terrorism, extremism or high treason, were often closed to the public.

Lawyers working on high profile political cases, especially those involving terrorism or extremism-related accusations, faced pressure and harassment. On 13 October, authorities arrested three of Aleksei Navalny's lawyers and accused them of "participation in an extremist association" for their professional activities. They awaited trial in detention at year's end.<sup>3</sup>

On 4 July, unidentified people severely assaulted, humiliated and badly injured journalist Elena Milashina and lawyer Aleksandr Nemov on their way to a court hearing in the republic of Chechnya. No proper investigation into the attack was conducted.

Authorities subjected Ukrainian prisoners of war and civilians to unfair trials. On 22 August, a court in Moscow upheld a 13-year prison sentence against Ukrainian prisoner of war and human rights defender Maksym

Butkevych for purported war crimes that he could not have committed based on evidence of his location at the time. He was likely forced to "confess" to the crimes on camera.<sup>4</sup>

Unfair trials were also deployed against activists and dissenters. On 12 September, Dagestani journalist Abdulmumin Gadzhiev was sentenced to 17 years' imprisonment on trumped-up terrorism-related charges. On the same day, Zarema Musayeva, mother of Chechen human rights defender Abubakar Yangulbaev, was sentenced to five-and-a-half years' imprisonment on fabricated charges of using violence against a police officer.

## LGBTI PEOPLE'S RIGHTS

On 24 July, President Putin signed into law transphobic legislation that prohibited gender-affirming treatment and legal gender recognition for transgender people. The law also annulled previously registered marriages and prohibited adoption of children by transgender people.

On 30 November, the Supreme Court designated what it called "the international public LGBT movement" as an "extremist organization" and banned its activities. Several LGBTI organizations and activists had to stop their work or leave Russia in the wake of the judgment. Within days, police raided LGBTI-friendly clubs in various cities, photographed patrons' documents and intimidated them.

Authorities issued dozens of fines to video streaming services for hosting "LGBT propaganda". Many films and television shows were subjected to censorship to remove any references to same-sex relationships.

## RIGHT TO EDUCATION

On 1 September, in a clear example of indoctrination violating the right to quality education, high school students across the country and in occupied territories of Ukraine were issued new "unified" history textbooks. These sought to whitewash the historical human rights record of Russian and Soviet authorities and their colonial policies, while also falsely justifying Russia's war of

aggression in Ukraine as an act of self-defence.

## IMPUNITY

On 17 March, the ICC issued arrest warrants for President Putin and the Commissioner for Children's Rights Maria Lvova-Belova on charges of the war crime of unlawful deportation and transfer of Ukrainian children from occupied territories.<sup>5</sup> Russia refused to cooperate with the ICC and introduced criminal liability for assisting international organizations or foreign governments in the prosecution of Russian officials or military personnel. The Investigative Committee opened a criminal case against ICC judges and the ICC prosecutor, accusing them of prosecuting "obviously innocent" individuals. In July, President Putin decided not to attend a BRICS summit in South Africa shortly before a court there decided he would be arrested upon arrival.

## REFUGEES' AND MIGRANTS' RIGHTS

Discrimination and violence against migrants, including by police, remained widespread. Police arrested hundreds of alleged undocumented migrants in raids across the country in May; many reported physical and psychological abuse in custody.

Authorities used deception and pressure to recruit foreign migrants to military service.

## DISCRIMINATION

On 29 October, hundreds of people stormed Makhachkala airport in Dagestan, North Caucasus, seeking to target Jewish people who they believed had recently arrived from Israel. Police intervened hours later to restore order. Similar antisemitic incidents took place in other parts of North Caucasus.

## RIGHT TO A HEALTHY ENVIRONMENT

Russia remained a leading producer and exporter of fossil fuels, as well as one of the highest greenhouse gas emitters, and took no effective steps to reduce its environmental impact. Rather, it planned to massively increase production and export of coal and

gas and continued to invest in new production overseas. Climate Action Tracker described Russia's emissions targets, policies and provision of finance as "critically insufficient".

Forest wildfires between May and September, exacerbated by global warming and often going unchecked for weeks, further increased carbon emissions and reduced absorption of CO<sub>2</sub>.

In May and July, authorities designated two major environmental organizations, Greenpeace and the World Wildlife Foundation, as "undesirable," thereby banning them from the country. Previously, Greenpeace had played an important role in dealing with the forest fires in Russia.

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1. *Russian Federation: Dark Times for Human Rights. Amnesty International Submission to the 44th Session of the UPR Working Group, 13 November 2023, 3 May*
  2. "Russia: 20,000 activists subject to heavy reprisals as Russia continues to crack down on anti-war movement at home", 20 July
  3. "Russia: ICC's arrest warrant against Putin a step towards justice for victims of war crimes in Ukraine", 17 March
  4. "Ukraine: Russia's reprisals against prominent Ukrainian human rights defender who joined the Armed Forces of Ukraine", 17 August
  5. "Russia: ICC's arrest warrant against Putin a step towards justice for victims of war crimes in Ukraine", 17 March

# RWANDA

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## Republic of Rwanda

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**UK courts found Rwanda's agreement to relocate asylum seekers from the UK to be unlawful. Restrictions on the rights to freedom of expression and association continued. Paul Rusesabagina was released from prison in March after a presidential pardon. Prison officials faced trial for alleged torture. Over 100 people died in floods and landslides; residents in high-risk zones faced relocation without compensation. The trial of alleged genocide financier Félicien Kabuga was suspended indefinitely. Genocide suspects were arrested, extradited or convicted by**



## **Rwandan courts and under universal jurisdiction.**

### **BACKGROUND**

In its June report, the UN Group of Experts on the Democratic Republic of the Congo (DRC) reaffirmed the role of the Rwanda Defence Force (RDF) in the eastern DRC conflict, including direct actions and through support to the M23 armed group (See DRC entry). Rwanda dismissed the report.

Two RDF officials, both of whom were named in the UN experts' report, were sanctioned by the EU and the USA, respectively.

In September, the USA listed Rwanda as complicit in the use or recruitment of child soldiers, in relation to Rwanda's backing of the M23.

While relations with the DRC continued to deteriorate, Rwanda's relationship with Burundi initially showed signs of improvement. However, relations soured again in December when Burundi's president accused Rwanda of supporting an armed group (see Burundi entry). Parliamentary elections were postponed to 2024 to harmonize with the presidential election schedule.

### **REFUGEES' AND MIGRANTS' RIGHTS**

In January, referring to refugees from the DRC, President Kagame said "we cannot keep being host to refugees for which, later on, we are held accountable in some way, or even abused about." Since late 2022, 13,643 refugees and asylum seekers had fled to Rwanda from fighting in eastern DRC.

Legal challenges continued in the UK against the deal to relocate asylum seekers from the UK to Rwanda (see UK entry). In June, the Court of Appeal ruled that the agreement was unlawful because Rwanda was unsafe for someone claiming asylum. This was on the grounds that deficiencies in Rwanda's asylum process carried a danger of people being returned to a home country where they are at risk of persecution or other ill-treatment. The UK home secretary lodged an appeal at the Supreme Court, which ruled

in November to uphold the Court of Appeal's decision. In December, Rwanda and the UK signed a new treaty, and a bill on "the Safety of Rwanda" was introduced in the UK parliament.

### **FREEDOM OF EXPRESSION AND ASSOCIATION**

John Williams Ntwali, an investigative journalist who reported on human rights-related issues, died in January in suspicious circumstances. The police said that he died in a road traffic accident in the capital Kigali on 18 January and they had arrested the driver involved in the collision. The day before his death, he had raised concerns with another journalist about his safety.<sup>1</sup> Despite the high level of interest in the case, the driver's trial was held in the absence of independent observers; he was convicted of manslaughter and unintentional bodily harm. The written verdict lacked significant details, including the precise location of the accident; made no reference to any visual evidence from traffic police said to have attended the accident; and references to a medical report were vague.<sup>2</sup>

Political opposition parties Development and Liberty for All (DALFA-Umurinzi) and the Rwandese Platform for Democracy (RPD) remained unregistered. Shortly after he established the RPD in 2021, journalist Christopher Kayumba was accused of rape for which he was acquitted in February 2023. In November, he was convicted and given a two-year sentence (suspended for one year), following an appeal by the prosecution.

### **RIGHT TO A FAIR TRIAL**

Paul Rusesabagina, who was convicted in 2021 on terrorism-related charges in a trial marred by numerous fair trial violations, was released from prison in March, following negotiations between the Rwandan and US governments. In 2022, he had written to President Kagame requesting a pardon and committing to stay out of Rwandan politics. In July, he released a video describing Rwandans as "prisoners inside their own country".

## **TORTURE AND OTHER ILL-TREATMENT**

Nine current and former officials of Rubavu prison, including the former director, were arrested in August, accused of torturing inmates. They remained in pretrial detention at the end of the year. This contrasted with the lack of action in response to previous complaints of torture and other ill-treatment.

## **RIGHT TO A HEALTHY ENVIRONMENT**

At least 115 people were killed by flooding and landslides in western and northern Rwanda in May. In anticipation of heavier rains than usual towards the end of the year, authorities in the capital, Kigali renewed calls for 3,131 families living in zones at high risk of flooding and landslides to relocate before the rainy season (normally September to November). In August, Kigali's mayor advised that support would not be available to residents – a policy which, if implemented, would violate their right to housing. However, residents deemed to be too vulnerable to relocate might be compensated.

In June, the government launched the Revised Green Growth and Climate Resilience Strategy in support of Rwanda's aim to reduce greenhouse gas emissions by 38% by 2030. Its stated objectives include achieving energy security and low carbon supply; sustainable land use and water resource management; and social protection to reduce vulnerability to climate change impacts. The strategy would require USD 2 billion annually to implement, with USD 700 million to be provided from government budgets, and additional financing from sources including climate funds, the private sector and development partners.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

In August, appeal judges at the International Residual Mechanism for Criminal Tribunals (IRMCT) ordered that the trial of 90-year-old alleged chief genocide financier Félicien Kabuga be suspended indefinitely. In June, the court had ruled that he was unfit to stand trial because of ill health, but had proposed

an “alternative finding procedure” that was rejected on appeal.

Genocide suspect Fulgence Kayishema was arrested in South Africa in May and faced 54 charges of violating domestic law. He was re-arrested in August on a new arrest warrant that would allow his extradition to the IRMCT in Tanzania.

Genocide suspect Théoneste Niyongira was deported from Malawi to Rwanda in June.

In February, Rwanda's High Court Chamber for International Crimes sentenced Jean Twagiramungu to 25 years' imprisonment on genocide charges. He had been extradited from Germany in 2017. In March, the Rwanda Court of Appeals upheld Ladislav Ntaganzwa's life sentence following his conviction on genocide charges in 2020.

In September, genocide convict Sylvestre Gacumbitsi died in Mali while serving a 30-year sentence handed down by the International Criminal Tribunal for Rwanda. Aloys Simba, who had been granted early release by the IRMCT, died in Benin in July.

There was progress on several genocide cases held in Europe under the principle of universal jurisdiction. In June, the Paris Assize Court found Philippe Hategekimana, a former military policeman, guilty of genocide and crimes against humanity and sentenced him to life imprisonment. Pierre Kayondo, former prefect of Kibuye, was arrested in September in France and charged with complicity in genocide and crimes against humanity. Pierre-Claver Karangwa was arrested in the Netherlands in October. In June, the supreme court in the Netherlands had refused his extradition to Rwanda due to fair trial concerns. In Belgium, Seraphin Twahirwa and Pierre Basabose were found guilty of genocide and war crimes in December. Also in December, a Paris court found Sosthène Munyemana guilty on genocide charges and sentenced him to 24 years in prison.

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1. “Rwandan authorities should ensure an independent investigation into John Williams Ntwali's death”, 31 January
  2. “Rwanda: Questionable trial after journalist's death”, 15 March

# SAUDI ARABIA

## Kingdom of Saudi Arabia

**The authorities targeted individuals for peacefully exercising their rights to freedom of expression or association, and some were sentenced to lengthy prison terms or death following grossly unfair trials. Human rights defenders continued to be arbitrarily detained or subject to travel bans following their conditional release from prison. Courts handed down death sentences following grossly unfair trials, including in cases of individuals who were children at the time of their alleged crimes, and people were executed for a wide range of crimes. Migrants were subjected to serious human rights abuses, including killings at the border with Yemen and treatment that may amount to human trafficking for the purpose of labour exploitation. Thousands of people were involuntarily returned to their home country as part of a nationwide crackdown on undocumented migrants. Women continued to face discrimination in law and practice.**

## BACKGROUND

Saudi Arabia and the EU held their third human rights dialogue in Brussels, Belgium on 28 November. The EU raised concerns regarding Saudi Arabia's continued application of the death penalty, including for drug-related offences and non-lethal crimes, as well as lengthy prison terms imposed for social media activity.

The Saudi Arabia-led coalition in the long-running armed conflict in Yemen continued to be implicated in war crimes and other serious violations of international law (see Yemen entry).

## FREEDOM OF EXPRESSION

The Specialized Criminal Court (SCC), established to try terrorism-related crimes, convicted and sentenced individuals to lengthy prison terms following grossly unfair trials solely for exercising their rights to

freedom of association and expression, including online on X (formerly Twitter).

## UNFAIR TRIALS

The authorities continued to arbitrarily detain individuals without giving them any opportunity to challenge the lawfulness of their detention, and in many cases sentenced them to lengthy prison terms or death on vague, “catch-all” charges that criminalize peaceful opposition as “terrorism” in violation of their fair trial rights.

In January, the SCC resentenced Salma al-Shehab, a PhD student at Leeds University in the UK and mother of two, to 27 years in prison followed by a 27-year travel ban after the Supreme Court in the capital, Riyadh, referred her 34-year prison term back to the SCC's appeals chamber. The SCC upheld her convictions for terrorism-related offences, including “supporting those who seek to disrupt public order, destabiliz[ing] security and the stability of the state” and publishing tweets that “disturb public order, destabilize the security of society and the stability of the state.” The charges arose from posts she published on X in support of women's rights.<sup>1</sup>

In May, the Supreme Court upheld the 10-year prison sentence of Egyptian physician Sabry Shalaby.<sup>2</sup> The SCC convicted him in August 2022 following a grossly unfair trial for supporting and joining the Muslim Brotherhood, which is classified as a terrorist organization in Saudi Arabia. He was held in solitary confinement for the first 10 months of his detention, which included three months in incommunicado detention. Throughout his detention, he repeatedly asked to see a neurologist about health complications arising from spinal cord surgery, but his requests were denied. In addition, he received inadequate care for asthma and cataracts arising from underlying health conditions.

The trial of religious cleric Salman Alodah continued before the SCC into its fifth year. He faced 37 charges, including affiliation with the Muslim Brotherhood and others related to his calls for government reforms and “regime change” in the Arab region.

## HUMAN RIGHTS DEFENDERS

Human rights defenders continued to be arbitrarily detained, including following the expiry of their prison terms, and subjected to judicially imposed travel bans.

Mohammed al-Qahtani, founding member of the Saudi Civil and Political Rights Association, remained forcibly disappeared; his prison term expired in November 2022.<sup>3</sup>

Prominent woman human rights defender Loujain al-Hathloul, who was released in February 2021 after serving two and a half years in prison, continued to be subjected to a travel ban.

## DEATH PENALTY

Courts handed down and upheld death sentences imposed for a wide range of crimes, including in cases of individuals who were under the age of 18 at the time of the crime. The authorities carried out executions for a wide range of crimes throughout the year.

On 12 March, Hussein Abo al-Kheir, a Jordanian father of eight, was executed. He had been sentenced to death for drug smuggling following a grossly unfair trial. During his pretrial detention, he was held incommunicado, denied access to legal representation and tortured to make a “confession”. The authorities failed to return his body to his family following the execution.<sup>4</sup>

In May, the Saudi Human Rights Commission confirmed in a letter to Amnesty International that: “the application of the death penalty on juveniles for *ta'zir* crimes has been completely abolished”. *Ta'zir* crimes are those for which the death penalty is not mandated under Islamic law. Contrary to such assurances, at least seven child offenders remained at imminent risk of execution, including Abdullah al-Derazi and Jalal Labbad. The Supreme Court upheld the death sentences against them in 2023 without informing their families or lawyers.<sup>5</sup>

In July, the SCC sentenced to death 54-year-old retired teacher Mohammad bin Nasser al-Ghamdi solely for his peaceful online activity on Twitter (now known as X)

and YouTube.<sup>6</sup> He was convicted under articles 30, 34, 43 and 44 of Saudi Arabia's counterterrorism law for offences that included: “renouncing allegiance to the guardians of the state”; “supporting a terrorist ideology and a terrorist entity [the Muslim Brotherhood]”; “using his accounts on Twitter and YouTube to follow and promote individuals who seek to destabilize public order”; and “sympathizing with individuals detained on terrorism-related charges.” Mohammad al-Ghamdi's charge sheet cited several tweets that were used to convict him, including posts in which he criticized Saudi Arabia's king and crown prince and its foreign policy, called for the release of detained religious clerics, and protested against increased prices. He was not accused of any violent crime.

## MIGRANTS' RIGHTS

The authorities continued their crackdown on individuals accused of violating residency, border and labour regulations, including through arbitrary arrests and deportations of foreign nationals solely due to their irregular immigration status.

According to the Ministry of Interior, between January and December, at least 468,000 foreign nationals were returned to their home country out of over 777,000 arrested for “violating labour, residency and border security” regulations. In the same period, over 40,000 foreign nationals, most of them Ethiopian and Yemeni nationals, were arrested for crossing the border irregularly from Yemen into Saudi Arabia.

Dozens of Nepali migrant workers contracted to work in Amazon warehouses were subjected to serious human rights abuses, including treatment that may amount to human trafficking for the purposes of labour exploitation. The workers were deceived by recruitment agencies in Saudi Arabia about the nature of their employer and the terms and conditions of their jobs before leaving their home country. Additionally, they had their wages withheld by third-party contractors and were housed in wholly inadequate accommodation. Some were

verbally or physically abused or threatened with such abuse, particularly when they raised complaints about their living and working conditions. Once these workers were terminated from deployment with Amazon, third-party contractors often failed to find them alternative jobs and stopped paying them their contractual wage when they were rendered “jobless”. Contractors also provided these workers with limited or no support and failed to give them the required documents to allow them to change jobs or leave the country, thereby restricting their freedom of movement and job mobility.<sup>7</sup>

During the year, Saudi border guards killed Ethiopian migrants and asylum seekers who tried to enter Saudi Arabia across the border with Yemen. Human Rights Watch documented how the guards used explosive weapons against the migrants and shot some at close range, including children, killing at least hundreds between March 2022 and June 2023.

## WOMEN'S AND GIRLS' RIGHTS

Women continued to face discrimination in law and practice, including in matters of marriage, divorce, child custody and inheritance. Under the country's Personal Status Law, fathers are default guardians of their children. While the mother is automatically granted custody in the event of separation, the father is designated as the child's legal guardian without due consideration of the best interests of the child.

In February, an appeals court overturned an earlier verdict that had granted US citizen Carly Morris custody of her daughter. The ruling was based on Article 128 of the Personal Status Law, which states that a custodian loses their custody if they move to reside in another place where the interests of the child is not taken into consideration. Carly Morris was not notified about the court sessions, which took place in her absence, and her former husband has since not allowed her communication with her daughter.

In May, Saudi fitness instructor Manahel al-Otaibi was charged with “defaming the kingdom at home and abroad, calling for rebellion against public order and society's traditions and customs, and challenging the judiciary and its justice” for challenging the customs and traditions of Saudi Arabia on social media, including by advocating for liberal clothing for women, appearing in what the authorities said was indecent clothing on social media and calling for the abolition of male guardianship laws.

## RIGHT TO A HEALTHY ENVIRONMENT

Saudi Arabia, a major fossil fuel producer, also remained one of the world's top 10 CO2 emitters per capita.

In July, the Financial Times newspaper reported that Saudi Arabia had blocked a G20 initiative to cut back on the use of fossil fuels.

In 2023, the state-owned Saudi Aramco produced on average more than 12 million barrels of oil a day. It aims to increase its output by about 1 million barrels per day by 2027 and increase its production of natural gas by 50% by 2030. The oil and gas produced by Aramco have been estimated to be responsible for more than 4% of global greenhouse gas emissions since 1965 and, according to a study, accounted for about 4.8% of all global greenhouse gas emissions in 2018 – the largest of any oil and gas company.

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1. “Saudi Arabia: Further information: Release woman sentenced to 27 years for tweets: Salma al-Shehab”, 3 April
  2. “Saudi Arabia: Jailed Egyptian physician must be released: Dr Sabri Shalaby”, 21 July
  3. “Saudi Arabia: Saudi authorities must release human rights defender Mohammed al-Qahtani and other ACPRA members who are arbitrarily detained”, 24 April
  4. “Saudi Arabia: Execution of Jordanian man reveals ‘callous disregard for human life’”, 13 March
  5. “Saudi Arabia: Imminent execution of seven young men would violate kingdom's promise to abolish death penalty for juveniles”, 15 June
  6. “Saudi Arabia: Drop ‘ludicrous’ conviction and death sentence against man convicted over social media posts”, 31 August
  7. *Saudi Arabia: ‘Don’t Worry, It’s a Branch of Amazon’: Exploitation of Migrant Workers Contracted to Amazon in Saudi Arabia*, 10 October

# SENEGAL

## Republic of Senegal

**The crackdown on the rights to freedom of expression, association and peaceful assembly continued in the run-up to the presidential elections. Human rights defenders, activists, and journalists were arbitrarily arrested and detained. Defence and security forces used excessive force during protests, resulting in injuries and deaths. Forced begging by *talibé* children continued. Women and girls continued to face discrimination within marriage.**

### BACKGROUND

There were political tensions in the run-up to the February 2024 presidential elections, and several demonstrations were organized by opposition parties and civil society organizations. In May, opposition leader Ousmane Sonko was sentenced to six months' suspended imprisonment for publicly insulting and defaming a government minister. On 1 June he was also sentenced by a court in the capital, Dakar, to two years' imprisonment for "corrupting youth" following accusations of rape. The following month he was charged with insurrection and criminal conspiracy, among other offences. In July, President Macky Sall announced he would not run for a third mandate. The same month, the Ministry of the Interior dissolved Ousmane Sonko's political party PASTEF for "calling on its supporters to take part in insurrectionary movements".

### FREEDOM OF EXPRESSION AND ASSEMBLY

Several protests organized by the main opposition coalition Yewwi Askan Wi and the civil society organizations F24 and FRAPP were banned on the pretext of preventing public disorder.

The authorities refused to lift the 2011 blanket ban on political demonstrations in central Dakar, despite an ECOWAS court of justice ruling.

After the June protests in support of Ousmane Sonko following his two-year sentence on charges of "corrupting youth", access to the internet via mobile data was restricted by the authorities,<sup>1</sup> and TikTok was only accessible via virtual private network.<sup>2</sup> Walf TV, which was covering the protests, had its signal cut without notice by the Ministry of Communications, Telecommunications and Digital Economy during the month of June.

### ARBITRARY ARRESTS AND DETENTIONS

As of October, more than 1,000 people had been arrested and detained mostly for their participation in protests, or for their alleged connection to PASTEF.

Hannibal Djim, who organized fundraising campaigns in support of PASTEF, was arrested in February and detained for "financing seditious and subversive activities, calling for insurrection, inciting acts likely to disturb state security and apology for violence." He was still detained at the end of the year. Falla Fleur was arrested in May and detained for her Facebook posts in support of PASTEF and charged with "acts likely to compromise public security and direct provocation of an armed assembly", and was released on 6 November. Aliou Sane, a leader of the Y'en a Marre collective and the F24 platform, was charged with "participation in an undeclared demonstration and disturbance of public order." He was still detained at the end of the year.

### JOURNALISTS

Journalists were arrested, detained and sentenced to prison terms following trials on charges including defamation and disseminating false news.

On 7 March, journalist Pape Ndiaye was arrested and detained for "spreading false news" and "contempt of court", among other charges, after stating on Walf TV that 19 deputy prosecutors were opposed to Ousmane Sonko being referred to trial for alleged rape. He was provisionally released on 21 June. In May, Serigne Saliou Gueye, editor of the daily Yoor-Yoor, was arrested after the newspaper published an article critical of magistrates following a judicial

decision in the defamation case against Ousmane Sonko. He was charged with “publication of writings likely to discredit judicial acts or decisions, dissemination of false news likely to discredit public institutions, and usurping the position of a journalist.” He was provisionally released on 21 June.<sup>3</sup> Journalist Pape Ale Niang was arrested on 29 July and charged with “calling for insurrection and acts or manoeuvres likely to compromise public security”, after a video was broadcast in which he discussed Ousmane Sonko’s recent arrest. He was provisionally released on 8 August after a hunger strike.

### **HUMAN RIGHTS DEFENDERS**

In July, Oudy Diallo, president of the Kédougou Alert Environment association and of the Environment Commission of the Kédougou Departmental Council, was sentenced to six months’ imprisonment. He had been charged with “disseminating false news, collecting and disseminating personal data, insulting an adjutant of the Saraya gendarmerie brigade in the performance of his duties and defaming a military institution of the national gendarmerie” after he had posted a photo of the adjutant on Facebook and accused him of complicity with Chinese firms in the alleged illegal exploitation of gold in Kédougou region.

### **EXCESSIVE USE OF FORCE**

Between March 2021 and June 2023, at least 56 people were killed during the policing of protests, and at least 1,000 were wounded. In May in the neighbourhood of Ngor in Dakar, residents protested against the allocation of a plot of land to the gendarmerie instead of to education facilities. Adji Diallo, a 15-year-old girl, was fatally shot during the protests, according to witnesses and the media. During the protest, gendarmes were seen shooting at demonstrators in response to stone-throwing, and teargassing protesters and residents in enclosed areas. Videos verified by Amnesty International showed gendarmes beating arrested and handcuffed people and using

people as human shields while advancing through a barricaded neighbourhood.<sup>4</sup>

In June, during violent protests in Dakar and Ziguinchor following Ousmane Sonko’s conviction for “corrupting youth”, police and armed men in civilian clothes sometimes operating side by side fired live ammunition,<sup>5</sup> killing at least 29 people and injuring at least 390, according to the Senegalese Red Cross.

In September, two people were shot dead by police during violent protests by youths in the mining locality of Khossanto in Saraya, Kédougou region. They had been protesting at the prefect’s decision to replace village chiefs with administrative authorities as chairs of local recruitment committees, which are responsible for recruiting local unskilled labour for the gold mines.

There was no information on the judicial investigations into the 14 people who died, 12 of whom were shot by the defence and security forces, during protests in several cities in March 2021 after Ousmane Sonko’s arrest.

### **WOMEN’S AND GIRLS’ RIGHTS**

The Family Code still contained provisions conferring “marital and paternal authority” solely to men, and designating the husband as head of the family, thereby denying women rights and authority over their household and children. Article 111 of the Family Code sets the minimum legal age of marriage for girls as 16, as opposed to 18 for boys, denying girls’ right to equality in marriage.

### **CHILDREN’S RIGHTS**

The practice of forced begging by *talibé* children – those studying at *daaras* (Qur’anic schools) – was still widespread. The government failed to adopt the draft Children’s Code and the draft law on the status of the *daaras*. The child protection sector was still poorly funded, resulting in lack of protection for *talibé* children, who suffer violations of their human rights, including their right to life, survival and development and their right to be free from any forms of physical or mental violence.

1. "Senegal: The authorities must immediately halt the police violence and restore social media", 2 June
2. "Senegal: New restrictions on individual freedoms must stop", 4 August
3. Senegal: Human Rights Between Regression and Repression, 14 July
4. "Senegal: Amnesty International denounces excessive use of force in Ngor", 12 May
5. "Senegal: Amnesty International calls for independent inquiry into deadly crackdown on protests", 9 June

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# SERBIA

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## Republic of Serbia

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**The institutional glorification of convicted war criminals overshadowed the slow prosecution of outstanding war crimes. Independent and investigative journalists and activists faced threats, vilification and punitive civil proceedings. A proposed Law on Internal Affairs further threatened the right to freedom of assembly. Roma were disproportionately denied access to social assistance.**

### BACKGROUND

Serbia continued to balance its commitment to EU membership with long-standing political and economic ties with Russia. Charges of corruption in public office persisted at all levels.

In March, Serbia and Kosovo agreed to accept an EU-brokered agreement to normalize diplomatic relations and encourage cooperation. Furthermore, Serbia agreed not to oppose Kosovo's accession to international and European institutions. In September, relations were strained by the murder of a Kosovo Police officer in Banjska, north Kosovo, after 30 armed Serbs, three of whom were killed, barricaded themselves in an Orthodox monastery. Serbia and NATO then moved troops to either side of the border but withdrew in October.

In separate incidents in May, an armed teenager and a 20-year-old man shot and killed 17 people and injured 21. The resulting public outcry triggered marches across the

country by the "Serbia against Violence" coalition, calling for institutional accountability for the killings and for the suspension of national broadcasting licences of television stations promoting violence.

Elections on 17 December saw the ruling Serbian Progressive Party victorious at national and local level. However, international observers documented considerable irregularities, and tens of thousands of people gathered for daily rallies in the capital, Belgrade demanding the annulment of the elections.

### RIGHT TO TRUTH, JUSTICE AND REPARATION

In May, the International Residual Mechanism for Criminal Tribunals confirmed the conviction of former Serbian state security officials Jovica Stanišić and Franko Simatović, raising their sentences from 12 to 15 years for crimes against humanity and war crimes in Bosnia and Herzegovina (BiH).<sup>1</sup>

The glorification of convicted war criminals fostered a culture of impunity and continued to affect victims' access to truth, justice and reparation. A backlog of 1,700 cases remained to be investigated.

In October, the Appeal Court annulled the February conviction at Belgrade High Court of three Bosnian Serb paramilitaries and a soldier for the abduction and murder of 20 mainly Montenegrin citizens at Štrpci in BiH in February 1993.

Reparations continued to exclude around 15,000 civilian war victims, including those killed or injured outside Serbia or who did not meet the disability threshold. This affected victims' relatives and most victims of war-related sexual violence.

### ENFORCED DISAPPEARANCES

In May, Serbia agreed to provide Kosovo with access to archives, including classified files, to assist in locating the whereabouts and identifying the remains of over 1,620 missing persons.

### FREEDOM OF EXPRESSION

In April, eight European media organizations expressed fears that politicians' overt hostility



towards critical media, magnified by the tabloid press, normalized threats and attacks against independent journalists. Independent media reporting on the September events in Banjska (see Background) were labelled traitors and enemies of the state. Those investigating organized crime and corruption were particularly at risk. In July, journalists' organizations reported that online attacks were so widespread as to have become normal. The Independent Association of Journalists reported 11 physical attacks on journalists during the year; such reports were rarely investigated.

Investigative journalists, human rights defenders and activists were subjected to strategic lawsuits against public participation (SLAPPs). In May, the Crime and Corruption Reporting Network was ordered to pay damages after being found guilty of disclosing the identity of individuals – mostly close to the government – who had filed SLAPPs against it. In September, the Novi Sad court dismissed one of the five SLAPPs brought against Dragana Arsić and two environmental organizations protesting at companies' incursions into the Fruška Gora national park.

In August, graffiti containing misogynistic threats against Sofija Todorović of the Youth Initiative for Human Rights appeared near her home, after she had voiced support for Kosovo's UN membership.

## **FREEDOM OF PEACEFUL ASSEMBLY**

In January, the government opened a consultation on the draft Law on Internal Affairs. This sought to legalize the use of biometric mass surveillance in public places, provide authorities with greater discretion to disperse public assemblies, and authorize an expansive list of methods of coercion against protesters, without specifying the threshold or circumstances in which they would be used.<sup>2</sup> There was widespread use of CCTV and other forms of intrusive surveillance operated by both the state and private companies.

Demonstrations, especially environmental protests, were heavily policed, with participants frequently subjected to often

unnecessary and excessive force. In March, riot police were deployed to remove peaceful protesters attempting to stop tree-felling in advance of urban development in Novi Sad. The authorities routinely contracted private security companies, sometimes in plain clothes and without visible insignia, to “police” protests, often using unlawful force.

## **RIGHT TO PRIVACY**

In November it was revealed that sophisticated spyware was being used by “state-sponsored attackers” against members of civil society.<sup>3</sup>

## **VIOLENCE AGAINST WOMEN AND GIRLS**

During the year, at least 27 women were victims of femicide. Social welfare centres often lacked social workers or psychologists trained in domestic violence, and the 24 NGO-run shelters providing counselling, shelter and legal aid lacked secure funding.

The criminal code's definition of rape, based on use of force rather than lack of consent, was inconsistent with international and regional standards.

Women journalists, human rights defenders and activists were often threatened with violence, both online and in person.

## **RIGHT TO SOCIAL SECURITY**

One year after its implementation, the Law on Social Card left some people living in extreme poverty without any social assistance. The law weakened an already inadequate social assistance system, which covered fewer than half of the people living in extreme poverty. The law disproportionately affected Roma and people whose disabilities were not recognized, exacerbating their social and economic exclusion.<sup>4</sup>

## **LGBTI PEOPLE'S RIGHTS**

In May, the body of a missing 18-year-old trans woman was found in Belgrade, causing widespread fear amongst the LGBTI community. In August, President Vučić announced he would never approve the Law on Same Sex Unions, drafted in early 2021.

## REFUGEES' AND MIGRANTS' RIGHTS

In March, Médecins Sans Frontières urged the EU to increase scrutiny of the EU's border force (Frontex) and of the excessive violence and pushbacks at Serbia's EU borders with Hungary and Bulgaria. In June, police started regular evictions of refugees and migrants from temporary camps in northern Serbia. UNHCR, the UN refugee agency, reported that 101,098 individuals had entered the country by 30 November, but few had sought asylum.

1. "Bosnia and Herzegovina: War crimes convictions a historic moment for international justice", 31 May
2. Serbia: Amnesty International's Comments on the Draft Law on Internal Affairs of Republic of Serbia, 27 January
3. "Serbia: Civil society threatened by spyware", 28 November
4. Serbia: Trapped by Automation: Poverty and Discrimination in Serbia's Welfare State, 4 December

## SIERRA LEONE

### Republic of Sierra Leone

**The rights to freedom of expression and peaceful assembly continued to be restricted, especially around the presidential election period. Food insecurity was widespread. The government attempted to address deforestation. Women's and girls' rights were violated but women's representation in public offices increased. Draft legislation to better protect children's rights remained pending.**

### BACKGROUND

President Julius Maada Bio was re-elected on 24 June amid controversy over the lack of transparency in the ballot counting process.

Food and fuel prices were high; the inflation rate exceeded 50% in August.

Judicial authorities increased the frequency of court hearings in correctional centres to decongest prisons and reduce pretrial detention periods.

In October, the government finalized a policy which aimed to ensure that work done

by NGOs falls in line with national development priorities.

In November, gunmen tried to break into a military armoury and also attacked two prisons in the capital, Freetown, freeing almost 2,000 inmates. At least 20 people died. The government said it was a coup attempt, imposed a national night-time curfew for almost one month, and made over 50 arrests.

### FREEDOM OF ASSEMBLY

A few months before the election, the Political Parties Registration Commission banned political street rallies and prohibited parties from holding campaign events in more than one venue, on security grounds.

In April, the Special Investigation Commission (SIC) released a report following its investigation into the killing of six police officers and at least 27 protesters and bystanders during August 2022 protests.<sup>1</sup> The report described the protests as an insurrection and an attempt to overthrow the government. Although SIC recommended training for police officers to avoid "high-handedness", it failed to recommend an investigation into the security forces' use of excessive force.

On 13 June, at least eight protesters were arrested in Freetown for an "unlawful demonstration to disturb the public peace". They were demanding the disclosure of voters' registration data and the resignation of the chief electoral commissioner.

On 21 June, police used excessive force to disperse over 100 people protesting alleged discrepancies in the electoral process, in front of the All People's Congress (APC) opposition party headquarters in Freetown. One protester died allegedly from a gunshot wound for which the police denied responsibility. Sixty-six protesters were subsequently arrested.

On 25 June, security forces surrounded APC's building during a press conference where supporters awaited election results. They used live bullets and tear gas and a party volunteer died after being shot.

In September, two people died from gunshot wounds when security forces violently dispersed protests in Freetown and other areas. The police said that they made 72 arrests and had opened an investigation into the deaths. Over 40 people were charged with offences ranging from conspiracy to commit a crime to disorderly behaviour.

## **FREEDOM OF EXPRESSION**

Press freedom suffered its biggest decline in 18 years. Sierra Leone fell 28 places in Reporters Without Borders' ranking on freedom of expression, from 46 to 74 out of 180 countries.

In April, an entrepreneur was arrested after publishing a video criticizing the government and accusing the president of killing people. She was released on bail after two days and the police said they were investigating her for a violation of a Cyber Security and Crime Act provision.

## **RIGHT TO FOOD**

In April, a World Food Programme report estimated that as of February, 78% of the population were food insecure while 20% of households were severely food insecure. The World Bank repeatedly listed Sierra Leone as being among the 10 countries with the highest food price inflation. In October, the president launched the "Feed Salone" programme to increase agricultural productivity, export revenues from crops and food self-sufficiency. In addition, the initiative would support small-scale farmers with technical and financial assistance, and encourage private investment in agricultural infrastructure.

## **RIGHT TO A HEALTHY ENVIRONMENT**

In July, the government announced a temporary ban on logging and transportation of timber, effective from 1 August until 31 October, to tackle deforestation.

Fishermen in the coastal town of Tombo complained about the depletion of fish stocks which they attributed to foreign trawlers fishing illegally and using practices that destroy the ecosystem.

## **WOMEN'S AND GIRLS' RIGHTS**

In January, the Gender Equality and Women's Empowerment bill became law; it requires that 30% of seats in public office be held by women. By July, women's representation in parliament had doubled to an unprecedented 41, while the percentage of women appointed as cabinet members reached 30%. In September, the Ministry of Gender and Children's Affairs said it would begin tracking and assessing gender mainstreaming within various ministries, departments and agencies nationwide.

In February, the NGO, AdvocAid, demanded an end to violence by law enforcement officials as a police officer went on trial for raping a girl in a police station.

Female genital mutilation remained prevalent. In March, a two-year-old died after being subjected to the practice during an initiation process into the "Bondo" secret society. The Human Rights Commission engaged stakeholders in discussions on a national strategy – drafted in 2015 but never applied – to end such procedures.

In March, a report by the integrated African Health Observatory, a health information platform for African member states of the WHO, reported a drop in the maternal mortality rate of almost 60% between 2017 and 2020.

## **CHILDREN'S RIGHTS**

In April, the Child Rights Coalition urged the government to pass the Child Rights Act 2022, saying its provisions would provide child-friendly complaints mechanisms within the National Commission for Children, and close gaps in addressing issues like child justice, and early and child marriage. In the same month, parliament passed the Basic and Senior Secondary Education Act 2023, which prohibits parents or guardians from refusing to send their children to school, corporal punishment and discrimination in relation to admission to, or treatment in, schools. The act also provides for better access to schooling for pregnant girls and parent learners.

A lack of shelters to accommodate vulnerable children hindered the fight against child labour. In July, an African Programming and Research Initiative to End Slavery report revealed that child trafficking had increased in the north-west region; 34% of five to 17-year-olds in the Kambia district had experienced child trafficking while about 40% were subjected to child labour.

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1. "Sierra Leone: Seven months after August's protests which turned violent in some locations, no justice yet for those injured or the families of those killed", 20 March

# SINGAPORE

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## Republic of Singapore

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**Restrictive laws were used to silence government critics. Executions continued, including of the first woman known to have been executed in 20 years.**

### FREEDOM OF EXPRESSION

The authorities continued to crack down on human rights activists and government critics.<sup>1</sup>

In November, a court sentenced human rights lawyer M Ravi to 21 days in prison and fined him SGD 10,000 (USD 7,453) over nine instances of contempt of court. In March, a court also suspended his licence for five years in relation to his defence of a death row inmate in 2020. In May, the Ministry of Home Affairs ordered M Ravi, Kirsten Han and the anti-death penalty group Transformative Justice Collective of which she is a member, and others to issue "corrections" under the Protection from Online Falsehoods and Manipulation Act (POFMA). These related to their social media posts and online articles raising fair trial concerns in the case of Tangaraju Suppiah who was executed in April.<sup>2</sup>

In June, the government ordered the blocking of US-based news website Asia Sentinel for its refusal to comply with a POFMA order "to correct" an article about

the use of government power against dissenters.

Judicial harassment of Terry Xu, editor of independent media outlet The Online Citizen, continued. In April, the High Court fined him and ordered him to pay costs amounting to SGD 30,000 (USD 22,474) for contempt of court, in relation to the publication of an open letter in 2021 criticizing the chief justice.

In March, the government announced that the prime minister's brother Lee Hsien Yang and his wife were under investigation for perjury. They were also accused of leaving the country to avoid police questioning. Lee Hsien Yang was embroiled in a dispute with his brother over their family's estate and had become increasingly critical of his brother's government in recent years. In November, Lee Hsien Yang was ordered to pay damages to the law and foreign ministers who had filed defamation suits against him for Facebook posts in which they claimed he accused them of corruption.

Parliament passed the Online Criminal Harms Act in July, giving the government sweeping powers to restrict or block online content and raising concerns it could be used against critics.

### DEATH PENALTY

Executions continued after being resumed in 2022. All of those executed were convicted of drug-related charges and sentenced to the mandatory death penalty. Proceedings in many cases did not meet international fair trial standards. Among those hanged during the year was Saridewi Djamani in the first known execution of a woman in Singapore since 2004.<sup>3</sup>

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1. "Singapore: Suppression of Activists, Critics Continues Ahead of Elections", 16 May
  2. "Singapore: Arbitrary and unlawful execution for drug-related offence shows disregard for human rights", 26 April
  3. "Singapore: Unlawful and shameful drug executions continue, including of first known woman in 20 years", 28 July

# SLOVAKIA

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## Slovak Republic

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**Discrimination against Roma persisted, including in education and in the public housing system. Parliament failed to adopt a consent-based definition of rape. Parliamentarians again attempted without success to adopt amendments that would restrict access to abortion. Irregular migrants were subjected to arbitrary detention and other human rights violations. There was still no procedure for gender legal recognition based on the principle of self-determination.**

## DISCRIMINATION

### RIGHT TO EDUCATION

In April, Slovakia was referred by the European Commission to the Court of Justice of the EU for failing to effectively tackle discrimination in education, as set out in the EU's Race Equality Directive. Landmark judgments by the Supreme Court of Slovakia and the Regional Court in Prešov ruled that the continuing existence of schools attended mainly by Roma children – as well as their unlawful placement in “special” classes – violated the right to equal access to education and was discriminatory.

### EXCESSIVE AND UNNECESSARY USE OF FORCE

Incidents of police brutality against Roma continued. The government failed to take steps to comply with judgments by the European Court of Human Rights requiring that Slovakia ensure effective access to justice for minors; that courts effectively examine allegations of humiliating treatment by the police; and that possible racist motives for arresting and ill-treating people are effectively investigated.

### RIGHT TO HOUSING

Roma people continued to live disproportionately in segregated, environmentally hazardous housing with inadequate access to water, sanitation and electricity.

## WOMEN'S RIGHTS

No progress was made towards ratifying the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

Parliament failed to adopt a consent-based definition of rape.

## SEXUAL AND REPRODUCTIVE RIGHTS

No effective compensation mechanism had been established for women who were illegally sterilized between 1966 and 2004.

Several bills were proposed to restrict safe and legal abortions, but these were not passed by parliament.

## REFUGEES' AND MIGRANTS' RIGHTS

In September, the Public Defender of Rights released findings claiming that irregular migrants were detained longer than legally permitted in the temporary detention centre in Veľký Krtíš.

From October onwards, every migrant entering Slovakia irregularly was placed in a detention centre for foreigners.

The Public Defender also raised concerns regarding several human rights violations at the police detention centre for foreigners in Sečovce, including its restrictive regime, lack of meaningful activities, lack of opportunities to connect with family, lack of information about legal aid and legal status, problematic access to adequate healthcare, and a ban on wearing one's own clothes.

In October, 45 irregular migrants went on hunger strike after being arbitrarily detained at the police detention facility in Medvedov. They demanded their release to open facilities, and access to legal aid and assistance with social support.

## LGBTI PEOPLE'S RIGHTS

Parliament failed to pass a law which would have granted same-sex couples the option to access each other's medical documentation. Reform was overdue on regulating same-sex couples' unions and parenthood, and on transgender people's rights, including marriage and legal gender recognition – which still required gender-affirming

healthcare – in violation of the right to self-identification. From March to June, there were attempts in parliament to make gender recognition virtually impossible, but these were unsuccessful.

## RIGHT TO HEALTH

After many delays, in March the former minister of health approved professional guidelines on the provision of gender affirming healthcare. However, the guidelines were ignored by some healthcare providers and state institutions, and their validity was questioned by several public officials, including a former prime minister.

## RIGHT TO A HEALTHY ENVIRONMENT

December saw the closure of the Nováky power plant, the last facility producing electricity from domestic coal sources, as a consequence of the 2018 decision to end government support for domestic coal mining. It was estimated that the closure would reduce CO2 emissions by more than 1 million tonnes. However, the use of coal continues in domestic heating and in industry, and a liquefied natural gas terminal in Bratislava with an expected lifespan of 20 to 40 years was scheduled for completion in 2026.

The Climate Act, in draft form since 2021, had not yet been enacted. Climate Action Network criticized the “very low ambition” contained in the legislation.

# SLOVENIA

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## Republic of Slovenia

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**New legislation ended legal proceedings against people who violated the blanket ban on protests during the Covid-19 pandemic. Severe family doctor shortages left approximately 140,000 people without adequate access to primary healthcare. The president proposed legislation to restore residency rights to the “erased”. Slovenia continued returning asylum seekers to**

**Croatia. Government set new targets for renewables and greenhouse emissions.**

## FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

In September, the National Assembly adopted legislation to end legal proceedings initiated against individuals who defied certain restrictions, including on protests, enacted during the Covid-19 pandemic and ordered a refund of all fines paid.

In May, the Constitutional Court lifted the suspension – in place since February – of amendments to the law on Radio-Television Slovenia (RTV SLO), regulating the composition of its governing board. Media organizations noted that the amendments would significantly reduce the possibility of political interference and allow RTV SLO to establish its editorial independence after years under the control of the previous governments.

## ECONOMIC, SOCIAL AND CULTURAL RIGHTS

In July, the National Assembly adopted the long-awaited and amended Long-Term Care Act. The act envisaged far-reaching systemic solutions to address the needs of people requiring full-time care, both at home and in care institutions.

Due to significant shortages of family doctors across the country, approximately 140,000 people remained without effective access to primary healthcare. The civil society initiative Voice of the People warned that the lack of doctors led to significant delays in people receiving their first examination, diagnosis and therapy and may have caused preventable deaths. The initiative said that government measures to provide primary healthcare services through community health centres were ineffective.

After floods in August, the authorities implemented a series of measures to support people affected by devastating floods that left six people dead and hundreds without homes in north and central Slovenia. The measures ranged from immediate support for households and businesses to long-term

rebuilding of destroyed roads and bridges, as well as flood safety infrastructure.

## DISCRIMINATION

### THE “ERASED”

In October, the president proposed legislation that could restore permanent residency for the so-called “erased” people, citizens of other former Yugoslav republics who were unconstitutionally removed from the official registry of permanent residents when Slovenia declared independence over 30 years ago. More than half of approximately 25,000 “erased” people were unable to restore their residency status or receive compensation from the state.

### LGBTI PEOPLE

People seeking to change their legal gender in identity documents were still required to obtain a certificate from a health institution or a doctor, which in practice meant obtaining a mental health disorder diagnosis.

## REFUGEES’ AND MIGRANTS’ RIGHTS

The authorities recorded 60,587 irregular entries by refugees and migrants, a significant increase compared with previous years. Slovenia continued to return asylum seekers to Croatia, despite well-documented reports of widespread abuse of refugees and migrants by the Croatian border police.

In June, the Administrative Court ruled in the case of an asylum seeker from Afghanistan, that the practice of detaining asylum seekers before they lodged asylum applications violated their constitutional right to personal liberty.

In September, the ombudsman said the overcrowding in the reception centre for asylum seekers in the capital, Ljubljana, violated people’s right to personal dignity, privacy and security.

## RIGHT TO A HEALTHY ENVIRONMENT

In June, the government updated its draft Integrated National Energy and Climate Plan and set new targets, including 30-35% of energy production from renewable sources and a 37-40% reduction in emissions by 2030. Local civil society groups said

Slovenia’s targets were not meeting the goals set in the Paris Agreement and needed to be more ambitious.

# SOMALIA

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## Federal Republic of Somalia

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**The conflict between the government and Al-Shabaab continued, and all parties committed serious abuses of international humanitarian and human rights law with impunity. Insecurity, drought, floods and food insecurity caused the displacement of over 2.9 million people and a dire humanitarian crisis. Internally displaced people faced human rights violations; women and girls were particularly exposed to gender-based and conflict-related sexual violence. The right to freedom of expression was restricted, and journalists were attacked, beaten, and arbitrarily arrested and prosecuted. In Somaliland, a new conflict erupted in the city of Las Anod in Sool region, leading to civilian casualties, destruction of civilian property and massive displacement. Somaliland authorities also restricted the rights to freedom of expression and peaceful assembly.**

## BACKGROUND

In February, the government announced plans for a comprehensive military operation against Al-Shabaab and established a frontline states-level initiative, comprising military forces from Djibouti, Ethiopia and Kenya.

In Puntland, the first one-person, one-vote district council elections were held in May.

The African Union Transitional Mission in Somalia (ATMIS) concluded the first phase of the plan to transfer security responsibilities to Somalia’s army and police force, withdrawing 2,000 troops in June which raised concerns about civilian protection. ATMIS resumed the withdrawal of a further 3,000 troops in December, a process which had previously been halted following a request from the government for a three-month pause.

Political tensions increased in Somaliland due to elections planned for 2024 and a new conflict in the Sool region.

## **UNLAWFUL ATTACKS AND KILLINGS**

Civilians continued to bear the brunt of the ongoing conflict between the government and its international allies on one hand, and the armed group Al-Shabaab on the other.

Massive civilian casualties were reported throughout the year. There was no accountability for violations of international humanitarian and human rights law.

In March, the president announced the second phase of the offensive against Al-Shabaab, referred to as “Operation Black Lion”, which aimed to liberate the remaining territories under Al-Shabaab’s control throughout the country.

Al-Shabaab increased its targeted attacks against government and allied forces and also carried out indiscriminate attacks against civilians. According to the UN, there were 945 civilian casualties (342 killed and 603 injured) between February and October. Al-Shabaab was responsible for 312 civilian casualties, while the rest were attributed to state security forces, clan militias, and international and regional forces.

On 23 September, a truck bomb explosion in the central Somali town of Beledweyne killed at least 18 people and injured 40 more.

On 29 September, a suicide bombing inside the Bar Bulsho tea shop, near the presidential palace in the capital, Mogadishu, killed at least seven people. Al-Shabaab claimed responsibility for the attack.

## **RIGHT TO FOOD**

Drought, floods and the impact of the war in Ukraine on food imports created a dire humanitarian crisis. According to the UN, nearly 8.25 million people, almost half the population, needed immediate life-saving humanitarian and protection assistance. The drought devastated the agriculture sector, which provides up to 90% of Somalia’s exports, and led to increased displacement and loss of livelihoods. One third of all livestock died in the worst-affected areas. An

estimated 5 million people experienced food crisis or worse outcomes, including 96,000 people facing catastrophic hunger. An estimated 1.8 million children, including infants, faced acute malnutrition, with almost 478,000 children likely to be severely malnourished. Meanwhile, Al-Shabaab restricted humanitarian access in areas under their control, compounding the crisis.

## **INTERNALLY DISPLACED PEOPLE’S RIGHTS**

Internally displaced people continued to face significant human rights violations and abuses. More than 2.9 million people were displaced due to the floods, drought, conflict and food insecurity. According to the UN, over 105,000 individuals – the majority already internally displaced people – were forcibly evicted between January and December across the country.

Most of those displaced were older people, children and women, including pregnant women and lactating mothers. The lack of adequate shelter and privacy in overcrowded internally displaced people’s settlements increased women’s and children’s vulnerability to violations such as gender-based violence, including rape and physical assaults.

## **SEXUAL AND GENDER-BASED VIOLENCE**

Gender-based violence, including conflict-related sexual violence against women and girls, continued. Between February and June, the UN reported four conflict-related sexual violence incidents affecting nine women, including a pregnant woman with disabilities, and four girls. Five of the survivors had been internally displaced as a result of the drought.

The ongoing drought increased the vulnerability of internally displaced people to gender-based violence. Women and girls were at heightened risk of sexual violence and abuse when travelling long distances to fetch water for their families.

In August, the UN Independent Expert on the situation of human rights in Somalia reported that sexual and gender-based violence was pervasive, with rape, gang rape,



female genital mutilation and domestic violence among the most common forms.

The federal parliament failed to pass the sexual offences and the female genital mutilation bills.

## **FREEDOM OF EXPRESSION**

The right to freedom of expression and media freedom was restricted. Journalists were occasionally attacked by security forces and were subjected to threats, harassment, intimidation, beatings, arbitrary arrests and prosecution.

On 13 February, the Banadir Regional Court in Mogadishu sentenced Abdalle Ahmed Mumin, a journalist and secretary general of the Somali Journalists Syndicate (SJS) to two months' imprisonment for "disobeying government orders" pursuant to article 505 of the penal code. He was taken to Mogadishu Central Prison, where prison officials refused to detain him, saying he had already served more than two months as he was first arrested in October 2022. On 23 February, Abdalle Ahmed Mumin was re-arrested while attending a public meeting convened by a senatorial committee and was detained at Mogadishu Central Prison where he remained until his release on 26 March. The following day the court lifted a travel ban against him.

In March, the president signed the National Security and Intelligence Agency (NISA) Act into law. The Act contains overly broad provisions, including prohibiting anyone from disseminating information about intelligence activities and NISA officers. Such provisions are likely to be used to prosecute journalists, political opposition members, and human rights defenders and activists who publish information about government abuses. The mass surveillance powers given to the agency – including the authority to monitor communications, including internet and postal communications – could also be used to violate the rights to freedom of expression and privacy.

On 16 April, police in Mogadishu arbitrarily arrested four journalists while they reported from a bomb blast site in Hamar Jajab

neighbourhood. Two of them, Mohamed Said Nur and Qasim Ibrahim Adan, worked for the Risaala Media Corporation; and Mohamud Abdirashid Sofeysane and Isaq Rashid worked for 5TV. They were all released the same day without charge.

On 17 August, plain-clothes security officers arrested Mohamed Ibrahim Osman Bulbul, a journalist with Kaab TV and the SJS's secretary of information and human rights.<sup>1</sup> He was arrested the day after he had published a story about alleged misappropriation of EU funds intended for police training. On 19 August he was brought before the Banadir Regional Court, which granted a request by the police to hold him for seven days pending further investigation. During his detention, officers from the Criminal Investigation Department confiscated and searched his phones to access the sources of his reporting. On 25 September, he was charged with offences under the penal code including bringing the state into contempt, and circulating false and tendentious news. He was transferred to Mogadishu Central Prison on 28 September, but the court dismissed the charges and released him on 11 October.

On 16 October, Abdifatah Moalim Nur, director of Somali Cable Television, was killed in an Al-Shabaab suicide attack at Mogadishu's Blue-Sky restaurant. At least four other people were injured in the same attack.

## **SOMALILAND**

### **FREEDOM OF PEACEFUL ASSEMBLY**

The assassination on 26 December 2022 of Abdifatah Abdullahi Abdi, a politician from the Dhulbahante clan in Las Anod, Sool region, by unidentified armed men triggered widespread protests. Somaliland security forces responded by using excessive force. The UN Assistance Mission in Somalia (UNSOM) said 12 protesters were killed and 59 injured during the protests between late December 2022 and early January 2023. The Somaliland authorities withdrew security forces from Las Anod in early January in response to continuing anger and widespread

protests over the killings. This paved the way for prominent Dhulbahante personalities including clan elders to enter the town. The elders held consultative meetings between 28 January and 5 February and issued a declaration that the Sool and Sanaag regions were not part of Somaliland's administration.

### **INDISCRIMINATE ATTACKS**

Following the Dhulbahante clan elders' declaration, clashes between Somaliland security forces and armed fighters affiliated with the Dhulbahante clan began on 6 February, escalating into a situation of non-international armed conflict.<sup>2</sup>

Somaliland security forces indiscriminately shelled Las Anod, resulting in the unlawful killing and injuring of civilians, including women, children, older people with health conditions, and healthcare workers. Most were killed in indiscriminate attacks involving rockets, mortars and other explosive weapons with wide-area effects. According to UNSOM, 36 civilians were killed and 270 injured.

On 6 February, seven-year-old Rayan Abdullahi Ahmed was killed by munitions while inside her aunt's house in the Samalay neighbourhood, in southern Las Anod. On the same day, Amina Jama Ibrahim was killed by munitions inside her house in the Ex-Control neighbourhood in eastern Las Anod. On 11 February, Abdisalam Saed Muse, a nurse volunteer with the Somali Red Crescent Society, was killed when a stray bullet hit him at Gargaar hospital. On 21 February, Saynab Yusuf Dheeg was killed by munitions while sitting with four other women near her house.

### **VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW**

Somaliland forces carried out indiscriminate ground attacks that damaged or destroyed civilian infrastructure.

The Las Anod general hospital was hit several times between February and August. Doctors Without Borders said that the hospital was hit during fighting on 28 February, causing partial damage to the structure, and bringing work in the paediatric ward and the blood bank to a standstill. Hundreds of other civilian buildings including

two mosques and three schools were also damaged.

The indiscriminate attacks and fighting led to between 154,000 and 203,000 people being displaced to neighbouring towns and villages, and to Ethiopia. Most of the displaced started returning to Las Anod in late August due to a pause in hostilities.

### **FREEDOM OF EXPRESSION**

Somaliland authorities continued to restrict the right to freedom of expression and media freedom by arbitrarily arresting, detaining and prosecuting journalists and critics.

In particular, they restricted reporting on the conflict in Las Anod. On 30 January, the Ministry of Information issued a directive, warning "against the dissemination of news, reporting and opinions that could fuel the situation in Las Anod."

On 15 May, the authorities arbitrarily arrested and detained journalist Busharo Ali Mohamed (also known as Busharo Baanday) in Wajaale on the border with Ethiopia. She was transferred to Hargeisa where she was detained for three months. On 16 July she was charged with several offences under the Somali penal code including circulating false and tendentious news and for disobeying laws. The Maroodi Jeh Regional Court in Hargeisa convicted her and sentenced her to one year in jail, but she was released on 15 August after paying a fine of SOS 123,788 (around USD 217).

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1. "Somalia: Free journalist jailed for investigative report: Mohamed Ibrahim Osman Bulbul", 6 October
  2. "Somaliland: Urgent investigation needed as fighting takes heavy toll on civilians in Las Anod", 20 April

## **SOUTH AFRICA**

### **Republic of South Africa**

**Incidents of gender-based violence continued while perpetrators enjoyed impunity. The Department of Basic Education failed in its promise to eradicate pit latrines in schools. Illiteracy rates among Grade 4 pupils rose. There were**

**concerns that the National Health Insurance Bill might have an adverse impact on access to quality healthcare. Access to quality and safe drinking water declined. Refugees and migrants continued to be denied access to primary healthcare. The murder rate remained high. Police continued to use excessive force in response to protests. Threats against human rights defenders, activists and whistleblowers, and attempts to silence journalists continued. The government made no progress on the decommissioning of coal-fired power stations.**

## **BACKGROUND**

According to official statistics 31.9% of the population were unemployed, and 32.7% of 15- to 24-year-olds were not in employment, education or training.

The ICC's warrant for the arrest of Russian President Vladimir Putin – who was invited to attend the BRICS summit in Johannesburg – put the government in a difficult position because of its relationship with Russia.

Steps were taken to start implementing the recommendations made in the 2022 Commission of Enquiry into State Capture report.

The South African Human Rights Commission's report investigating the 2021 unrest in KwaZulu-Natal and Gauteng provinces, and due to be released in July, remained outstanding.

The worsening energy crisis affected the rights to access water, health and education. A system known as “loadshedding” was used, where rolling, planned electricity blackouts were imposed for extended periods, due to corruption and mismanagement of ageing infrastructure.

## **GENDER-BASED VIOLENCE**

High levels of gender-based violence continued. Crime statistics for the period between July and September showed 13,090 reported sexual offence cases. Murders of women decreased by 10.9% compared to the same period in the previous year, with 881 women killed. The National Council on

Gender-Based Violence and Femicide Bill, intended to establish a council to oversee the implementation of the National Strategic Plan on Gender-Based Violence and Femicide, was released for public comment in May, with public hearings occurring in June.<sup>1</sup> In December, the National Council of Provinces released an updated version of the bill for a second round of public comments.

Impunity for gender-based violence continued. The National Prosecuting Authority revealed it had insufficient evidence to prosecute the murders of Popi Qwabe and Bongeka Phungula six years earlier, but instead referred their cases to the Protea magistrate's court for an inquest. The women were shot dead, and their bodies dumped by the side of the road in Johannesburg in May 2017.

More than a year after eight women were robbed and gang-raped by armed men while filming at an abandoned mine in Krugersdorp in July 2022, no further arrests were made and there was no justice for the victims and their families. In April, the South African Police Service (SAPS) was ordered by the Information Regulator to apologize for leaking personal information about the victims.<sup>2</sup>

## **RIGHT TO EDUCATION**

Despite promises to eradicate and replace illegal pit latrines by 2023, the Department of Basic Education's Education Facilities Management report showed that 3,932 schools still used pit latrines, violating the rights to health, dignity, safety and life.

A 2030 Reading Panel report found that 82% of Grade 4 pupils were unable to read for meaning in any language, rising from 78% in the pre-pandemic era. The panel consists of educational experts and civil society members, who collate evidence about learning and make recommendations to the government.

The energy crisis reportedly affected access to education, contributing to children arriving at school late – or not at all – hungry and unable to complete homework, increasing the risk of entrenching existing inequalities further.<sup>3</sup>

## **RIGHT TO HEALTH**

In December, the National Council of Provinces passed the National Health Insurance Bill and sent it to the president for his assent. Although it is intended to ensure universal access to quality healthcare services, civil society raised many concerns that it may result in reduced access. Chief concerns were the governance of the National Health Insurance Fund and risk of widespread corruption; excessive power allocated to the minister of health; the exclusion of asylum seekers and undocumented migrants; and the current crumbling state of the public healthcare system.

Strike action in March by the National Health Education, and Allied Workers Union relating to wage disputes, hindered access to healthcare services and resulted in four deaths, according to the health minister.

Reports of the detrimental effect of South Africa's worsening energy crisis on access to healthcare continued to mount. In May, the outgoing Health Ombud (or ombudsman) lamented the state of governance in the health system and called for an independent office of the health ombudsman, in line with international best practice.

## **RIGHT TO WATER AND SANITATION**

Department of Water and Sanitation national reports released in June revealed a decline in access to quality and safe drinking water. In 90 municipalities, 334 wastewater systems were in a critical condition, and 55% of sampled systems demonstrated poor chemical water quality compliance.

The energy crisis placed additional strain on already ageing and under-maintained water infrastructure, as reported by Umgeni-uThukela Water in April, resulting in water outages or low water pressure in many areas, and threatening the right to access safe and sufficient water.

By 22 May, 15 people had died of cholera in the Hammanskraal region in Gauteng province.<sup>4</sup> This rose to 23 people a week later. An independent investigation by the Water Research Commission found that

inadequate sanitation and hygiene infrastructure, particularly in informal and rural settlements, as well as operational inefficiencies in treating wastewater and water to acceptable standards, enabled the rapid spread of the disease.

## **REFUGEES' AND MIGRANTS' RIGHTS**

The vigilante group Operation Dudula continued to curtail refugees' and migrants' rights, including by preventing access to healthcare. In January, they chased foreign nationals from the Jeppe Clinic in Johannesburg.<sup>5</sup>

Some health facilities in Gauteng province continued to deny access to pregnant and lactating migrant women, and children under six, according to Lawyers for Human Rights. This was despite the South Gauteng High Court ruling which upheld their right, irrespective of nationality and documentation status, to access free health services at all public health facilities.

In April, after legal disputes spanning 11 years, the Department of Home Affairs reopened the Cape Town Refugee Reception Office.

## **RIGHT TO LIFE AND SECURITY OF THE PERSON**

According to the Global Initiative Against Transnational Organized Crime, there were, on average, reports of more than two targeted killings a week.

In the period from July to September, police records showed 6,945 murders, 59 fewer compared to the same period in the previous year. However, the murder rate remained high, with an average of 75 people murdered each day. During this reporting period, there were 58 cases of mass killings, involving the killing of three or more people in a single incident, resulting in 218 deaths.

In September, the South Gauteng High Court found the state liable for damages for the torture of five prisoners in the Leeuwkop prison in Gauteng province, for the first time since the end of apartheid.

In July, Khayalihle Gwabuzela, also known as Khaya Ngubane, was found guilty of the

March 2022 killing of Ayanda Ngila, a human rights defender and community leader of Abahlali baseMjondolo (AbM), a shack dwellers' movement, and sentenced to 15 years in prison. There were no convictions for the killing of three other AbM human rights defenders in 2022.

## EXCESSIVE USE OF FORCE

SAPS officers continued to use excessive force, resulting in injuries and deaths.

In July, eight Presidential Protection Services officers, who were transporting the deputy president, were caught on video assaulting motorists on a highway in Gauteng province. They were granted bail in August and their trial was rescheduled for May 2024.

## UNLAWFUL KILLINGS

As of 14 February, the Independent Police Investigative Directorate was dealing with 1,060 cases of deaths as a result of police action.

In July, 16-year-old Karabo Chaka was killed during a protest in Slovo Park, south of Johannesburg. Investigations continued into whether his killing was at the hands of police.

## FREEDOM OF EXPRESSION AND ASSOCIATION

Human rights defenders, activists and whistle-blowers continued to face threats, intimidation and harassment. Police whistle-blower Patricia Mashale, who was allegedly dismissed after reporting suspicious activities by SAPS officials, went into hiding after not receiving protection. The Department of Justice and Constitutional Development released a Discussion Document on Proposed Reforms for the Whistleblower Protection Regime in South Africa for public comment in July. In August, six men were found guilty of murdering Gauteng Department of Health whistle-blower Babita Deokaran in 2021 and given prison sentences ranging from six to 22 years. Investigations continued to find others suspected of being responsible for her death.

In May, the cabinet approved the General Intelligence Laws Amendment Bill, which

gives powers to security intelligence services to vet anyone seeking to establish an NGO.

Journalists also continued to face threats, attacks, intimidation and harassment, especially through attempts to silence them using the courts. A private prosecution by former president Jacob Zuma against journalist Karyn Maughan was dismissed in June. A gag order granted to the company Moti Group against the AmaBhungane Centre for Investigative Journalism was set aside in July.

## RIGHT TO A HEALTHY ENVIRONMENT

Despite the government's commitment to reducing its carbon emissions by 2030 to within a target range which is aligned with limiting the global temperature increase to 1.5°C above pre-industrial levels, the government made no progress in decommissioning coal-fired power stations. Civil society raised concerns that this delay might compromise South Africa's Just Energy Transition Investment Plan (JET IP).

In October, the government announced that Denmark and the Netherlands had joined the International Group of Partners investing in the country's JET IP, and that further pledges to support the transition were made by Canada, Spain and Switzerland. At COP28 in December, the Just Energy Transition Implementation Plan was launched, giving effect to the JET IP.

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1. "South Africa: Amnesty International's submission in relation to the National Council on Gender-Based Violence and Femicide Bill (B31 – 2022)", 18 May
  2. "South Africa: Urgent measures needed to hold SAPS accountable for denying GBV victims and their families justice", 9 August
  3. "South Africa: SONA 2023: President Cyril Ramaphosa has failed the nation on the delivery of basic human rights", 8 February
  4. "South Africa: Authorities must act with urgency to prevent further cholera deaths", 22 May
  5. "South Africa: Collective Voices against Health Xenophobia strongly condemns Operation Dudula's attack on patients at the Jeppe Clinic", 20 January

# SOUTH KOREA

Republic of Korea

**The government adopted plans to reduce industrial carbon emissions but failed to pass legislation to phase out coal in energy production. The construction of a new coal-fired power plant continued. Women's rights were further undermined as the government continued with controversial plans to abolish the Ministry of Gender Equality and Family and cut budgets aimed at preventing and responding to violence against women. An increasingly hard line was taken against peaceful protesters including labour and disability activists. The indefinite detention of refugees and migrants was found to be unconstitutional.**

## BACKGROUND

In August, tens of thousands of people protested peacefully in the capital, Seoul, against the release of Fukushima nuclear wastewater by Japan into the Pacific Ocean. In September, around 30,000 protesters took part in a march for climate justice in Seoul.

## RIGHT TO A HEALTHY ENVIRONMENT

In April, the government adopted the National Basic Plan for Carbon Neutrality and Green Growth that includes plans for lowering greenhouse gas emissions and supplementing resulting reductions in energy production capacity with other technologies such as nuclear power.

In June, the National Human Rights Commission of Korea (NHRCK) submitted an opinion to the Constitutional Court in support of petitions contesting the constitutionality of the government's Carbon Neutrality Act. The opinion stated that the greenhouse emission reduction targets were too low and would unjustly pass on the burden of cutting emissions to future generations.

The Coal Phase-out bill, first proposed in 2022, that includes provisions to stop coal power generation projects currently under construction and to prohibit new licences,

was still pending at year's end. In the meantime, the construction of a new coal-fired power station in Samcheok, Gangwon province, continued.

## FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The erosion of rights to freedom of expression, association and assembly continued against a backdrop of a government clampdown on "illegal" protests.

In January, the city-run transport company Seoul Metro filed a suit against the disability advocacy group Solidarity Against Disability Discrimination (SADD), claiming KRW 601.45 million (approximately USD 450,000) in damages for train delays and losses caused by SADD protests since 2021 against lack of disabled access to trains. As part of SADD's campaign for improved access to public transport for people with disabilities, wheelchair users repeatedly boarded and disembarked from trains to draw attention to their calls for more spending on wheelchair ramps, elevators at metro stations and other mobility measures.

In September, the Constitutional Court ruled that provisions in the National Security Law prohibiting "anti-state", "enemy-benefiting" and "espionage" activities were constitutional. The law, which has been subject to multiple legal challenges, has been used to silence dissent and to arbitrarily prosecute individuals for peacefully exercising their rights to freedom of expression and association.

Also in September, the Constitutional Court struck down a law that punished attempts to send anti-Pyongyang messages, for example leaflets carried by balloon or via cross-border rivers, to North Korea with up to three years' imprisonment, on the grounds that it was inconsistent with constitutional guarantees of freedom of expression.

## WORKERS' RIGHTS

Harassment of labour activists intensified in the context of President Yoon's anti-union rhetoric. Police launched criminal investigations into the activities of dozens of

trade union members during the year and conducted raids on union offices. A police search and seizure operation on the office of the Korean Construction Workers Union (KCWU) took place on 1 May. On the same day, KCWU executive, Yang Hoe-dong, set fire to himself in front of the Gangneung branch of Chuncheon District Court and died the next day. He was under investigation in connection with his union work, including accusations that he had “blackmailed” construction companies to pay union fees and hire unionized workers.

On 31 May, police demolished a memorial altar to Yang Hoe-dong, injuring four people, and threatened to use pepper spray to break up a peaceful rally organized by the Korean Confederation of Trade Unions.

## **DISCRIMINATION**

### **WOMEN'S AND GIRLS' RIGHTS**

The government continued with its controversial plan to abolish the Ministry of Gender Equality and Family, but had not done so by the end of the year. In October, the government announced significant cuts to the 2024 budget for preventing violence against women and supporting survivors, provoking strong criticism from hundreds of women's rights organizations. On 24 August, protests were held in Seoul demanding that the authorities do more to end violence against women following the murder of a woman earlier in the month in Sillim-dong park, in the Gwanak district of Seoul.

In August, a network of campaigners for safe abortions lodged a petition with the NHRCK stating that the government was violating the right to health of women by failing to enshrine the right to abortion into law. In November, the UN Human Rights Committee urged the government to take appropriate legislative and other measures to implement a 2019 Constitutional Court decision which decriminalized abortion in order to ensure effective access to safe abortion.

### **LGBTI PEOPLE'S RIGHTS**

In February, the Seoul High Court ordered the National Health Insurance Service (NHIS)

to resume health insurance coverage for Kim Yong-min, as a dependent of his same-sex partner. It was the first court ruling in South Korea to legally recognize same-sex partners. The ruling found that the NHIS's spousal insurance system was discriminatory because it did not grant equal benefits to people in same-sex relationships.<sup>1</sup> The NHIS appealed the ruling.

In May, a group of cross-party National Assembly members tabled a marriage equality bill to amend the civil code in order to permit same-sex marriage. The bill was not expected to be adopted but was regarded as an important symbolic step in increasing pressure on the government to expand the definition of “family”.

In May, the NHRCK made recommendations to the Supreme Court on revising its rules relating to gender recognition for trans people to ensure compliance with human rights standards. These had not been acted on by year's end.

On 26 October, the Constitutional Court, for the fourth time, upheld Article 92-6 of the Military Criminal Act, which criminalizes consensual same-sex sexual acts within the Korean military.<sup>2</sup>

### **REFUGEES' AND MIGRANTS' RIGHTS**

A Constitutional Court decision offered the prospect of greater protection for refugees and migrants in South Korea. On 23 March, it found that the provisions of the Immigration Control Act, including indefinite detention of foreign nationals subject to deportation and the absence of an independent review of detention decisions, were unconstitutional and violated the principles of proportionality and due process. The Ministry of Justice said it would challenge the ruling.

### **CHILDREN'S RIGHTS**

On 23 March, the Constitutional Court found that provisions of the Act on Registration of Family Relations, making birth registration by the biological father of a child born to unmarried parents almost impossible, violated the constitution. It confirmed that the right to birth registration must be guaranteed

to all children in the country, regardless of their nationality or status.

## SEXUAL AND GENDER-BASED VIOLENCE

On 26 January, the Ministry of Justice rejected plans, announced earlier the same day by the Ministry of Gender Equality and Family, to revise the legal definition of rape under the criminal code to include non-consensual sex. The current definition requires proof of “violence or intimidation” which is inconsistent with international standards under which lack of consent is a fundamental element of rape.

## DEATH PENALTY

Several developments raised concerns that South Korea may be considering resuming executions. In April, the Supreme Prosecutor’s Office announced plans to introduce the death penalty for infanticide and for crimes relating to the sale and distribution of drugs to children. In August, the justice minister ordered correctional institutions to inspect and carry out any necessary maintenance of their execution facilities.

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1. “South Korea: High Court health insurance ruling offers hope for marriage equality”, 21 February
  2. “South Korea: Ruling on LGBTI soldiers a distressing setback for human rights”, 26 October

# SOUTH SUDAN

## Republic of South Sudan

**The rights to freedom of expression, association, peaceful assembly and movement were repressed. Journalists, activists, critics and political opposition members faced arbitrary arrest and detention, and torture and other ill-treatment. A critic of the government was forcibly returned from Kenya and held in prolonged detention by the National Security Service. Government forces and armed groups committed serious human rights violations and abuses, including**

**extrajudicial executions, unlawful killings, conflict-related sexual and gender-based violence, and the recruitment and use of children. A UN human rights body highlighted the continuing impunity enjoyed by senior officials responsible for serious human rights violations. Draft bills relating to past crimes and reparation were approved by the Council of Ministers. The humanitarian situation remained dire, and OCHA estimated that about 76% of the population needed humanitarian assistance during the year. Millions faced high levels of food insecurity. Health services were mainly provided by international donors. There were 2 million internally displaced people, and nearly 2.23 million people had sought refuge in neighbouring countries. Climate change-induced events, like floods and drought, left about 2 million people without food or agricultural land.**

## BACKGROUND

In April, the UN Human Rights Council renewed the mandate of the Commission on Human Rights in South Sudan (CHRSS).

In May, the UN Security Council extended the arms embargo imposed on South Sudan for another year until 30 May 2024.

Preparations for South Sudan’s first elections in December 2024 continued, albeit with slow progress in completing key prerequisites outlined in the 2018 peace agreement for holding elections. On 4 July, the Sudan People’s Liberation Movement endorsed President Salva Kiir as its flag-bearer during the elections.

The UN said that at least 20 people died when inter-ethnic fighting broke out in June in the UN Mission in South Sudan (UNMISS) Protection of Civilians site in Malakal, Upper Nile State. Fighting also broke out in Pochalla County in the Pibor Administrative Area, resulting in at least 87 deaths.

## FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

Between 3 and 4 January, seven South Sudan Broadcasting Corporation journalists were arbitrarily detained at the National



Security Service (NSS) detention facility in the capital Juba. Joval Tombe, Joseph Oliver, Mustafa Osman, Victor Lado, Cherbek Ruben, Jacob Benjamin and John Garang were arrested in relation to a leaked video that circulated on social media and allegedly showed President Salva Kiir urinating on himself during an official ceremony. They were all released without charge between 19 January and 18 March. John Garang, who was held until 18 March, appeared to have been subjected to torture and other ill-treatment.

During a press conference in April, information minister and government spokesman Michael Makuei Lueth threatened to arrest journalists working for the UNMISS-operated Radio Miraya, ostensibly for defying his orders for media houses to register with the media authority. In October, he admitted that the government censors the media and removes articles deemed to incite hatred.

In May, political reporter Woja Emmanuel announced on his social media accounts that he had left the profession of journalism because of fears for his life. According to a CHRSS report of 5 October, his decision could be attributed to the harassment of journalists by the authorities and resulting trauma.

On 18 September, the NSS disrupted and shut down a gathering in Juba organized by the South Sudan Opposition Alliance to welcome its secretary general, Lam Akol, back to South Sudan after spending years abroad.

## **FREEDOM OF MOVEMENT**

On 19 April, Kuel Aguer Kuel, former political detainee and member of the People's Coalition for Civic Action, was prevented from leaving the country by officials at Juba International Airport over what they called his "lack of authorization to travel". His passport was confiscated at the airport, apparently on orders from the president's office. He had intended to travel to India for medical treatment.

On 18 September, the South Sudan People's Liberation Movement-In Opposition (SPLM-IO) publicly announced that the authorities did not allow its leader and first vice-president Riek Machar Teny Dhurgon to travel outside Juba.

## **ARBITRARY ARRESTS AND DETENTIONS**

The government had still not amended the 2014 National Security Services Act, despite being obliged under the 2015 and 2018 peace agreements to do so. The act granted NSS officers police-like powers of arrest and detention, in violation of the NSS's constitutional mandate to gather intelligence.

On 4 February, South Sudanese citizen and government critic Morris Mabior Awikjok Bak was arbitrarily arrested in Nairobi by Kenyan security forces, and forcibly returned to Juba the following day. At the end of the year, he remained at an NSS detention facility known as the Blue House, in Juba, where he was repeatedly interrogated. He was not allowed to see a lawyer, and was not brought before a court. In September, it was evident that his health was deteriorating, but he was not allowed to see a doctor or given any medication.

On 11 September, the SPLM-IO political bureau met in Juba and expressed concern over the continued arbitrary arrests, detention, torture and other ill-treatment, and enforced disappearances of its members.

## **EXTRAJUDICIAL EXECUTIONS**

The UN said it documented 25 extrajudicial executions which took place between January and November. Of these, 17 people, including one woman, were executed in Warrap State and eight in Lakes State. According to the UN, the executions were allegedly committed by members of the South Sudan security apparatus.

## **SEXUAL AND GENDER-BASED VIOLENCE**

A CHRSS report published in April highlighted the continuing cycles of conflict-related sexual and gender-based violence in parts of the country. Violations were mostly perpetrated by members of the South Sudan

People's Defence Forces, the Sudan People's Liberation Army-In Opposition (SPLA-IO), armed youth groups affiliated to the government, opposition forces, and other armed elements.

## **CHILDREN'S RIGHTS**

According to the 2023 UN Secretary-General's reports on the situation in South Sudan, grave violations against 181 children (154 boys and 27 girls) were committed between June and November, including the recruitment and use of 103 children (102 boys and one girl); the killing of 24 boys and girls, and the maiming of four boys and girls; and the rape of one girl. The violations were carried out by both government forces and armed groups.

## **IMPUNITY**

The April CHRSS report highlighted the failure of the national leadership to address entrenched impunity, and described how senior public and military officials suspected of being responsible for human rights violations remained in post, and were even rewarded with promotion or other appointments, thus emboldening them and others to commit further human rights crimes. The report identified three senior officials who it said should be held accountable for serious human rights violations.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

A survivor of conflict-related sexual violence conveyed her message to the UN Human Rights Council during its March session, urging that the council ensure victims get justice for crimes committed against them in South Sudan.

Between 15 and 17 May, the government convened the Conference on Transitional Justice Mechanisms in Juba. Its objectives included reviewing progress in the establishment of the transitional justice mechanisms under the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan; learning

from regional experiences; and building consensus on the content and enactment of draft bills to establish the Commission for Truth, Reconciliation and Healing (CTRH) and the Compensation and Reparation Authority (CRA). In November, the CTRH and CRA bills were approved by the Council of Ministers, and were due to be tabled for debate in parliament before going to the president for his assent to their becoming law.

## **DENIAL OF HUMANITARIAN ACCESS**

South Sudan continued to be the deadliest place in the world for aid workers, with at least 25 of them killed, according to OCHA. On 23 September, two UNICEF-contracted trucks were attacked while returning to Juba after delivering crucial aid supplies to children and their families in Yei County, Central Equatoria State. Two of the drivers were killed and another injured.

OCHA estimated that 76% of the population – 9.4 million, including 4.9 million children – needed humanitarian assistance and protection services during 2023. The outbreak of fighting in Sudan in April exacerbated the already severe humanitarian situation, after 456,974 people fled the country to seek refuge in South Sudan by the end of the year (see below, Right to food); 80% of those fleeing were returning South Sudanese nationals. By the end of the year, the UN's Humanitarian Response Plan 2023 had received only 53% of the requested USD 1.7 billion needed to provide millions of people with life-saving assistance and protection services.

## **RIGHT TO FOOD**

In December, OCHA said that 5.83 million people (46% of the population) were experiencing high levels of food insecurity. An estimated 35,000 people, including 6,000 in the counties of Duk and Nyirol, Jonglei State; 15,000 in Rubkona County, Unity State; and around 14,000 South Sudanese returnees who fled the ongoing conflict in Sudan, faced catastrophic hunger levels. Shortfalls in funding for the UN's humanitarian project

limited resources, meaning that emergency food assistance had to be prioritized for 3.2 million people experiencing the highest levels of food insecurity.

## RIGHT TO HEALTH

Health services were mainly provided by international donors.

The Ministry of Health confirmed measles outbreaks in Upper Nile State on 6 June, and in Central Equatoria and Warrap states on 20 July. Following the outbreak, the ministry and its partners scaled up their response through mobile clinic services for consultations, immunization, patient referrals and delivery of medical emergency kits.

On 16 June, according to the UN, over 150 cases of an unidentified disease were reported – causing 23 deaths – in Darjo Primary Health Care Unit in Longochuk County, Upper Nile State.

## INTERNALLY DISPLACED PEOPLE'S, REFUGEES' AND MIGRANTS' RIGHTS

South Sudan had the largest refugee crisis in Africa, with nearly 2.23 million people living as refugees in neighbouring countries, the majority in Uganda; and 2 million people were internally displaced.

On 8 October, the government postponed a visit to the country by the UN Special Rapporteur on the human rights of internally displaced persons, scheduled for 9 to 20 October. During her visit, the Special Rapporteur had intended to gather first-hand information on the plight of internally displaced people; to engage with the government and other interlocutors on the prevention, and root causes, of internal displacement; and to look at the needs and human rights of the displaced, and explore lasting solutions. The government had not proposed new dates for her visit by the end of the year.

## RIGHT TO A HEALTHY ENVIRONMENT

South Sudan continued to face climate change-induced risks, including floods and drought. It experienced its fourth consecutive year of floods, which covered two-thirds of

the country, and left millions without food or agricultural land, especially in Unity and Jonglei states. The flooding damaged shelters and schools, destroyed crops and household goods, reduced access to safe water and hindered humanitarian access.

Speaking at the Africa Climate Summit in Nairobi in September, the president said that climate change had led to at least 2 million people in South Sudan losing their livelihoods.

# SPAIN

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## Kingdom of Spain

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**Authorities' violent response to attempts to cross the border between Melilla and Morocco in 2022 remained without effective investigation. There was no progress in investigations into the use of spyware to target politicians and members of civil society. Gender-based violence against women and girls persisted. A law was passed to remove barriers to abortion. New legislation to protect the right to housing was positive, but failed to protect vulnerable people from evictions. Vaguely formulated offences were misused to curb freedom of expression and peaceful assembly. The first case in Spain regarding torture during the Franco era opened. Some positive measures to tackle the climate crisis were adopted but remained insufficient.**

## BACKGROUND

In July, the government approved a National Human Rights Plan.

Pedro Sanchez remained prime minister following general elections in July, after securing parliamentary agreement for an amnesty law that could have implications for hundreds of people, including Jordi Sànchez, Jordi Cuixart and others prosecuted for their involvement in the Catalan independence movement. By year's end, the law was pending before parliament.

The Constitutional Court ruled in favour of a 2010 law to increase access to legal abortion.

## **REFUGEES' AND MIGRANTS' RIGHTS**

In July, the UN Committee against Torture urged the authorities to carry out an exhaustive and independent investigation into unlawful force used by police to repress an attempt by a large group of people to seek protection in Melilla, a Spanish enclave in northern Morocco, in June 2022. At least 37 people died and hundreds more were illegally expelled. The General Prosecutor had closed an ongoing investigation in December 2022, arguing that police officers had acted according to national legislation. No one was able to cross the border of Melilla to claim asylum in 2023, according to official sources.

In April, a report on the 2022 visit by the Council of Europe's Commissioner for Human Rights noted the lack of access to a prompt and effective asylum procedure throughout Spain. Many asylum seekers waited at least six months before their first interview, during which time they were at risk of deportation.

Unaccompanied children arriving in the Canary Islands were detained alongside adults and denied adequate protection.<sup>1</sup>

## **RIGHT TO PRIVACY**

In May, an investigation conducted by the European Parliament confirmed that at least 65 people, including journalists, politicians and members of Catalanian civil society, had been targeted with Pegasus spyware. There was no progress in the investigation of at least 13 lawsuits into the use of spyware filed in several Spanish courts.

In July, the High Court provisionally closed the investigation into the use of Pegasus spyware to target the prime minister, the minister of defence and the minister of interior due to lack of cooperation from Israeli authorities.

## **SEXUAL AND GENDER-BASED VIOLENCE**

Gender-based violence against women and girls persisted, with 58 women killed by their partners or ex-partners during the year and 13 killed by other individuals. Since 2013,

when records began, 50 children have been killed in the context of gender-based violence against their mothers, including two girls, aged five and eight, in 2023.

By year's end, there were only five crisis centres for victims of sexual violence in the whole country.

## **SEXUAL AND REPRODUCTIVE RIGHTS**

In February, a law was passed to allow 16 and 17 year-olds access to abortion services within the public health service and without the need for parental consent.

## **RIGHT TO HOUSING**

In May, parliament passed the Law on the Right to Housing, which caps rents, extends the term during which evictions can be suspended, and safeguards social housing stock. Although welcome, the law did not include sanctions to ensure rental price controls, ban evictions for people facing homelessness, or set annual targets to increase social housing stock.

Temporary measures to suspend evictions for people in economically vulnerable situations were extended until the end of the year. Despite this, between January and September, there were 19,332 evictions affecting thousands of people who fell outside the limited criteria for eviction suspensions.

In the neighbourhood of Cañada Real, in the capital, Madrid, 4,500 people, including 1,800 children, continued to live without access to electricity, following disconnection in 2020.

## **LGBTI PEOPLE'S RIGHTS**

In March, a law protecting LGBTI people's rights entered into force. It guaranteed access to health services and legal gender recognition based on self-determination for transgender people and prohibited conversion therapies.

In December, Madrid's regional parliament passed a regressive law banning gender recognition based on self-determination and cut education initiatives promoting LGBTI rights, among other measures.

## **RIGHT TO HEALTH**

According to official data published in 2023, public health expenditure in 2021 had decreased by 1.5% compared with 2020. Eight autonomous communities also reduced their investment in primary healthcare, further reducing accessibility. Reporting on her 2022 visit, the Council of Europe Commissioner for Human Rights noted that public healthcare facilities remained severely understaffed and urged authorities to allocate further financial investment into primary healthcare.

### **OLDER PEOPLE**

There had still been no effective investigation into deaths and other human rights violations in care homes during the Covid-19 pandemic, apart from a few exceptions where progress was made by provincial prosecutors' offices.<sup>2</sup>

## **EXCESSIVE USE OF FORCE**

Concerns remained over the use of less lethal weapons by various police forces in the country. For example, in June and July, the National Police used rubber bullets to disperse a protest in the city of Vigo, injuring one protester.

By the end of the year, no one had yet been charged in relation to the death in November 2021 of a man in Barcelona who was electroshocked several times with a Taser by regional police, including after he had been restrained.

## **FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY**

Authorities continued to misuse the Public Security Act to excessively limit the freedom of expression of demonstrators and journalists. Although fewer in number than in 2022, fines continued to be issued for vaguely defined administrative offences, such as "showing disrespect towards a law enforcement official" or "disobedience or resistance to the authorities or their agents".

By the end of the year, eight housing rights activists were still awaiting trial for the peaceful occupation of a bank branch to prevent an eviction in 2017. They each faced

prison sentences of up to 38 months and a fine of EUR 3,600.

No investigations were launched following media reports that undercover police officers had infiltrated social movements using sexual and intimate relationships as cover. The Ministry of Interior argued that the operations were intelligence work authorized by the government and remained classified under the Law on Classified Secrets.

Two separate criminal investigations for offending religious feelings were initiated against a journalist and a comedian for content that was political satire or humorous, respectively.

## **IRRESPONSIBLE ARMS TRANSFERS**

In December, the government announced that it had suspended the issuing of new export licences for weapons and military equipment to Israel since October. According to publicly available data from the first half of the year, Spain authorized 22 arms licences to Israel worth over EUR 44 million.

## **DISCRIMINATION**

According to official data published during the year, 2040 incidents of hate crime were reported in 2022, of which 45.3% were motivated by racism and xenophobia.

## **IMPUNITY**

In September, for the first time regarding a victim of torture during the Franco dictatorship, Julio Pacheco testified as a complainant before a Spanish judge. He provided details of his detention and torture at the former General Directorate of Security in Madrid in 1975. His wife Rosa García Alcón, who was also detained and tortured, appeared as a witness.

In October, a judge closed the investigation into a complaint filed by Carles Vallejo that he had been tortured in the police station of Via Laietana in Barcelona between 1979 and 1980. An appeal was filed.

A proposed amnesty bill contained some concerning provisions, including that it could cover cases of excessive use of force by the

police and would not adequately protect the rights of victims of crimes.<sup>3</sup>

## RIGHT TO A HEALTHY ENVIRONMENT

Spain registered its third warmest summer on record and the Carlos III Health Institute estimated that 6,799 deaths between January and September were attributable to the heat. Heatwaves combined with long-term drought conditions, exacerbated by global warming, increased the intensity and spread of wildfires, resulting in the burning of 84,939 hectares.

An updated draft of the National Integrated Climate and Energy Plan included a planned reduction of greenhouse gas emissions, compared with 1990, of up to 32% by 2030. This was far below the 43% reduction previously announced by the government.

In June, the Supreme Court ruled in favour of the government, which had been sued in 2021 for failing to take adequate action on climate change. The ruling failed to consider Spain's international human rights obligations and the urgent need to increase action on climate change.

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1. "Spain: Canary Islands/ New investigation: Boys and girls travelling alone detained with adults and with their belongings confiscated", 3 November (Spanish only)
  2. "Spain: Care homes: After the deaths of 35,000 elderly people, victims and relatives have only received opacity from the Prosecutor's Office and absence of justice in the courts", 25 January (Spanish only)
  3. "Spain: Amnesty International calls for the rights of victims of human rights violations and crimes to be guaranteed in the Amnesty Law and for it to comply with international law", 28 December (Spanish only)

# SRI LANKA

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## Democratic Socialist Republic of Sri Lanka

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**The economic crisis doubled the number of people living below the poverty line. The government continued to use draconian counterterrorism laws and attempted to bring in new laws to counter dissent and threaten freedom of expression, resulting in arbitrary arrests and detentions. The right to freedom**

**of peaceful assembly was restricted amid continued use of excessive and unnecessary force against protesters. Impunity remained entrenched with the government making no notable progress around the right to truth, justice and reparation for those affected by war. Legislative reforms to decriminalize consensual same-sex relations and to end child marriages within the Muslim community did not come to fruition.**

## BACKGROUND

The World Bank reported the number of people living below the poverty line had doubled since 2022 and was expected to increase to over 2.2 million (27.5%) in 2023. Sri Lanka received the first USD 330 million tranche of the IMF bailout in March. The second, of USD 337 million, was cleared in December to help with the economic crisis.

In its response to its UPR in March, Sri Lanka merely noted – and did not support – most recommendations made during the UPR on accountability for war-time serious violations of human rights and humanitarian law.

## ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The economic crisis particularly affected marginalized groups who had to contend with loss of income, growing inflation and inadequate social protection measures.<sup>1</sup> According to the IMF Country Report released in March, only 0.6% of GDP was to be spent on social protection in 2023.

Despite the introduction of a new "Aswesuma" welfare benefit payment scheme, the narrowly targeted programme meant that only approximately 1.1 of the 2 million families living below the poverty line were eligible. The scheme risked excluding many of the people most affected by economic crisis, including those living in urban areas, working in the informal sector, on daily wage incomes, from the Malaiyaha Tamil community, others with low or precarious incomes, and those whose incomes were lost due to unemployment.

Pregnant and breastfeeding women were disproportionately impacted by the economic crisis. They faced increased food insecurity, including as a result of an inconsistent supply of government-issued maternal nutrition, food and vitamin supplements, and because essential maternal health services were severely affected.<sup>2</sup>

## **FREEDOM OF EXPRESSION, ARBITRARY ARRESTS AND DETENTIONS**

The government sought to replace the draconian Prevention of Terrorism Act (PTA) with the Anti-Terrorism Act (ATA). The first bill, gazetted in March, contained overly broad, vague and subjective offences, posing high risk of arbitrary application and abuse, including new offences categorizing acts of civil disobedience as terror offences. In September, a new ATA bill was gazetted with minor changes but the legislation's capacity to enable human rights violations remained.

The PTA remained in use throughout 2023. In August 2022, the convener of the Inter University Students Federation, Wasantha Mudalige, was arrested amid a crackdown on protesters agitating against and seeking accountability for the dire economic crisis. In January 2023, the Colombo Chief Magistrate ruled that the terrorism-related charges under the PTA could not be maintained against Wasantha Mudalige, and he was released. Despite assurances to the international community that the PTA would be abolished, in May authorities brought PTA charges against four people in connection with the 21 April 2019 bombings. By June, all had their PTA charges dismissed, and two were charged instead under Sri Lanka's International Covenant on Civil and Political Rights Act (ICCPR Act). In November, authorities arrested nine individuals under the PTA for a commemoration vigil in the eastern town of Batticaloa. In December, poet and teacher Ahnaf Jazeem was acquitted by the Puttalam High Court, over three and a half years after he was wrongly detained under the PTA.

The ICCPR Act was weaponized once more against freedom of expression. In January,

authorities arrested social media commentator Sepal Amarasinghe for comments made on YouTube deemed offensive to Buddhism. He was only released following an unconditional public apology in February. In May, authorities arrested comedian Nathasha Edirisooriya for comments made during a stand-up comedy show that were allegedly disrespectful of Buddhism. Bruno Divakara, who runs a YouTube channel that published Nathasha Edirisooriya's performance, was also arrested a few days later. They were both given bail in July; the cases against them remained pending.

In September, the government gazetted a bill to regulate online communication and safety. The OHCHR noted that "many sections of the Bill contain vaguely defined terms and definitions of offences which leave significant room for arbitrary and subjective interpretation and could potentially criminalize nearly all forms of legitimate expression, creating an environment that has a chilling effect on freedom of expression".

In December, authorities began an operation titled "Yukthiya", with the stated aim of controlling "the drug menace". The operation saw hundreds arrested daily.

## **FREEDOM OF PEACEFUL ASSEMBLY**

Following large-scale public protests in 2022 that ousted the ruling party elite from power, there were crackdowns on protests throughout 2023, stifling the right to peaceful assembly, including for trade unions, civil society and students' groups.

Amnesty International found that authorities had approached the judiciary to obtain pre-emptive court orders preventing protests; systematically misused weapons such as tear gas, water cannons and batons; used military to police protests; and applied excessive and unnecessary force as well as surveillance and intimidation. In February, one protester was killed and dozens injured due to the unlawful use of water cannons and tear gas by police in the capital, Colombo.

## RIGHT TO TRUTH, JUSTICE AND REPARATIONS

In September, nine international human rights organizations criticized the government's flawed plans for a "Truth Commission". Given the failure of domestic commissions of inquiry to ensure accountability, some victim communities rejected the plans outright. Others highlighted the need for trust-building measures prior to the establishment of any truth commission, noting concerns around continuing surveillance and the lack of space for memorialization.<sup>3</sup>

Other domestic transitional justice mechanisms (the Office on Reparations and the Office on Missing Persons) made no notable progress over the year according to publicly available information. Many cases – exemplars of impunity for human rights violations – dragged on in the domestic court system, again with no notable progress.

The Sri Lanka Accountability Project that was established in 2021 under the OHCHR reported in June that it received a steady increase in requests from competent state authorities in several jurisdictions who have ongoing criminal justice investigations, including in relation to 10 named individuals to date. The government rejected the mechanism.

## LGBTI PEOPLE'S RIGHTS

In March, government MP Premnath Dolawatte moved a Private Members' bill to amend the Penal Code to protect the rights of LGBTI individuals by repealing provisions criminalizing consensual same-sex relations. Following multiple legal challenges, the Supreme Court determined that the bill is in line with the constitution. However, the broad support needed for the bill to be passed into law remained elusive and the bill was not tabled in parliament by the end of the year.

## WOMEN'S AND GIRLS' RIGHTS

The government made no progress to amend the Muslim Marriage and Divorce Act of 1951 which, among other issues, permits child marriage of those aged as young as 12. In

June, male Muslim MPs stalled the reform process, resulting in criticism from a number of UN Special Procedures mandate holders. Their communication to the Sri Lankan government noted "if recommendations put forward by the 17 Muslim MPs were to be introduced into the Draft Bill, it would be contrary to international standards and obligations on the protection of women's rights".

The government adopted its first National Action Plan on Women, Peace and Security for the period 2023 – 2027 and announced plans to establish a National Women's Commission.

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1. *Actions Speak Louder than Words: The World Bank Must Promote Universal Social Protection*, 10 October
  2. *Sri Lanka: Foregoing meals to make do: The Impact of Sri Lanka's economic crisis on maternal nutrition*, 12 July
  3. "Sri Lanka's Flawed Plans for a 'Truth Commission'" 4 September

# SUDAN

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## Republic of the Sudan

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**Armed conflict between the Sudan Armed Forces, and the Rapid Support Forces with their allied militias, caused mass civilian casualties in deliberate and indiscriminate attacks. All parties to the conflict committed serious violations and abuses of international human rights law, and violations of international humanitarian law. Women and girls were subjected to conflict-related sexual violence. Impunity remained at the heart of the conflict-related violations and abuses. Millions of people were internally displaced and about 1.4 million fled to neighbouring countries and lived in dire conditions.**

## BACKGROUND

In April, intense armed clashes erupted between the Sudan Armed Forces (SAF), led by General Abdel Fattah al-Burhan, and the Rapid Support Forces (RSF) paramilitaries, led by General Mohamed Hamdan Dagalo (also known as Hemedti), in the capital,



Khartoum. The clashes quickly spread to other areas, including Darfur and North Kordofan. The fighting came after months of tensions between the two groups over security force reforms, proposed as part of the negotiations for a new transitional government, among other issues.

Despite multiple ceasefire declarations, fighting intensified. According to the UN, more than 12,000 people were killed between April and December nationwide. In October, it was reported that about 15 million people – 31% of the population – were acutely food insecure.

Fighters, mostly RSF, engaged in widespread looting of homes, businesses and public institutions, including hospitals, humanitarian organizations' warehouses, and banks in Khartoum and in the Darfur region.

Meanwhile, the 20-year-old Darfur conflict continued to cause immense suffering in the region.

## **INDISCRIMINATE ATTACKS**

Many civilians were caught in the crossfire as members of the SAF and RSF, often using explosive weapons with wide area effects, launched frequent attacks in and from densely populated civilian neighbourhoods. People were consequently killed inside their homes, or while desperately searching for food and other necessities. Others were killed and injured while fleeing from the violence, and in places where they had sought safety. In most cases, it was difficult to establish which side fired the munitions that killed and injured civilians.<sup>1</sup>

On 15 April, the day clashes erupted, Ala' Fawzi al-Mardi, a doctor, was killed and her mother, Zeinab Ahmad Othman, injured by a stray bullet, in their home in Hay al-Manara in Omdurman.

On 24 April, Suhair Abdallah al-Bashir, a lawyer, and her two brothers-in-law, Mohammed and Omar al-Rayeh, were killed by explosive ordnance. The munitions struck near their vehicle as they were leaving their home in the centre of Khartoum, near the foreign affairs ministry.

On 18 May, Khadija Mustafa Osman Said, her sons, Haydar Hamed Guma Khater and Hameid Hamed Guma Khater, and their neighbour, Mustafa Ali Hamdan, were killed when munitions hit their house in the Imtidad neighbourhood, near the centre of Nyala, South Darfur.

On 21 May, at least seven people were killed and 12 injured in one strike on the Ministry of Agriculture, in the northern part of the al-Jamarik neighbourhood of El Geneina in West Darfur, where many residents had taken refuge after leaving their homes.

On 14 June, dozens of civilians were killed and injured, including Gamra Mustafa, who was hit by two bullets while inside her home in the al-Madaris neighbourhood of El Geneina. On the same day, in the nearby neighbourhood of Hay al-Riadh, seven-year-old Adnan Is'haq was killed inside his home by a stray bullet which struck him in the chest.

## **UNLAWFUL ATTACKS AND KILLINGS**

Civilians were killed and injured in targeted attacks in many parts of the country including Khartoum, but particularly in West Darfur.

On 13 May, RSF members broke into the Mar Girgis (St Georges) Coptic Church complex in the Bahri area of Khartoum. They shot and injured five members of the clergy and stole money and a gold cross.

On 19 May, Peter Kiano, a 60-year-old maths and engineering teacher from South Sudan, who had lived and worked in Khartoum for many years, was shot dead by RSF soldiers outside a restaurant, in the southern outskirts of Khartoum.

Tensions increased in Darfur, and towns, cities and villages in West Darfur including El Geneina, Misterei and Tandelti were attacked by heavily armed Arab militias, supported by RSF fighters. Many ethnic Masalit people, mostly men and older boys, were deliberately killed and injured in ethnically motivated attacks.

On 25 April, Ibrahim Adam Mohamed and his brother Mohamed, were shot and injured by Arab militia members while sitting outside

their home in the Bouhaira neighbourhood of El Geneina.

On 14 May, Adam Zakaria Is'haq, a medical doctor and human rights defender who worked with the Darfur Network for Human Rights, was killed together with 13 other people at the Medical Rescue Centre, a health clinic in the Jamarik neighbourhood of El Geneina.

On 17 May, farmers Abderrahman Ibrahim Ahmed and Ali Is'haq Ali Bashir were deliberately shot and killed by Arab militia fighters in Tandelti, north-west of El Geneina, close to the Chadian border. Five other civilians, including Mariam Mohamed Ahmad and her cousin Hassan Ibrahim were killed in the same incident.

On 28 May, dozens of civilians were killed in Misterei, a town south-west of El Geneina, when clashes broke out between RSF and allied militias, and Masalit armed groups. RSF fighters killed five brothers inside their home.

On 14 June, the governor of West Darfur, Khamis Abakar, also the leader of the Sudanese Alliance armed group, was killed in El Geneina. He had been taken into custody by RSF fighters earlier that day.

## **SEXUAL AND GENDER-BASED VIOLENCE**

Scores of women and girls, some as young as 12, were subjected to conflict-related sexual violence, including rape, by members of the warring sides, mainly RSF and allied militias. Most of the survivors were Sudanese, and some were nationals of other countries. They were abducted and subjected to sexual violence in their homes or when they went out to look for food or other necessities. In one case, RSF members abducted a group of 24 women and girls and took them to a hotel in Nyala where they were held in conditions amounting to sexual slavery for several days during which they were raped by several RSF members.

In another case, on 22 June, three plain-clothes armed Arab men assaulted a 25-year-old woman and forced her into the civil records building in the al-Jamarik

neighbourhood of El Geneina, where they gang-raped her.

Many survivors had no access to necessary medical and psycho-social support because of the limited protection, rehabilitation and livelihood services available to them. Many health facilities had been damaged and looted in the conflict, and medical personnel had fled. Time-sensitive post-rape care was limited or non-existent; survivors were unable or too afraid to report assaults and seek medical care. In addition, communication networks were weak or cut off in some areas and movement was severely restricted by the conflict.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

In July, the ICC Prosecutor said his office had started investigating recent attacks in Darfur. Three people, including former president Omar al-Bashir, who faced ICC charges were still to be handed over to the ICC for trial.

On 11 October, the UN Human Rights Council adopted a resolution that established an independent international fact-finding mission for Sudan. The mechanism was mandated to investigate and establish the facts, circumstances and root causes of all alleged human rights violations and abuses, and violations of international humanitarian law, including those committed against refugees, and related crimes in the context of the ongoing armed conflict.

## **INTERNALLY DISPLACED PEOPLE'S RIGHTS**

The conflict was devastating for civilians and the situation continued to deteriorate. Over 5.8 million people were internally displaced since April, making Sudan the scene of the largest displacement crisis in the world. Over 4.5 million of these were displaced between 15 April and 19 October alone, according to the UN. Among those displaced were refugees from other countries, especially Ethiopia, Eritrea and South Sudan, who had sought refuge in Sudan. The humanitarian crisis faced by internally displaced people was exacerbated by acute shortages of food,

water, medicines and fuel. The price of essential goods increased dramatically due to disrupted trade routes and limited access, making them unaffordable to the population.

## REFUGEES' AND MIGRANTS' RIGHTS

Since 15 April, about 1.4 million had fled to neighbouring Central African Republic, Chad, Egypt, Ethiopia and South Sudan, where they lived in dire conditions. The situation was exacerbated for some asylum seekers when they were denied entry to some countries, putting them at risk of return to the dangers they had tried to escape. The Egyptian authorities required all Sudanese nationals to obtain an entry visa issued by the Egyptian consular office in the Sudanese cities of Wadi Halfa or Port Sudan.<sup>2</sup> On 29 May, Egypt also introduced the additional requirement of security clearance for boys and men aged between 16 and 50 before they could enter Egypt (see Egypt entry).

1. *Sudan: "Death came to our home": War crimes and civilian suffering in Sudan*, 3 August
2. "Sudan: Neighbouring countries must provide safe passage to those fleeing conflict" 5 July

# SWEDEN

## Kingdom of Sweden

**Civil disobedience activists continued to be subjected to harsh charges and sanctions. Sweden failed to take adequate action to decarbonize its economy. Access to healthcare continued to be an issue for vulnerable EU migrants. National legislation remained inadequate to protect Indigenous rights, such as to lands and free, prior and informed consent. Several legislative proposals targeted the rights of racialized communities, migrants and refugees.**

## FREEDOM OF EXPRESSION AND ASSEMBLY

Climate activists carrying out peaceful acts of civil disobedience continued to face harsh charges of sabotage, an offence punishable

by imprisonment not used prior to 2022.

Several activists were convicted of this offence, including one imprisoned in 2023.

In a response to numerous burnings of the Qur'an in 2023, the government announced it would review the Public Order Act to include threats to security when considering whether to grant a permit for a demonstration, or to cancel or disperse a public gathering. In October, for the first time, the district court of Linköping convicted a person of inciting racial hatred for burning a copy of the Qur'an.

## RIGHT TO A HEALTHY ENVIRONMENT

Sweden failed to raise its climate ambition or to take adequate steps to phase out fossil fuels. According to the government's own assessment, Sweden was on course to miss its short- and long-term environmental goals following the September climate budget, which made fossil fuels cheaper and slowed the renewable energy transition. In December, the government presented its four-year Climate Action Plan, which led to broad concerns about increased emissions and Sweden's climate policy continuing to regress.

## RIGHT TO HEALTH

Access to healthcare continued to be an issue for EU migrants living in destitution in Sweden, amid concerns that EU migrant parents were being billed for their children's healthcare in breach of both national law and international obligations. In June, Amnesty International and Médecins du Monde – International submitted a collective complaint to the European Committee of Social Rights concerning EU migrants' right to health and non-discrimination.

## INDIGENOUS PEOPLES' RIGHTS

A parliamentary inquiry into Sámi hunting and fishing rights progressed with the publication of an interim report in August. Concerns remained, however, about pressure on the Sámi traditional territory from extractive industries, as well as by renewable energy projects and climate change. National

legislation remained inadequate to protect Indigenous rights, such as to lands and free, prior and informed consent.

## DISCRIMINATION

Despite the national action plan to combat racism, several criminal justice measures aimed at combating crime risked discriminating against and violating the rights of racialized communities, refugees and migrants. New legislation extending the possible use of secret coercive measures such as digital surveillance, telephone tapping and data interception raised concerns that they would be used disproportionately against such groups. Other government initiatives risked amplifying racially discriminatory policing and systemic racial discrimination if adopted, such as a proposal to compel public servants to report undocumented people, including children, to the Migration Agency and police.

# SWITZERLAND

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## Swiss Confederation

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**The law on rape was amended to punish sex perpetrated against a person's consent. Parliament failed to fully decriminalize abortion. A new initiative put the rights of people with disabilities on the agenda. Peaceful protesters in several cantons faced disproportionate restrictions by police and cantonal authorities. Work continued on a definition of torture in the Criminal Code. Refugees and migrants continued to lack support and protection. A large majority voted to strengthen measures against climate change. Automatic facial recognition was banned in several cities.**

## BACKGROUND

In May, after 20 years of preparation, the Swiss Human Rights Institution was formally established. However, there were concerns about inadequate funding and the lack of a mandate to receive complaints.

Switzerland underwent several international human rights reviews. In the UPR, Switzerland remained unwilling to invest properly in a standing inter-agency mechanism to coordinate the implementation of international human rights obligations, or to commit to ensuring that popular initiatives were fully compatible with international human rights law before being submitted to a vote.

## GENDER-BASED VIOLENCE

Parliament adopted an amendment to the Criminal Code changing the definition of rape, recognizing that “sex against the will of another person” is rape. The adoption of the law, expected to enter into force in 2024, marked the end of the outdated definition of rape that required the use of physical force, threat or coercion, and considered only women as victims.

Parliament also called for the creation of crisis centres for survivors of gender-based violence in all cantons, and commissioned a study to evaluate the obstacles survivors face when seeking justice.

## SEXUAL AND REPRODUCTIVE RIGHTS

The lower house of parliament rejected by a small majority a parliamentary initiative aimed at fully decriminalizing abortion.

## RIGHTS OF PEOPLE WITH DISABILITIES

Following concerns expressed in 2022 by the UN Committee on the Rights of Persons with Disabilities, a popular “inclusion initiative” was launched to seek legal and effective equality for people with disabilities.

## FREEDOM OF PEACEFUL ASSEMBLY

A system requiring authorization for public assembly remained in force. Unauthorized peaceful protests were dispersed by force, including in the cities of Basel and Geneva.

In the cantons of Zurich and Basel-Stadt, the youth wing of a right-wing party launched a popular initiative seeking to further entrench the requirement for demonstrations to be authorized, and to introduce a mandatory financial liability for organizers.

Despite opposition in the cantonal parliament, the initiative in Zurich was due to be put to a vote on 3 March 2024.

Since the beginning of the current armed conflict in Gaza, several German-speaking cities in Switzerland imposed temporary bans on demonstrations.

## **TORTURE AND OTHER ILL-TREATMENT**

The UN Committee against Torture reviewed Switzerland, asking for swift progress on the definition of torture in the Criminal Code, on which parliamentary work was ongoing. This included strengthening the national preventive mechanism and setting up an independent mechanism in every canton to investigate and prosecute allegations of police violence and violence against people in detention.

## **REFUGEES' AND MIGRANTS' RIGHTS**

The European Court of Human Rights criticized Switzerland for rejecting family reunification applications by refugees on the grounds that they were dependent on social assistance. Switzerland continued transferring people to Croatia – including those with health problems or suffering from trauma – despite evidence of summary returns and serious flaws in the Croatian asylum system. Switzerland's resettlement programme remained suspended, depriving refugees of a regular and safe pathway to protection. A state-mandated study identified a need to improve medical care for asylum seekers in federal and cantonal accommodation. The National Commission for the Prevention of Torture expressed concern about the inadequate care of unaccompanied minors in federal asylum centres.

## **RIGHT TO A HEALTHY ENVIRONMENT**

In a referendum in June, 59% of voters confirmed a new climate law aimed at accelerating the shift from fossil fuels to renewable energy and reducing the negative climate impact of the financial sector. Although Amnesty International supported

the law, the measures were insufficient to rapidly phase out all fossil fuels by 2030.

## **RIGHT TO PRIVACY**

After campaigning by Amnesty International and other NGOs, parliamentary initiatives in eight cities and cantons demanded the banning of automatic facial recognition in public spaces. In the cities of Zurich, St. Gallen and Lausanne, and the canton of Basel-Stadt, parliaments adopted motions for a ban on facial recognition, while similar motions were in progress in the cities of Lucerne and Geneva and in the cantons of Zurich and Basel-Landschaft. In a national survey, 78% of parliamentary candidates supported such a ban.

# **SYRIA**

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## **Syrian Arab Republic**

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**All parties to the long-standing conflict and their allies continued to carry out unlawful attacks, killing civilians and destroying vital infrastructure. Türkiye-backed armed groups unlawfully killed four civilians. The government and armed groups denied civilians access to humanitarian aid. The government continued to subject tens of thousands of people to enforced disappearance; the UN General Assembly established an international institution to clarify the fate of missing people and provide reparation to families of victims. The government and armed forces arbitrarily detained individuals for expressing their views. Refugees remained at risk of arrest upon return to Syria. The government continued to prevent residents and internally displaced people in north-west Syria from accessing essential services, violating their economic and social rights. The government violated the right to housing of residents in Aleppo city whose homes were affected by powerful earthquakes on 6 February. The Israeli military violently quelled protests against the installation of turbines in the Golan**

**Heights, a Syrian area occupied by Israel for 56 years.**

## **BACKGROUND**

On 27 January, the Organisation for the Prohibition of Chemical Weapons concluded that there are “reasonable grounds to believe” that the Syrian government used chemical weapons in attacks on 7 April 2018 in Douma, a city in Damascus Countryside Governorate.

On 6 February, two earthquakes struck south-eastern Türkiye and northern Syria with a magnitude of 7.8 and 7.5, respectively. The UN estimated that at least 6,000 people in Syria were killed, 400,000 families were displaced and over 8.8 million people were in urgent need of assistance. The earthquakes compounded dire economic conditions as more than half of the population was already food insecure.

On 7 May, the Arab League reinstated Syria’s membership after its suspension in November 2011 for its brutal crackdown on peaceful protests.

On 27 August, the Syrian Democratic Forces (SDF), the military force of the Autonomous Administration of North and East Syria (AANES), arrested Ahmad al-Khabil, head of the military council in Deir ez-Zor city, for allegedly communicating with the Syrian government. His arrest triggered armed clashes between SDF forces and Arab tribes affiliated with Ahmad al-Khabil, which displaced at least 50,000 people to government-controlled areas.

In September, thousands of people in Sweida, a Druze-majority city in south-west Syria, protested the deteriorating economic conditions, calling for “regime” change.

Israel continued its air strikes on Syrian government, Iranian and (Lebanese) Hizbullah forces in Syria. On 12 October, in the context of the armed conflict in Gaza (see Israel and the Occupied Palestinian Territories, and Palestine entries), Israel attacked by air Aleppo and Damascus international airports simultaneously. Three days later, pro-government forces launched rockets on the occupied Golan Heights.

By the end of 2023, 5.6 million Syrians had sought refuge outside the country since the conflict began in 2011.

## **UNLAWFUL ATTACKS**

All parties to the conflict and their allies continued to conduct unlawful ground and aerial attacks on civilians and civilian objects in northern Syria, killing and injuring scores of civilians and destroying vital infrastructure indispensable for their survival.

### **SYRIAN GOVERNMENT AND ITS ALLY RUSSIA**

The Syrian government, supported by Russian government forces, escalated aerial attacks on civilians and civilian objects in north-west Syria, a region under the control of armed opposition groups, between October and December. According to the UN, as of 21 December, these attacks had killed 99 civilians and injured over 400 others. The UN added that 23 health facilities and 17 schools were damaged.

Prior to this escalation, the Independent International Commission of Inquiry on the Syrian Arab Republic (UN Commission of Inquiry) reported that the Syrian government had launched multiple unlawful ground attacks in north-west Syria. On 9 April, government forces shelled the densely populated centre of Sarmin town, east of Idlib city and around 5km from the nearest front line, killing a 13-year-old boy and injuring three other children who were playing outside. On 22 June, government forces launched two unguided rockets on Sarmin town, killing one woman and injuring a boy and four women.

The UN Commission of Inquiry also documented an air strike by Russian armed forces at 10am on 25 June on a residential building that the commission said was possibly used by an armed group, adjacent to a vegetable market in Jisr al-Shughur city in Idlib governorate, killing three civilians and injuring 34 others.

### **TÜRKIYE**

According to the UN Commission of Inquiry, on 18 January, a “likely Turkish guided air-to-ground missile” fired from a drone struck a pickup truck driving past a supermarket on

the Qamishli-Malkiyah road in Hassake governorate in north-east Syria, which is under the control of AANES, a staunch opponent of Türkiye and the Syrian National Army (SNA), a coalition of Türkiye-backed armed groups. The attack killed a man and an 11-year-old boy and injured several people who were in the supermarket.

Türkiye further intensified aerial attacks on north-east Syria after the Kurdistan Workers Party (PKK) carried out a bomb attack on 1 October in Ankara, capital of Türkiye, which wounded two police officers. On 7 October, Turkish authorities said that 58 Kurdish fighters in north-east Syria had been killed in air strikes since the bomb attack. Kurdish authorities who govern north-east Syria reported that Turkish strikes on 5 and 6 October, which were in the vicinity of a displacement camp and several villages, killed 11 civilians and targeted at least three oil plants, two power stations, two hospitals and a school. The local authorities said the air strikes also caused power cuts affecting tens of thousands of residents in Hassake and Qamishli cities.

## UNLAWFUL KILLINGS

On 20 March, SNA members shot a Kurdish family in Jinderes town in northern Syria as they were celebrating Newroz, the Kurdish New Year. They killed four civilians and injured three others. The next day, the SNA arrested four armed fighters allegedly responsible for the attack but failed to disclose the outcome of their trial or whether victims and their families were provided with reparation.

## DENIAL OF HUMANITARIAN ACCESS

The Syrian government and SNA blocked access to humanitarian aid, including earthquake aid, in Aleppo governorate.

### SYRIAN GOVERNMENT

The authorities continued to restrict fuel and other essential supplies, including flour and medication, from reaching tens of thousands of civilians, including internally displaced people, living in predominantly Kurdish areas in the northern Aleppo region controlled by

the Kurdish civilian council, affiliated with the AANES. During harsh weather, people burned household items and plastic to keep warm.

Following the 6 February earthquakes, the authorities delayed aid deliveries to Sheikh Maksoud and Ashrafieh, two Kurdish-majority neighbourhoods in the north of Aleppo city, which exacerbated the humanitarian crisis. A humanitarian worker and local representative in north-east Syria told Amnesty International that it took seven days of negotiations for the government to allow 100 trucks carrying fuel and humanitarian aid sent by AANES to enter Sheikh Maksoud and Ashrafieh on 16 February, and only then on condition that they divert more than half of the aid to the government and that the government would be solely responsible for distributing the aid in these neighbourhoods.

The government continued to block the entry of aid to 8,000 people living in Rukban camp, an informal settlement located in an isolated and inhospitable area between the Syria-Jordan border known as “the berm”. Residents lacked access to medical care, sanitation and clean water. On 20 June, the US military, based near Rukban camp, delivered essential supplies sent by US-based humanitarian organizations.

### SYRIAN NATIONAL ARMY

SNA armed groups supported by Türkiye obstructed aid from reaching people affected by the earthquakes in Afrin district in Aleppo governorate, shot in the air to disperse crowds trying to obtain assistance from aid trucks, and diverted earthquake aid to the armed groups’ relatives.<sup>1</sup>

Four people interviewed by Amnesty International confirmed that the SNA obstructed at least 30 fuel and other trucks carrying humanitarian aid sent by AANES from reaching areas under SNA control. The trucks waited at the border crossing between north-east Syria and northern Aleppo for seven days before AANES retrieved them. A Kurdish man whose home in a village in Afrin district was destroyed in the earthquake told Amnesty International that people needed *wasta* (connections) with armed groups to

obtain any assistance, and that no one had arrived to help them.

## **ARBITRARY DETENTION AND ENFORCED DISAPPEARANCES**

### **SYRIAN GOVERNMENT**

The government continued to subject tens of thousands of people, including journalists, human rights defenders, lawyers and political activists, to enforced disappearance, many for more than 10 years.

According to the UN Commission of Inquiry, government forces continued to arbitrarily arrest and detain individuals, including “through application of the cybercrime law to stifle criticism of government services or policy.”

On 23 March, security forces arrested Rami Viatli, an activist, in Latakia governorate. Local sources said that his arrest was believed to be in response to his post on Facebook on 12 March in which he called on the authorities to hold torturers accountable. On 5 September, the authorities arrested Lama Abbas, a political activist, without an arrest warrant. Two days earlier, she had used social media to call on people living in Latakia not to sell their land.

In April, Syrian security forces arrested at least six refugees who had been deported by the Lebanese authorities. Two former detainees told Amnesty International that Syrian security forces held them at a detention facility close to the Lebanese border, and they were only released after paying a bribe. They added that security forces transferred two of the arrested refugees to the Palestine branch of Syria’s military intelligence in Damascus for defecting from the army.

### **HAY’AT TAHRIR AL-SHAM**

Hay’at Tahrir al-Sham, an al-Qaeda-affiliated armed group that controls much of Idlib governorate, continued to subject journalists, activists and anyone who criticized their rule to arbitrary detention without access to a lawyer or family members.

The UN Commission of Inquiry reported that Hay’at Tahrir al-Sham detained a man for

a week in Idlib in January after he criticized religious speeches.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

On 29 June, the UN General Assembly established an independent, international institution to clarify the fate and whereabouts of the tens of thousands of missing and forcibly disappeared people in Syria since 2011 and provide reparation to their families.

On 8 September, a criminal court in France’s capital Paris announced that it will try in their absence three Syrian senior security officials accused of complicity in war crimes and crimes against humanity. The trials will be held in May 2024.

On 10 October, the International Court of Justice (also known as the World Court) held the first public session in the case submitted by Canada and the Netherlands alleging that the Syrian government was violating the UN Convention against Torture. On 16 November, the court issued an order directing Syrian authorities to take all measures to prevent acts of torture and other detention-related abuses.

On 15 November, French judges issued international arrest warrants for Syria’s President Bashar al-Assad, his brother Maher al-Assad and two other senior officials on charges of complicity in crimes against humanity and war crimes over the use of banned chemical weapons against civilians in Eastern Ghouta in Damascus Countryside in August 2013, which killed 1,000 people.

## **ECONOMIC AND SOCIAL RIGHTS**

Around 4.4 million people in north-west Syria, including 2.9 million internally displaced people, continued to depend fully for their survival on UN-coordinated humanitarian assistance provided through the cross-border aid mechanism. Russia ended the cross-border mechanism on 11 July after it vetoed a UN Security Council resolution for its extension. On 9 August, the Syrian government reached an agreement with the UN to continue cross-border aid until mid-January 2024.



The 6 February earthquakes exacerbated the humanitarian needs of residents in north-west Syria, including the increased number of people living in tents that offered minimal privacy or protection from extreme heat, cold or rain, with limited or no access to water, sanitation and healthcare.

### **RIGHT TO HOUSING**

Residents and humanitarian workers in Aleppo city reported that assessments conducted by engineering committees, formed by the authorities to assess the structural safety of buildings, might not have been done meticulously and that the demolitions carried out after the 6 February earthquakes did not comply with due process requirements and safeguards against forced evictions as described in international human rights standards.<sup>2</sup> Residents were unable to challenge the committees' decisions and were often not given enough time to remove their belongings before demolitions. In some cases, residents whose homes were demolished because they were deemed unsafe for habitation were not offered alternative housing or compensation. In addition, residents seeking to repair their homes damaged by the earthquakes faced bureaucratic obstacles.

### **OCCUPIED GOLAN HEIGHTS**

The Golan Heights remained under Israel's occupation and illegal annexation. On 22 June, Israeli forces responded violently to quell protests by the Syrian Druze community, a religious minority, against the construction of wind turbines in the area. According to media sources, 20 protesters were injured.

### **RIGHT TO A HEALTHY ENVIRONMENT**

Syria continued to face a multi-year drought due to increased temperatures driven by climate change and exacerbated by other factors, including water management failures. Damage, destruction and neglect of key water sites and infrastructure by warring parties during the conflict, as well as continued obstruction of aid, further

exacerbated the impact of droughts on people in Syria.

1. "Syria: Vital earthquake aid blocked or diverted in Aleppo's desperate hour of need," 6 March
2. "Syria: Aleppo authorities must ensure that building safety measures do not result in forced evictions and homelessness", 4 September

## **TAIWAN**

### **Taiwan**

**Amendments to the Immigration Act failed to include protections against the refoulement of asylum seekers. Legal reforms provided greater protections for Indigenous Peoples. Most limitations on transnational same-sex marriage were removed. Legal reforms granted the authorities increased powers to prevent the online sharing of non-consensual sexual content. The government failed to commit to a deadline to phase out fossil fuels.**

### **REFUGEES' AND MIGRANTS' RIGHTS**

In May, parliament passed an amendment to the Immigration Act which may provide improved rights to certain categories of foreign workers to work, education and family reunification. However, Taiwan still lacked an asylum system and the government ignored recommendations from civil society groups to enshrine in law protections against the refoulement of asylum seekers. It also increased the fines for migrant workers who flee their employers.

### **INDIGENOUS PEOPLES' RIGHTS**

Parliament adopted an amendment to the Mining Act in May requiring mining companies to obtain free, prior and informed consent from Indigenous Peoples before conducting mining activities on or near their lands. Also in May, parliament adopted the long-awaited Health of Indigenous Peoples Act, which increased the budgets for healthcare for Indigenous People and required the government to consult with them when making policies affecting their health.

## LGBTI PEOPLE'S RIGHTS

In January, the government announced a policy change granting all transnational same-sex couples the right to marry in Taiwan, except for couples where one partner is Taiwanese and the other from the People's Republic of China.

A legal amendment to a law on same-sex marriage adopted by parliament in May allowed couples in same-sex marriages to adopt children who are not biologically related to either spouse, removing an earlier barrier which restricted adoption to children related to one spouse.

## SEXUAL AND GENDER-BASED VIOLENCE

In July, parliament strengthened legal protections for survivors of sexual and gender-based violence through an amendment to the Sexual Assault Crime Prevention Act. This gave police and other government agencies powers to require internet platforms, service and application providers to block access to or remove non-consensual sexually explicit images and videos in order to protect survivors whose intimate content is shared without consent.<sup>1</sup> Amendments to other laws relating to sexual and gender-based violence were also adopted enabling victims to file complaints with relevant authorities and requiring local governments to provide mental health services to them. However, the amendments failed to adopt a consent-based definition of rape, as required by human rights standards.

## RIGHT TO A HEALTHY ENVIRONMENT

Several climate mitigation policies were adopted by the government, including the Climate Change Response Act, enacted in January, which placed legal obligations on the government to reduce greenhouse gas emissions by 50% from 2005 levels by 2050.

In April, the government launched a "12 Key Strategies" action plan to achieving net-zero carbon emissions by 2050 through industry upgrades, application of carbon capture and storage technologies and decarbonizing energy production. However, the government did not set out a timeline for

fulfilling its commitment to phase out the use of fossil fuels.

The state-owned company CPC Corporation continued to pursue oil exploration and extraction activities overseas including in Australia, where it acquired an interest in the Dorado and four other oilfields off Western Australia.

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1. "Taiwan: A step forward in ending online sexual violence - the enactment of Article 13 of the Sexual Assault Crime Prevention Act", 17 August (Chinese only)

# TAJIKISTAN

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## Republic of Tajikistan

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**The rights to freedom of peaceful assembly, association and expression were further curtailed. The authorities continued to target human rights defenders, independent journalists, bloggers and other dissenters for arbitrary detention and imprisonment after unfair trials. The crackdown on Ismaili religious practices intensified. Torture and other ill-treatment remained widespread. Discrimination and marginalization of the Pamiri and Roma/Jughi communities continued.**

## BACKGROUND

The border with Kyrgyzstan remained closed as a result of clashes in 2021 and 2022.

Widespread power outages in various regions and rising prices continued to be major concerns for the public.

International human rights groups remained effectively barred from Tajikistan. This, and severe reprisals against local human rights monitors, greatly constrained information gathering.

## FREEDOM OF EXPRESSION

The few remaining independent media outlets, human rights defenders and bloggers were forced to exercise self-censorship, or risk politically motivated prosecutions.

The authorities continued to crackdown on the independent media outlets that were

critical of the government. In July the news portal Pamir Daily News and the website New Tajikistan 2, which was affiliated to the arbitrarily banned opposition Group 24, were banned as “extremist organizations”. This label implies the risk of criminal liability for individuals inside Tajikistan who cooperate with such media outlets.

On 26 May, Khurshed Fozilov, a journalist who had reported on social issues in Zerafshan valley, was sentenced to seven years’ imprisonment for alleged participation in the activities of prohibited organizations after a closed trial which took place in a detention facility.

Exiled dissidents were also targeted through intimidation of their families in Tajikistan. Journalists Anora Sarkorova and Rustami Joni, who reported on human rights violations, were put under pressure after their relatives reportedly faced threatening messages, criminal proceedings, intimidation and interrogation.

## **FREEDOM OF ASSEMBLY**

No major protests were reported since the brutal suppression of demonstrators in the Rushan district of Gorno-Badakhshan Autonomous Oblast (GBAO) in May 2022. On the first anniversary of that crackdown, the authorities allegedly suppressed physical gatherings and monitored online activities in commemoration of the victims.

Relatives of members of the opposition diaspora protesting abroad also faced reprisals. According to Human Rights Watch some 50 family members in Tajikistan were detained and questioned after their relatives held protests during President Emomali Rahmon’s visit to Germany in September. Tajikistan’s security agencies reportedly also intimidated diaspora activists protesting Abdullohi Shamsiddin’s deportation (see below) by putting pressure on their relatives in Tajikistan.

## **FREEDOM OF ASSOCIATION**

The operating environment for NGOs remained severely restrictive. After the crackdown in GBAO, five NGOs were shut

down by court decisions for their purported links to criminal groups. Among them was the Lawyers’ Association of Pamir whose director, the lawyer and human rights defender Manuchehr Kholiknazarov, had been sentenced to 16 years’ imprisonment in 2022 following an unfair trial.<sup>1</sup> Hundreds of NGOs across the country were informally coerced by security agencies or authorities to “voluntarily” suspend their activities or dissolve themselves.

The authorities also continued to defame informal organizations in GBAO as criminal groups.

## **FREEDOM OF RELIGION AND BELIEF**

In April, President Rahmon reportedly signed a decree which allowed the authorities to bury the bodies of individuals killed in alleged “anti-terrorist operations” in unmarked graves in places chosen by the state and not revealed to the relatives, ignoring religious rites.

The crackdown on the religious practices by Ismailis, a religious minority from GBAO, which had gained traction in 2022 with the destruction of religious symbols, the closing of places of worship and a ban on religious festivals, intensified. The authorities continued penalizing collective prayer in private homes, threatening prosecution against religious educators, confiscating religious education literature and reportedly attempting to replace specific practices with those followed by the Sunni Muslim majority.

## **ARBITRARY DETENTION AND UNFAIR TRIALS**

Arbitrary detention and unfair trials remained common. On 23 January, several special procedures of the UN Human Rights Council expressed concern about the overly broad definition of terrorist organizations in Tajikistan’s legislation. Charges related to alleged terrorism made possible the application of exceptional powers, emergency measures and restrictions on due process.

Tajikistani citizens targeted by the authorities abroad and forcibly returned to Tajikistan faced imprisonment following unfair

trials. On 18 January, Germany deported Abdullohi Shamsiddin, an émigré closely related to several leaders of the arbitrarily banned Islamic Revival Party of Tajikistan. According to unofficial sources, after arrival in Tajikistan he was subjected to enforced disappearance and held in solitary confinement by the State Committee for National Security. On 29 March, a court in the capital, Dushanbe, sentenced Abdullohi Shamsiddin to seven years' imprisonment for "public calls for the violent change of the constitutional order".<sup>2</sup>

In July the prison sentence of human rights lawyer Buzurgmehr Yorov was extended by 10 years. His sentence, starting in 2016, of 28 years' imprisonment under false charges for representing members of the arbitrarily banned Islamic Renaissance Party of Tajikistan, had previously been reduced by 10 years.

On 29 September, Nizomiddin Nasriddinov, an activist who had cooperated with the banned Group 24, was reportedly sentenced to eight and a half years in prison on similar charges after he had been forcibly returned to Tajikistan by Belarus on 8 January. In neither this nor the above case was evidence or official information about the trial made public.

## **TORTURE AND OTHER ILL-TREATMENT**

Torture and other ill-treatment remained widespread. They were reportedly used by various security agencies, particularly the State Committee for National Security and the so-called Sixth Department of the Ministry of the Interior, as a means of extracting "confessions" and incriminating others. Methods used allegedly included sticking needles under nails, electric shocks, beating, sexual violence, sleep deprivation, suffocation with plastic bags and injection of drugs.

Abdukakhkor Rozikov died in police custody in the city of Kulob on 2 January. His death was widely attributed to torture and there were photographs and videos of his body corroborating this allegation. In a rare move to hold perpetrators accountable, three former police officers were each sentenced to

14 years' imprisonment on 25 July for their involvement in his death.

Prisoners continued to report abuse, including beatings, lack of access to food and water, and cold and wet conditions within cells. Many prisoners allegedly suffered from tuberculosis without receiving adequate medical treatment.

## **DISCRIMINATION**

### **PAMIRIS**

In April, the CERD Committee expressed concern at the marginalization of and discrimination against the Pamiris, an ethnic and religious minority mainly residing in GBAO. Although Tajikistan had adopted a Law on Equality and Elimination of All Forms of Discrimination in 2022, the Pamiris were not protected by the legislation as the authorities denied that they were an ethnically or linguistically distinct group. The authorities continued to forcefully assimilate the Pamiri population, suppressing the use of Pamiri languages and the assertion of Pamiri identity in state institutions, schools, the media, artistic performances and public spaces.

### **ROMA/JUGHI**

The CERD Committee also emphasized the need for a comprehensive strategy to address marginalization and media bias against the Roma/Jughi community. Structural discrimination was particularly evident in education, with low Roma/Jughi enrolment.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Tajikistan relied on international finance assistance to meet its climate goals, and projects to support adaptation to climate change were mainly driven by international organizations. In August, the World Bank noted significant health problems and economic losses caused by air pollution with the latter contributing to a mortality rate of 78 deaths per 100,000 inhabitants.

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1. "Tajikistan: Prominent members of Pamiri minority arbitrarily detained, tortured and unfairly convicted", 21 September
  2. "Tajikistan: Tajik dissenter deported and convicted: Abdullohi Shamsiddin", 11 April

# TANZANIA

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## United Republic of Tanzania

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**The authorities cracked down on peaceful dissent, arbitrarily arresting critics of the president's development agenda, opposition members and those linked to the opposition, lawyers, Indigenous Maasai People and activists. Parliament amended the Media Services Act. The high court ruled in favour of the Maasais in Loliondo in relation to their forced eviction from ancestral land. East African Crude Oil Pipeline Ltd obtained a licence to construct a 1,443km pipeline. Authorities refused access to international fact-finding missions to assess human rights violations against the Maasais in Ngorongoro. The decision to withdraw a court declaration that would allow individuals and NGOs direct access to the African Court on Human and Peoples' Rights remained in force. Despite improvements in education provisions, low school retention rates for girls persisted due to poverty, early pregnancy and gender-based violence in schools. The use of inflammatory language against LGBTI people intensified.**

## BACKGROUND

In October 2022, the president signed an intergovernmental agreement with the emirate of Dubai in the United Arab Emirates (UAE) for collaboration in the development, management and operation of Tanzania's ports and other related infrastructure. On 10 June, parliament endorsed the agreement.

In February, the authorities launched a public consultation process to guide a forthcoming review of the constitution and other laws.

## FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

In January, the president lifted a punitive blanket ban, imposed by the late president in 2016, on political parties organizing rallies and other political activities. Prominent

opposition politicians who had defied the ban had, in the past, been arbitrarily arrested and detained. However, authorities continued to crack down on political activities, on critics of government projects and on those opposing forced evictions, including by using arbitrary arrests, detention and intimidation.

At least 12 people were arrested between June and December for criticizing the Tanzania/UAE agreement. Those arrested were released unconditionally after being held for a few days. Rugemeleza Nshala, an activist and former president of the Tanganyika Law Society who had also criticized the agreement, fled the country in July after he faced police intimidation and death threats on his phone from unknown sources.

In June, parliament passed positive amendments to the Media Services Act, including by removing the criminal liability of journalists in relation to professional conduct, reducing penalties and fines for offenders in sedition cases and withdrawing court powers to confiscate media equipment.

On 14 July, lawyer and activist Boniface Mwabukusi and political activist Mdude Nyagali were arrested days after holding a press conference in Dar es Salaam where they criticized the Tanzania/UAE agreement. On 12 August, they were re-arrested while travelling to Dar es Salaam and taken to the Central Police Station in the city of Mbeya. The next day, police arrested Willibrod Slaa, a former parliamentarian and diplomat, at his home in Dar es Salaam and took him to Mbwani Police Station. The three, who were released on 18 August under strict reporting conditions, faced treason charges.

On 6 September, the chief of police in Ngorongoro district, Arusha region, issued a warning to the main opposition Party for Democracy and Progress (Chadema) against holding a series of political rallies that were planned in the Loliondo division for 8 and 9 September. Authorities cited security as justification but did not provide further details; they claimed the warning was in accordance with Ngorongoro Conservation Area (NCA) rules.

On 10 September, police arrested opposition leader Tundu Lissu for holding an “unlawful assembly” after he attended a political rally in the Loliondo division. He was arrested as he tried to access the NCA to speak to Maasais participating in another rally. He was released without charge the same day.

## **FORCED EVICTIONS**

At least 67 Maasais were arrested during the year, mainly in Endulen village, Ngorongoro division, for refusing to leave their ancestral lands under ongoing enforced relocation plans to establish a protected wildlife area in the Ngorongoro Conservation Area. Some were held for a few hours and others for a few days.

On 7 August, the high court in Mbeya issued a decision revoking a government directive to evict about 21,000 people from their land in five of 39 villages bordering Ruaha National Park in Mbarali district, Mbeya region. The government said it wanted the land for wildlife conservation within the national park. The case before the high court had been filed in January by 852 smallholder farmers from Marili, following an October 2022 eviction notice issued by the minister of land, housing and human settlement development, which declared the villages to be inside the national park. Just before the high court’s ruling, the Assistant Commissioner of Lands for Mbeya told parliament’s Standing Committee for Lands, Natural Resources and Tourism that the government had, in fact, returned 744.32km<sup>2</sup> of the land to the community in Mbarali.

On 19 September, the high court sitting in Arusha region found that the Pololeti Game Controlled Area in Loliondo division was established illegally. On 17 June 2022, the minister for natural resources and tourism had declared Pololeti a “game-controlled area” – an area designated for wildlife preservation – to justify the forced evictions of Maasais from 1,500km<sup>2</sup> of their land. The community challenged this declaration in a judicial review filed in November 2022. The high court ruled that the government had not

consulted the residents when making the declaration, rendering the process void.

At the end of the year, around 100 Maasai families remained in impoverished conditions with little access to livelihoods in the Ololaimutia and Olpusimoru villages in Narok county in Kenya. They had fled there with their livestock after their homesteads were destroyed during the June 2022 forced evictions in the Loliondo division.

## **RIGHT TO A HEALTHY ENVIRONMENT**

The International Monetary Fund reported that while “highly vulnerable to climate change”, Tanzania was “less prepared than most countries to address its impacts.”

On 24 January, East African Crude Oil Pipeline (EACOP) Ltd, a fossil fuel company, received a licence allowing it to commence the development of the 1,443km East African Crude Oil Pipeline to transport crude oil from the Lake Albert oilfields in western Uganda to Tanga Port on Tanzania’s northern coast for export (see Uganda entry). The project involves the construction of a 61cm diameter heated pipeline.

On 5 April, the East African Court of Justice (EACJ) reserved judgment in the case of a lawsuit filed three years earlier by Kenyan, Ugandan and Tanzanian civil society groups who sought a temporary injunction with a view to preventing the construction of the pipeline. The EACJ heard arguments from the East African Community secretary-general, and the Tanzanian and Ugandan governments who contended, among other things, that the matter was outside the court’s jurisdiction. The civil society groups had brought the case in response to concerns about the pipeline’s adverse impact on the environment, and the displacement of local people, including Indigenous Peoples, whose rights to livelihoods, food and health were threatened by the project. On 29 November, the court dismissed the lawsuit, regarding it as time barred, and ruled that the applicants should have filed the case as early as 2017 rather than in 2020. The civil society groups appealed the decision on 11 December.

## RIGHT TO TRUTH, JUSTICE AND REPARATION

The authorities denied widespread reports of violent forced evictions against the Maasais from their land in Ngorongoro. They also denied requests from intergovernmental organizations to conduct fact-finding missions in Ngorongoro. The government did, however, allow an African Commission on Human and Peoples' Rights delegation to undertake a promotion mission between 23 and 28 January. The delegation raised concerns about forced evictions of Maasais, noting a lack of adequate consultation with, and inclusion of, the local communities in the demarcation exercise of lands they laid claim to; and reports of the use of force and threats against community members who contested the demarcation. On 25 August, the government prevented a UNESCO fact-finding delegation from visiting the area. Again, on 2 September, a delegation of members of the European Parliament were refused access, despite the government previously agreeing to their visit to investigate human rights abuses against the Maasais.

Government announcements made in 2022 indicating that it would revisit its decision to withdraw from the declaration made under Article 34(6) of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights (AfCHPR), remained unrealized. Therefore, individuals and NGOs, failed by the national legal system, remained unable to enjoy direct access to the AfCHPR. The government had signed its notice of withdrawal in 2019.

## WOMEN'S AND GIRLS' RIGHTS

The National Panel Survey showed that although there was progress in the provision of quality education, improvements were needed, specifically in relation to low retention rates for girls. Despite the lifting in February 2022 of the ban on pregnant girls and adolescent mothers attending mainstream schools, low retention rates continued due to poverty, early pregnancy and gender-based violence in schools. There

was, however, an overall increase in enrolment and literacy rates, and a reduction in the barriers to children's access to school. The World Bank concluded that "the government's policies and interventions ... allowed the country to move towards greater access to education, especially in the most underserved areas."

## LGBTI PEOPLE'S RIGHTS

In February, the education minister issued a ban on books in public and private schools that include LGBTI content, and urged the public to report any books containing such content.

In March, the head of the women's wing of Chadema urged the government to pass legislation that would provide for the castration of anyone convicted of consensual same-sex sexual relations. On 12 April, an MP introduced a parliamentary debate, arguing that unless action is taken, Tanzania "risked having gay people in positions of power or authority". Another MP proposed the death penalty for people convicted of consensual same-sex sexual relations.

# THAILAND

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## Kingdom of Thailand

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**Authorities continued the crackdown on freedom of peaceful assembly and expression. Hundreds of children were among those brought to trial or facing criminal charges for participating in peaceful protests. Human rights defenders also faced judicial and other forms of harassment. A new law criminalized torture and enforced disappearances but effective accountability remained elusive, including for the 2014 disappearance of a defender of Indigenous People's rights. A new mechanism for screening refugees and asylum seekers was established but many were held in indefinite detention where poor conditions resulted in the deaths of two Uyghur men.**

## BACKGROUND

The pro-democracy Move Forward Party won the most seats in national elections in May but failed to secure enough votes from MPs to form a government. On 5 September, the runner-up Pheu Thai Party took office along with its coalition partners that included two parties with close ties to the military.

## FREEDOM OF EXPRESSION AND ASSEMBLY

The government continued its crackdown on overwhelmingly peaceful protests calling for political and social reforms. According to the local NGO Thai Lawyers for Human Rights (TLHR) by December at least 1,938 people had been charged in relation to their participation in protests since 2020. The majority, 1,469, were charged under an emergency decree banning public gatherings during the Covid-19 pandemic which was lifted in late 2022. Hundreds of others were charged with *lèse-majesté* (defaming, insulting or threatening the monarch) or with sedition. As of December, the prosecutions of 795 cases were ongoing.

Among those convicted was Anon Nampa, a prominent human rights lawyer who was found guilty of *lèse-majesté* on 26 September and sentenced to four years' imprisonment for delivering a speech during a protest in October 2020 calling for a national conversation on the role of the monarchy. He faced 13 other counts of *lèse-majesté*.

The courts repeatedly denied requests for bail by Anon Nampa and 23 others detained on protest-related charges. In January, pro-democracy activists Tantawan Tuatulanon and Orawan Phuphong were hospitalized after going on hunger strike to protest against bail refusals. Both were charged with *lèse-majesté* in 2022 for conducting public opinion polls about royal motorcades.

The authorities also continued to use the Computer Crimes Act against their critics. According to TLHR, at least 195 people had been charged under this law since 2020. They included political activist Ekachai Hongkangwan who was acquitted in June of impeding a royal motorcade during a pro-

democracy protest, but was sentenced in July to one year's imprisonment under an ambiguous provision of the Act that criminalizes the sharing of obscene information.<sup>1</sup>

## CHILDREN'S RIGHTS

Amnesty International's research exposed the multiple ways in which the rights of children, who have been at the forefront of mass protests, have been suppressed by the authorities including through criminalization, surveillance and intimidation.<sup>2</sup>

As of October, criminal charges had been brought against 286 children for their participation in protests since 2020. They included Yok, a 15-year-old girl who was arrested in March in connection with her participation in a protest in 2022 calling for the repeal of the *lèse-majesté* law.<sup>3</sup> She was held in pretrial detention for 51 days before a court ordered her release.

On 20 July, the Central Juvenile and Family Court sentenced Noppasin "Sainam" Treelayapewat to one year's imprisonment, suspended for two years, after he was found guilty of *lèse-majesté* for taking part in a mock fashion show in 2020 that satirized the monarchy. Sainam was aged 16 at the time of the show.<sup>4</sup>

## HUMAN RIGHTS DEFENDERS

There were growing concerns about the digital harassment of human rights defenders. In August, six UN human rights experts wrote to the Thai government expressing concern about lack of protection measures or accountability for the online intimidation and harassment of two prominent human rights defenders, Angkhana Neelapaijit and Anchana Heemmina. In February, the Civil Court dismissed a lawsuit brought by the two women against the Royal Thai Army and the Prime Minister's Office, which they alleged had carried out an online smear campaign against them in connection with their legitimate human rights work.

## RIGHT TO PRIVACY

In April, four UN Special Rapporteurs wrote to the Prime Minister raising concerns about



the use of cyber-intelligence company NSO Group's Pegasus spyware in devices belonging to 35 people including human rights defenders, politicians and civil society activists during nationwide protests in 2020 and 2021, and the government's failure to protect those allegedly subjected to unlawful surveillance. On 13 June, Jatupat Boonpattaraksa, a human rights defender whose phone was infected with the spyware, filed a lawsuit against the NSO Group seeking financial compensation for violating his right to privacy.

## **TORTURE AND OTHER ILL-TREATMENT AND ENFORCED DISAPPEARANCES**

In February, following years of pressure by civil society and victims, the Act on the Prevention and Suppression of Torture and Enforced Disappearance entered into force criminalizing torture, other forms of ill-treatment and enforced disappearance for the first time, and establishing procedural safeguards against such practices. However, the law did not include provisions which would make statements obtained by torture or during enforced disappearance inadmissible as evidence in legal proceedings.<sup>5</sup>

On 28 September, a court acquitted four national park officers of abducting and murdering Indigenous Karen human rights defender Pholachi "Billy" Rakchongcharoen. Billy was involved in a lawsuit against Kaeng Krachan National Park officers for the forced evictions of local communities and burning of Karen homes when he disappeared in Kaeng Krachan National Park in April 2014 after being detained for allegedly possessing wild honey.<sup>6</sup> One of the accused was found guilty of failing to report Billy's detention to the police and sentenced to three years' imprisonment, but was subsequently released on bail.

## **REFUGEES' AND MIGRANTS' RIGHTS**

On 22 September, a regulation to establish a screening mechanism to grant protected status to asylum seekers seeking protection from persecution came into force. Human

rights organizations raised concerns about the exclusion of migrant workers from Myanmar, Laos, Viet Nam and Cambodia from accessing protection and about provisions that allow the authorities to deny protection on "national security" grounds without being required to explain why the decision was made.

Irregular migrants, including asylum seekers, were arbitrarily and indefinitely detained in squalid immigration detention centres. Two ethnic Uyghur men, Aziz Abdullah and Mattohti Mattursun, died in the capital Bangkok's Suan Phlu Immigration Detention Center in February and April respectively. They were among a group of around 50 Uyghurs from China's Xinjiang Uyghur Autonomous Region who had been detained since they arrived in Thailand in 2014.

On 13 April, Vietnamese Youtuber Đường Văn Thái disappeared from his residence in Bangkok in circumstances that suggested the involvement of Viet Nam state agents. He was subsequently detained in Viet Nam and charged with "disseminating propaganda against the state".

In an ongoing pattern of targeting individuals affiliated with the network of human rights defenders from Laos, on 17 May, UNHCR-recognized refugee Bounsuan Kitiyano was shot dead by an unidentified gunman in Ubon Ratchathani province in north-east Thailand.<sup>7</sup>

On 7 July, authorities arrested Thol Samnang, a Cambodian political activist and affiliate of the Candlelight Party. Samnang was on his way to apply for refugee status at UNHCR's office in Bangkok at the time of his arrest.

## **LGBTI PEOPLE'S RIGHTS**

On 21 December, Thai lawmakers debated a package of bills to legalize same-sex marriages.<sup>8</sup> The Marriage Equality Bill received resounding support in the House of Representatives and started the process of multiple readings and stages of approval before it may become law.

## IMPUNITY

There was still no accountability for the deaths in 2004 of 85 people who were shot or died after being arrested during protests to demand the release of six Malay Muslim men from Tak Bai Police Station in Narathiwat province, one of Thailand's southern border provinces.<sup>9</sup>

1. "Thailand: Amnesty International's response to the one-year imprisonment of activist Ekachai under the Computer Crimes Act," 7 July
2. Thailand: "We are reclaiming our future": Children's right to peaceful assembly in Thailand, 8 February
3. "Thailand: 15-year-old girl held in pretrial detention for lèse-majesté", 30 March
4. "Thailand: Drop 'insulting the monarchy' charge against child protester involved in mock fashion show", 17 July
5. "Thailand, Law to address torture and enforced disappearance is an important step towards justice but its full enforcement is critical", 22 February
6. "Thailand: Upcoming verdict in case of murdered Indigenous activist 'Billy' must deliver justice", 26 September
7. "Thailand/Laos: Investigate the killing of Lao refugee and put an end to transnational repression of human rights defenders", 26 May
8. "Thailand: Historic same-sex marriage bills are moment of hope for LGBTI rights" 21 December
9. "Thailand: Thai authorities must act now to deliver justice for victims of the brutal protest dispersal in Tak Bai", 24 October

## TOGO

### Togolese Republic

**The authorities repressed the rights to freedom of expression and peaceful assembly. Media freedom was threatened, with newspapers suspended and journalists given prison sentences for "defamation" or publishing "false" news. The ECOWAS Court of Justice issued rulings in three cases, denouncing incidents of torture and other ill-treatment of detainees, and arbitrary arrests and detention in Togo. NGOs denounced allegations of official corruption. Access to maternal health services was hampered by staff shortages, dilapidated equipment and poor quality of care.**

## BACKGROUND

According to the government, attacks by armed groups and clashes between government forces and armed groups resulted in at least 31 deaths, including of 11 civilians, and 29 injuries in the Savanes region, bordering Burkina Faso. Togo hosted 9,965 refugees, mainly from Burkina Faso, and 7,077 people were internally displaced as a result of the attacks.

Legislative and regional elections were postponed from December until 13 April 2024.

## FREEDOM OF EXPRESSION AND ASSEMBLY

On 1 February, the High Authority of Audiovisual and Communication (HAAC) suspended *Liberté* and *Tampa Express* newspapers for three months. The decision to suspend *Tampa Express* was taken after the chief executive of Africa Global Logistics in Togo filed a lawsuit against the newspaper for "defamation and publication of false information". *Liberté* was suspended after, on 12 January, the Lomé Court of Appeal fined the newspaper's director, and a journalist on the editorial staff, CFA 5 million (around USD 8,176) each for "spreading false news and insulting the Prime Minister". This followed a complaint lodged by the prime minister in September 2022. On 2 March, the Supreme Court overturned HAAC's decision to suspend *Liberté*.

On 15 March, Ferdinand Ayté, a member of the International Consortium of Investigative Journalists and director of *L'Alternative* newspaper was sentenced with Isidore Kowonou, editor-in-chief of the same newspaper, to three years in prison and a fine of CFA 3 million (around USD 4,828) for "contempt of authorities" and "propagation of falsehoods". He had accused two members of the government of corruption. The journalists appealed the decision but fled the country to avoid serving their sentences.

The editor of *Tampa Express* was summoned to the Criminal Investigation Department on 20 September for interrogation about his sources for an article

on allegations of corruption in public service exams.

Two journalists were detained for 18 days after the Minister of Town Planning made accusations against them including of “defamation” and “incitement to revolt”, after they reported on money being stolen from the minister’s residence. They were released on bail in December, under judicial supervision, and their passports were confiscated.

Access within Togo to the website belonging to the civil society platform, Togo Debout, was disrupted. Togo Debout representatives believed that the authorities caused the disruption in response to the platform’s tendency to criticize the government’s policies and actions.

On 11 October, the authorities banned a ceremony organized by NGOs to launch a project to strengthen civil society and ensure the protection and promotion of the rights to freedom of expression and peaceful assembly. No formal notification was provided in advance of the ban.

## **TORTURE AND OTHER ILL-TREATMENT**

On 7 June, the ECOWAS Court of Justice ordered the immediate release of 10 people who had been held without trial since 2019 on charges of breaching state security. The court also ordered the state to pay reparations to each of the complainants for their prolonged detention and ill-treatment in custody; and called on the state to investigate their ill-treatment. However, the 10 detainees remained in detention.

On 5 July, the same court ordered the state to pay reparations to Agbogbo Kossi Edem for the violation of his human rights after he was arrested and beaten by security agents while participating in a demonstration calling for the 2020 presidential election results to be released. The court ruled that his detention was arbitrary and ordered the state to investigate his ill-treatment.

In November, the ECOWAS court ordered the immediate release of 15 people arrested in connection with the August 2017 demonstrations, and ordered the state to pay reparations to each of them. The court said

that their rights to be protected from torture or other ill-treatment, and arbitrary detention had been violated.

## **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

In January, a Court of Auditors report revealed significant irregularities in the management of the Covid-19 Response and Solidarity Fund established to combat the effects of the pandemic and its economic consequences. In May, NGOs and lawyers cited this report in a case brought before the ECOWAS Court of Justice in which they denounced inaction by the authorities to prevent and combat corruption.

### **RIGHT TO HEALTH**

Access to maternal health services was hampered by staff shortages, dilapidated equipment and poor quality of care.<sup>1</sup> This had an adverse impact on the care offered to patients during prenatal consultations and childbirth. Some maternity units did not have enough staff, adequate basic equipment and sanitary facilities needed to provide decent care to patients, while midwives struggled to cope with excessive workloads.

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1. “Togo: ‘Some women give birth on the floor’ amid staff shortages, poor facilities”, 31 July

## **TUNISIA**

### **Republic of Tunisia**

**Authorities escalated their crackdown on dissent, using unfounded charges against high-profile opposition figures and other critics. Parliamentarians proposed repressive legislation that threatened independent civil society organizations. Dozens of social justice and environmental protesters were unjustly prosecuted. Judicial independence, accountability and the right to a fair trial continued to be undermined. Racist remarks by the president triggered a wave of anti-Black assaults and arrests. Authorities increased interceptions at sea exponentially,**

**conducting collective mass expulsions to the borders with Algeria and Libya. Women's representation in parliament dropped by half. LGBTI people and human rights defenders were subjected to harassment and an online hate campaign. Tunisia's cost of living and environmental crises deepened, directly impacting access to food and water.**

## **BACKGROUND**

Following elections that took place between December 2022 and January 2023, with a record low turnout of 11%, a new parliamentary session started on 13 March, the first since President Kais Saied suspended the legislative body in July 2021. On 8 March, the president dissolved all elected municipal councils.

On 9 May, a National Guard officer attacked the Ghriba synagogue on Djerba island, killing five people.

On 16 July, the European Commission and Tunisia signed a memorandum of understanding, providing financial support to Tunisia to combat irregular migration. The agreement was negotiated without input from civil society and omits crucial human rights safeguards.<sup>1</sup>

Negotiations stalled with the International Monetary Fund over a USD 1.9 billion rescue package opposed by President Saied.

## **FREEDOM OF EXPRESSION**

Authorities ramped up their targeting of individuals exercising their right to freedom of expression, making frequent use of the new draconian Decree-Law 2022-54 on cybercrime.

At least 22 individuals, including lawyers, journalists, bloggers and political activists, were summoned for questioning, prosecuted or sentenced in relation to public comments perceived as critical of the authorities, including at least 13 on the basis of the cybercrime law and in most cases following governmental complaints.

In March and April, the parliament twice banned private and foreign media from attending parliamentary sessions and, in

June, banned journalists from covering parliamentary committee meetings.

On 16 May, the appeal court in the capital, Tunis, sentenced journalist Khalifa Guesmi to five years' imprisonment for his reporting on security operations.

On 13 December, a Tunis military court convicted political activist Chaima Issa to a 12-month suspended prison sentence for critical remarks about the authorities.

The National Syndicate of Tunisian Journalists reported dozens of incidents of harassment and obstruction of journalists while reporting on the parliamentary elections.

## **REPRESSION OF DISSENT**

Authorities escalated their crackdown on dissent by targeting a wider range of opposition figures, using expression-related offences as well as conspiracy and terrorism charges to detain, investigate and sentence them.

Judicial authorities particularly targeted members of Ennahda, the largest opposition party. They initiated criminal investigations against at least 21 Ennahda leaders and members, and detained at least 12. On 30 October, the Tunis appeal court sentenced Rached Ghannouchi, Ennahda's president and former speaker of the dissolved parliament, to 15 months' imprisonment under the 2015 anti-terrorism law, based on his public remarks.<sup>2</sup> On 13 February, security forces arrested former justice minister and Ennahda leader Noureddine Bhiri. In November, an indictment chamber referred him to a criminal court. He remained in pretrial detention on capital charges based on his critical online remarks.

From February onwards, at least 50 people, including opposition figures,<sup>3</sup> human rights defenders, lawyers and businesspeople were under investigation in a so-called conspiracy case,<sup>4</sup> facing trumped-up charges that carry heavy prison sentences and the death penalty.<sup>5</sup> On 3 October, police arrested Abir Moussi, head of the opposition Free Destourian Party, while she was trying to file an appeal against presidential decrees

related to the organization of upcoming elections.<sup>6</sup> She remained in pretrial detention under capital charges brought against her for exercising her right to freedom of expression and assembly.

## **FREEDOM OF ASSOCIATION**

President Saïed continued to accuse civil society organizations of interfering in Tunisia's affairs and financing corruption.

On 18 April, police ordered everyone out of Ennahda's headquarters in Tunis without presenting any legal documentation, closed it down and forbade anyone from returning. In a leaked internal communication, the interior ministry directed police to ban meetings and gatherings in the offices of Ennahda and the National Salvation Front.

On 10 October, a group of parliamentarians submitted a draft law on associations to replace the 2011 Decree-law 88 on associations, which would undermine civil society's independence.<sup>7</sup> On 11 December, the prime minister announced that a cross-sectoral committee would work on drafting a new law.

## **FREEDOM OF ASSEMBLY**

According to the Tunisian Forum for Economic and Social Rights (FTDES), 3,016 protest actions had taken place in 2023 by November. Police allowed most demonstrations to take place, but dispersed some protests. For example, several farm workers protesting in Kasbah Square in Tunis on 9 February were detained and had their phones searched.

In March, a public prosecutor in Siliana town in northern Tunisia prosecuted 28 individuals in relation to protests calling for their right to water. On 8 June, a court in the south-eastern city of Sfax sentenced at least four environmental activists to eight months in prison on charges of obstruction of work.

## **RIGHT TO A FAIR TRIAL**

Judges who had been summarily dismissed by presidential decree in June 2022 continued to be denied reparation. No judicial action was taken following individual

complaints filed on 23 January by 37 of them against the minister of justice to contest the non-implementation of a Tunis administrative court order to reinstate 49 of the 57 dismissed judges and prosecutors.

Presidential public remarks urging the prosecution of government critics undermined the independence of the judiciary and the right to a fair trial.

Judicial authorities arbitrarily renewed pretrial detention orders against at least 20 prominent opponents, public figures and perceived critics of President Saïed imprisoned for between five months and two years, including for unfounded conspiracy and terrorism accusations.<sup>8</sup>

Military courts continued to prosecute civilians. On 20 January, a military appeals court sentenced six civilians, including four opposition politicians from Al Karama coalition and a prominent lawyer, to between five and 14 months in prison on charges that included insulting and threatening a public official.<sup>9</sup>

## **IMPUNITY**

Authorities failed to hold to account members of security forces and political representatives credibly accused of human rights violations.

A Tunis court fined six individuals for filming in January police beating a man in El Kabbaria, a district of southern Tunis, and for publishing the footage online. The individuals prosecuted included members of the Anti-Marginalization Generation Association and the victim.

On 2 March, an investigating judge charged Sihem Ben Sedrine, former head of the Truth and Dignity Commission, on trumped-up charges related to her leadership of the commission and imposed a travel ban on her.

## **REFUGEES' AND MIGRANTS' RIGHTS**

The year saw a marked deterioration in the protection of migrants' and refugees' rights.

On 21 February, President Saïed made discriminatory and hateful remarks, triggering an upsurge in anti-Black racist violence by citizens and police, and hundreds of arbitrary arrests.<sup>10</sup>

On 11 April, police used tear gas excessively against migrants, asylum seekers and refugees staging a sit-in outside the offices of UNHCR, the UN refugee agency, in Tunis, arresting and beating many in custody.

From July onwards, security authorities rounded up and conducted mass arbitrary expulsions of several thousand migrants, asylum seekers and refugees, including children, to Libya and Algeria. According to UNHCR, at least 28 people died in the desert region along the Libyan border between July and August. These collective expulsions occurred without individualized assessments or judicial process. Many of the expulsions followed interceptions at sea, which increased exponentially from July onwards, often involving reckless manoeuvres that injured migrants. Police and the National Guard tortured and otherwise ill-treated individuals during disembarkation, deportation and detention.

## **WOMEN'S AND GIRLS' RIGHTS**

Gender parity gains were reversed with the election of the new parliament, which included only 25 women in the 161 seats, after the removal of gender parity provisions in the electoral law.

The Tunisian Association of Democratic Women documented at least 21 femicides and said they had supported more than 600 women who reported being subjected to violence.

In March, a national collective of women farm workers called for legislative reforms to guarantee their access to health coverage, safe transportation and a decent livelihood. According to an FTDES study, 92% of women farm workers interviewed did not benefit from social protection.

## **LGBTI PEOPLE'S RIGHTS**

Hate campaigns and harassment against LGBTI defenders and people increased significantly.

In July, Damj, the Tunisian Association for Justice and Equality, reported that security force members threatened to close their offices. On 8 August, Damj filed a complaint

following an online defamation and hate campaign.

Courts continued to sentence people to up to two years in prison under Article 230 of the Penal Code, which criminalizes consensual adult same-sex sexual relations.

## **RIGHT TO FOOD**

Tunisia's cost of living and economic crises deepened, further threatening access to a range of socio-economic rights, including the right to food.

According to the National Institute of Statistics, as of November, food inflation stood at 14.5% compared to 2022. Shortages of staple foods became chronic. The government reduced its spending on food subsidies by 19% in the first half of the year compared to 2022.

## **RIGHT TO WATER**

Tunisia suffered its worst drought on record. On 31 March, the state water company announced it would administer water cuts at night and the Ministry of Agriculture announced restrictions on the use of tap water, which were renewed indefinitely on 28 September. The statements did not clearly explain which areas would be affected by the cuts or the discrepancies between areas that experienced no cuts or longer cuts, including during the day. On 20 November, the head of the state water company said the discrepancies were due to differences in altitude impacting water availability. In a July report, the UN Special Rapporteur on human rights to safe drinking water and sanitation highlighted that the government repeatedly prioritized water usage by powerful economic sectors, including big agriculture and mining, over water required for drinking and domestic use.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Tunisia increasingly suffered the adverse effects of climate change and experienced a drought, heat wave and wildfires at record levels. On 14 June, the Ministry of Environment presented a draft environmental code that included a section on the fight

against climate change and proposed creating a higher body in charge of the “ecological transition”.

1. “EU/Tunisia: Agreement on migration ‘makes EU complicit’ in abuses against asylum seekers, refugees and migrants”, 17 July
2. “Tunisia: Ghannouchi sentencing marks aggressive crackdown on Saied opposition”, 18 May
3. “Tunisia: Political activists unjustly detained: Chaima Issa, Jaouhar Ben Mbarek & Khayam Turki”, 26 May
4. “Tunisia: Authorities add human rights lawyers to trumped-up conspiracy case”, 9 May;
5. “Tunisia: Drop trumped-up charges against arbitrarily detained political dissidents”, 10 October
6. “Tunisia: Opposition figure arbitrarily detained: Abir Moussi”, 7 December
7. “Tunisia: Repressive NGO draft law threatens independent civil society”, 21 October
8. “Tunisia: The abuse of pretrial detention to silence political opponents, authorities targeting political opposition with vague pretrial detention laws”, 22 September
9. “Tunisia: Convictions of six civilians by military courts must be quashed”, 2 February
10. “Tunisia: President’s racist speech incites a wave of violence against Black Africans”, 10 March

# TÜRKIYE

## Republic of Türkiye

**Baseless investigations, prosecutions and convictions of human rights defenders, journalists, opposition politicians and others persisted. Anti-terror and disinformation laws were used to curtail freedom of expression. Freedom of peaceful assembly was unlawfully restricted. Distribution of aid after the February earthquakes failed to adequately address the rights and needs of people with disabilities. Violence against women and girls remained widespread. Discriminatory and stigmatizing rhetoric against LGBTI people and refugees and migrants increased in the run-up to the May presidential and legislative elections. The country continued to host the world’s largest number of refugees; some remained at risk of being unlawfully returned. Victims of human rights violations by state officials continued to face a culture of impunity.**

**There were serious and credible allegations of torture and other ill-treatment. A government support programme benefited millions of people living in poverty.**

## BACKGROUND

On 6 February, two catastrophic earthquakes devastated 11 provinces, impacting more than 15 million people in south-eastern Türkiye and causing widespread destruction, displacement and dispossession. According to the Ministry of Interior, at least 50,000 people died, including 7,302 refugees and migrants. Hundreds of thousands were left homeless without shelter, food, water and medical care.

President Recep Tayyip Erdoğan won a third term in office after presidential elections in May.

On 1 October, a group affiliated with the Kurdistan Workers’ Party (PKK) claimed responsibility for a suicide bombing in the capital, Ankara, which injured two police officers. In retaliation, on 5 and 6 October, Türkiye launched air strikes on Kurdish-controlled areas of north-east Syria, killing 11 civilians and destroying vital infrastructure.

## FREEDOM OF EXPRESSION

In the immediate aftermath of the February earthquakes the authorities restricted access to Twitter and TikTok. They detained at least 257 people for criticizing the government’s earthquake response, including journalists and some people based solely on their social media posts.

In February, journalist Sinan Aygül, who was the first person to be remanded in pretrial detention in 2022 under the criminal offence of “publicly spreading disinformation”, was sentenced to 10 months’ imprisonment for a tweet in which he had shared unconfirmed sexual abuse allegations. On 1 November, journalist Tolga Şardan was remanded in custody for six days on the same charge for his article on corruption in the justice system.

In May, pop singer Gülşen was sentenced to 10 months’ imprisonment, suspended, for “inciting the public to hatred and enmity” in relation to a video circulated on social media

depicting a humorous exchange between herself and a band member in 2022.

The prosecution continued of 15 journalists, including the co-chair of the Dicle Fırat Journalists' Association, on charges of "membership of a terrorist organization". In July they were conditionally released from 13 months' pretrial detention in the city of Diyarbakır.

In July, T24 editor Sibel Yüklükler, Mezopotamya Agency reporters Delal Akyüz and Fırat Can Arslan, Bianet editor Evrim Kepenek and freelance journalist Evrim Deniz were detained and accused of "targeting a public official involved in the fight against terrorism". The charge related to their social media posts concerning the relocation of a prosecutor and a judge, a married couple, who had both been assigned to the prosecution of 15 journalists in Diyarbakır (see above). Fırat Can Arslan became the first journalist remanded in pretrial detention on charges under Article 6 of the anti-terrorism law; he was acquitted and released at the first hearing on 31 October.

In September, the Ankara chief prosecutor initiated a criminal investigation against the opposition MP Sezgin Tanrıku for "denigrating the Turkish nation and state" and "inciting the public to hatred or hostility", following his critical comments about the Turkish armed forces during a television programme.

In September, the mayor of Antalya Municipality cancelled the 60th Antalya Golden Orange Film Festival, and dismissed the festival director, following disputes over the screening of a documentary entitled *The Decree*. The film depicted public sector workers who had been summarily dismissed following the failed coup in 2016.

## **FREEDOM OF PEACEFUL ASSEMBLY**

On 11 November, the Saturday Mothers/People, a group of human rights defenders including relatives of victims of enforced disappearances, were allowed to read a short statement near Galatasaray Square in Istanbul, a place of symbolic importance to the group, after being banned from doing so

for over five years.<sup>1</sup> This positive development fell short of constitutional court decisions that the group's freedom of assembly should be upheld, and between April and November law enforcement officials had continued to use unlawful force to disperse their protests and detain and prosecute participants.

A number of peaceful Pride marches took place despite blanket bans in at least six provinces and four districts across the country. At least 224 people were arbitrarily detained during the Pride season, including bystanders, children, lawyers, journalists, university students, human rights defenders and foreign nationals.

On 20 July, law enforcement officials prevented several commemorations of the 2015 killing of 33 people in the south-eastern town of Suruç in a bombing by the armed group Islamic State. At least 187 protesters were arbitrarily detained in the cities of Istanbul, Izmir and Ankara. In Istanbul authorities kettled protesters, using pepper spray, plastic bullets and unlawful force.

Between July and September, police used unlawful force, water cannon and pepper spray at close range against ecological activists protesting at the felling of thousands of trees to expand a coal mine in Akbelen forest in Muğla province. At least 50 activists were detained then later released, although some were subjected to travel restrictions and three were banned from entering Milas district in Muğla province.

## **FREEDOM OF ASSOCIATION**

Türkiye remained on the "grey list" of the intergovernmental Financial Action Task Force, while continuing to use its recommendations on combating money laundering and financing terrorism as a smokescreen to facilitate harassment of NGOs. The authorities intensified the use of intrusive NGO audits under the Law on the Prevention of the Financing of the Proliferation of Weapons of Mass Destruction.

In September, a court rejected a lawsuit seeking the closure of the NGO We Will Stop Femicides Platform for alleged "illegal and immoral activities... damaging the Turkish



family structure under the guise of defending women's rights."

The prosecution of at least 15 members of the Migration Monitoring Association accused of "membership of a terrorist organization" continued at the end of the year, as did proceedings to close the association for allegedly "operating in line with the goals and objectives of an armed terrorist group".

The 2021 case to close the second biggest opposition party, the People's Democratic Party, and impose a five-year political ban on 451 former and current members, was still pending at the end of the year.

In November, a civil court in Ankara dismissed the 11 members of the Central Council of the Turkish Medical Association for "having acted outside of the founding aims of the Association". The decision was pending on appeal at the end of the year.

## **HUMAN RIGHTS DEFENDERS**

In January, Şebnem Korur Fincancı was convicted of "making propaganda for a terrorist organization" and sentenced to 32 months' imprisonment for calling for an independent investigation into the alleged use of chemical weapons in the Kurdistan Region of Iraq in 2022. She was released pending appeal.

In June, Istanbul Heavy Penal Court No. 35 overturned the 2020 convictions of Özlem Dalkıran, İdil Eser, Taner Kılıç and Günal Kurşun, four human rights defenders in the so-called Büyükada prosecution, for "lack of evidence", in line with the earlier Court of Cassation judgment. A prosecution appeal against the acquittal of Taner Kılıç was pending at the end of the year.<sup>2</sup>

The courts again failed to implement judgments by the European Court of Human Rights in the cases of Osman Kavala and Selahattin Demirtaş, despite Türkiye facing an infringement proceeding for its refusal to release Osman Kavala. Furthermore, in September, Türkiye's highest court of appeals upheld the life sentence against Osman Kavala and 18-year jail sentences against Çiğdem Mater, Can Atalay, Mine Özerden and Tayfun Kahraman, despite the prosecuting

authorities' repeated failure to provide any evidence. The convictions of Múcella Yapıcı, Hakan Altınay and Yiğit Ali Ekmekçi were overturned.<sup>3</sup>

Can Atalay, detained in 2022 in connection with the Gezi Park protests, was elected as an MP for the southern province of Hatay in the May parliamentary elections, but in July the court of cassation denied his appeal for release. In October and December, the constitutional court twice ruled that his continued detention was a violation of his rights.<sup>4</sup> The court of cassation refused to implement the binding constitutional court rulings, claiming that the constitutional court judges who had ruled for Can Atalay's release had "acted unlawfully".

In August, Celalettin Can was imprisoned to serve a 15-month sentence. A participant in the 2016 solidarity campaign with the now closed Kurdish daily newspaper Özgür Gündem, he remained in prison until his conditional release on 19 December.

## **RIGHTS OF PEOPLE WITH DISABILITIES**

The February earthquakes and conditions at displacement sites disproportionately impacted people with disabilities. Distribution of food, water and other aid materials did not adequately take into consideration their rights and specific requirements during the earthquake emergency response.<sup>5</sup> People with disabilities struggled to access quality prostheses and assistive devices. Government figures indicated that 70% of the 100,000 people injured in the earthquakes would likely live with a disability.

## **VIOLENCE AGAINST WOMEN AND GIRLS**

According to the We Will Stop Femicides Platform, during the year men killed 315 women in acts of femicide, and 248 women were found dead in suspicious circumstances.

Türkiye's highest administrative court, the Council of State, continued to hear applications by women's rights organizations to annul the 2021 presidential decision to withdraw from the Council of Europe Convention on preventing and combating

violence against women and domestic violence (Istanbul Convention). It had not handed down a decision by the end of the year.

## **LGBTI PEOPLE'S RIGHTS**

In the aftermath of the earthquakes, many LGBTI people avoided accessing shelter, medical care or other aid owing to concerns about their safety.

LGBTI people faced discriminatory and stigmatizing rhetoric that escalated further in the run-up to the May elections. In May, the president said, "LGBT is a poison injected into the institution of the family. It is not possible for us to accept that poison especially in a country where 99% of its people are Muslims."

In September, for the second year running, the state broadcasting body RTÜK endorsed an advertisement promoting an anti-LGBTI rights demonstration in Istanbul which targeted so-called "LGBTI propaganda".

## **REFUGEES' AND MIGRANTS' RIGHTS**

After the February earthquakes, both civilians and state actors physically abused Syrian refugees in racist attacks, and/or verbally harassed them with hate speech. Syrian refugees were evicted from emergency camps to make room for Turkish earthquake survivors.<sup>6</sup>

The run-up to the May presidential elections was marred by racist and anti-refugee rhetoric by leading candidates.

Refugees in Türkiye remained at risk of being unlawfully returned to countries such as Syria and Afghanistan, which would constitute refoulement. The Ministry of Interior announced that 28,734 Afghans had been returned to Afghanistan in the first 10 months of the year.

In 30 cities, the Presidency of Migration Management announced the implementation of "Mobile Migration Points" to identify irregular migrants through identity and fingerprint checks. The checks involved the use of law enforcement officials and expert staff from the Migration Management service.

## **IMPUNITY**

In January, the Diyarbakır Heavy Penal Court No. 7 acquitted the police officer who shot and killed Kemal Kurkut while the latter was entering the area where Newroz festivities were held in Diyarbakır in 2017.

In May, 19 people charged with enforced disappearances or extrajudicial executions between 1993 and 1996 "as part of the activities of an armed organization established to commit crimes" were acquitted in Ankara.

The prosecution of three police officers and an alleged PKK member accused of killing human rights lawyer Tahir Elçi in 2015 continued.

## **TORTURE AND OTHER ILL-TREATMENT**

People detained for alleged looting following the earthquakes in Türkiye were subjected to torture and other ill-treatment by law enforcement officials. At least one person died in custody after being tortured; three gendarmes were suspended on 15 February as a result.<sup>7</sup>

In June, after the dispersal of the Istanbul Trans Pride March, law enforcement officials used unlawful force amounting to torture or other ill-treatment while detaining at least five protesters.

## **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

Türkiye faced a growing cost of living crisis with food inflation over 72% by October, and general inflation running at over 64% at the end of the year. By July, 3.7 million households living in poverty were entitled to benefit from the government Family Support Programme.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Türkiye remained vulnerable to the impacts of climate change, including drought and extreme heat, and recorded its highest ever temperature of 49.5°C in August. The country's energy sector remained heavily dependent on oil, coal and fossil gas imports. A revised nationally determined contribution submitted in April committed to a 41%

reduction in greenhouse gas emissions by 2030, and to net zero by 2053. According to Climate Action Tracker, however, this would lead to increased emissions, and was not consistent with limiting the global temperature rise to 1.5°C. Türkiye opposed the inclusion of a commitment to phase out fossil fuels at COP28. Although the National Energy Plan included targets for increasing renewable energy, there was no road map to achieve them and the plan envisaged increasing rather than phasing out the use of coal.

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1. "Türkiye: Further information: Fully open Galatasaray Square: Saturday Mothers/People", 17 November
  2. "Türkiye: Justice prevails as four human rights defenders finally acquitted", 6 June
  3. "Türkiye: Upholding sentence against Osman Kavala and four other Gezi defendants a 'devastating politically motivated blow'", 29 September
  4. "Türkiye: Court ruling for release of Can Atalay 'long overdue'", 25 October
  5. Türkiye: "We All Need Dignity" – The Exclusion of Persons With Disabilities in Türkiye's Earthquake Response, 26 April
  6. Türkiye/Syria: A Human Rights Response to the 6 February Earthquakes, 23 February
  7. "Türkiye: Police and gendarmerie commit abuses in earthquake zone", 5 April

## TURKMENISTAN

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### Turkmenistan

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**The authorities continued their relentless campaign to stifle all forms of public criticism and peaceful dissent at home and abroad. They discriminated against women, girls and LGBTI people, arbitrarily restricting their rights, freedoms and bodily autonomy in the name of "national culture". Access to the internet remained strictly controlled. Turkmenistan failed to take meaningful action to combat climate change. The authorities used state imposed forced labour in cotton production.**

## BACKGROUND

In January the constitution was amended to abolish the bicameral parliamentary system, conferring ultimate power to take decisions on domestic and foreign policy to the People's Council. Former president Gurbanguly Berdimukhamedov was confirmed as the chairperson of the People's Council and given the title of National Leader of the Turkmen People.

The country remained closed to international human rights NGOs and independent foreign media outlets which, together with internal censorship, greatly constrained information gathering.

## FREEDOM OF EXPRESSION

The state controlled the flow of information, strictly limiting access to the internet and censoring any reporting on negative developments, including economic hardship, shortages of essential food items, the impact of climate change and forced labour. An April study of internet censorship by two universities in the USA found that over 122,000 domains were blocked, including all WordPress sites, as well as scores of news, business and social media sites. By deliberate policy, internet speed remained one of the slowest and most expensive in the world; penetration was low by international standards, disadvantaging rural communities.

## REPRESSION OF DISSENT

The authorities persisted in attempting to suffocate all forms of peaceful dissent and public criticism at home and abroad.

In March the UN Human Rights Committee expressed serious concern about the imprisonment and treatment of independent journalist Nurgeldy Khalykov, civil society activist and blogger Murat Dushemov and human rights activist Mansur Mingelov. In May Nurgeldy Khalykov and Murat Dushemov wrote to the UN from their detention facility in the eastern Lebap region describing the torture and other ill-treatment they went through. Mansur Mingelov, suffering from advanced skeletal

tuberculosis, was reportedly denied access to necessary medical treatment.

The authorities continued to persecute activists and critics based abroad and harass their families at home. Dursoltan Taganova, an activist and blogger based in Türkiye, described how officers of the Ministry for National Security had questioned her 12-year-old son in Turkmenistan about her activities and attempted to recruit him as an informant. They had also intimidated other relatives in an attempt to stop her criticizing the authorities.

## **DISCRIMINATION**

### **WOMEN AND GIRLS**

The authorities made no progress on adopting a comprehensive law criminalizing all forms of violence against women and gender-based violence.

In June the CEDAW Committee expressed particular concern about persistent patriarchal attitudes in relation to gender-based violence. The committee raised alarming reports that women and girls were forced to “abide by gender stereotypes”, and that their “fundamental liberties” were restricted “in order to preserve the culture and the nation, including through the imposition of dress and appearance codes and other discriminatory practices”.

### **LGBTI PEOPLE**

In April the UN Human Rights Committee expressed regret that the authorities had failed to decriminalize consensual same-sex relations. The committee was also concerned about continuing reports of “police brutality motivated by the sexual orientation and gender identity of the victims”, and the resulting climate of fear which prevented LGBTI people from reporting their aggressors.

## **RIGHT TO A HEALTHY ENVIRONMENT**

Turkmenistan remained almost wholly reliant on gas and oil for energy, and subsidized fossil fuels heavily. A major contributor to global methane emissions, research published in May showed Turkmenistan was responsible for most global super emitter events in 2022. Following international

pressure, the president signed a methane reduction roadmap in June and the Global Methane Pledge at COP28 in December. The USA and Turkmenistan governments had previously agreed to set up a working group on methane mitigation with a view to cooperate on leak detection and remedial action.

## **FREEDOM OF ASSEMBLY**

The authorities tightly controlled the right to freedom of peaceful assembly and sought to clamp down on spontaneous small-scale protests in relation to social and economic issues such as shortages of food staples, access to justice and healthcare.

In March police detained around 30 women who had gathered outside the presidential palace in the capital, Ashgabat, to raise their concerns about police corruption directly with the president, having failed to get their complaints addressed by local and regional authorities. The women were taken to a police station, denied access to food and water for over six hours, and forced to sign official statements of their detention before being released.

In April police detained 15 people following spontaneous protests by hundreds of demonstrators against bread shortages at a local bread factory in the city of Mary. Police used unnecessary and disproportionate force to break up protesters blocking traffic on a main road.

## **FORCED LABOUR**

Investigations by Cotton Campaign, a coalition of international human rights and labour NGOs, independent trade unions and brand and retail associations, concluded that thousands of public sector workers were forced to participate in the cotton harvest or pay for others to replace them. Women were particularly affected as they make up most of the public sector workforce. The government continued to reject all claims that forced labour was used systematically, but in September allowed medical doctors and qualified teachers in three districts to stop working in the cotton fields without the need

to pay for replacements. Independent monitors, journalists and human rights defenders continued to document conditions during the harvest at great personal risk.

# UGANDA

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## Republic of Uganda

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**The authorities continued to severely restrict the rights to expression, association and peaceful assembly. The president assented to an anti-gay law which further criminalized consensual same-sex sexual relations, prescribing the death penalty for some offences. Plans to construct the East African Crude Oil Pipeline threatened the right to a healthy environment. Forced evictions in the name of conservation continued in Mount Elgon. Conversely, the government suspended forced evictions in the Apaa region. Uganda's support for over 1.6 million refugees was severely underfunded, despite the arrival of over 130,000 new refugees.**

## BACKGROUND

In March, Muhoozi Kainerugaba, President Museveni's son, announced on X (formerly Twitter), that he would run for president in 2026, later deleting his tweet. He then launched the MK Movement, a political mobilization campaign, continuing in his presidential bid. President Museveni did not announce his intentions for the election.

In August, the Electoral Commission launched the national strategic plan and roadmap for the 2026 general elections.

Also in August, OHCHR, the UN human rights office, closed in Uganda after the government refused to renew its host agreement. For 18 years, the office had worked closely with civil society, rights-holders and NGOs, and had engaged with state institutions for the promotion and protection of human rights in the country.

## FREEDOM OF PEACEFUL ASSEMBLY

In January, police in the capital, Kampala, arrested human rights defender Bob Barigye while he was organizing a public debate on climate justice. He was released from Wandegeya Police Station on police bond after three days, charged with "obstruct[ing] ... a police officer on duty". In June, he was re-arrested along with Zarika Mutesi, Shamim Naruwada and Phionah Nalusiba, also human rights defenders, for protesting against the fossil fuel company East African Crude Oil Pipeline (EACOP) Ltd (see Right to a healthy environment below). They were taken to Kampala Central Police Station, charged with inciting violence, and released on police bond the next day.

On 15 September, student environmental activists Benjamin Akiso, Wasswa Alex, Abduh Twaib Magambo and Kajubi Maktumin were arrested by police in Kampala for holding a public protest. They were detained at Luzira prison for six days on charges of common nuisance before being granted bail by the Buganda Road court. Their case was pending at the end of the year.

In April, police arrested 12 women MPs outside parliament in Kampala as they prepared to march to the Ministry of Internal Affairs to deliver a petition about police use of excessive force to disperse various meetings organized by women MPs in their constituencies. The women, some of whom were injured during their arrest, were unconditionally released hours later from the central police station after the parliamentary speaker intervened.

At the end of August, the opposition National Unity Platform (NUP) party began campaigning and mobilizing, attracting huge crowds of supporters. In September, the police deputy inspector general responded by suspending NUP party gatherings and other activities nationwide. The authorities claimed that public order violations like traffic accidents, including one that led to a fatality, were being "used to incite violence, promote sectarianism, launch illegitimate calls for the... government's removal... and publish

defamatory statements against the President...”

On 9 October, the security forces prevented NUP party leaders and supporters from holding a press conference at their headquarters. Fourteen of them, including secretary general David Lewis Rubongoya, spokesperson Joel Ssenyonyi and the secretary for mobilization, Fred Nyanzi, were briefly arrested and released unconditionally.

On 11 October, police charged 59 NUP party supporters from Entebbe, Kajjansi and Kawempe (an area of Kampala) for holding an unlawful assembly and inciting violence contrary to the Penal Code Act. Tens of NUP leaders and supporters were arrested around the country for protesting against the house arrest of their party leader, Robert Kyagulanyi, also known as Bobi Wine. Robert Kyagulanyi was arrested on 5 October when he arrived at Entebbe airport from tours in Canada and South Africa. Security forces escorted him to his home in Magere, outside Kampala, where he remained under house arrest for three days.

## **LGBTI PEOPLE'S RIGHTS**

In May, the Anti-Homosexuality Act, 2023 was enacted. It introduced the death penalty for the offence of “aggravated homosexuality”, vaguely described as sexual intercourse with a person over 75 or below 18 who either does not give consent, is unable to give consent, or is a person living with a disability or mental illness. The law also imposes life imprisonment and a maximum 10-year custodial sentence for consensual same-sex sexual acts, and attempted same-sex sexual acts, respectively; and criminalizes the “promotion” of “homosexuality”.

Following the enactment of the law, there were reports of increased violence and other violations against LGBTI people. A local NGO, Human Rights Awareness and Promotion Forum (HRAPF), recorded 379 cases of violence between June and December, including people being evicted from their homes and villages, and physical violence or threats of violence.

In August, the director of public prosecutions directed that all cases with charges preferred under the act should be submitted to her office with a written legal opinion providing further guidance before a decision to charge is made. However, five cases of “aggravated homosexuality” were already being tried in courts in the Kampala, Lugazi, Mbarara, Soroti and Wakiso districts, and two of the accused in these cases remained in police custody while others were released on bond. According to HRAPF, at least 59 people were charged with various offences under the law by the end of the year.

On 18 December, the constitutional court began hearing a petition, brought by local human rights groups, challenging the law.

## **RIGHT TO A HEALTHY ENVIRONMENT**

On 24 January, EACOP Ltd, owned jointly by the Uganda National Oil Company, TotalEnergies EP Uganda, China National Offshore Oil Corporation Uganda and the Tanzania Petroleum Development Corporation, received a licence allowing it to develop a 1,443km pipeline (known as EACOP) from Kabaale, in the Hoima district in western Uganda, to Tanzania's Chongoleani Peninsula near Tanga Port. The project involves the construction of a 61cm diameter heated pipeline to transport crude oil and puts hundreds of villages in Kapapi and Kiganja sub-counties in danger of further forced eviction from their land (see below, Forced evictions). The pipeline is set to pass through human settlements and wildlife areas, agricultural land and water sources, and threatens the right to a clean, healthy and sustainable environment.

On 28 February, a French civil court dismissed a case brought in 2018 by six NGOs from France and Uganda against EACOP Ltd shareholder TotalEnergies. The NGOs sought to stop the pipeline under a 2017 French due diligence law that makes multinational companies liable for risks to the environment and human rights arising from their business activities at home and abroad.

The court dismissed the case on procedural grounds.

Meanwhile, Kenyan, Ugandan and Tanzanian civil society groups waited for the third year for a decision from the East African Court of Justice, following their lawsuit seeking a temporary injunction with the aim of halting the construction of the pipeline. On 5 April, the court decided to reserve its judgment after hearing arguments, including from the East African Community secretary general, and the Tanzanian and Ugandan governments, that the matter was outside the court's jurisdiction (see Tanzania entry). On 29 November the court dismissed the lawsuit regarding it as time barred, while ruling that the applicants should have filed the case as early as 2017 rather than in 2020. The civil society groups appealed the decision on 11 December.

## FORCED EVICTIONS

During the night of 10 February, security forces forcibly evicted nearly 500 families in Waaki North, Kapapi Central, Waaki South, Runga and Kiryatete villages in Kapapi and Kiganja sub-counties, Hoima district, from their land to allow for the EACOP construction. Security forces burned houses, assaulted people and looted property, including livestock and harvested crops. By the end of the year, 11 villagers who opposed the evictions had been arrested and arraigned in court on various charges, including theft, threatening violence and malicious damage to property. In addition, at least seven activists who protested against the pipeline were arrested and later released, some having spent months in detention.

The Uganda Wildlife Authority (UWA) continued to violate the rights of the Indigenous Benet People of Mount Elgon, eastern Uganda, through arbitrary arrests, burning of houses and impounding domestic animals which they claimed had strayed into the Mount Elgon National Park. The UWA persisted with these tactics even while individual cases against the authority challenging forced evictions of the Benet were pending before the Mbale High Court.

By the end of the year, 29 Benets had been arbitrarily arrested and held until they paid cash bail and other exorbitant fines for the release of their animals; 190 cows and 260 goats were impounded.

In February, the president suspended an eviction plan, ordered by the prime minister against all residents of Apaa village in Amuru district, northern Uganda, to vacate the area by 16 May or face forced eviction. He said the suspension was pending the formation and approval of the Judicial Commission of Inquiry which is expected to guide the government in decisions over land disputes in Apaa, a region which has been subject to territorial disputes for decades.

## REFUGEES' AND MIGRANTS' RIGHTS

Uganda continued to host the largest refugee population in Africa, with 1,615,162 refugees and asylum seekers in the country at the end of the year. Over 130,000 of them arrived in 2023. New arrivals were mainly from the Democratic Republic of the Congo and South Sudan. Others came from Somalia, Rwanda and Burundi.

UNHCR, the UN refugee agency, said it had received less than 30% of its USD 343.4 million funding requirement, compared to 2022 when it received at least 45% of what it needed.

# UKRAINE

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## Ukraine

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**Russian forces continued indiscriminate attacks resulting in thousands of civilian casualties and destruction of civilian infrastructure, amid evidence of other crimes under international humanitarian law. Derogations from the rights to freedom of expression and religion continued under martial law. Recorded cases of domestic violence rose sharply. New draft legislation on civil partnerships included same-sex relationships. The war continued to have a devastating impact on economic and social rights, particularly of children and older**

**people, as well as on the environment. Serious human rights violations continued in Russian occupied territories.**

## **BACKGROUND**

Russia's war of aggression against Ukraine continued, resulting in civilian deaths, destruction of infrastructure, and consistently high levels of internally displaced people and refugees. As of November, the UN had recorded 28,711 civilian casualties since Russia's full-scale invasion in February 2022, including 10,058 deaths. A Ukrainian counteroffensive made minimal territorial gains, opening the prospect of a prolonged war of attrition and raising concerns about sustainability of military support from Ukraine's allies. The economy continued to significantly contract, with a growing dependency on foreign grants and loans. In July Russia withdrew from the Black Sea Grain Initiative intended to ensure stable food prices and avert the threat of famine in lower-income countries.

On 14 December, the European Council decided to open EU accession negotiations with Ukraine.

## **VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW**

### **INDISCRIMINATE ATTACKS**

Russian forces continued indiscriminate attacks hitting populated areas, resulting in widespread civilian casualties. In some instances, official Russian comments on the strikes indicated that these were likely deliberately targeted. On 5 October, at least 59 people were killed in a single missile strike on a café in the village of Hroza, Kharkiv region, during a memorial service for a Ukrainian soldier. A Russian representative at the UN spoke of the attendees as the soldier's "Nazi collaborators", a reference to the official Russian justification of its war of aggression.

Civilian infrastructure was apparently systematically targeted. During winter months, Russian forces sought to further destroy Ukraine's energy infrastructure, in a tactic intended to maximize civilian suffering.

Russia's withdrawal from the Black Sea Grain Initiative was accompanied by strikes on other critical infrastructure, including grain storage and export facilities in Odesa and other ports.

### **CLUSTER MUNITIONS AND MINES**

Both Russian and Ukrainian forces used cluster munitions, and indicated no intent to end this practice, despite the inherently indiscriminate nature of the weapons and lasting risks for the civilian population. Following the provision of cluster munitions to Ukraine by the USA, the authorities reportedly committed not to use them in built-up areas and to document their location for subsequent de-mining.<sup>1</sup> Both antipersonnel and anti-tank landmines were also widely used, leading to estimates that Ukraine was the world's most heavily mined country.

### **PRISONERS OF WAR**

Russia consistently denied relief organizations access to Ukrainian prisoners of war in Ukrainian territories it occupied. Torture and other ill-treatment of such prisoners were widespread, including summary executions, mock executions, beatings and electrocution. Some Ukrainian prisoners of war were put on trial for alleged war crimes, amid concerns that they were prosecuted for mere participation in hostilities. Prisoner of war Maksym Butkevych, a prominent Ukrainian human rights defender, was held incommunicado in occupied Luhansk region before being given 13 years' imprisonment for purported war crimes which he could not have committed but was forced to "confess" to on camera.<sup>2</sup> He was forcibly disappeared after an appeal hearing at a Moscow court where he appeared via a video link<sup>3</sup>. He was later reported serving his sentence in Luhansk region in early December.

International monitors did have access to places of internment operated by Ukraine, and were allowed confidential interviews with Russian prisoners of war. There was a marked reduction in the number of reports of abuse of such prisoners. According to the UN, 12 Russian prisoners of war interned in



Ukraine had complained of torture during interrogations and evacuations before reaching the official places of internment.

## **FREEDOM OF EXPRESSION**

Derogation from the right to freedom of expression, alongside other rights, remained in place.

According to the OHCHR, the UN human rights office, as of July, criminal proceedings had been opened in over 2,000 cases under Article 436-2 of the criminal code of Ukraine: "...justification, recognition as legitimate and denial of the armed aggression of the Russian Federation against Ukraine and glorification of its participants". This disproportionate restriction of the right to freedom of expression had led to 443 convictions between March 2022 and November 2023, according to Ukrainian media, with many resulting in non-custodial sentences. An example of this offence was calling the war an "internal civil conflict".

Criminal proceedings under Article 436-2 were opened in August against Yuriy Sheliachenko, a cofounder and leader of the Ukrainian Pacifist Movement. An advocate of the right to conscientious objection, he was accused of "justifying Russian aggression against Ukraine". His home was searched, and he was placed under a night curfew pending trial.

## **FREEDOM OF RELIGION AND BELIEF**

The Ukrainian Orthodox Church (which remained in disputed ecclesiastical subordination to the Russian Orthodox Church) was regularly accused by state authorities of remaining an agent for Russia in its war of aggression. In March, its clergy and non-ordained members were evicted from the state-owned Kyiv Pechersk Lavra monastery and in April its abbot, Metropolitan Pavlo Lebid, was placed under house arrest and charged under Article 436-2 and Article 161 ("violating citizens' equality" on racial, ethnic, religious and other grounds) of the criminal code. The monks faced eviction from the monastery unless they joined the

Orthodox Church of Ukraine (subordinated to religious authorities in Ukraine).

In October, parliament adopted in its first reading a draft law prohibiting the operation of religious organizations affiliated with "associations whose centre of influence is located in the state that has committed armed aggression against Ukraine."

## **VIOLENCE AGAINST WOMEN AND GIRLS**

According to human rights groups and official police data, levels of domestic violence reached the highest level on record, after having reportedly fallen during the first months of Russia's full-scale invasion. Police registered 349,355 cases of domestic violence from January to May, compared with 231,244 cases over the same period in 2022 and 190,277 in the first five months of 2021. The previous highest number had been registered during the Covid-19 lockdown measures in 2020.

## **OLDER PEOPLE'S RIGHTS**

Older people were disproportionately affected by the conflict, killed and injured at higher rates than any other civilians. Those displaced struggled to access private housing independently. Temporary shelters typically remained physically inaccessible for older people particularly those with a disability. Many older people were placed in specialized residential institutions or medical facilities and suffered from isolation and segregation. Hostilities were not the only reason for displacement; many older people fled their homes because of a de facto care crisis in their local communities, with family members relocating and understaffed social services failing to cope with increased needs.

## **CHILDREN'S RIGHTS**

According to UN data, as of November, 569 children had been killed since 24 February 2022 and at least 1,229 injured. No reliable data existed as to the number of Ukrainian children unlawfully transferred by the occupying Russian authorities into other occupied territories or to Russia, but it was estimated at hundreds and possibly

thousands. These included children who were orphaned or had lost contact with their families, those from children's institutions, and children who travelled away from home with parental consent for recreational purposes but faced difficulties reuniting with their families after the moving front line separated them. On 17 March, the ICC issued arrest warrants for Russia's President Vladimir Putin and its Commissioner for Children's Rights Maria Lvova-Belova for the alleged war crime of unlawfully deporting and transferring children from occupied areas to Russia.<sup>4</sup>

The ongoing war continued to impact children's access to education, particularly in-person teaching in government-controlled territories. Pupils from schools without bomb shelters and those in proximity to the front line were taught only online. Other schools offered a combination of online and in-person schooling. Online schooling left pupils dependent on an often unreliable internet connection due to energy outages and lack of relevant IT equipment, resulting in an increased workload for teachers who also had to cope with their own and the children's war-related trauma.

## **LGBTI PEOPLE'S RIGHTS**

Draft legislation on registration of civil partnerships, including for same-sex couples, was published in March. Although opposed by many religious organizations, it was supported by key ministries. Civil partners, including same-sex partners, would enjoy the same property and inheritance rights, and social protection as married couples. The existing prohibition on same-sex couples adopting children would not be lifted.

## **RIGHT TO A HEALTHY ENVIRONMENT**

The ongoing Russian aggression caused huge environmental harm, including pollution to air, water and land and the degradation of nature, as well as undermining the prospects of national and multilateral climate action. Waste management infrastructure was overwhelmed with debris and hazardous rubbish. According to the UN, between

February 2022 and March 2023 there were over 1,800 incidents of war damage which may have caused environmental harm.

On 6 June, the Kakhovka dam in Kherson region was destroyed in what appeared to be a deliberate military act, widely believed to have been committed by Russian forces. This led to hundreds of square kilometres being flooded, while the reservoir and thousands of square kilometres of wetlands dried out. Thousands of people were displaced, and dozens were reported as dead or missing in government-controlled areas; casualties on the Russian-controlled left bank were not known and may have pushed the real death toll much higher. The occupying Russian authorities refused humanitarian assistance from the UN and other stakeholders, failed to carry out organized evacuations or provide crucial humanitarian support to civilians and obstructed the work of volunteers, while Russian forces continued indiscriminate attacks on the Ukrainian-controlled right bank during ongoing civilian evacuations.<sup>5</sup> The breach severely harmed the biodiversity of the region, led to chemical and waste contamination, including the release of hundreds of tons of machine oil, and was set to cause long lasting ecological consequences far beyond Ukrainian borders. The water supply for up to 1 million people was affected.

## **RUSSIAN-OCCUPIED TERRITORIES**

The crackdown on rights and freedoms in Russian-occupied territories intensified. As of September, those not holding Russian passports were only able to enter the occupied territories from outside Russia through Sheremetyevo airport in Moscow. Individuals were forced to wait up to 24 hours to complete verification procedures without access to food and hygiene facilities, undergo intrusive checks and answer questions on whether they supported Russia's "special military operation" against Ukraine.

### **ARBITRARY DEPRIVATION OF NATIONALITY**

The occupying authorities forced residents to acquire Russian passports or be deprived of access to healthcare, education,

humanitarian and social support, employment and the right to freedom of movement.

### **FREEDOM OF EXPRESSION**

The right to freedom of expression was further suppressed. Any sign of disloyalty to Russia, including possession of Ukraine-related content on personal electronic devices, such as exchange of messages with family members in government-controlled Ukraine, was monitored and penalized, including via enforced disappearance, arbitrary detention, interrogation, ill-treatment, and threat of deportation. Representatives of Ukrainian local authorities were intimidated into attending public gatherings in support of the occupation through violence and threats against their relatives.

### **ARBITRARY DETENTION AND ENFORCED DISAPPEARANCES**

More than 20,000 civilians were officially registered by the Ukrainian authorities as people missing due to the war and other related “special circumstances”. Numerous civilians initially reported as missing were later found to be arbitrarily detained by Russian forces in the occupied territories because of their support for Ukraine, alleged affiliation with Ukrainian authorities or armed forces, or refusal to cooperate with the occupying administrations. Many were held incommunicado, often in unacknowledged detention, in occupied territories or in Russia, in a practice that amounted to enforced disappearance.

### **TORTURE AND OTHER ILL-TREATMENT**

The most common forms of torture and other ill-treatment reported against detainees in occupied territories included beatings, sleep deprivation, inadequate provision of water and food, prolonged periods in a stress position, and denial of adequate healthcare and personal hygiene.

### **RIGHT TO EDUCATION**

In Russian-occupied territories all local schools were forced to teach Russian curricula. School attendance was fraught as parents were threatened with having their children taken away if they did not attend

school or if the use of online platforms to access Ukrainian schooling was detected on electronic devices.<sup>6</sup> A new history textbook introduced in September was a blatant attempt to unlawfully indoctrinate schoolchildren, violating children’s rights to appropriate and quality education.<sup>7</sup> Parents and pupils were forced to attend propaganda events at schools, and write letters of support to members of the Russian forces.

### **UNFAIR TRIALS**

Individuals detained in Russian-occupied territories were subjected to hearings by unrecognized courts, and had their fair trial rights otherwise violated. Denial of access to legal counsel of one’s choice was common, especially in politically motivated cases. Relatives were denied news about their loved ones, and often had to rely on local lawyers, paying them considerable fees to visit detention facilities to obtain information on those detained. The practice of using court-appointed lawyers who failed to act in the best interest of their clients was common.

Judges accepted inadmissible evidence, including forced “confessions”, when convicting individuals under politically motivated charges.

After conviction, numerous individuals were unlawfully transferred to Russia to serve their sentence. There was no information on their whereabouts for months while in transit and the final destination was often remote.

### **CRIMEA**

The territory of the occupied peninsula was regularly targeted by Ukrainian strikes against claimed military objectives. In July, an explosion damaged the bridge connecting Crimea with Russia, reportedly killing two people and injuring a child.

The occupying authorities continued to crack down on the rights to freedom of expression, peaceful assembly and association. Representatives of the Crimean Tatar community and minority faith-based groups, and individuals opposing the war, were subjected to dismissal from work, fines, increasingly frequent, intrusive and deliberately destructive house searches, arbitrary arrest and imprisonment.

The persecution of human rights lawyers continued. In April, Lilia Hemedzhy was disbarred again in retaliation for defending members of the Crimean Tatar community.<sup>8</sup>

1. "Ukraine: US transfer of cluster munitions to Ukraine undermines international efforts to safeguard civilians from indiscriminate weapons", 7 July
2. "Ukraine: Russia's reprisals against prominent Ukrainian human rights defender who joined the Armed Forces of Ukraine", 17 August
3. "Russian Federation: Authorities must disclose whereabouts of Maksym Butkevych following enforced disappearance", 7 November
4. "Russia: ICC's arrest warrant against Putin a step towards justice for victims of war crimes in Ukraine", 17 March
5. "Ukraine: 'Callous disregard for human life' of Russian forces' response to Kakhovka dam destruction compounded by its disastrous effects upstream", 15 June
6. "Ukraine/Russia: Children's futures under attack as Russian aggression in Ukraine continues to restrict schooling", 11 December
7. "Ukraine/Russia: New history textbook is a blatant attempt to unlawfully indoctrinate school children in Russia and Russian-occupied Ukrainian territories", 1 September
8. "Russian Federation/Ukraine: Further information: Human rights lawyer disbarred in Crimea: Lilia Hemedzhy", 24 April

## UNITED ARAB EMIRATES

### United Arab Emirates

**Authorities continued to unduly restrict the rights to freedom of expression and peaceful assembly. The United Arab Emirates (UAE) failed to meet its commitments on policies to combat climate change. Migrant outdoor workers still lacked adequate protection from extreme summer heat. Authorities continued to arbitrarily detain 26 prisoners of conscience, and denied or severely restricted some prisoners' communication with their families. Authorities launched a new mass trial of over 80 Emiratis.**

### BACKGROUND

In February, the UAE hosted the 2023 International Defence Exhibition & Conference at which states, including Israel,

Russia and the USA, gathered to sell weapons.

From 30 November to 12 December, the UAE hosted the 28th annual global Conference of Parties (COP) to the UN Framework Convention on Climate Change (UNFCCC), referred to as "COP28", in Dubai. The UAE appointed the head of its Abu Dhabi National Oil Company (ADNOC), Sultan Al Jaber, to manage COP28, raising a conflict of interest.

### FREEDOM OF EXPRESSION AND ASSEMBLY

Authorities continued to hold at least 26 prisoners of conscience solely because of their expression of their beliefs.

Throughout the year, the Abu Dhabi Judicial Department ran a social media campaign using the slogan, "Your freedom stops at the boundaries of the law." UAE law imposes a mandatory minimum 15-year prison sentence for "damag[ing] the reputation or prestige of the President", as well as life imprisonment for involvement in a demonstration "with the aim of ... infringing on public order".

In April, the Emirati government said there would be "safe spaces where all voices may be heard" at COP28, but took no steps to amend its repressive legislation and policies.

Neither the UNFCCC Secretariat nor the UAE authorities published the Host Country Agreement – the legal framework governing COP28 – making it impossible for activists attending to know what protections existed for actions and comments made in the UN-controlled Blue Zone once they left that area.<sup>1</sup> Within the Blue Zone, limits on civil society were unusually restrictive, while outside the Blue Zone, the UAE's prohibitions and criminalization of any dissent remained in effect, creating an atmosphere of intimidation.<sup>2</sup>

In May, the federal Office of Public Prosecution warned that anyone using "curse words" about public sector employees, a crime punishable by imprisonment under the Code of Crimes and Punishments, would be subject to prosecution.

## **RIGHT TO A HEALTHY ENVIRONMENT**

In July, the government announced a revised Nationally Determined Contribution that improved its previous target for reducing its carbon emissions. However, the UAE's actions and policies remained out of line with its stated commitment to keep climate change within the internationally agreed limit of 1.5°C above pre-industrial levels. For instance, ADNOC, one of the world's largest producers of hydrocarbons, announced plans to aggressively expand its fossil fuel production.<sup>3</sup>

The UAE remained extremely vulnerable to the impacts of climate change, including increased water scarcity and extreme heat. According to the UN Intergovernmental Panel on Climate Change, extreme wet-bulb temperatures (a broader measure of heat than air temperature) were expected to approach, and possibly exceed, the physiological threshold for human adaptability in the sub-region to which the UAE belongs.

## **WORKERS' RIGHTS**

Over 85% of people living in the UAE are non-nationals, most of them labourers.

Despite extreme summer heat conditions, the UAE continued to hold the laxest safety standards for outdoor work in the Arab Gulf region. The Emirati government continued to limit its protection measures to a ban on outdoor physical labour of just 2.5 hours per day during the peak three months of summer, even though weather data showed that outdoor workers faced significant health dangers from the heat for at least half the year and for more than 2.5 hours a day.

From October, the UAE required all private sector workers to pay into a national unemployment programme. Many migrants, who comprise the vast majority of the private-sector workforce, therefore became eligible for unemployment benefits. However, domestic workers were excluded from unemployment benefits. The UAE still did not provide the protection of a minimum wage for migrant domestic and private sector workers.

## **ARBITRARY DETENTION**

Even though 23 out of 26 prisoners of conscience detained solely for exercising their human rights had completed their prison sentences by the end of the year, the authorities kept them in prison under a law authorizing indefinite "counter-extremism counselling".

In May, the authorities asked Jordan to arrest and deport Emirati-Turkish national Khalaf al-Rumaithi to the UAE. Khalaf al-Rumaithi, a victim of the "UAE94" mass trial of 94 defendants in 2012 to 2013, had lived in exile for a decade in Türkiye, which granted him asylum and citizenship. On 7 May, he travelled to Jordan to look for an Arabic school for his son and was arrested on arrival. Ten days later, Jordanian security services deported him while a judicial ruling on the extradition request was pending (see Jordan entry).<sup>4</sup> He was imprisoned on arrival and was still held in detention at the end of the year.

On 5 June, State Security officers arrested Mansoor al-Ahmadi, one of only two UAE94 prisoners released in 2021. He remained detained incommunicado at an unknown location until he appeared in court at the new mass trial on 7 December. Previously, he had been held for a year and a half beyond his prison sentence for "counselling", but was released after authorities recorded him in an unpublished "confession" video.

On 7 December, during COP28, the UAE began a new mass trial of 84 defendants. Among them were human rights defenders and prisoners of conscience, including Ahmed Mansoor and Mohamed al-Roken, who had been in prison for years on "terrorism" charges.

## **TORTURE AND OTHER ILL-TREATMENT**

For the seventh consecutive year, authorities held Ahmed Mansoor in prolonged and indefinite solitary confinement, without adequate access to personal hygiene items and with only two to three visits with immediate family members per year in contravention of the absolute prohibition of torture under international law.

## DETAINEES' RIGHTS

Authorities continued to deny UAE94 prisoners any communication with family members living in exile. From the end of June, authorities stopped all calls with family, even those inside the UAE, for at least 11 UAE94 prisoners. Authorities also severely restricted the communication of seven Lebanese prisoners with their families in Lebanon, with calls sometimes restricted to two minutes.

## DEATH PENALTY

In March, the Emirati government pardoned Israeli Arab citizen Fidaa Kiwan; she had received a death sentence for drug possession in 2022.

The courts continued to impose death sentences.

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1. "Global: Pledge to allow 'peaceful assembly' at COP28 highlights UAE's lack of freedoms", 3 August
  2. "Global: What happened at COP28? Essential need-to-knows", 14 December
  3. "Climate: UAE state oil company's expansion plans prove chief executive is unfit to lead COP28 climate talks", 13 February
  4. "UAE: Authorities must ensure man forcibly deported is safe, afforded fair trial rights", 18 May

# UNITED KINGDOM

## United Kingdom of Great Britain and Northern Ireland

**The UK government continued to pursue a policy agenda that breached its international human rights commitments and curtailed human rights protections. People seeking asylum and other migrants were particularly targeted, along with protesters. New government legislation further eroded the freedom of assembly and expression. Police faced findings of institutional racism and other forms of discrimination. Abortion was decriminalized in Northern Ireland, but access to abortion services was still hindered. In the rest of the UK, abortion remained criminalized apart from lawful exceptions. Legislation was passed terminating investigations into**

**and prosecutions of historic human rights violations during the Northern Ireland Troubles. Minimum service levels during industrial action were imposed in various sectors.**

## BACKGROUND

The UN Human Rights Council adopted the UK's UPR Outcome Report in March. The new Bill of Rights Bill, proposed in 2022 as a replacement for the Human Rights Act, was formally withdrawn, but the Human Rights Act remained under sustained attack by its piecemeal disapplication in other legislation and hostile government rhetoric. The UK's membership of the European Convention on Human Rights became the subject of increasing political pressure. Conversely, the devolved Scottish government launched a consultation on a new Scottish Human Rights Bill to expand the legal protection of human rights in Scotland.

## RIGHT TO A HEALTHY ENVIRONMENT

In September, the government announced a delay to, or abandonment of, key policies intended to contribute towards reaching net zero by 2050. A ban on the sale of new petrol and diesel cars from 2030 was delayed by five years to 2035. The phase-out of liquid petroleum gas boilers for residential heating was also delayed from 2026 to 2035. Requirements on residential landlords to increase the insulation of their properties by 2028 were scrapped. In November, the government announced plans to pass new legislation permitting fossil fuel companies to bid for new oil and gas drilling licences on an annual basis. These bidding rounds would proceed so long as, in a given year, the UK was predicted to import more fossil fuel products than it produces domestically and the carbon emissions produced by the new domestic extraction were less than the equivalent emissions from imported fuel. The government continued to insist that it would meet the 2050 net zero target, although NGOs claimed its policies were not on track to meet this.

## **FREEDOM OF EXPRESSION AND ASSEMBLY**

In May, parliament passed the Public Order Act, furthering a legislative crackdown on peaceful protest that started with the 2022 Police, Crime, Sentencing and Courts Act. The Public Order Act criminalized various forms of peaceful protest, such as “locking on”, expanded police stop-and-search powers, created protest banning orders, and gave the Home Secretary powers to seek civil injunctions against peaceful protesters.

In June, the Public Order Act 1986 (Serious Disruption to the Life of the Community) Regulations were passed. This secondary legislation expanded the circumstances in which police can impose conditions on protests, backed by prison sentences. Conditions can be anything police consider necessary to prevent “serious disruption”, defined in the regulations as an obstruction causing “more than minor hindrance to day-to-day activities”.

In May, dozens of peaceful protesters were arrested at and around the coronation of King Charles III, including pre-emptive arrests. The majority of charges were subsequently dropped.

Arrests, prosecutions and imprisonment of peaceful environmental protesters continued throughout 2023. In some instances, protesters charged with offences were prevented by judges from referencing climate change or other environmental concerns in their defence to the jury. Those who ignored such orders faced prosecution for contempt of court and prison sentences.

Following the Hamas attacks in Israel on 7 October, and the subsequent Israeli bombardment and ground invasion of Gaza, regular large-scale, non-violent protests occurred calling for a ceasefire. The then Home Secretary and other government ministers sought to pressure police to ban these protests, characterizing them as “hate marches”. Police leaders responded that they lacked the legal powers to ban the protests. The government indicated its intention to legislate to further expand policing powers to intervene against non-violent protests.

Some people in the UK on temporary visas had their leave to remain curtailed because of their involvement in pro-Palestine protests.

## **IRRESPONSIBLE ARMS TRANSFERS**

In June, the High Court rejected a judicial review challenge brought by Campaign Against Arms Trade (CAAT) against the government’s decision to renew arms sales to Saudi Arabia in the context of ongoing conflict in Yemen. The court ruled that the government had not acted irrationally in renewing the sales.

NGOs expressed concern over continued transfers of components for combat aircraft to Israel. In December, an application for judicial review of export licences for military equipment capable of being used by Israeli forces in Gaza was lodged by a group of NGOs. The case was ongoing at the end of the year.

## **DISCRIMINATION**

In January, the UK government blocked the Gender Recognition Reform Act passed by the Scottish Parliament from becoming law. The devolved Scottish government challenged this decision in the Court of Session, but lost the challenge in December.

In February, the government published the Shawcross Review into the “Prevent” strand of the government’s anti-terrorism strategy. The review made many recommendations, including that Prevent should focus more greatly on what the review referred to as “non-violent Islamist extremism” and narrow its approach to what it referred to as “the Extreme Right Wing”. Amnesty International’s own research into Prevent found discrimination and interference with freedom of thought and expression.<sup>1</sup>

In March, the government-commissioned Casey Report on the standards of behaviour and internal culture at the Metropolitan Police was published. It found numerous issues, including institutional racism, sexism and homophobia. In May, the outgoing Chief Constable of Police Scotland gave a speech in which he admitted that institutional racism,

sexism, misogyny and discrimination existed in the police force.

In March and June, respectively, the Children's Commissioner for England and Wales and the Northern Ireland Policing Board each published research into the use of strip-searching by police against children. The Children's Commissioner's report found, among many other concerns, that Black children were up to six times more likely to be strip-searched than other children.

Following 7 October, reports of antisemitic and Islamophobic hate crimes escalated dramatically. Between 1 October and 13 November, the Metropolitan Police reported that 779 antisemitic offences were recorded, an increase of 1,200% on the same period the year before. In the same period, 343 Islamophobic offences were reported, a 236% increase.

## **SEXUAL AND REPRODUCTIVE RIGHTS**

Despite being decriminalized in Northern Ireland, abortion remained criminalized in England and Wales, and Scotland, subject to lawful exceptions determined by doctors. In 2023, six women were charged with illegal abortion offences. In July, a woman was sentenced to a 14-month suspended prison sentence after pleading guilty to self-administering an abortion outside the legal time limits.

Ongoing barriers obstructed access to abortion services in Northern Ireland following decriminalization, including multiple failings by the devolved government, under-resourced and understaffed services, conscience-based refusals, misinformation and pervasive stigma.<sup>2</sup>

## **IMPUNITY**

In September, the Northern Ireland Troubles (Legacy and Reconciliation) Bill was passed into law. The act effectively created an amnesty and terminated all inquests, inquiries and investigations into killings and other Troubles-related human rights violations. They were to be replaced by a light-touch review by a new Independent Commission for Reconciliation and

Information Recovery. The act was widely criticized by victims, political parties in Northern Ireland and the government of the Irish Republic, as well as a range of international human rights monitors. The act was met with immediate legal challenges by victims and families. In December, the Irish government announced its intention to launch an inter-state case against the UK at the European Court of Human Rights, arguing that the act's provisions breach the European Convention on Human Rights.

## **REFUGEES' AND MIGRANTS' RIGHTS**

In June, the "Illegal Migration Act" passed into law. The act and government rhetoric around it were in conflict with the UN Refugee Convention and the European Convention on Human Rights. The act banned the government from processing asylum claims made by people who had arrived without prior permission, and required the government to expel them and never permit them lawful residence in the UK. This reinforced an existing policy of refusing to process asylum claims by people deemed to have arrived irregularly via countries perceived as safe. The policy affected the majority of asylum claimants in the UK.

In November, the Supreme Court ruled that the government's policy of expelling people seeking asylum in the UK to Rwanda was unlawful. In response, the government signed a new treaty with the Rwandan government and tabled legislation in parliament requiring courts to treat Rwanda as a safe country, disapplying large parts of the Human Rights Act and other rights-protecting legal instruments and substantially limiting the ability of the courts to intervene. The legislative process was ongoing at the end of the year.

In September, a government-commissioned inquiry into abuses of people detained at Brook House Immigration Removal Centre was published. The report found a prevailing culture of abuse, including 19 instances of inhuman or degrading treatment of detained people by staff within a five-month period.



Nevertheless, the 2023 “Illegal Migration Act” granted new powers to detain people for immigration purposes without effective judicial oversight.

Hostile government and media rhetoric against migrants increased throughout the year. In September, the then Home Secretary singled out trafficking survivors, and gay and women refugees. Safeguards for migrant survivors of human trafficking and unaccompanied children were removed or reduced through the “Illegal Migration Act”. At the same time, steep increases to visa fees were imposed, further impoverishing migrants in the UK.

## WORKERS’ RIGHTS

In response to large-scale public sector strikes in schools, universities, hospitals and railway services, in July, parliament passed the Strikes (Minimum Service Levels) Act, which potentially breached the right to freedom of association. The act gave ministers broad powers to determine levels of service that must be maintained during industrial action in a range of broadly defined sectors, such as “health”, “education” and “transport”. Workers failing to comply with “work notices” would lose their protection against unfair dismissal. The act also provided that a union failing to ensure named members broke the strike would face severe financial penalties.

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1. *This is the Thought Police: The Prevent Duty and its Chilling Effect on Human Rights*, 16 November
  2. *Legal but Not Local: Barriers to Accessing Abortion Services in Northern Ireland*, 7 December

# UNITED STATES OF AMERICA

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## United States of America

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**Discrimination and violence against LGBTI people were widespread and anti-LGBTI legislation increased. Bills were introduced**

**to address reparations regarding slavery and its legacies. Multiple states implemented total bans on abortion or severely limited access to it. Gender-based violence disproportionately affected Indigenous women. Access to the USA for asylum seekers and migrants was still fraught with obstacles, but some nationalities continued to enjoy Temporary Protected Status. Moves were made to restrict the freedom to protest in a number of states. Black people were disproportionately affected by the use of lethal force by police. No progress was made in the abolition of the death penalty, apart from in Washington. Arbitrary and indefinite detention in the US naval base Guantánamo Bay, Cuba, continued. Despite extensive gun violence, no further firearm reform policies were considered, but President Biden did announce the creation of the White House Office of Gun Violence Prevention. The USA continued to use lethal force in countries around the world. Black people, other racialized groups and low-income people bore the brunt of the health impacts of the petrochemical industry, and the use of fossil fuels continued unabated.**

## DISCRIMINATION

Individuals experienced excessive violence based on their actual or perceived sexual orientation or gender identity, especially transgender people from racialized groups. LGBTI people were nine times more likely than non-LGBTI people to be victims of violent hate crimes. Only 54% of LGBTI adults lived in states with hate crime laws covering sexual orientation and gender identity and expression.

The passage of anti-LGBTI laws at the state level increased dramatically. In 2023, 84 anti-LGBTI bills were enacted, a fourfold increase on 2022. A growing number of laws were enacted under the claim of religious freedom that curtailed or effectively eliminated the rights of LGBTI individuals.

Congress introduced four resolutions or bills that addressed reparations and truth and healing commissions regarding chattel

slavery and Indian boarding schools and their legacies. The descendants of enslaved Africans, African Americans and Indigenous Peoples continued to live with intergenerational trauma, as well as the detrimental economic and material impacts of the legacy of slavery and colonialism, without reparations.

Following the Hamas attacks in Israel on 7 October, and the subsequent Israeli bombardment and ground invasion of Gaza, antisemitic and Islamophobic incidents against people who were or were perceived to be Jewish, Muslim, Israeli or Arab increased exponentially.

## **SEXUAL AND REPRODUCTIVE RIGHTS**

Following the 2022 US Supreme Court decision that ended federal protections around the right to abortion, 15 states implemented total bans on abortion or bans with extremely limited exceptions, impacting millions of people of reproductive age. Many other states implemented six-week, 12-week, or 15-20-week bans. Laws changed quickly and faced complicated challenges, creating a culture of uncertainty for many seeking abortion care. Multiple states sought to criminalize, or had criminalized, medication abortion, travelling out of state to receive abortion care, or assisting someone in a state with an abortion ban on travelling to receive abortion care.<sup>1</sup> In November, voters in Ohio passed a state constitutional amendment to protect access to abortion.

The USA continued to impose multiple restrictions on funding for abortion, even in states where abortion was legal, which disproportionately impacted Black and other racialized women. The federal Hyde Amendment continued to block Medicaid funding (a government-funded programme that provides health coverage for limited categories of people on low incomes) for abortion services, placing an unnecessary financial burden on pregnant people seeking abortion, particularly racialized groups and low-income people.

## **GENDER-BASED VIOLENCE**

American Indian and Alaska Native (AI/AN) women faced highly disproportionate rates of sexual violence. According to the most recent government data available from 2016, approximately 56% of AI/AN women had experienced sexual violence – more than twice the national average – and 84% had experienced some type of violence. A 2018 survey found that Alaska Native women were 2.8 times more likely to experience sexual violence than non-Indigenous women. Among the AI/AN women who had experienced sexual violence, the 2016 data shows that 96% had experienced sexual violence by at least one non-Indigenous perpetrator. US law continued to restrict the prosecutorial jurisdiction of Tribes, which prevented their ability to prosecute non-Indigenous perpetrators of violence against Indigenous women. AI/AN survivors also continued to face barriers in accessing post-rape care, including access to a forensic examination, which is necessary if a criminal case is to be brought against the perpetrator.

## **REFUGEES' AND MIGRANTS' RIGHTS**

Following the termination of immigration policy Title 42, the USA implemented new migration measures that continued to drastically limit access to asylum at the US-Mexico border. These included an asylum ban that presumed ineligibility for asylum unless the individual was able to meet one of three exceptions and mandated the use of the CBP One mobile application (launched by US Customs and Border Protection in 2020) to schedule asylum appointments at specific ports of entry.<sup>2</sup> CBP One appointments were limited, resulting in asylum seekers being stranded in inhumane conditions at the border, where they were targets of violence and racism, especially women, unaccompanied children and Black asylum seekers.

The USA and Canada expanded the application of the Safe Third Country Agreement to both countries' entire land borders, including waterways.

The administration extended Temporary Protected Status for Haitian, Honduran, Nepalese, Nicaraguan, Somalian, South Sudanese, Sudanese, Ukrainian, Venezuelan and Yemeni nationals, extending work authorization and protection from removal from the USA. A parole process was instituted for Cubans, Haitians, Nicaraguans and Venezuelans, which provided travel authorization for up to 30,000 individuals from these countries to come to the USA each month with US-based sponsors. Approximately 251,000 people were granted travel authorization from January to September.

Congress did not vote on the Afghan Adjustment Act, which would have provided pathways to permanent residency status for Afghan evacuees.

Authorities continued a system of arbitrary mass immigration detention, surveillance and electronic monitoring. The for-profit industry continued to use private prisons to detain people seeking safety.

State authorities instituted new transportation schemes to transport asylum seekers from border states into the interior of the USA. Cities struggled to provide adequate shelter and services to arriving asylum seekers, with growing populations of asylum seekers unhoused or housed in inappropriate settings such as police stations or congregate shelters.

## **FREEDOM OF ASSEMBLY**

Sixteen states introduced 23 bills restricting the right to protest, with five bills enacted in four states. Many of the bills would criminalize specific forms of protest, such as protests near fossil fuel pipelines, or increase penalties for existing crimes, such as “riot” or blocking roadways. In Mississippi, organizers were required to obtain written permission from state law enforcement before holding a protest near the Mississippi statehouse or other government buildings, enabling state officials to approve or disallow protests, including those against the actions of state officials. North Carolina heightened penalties

for existing “riot” offences and for protests near pipelines.

Georgia charged 61 people with violating the state’s Racketeer Influenced and Corrupt Organizations Act with their protests against the construction of a law enforcement and fire department training facility, referred to as “Cop City”. Many were also charged under a vague and broad domestic terrorism law.

After 7 October, regular large-scale, non-violent protests occurred across the country calling for a ceasefire between Israel and Hamas and for the US government to cease providing munitions to the Israeli government.

## **EXCESSIVE USE OF FORCE**

According to media sources, police shot and killed 1,153 people in 2023. Black people were disproportionately impacted by the use of lethal force, comprising nearly 18.5% of deaths from police use of firearms, despite representing approximately 13% of the population.

Following a visit by the UN International Independent Expert Mechanism to Advance Racial Justice in the Context of Law Enforcement, the delegation called on the USA to collect, compile, analyse and publish data, disaggregated by race or ethnic origin, on direct interactions by the population with law enforcement and the criminal justice system. It also required the USA to ensure accountability in all cases of excessive use of force and other human rights violations by law enforcement officials, through prompt, effective and independent criminal investigations, with a view to holding perpetrators accountable.

On 18 January, a multi-agency law enforcement operation led by Georgia State Patrol officers started to clear encampments of Defend the Forest activists, who had been camped in the forest on the outskirts of Atlanta, Georgia, since late 2021 to prevent the development of Cop City. Official accounts claimed officers came across a tent and verbally ordered the person inside to exit. Officers claimed that the person inside the tent, Manuel Esteban (Tortuguita) Páez

Terán, an environmental human rights defender, shot at the officers, allegedly injuring a state trooper, before the officers returned fire and killed them. An independent autopsy revealed that Páez Terán had been shot 57 times and failed to find gunpowder residue on their hands.

## **DEATH PENALTY**

Despite a moratorium on federal executions remaining in place, the Department of Justice continued to defend existing federal death sentences and sought reinstatement of death sentences on appeal and the imposition of new ones at trial. Two federal abolition bills were reintroduced in both houses of Congress, but neither was voted on.

In Alabama, in February, the Department of Corrections completed a review of its lethal injection process following a four-month moratorium, allowing the resumption of executions. In March, Idaho enacted a law authorizing the use of firing squads as a method of execution. In April, Florida enacted a law requiring only eight of 12 jurors to vote for a death sentence, the lowest threshold in the USA. In August, Alabama also finalized its protocols for executions by gas asphyxiation, a method found by UN human rights bodies to violate the prohibition of torture and other cruel, inhuman or degrading treatment or punishment. The Alabama Legislature introduced but failed to pass a bill that would require unanimous juries to sentence a person to death and would retroactively apply a 2017 law abolishing judicial overrides of jury decisions on death sentences.

Washington officially abolished the state's death penalty, after the state Supreme Court had declared the statute arbitrary and racially biased in 2018.

## **ARBITRARY DETENTION**

Thirty Muslim men remained arbitrarily and indefinitely detained in the US detention facility in Guantánamo Bay, in violation of international law. Four individuals were transferred to third countries in 2023. Sixteen of the remaining detainees have been cleared

for transfer, some for over a decade, without progress. Congress continued to block the transfer of any Guantánamo detainee to the USA, which meant the administration had to arrange for transfer to third countries where the detainees' human rights would be respected.

There continued to be no accountability, redress or adequate medical treatment for the many detainees who have been subjected to torture and other ill-treatment and/or enforced disappearance.

Despite the US Supreme Court ruling in 2008 that Guantánamo detainees have a right to habeas corpus, detainees continued to be denied hearings. The US government's "global war on terror" framework, which continued to defy international law, hampered the ability of federal courts to order the release of detainees. Even favourable rulings in federal courts did not result in the immediate release of detainees.

Eight detainees, including five men accused of participating in the 11 September 2001 attacks, continued to face charges in the military commission system, in breach of international law and standards relating to fair trials, and could face the death penalty if convicted. The use of capital punishment in these cases, after proceedings that did not meet international standards, would constitute arbitrary deprivation of life. Prolonged plea negotiations for some of the remaining 30 detainees came to a stalemate in September after the Biden administration rejected conditions proposed by the five men facing trial for the 11 September 2001 attacks. As a result of the systemic use of torture, and due to the dysfunction and lack of fundamental fairness of the offshore commission system, the USA's failure to hold anyone accountable for the 11 September attacks persisted.

## **RIGHT TO LIFE AND SECURITY OF THE PERSON**

At least 48,000 people were killed by gun violence in 2022, the most recent year for which data exists. Approximately 132 people died each day of 2022 from a firearm-related

injury. Such violence was perpetuated by ongoing, virtually unfettered access to firearms, spurred by a surge in gun sales during the Covid-19 pandemic, a lack of comprehensive gun safety laws (including effective regulation of firearm acquisition, possession and use), and a failure to invest in adequate gun violence prevention and intervention programmes.

There were more than 650 incidents where four or more people were shot in 2023. In January, a man in Monterey Park, California, opened fire, killing 11 people and injuring nine at a Lunar New Year celebration. In March, a man killed three children and three adults at a Christian elementary school in Nashville, Tennessee. In April, a man in Cleveland, Texas, killed five people, including a nine-year-old boy, in a neighbour's house after they complained about noise from him firing guns on his property. In May, a man killed eight people and wounded seven at a shopping mall in Dallas. These examples demonstrated the US government's continued failure to enact evidence-based firearm regulations, undermining human rights across the country.

Following the passage of the first law regulating firearm possession in 2022, Congress failed to consider further firearm reform policies. As a result, President Biden announced the creation of the first-ever White House Office of Gun Violence Prevention in September. The office will be overseen by the vice president and staffed with gun violence prevention experts.

## **UNLAWFUL KILLINGS**

The USA continued to use lethal force in countries around the world and withheld information regarding the legal and policy standards and criteria applied by US forces to the use of lethal force.

The administration persisted in its denial of well-documented cases of civilian deaths and harm, and failed to provide truth, justice and reparation for civilian killings in the past. Over the past decade, NGOs, UN experts and the media have documented potentially unlawful US drone strikes that have caused significant

civilian harm, in some cases violating the right to life and amounting to extrajudicial executions. In September, the Biden administration established the Civilian Harm Incident Response Guidance system to compel US State Department officials to investigate and potentially penalize incidents when a US arms recipient is suspected of using US-made weapons to injure or kill civilians.

US-made Joint Direct Attack Munitions were used by the Israeli military in two deadly, unlawful air strikes on homes full of civilians in the occupied Gaza Strip in October. These air strikes were either direct attacks on civilians or civilian objects or indiscriminate attacks and should be investigated as war crimes. The continued supply of munitions to Israel violates US laws and policies regarding the transfer and sale of arms, including its Conventional Arms Transfer Policy and Civilian Harm Incident Response Guidance, which together are meant to prevent arms transfers that risk facilitating or otherwise contributing to civilian harm and to violations of human rights or international humanitarian law.<sup>3</sup>

After much urging by Amnesty International and others, the Department of Defense revised its Laws of War Manual to clarify that, when there is doubt about whether a potential target of lethal force is a civilian or a combatant, the law requires the military to assume that the target is a civilian. Previous military policy did not accurately characterize this principle and may have led to many of the civilian killings by US forces in recent years.

## **RIGHT TO A HEALTHY ENVIRONMENT**

The USA was the largest exporter of liquified natural gas in the world between January and June. President Biden approved an oil drilling project in North Slope Alaska, which is anticipated to produce up to 180,000 barrels per day, igniting protests from environmental groups, and local and Indigenous communities. The president also prohibited new leasing on 10 million acres (4.05 million

hectares) in Alaska's 23 million-acre National Petroleum Reserve.

In April, the president pledged to contribute USD 1 billion to the Green Climate Fund. His 2024 budget proposal included “[USD] 4.3 billion in direct and indirect climate finance from State and USAID accounts and [USD] 1.4 billion in direct climate finance from Treasury accounts”. Despite these pledges, the USA's climate finance contributions remained critically insufficient compared to its fair share.

In August, a Montana state court ruled for the first time that Montana's pro-fossil fuel environmental policies had physically and mentally harmed 16 plaintiffs, aged five to 22, and had breached their constitutional right to a “clean and healthful environment”.<sup>4</sup> The court struck down two state laws that prevented courts and agencies from considering the climate impacts of proposed projects.

The USA continued to supply the world with plastics manufactured from fossil fuels, and frontline communities bore the brunt of the impact, which disproportionately affected Black people, other racialized groups, low-income people and those with limited English proficiency. According to a 2021 report, the most recent year for which data was available, people living within three miles of petrochemical clusters earned 28% less than the average US household and were 67% more likely to be Black, Indigenous and racialized people. Exposure to pollutants emitted in the production of petrochemicals was linked to several health impacts commonly reported by frontline communities, especially among children, including high cancer rates, asthma and respiratory issues.

In May, a chemical fire erupted at the Shell Chemicals Deer Park Plant in Texas near the Houston Ship Channel, exacerbating community exposure to harmful pollutants. In August, Texas filed a lawsuit against Shell claiming that the chemical fire had caused environmental damage from airborne contaminants and waste that flowed into nearby waterways. The Houston Ship Channel has more than 400 petrochemical

plants. A recent analysis of zip codes corresponding to life expectancy demonstrated that those living in the eastern Houston metropolitan area near the Channel could have a lower life expectancy of more than 15 years compared with those living in the more affluent western region.

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1. “USA: One year on, overturning of Roe vs. Wade has fueled human rights crisis”, 24 June
  2. USA: Mandatory Use of CBP One Application Violates the Right to Seek Asylum, 7 May
  3. “Israel/OPT: US-made munitions killed 43 civilians in two documented Israeli air strikes in Gaza – new investigation”, 5 December
  4. “Global: Ruling in favour of activists in US climate lawsuit sets historic human rights-based precedent”, 16 August

## URUGUAY

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### Eastern Republic of Uruguay

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**Threats to the media's freedom of expression persisted and obstacles in access to public information remained. Record rates of imprisonment resulted in overcrowding and inhumane prison conditions. Deaths in prisons remained a concern. Some military personnel were prosecuted for crimes against humanity committed in the past, but no substantive progress was made in investigations into forced disappearances. Uruguay continued to be a hostile country for girls and women; femicides increased. Barriers to public mental health services remained. The quality of drinking water was a concern. Overall, Uruguay continued showing signs of a weakening of the system of rights guarantees.**

### BACKGROUND

Following the prosecution of the president's former chief of security in February, for crimes of criminal association, the indictment of a former company executive for the illegal surveillance of two senators raised concerns about improper use of state security apparatus. The participation of authorities

and officials of the Ministry of the Interior in the provision of information was being investigated.

The government failed to take effective action to address violent crime, as indicated by the rise in homicides in 2023, according to the UN Office on Crime and Drugs Global Study on Homicide 2023.

## **FREEDOM OF EXPRESSION**

Uruguay continued to drop down Reporters Without Borders' ranking of countries based on freedom of expression, from 44th in 2022 to 52nd in 2023. A report issued in 2023 by the local organization Centre for Archives and Access to Public Information (CAINFO) stated that 69 cases of threats to journalists were reported in 2022 and early 2023. In July, according to the media, journalists from the public television channel of the subnational government of Montevideo denounced undue pressure to cover stories benefiting the local government.

## **RIGHT TO INFORMATION**

Public institutions failed to implement policies of transparency and access to public information, as mandated in the 2008 Law 18.381 on access to public information. According to CAINFO, there were 24 episodes that demonstrated a deterioration in the application of passive transparency standards in the country. This was particularly evident during the water emergency in the Montevideo Metropolitan Area in the first half of the year, during which authorities hindered access to information on the management and quality of drinking water and how it was affecting human health.

## **INHUMANE DETENTION CONDITIONS**

The penitentiary system continued to be overcrowded. According to the Parliamentary Commissioner for the Penitentiary System, the prison population increased steadily, reaching about 15,400 inmates. Of these, 1,167 were women, an increase of 6.9% in the number of women in detention since 2022.

Deteriorating detention conditions had a negative impact on the quality of life of persons deprived of their liberty. In 2023, 17 inmates were murdered in custody.

In September, 55 women deprived of their liberty carried out a hunger strike because they had been transferred to a different floor of the prison. They alleged that the move had worsened their conditions in detention.

## **IMPUNITY**

Impunity for crimes against humanity and human rights violations committed during the civil-military regime (1973-1985) still prevailed, but 18 convictions of current or retired members of the military and police were established in 2023 on charges of torture, kidnapping and murder during the civil-military regime.

In June, human remains dating from the civil-military regime were found at the military facility but had not yet been identified.

## **WOMEN'S AND GIRLS' RIGHTS**

In 2023, 21 women and girls were killed for gender-related reasons. Among them, according to media outlets, was a 17-year-old girl murdered by her 17-year-old former partner. The government failed to fully implement Law 19.580 on gender-based violence against women or to allocate funds to create courts to adjudicate such cases.

Despite advances in the enjoyment of sexual and reproductive rights, obstacles to implementing public policies for preventing, addressing and redressing the consequences of pregnancies in girls and adolescents under 15 years remained. According to the State Health Services Administration, between May 2021 and April 2023, 119 girls and other adolescents aged under 15 were pregnant. Authorities also indicated that of these 119 cases, 50% of the pregnancies were the result of sexual abuse and 34% occurred in a non-abusive relationship between peers. In the remaining 16% an abusive relationship could not be ruled out.

The National Integrated Care System, created in 2015, failed to provide adequate services to its target population (children

under three years old, people with disabilities and older adults in a dependent situation). This failure had a direct impact on the lives of women, who do the majority of unpaid care work. According to the most up-to-date official statistics from the Ministry of Social Development, 61.4% of women's weekly workload in Uruguay was unpaid, compared with 35.9% for men.

## RIGHT TO HEALTH

Obstacles to accessing public mental health services persisted because of insufficient availability of appointments in the face of increased demand at a national level.

According to the Ministry of Health, in 2022, 823 people died by suicide, a rate of 23.2 per 100,000 inhabitants and more than twice as high as the rest of Latin America.

## RIGHT TO WATER

For the first half of 2023, a water emergency affected part of the Metropolitan Region (departments of Montevideo and Canelones), causing drinking water shortages.<sup>1</sup> Difficulties accessing clear and accurate information about the management of the water crisis and the quality of drinking water were reported.

In July, the UN Special Rapporteur on the human rights to safe drinking water and sanitation and the UN Working Group on Business and Human Rights urged the government to prioritize water for human consumption. According to the State Sanitary Works (OSE) and information provided by the Faculty of Chemistry of the University of the Republic, a considerable increase in salinity levels had been affecting the quality of drinking water, impacting more than 60% of the population, particularly the most vulnerable groups.

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1. "Uruguay: Access to drinking water is a human right", 29 May (Spanish only)

# UZBEKISTAN

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## Republic of Uzbekistan

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**The alleged organizers of mass protests in 2022 were sentenced in unfair trials on politically motivated charges. Authorities tightened their grip on critical voices, especially on social media. Torture and ill-treatment remained widespread in places of detention, and impunity was commonplace for those suspected of criminal responsibility. Amendments to the criminal and administrative codes criminalized domestic violence. The exercise of the right to freedom of religion remained tightly controlled.**

## BACKGROUND

Controversial changes to the constitution, which had led to mass protests in Karakalpakstan in 2022, were adopted following a referendum in April.

President Shavkat Mirziyoyev was elected uncontested to a new seven-year term in June.

## UNFAIR TRIALS

Dozens of people connected with the violently suppressed mass protests in Karakalpakstan were convicted in unfair trials on politically motivated charges throughout the year.

On 31 January, a court in the city of Bukhara, eastern Uzbekistan, sentenced lawyer and editor Dauletmurat Tazhimuratov to 16 years' imprisonment over alleged violent crimes in relation to the protests. The judges dismissed his allegations of torture and video footage from the protests that showed him urging the crowd not to resort to violence. Human rights defenders monitoring the trial expressed concern that the 21 co-defendants of Dauletmurat Tazhimuratov were coerced into incriminating him in exchange for lighter sentences. On 6 June, the Supreme Court of Uzbekistan upheld his verdict on appeal. He maintained his innocence.



## **EXCESSIVE USE OF FORCE**

Despite widespread allegations of unlawful use of force against peaceful protesters in Karakalpakstan, only three members of the security forces were held accountable. According to a statement issued by the Supreme Court in August, two unnamed police officers were convicted of torturing detainees and sentenced to seven years in prison, and a third was sentenced to three years' imprisonment for failing to assist a dying person.

## **FREEDOM OF EXPRESSION**

Defamation and insult, including insulting the president, remained criminal offences. Authorities tightened their grip on critical voices, especially those on social media.

At least 10 bloggers were convicted on allegedly fabricated and politically motivated charges for critical online publications.

In February, the UN Working Group on Arbitrary Detention concluded that the detention of Otabek Sattoriy was arbitrary and called for his release. He was serving a six-and-a-half-year prison sentence on defamation and extortion charges for his criticism of corruption among local officials. In April, he was denied a transfer to less harsh prison conditions because of alleged violations of prison rules, but was eventually transferred to an open-type prison in December.

## **TORTURE AND OTHER ILL-TREATMENT**

Torture and other ill-treatment remained widespread in places of detention and impunity remained commonplace for those suspected of criminal responsibility.

There was no progress in the implementation of proposals made by the Prosecutor General's Office in 2021 to address torture by reforming the criminal code, establishing independent mechanisms to monitor torture complaints, improving prison conditions and addressing reparations for torture.

The parliamentary commission set up in July 2022 to investigate the violence in Karakalpakstan, including the torture

allegations, had still failed to publish a report on its findings by the end of the year.

In November, two UN Special Rapporteurs expressed concern for the safety and well-being of Daulemurat Tazhimuratov (see above, Unfair trials) after his lawyer reported that his mental and physical health had significantly deteriorated in September. He had been kept in solitary confinement with no access to information and denied adequate healthcare and food.

During his appeal hearing in October, imprisoned blogger Abdukodir Muminov told the court that police had “electrocuted my body, kicked and crushed my genitals, repeatedly hit my leg with a special baton ... [and] broke my rib” to force a confession. The court failed to order an investigation into his claims of torture.

## **GENDER-BASED VIOLENCE**

In April, legislative amendments criminalized domestic violence as a separate offence for the first time and provided women and children who are victims of violence with additional protection mechanisms.<sup>1</sup> These new legal protections were, however, officially described as “strengthening the institution of the family” and were undermined by officials prioritizing reconciliation and reunification of families over the protection of women's and children's rights.

In September, the Committee on Family and Women's Affairs reported that the Ministry of Internal Affairs had issued 21,871 protection orders to women who had experienced violence or abuse between January and August. Most cases, and 84.7% of the orders related to domestic violence, ended in reconciliation.

## **LGBTI PEOPLE'S RIGHTS**

The draft criminal code retained an article criminalizing consensual sexual relations between adult men. During his visit in March, the UN High Commissioner for Human Rights urged authorities to exclude this article.

Uzbekistan accepted all the recommendations made by states at the UPR

of its human rights record in November, except for those on LGBTI people's rights. The government cited "generally accepted norms" as the reason for declining to implement these recommendations.

## FREEDOM OF RELIGION AND BELIEF

Authorities continued to restrict the exercise of religious freedom despite repeated promises to eliminate restrictions and amend the 2021 Law on Religion.

Authorities persisted in prosecuting devout Muslims on overly broad and vaguely worded "extremism-related" charges and failed to investigate their allegations of torture and ill-treatment. Student Sardor Rakhmankulov, sentenced to five years' imprisonment in January for sharing an Islamic religious song via social media, alleged in court that police had suffocated him with a plastic bag and taken turns kicking him. An appeal court failed to consider his allegations of torture.

## WORKERS' RIGHTS

In August, CEE Bankwatch Network and the Uzbek Forum for Human Rights lodged a complaint against the European Bank for Reconstruction and Development. The complaint, filed with the bank's Independent Project Accountability Mechanism, related to its failure to address concerns about illegal land confiscations, exploitative contracts, and mass redundancies at Indorama Agro, one of Uzbekistan's largest private cotton producers, before releasing funds. Managers had been actively trying to dismantle Indorama's workers' union, the only independent trade union in the country.

## RIGHT TO A HEALTHY ENVIRONMENT

Uzbekistan's energy sector remained heavily dependent on fossil fuels and continued to heavily subsidize the use of fossil fuels. In October, the government signed an agreement with the World Bank to fund national policies to reduce emissions, including through subsidy reform and carbon market transactions.

Air pollution in major population centres, mainly from the burning of fossil fuels for

energy and transport, regularly reached levels classified as dangerous. Research by the World Bank and the Ministry of Economic Development and Poverty Reduction found that mortality attributable to particulate air pollution aggravated by dust from encroaching desertification had resulted in an economic loss equivalent to 6% of GDP.

1. "Uzbekistan: Parliament passes long-overdue legislation criminalizing domestic violence", 6 April

# VENEZUELA

## Bolivarian Republic of Venezuela

**Lack of access to economic and social rights remained a serious concern, with the majority of the population experiencing severe food insecurity. The public health system was in a state of collapse. The government failed to implement humanitarian measures agreed in 2022 to address these issues. Protests demanding economic and social rights were met with unlawful force and other repressive measures by security forces. Critics of President Maduro's government were arbitrarily detained, forcibly disappeared and tortured with the acquiescence of the judicial system. The government acknowledged 455 cases of enforced disappearance reported since 2015, the majority of which had not been resolved. Impunity for ongoing extrajudicial executions by the security forces persisted. Despite some releases at the end of the year, politically motivated arbitrary detentions remained systematic. The UN Fact-Finding Mission on Venezuela exposed crimes against humanity, called for investigations into the state's repressive policies, and noted a lack of compliance with previous recommendations. The ICC continued its investigation into crimes against humanity in Venezuela despite the government's attempts to suspend the process. Prison conditions, including a lack of access to water and food, deteriorated**

**further. Illegal mining and violence threatened Indigenous Peoples' rights in the Orinoco Mining Arc area. Huge numbers of Venezuelans continued to flee the country and those deported back to the country faced arbitrary arrest. Access to sexual and reproductive health services was severely compromised and abortion remained criminalized. Violence against women and girls persisted and LGBTI people continued to face discrimination.**

## **BACKGROUND**

Inflation and an alarming lack of purchasing power to buy essential goods and services continued to result in most of the population experiencing a profound humanitarian crisis, particularly people living outside the capital, Caracas.

The government and a part of the opposition engaged in political negotiations; by October they had agreed certain conditions regarding the 2024 elections.

The UN Fact-Finding Mission (FFM) presented reports about the selective repression of political opponents and the structure of police agencies responsible for extrajudicial executions.

The government's challenge to territorial boundaries with Guyana led to an increase in military presence along the border, heightening the risk of human rights violations. Critics of this policy faced an elevated threat of criminalization.

## **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

Lack of access to adequate food, water and healthcare remained a serious concern. By the end of the year, the "Mesa Social" humanitarian agreement between the government and the opposition in 2022 had still not been implemented. The agreement established a humanitarian fund drawn from Venezuelan assets seized abroad and managed by the UN to attend to urgent issues related to health, education and electricity services.

## **RIGHT TO WORK**

Allegations of persecution, intimidation, harassment and other acts of violence against unionists and workers persisted. The OHCHR reported 12 cases of criminalization of union leaders in 2023, up to September.

## **RIGHT TO EDUCATION**

Civil society organization HumVenezuela reported that 18% of children did not attend school in 2023 and at least 44.8% did not attend regularly due to underfunding and understaffing of public schools and teachers' low wages. Teachers continued to demand better working conditions in public schools.

## **RIGHT TO HEALTH**

Almost three-quarters (72.4%) of public health centres experienced shortages of medicines, appliances and staff, and 88.9% of public health services were inoperative.

In October, the half-yearly report from the National Hospitals Survey found that around 55% of public health facilities did not have regular access to water and in 90% of cases patients had to bring their own surgical supplies. The same survey concluded that 127 people had died because of power cuts in hospitals between January and September 2023.

The OHCHR reported on the deterioration of the healthcare system caused by underfunding and understaffing. It estimated that 560,660 children aged between 12 and 23 months had not yet received the measles, mumps and rubella (MMR) vaccine.

According to civil society organizations, health workers who denounced deficiencies and low salaries faced intimidation by authorities. In August, 10 children developed meningial infection after medical treatment for leukaemia. The medication associated with the infection was imported and distributed by the Venezuelan Social Security Institute at the J.M. de los Ríos Children's Hospital in Caracas. In September, the health authorities refused to conduct an analysis of the medication. By November, one of the children had died and there was no official information regarding investigations to determine responsibility for her death. Media

reported that medical associations had asked for an official investigation into this case.

### **RIGHTS TO FOOD AND WATER**

According to the Centre for Documentation and Social Analysis, by October, the cost of a monthly basic basket of food for a household of five in Venezuela was equivalent to about USD 494, while the monthly minimum wage was USD 3.67, leaving the majority of the population facing severe food insecurity. The minimum wage had not been adjusted since March 2022. By the end of 2023, the situation had deteriorated further due to a peak in inflation and currency devaluation. According to the World Bank, by August, Venezuela had the third highest inflation rate for food prices in the world.

According to HumVenezuela, 25.7% of households ate fewer than three meals a day and 22.8% went entire days without eating. Furthermore, 74.5% of households did not have regular access to safe drinking water.

### **REPRESSION OF DISSENT**

The policy of repression implemented by the government continued. Political opponents, real and perceived, were constantly under attack and at risk of arbitrary detention, torture and other human rights violations. According to the human rights organization Foro Penal, around 9,000 people continued to be subject to restrictions on their freedom because of current or past politically motivated judicial procedures.

Authorities continued to restrict political participation. The opposition leader María Corina Machado, who won the primary election in October, was allegedly disqualified to run for president in the upcoming election.

Civic space was constantly under attack. In January, parliament started discussions around a bill to audit and regulate the operations of NGOs and oversee their actions and funding. The proposed bill would further restrict their activities and would enable the government to unilaterally dissolve associations. The bill was still pending by the end of the year.

In August, a Supreme Court ruling dismissed the entire board of directors of the

Venezuelan Red Cross Society and appointed a new director with the instruction to restructure the organization.

In October, the Prosecutor's Office announced a criminal investigation into members of the National Primaries Commission (a non-governmental initiative to elect an opposition candidate) as an attempt to halt political participation. In December, Roberto Abdul, commission member and president of the NGO Súmate, was arbitrarily detained and released after two weeks. At the end of 2023, the legal situation of the commission members remained unclear.

### **FREEDOM OF EXPRESSION AND ASSEMBLY**

Authorities' repressive tactics persisted, including using the judicial system to silence dissent and criminalize human rights defenders.

According to the Venezuelan Observatory on Social Conflict, there were 6,956 protests in 2023, equivalent to 19 protests per day, of which 80% were demanding economic and social rights. Many were led by unionist collectives demanding their workers' rights. Authorities often responded with unnecessary and excessive force and arbitrary detentions.

In July, the UN High Commissioner for Human Rights reported prolonged delays and impunity in the investigation into deaths during protests in 2014, 2017 and 2019.

Local organization Public Space registered 349 attacks on freedom of expression in the form of censorship, verbal attacks and intimidation targeting journalists and other media workers from January to November. In September, journalist Luis Alejandro Acosta was arbitrarily detained and prosecuted for allegedly promoting and inciting illegal mining, being in a protected area, and abetting criminal acts, while he was reporting on illegal gold mining in the southern state of Amazonas. He was released after 14 days.

### **ARBITRARY DETENTION AND UNFAIR TRIALS**

The government's use of arbitrary detention against civilians could constitute crimes

against humanity. According to civil society organizations, between 2014 and 2023 there were around 15,700 arbitrary arrests.

A negotiated agreement was reached in October between the Unitary Platform and President Maduro's representatives, supported by the USA and other countries, which led to the release of 26 detainees by the end of the year. The conditions for their release remained unclear. Around 280 people remained under politically motivated arbitrary detention, according to local organizations.

Other human rights violations such as enforced disappearances and torture continued to be part of the policy of repression implemented by the government. Amnesty International reported that following arrest victims were routinely presented before the court – often with special jurisdiction on terrorism – and charged with criminal association and other terrorism-related charges, before being transferred to a police or military facility to await trial for months or even years. Many victims reported being subjected to torture and other ill-treatment. These procedures breached fair trial guarantees and other human rights.<sup>1</sup>

During the UN Human Rights Committee review, Venezuelan authorities claimed that it did not constitute enforced disappearance if someone was arrested and their family was not informed of their whereabouts until hours or days later. In the context of the review, authorities acknowledged that between 2015 and 2022, of 455 alleged enforced disappearances, only 10 had gone to trial with no information on the whereabouts of the victims and nobody having been sanctioned.

In July, activists and union leaders Alcides Bracho, Gabriel Blanco, Emilio Negrín, Alonso Meléndez, Néstor Astudillo and Reynaldo Cortés were prosecuted and sentenced to 16 years' imprisonment by a court with special jurisdiction on terrorism. They had been arbitrarily accused of conspiracy and criminal association for their participation in peaceful demonstrations. In

December, they were released following political negotiations.

On 30 August, John Álvarez, a student and activist, was arbitrarily detained. His family reported that officers from the Directorate of Military Counter-Intelligence had tortured and forced him to incriminate a union leader and a journalist. He was also among the group of people released in December. In October, journalist and political activist Roland Carreño, detained since 2020, was released following talks between the government and opposition. Unionist Guillermo Zárraga was also released in December.

Several people arbitrarily detained on political grounds, including Robert Franco and Darío Estrada, were still waiting for their trials to resume at the end of the year. In July, these were postponed and the special jurisdiction on terrorism was suddenly relocated from one court to another, meaning their trials had to start again.

## **EXTRAJUDICIAL EXECUTIONS**

Despite the OHCHR reporting in 2022 that authorities had dissolved the Bolivarian National Police's Special Actions Forces (FAES), FAES was implicated in several hundred alleged extrajudicial executions in 2023. The FFM found that FAES had been replaced by the Directorate of Strategic and Tactical Actions and that several FAES officials remained active within the Bolivarian police force.

## **RIGHT TO TRUTH, JUSTICE AND REPARATION**

In June, an Argentinian federal prosecutor opened a criminal investigation against officers of the Bolivarian National Guard for the extrajudicial executions of two people as part of the repression implemented in Venezuela during 2014.

Human rights violations remained unpunished. The FFM noted the lack of compliance with recommendations made by the mission in its previous reports and how the judicial system was used to shield security agencies involved in gross human rights violations.

In June, the Pre-Trial Chamber of the ICC authorized the prosecutor to resume his investigation into alleged crimes against humanity in Venezuela. Following Venezuela's appeal, the decision of the Appeals Chamber was still pending at the end of the year.

At the end of 2023, the UN Special Rapporteur on the right to food announced a visit to the country. Other UN Rapporteurs and treaty bodies were still waiting for official invitations, despite the government's commitment in 2019 to extend such invitations. The FFM had still not been granted access to the country by the end of the year.

## **INHUMANE DETENTION CONDITIONS**

Conditions in prisons and detention centres deteriorated further, including overcrowding and insufficient provision of food and water. Prisoners and Detainees were dependent on relatives to provide essential resources for their survival. Prolonged detention in police stations and other illegal detention centres continued.

The reported lack of health services and medical treatment in detention facilities put detainees' lives at risk. Emirlendris Benítez, who was still arbitrarily detained for political reasons, faced severe health conditions without access to medical care.<sup>2</sup>

Women deprived of their liberty experienced inhumane conditions and gender-specific facilities were lacking.

During the UN Human Rights Committee review, the state acknowledged that it had no control over six prisons because inmates ruled those facilities. Following a security operation in September, the government started to regain control over the facilities in Tocarón, Tocuyito Puente Ayala, Trujillo, La Pica, Vista Hermosa and San Felipe.

## **INDIGENOUS PEOPLES' RIGHTS**

Illegal mining in the Orinoco Mining Arc area continued to have serious impacts on human rights in Bolívar state, southern Venezuela, disproportionately affecting Indigenous Peoples' rights to self-determination, free,

prior and informed consent and a healthy environment.

More than a year after the murder of Virgilio Trujillo Arana, land and Indigenous human rights defender, impunity for the crime persisted. His relatives reported experiencing threats by unidentified people.

In September, human rights defenders reported military forces seizing control of the Yacapana National Park in the south of the country, expelling illegal miners and peasants with allegedly excessive force. The Ministry of Defence acknowledged the deaths of two people, three people wounded, and the eviction of 12,000 people from the area, many of whom were Indigenous Peoples. Civil society organizations reported that at least 10 people had died during the operation.

## **HUMAN RIGHTS DEFENDERS**

Human rights defender and prisoner of conscience Javier Tarazona, director of the NGO FUNDAREDES, remained in arbitrary detention following his arrest in 2021 on terrorism-related charges.

The Centre for Defenders and Justice reported 524 threats against human rights defenders between January and November, including smear campaigns and stigmatization by pro-government media outlets and on social media.

## **REFUGEES' AND MIGRANTS' RIGHTS**

By the end of the year, more than 7.72 million Venezuelans had left the country. In October, deportation flights from the USA to Venezuela resumed and 928 people had been deported by the end of the year. In November, at least 155 people were deported from Iceland, apparently after their asylum applications had been denied. These individuals were reportedly arrested upon arrival in Venezuela.

In November, the Inter-American Commission on Human Rights recommended that countries in the region provide protection and grant refugee status to people fleeing from Venezuela.

## WOMEN'S AND GIRLS' RIGHTS

Women and girls in Venezuela continued to face challenges in ensuring access to adequate food, water and sanitation. The CEDAW Committee stated that the complex humanitarian situation since 2015 had had a differentiated impact on women and girls, driving women into economic dependence in abusive relationships and increasing their risk of becoming victims of gender-based violence.

### SEXUAL AND REPRODUCTIVE RIGHTS

The CEDAW Committee noted with concern the criminalization of abortion; reports of forced sterilization; limited access to modern contraceptives and sexual and reproductive health services; and the high rates of maternal mortality owing to limited access to sexual and reproductive health services.

The impact of the ongoing humanitarian emergency on sexual and reproductive health services continued to obstruct women's and girls' access to sexual and reproductive rights.

### VIOLENCE AGAINST WOMEN AND GIRLS

The CEDAW Committee expressed concern about the high incidence of gender-based violence against women and girls, including the persistence of femicides, disappearances, and psychological and sexual violence against women and girls. The CEDAW Committee also highlighted the lack of a gender-sensitive protocol for the investigation of femicides, the fact that there were only five shelters for victims of gender-based violence, and the lack of statistical data on cases of gender-based violence against women and girls.

In October, during the Human Rights Committee review, Venezuela's representative reported that 95% of investigations into femicide had resulted in conviction and nearly 1,700 charges of femicide had been prosecuted between 2016 and 2023.

The local civil society organization Centre for Justice and Peace reported 201 alleged femicides between January and September.

## LGBTI PEOPLE'S RIGHTS

LGBTI people continued to face discrimination. In July, 33 men were arbitrarily arrested and faced abuses by police agents based on their sexual orientation. Their identities were published in the media. Thirty of the victims were released after three days; the others were deprived of their liberty for 10 days, after which they were released under court supervision, facing charges for "indecency" and "noise pollution".

## RIGHT TO A HEALTHY ENVIRONMENT

By the end of the year, Venezuela had not signed or ratified the Escazú Agreement and the government's aspiration to increase oil production contradicted its international commitments to reduce greenhouse gas emissions.

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1. *Venezuela: Life Detained: Politically Motivated Arbitrary Detentions Continue in Venezuela*, 29 August
  2. "Venezuela: Venezuelan detainees' life at risk", 9 October

# VIET NAM

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## Socialist Republic of Viet Nam

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**The crackdown on dissent continued and journalists and human rights defenders were among those imprisoned in violation of their right to freedom of expression. Viet Nam authorities were implicated in the abduction of a Vietnamese refugee living in Thailand. Executions were reported but the use of the death penalty was shrouded in secrecy. Government surveillance was widespread and new research pointed to the use of spyware technology to target critics or others working on issues considered sensitive to Vietnamese government interests.**

## BACKGROUND

Viet Nam took its seat on the UN Human Rights Council in January. Since announcing its candidacy in February 2021, dozens of

journalists, NGO leaders, human rights defenders and others had been subjected to arbitrary arrest and detention. Võ Văn Thưởng replaced Nguyễn Xuân Phúc as President in March, but the transition brought no improvement in the human rights situation.

## FREEDOM OF EXPRESSION

Arrests and prosecutions of journalists and political, environmental and other activists for expressing their opinions continued. On 12 April, the People's Court in the capital, Hanoi, sentenced prominent activist and independent journalist Nguyễn Lân Thắng to six years in prison in a closed hearing. He was arrested on 5 July 2022 on charges of “making, storing, distributing, or disseminating information, documents, and items against the state” under Article 117 of the 2015 Criminal Code. Nguyễn Lân Thắng was held in Hanoi's Detention Centre No. 1 for more than seven months following his arrest, and was only permitted to meet his lawyer for the first time on 16 February.<sup>1</sup>

In March, human rights defender Trương Văn Dũng was found guilty of disseminating “propaganda against the government” and sentenced to six years' imprisonment under Article 88 of the earlier 1999 version of the Criminal Code, which still applied when he was initially charged. He was arrested on 21 May 2022 after being accused of giving interviews to foreign media and possessing copies of two “illegally printed books”. During his trial, Trương Văn Dũng accused the police of beating him but no investigations into the allegations were known to have taken place.<sup>2</sup>

On 6 April, the wife of activist Bùi Tuấn Lâm received a notification from the authorities that investigations against him had been completed and that he would be tried under Article 117 of the 2015 Criminal Code for “disseminating propaganda against the state”. The charges related to dozens of videos that he had posted on Facebook and YouTube. Bùi Tuấn Lâm, who is well-known for his satirical videos on human rights and social issues, was first questioned by the Da

Nang city police in November 2021 after a video making fun of the Minister of Public Security eating in an expensive London restaurant went viral on Facebook. On 25 May, he was sentenced to five-and-a-half years in prison.<sup>3</sup>

On 5 July, the Vietnamese police announced that Youtuber Đường Văn Thái was in pretrial detention having been charged under Article 117 of the 2015 Criminal Code. Đường Văn Thái had been granted refugee status in Thailand in 2020 but went missing in the Thai capital, Bangkok, on 13 April 2023. Witness testimony and circumstantial evidence suggested he was abducted from Thailand by Viet Nam state agents.

The Ho Chi Minh City Court sentenced environmental activist Hoàng Thị Minh Hồng to three years' imprisonment on 28 September on trumped-up charges of tax evasion. She was the fifth prominent environmental campaigner to be accused of tax evasion since 2021.

During a visit by family members in December, imprisoned journalist Lê Hữu Minh Tuấn said that his health had deteriorated significantly and that he feared he may die if he did not receive appropriate medical care. Lê Hữu Minh Tuấn, who is serving an 11-year sentence for “opposing the state”, was reported to be suffering from colitis, hepatitis and other possible ailments.

## DEATH PENALTY

Figures on executions and death sentences remained classified as a state secret preventing independent scrutiny. However, on at least two occasions families received notification of the execution or imminent execution of relatives. The family of Nguyễn Văn Chưởng, who was sentenced to death in July 2007, received a notification from the People's Court of Hải Phòng on 4 August 2023, instructing them to make arrangements to receive Nguyen's remains.<sup>4</sup>

On 18 September, the family of Lê Văn Mạnh were informed that the decision to execute him was confirmed. They were subsequently told that he had been executed



on 22 September without having been allowed to visit him first.

Both men had alleged that they had “confessed” to the crimes of which they were convicted under torture by police.<sup>5</sup>

## UNLAWFUL SURVEILLANCE

Research by Amnesty International revealed that between February and June, a campaign connected to Intellexa’s Predator spyware attack infrastructure targeted at least 50 social media accounts belonging to 27 individuals and 23 institutions, some of whom were Vietnamese. Amnesty International found that Intellexa tools were sold to Vietnamese companies which had business links to the Vietnamese Ministry of Public Security. The research suggested that Vietnamese government agents may have been behind the spyware campaign.<sup>6</sup>

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1. “Viet Nam: 10 organisations demand the dropping of charges against journalist Nguyen Lan Thang and the guarantee of the right to a fair trial by admitting the press and public to observe the trial”, 11 April
  2. “Viet Nam: Drop charges and immediately release activist sentenced to six years in prison”, 12 July
  3. “Viet Nam: Drop trumped-up charges against activist behind ‘Salt Bae’ satire video”, 23 May
  4. “Viet Nam: Open Letter: Halt the arbitrary execution of death row prisoner Nguyen Van Chuong”, 9 August
  5. *Viet Nam: Pursuit of Civil Space, Amnesty International: Submission to the 46th Session of the UPR Working Group, 29 April – 10 May 2024*, 20 October
  6. “Global: ‘Predator Files’ spyware scandal reveals brazen targeting of civil society, politicians and officials”, 9 October

# YEMEN

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## Republic of Yemen

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**Despite a decline in armed conflict and cross-border attacks compared to previous years, all parties to the long-standing conflict in Yemen continued to commit unlawful attacks and killings with impunity. The internationally recognized government of Yemen and the Huthi de facto authorities, which control different parts of the country, continued to harass, threaten,**

**arbitrarily detain, forcibly disappear and prosecute journalists and activists for peacefully exercising their right to freedom of expression. The Huthi de facto authorities forcibly disappeared members of the Baha’i religious minority for exercising their right to freedom of religion and belief. All parties to the conflict restricted delivery of humanitarian aid. The Huthi de facto authorities continued to ban women from travelling without a male guardian, restricting their ability to work or receive humanitarian aid. All parties failed to provide justice for victims of crimes under international law and human rights violations.**

## BACKGROUND

While 2023 saw a decline in fighting and cross-border attacks, all parties to the conflict sporadically attacked civilian areas and frontlines in Ma’rib, Hodeidah, Ta’iz, Sa’adah, Al Jawf, Shabwa and Dhale’ governorates.

In March, under the auspices of the UN, parties to the conflict agreed to release almost 900 conflict-related detainees. Between 14 and 16 April, the Saudi government and the internationally recognized government of Yemen, which is supported by the Saudi Arabia-led coalition, released 706 detainees, while the Huthi de facto authorities released 181, including four journalists on death row – Akram Al-Walidi, Abdelkhaleq Amran, Hareth Hamid and Tawfiq Al-Mansouri.<sup>1</sup> However, hundreds of other individuals remained unlawfully detained.<sup>2</sup>

Yemenis’ access to food, safe drinking water, a healthy environment and adequate health services remained highly restricted. According to OCHA, the 2023 funding gap in the Yemen Humanitarian Response Plan exacerbated food insecurity and jeopardized the humanitarian response, compelling aid organizations to scale back or close crucial humanitarian programmes.

On 31 October, the Huthi military spokesperson announced they had carried out four drone and missile attacks targeting Israel since 7 October, although none

reached Israeli territory. On 27 October, one of the drones crashed near a hospital in Taba, Egypt, injuring six people.

Between November and December, the Huthi armed forces carried out around 24 attacks on commercial and military ships in the Red Sea. On 19 November, the Huthis seized the *Galaxy Leader*, a British owned and Japanese operated vehicles carrier and arbitrarily detained 25 of its crew members. Huthi officials vowed to continue the Red Sea maritime attacks until the Israeli military campaign in Gaza ends.

## **UNLAWFUL ATTACKS AND KILLINGS**

On 13 March, a drone strike allegedly launched by Huthi forces hit a field hospital in Hajar area, western Qa'atabah district in Dhale' governorate, reportedly injuring three civilians, including two health workers.

On 22 April, three civilians were killed, including a woman and a 12-year-old child, and a further nine were injured, all from the same family, when shells fired from a Huthi-controlled area hit houses in Al-Majash al-Ala area in Mawza district, Ta'iz governorate.

On 4 July, mortar fire injured five children aged between 8 and 12 while they were herding their goats on al-Jibalayn hill in al-Muharith village, Hodeidah governorate.

On 15 July, mortar fire killed two civilians and damaged their home in al-Aboos village, Ta'iz governorate, in an exchange of fire between government and Huthi forces.

## **FREEDOM OF EXPRESSION, RELIGION AND BELIEF**

Parties to the conflict continued to harass, threaten, arbitrarily detain, forcibly disappear and prosecute individuals for peacefully exercising their right to freedom of expression, religion and belief.

### **HUTHI DE FACTO AUTHORITIES**

On 25 May, Huthi security forces stormed a peaceful gathering of Baha'is, a religious minority, in the capital, Sana'a. They detained and forcibly disappeared 17 individuals, among them five women. Following international pressure, 11 were released.<sup>3</sup> However, five men and one woman remained

held at the Huthi-run security and intelligence detention centre in Hadda and Sana'a.

On 24 August, five armed men in civilian clothes physically assaulted journalist Mujalli al-Samadi in al-Safiyah neighbourhood of Sana'a and issued threats to stop him criticizing the Huthis. He reported the incident at the police station in al-Sab'ein district in Sana'a but the authorities failed to hold anyone to account. Mujalli al-Samadi's radio station, *Sawt al Yemen*, which the Huthis had shut down in January 2022, remained closed despite the Journalism and Publications Court in Sana'a ruling in July 2022 that the station was allowed to resume broadcasting.

The Huthi de facto authorities arbitrarily detained journalist Nabil al-Sidawi after 21 September, when he was due to be released after serving a prison sentence. Huthi security and intelligence services had detained him on 21 September 2015. Following a grossly unfair trial in 2022 by the Sana'a-based Specialized Criminal Court (SCC) – a court traditionally reserved for security-related crimes – he was sentenced to eight years in prison.

On 26 September, Huthi de facto authorities carried out a wave of arrests rounding up scores of largely peaceful demonstrators who had gathered to commemorate the anniversary of Yemen's September Revolution.<sup>4</sup>

### **GOVERNMENT OF YEMEN**

On 11 July, the criminal investigation directorate in Ta'iz governorate summoned for investigation journalist Jamil al-Samit based on a complaint filed by Ta'iz military axis leadership after he published articles calling for the leadership to be replaced. He was arbitrarily detained for a day and then released. On 1 August, he was again summoned and interrogated by Ta'iz police, who accused him of jeopardizing the police's image in his articles. He was arbitrarily detained for five days and then released.

In August, security forces in Ma'rib city followed a media worker after he finished filming a news report in al-Hay'a street, then

seized his camera and deleted the footage. They took him to a police station and only released him after he signed a pledge that he would not film in the city without prior approval from the security administration.

### **SOUTHERN TRANSITIONAL COUNCIL**

On 1 March, Security Belt forces, a paramilitary wing of the Southern Transitional Council (STC) that controls parts of south Yemen, stormed the Yemeni Journalists' Syndicate headquarters in Al Tawahi district, Aden governorate, confiscating property, expelling the journalists present and prohibiting them from accessing the building. The Security Belt forces then replaced the syndicates' sign with that of the STC-supported Southern Journalists and Media Workers Syndicate. On 28 March, the Yemeni Journalists' Syndicate filed a complaint before the public prosecutor in Aden to investigate the incident but no action was taken.

The STC de facto authorities continued to detain journalist Ahmad Maher who was arbitrarily arrested by Security Belt forces on 6 August 2022 in Dar Sa'ad district, Aden governorate. In September 2022, the criminal prosecution charged him with publishing fake and misleading news. From March 2023, the Specialized Criminal Court in Aden repeatedly adjourned his hearing.

### **DENIAL OF HUMANITARIAN ACCESS**

Parties to the conflict continued to restrict movement and the delivery of aid, including by imposing bureaucratic constraints such as delayed approvals, travel permit denials or delays, cancellation of humanitarian initiatives, and interference in the project design, implementation and assessment of humanitarian activities.

In May, Huthi de facto authorities issued a circular requiring humanitarian organizations to inform them every month about their media, advocacy and awareness-raising projects and activities and to apply for permits to implement them. The circular also required humanitarian organizations to provide their monthly media reports for review and sign-off by the Supreme Council,

and to be accompanied by a media representative appointed by the Huthis during field operations.

Yemeni female humanitarian workers continued to struggle to conduct fieldwork in Huthi-controlled areas because of the *mahram* (male guardianship) requirement which restricted field visits and aid deliveries.

On 21 July, unknown gunmen shot dead World Food Programme staff member Muayad Hameidi in Al Turbah city, Ta'iz governorate.

On 11 August, five UN staff who had been abducted in February 2022 in Abyan governorate were released.

On 25 October, the Safety and Security Director at Save the Children, Hisham Al-Hakimi, died while being arbitrarily detained by the Huthis in Sana'a. He was detained on 9 September while off duty and was held incommunicado. Following his death, Save the Children suspended operations in northern Yemen for 10 days.

### **WOMEN'S AND GIRLS' RIGHTS**

The Huthi de facto authorities continued to impose their *mahram* requirement restricting women's movement and banning them from travelling without a male guardian or evidence of their written approval within governorates under Huthi control or to other areas of Yemen. The restrictions made it difficult for women to work and impacted access to humanitarian aid for Yemeni women and girls.

Huthi de facto authorities continued to detain woman human rights defender Fatma al-Arwali and deny her a fair trial. On 31 July, she was charged with espionage, a capital offence, and her case was transferred to the Specialized Criminal Court (SCC).<sup>5</sup> On 5 December, the SCC sentenced Fatma al-Arwali to death.

### **RIGHT TO TRUTH, JUSTICE AND REPARATION**

Parties to the conflict failed to provide any justice for victims of crimes under international law and human rights violations

during the long-standing conflict or to remedy the harm they inflicted on civilians.

On 26 July, over 40 Yemeni civil society organizations and victims' and survivor associations launched the Yemen Declaration for Justice and Reconciliation. The Declaration emphasized the need for a post-conflict justice process to actively and adequately address the grievances of the Yemeni people. It also laid out principles to guide the post-conflict justice process, which included a victim-centred approach, inclusivity, gender equality, truth and memorialization, redress and reparations, accountability, reconciliation, and the centring of human rights.

## RIGHT TO A HEALTHY ENVIRONMENT

Extreme weather conditions across Yemen, including heavy rains and flooding, exacerbated internal displacement in areas that included Ma'rib, Ta'iz and Ibb governorates, and increased food and livelihood insecurity. Following April floods, at least 31 people died, 37 were injured and three were reported missing, according to the UN Food and Agriculture Organization. According to the United Nations Population Fund, between January and August, climate-induced displacement affected 109,830 individuals. Yemen was listed as one of the most vulnerable countries to climate change, and one of the least prepared for its shocks, based on its ND-GAIN (the Notre Dame Global Adaptation Initiative) index score.

The mismanagement of oil infrastructure in Shabwa governorate continued to pollute al-Rawda district. In August, further damage to the oil supply pipeline polluted large areas of agricultural land and groundwater sources in the Ghourayr area of the governorate.

On 11 August, the UN completed the transfer of oil from the FSO *Safer*, a decaying oil supertanker moored off Yemen's port city of Hodeidah in the Red Sea, into a replacement vessel. The transfer prevented a massive oil spill that would have resulted in an environmental and humanitarian catastrophe.

1. "Yemen: Further information: Four journalists on death row released", 17 April
2. "Yemen: Parties to the conflict should immediately release all those arbitrarily detained and reveal the fate of those forcibly disappeared since the beginning of the armed conflict in Yemen in 2014", 17 April
3. "Yemen: Further information: 11 Baha'is forcibly disappeared at great risk", 8 August
4. "Yemen: Wave of arrests by Huthi de facto authorities following demonstrations", 29 September
5. "Yemen: End unfair trial against woman human rights defender Fatma al-Arwali", 25 September

# ZAMBIA

## Republic of Zambia

**The government committed to reforming the Public Order Act. The rights to freedom of expression, peaceful assembly and association continued to be violated. The Access to Information Bill was introduced to parliament. Rising prices threatened the right to food. The government made partial progress in fulfilling its promise to provide free education for children. High rates of early and child marriage persisted, despite legislation outlawing the practice. Extreme weather events and business activities undermined the right to a healthy environment.**

## FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

Steps were taken to amend the Public Order Act (POA), following a review of its provisions by the Zambia Law Development Commission (ZLDC), a semi-autonomous statutory body. The ZLDC presented its review along with the Public Gathering Bill – which is intended to repeal and replace the POA – to the minister of home affairs and internal security for his consideration. For years, successive governments have used the POA to restrict the rights to freedom of expression, peaceful assembly and association of civil society organizations and opposition political parties. Section 5(4) requires that anyone intending to assemble or convene a public meeting, procession or demonstration gives the police

seven days' notice. While formal approval from the authorities is unnecessary, the police have interpreted the provision to mean that permission is required, and have used it to target and arrest peaceful protesters or refuse to grant permission for protests. If adopted in its current form, the Public Gathering Bill could go some way to protecting the rights to freedom of expression, peaceful assembly and association.

In March, President Hichilema publicly reiterated his government's commitment to protect human rights, including by reforming the POA.

On 4 March, the NGO, Sistah Sistah Foundation, led a march in the capital, Lusaka to protest against the increase in sexual and gender-based violence. Between 6 and 7 March, police detained three foundation members and another protester on charges under POA provisions of unlawful assembly and giving the police false information, although the police had granted the organization a permit to proceed with the march. The police claimed that the demonstration's purpose was to "promote LGBTI rights", which differed from its stated aim. The members were released on police bond but their cases were pending further police investigation.

On 29 September, Elias Gabriel Banda, a youth activist and former president of the University of Zambia (UNZA) student union, was arrested in connection with student riots at the UNZA on 18 and 19 September. The accusations against him related to statements he posted on social media in early September. Following public demands for his release, he was freed on bail after seven days, and charged with criminal trespass and inciting violence. He was awaiting trial at the end of the year.

In October, the Independent Broadcasting Authority, a government body with a mandate to grant, renew, and suspend or cancel broadcasters' licences, made an official written complaint to the Hot FM radio station. The complaint concerned an interview in which historian Sishuwa Sishuwa spoke of a

"growing public perception" that the president apparently considered himself "primarily as the leader of... one half of the country, mainly [those in ruling United Party for National Development strongholds]".

## **RIGHT TO INFORMATION**

The Access to Information Bill was introduced to parliament in November, following cabinet approval. If implemented, it could enhance the public's access to information, promote transparency and accountability, and allow for more active participation in governance processes.

## **ECONOMIC AND SOCIAL RIGHTS**

The International Monetary Fund agreed in August 2022 to provide Zambia with a USD 1.3 billion bailout loan, after the country defaulted on its debt repayments in November 2020. The loan, to be paid in instalments, came with stringent conditions, including that Zambia reach agreement with all official creditors on debt restructuring. By the end of 2023, only USD 188 million of the loan had been received. The shortfall led to substantial public spending cuts, placing additional financial burdens on people. Although the government increased the healthcare budget, this fell short of what was needed to ensure adequate access to health rights. A deal to restructure the debt was reached in principle in June but in November creditors rejected the deal, which, along with the increasing cost of food, electricity and medicine, further undermined the government's ability to fulfil obligations relating to economic and social rights.

Despite cuts, the increase in the 2023 social protection budget to the equivalent of USD 347,474 from USD 270,258 in 2022, was expected to contribute to the effective implementation of schemes to reduce poverty and inequality. These included: the social cash transfer scheme, which entitles households to monthly payments if they have, for example, elderly members, people with severe disabilities or who are chronically ill, or households headed by a child or a woman with at least four children; the

provision of food aid; and public service pension funds. These positive measures were somewhat negated by the adverse economic impact on the would-be beneficiaries of monthly increases and fluctuations in fuel prices, leading to an inflation rate of 9.9% in July, up from 9.7% in June. This contributed to increases in the already high cost of living, undermining residents' ability to afford essential goods and services.

#### **RIGHT TO FOOD**

While food prices were prohibitive for most people, the rising costs particularly affected the 54.7% of the population who were already living in poverty. According to the Jesuit Centre for Theological Reflection, the cost of roller mealie meal – a dietary staple – had increased by nearly 21% in September compared to the same month in 2022.

#### **RIGHT TO EDUCATION**

The government's Free Education Programme, which benefitted children of primary school age, was rolled out in January. Education facilities were improved, as were teacher/pupil ratios when an extra 4,500 teachers were recruited. However, there was only one teacher per 80 learners, according to ActionAid Zambia, whereas Ministry of Education guidelines required a ratio of at least one teacher per 40 learners. Increased enrolment in rural schools meant that teachers were forced to take up roles for which they were unqualified.

#### **WOMEN'S AND GIRLS' RIGHTS**

Early and child marriage persisted despite the enactment of the Children's Code Act No. 12 in 2022, under which the practice is prohibited. According to UNICEF, 29% of women aged between 20 and 24 were married below the age of 18. Teenage pregnancy, which affected 29% of all teenage girls and women, was a main cause. Rates of early and child marriage were higher in rural areas, particularly in Katete district, in the Eastern Province.

#### **RIGHT TO A HEALTHY ENVIRONMENT**

The country experienced extreme weather events during the 2022/2023 rainy season.

Areas affected by flooding included the Mazabuka, Monze, Choma, Sinazongwe and Namwala districts in the Southern Province; Mambwe, Lusangazi and Chama districts in the Eastern Province; and Mumbwa district in the Central Province. The Disaster Management and Mitigation Unit, a statutory body, reported that over 400,000 people were affected. Five people died and 10,000 were displaced into temporary camps. There was widespread damage to homes, farmland and livestock; many people had no access to healthcare and education when heavy rain destroyed key infrastructure.

In August, the government amended the Environmental Management Act No. 8 of 2023 with the aim of improving environmental protection and conservation measures in relation to the use of natural resources and waste management. It also provided greater penalties for those not adhering to its regulations.

In November, the minister of green economy and environment, accompanied by Environmental Management Agency officials, inspected forestry and mining activities in the Copperbelt in the Central Province. They found that six gold processing companies operating plants in Mumbwa district – Asal Trading Company; Zoncor Mining Company Limited; Mutumba Women's Club (Gold processing plant); Gazi Company Limited; PuleRay Company Limited; and Orezone Mining and Exploration Limited – had flouted Environmental Management Act provisions, including by releasing untreated wastewater, thereby polluting the environment. In the same month, the government ordered them to cease their operations on grounds that they lacked written approval from the Environmental Management Agency.

## **ZIMBABWE**

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### **Republic of Zimbabwe**

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**The rights to freedom of expression, association and peaceful assembly were severely restricted, particularly during the**

**election period. Opposition members, or those associated with the opposition, bore the brunt of the widescale repression of dissent, including arbitrary detention and prosecution. New legislation imposed further restrictions on and harsh penalties against activists and critics. Plain-clothes state agents abducted political activists, tortured them, and killed one man. At least one activist was reportedly killed by ruling party supporters. The authorities took measures to control the spread of a cholera outbreak which killed at least 100 people and affected thousands more. Women and girls were denied their right to sexual and reproductive health. New legislation went some way to addressing children's need for protection.**

## **BACKGROUND**

President Emmerson Mnangagwa won a second term in office in the general elections, which took place on 22 and 23 August, and in which the electorate also voted for legislators and local authority representatives.

## **REPRESSION OF DISSENT**

The rights to freedom of expression, association and peaceful assembly continued to be threatened, especially during the general election period. Members of the main opposition party, the Citizens Coalition for Change (CCC), were the main targets of repression.

Just over one month before election day, the president signed into law the Criminal Law (Codification and Reform) Amendment Act, 2022. It failed to meet the requirements of legality, proportionality and necessity in relation to the imposition by the authorities of penalties like loss of citizenship and the death penalty against people simply for peacefully exercising their human rights. It heightened the risk of arbitrary detention against those who expressed dissenting views, and contained overly broad provisions that criminalized participation in meetings.

University of Zimbabwe students Benjamin Watadza, Emmanuel Chitima, Comfort Mpofu, Lionel Madamombe, Gamuchirai

Chaburumunda and Darlington Chigwena were all arrested at different times between 17 May and 8 June for staging a peaceful protest in the capital, Harare. They were demonstrating against the prolonged detention and other persecution of opposition politicians, including Job Sikhala (see below, Arbitrary detention and unfair trials). They were charged with disorderly conduct under section 41 of the Criminal Law (Codification and Reform) Act, and released from custody on various dates between 5 and 24 July.

On 23 August, security force agents arbitrarily arrested about 40 staff members of the civil society organizations the Election Resource Centre and the Zimbabwe Election Support Network. The arrests were connected to the publication of a report by the Zimbabwe Human Rights NGO Forum detailing the electoral irregularities it observed on 23 August. After their arrests, police seized their mobile phones, and forced them to lie face-down for three hours. They were held incommunicado at Harare Central Police Station for two days, denied access to their lawyers or family members in contravention of provisions under the constitution and international standards of fairness. On 25 August, they were charged with contravening section 66 of the Electoral Act as read with the Criminal Law (Codification and Reform) Act and released on bail of USD 200 each. The authorities alleged that they had attempted to announce the election results ahead of the Zimbabwe Electoral Commission's official announcement.

Suspected state agents were responsible for a series of abductions of CCC activists, during and after the election. On 26 August, plain-clothes agents disrupted a CCC conference, and attempted to arrest party spokesperson Promise Mkwanzani. This was followed by a series of abductions, again by alleged state agents, including of city council member Womberaishu Nhende and his friend Sonele Mukhuhani who were tortured before being dumped on the outskirts of Harare on 2 September. On 23 October James Chidhakwa was abducted, tortured and injected with an

unknown substance; Takudzwa Ngadziore was abducted on 1 November; and Tapfumane Masaya was abducted on 11 November and his body was found dumped in Cleveland, Harare, on 13 November.

#### **ARBITRARY DETENTION AND UNFAIR TRIALS**

There was impunity for the arbitrary detention and prosecution of human rights defenders, political opposition members and supporters, activists, journalists and others expressing dissenting views. The authorities misused the justice system to silence peaceful dissent.

On 5 April, Fadzayi Mahere, a CCC MP and former party spokesperson, was convicted of publishing or communicating false statements prejudicial to the state under section 31 of the Criminal Law (Reform and Codification) Act and fined USD 500 after she posted a video on social media in January 2021 showing a woman struggling with a police officer while holding a motionless baby. Fadzayi Mahere handed herself over to the police on 11 January and was detained for seven days before being granted bail by a Harare magistrate.

On 28 April, Jacob Ngarivhume, the leader of opposition party Transform Zimbabwe, was convicted and sentenced to 48 months' imprisonment, 12 of which were suspended. He had been arrested in July 2020 for leading and organizing anti-corruption protests in the same month. He was accused of inciting public violence by using his Twitter (now known as X) handle to convene nationwide protests which were ultimately suppressed by security forces. On 11 December 2023, he was acquitted on appeal after spending eight months in prison.

Job Sikhala, former CCC MP for Zengeza West constituency, was convicted by a magistrates' court on 3 May on "obstruction of justice" charges almost a year after his arrest in June 2022, and ordered to pay a fine of USD 600. On 28 November, he was acquitted on appeal but remained in Chikurubi Maximum Security Prison in Harare pending his trial on separate charges of incitement to commit violence and disorderly conduct. The charge related to a speech he made at the wake of Moreblessing

Ali, who was abducted allegedly by a Zimbabwe African National Union – Patriotic Front (ZANU-PF) ruling party supporter in 2022. Her body was found three weeks later.

On 15 August, 40 CCC activists were arrested following an election campaign roadshow in Machipisa in Highfields, a township in Harare. They were charged with contravening provisions of the Maintenance of Peace and Order Act and released on bail on 24 August.

On 4 September, the authorities arrested Doug Coltart and Tapiwa Muchineripi, of Zimbabwe Lawyers for Human Rights, for advising the police that their clients, Womberaiishe Nhende and Sonele Mukhuhani, were in poor health and under medical review following their abduction and torture by state agents (see above, Repression of dissent). The lawyers were charged with "obstruction of justice", released on bail by the Harare Magistrates Court on 5 September and ordered to report weekly to Harare Central Police Station.

#### **UNLAWFUL ATTACKS AND KILLINGS**

Tinashe Chitsunge, a CCC activist, was reportedly stoned to death by ZANU-PF cadres in Glen View South, Harare, on 3 August. He was believed to have been attacked while trying to flee from a ZANU-PF mob who were attacking opposition activists at a rally.

CCC activist Vutisani Mushiya was admitted to Chiredzi hospital after being attacked in the town of Chiredzi South, on 4 August by suspected ZANU-PF supporters. He claimed that he was attacked in retaliation for his refusal to quit as chairperson of the Chilonga Irrigation Scheme in Chiredzi South after a ZANU-PF parliamentary candidate had tried to make him do so.

#### **RIGHT TO HEALTH**

The country grappled with a cholera outbreak, stemming primarily from a severe lack of clean water. As of late September, almost 7,000 suspected new cases were recorded, and by 9 October the death toll had reached 100. Zimbabwe faced recurring



cholera outbreaks exacerbated by poverty and inadequate infrastructure.

In the town of Chitungwiza, shortages of clean water forced residents to buy bottled water. Local activists urged the government to intervene, emphasizing the undue strain placed on local authorities to ensure better access to water and the high cost of water-treating chemicals. As the number of cholera cases increased, sewage management problems and ineffective refuse collection posed additional challenges, raising fears that the crisis would worsen with the approaching rainy season.

President Mnangagwa's pledge during his election campaign in July to implement a nationwide borehole-drilling programme to ensure greater access to clean water, remained largely unfulfilled due to the persistence of historical underinvestment and wealth disparities.

## **WOMEN'S AND GIRLS' RIGHTS**

The government failed to take measures to prevent and fully respond to the treatment needs of those suffering from obstetric fistula. Specifically, it did not develop an adequate policy framework or ensure adequate funding for maternal health, despite calls from civil society organizations to do so, and despite the issue being raised in parliament as a matter of national importance.

Gaps in the legal framework relating to access to sexual and reproductive health services for adolescents persisted. Parliament continued to fail to make the necessary amendments to the Public Health Act to allow health workers to provide sexual and reproductive health services to adolescents without their parents' consent. In addition, the cost of essential healthcare services proved prohibitive for many women and girls and there was a failure to provide comprehensive sex education in schools.

Teenage pregnancy remained prevalent, with 108 live births per 1,000 women and girls aged between 15 and 19. The government's pledge to reduce it to 100 per 1,000 women by 2022 was still unrealized in 2023. Maternal mortality remained high, with

462 deaths per 100,000 live births, according to the most recent statistics from the UN Population Fund.

Child marriage was common. An estimated 33% of women between the ages of 20 and 24 were first married under the age of 18.

The August election results did not bring any significant improvements to the under-representation of women in decision-making positions. Only six of the 26 cabinet members appointed in September were women. Of the 70 women who stood for election to National Assembly seats, only 22 were successful, compared to 637 men.

## **CHILDREN'S RIGHTS**

On 19 July, the Children's Amendment Act No 8 of 2023 was enacted. Positive provisions include the removal of all clauses that refer to anyone under the age of 18 as a young person, defining them instead as children in line with the constitution.

# THE STATE OF THE WORLD'S HUMAN RIGHTS

APRIL 2024

Each year, Amnesty International documents the state of the world's human rights. Our research reveals that, across the world, authorities continue to assault universal freedoms. States and armed groups are breaking and bending the rules of war and racism lies at the heart of some armed conflicts and the responses to them. Economic crises, climate change and environmental degradation have disproportionately affected marginalized communities. Human rights defenders campaigning for the rights of these communities are targeted as part of a wider repression of dissent. The backlash has intensified against the rights of women and girls and LGBTI people. Incitement to hatred and other harmful content posted online against some racialized groups have increased. Meanwhile, advances in artificial intelligence are used to limit freedoms and violate human rights.

This report documents human rights concerns during 2023 in 155 countries, connecting issues at global and regional levels and looking forward to the implications for the future. It calls for action and shows what steps governments and others can take to meet these challenges and improve people's lives across the world. It makes essential reading for government leaders, policymakers, advocates, activists and anyone interested in human rights.

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