AMNESTY INTERNATIONAL REPORT 2020/21

THE STATE OF THE WORLD'S HUMAN RIGHTS

AMNESTY INTERNATIONAL

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This report documents Amnesty International's work and concerns through 2020.

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United Kingdom 378
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ABBREVIATIONS

ASEAN
Association of Southeast Asian Nations

AU
African Union

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

COVID-19
Coronavirus disease-19

ECOWAS
Economic Community of West African States

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

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

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

PPE
Personal protective equipment

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

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

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

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

In 2020, a mere cluster of molecules shook the whole world.

Smaller than can be seen by the naked eye, a very local virus unleashed with marked rapidity a global pandemic. Whatever will be proven to be its precise genesis, the coronavirus (COVID-19) and its mass casualties flourished in part thanks to our global milieu of deeper, broader inequalities within and between countries. It has been made far worse by austerity policies that weakened public infrastructure and public health systems; by international architecture enfeebled in form, function and leadership. And it has been made far worse under pressure from leaders of states who demonize and exclude, asserting archaic constructs of state sovereignty and peddling rejectionist approaches to science, evidence and universal norms.

These are exceptional times. But have we risen to meet their challenge?

Exceptional times oblige exceptional responses and demand exceptional leadership.

In 2020, exceptional leadership came not from power, privilege, or profits. It came instead from nurses, doctors, and health workers on the frontlines of life-saving services. It came from those who cared for older people. It came from technicians and scientists running millions of tests and trials, frantically searching for vaccines. It came from those who, bunched together more often at the very bottom of the income scale, worked to feed the rest of us; who cleaned our streets; cared for the bodies of the hundreds of thousands of deceased; repaired our essential services; patrolled our streets; drove what remained of our public transport.

In 2020, as so much of the world shut down, it was those people who stood up, who stood out. So too, those who stayed home in solidarity, if they had a home to live in, who maintained emotionally costly physical distance, and who cared for those around them.

But underneath that heroism, pandemic times laid bare the devastating consequences of abuse of power, structurally and historically. The COVID-19 pandemic may not define who we are, but it certainly has amplified what we should not be.

Seeing this clearly, again people stood up. They rose against inequality, they rose against police violence targeted disproportionately against Black people, against minorities, poor, and homeless people. They rose against exclusion, patriarchy, and the hateful rhetoric and cruel conduct of supremacist leadership.

The demands of the Black Lives Matter and #MeToo movements echoed the world over. Public protest against repression and inequality poured onto the streets from Belarus to Poland, Iraq to Chile, Hong Kong to Nigeria. So often, at risk to their own safety, it was the leadership of human rights defenders and social justice activists the world over that urged us on.

At times we caught glimpses of exceptional political leadership, often from women leaders, who took bold and difficult decisions to protect lives, sustain health systems, make the investments needed for immediate solutions to be found at unprecedented speed, and issue economic support desperately needed by those whose livelihoods had all but disappeared.

But the pandemic also amplified the mediocre and mendacious, the selfish and the fraudulent, among the world's political leaders.

As I write this, the richest countries have effected a near-monopoly of the world's supply of vaccines, leaving countries with the fewest resources to face the worst health and human rights outcomes and thus the longest-lasting economic and social disruption.

And as people die in their millions, and millions more lose their livelihoods, what are we to make of the fact that top billionaires' incomes have soared, that tech-giants' profits have escalated, that the stock markets across the world's financial centres have grown? Crucially, what are their proposals for shouldering their fair share of the pandemic burden; for ensuring an enduring fair and equitable recovery? In the early days of 2021, still their silence on this is unbroken.

How can it be that, yet again, this time under a pandemic, the global economy has meant that those who had the least gave the most?

2020 revealed, too, the weakness of international co-operation: a crumbling multilateral system acquiescent to the most powerful and providing feebly for the weakest; a system unable when not unwilling to scale up global solidarity. China's gross irresponsibility in the early days of the pandemic by suppressing crucial information was utterly catastrophic, while the US decision in the midst of the pandemic to withdraw from the World Health Organization (WHO) showed an egregious disregard for the rest of the world.

Paltry half-measures – such as the G20 decision to suspend debt repayments for 77 countries in 2020 while demanding that the money be repaid with interest later – threatened to entrench structural inequalities and economic hardship in the pandemic recovery, with grave consequences potentially for millions of people's economic and social rights.

After years of magisterial failure, 2020 provided only further evidence that our global political institutions are not fit for the global purpose they should serve.

The pandemic has cast a harsh light on the world's inability to co-operate effectively and equitably at the onset of a low-probability, high-impact global event. Therefore, we can scarcely avoid a sense of impending peril as, looking ahead, we contemplate a crisis of an altogether grander scale for which there is no vaccine – namely the climate crisis.

In 2020, millions of people suffered the catastrophic effects of extreme climate events. Disasters, exacerbated by global warming and climate instability, severely affected millions of people's enjoyment of rights to life, food, health, housing, water, and sanitation, among others: from prolonged drought in sub-Saharan Africa and India to devastating tropical storms sweeping across Southeast Asia, the Caribbean, Southern Africa and the Pacific, to the catastrophic fires that afflicted California and Australia. And in reply? The commitment by developed countries, under the Paris Agreement, to ensure at least US$100 billion worth of climate finance for developing countries by 2020 was simply not met. And States signally failed to put forward the commitments needed to meet the 2030 target of reducing global greenhouse gas emissions by half. A drastic change of course is required to avert a rise in the global temperature of more than 1.5 C over pre-industrial levels that would trigger irreversible consequences.

2020: 366 days that saw the fostering of lethal selfishness, cowardice, mediocrity, and toxic failures from xenophobia and racial hatred. 366 days that illustrated just how unchanged and how contemporary is the violent legacy of centuries of racism, patriarchy, and inequality. But 366 days that also gifted us rich sources of inspiration for our strength and resilience as a human family; days that showed people's determination to stand up for their rights and for a fair and a just recovery from the pandemic.

Exceptional times oblige exceptional responses and demand exceptional leadership. So what do we need to see, to create a world much more resilient to the huge challenges ahead of us?

The foundations for a sustainable, post-pandemic global society rest not merely on recovery. It requires accountability, human rights, and a rethink and reformulation of our relationship to our habitat, environment and the economy.

Immediately, authorities must work to accelerate production and delivery of vaccines for all. That is a most fundamental, even rudimentary, test of the world's capacity for co-operation: to think globally, act locally, and to plan for the long-term. This includes supporting a waiver to the World Trade Organization TRIPS agreement that will allow for much-needed expanded production of COVID-19 health products and ensuring pharmaceutical companies share their innovations and technology through open and non-exclusive licences and initiatives such as the WHO's COVID-19 Technology Access Pool (C-TAP).

Beyond that first step, recovery that "builds back better" will demand more than a reboot. It requires a reset that addresses the root causes of the crisis by protecting and respecting rights, indivisibly and universally.

Firstly, it requires an end to governments' agenda towards increasing "security" which, since 9/11, has driven a widespread suppression of civic space that has even expanded during the pandemic. That agenda, lending the false hue of normality to extraordinary executive and policing powers, now risks becoming permanent. It must be dismantled.

Secondly, fair and sustainable recovery demands resetting the world's public taxation regimes. Adequate taxation is a must to mobilize the resources needed to fulfil economic and social rights including our rights to health, education, and social security. Fair and human rights-compliant taxation of transnational profits will be key, as will be concerted efforts to end tax evasion and aggressive tax avoidance. States should put in place a new fossil fuel tax on the components of energy companies' profits and payments to shareholders derived from their fossil fuel business, in order to push shareholders and companies to move to renewable energy, and without imposing the main burden on consumers.

Short-sighted decision-making has no place in a post-pandemic society. So long as under-regulated, speculative, hyper-acquisitive investment in carbon-intensive assets dominates the global economy, the climate crisis will only deepen, carrying in its path multiple violations and accelerating us towards an irreversible singularity that imperils the very existence of the human family.

Thirdly, we must confront the reality that the sovereign nation state acting on its own for its own, is no better equipped to address these global challenges than is a bicycle handbrake to halt a passenger jet.

Reforming global governance and repurposing global institutions to strengthen and enable delivery on human rights is preconditional to robust

recovery. We cannot accept the "pick and choose" approach adopted by some states, who take their preferred cherries from the global governance cake while leaving behind the "inconvenient" ingredients of human rights, accountability, and transparency.

Fit-for-purpose global governance requires global scrutiny of how the international norms and standards of human rights are implemented for the prevention of genocide and crimes against humanity; of abuse of power and corruption; of ruthless censorship and suppression of dissent; and of discrimination, brute force and torture by those whose job it is to protect us.

The innovation, creativity and inventiveness that we need to find our way to sustainable resilient recovery demand that our freedoms be upheld, defended and protected, not curtailed. Global governance will not be fit for global purposes until and unless, systematic engagement with, valuing of, and respect for global civil society are woven deep into its operations. We must demand that. We must claim that. We must organize for that. And as civil society, we must ensure we are fit for that too.

2020 taught us, yet again, lessons that we ignore at the peril of generations to come: the interdependence of the human family; the universality of what "we, the peoples" require of governance in times of crisis, and just how indivisible is our own future from the future we are creating for our planet. It taught us again the essence, in other words, of human rights.

The question that remains to be answered is: will we be bold enough to see what must be done and courageous enough to get on and do it, at scale and at pace?

Agnès Callamard
Secretary General

AMNESTY INTERNATIONAL REPORT 2020/21

GLOBAL ANALYSIS AND REGIONAL OVERVIEWS

GLOBAL ANALYSIS

During 2020 the world was rocked by COVID-19. The pandemic and some of the measures taken to tackle it had a devastating effect on the lives of millions, but also revealed, and sometimes aggravated, existing patterns of abuses and inequalities. Some had roots in discrimination based on race, gender and other grounds, which often intersected and rendered certain populations uniquely vulnerable. Those abuses and inequalities were spotlighted and vigorously challenged by people-powered movements such as Black Lives Matter and women's rights campaigns, whose resilience led to a few hard-won victories. The pandemic threw into stark relief the human rights impact of years of political and financial crises and flaws in global systems of governance and co-operation, which some states exacerbated by shirking their responsibilities or attacking multilateral institutions. These dynamics were illustrated by trends in three areas: violations of the rights to life, health and social protection; gender-based violence and threats to sexual and reproductive rights; and repression of dissent.

Meanwhile, in both long-running and new conflicts, government forces and armed groups carried out indiscriminate and targeted attacks on civilians, killing thousands, and caused or prolonged mass displacement and humanitarian crises. Despite a few notable convictions for war crimes and crimes against humanity, impunity in times of war and peace remained the norm and, in some countries, the rule of law was eroded. Millions of people suffered from disasters exacerbated by the climate crisis.

The overall picture was of a world in disarray. However, by grounding measures aimed at recovery from the pandemic and other crises in human rights, leaders have an opportunity to resuscitate international co-operation and fashion a more just future.

LIVES, HEALTH AND SOCIAL PROTECTION

COVID-19 killed at least 1.8 million people worldwide in 2020. Health systems and social protection programmes, weakened by decades of underinvestment and a lack of preparedness, were ill-equipped to respond. Workers' incomes were hit by rising unemployment and inactivity, while the number of people facing acute food insecurity doubled to 270 million.

Governments failed to adequately protect health and other essential workers. Thousands lost their lives due to COVID-19 and many others were taken seriously ill due to shortages in personal protective equipment (PPE). Amnesty International documented allegations that state authorities harassed or intimidated health or other essential workers in the context of the pandemic in 42 out of the 149 countries it monitored; some faced reprisals, including arrest and dismissal, for raising concerns about safety or working conditions. Women health and care workers were particularly affected as they comprised 70% of the global workforce in the health and social sector, where they already experienced a significant gender pay gap.

Some government measures to tackle COVID-19 had a discriminatory impact on marginalized groups. Lockdowns and curfews led to particularly high numbers of workers in the informal economy losing their incomes without recourse to adequate social protection. Since they dominated the sector, women and girls were disproportionately affected. Another measure, the introduction of online-only education without ensuring access to appropriate technology, disadvantaged many learners from marginalized groups. Women primarily bore the burden of homeschooling, as well as other unpaid care resulting from closures of public services, including looking after sick relatives.

Furthermore, COVID-19 worsened the already precarious situation of refugees and migrants, trapping some in squalid camps or detention facilities and leaving others stranded by border closures. In 42 of the 149 countries Amnesty International monitored, there were reports of refugees and migrants being subjected to *refoulement*. While some governments took steps to release detainees to curb the spread of COVID-19, overcrowding and unhygienic conditions in places of detention endangered inmates. Continuing forced evictions (Amnesty International recorded allegations of these in 42 out of the 149 countries it monitored) increased people's exposure to the virus by making them homeless.

In many countries, ethnic minorities and Indigenous peoples had disproportionately high rates of infection and death, due in part to pre-existing inequalities and lack of access to health care. Political and religious figures stigmatized marginalized groups, blaming them for spreading the virus. Muslims in some South Asian countries and LGBTI people in several African and European ones were among the targets.

When COVID-19 was declared a pandemic, states consistently referred to the urgent need to contain, mitigate and defeat the pandemic while fully respecting human rights. While the World Health Organization's (WHO) COVAX facility represented a positive global initiative aimed at ensuring more countries could access vaccines, it was undermined by the non-participation of Russia and the USA, the hoarding of vaccines by rich countries and the failure of companies to share their intellectual property. More than 90 countries introduced export restrictions affecting items including medical equipment, PPE, pharmaceutical products and food.

Wealthy states also blocked adoption of a proposal at the World Trade Organization for a temporary waiver of intellectual property rights for COVID-19 products that was designed to facilitate universal access. Disagreement in the UN Security Council between the USA and China over reference to the WHO delayed the passing of a resolution on a global ceasefire to support the COVID-19 response for three months. While the G20 agreed a limited suspension of debt payments from the poorest countries, it fell far short of delivering its own stated aim of a co-ordinated large-scale response.

To reaffirm international co-operation and meet their human rights obligations, all governments should ensure COVID-19 vaccines are available and accessible to everyone and make them free at the point of care. They should also support the development of a global social protection fund grounded in human rights standards. Rich countries and international financial institutions should ensure that all states have the resources needed to respond to and recover from the pandemic, including through the suspension and cancellation of debt.

GENDER-BASED VIOLENCE

New legislation to counter violence against women and girls passed in Kuwait, South Korea and Sudan. Some countries, including Croatia, Denmark, the Netherlands and Spain, took steps to improve their rape laws to make them consent-based. In several African countries there were unprecedented judicial developments aimed at ending impunity for rape and other sexual violence in peace and conflict. The African Union looked set to prepare a new regional treaty to combat violence against women. However, implementation of the Istanbul Convention, the Council of Europe's equivalent, was obstructed in three member states.

In practice, gender-based violence, including "honour" killings and caste-based, domestic and sexual violence, remained shockingly high worldwide and authorities generally failed to take adequate action to prevent it, prosecute perpetrators and grant survivors access to remedies. Some authorities themselves carried out violence by, for example, punishing women for perceived transgressions of Islamic law or subjecting men to anal testing amounting to torture.

Long-standing discrimination in law and practice underpinned the violence and manifested itself in other ways. Amnesty International recorded allegations of LGBTI individuals being

arrested or taken into detention in 2020 because of their sexual orientation or gender identity in 24 out of the 149 countries it monitored.

The situation was exacerbated by COVID-19 control measures. Support organizations across the world reported a marked increase in gender-based and domestic violence; many women and LGBTI people were confined with abusers under lockdown. Some governments took emergency steps to assist survivors. However, many others classified support for them, including sexual and reproductive health and counselling services, as non-essential, leading to their suspension during lockdowns.

Some jurisdictions categorized abortion care in the same way, disproportionately impacting marginalized groups. Others, on the contrary, adopted progressive policies such as allowing access to abortion pills through telemedicine to mitigate the risk of infection. In positive developments outside the context of the pandemic, abortion was decriminalized in Argentina, Northern Ireland and South Korea. Nevertheless, abortion remained criminalized in most countries in the Americas and a judicial decision further restricted access to it in one EU state.

At the international level, UN states marked the 25th anniversary of the Beijing Declaration and Platform for Action by adopting a welcome political declaration to reaffirm commitments to advance women's human rights and eliminate "all forms of violence and harmful practices against all women and girls". However, they did not include any explicit reference to sexual and reproductive health and rights. Separately, some governments sought to undermine the existing consensus around women's rights and gender equality by continuing attempts to remove "sexual and reproductive rights" from long-standing international commitments.

Governments must take urgent concerted action to stop the backlash against the rights of women and LGBTI people and implement concrete measures to achieve gender justice. They must also translate global initiatives such as the Beijing Declaration and Platform for Action and the Women, Peace and Security agenda into concrete measures to eliminate gender-based violence, address its root causes, including discrimination, and guarantee sexual and reproductive health and rights for all.

REPRESSION OF DISSENT

Many governments repressed dissent and otherwise restricted civic space. In response to protests against unaccountable rulers, the erosion of social and economic rights and structural racism (such as those led by the Black Lives Matter movement), security forces misused firearms and less lethal weapons including tear gas, unlawfully killing hundreds and injuring many more. They also targeted human rights defenders, journalists and political opponents with intimidation and arbitrary detention. Some had exposed corruption or human rights violations. Some were pursued in the context of elections marred by credible allegations of fraud or restrictions on basic freedoms. Women human rights defenders often faced additional risks due to their gender.

In a few countries, particularly in Asia and the Middle East and North Africa, authorities prosecuted and even imprisoned human rights defenders and journalists using vaguely worded charges such as spreading misinformation, leaking state secrets and insulting authorities, or labelled them as "terrorists". Some governments invested in digital surveillance equipment to target them. Some hamstrung the operations of human rights organizations, including Amnesty International. In Latin America and the Caribbean, which remained the most violent region for human rights defenders, scores were killed by criminal groups in actions linked to the state or business interests.

Some authorities in the Americas and the Middle East and North Africa issued legislation criminalizing commentary related to the pandemic and subsequently prosecuted people for spreading false news or obstructing government decisions. Others in Europe conflated the

public health crisis with national security concerns, rushing through national security legislation or bolstering, or threatening to bolster, surveillance capabilities.

To enforce restrictions on assemblies during the pandemic, many governments imposed blanket bans on demonstrations or used unlawful force, particularly in Africa and the Americas. Furthermore, authorities punished those who criticized government actions on COVID-19, exposed violations in the response to it or questioned the official narrative around it, particularly in Asia and the Middle East and North Africa. Hundreds were detained arbitrarily and, in some cases, charged and prosecuted. In some countries, the government used the pandemic as a pretext to clamp down on unrelated criticism.

At the international level, progress was made at the UN Human Rights Council to address human rights crises such as those in Libya, Venezuela and Yemen, by creating, maintaining and enhancing investigative mechanisms that could contribute to criminal prosecutions. UN member states failed, however, to deliver a credible response to repression of dissent and other patterns of grave human rights situations in countries including China, Egypt and India. Some governments fuelled the problems by continuing to sell crowd control equipment and munitions to states that were highly likely to use them to commit violations of international law in law enforcement, as well as conflict, situations. Several flagrantly violated UN Security Council arms embargoes.

International Criminal Court (ICC) investigations were opened on Afghanistan and continued on Myanmar/Bangladesh. Preliminary examinations were concluded on Nigeria and Ukraine, with the Prosecutor announcing her intention to seek investigations into alleged war crimes and crimes against humanity. The Prosecutor also sought a ruling on the scope of the ICC's territorial jurisdiction in the Occupied Palestinian Territories, with a view to opening an investigation.

However, powerful states continued to seek to block accountability for, and undermine collective responses to, other patterns of serious human rights violations. The USA imposed sanctions on employees of the ICC. UK obstructionism was a dominant factor in the Office of the Prosecutor's regrettable decision not to open an investigation into allegations concerning the UK military in Iraq. China and Russia attacked the international human rights framework and independent UN human rights monitors. Continuing political deadlock at the UN Security Council hamstrung its ability to respond in a timely and effective way to human rights crises.

More broadly, various governments hampered the engagement of civil society actors with the UN through reprisals and intimidation. The UN's human rights mechanisms and institutions also faced a funding and liquidity crisis caused by late or non-payment of contributions by member states. The challenges were compounded by the pandemic.

To build a future where the institutions mandated to protect international law can effectively prevent, respond to and pursue accountability for repression of dissent and other patterns of grave human rights violations, all states should strengthen and fully finance the UN's human rights mechanisms and institutions. They should also fully co-operate with the ICC on ongoing cases and call out political interference.

AFRICA REGIONAL OVERVIEW

If there was ever a glimmer of hope that 2020 would see a break in the cycle of armed conflicts in Africa, continued fighting in several war-torn countries dashed any cause for optimism. The 2013 pledge by African leaders to "silence the guns" by 2020 remained unrealized. Instead, the sound of gunfire grew louder, claiming thousands of lives in the process.

Serious violations and abuses of international humanitarian and human rights law remained common features of conflicts. From the 10-year conflict in northeastern Nigeria to the newly erupted conflict in the Tigray region of Ethiopia, security forces, armed groups and militias committed atrocities with impunity.

The devastating impact of conflict was compounded by the COVID-19 pandemic, as well as locust invasions and climatic shocks. These converging factors took their toll on populations, revealing deep seated barriers to, and structural fissures within, systems for the protection of human rights. The pandemic particularly exposed the deplorable conditions of public health care as well as inequalities in access to basic socio-economic rights. Meanwhile lockdowns and curfews increased the risk of sexual and other gender-based violence which targeted women and girls while survivors struggled to access legal aid, justice, and health care. On the positive side, there were some notable advances in the protection of women and girls from discrimination, ranging from the first ever marital rape conviction in Eswatini to criminalization of female genital mutilation (FGM) in Sudan.

Governments used excessive force to enforce COVID-19 regulations and to break up protests. The pandemic also served as a pretext for governments to escalate crackdowns and the repression of dissent. Meanwhile, elections were characterized by widespread human rights violations.

ARMED CONFLICT AND ATTACKS ON CIVILIANS

Conflicts with armed groups and attacks on civilians continued or escalated in most parts of the region. Armed groups maintained a foothold in West Africa and the Sahel region, attacking civilians in Burkina Faso, Mali, Niger and Nigeria. In response, state security forces also committed grave human rights violations against civilians. In Central Africa, armed groups blighted many lives in Cameroon, the Central African Republic (CAR) and Chad. In Southern Africa, the long simmering violence in Mozambique's Cabo Delgado province intensified, becoming a full-blown armed conflict. The Great Lakes and Horn of Africa regions remained home to protracted conflicts. In the Democratic Republic of the Congo (DRC), Somalia, South Sudan and Sudan, conflicts continued to fester, albeit with varying degrees of intensity and geographical coverage. A new conflict flared in the Tigray region of Ethiopia, a country also plagued by communal violence.

Between February and April, governments in Burkina Faso, Mali and Niger increased military operations to fight armed groups. In the process, security forces committed serious human rights violations against civilians, notably extrajudicial executions and enforced disappearances. In Nigeria, government forces launched indiscriminate attacks in the context of the conflict in the Northeast. In one such incident, at least 10 children and seven women were killed when the Air Force bombed a village in Borno state.

In Mozambique, by September, 1,500 people had been killed in the conflict in the Cabo Delgado province. While armed groups beheaded civilians, burned houses, looted villages and abducted women and girls, security forces arbitrarily detained, forcibly disappeared, tortured and extrajudicially

executed alleged armed groups members or sympathizers.

In Somalia, the US military's Africa Command (USAFRICOM) continued to use drones and manned aircrafts to carry out more than 53 airstrikes during the year. Two airstrikes in February killed two civilians and injured three others. In South Sudan, sporadic clashes between parties to the armed conflict continued. Soldiers looted civilians' belongings, burned villages and destroyed properties, including hospitals, churches and schools.

In Burkina Faso, clashes between armed groups, and attacks against civilians, often along ethnic lines, continued. Attacks and killings by different armed groups took place in villages, mosques and cattle markets in the Northern, Sahel and Eastern regions of the country. In Mali, dozens of civilians were killed by various armed groups, especially in the central regions. Notably, in July, gunmen thought to be affiliated with the Group for the Support of Islam and Muslims, attacked several villages in the Tori and Diallassagou communes, killing at least 32 civilians. In Nigeria, Boko Haram was responsible for more than 420 civilian deaths and continued to recruit child soldiers and abduct women and girls.

The crisis in the Anglophone region of Cameroon continued unabated. Separatist armed groups targeted people perceived as government supporters. A new low in October saw gunmen kill eight school children and injure several others in the South-West region. In the Far North region, the armed group Boko Haram continued to carry out hundreds of attacks targeting civilians.

Inter-communal violence intensified in Ethiopia. In November, at least 54 people from the Amhara ethnic group in Gawa Qanqa village in Guliso District of West Welega Zone were killed in an attack by suspected members of the Oromo Liberation Army, an armed group. In the same month, an armed conflict erupted in the Tigray region and scores of ethnic-Amhara residents, likely hundreds, were massacred in Mai-Kadra town on 9 November. This attack was carried out by local militia.

In Niger, armed groups, including the Islamic State in the Greater Sahara (ISGS), targeted civilians and humanitarian workers. In June, 10 humanitarian workers were abducted by gunmen in Bossey Bangou in the Tillabéry region while in August, seven humanitarian workers were killed by ISGS members at the Kouré giraffe reserve. Similar violations were recorded in CAR where there were 267 attacks against aid workers, resulting in two deaths. In Mali, attacks by armed groups extended to UN personnel, two of whom were killed.

Al-Shabaab continued to target civilians and civilian infrastructure in Somalia. In August, it detonated a car bomb in a beachside hotel in the capital, Mogadishu, killing at least 11 people and injuring 18 others. In South Sudan, fighting between ethnic groups and clans surged, resulting in the killing of at least 600 people and 450 injuries and the displacement of thousands more.

All parties to armed conflicts should immediately end indiscriminate or targeted attacks on civilians, non-combatants or civilian infrastructure. The African Union (AU), the UN and member states need to enhance pressure for protection of civilians and respect of international law during conflicts.

IMPUNITY

Impunity for crimes under international law and other serious human rights violations and abuses remained pervasive. In conflict countries, the pursuit of justice presented a mixed picture of progress undercut by retrogressive steps taken by governments.

CAR's criminal court of Bangui convicted five leaders of the armed group Anti-Balaka of war crimes and crimes against humanity in February while the Special Criminal Court confirmed in September that 10 cases were under investigation. Yet several armed group leaders continued to hold roles in

government while their members committed human rights abuses.

In DRC, the North-Kivu operational military court sentenced Ntabo Ntaberi alias Sheka, leader of the militia group Nduma Defence of Congo, to life imprisonment for crimes against civilians in North-Kivu between 2007 and 2017. Charges included rape of some 400 women, men and children in 2010.

In South Sudan, civilian and military courts convicted several soldiers of conflict-related sexual violence. At the same time, there was no discernible action to establish the Hybrid Court for South Sudan, provided for in the 2015 and 2018 peace agreements. Moreover, the President appointed a former opposition commander suspected of widespread conflict-related sexual violence as governor of Western Equatoria state.

ICC

There were new developments at the ICC concerning several country situations, including Mali, Nigeria and Sudan.

In June, Ali Muhammad Ali Abd-Al-Rahman (also known as Ali Kushayb), a former Sudanese senior militia commander, surrendered to the ICC after 13 years spent evading justice for crimes against humanity and war crimes allegedly committed in Darfur. However, by the year's end, the Sudanese authorities had failed to hand over former President al-Bashir and two others to the ICC to answer allegations against them.

In July, the trial of Al Hasan ag Abdoul Aziz ag Mohamed before the ICC began. He is accused of crimes against humanity and war crimes committed in Timbuktu while he was a member of the Ansar Eddine, an armed group which controlled the city during the Islamist occupation of northern Mali between 2012 and 2013.

In December, the Office of the Prosecutor of the ICC concluded a 10-year preliminary investigation into crimes against humanity and war crimes allegedly committed by Boko Haram and Nigerian security forces. It decided it will request authorization to open a formal investigation.

Developments connected to the 1994 genocide in Rwanda included the arrest, in France during May, of Félicien Kabuga, suspected chief financier of the genocide, and his transfer in October to the custody of the International Residual Mechanism for Criminal Tribunals (IRMCT) in The Hague. Also in May, the IRMCT's Chief Prosecutor confirmed that Augustin Bizimana, indicted by the International Criminal Tribunal for Rwanda in 2001 for genocide, had died in 2000 in the Republic of the Congo.

African governments must re-commit to the fight against impunity by undertaking thorough, independent, impartial, effective, and transparent investigations into crimes under international law and by bringing suspected perpetrators to justice.

REPRESSION OF DISSENT AND FREEDOMS

In a region where state overreach and repression were already major concerns, 2020 saw the situation worsen. Governments took advantage of the COVID-19 pandemic to intensify restrictions on the rights to freedom of expression, peaceful assembly and association. In almost every country monitored, states of emergency were imposed to curb the spread of COVID-19. However, these measures were frequently used to violate human rights, including by security forces using excessive force to enforce them.

Crackdowns on human rights in the context of elections also deepened. While 22 elections were scheduled to take place, several were postponed or suspended. Those that went ahead took place in a climate of fear and formed the backdrop for widespread human rights violations.

EXCESSIVE USE OF FORCE

The use of excessive force to enforce COVID-19 regulations was common. In many instances, such force led to deaths and injuries, including in Angola, Kenya, South Africa, Togo and Uganda.

In Angola, a 14-year-old boy was among dozens of people shot dead by the police. In Kenya, at least six people, including a 13-year-old boy, died from police violence in the first 10 days of a nationwide curfew. While the President publicly apologized, police excesses continued throughout the year.

In Rwanda, an outcry on social media prompted the President and the Minister of Justice to condemn police violence in curfew enforcement and promise accountability. In Uganda, security forces killed at least 12 people, including an 80-year-old woman. In South Africa, the death of Collins Khosa after he was brutally beaten by military and police officers enforcing a national lockdown reflected a longstanding concern about the security forces' use of excessive force.

CRACKDOWN ON PEACEFUL PROTESTS

Security forces continued to unleash violence on peaceful protesters. In Ethiopia, security forces used excessive force to break up protests, killing hundreds of people. In June, the violent dispersal of protests triggered by the killing of a renowned Oromiffa musician, led to at least 166 deaths in Oromia alone. In August, security forces killed at least 16 people following protests over the arrest of zone administration officials, community leaders and activists in Wolaita zone.

In Nigeria, the #EndSARS protests led to the dissolution of the Special Anti-Robbery Squad (SARS), a police unit notorious for human rights violations. But this came at a heavy price when, in October, at least 56 people were killed nationwide as security forces attempted to control or stop the protests. Among the dead were 12 killed after the military opened fire on protesters at the Lekki Toll Gate in Lagos city.

In Guinea, seven people were killed in May during demonstrations against the security forces' enforcement of COVID-19 movement restrictions. Many more died during demonstrations against a bid to change the Constitution to allow President Conde to run for a third term. On 22 March, the day of the constitutional referendum, 12 demonstrators were killed, nine of them by gunfire. In the days following the October presidential election, security forces killed at least 16 people while they protested the results.

Crackdowns on protests took other forms, including unlawful bans, judicial harassment and arbitrary arrests. In Burkina Faso, several protests were arbitrarily banned or stopped, including a January sit-in outside the Ouagadougou Court that had been organized to demand justice for the killing of 50 people by an armed group in 2019. In Côte d'Ivoire, dozens of people were arbitrarily arrested in August for having participated in demonstrations against President Ouattara's running for a third term. In Cameroon, authorities issued a nationwide ban on demonstrations after the opposition Cameroon Renaissance Movement (MRC) called for street action against the government's decision to hold regional elections in December. On 22 September, at least 500 MRC supporters who turned up for protests were arbitrarily arrested.

On a positive note, Uganda's Constitutional Court in March nullified parts of the Public Order Management Act which had given police excessive powers to prohibit public gatherings and protests.

ATTACKS ON HUMAN RIGHTS DEFENDERS AND OPPOSITION ACTIVISTS

Even amid a pandemic, attacks on human rights defenders and opposition activists did not relent. This was particularly the case in countries that held or headed towards elections, like Burundi, Côte d'Ivoire, Guinea, Niger, Tanzania and Uganda.

In Burundi, more than 600 opposition party members were arrested before and during election day on 20 May. In Niger, a wave of arrests of political activists preceded the December presidential election. In Tanzania, at least 77 opposition leaders and supporters were arrested and arbitrarily detained in the aftermath of the October elections. Before the Tanzanian elections, authorities had suspended the activities or frozen the bank accounts of several human rights NGOs.

Elsewhere, human rights defenders were abducted, forcibly disappeared or killed. In Mali, an anti-corruption activist was abducted by hooded intelligence service agents and detained incommunicado for 12 days. Spurious charges brought against him were later thrown out by a court. In Mozambique, security forces arrested two activists who were later found dead along with another 12 civilians. Meanwhile, community radio journalist Ibraimo Abú Mbaruco was forcibly disappeared by army officers; his whereabouts were unknown at the end of the year.

In Niger, South Sudan and Zimbabwe, human rights defenders and activists exposing allegations of corruption and demanding accountability were particularly targeted. In Zimbabwe, the criminal justice system was misused to persecute investigative journalist Hopewell Chin'ono, among other human rights defenders.

A few positive developments were recorded. A Ugandan High Court ordered the release of Stella Nyanzi for wrongful conviction and violation of her human rights, in February, days before she had completed an 18-month prison sentence after a magistrate's court found her guilty of the cyber harassment of the President. In June, the Burundian Supreme Court set aside an appeal court decision upholding Germain Rukuki's conviction and ordered a fresh hearing of the appeal.

MEDIA FREEDOM

Repression of dissent was also manifest in governments' curtailment of media freedom. In Mozambique, unidentified assailants firebombed the offices of independent newspaper, *Canal de Moçambique*, around the same time that the authorities issued trumped-up charges against two of the paper's senior staff members. In Tanzania, newspapers and broadcasting stations critical of the government were penalized, suspended or banned. Regulations on radio and television broadcasting were also amended to limit international media coverage of the elections.

In Togo, a new Press and Communication Code passed in January provided for journalists to be punished with hefty fines for insulting government officials. In March, two newspapers were suspended for running a story about the French ambassador. A third newspaper was suspended for criticizing the suspensions. Journalists, including in Niger and the Republic of the Congo, were also harassed for criticizing the governments' response to COVID-19.

In a positive development, Somalia's Attorney General established the office of a Special Prosecutor to deal with crimes against journalists.

Governments must ensure that security forces act in accordance with international human rights standards on the use of force and firearms and that cases of excessive use of force are promptly, thoroughly, independently and transparently investigated and suspected perpetrators brought to justice.

They must respect the rights to freedom of expression and peaceful assembly, release all those arbitrarily detained, and carry out prompt, effective and transparent investigations into reports of excessive use of force against protesters, bring to justice suspected perpetrators and ensure access to justice and effective remedies for victims.

They must end harassment and intimidation of human rights defenders and immediately and unconditionally release those who are detained or imprisoned.

Governments must respect media freedom and ensure that media outlets are free to operate independently, and that media practitioners are able to carry out their job without intimidation, harassment and fear of reprisals.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

RIGHT TO HEALTH

The first case of COVID-19 in sub-Saharan Africa was reported in Nigeria on 28 February. By the year's end, there were more than 2.6 million confirmed cases and more than 63,000 COVID-19-related deaths throughout Africa. With a dire lack of medical equipment, such as ventilators and PPE for health workers, most health care systems in the region were ill-prepared to respond adequately to the pandemic. Insufficient testing capacity led to serious delays in the provision of test results. Lesotho, for instance, had no testing capacity until mid-May, before which samples were sent to South Africa.

Some countries withheld or stopped publishing COVID-19-related information, while others disregarded WHO public health guidance. In May, the governments of Burundi and Equatorial Guinea expelled senior WHO staff members from their countries. Response to the pandemic was also hampered by poor road infrastructure, and a lack of hospitals and health care workers.

The pandemic highlighted decades of neglect and chronic under-resourcing of public health sectors across the region, despite commitments made by African governments in 2001 to devote at least 15% of their annual budgets to health care. The pandemic also exposed inherent corruption in the sector. Theft and misappropriation of COVID-19 funds, medical equipment and care packages were reported in many countries, including in Kenya, Nigeria, South Africa, Zambia and Zimbabwe.

On the positive side, at least 20 governments in the region sought to decongest prisons as part of broader responses to the pandemic. Even so, most prisons in the region remained overcrowded, putting prisoners' health at risk.

HEALTH WORKERS' RIGHTS

Governments across the region failed to adequately protect health workers from exposure to COVID-19. Workers operated in insanitary and unsafe environments due to shortages of PPE and sanitizers. In South Africa, by early August, at least 240 health workers had died after contracting COVID-19. By July, about 2,065 health workers in Ghana had been infected and six had died due to COVID-19-related complications.

Despite facing increased workloads and additional occupational risks, health workers in most countries remained without adequate compensation. As the pandemic's impact became unbearable, health workers resorted to industrial action to demand better working conditions. Health workers across the region raised their concerns through formal complaints, protests and strikes, including in Burkina Faso, Kenya, Lesotho, the Republic of the Congo, Sierra Leone, South Africa, Togo and Zimbabwe. Meanwhile, governments responded with various forms of reprisal.

In Equatorial Guinea, a nurse faced executive and judicial harassment for complaining in a WhatsApp message about the lack of oxygen in Malabo's Sampaka Hospital. In Zimbabwe, 17 nurses were arrested for contravening lockdown regulations after they protested to demand improved wages and working conditions.

IMPACT ON LIVELIHOOD AND THE RIGHT TO FOOD

COVID-19 had a devastating impact on the region's already fragile economies. Curfews, lockdowns and stay-at-home orders had a disproportionate impact on people working in the informal economy who constituted 71% of the region's workforce. Many of them lost their livelihoods and incomes and could not afford food or other essential supplies. This exacerbated an already dire situation for those facing long-term food insecurity including as a result of recurrent droughts and the locust invasions.

Businesses and companies were forced to stop operations, leaving thousands of workers unemployed. In Lesotho, more than 40,000 workers in the mining and manufacturing sectors were laid off. While most governments implemented social relief programmes, including the provision of food to those living in poverty, this support was often insufficient.

FORCED EVICTIONS

Governments also continued to violate the right to adequate housing even as COVID-19 highlighted its importance. In Ethiopia, Ghana and Kenya, government demolitions of informal settlements in the capital cities of Addis Ababa, Accra and Nairobi, respectively, left thousands of people homeless and at greater risk of contracting COVID-19. Meanwhile in Eswatini and Lesotho, thousands lived in perpetual fear of forcible eviction by the authorities and private actors.

In a positive development, the Zambian High Court ruled in April that the forced displacement of the Serenje rural communities from their ancestral land violated a series of their human rights.

RIGHT TO EDUCATION

The COVID-19 pandemic disrupted learning as schools were shut down across the region, especially in the first half of the year. The use of online education meant that millions of children were unable to access their right to education due to lack of appropriate technology. This also entrenched existing patterns of inequality and poverty. In conflict-ridden countries, like Burkina Faso, Cameroon and Mali, access to education was also undermined by insecurity and constant attacks by armed groups.

African governments must utilize the maximum available resources to urgently address the chronic under-resourcing of public health sectors and also seek further regional and international co-operation to strengthen their health care systems. They must also listen to and address safety and other concerns of health workers and end all forms of harassments and arbitrary prosecutions.

Governments must also ensure that evictions comply with international standards and that all children have access to education.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS, MIGRANTS AND INTERNALLY DISPLACED PEOPLE

Millions of people continued to be displaced from their homes by armed conflict, humanitarian crises and persistent human rights violations. In Burkina Faso, the number of internally displaced people reached 1 million. In CAR, 660,000 people had been displaced by conflict by 31 July. Eritreans continued to flee the country in droves, primarily to avoid indefinite national service. In Somalia, a worsening humanitarian crisis arising from conflict, drought, floods and a locust invasion had displaced almost 900,000 people by August. In Mozambique, by September, the conflict in Cabo Delgado had displaced over 250,000 people

Refugees, migrants, and asylum-seekers were among those disproportionately affected by COVID-19. Border closures left many of them stranded. The South African government's COVID-19 social relief programmes excluded refugees and asylum-seekers during the first half of the year.

Governments must respect the right to seek asylum. They must keep borders open for refugees and asylum-seekers, while taking appropriate public health measures at border crossing points. Governments must also guarantee access for all asylum-seekers, refugees and migrants to national health and social protection systems.

DISCRIMINATION AND MARGINALIZATION

VIOLENCE AGAINST WOMEN AND GIRLS

COVID-19 lockdowns or curfews increased the risk of sexual and gender-based violence which targeted women and girls. Survivors often struggled to access justice, health care, legal aid and counselling services. In South Africa, sexual and gender-based violence continued to soar with a rate almost five times higher than the global average. COVID-19 also had a devastating effect on women's reproductive health and rights as it disrupted access to maternal health care services.

Rape and other sexual and gender-based violence also continued in conflict situations. In CAR, the UN recorded 60 cases of conflict-related sexual violence, including rape, forced marriage, and sexual slavery, between June and October. In DRC, there was an increase in sexual violence against women and girls in the context of the conflict in the east.

There were, however, some advances in the protection from discrimination of women and girls. In January, a man was convicted of marital rape for the first time in Eswatini. In February, South Africa announced that it would draft a regional treaty on violence against women. Sudan criminalized FGM in April. The following month, the Rwandan President pardoned 36 women convicted for abortion. Sierra Leone established the first Sexual Offences Model Court to fast-track rape cases in July.

PEOPLE WITH ALBINISM

People with albinism continued to face violent attacks and mutilation. In Zambia, the dismembered body of a 43-year-old man was discovered in March; his eyes, tongue and arms had been removed. In April, a man's body was exhumed from a grave and his body parts stolen. In Malawi, the grave of a two-year-old boy was tampered with in January. The following month, a 92-year-old woman had two toes severed in an attack by an unidentified assailant.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Discrimination against LGBTI people continued and consensual same-sex relations remained criminalized in most countries. In Madagascar, a woman was held in pre-trial detention on charges of "corruption of minors" after she was suspected of having a consensual same-sex relationship with a 19-year-old woman. In Eswatini, the authorities rejected an application from the LGBTI advocacy group, Eswatini Sexual and Gender Minorities, for registration. In Uganda, police arrested 23 youths from a shelter for LGBTI people on the pretext of enforcing COVID-19 directives. While four were released on medical grounds during the first three days of arrest, the rest were held for 44 days without access to their lawyers and medical treatment.

Governments should strengthen measures for prevention of and protection from gender-based violence especially in the context of lockdowns, curfews and conflict situations. More steps are also needed to eliminate all forms of discrimination against women and girls, in law and in practice, including ensuring conformity with international obligations.

African governments must take measures to end all forms of attacks and discrimination against marginalized groups. Urgent measures are needed to offer effective protections for people with albinism, to bring suspected perpetrators of crimes to justice and to ensure access to justice and effective remedies for victims. Governments must also repeal laws which marginalize LGBTI people and criminalize same-sex relations.

AMERICAS REGIONAL OVERVIEW

The Americas began 2020 as the world's most unequal region and the impact of the COVID-19 pandemic exacerbated this inequality. Some of those most affected were from marginalized communities and, by the end of the year, poverty levels were set to soar. Government responses to the crisis had far reaching impacts on human rights, with frequently devastating consequences for vast numbers of people.

COVID-19 restrictions hit the region's large informal economy hard, while government measures frequently undermined the social, economic and cultural rights of those in the most precarious situations. Confused health messages, lack of transparency and inadequate protective measures for marginalized communities compounded already weak and unequal access to health care, with devastating results. The region, home to just 13% of the world's population, recorded 49% of all COVID-19 deaths globally. Lack of PPE, plus poor and precarious working conditions, exacted a terrible toll on health workers, who were often prohibited from speaking out and sanctioned if they did.

Across the region, COVID-19 confinement measures led to a marked increase in violence against women, including domestic violence and killings. Almost everywhere, measures to protect women and girls were inadequate. In some countries support programmes were cut; in others, state actors themselves perpetrated the violence. Several governments did not do enough to prioritize sexual and reproductive health as essential services during the pandemic.

Freedom of expression was threatened by governments in at least a dozen countries. Rights to freedom of association and peaceful assembly were also denied or unduly restricted by the police or military, with unlawful use of force recorded in more than a dozen countries. Impunity and a lack of access to justice remained a serious concern.

Arbitrary arrests were common and often linked to the enforcement of COVID-19 restrictions. In some countries, people were forcibly quarantined in state-run centres that failed to meet sanitary and physical distancing standards. A denial of the right to health was also seen in the prison systems of about one third of the region's countries.

Some governments detained refugees, asylum-seekers and migrants in conditions that left them at high risk of contracting COVID-19. Others forcibly returned people without proper consideration of their asylum claims.

The unprecedent Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) was finally set to come into force, following its ratification by Mexico in November. However, the rights of Indigenous Peoples remained under threat and the Americas continued to be one of the world's most dangerous regions for human rights defenders, especially those working on issues related to the land, territory and the environment.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

In October, the UN Economic Commission for Latin America and the Caribbean forecast that the region's economies would contract by 9.1%, with 37.3% of the population living in poverty by the end of the year: the worst figure since 2006.

In some cases, the hardship was particularly severe. By June, 40.9% of the Argentine population was living in poverty. In July, 96% of Venezuelan households were in income poverty, with 79% in extreme income poverty and unable to purchase basic foods.

Many governments failed to mitigate the social and economic effects of COVID-19 on the most vulnerable. In Brazil, financial aid to those on a low income was insufficient and implementation of the federal assistance programme was flawed. In Guatemala, neighbourhoods and communities were left without access to water, preventing people from adopting appropriate hygiene practices during the pandemic.

Some government measures resulted in discriminatory practices that undermined social, economic and cultural rights. For example, the Colombian government stepped up its forced eradication of coca production, despite its effects on *campesino* communities that depend on coca for their livelihoods. In Venezuela, the government delayed providing full access to the World Food Programme while national food distribution systems continued to operate according to politically discriminatory criteria. The governments of Ecuador and Mexico implemented austerity measures at the height of the pandemic without sufficient protection of the basic social and economic needs of disadvantaged individuals and groups.

Governments must guarantee access to economic, social and cultural rights without discrimination. Plans for economic recovery should include all necessary measures to address the disproportionate effects that the pandemic and the crisis has had on certain people historically disadvantaged due to ethno-racial, gender, legal and socio-economic status. Before embarking on austerity measures, states must exhaustively examine all other options and conduct a human rights impact assessment, as well as prioritizing the most disadvantaged people when allocating resources.

RIGHT TO HEALTH

The pandemic had a devastating impact in many countries where access to health care was limited and unequal. During the year, more than 750,000 people died from COVID-19 in the Americas. In terms of recorded COVID-19 deaths per million inhabitants, the countries worst affected were Argentina, Brazil, Chile, Mexico, Peru and the USA.

Many governments broadly followed World Health Organization (WHO) guidelines in their responses to the pandemic. However, the governments of Brazil, Nicaragua, the USA and Venezuela often issued confused health messages, failed to implement policies to protect those most at risk and showed a lack of transparency.

In Brazil, health messages from federal and state authorities were often contradictory, while measures to mitigate the impact of COVID-19 among Indigenous Peoples were ineffective. According to the Articulation of Indigenous Peoples of Brazil, 158 Indigenous Peoples were affected by the pandemic and by 8 October more than 840 deaths had been registered.

In Nicaragua, the authorities promoted mass gatherings where physical distancing was not possible and official information about the response to COVID-19 lacked transparency.

In the USA, inadequate and uneven government responses to the pandemic had a disproportionate and discriminatory impact on many people based on their race, socio-economic status and other characteristics. The USA also initiated its withdrawal from the WHO.

In Venezuela, there was a lack of transparency from the authorities on testing, rates of infection and deaths due to COVID-19. There were also reports that pregnant women suspected of having COVID-19 were denied adequate care by public health services.

HEALTH WORKERS

The pandemic had a devastating impact on health care workers in the region; at least 8,000 died with COVID-19. On 2 September, the Pan American Health Organization reported that some 570,000 health care workers had contracted COVID-19 in the Americas, "the highest number of health care workers infected in the world".

Health professionals in almost every country complained about governments' failure to provide sufficient PPE and safe working conditions, which many blamed for high levels of deaths and infections. El Salvador's President vetoed Decree 620, which aimed to guarantee health insurance and biosafety equipment to health workers; the Constitutional Chamber subsequently declared the Decree constitutional. The Brazilian Association of Collective Health and the Brazilian Society of Family and Community Medicine criticized the lack of social protection for health workers' families and precarious employment contracts. Health workers in Mexico faced irregular contracts and lack of sick pay and benefits.

Health workers who spoke out about inadequate health provision and working conditions faced sanctions. In several Honduran hospitals, health workers were asked to sign confidentiality agreements prohibiting them from speaking publicly about their concerns. In Nicaragua, at least 31 health workers were dismissed after expressing concerns about working conditions, lack of PPE and the state response to the pandemic. Venezuelan health workers who made critical public statements about the government's response to the pandemic faced short-term detention and subsequent restrictions.

PRISON CONDITIONS

Poor sanitary conditions and overcrowding were features of many of the region's prisons, including in Brazil, Chile, El Salvador, Nicaragua, Paraguay, Trinidad and Tobago and the USA. Inadequate state measures denied prisoners their right to health and put them at risk of contracting and dying of COVID-19.

Thousands of prisoners, including those awaiting trial, were held in overcrowded and insanitary conditions in Uruguay, which had one of the highest incarceration rates in the region.

According to Brazil's National Council of Justice, as of October, more than 39,000 cases and 199 deaths caused by COVID-19 had been registered in Brazilian prisons.

Between March and May, there were some 90 riots in different prisons in the region protesting the precarious conditions and increasing concern about COVID-19. In two of the worst incidents, 73 people died, 50 in Los Llanos in Venezuela and 23 in the Modelo prison in Bogotá, Colombia. **Governments have a duty to guarantee the right to health of people held in custody. This means ensuring that preventive care, goods and services are available to everybody. COVID-19 vaccine, treatment and testing plans should be accessible, inclusive and non-discriminatory. States should consider factors that may heighten an individual's or a community's risk to COVID-19 and pay attention to marginalized groups and those with intersecting identities.**

FREEDOM OF EXPRESSION

The right to freedom of expression was under threat in Bolivia, Brazil, Cuba, Mexico, Uruguay and Venezuela, sometimes because of COVID-19 restrictions.

In Mexico, at least 19 journalists were killed during the year. A letter signed by 650 journalists and intellectuals accused the President of actions harmful to the right to freedom of expression. Information also emerged showing that the state news agency was involved in a social media smear campaign, allegedly financed with public funds, against several journalists.

In Brazil, between January 2019 and September 2020, members of the federal government attacked journalists and their work 449 times. In Venezuela, civil society organizations reported that between January and April 2020 there were more than 400 attacks on journalists and other media workers, including intimidation, arbitrary detentions and physical assaults. Health workers and journalists reporting on the pandemic were also harassed, threatened and charged with inciting hatred.

Between March and July, Nicaragua's Observatory of Aggressions on the Independent Press reported 351 attacks including unjust prosecutions, arbitrary detentions and harassment of media workers and their families.

Governments should recognize the important role journalists play in society and ensure that they are able to carry out their work free of harassment and violence.

EXCESSIVE USE OF FORCE

Excessive use of force by law enforcement officials and the military was recorded in more than a dozen countries in the region. It was often used to deny people their right to freedom of peaceful assembly, and marginalized communities were disproportionately targeted.

In Brazil, during the first six months of the year, at least 3,181 people were killed by the police, an increase of 7.1% compared to the same period in 2019. According to the Brazilian Public Security Forum, 79.1% of the people killed by the police were Black.

Unlawful use of force by the police, military and armed groups against demonstrators was widespread in Venezuela. The OHCHR reported that at least 1,324 people were killed in the country in the context of security operations between 1 January and 31 May.

In the USA, at least 1,000 people were killed in 2020 by police using firearms. Between 26 May and 5 June alone 125 separate incidents were documented, in 40 states and Washington DC, of unlawful use of force by the police against people protesting at unlawful killings of Black people.

In other countries, there were also examples of excessive or unnecessary use of force in the context of the enforcement of COVID-19 lockdowns. In Argentina, police were involved in physical attacks on members of an Indigenous community during operations related to supposed violations of COVID-19 restrictions. In Mexico, a 30-year-old bricklayer was beaten to death by police after being detained in Jalisco state, allegedly for not wearing a mask. In Chile, the government filed over 1,000 lawsuits against peaceful protesters using the State Security Law, which is not in line with international human rights law and can facilitate politically motivated charges.

All governments should ensure that protocols and practices are consistent with international standards, including the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

ARBITRARY DETENTION

Cases of arbitrary detention were reported in the Dominican Republic, Guatemala, Mexico, Nicaragua, Venezuela and at the US Naval Base in Guantánamo Bay. In some countries, arbitrary detentions were linked to measures adopted to curb the spread of COVID-19.

The Venezuelan human rights organization Penal Forum reported that arbitrary, politically motivated detention increased after the declaration of a state of emergency in March in response to the COVID-19 pandemic. It recorded 413 arbitrary detentions as of October. Venezuelans returning to the country were placed in mandatory quarantine in state-run centres from at least April onwards. By August, 90,000 people were officially reported to have passed through the centres known as Comprehensive Social Service Points.

In Mexico, police officers arbitrarily detained at least 27 people during protests in the city of Guadalajara in June. Protesters were abducted in unmarked vehicles and their whereabouts were unknown for several hours.

In the Dominican Republic, police carried out an estimated 85,000 detentions between 20 March and 30 June, for alleged non-compliance with the evening curfew imposed in response to the pandemic. Among those detained were people on their way to buy food and other essentials. After Guatemala introduced a mandatory curfew in March, more than 40,000 people were detained, including people working in the informal economy.

In some countries the authorities placed tens of thousands of people in state-run quarantine centres. These often fell well short of minimum sanitary and physical distancing standards to protect people from COVID-19. In El Salvador, more than 2,000 people were detained in such centres for alleged violations of the mandatory quarantine imposed in March; some were held for up to 40 days. In Paraguay, some 8,000 people – mostly Paraguayans returning from neighbouring Brazil – were in mandatory quarantine as of late June.

Governments in the region must not use the pandemic as an excuse to justify excessive use of force or arbitrary detention. Repression is not protection.

IMPUNITY AND ACCESS TO JUSTICE

Impunity for human rights violations and crimes under international law remained a serious concern in several countries – including Bolivia, Brazil, Chile, El Salvador, Guatemala and Venezuela – as did violations relating to the past US secret detention programme.

Those responsible for human rights violations during Bolivia's post-election crisis that began in October 2019 were not brought to justice. At least 35 people were killed and 833 injured by the National Police and the armed forces who used excessive force to repress demonstrations. An International Group of Independent Experts to investigate these events, announced by the interim government in January, was finally established in November.

Chile's National Human Rights Institute expressed concern at the slow pace of investigations into human rights violations committed during mass protests in October 2019; formal charges against some of the policemen involved were filed almost a year after the incidents took place. Administrative investigations and sanctions by the Chilean National Police were ineffective and often based on less serious administrative offences.

In September, the independent UN Fact-Finding Mission on Venezuela called for those suspected of criminal responsibility for crimes against humanity to be held accountable. The Mission investigated 53 extrajudicial executions and 5,094 killings by members of the security forces. The Mission concluded: "these crimes were coordinated and committed pursuant to State policies, with the knowledge or direct support of commanding officers and senior government officials."

Governments must ensure redress and reparation for victims of human rights violations, carry out prompt and impartial investigations and bring those bearing criminal responsibility to justice in fair trials to break the cycle of violations fostered by impunity.

VIOLENCE AGAINST WOMEN AND GIRLS

Across the region, COVID-19 confinement measures led to a marked increase in violence against women, including domestic violence, rape, homicide and femicide.

One of the worst affected countries was Mexico: in 2020, 3,752 killings of women had been reported, 969 of which were investigated as femicides. Over the year, reports of incidents of violence against women in the country were set to exceed the 197,693 reported in 2019.

In Brazil, almost 120,000 cases of physical domestic violence were reported in the first six months of the year. The femicide rate increased in 14 out of 26 states between March and May, with increases of between 100% and 400% in some states.

In Colombia, according to the NGO No es Hora de Callar, 99 femicides were reported in the first six months of 2020, including cases in which women were impaled, set on fire, sexually abused, tortured and dismembered.

In Argentina, emergency calls about violence against women to helplines had

increased by over 18% compared to 2019, and there were at least 298 femicides according to civil society monitoring groups.

In some countries, government leaders downplayed violence against women and cut support programmes. In others, state actors themselves perpetrated the violence. For example, in the Dominican Republic, which has one of the highest rates of gender-based killings of women in the world, the authorities failed to implement a national protocol for investigating torture. This was despite compelling evidence that the police routinely raped, beat and humiliated women engaged in sex work in actions that may amount to torture or other ill-treatment.

Measures to protect women and girls were inadequate throughout the region and cases of violence against women were not thoroughly investigated. For example, in its response to recommendations from the UN Committee against Torture, the Canadian government failed to commit to ensure justice for survivors of forced and coerced sterilization of Indigenous women and girls.

In the USA, where gun shops were classified as essential businesses during the pandemic, an exponential rise in purchases of firearms increased the risks of gun violence against women and children from unsecured firearms in homes where people were forced to quarantine with their abusers. **The COVID-19 pandemic underscored and intensified the global crisis of violence against women and girls. The voices of women and girls must be central to governments' post-COVID-19 recovery plans, which should prioritize eliminating gender-based violence and addressing its root causes.**

SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS

Many governments – including those of Argentina, Chile, Paraguay, Peru, Uruguay and Venezuela – did not do enough to prioritize sexual and reproductive health as essential services during the pandemic. This was an indirect consequence of strained health care systems, disruption in care and redirected resources to the pandemic.

By August, Paraguay's Ministry of Health had registered 339 births to girls aged between 10 and 14, and 9,382 births to adolescents aged 15 to 19. In June, Peru's Ombudsperson's Office highlighted cases where emergency kits for victims of sexual violence were not being provided to girls and women during the pandemic.

A bill to legalize abortion was approved by the Argentinian Congress in December.

Despite some signs of progress, abortion remained criminalized in most countries in the region, posing a serious obstacle to the right to health. In the Dominican Republic, El Salvador, Haiti, Honduras, Jamaica and Nicaragua there was a total ban on abortion, while in countries such as Brazil, Guatemala and Paraguay it was only permitted to save a woman's life. In El Salvador, 18 women remained in jail on charges related to obstetric emergencies.

Governments must ensure access to sexual and reproductive rights, including abortion, and repeal laws that criminalize the procedure.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

LGBTI people were the targets of violence and killings in several countries in the region, including Colombia, Honduras, Paraguay, Puerto Rico and the USA. At least 287 trans and gender-diverse people were killed in the continent. The most deaths in a single country happened in Brazil.

COVID-19 also had an impact on LGBTI people. As health systems focused on the pandemic, other key services for LGBTI people, such as mental health and sexual counselling, were harder to access. In many countries, HIV testing has been suspended.

Despite some positive judicial rulings in Bolivia and Chile, same-sex partnerships and marriage were not recognized in many countries.

Governments must ensure mechanisms to protect LGBTI people against all forms of violence and discrimination and include their specific needs in measures to reduce the socio-economic impact of the pandemic.

RIGHTS OF INDIGENOUS PEOPLES

Indigenous Peoples in the Americas were heavily affected by the COVID-19 pandemic because of inadequate access to clean water, sanitation, health services and social benefits, as well as a lack of culturally appropriate mechanisms to protect their rights to health and livelihoods. This was particularly acute in Argentina, Bolivia, Chile, Colombia, Ecuador, Paraguay, Peru and Venezuela.

In many countries, governments failed to ensure the free, prior and informed consent of Indigenous Peoples before allowing major extractive, agricultural and infrastructure projects affecting them to proceed. In Argentina, concerns remained over projects for possible lithium extraction on Indigenous Peoples' lands without the consent of affected communities. In several countries mining was declared an essential sector during the pandemic, exposing Indigenous Peoples to contagion.

In Brazil, the rights of Indigenous Peoples and other traditional communities continued to be threatened by illegal mining, wildfires and the seizure of land for illegal cattle farming and agrobusiness. The National Institute for Space Research registered a 9.5% increase in forest destruction in Brazil between August 2019 and July 2020 compared to the same period a year earlier.

In Canada, there was some progress in recognizing the land rights of Indigenous Peoples. However, Canada's Federal Court of Appeal dismissed an appeal by Indigenous groups challenging construction of the Trans Mountain pipeline.

Governments must ensure the right of Indigenous Peoples to free, prior and informed consent on all projects affecting their rights substantially.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Tens of thousands of people – mostly from Cuba, El Salvador, Honduras and Venezuela – continued to flee violence, poverty and inequality.

As part of COVID-19 border control measures, some governments, including Canada, Peru and the USA, prohibited the entry of refugees, asylum-seekers and migrants. Many countries, including Colombia, Guatemala, Mexico, Trinidad and Tobago, and the USA, forcibly returned people without proper consideration of their refugee and asylum claims.

The US authorities halted all processing of asylum-seekers on the US-Mexico border and unlawfully detained and expelled nearly 330,000 migrants and asylum-seekers between March and September, including approximately 13,000 unaccompanied children. In Mexico, migrants, refugees, and asylum-seekers continued to be subject to excessive use of force and arbitrary detention by the authorities, and abductions, assaults and killings by non-state actors. The Mexican authorities detained 87,260 migrants, including more than 11,000 children, and deported 53,891 people.

Refugees, asylum-seekers and migrants detained in immigration centres in Mexico, Trinidad and Tobago, and the USA were at high risk of contracting COVID-19 due to poor sanitary conditions and the impossibility of physical distancing. For example, despite a serious outbreak of COVID-19 in civil immigration detention facilities, US Immigration and Customs Enforcement refused to release detainees, over 8,000 of whom contracted the virus in detention.

Governments should release all people held in detention solely for immigration purposes and ensure refugees and asylum-seekers are protected in accordance with international law.

HUMAN RIGHTS DEFENDERS

The Americas remained one of the world's most dangerous regions to defend human rights.

Human rights defenders were killed in Brazil, Colombia, Mexico, Peru and Venezuela. A 2020 report by the NGO Global Witness described Colombia as the world's most lethal country for environmental and human rights workers. By August, the OHCHR had documented 97 killings of human rights defenders and verified 45 homicides in the country.

Human rights defenders and journalists were also subjected to attacks, threats, prosecutions, arbitrary detention and unlawful surveillance in Bolivia, Brazil, Colombia, Cuba, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Peru, the USA and Venezuela.

In Venezuela, the Centre for Defenders and Justice reported that, as of June, there had been more than 100 attacks against women human rights defenders, including criminalization, harassment, digital attacks and arbitrary detention.

Governments must create a safe environment for human rights defenders. They must ensure that protection measures are comprehensive, including aspects of individual and collective protection, taking into account the intersectional dimensions of violations and the particular needs of women human rights defenders.

CLIMATE CRISIS

A range of climate-related impacts continued to undermine human rights in the Americas. Central America experienced unprecedented back-to-back hurricanes in November, affecting at least 5.2 million people. Argentina, Brazil's western border areas and Paraguay were hit by severe drought causing vast agricultural losses. The USA recorded the largest wildfires ever, as a result of widespread drought and extreme heat.

However, action on climate change remained limited. Although Chile was the first country in the region, and one of the first in the world, to submit a 2030 emission reduction target, major wealthy emitters failed to follow suit. The Canadian government tabled a bill to achieve carbon neutrality by 2050, but NGOs indicated that it failed to demonstrate it was taking all feasible steps to reach zero carbon emissions before this period.

Argentina submitted an improved but still insufficient emission reduction target for 2030 and in early 2020 the government tried to amend the Native Forest Protection Act, a potentially backward step. Brazil significantly weakened its climate ambition target and its international commitments to stop illegal deforestation and restore forests.

In an important sign of progress, the Escazú Agreement was finally due to enter into force. However, several governments, including those of Bolivia, Ecuador, El Salvador, Guatemala, Honduras, Nicaragua and Paraguay, had yet to adopt policies and protocols to protect human rights defenders working on environmental issues.

Governments must urgently adopt and implement emission reduction targets and strategies that protect human rights from the climate crisis and ensure a just and human rights-consistent transition to a zero-carbon economy and resilient society. They should also ratify and implement the Escazú Agreement.

ASIA-PACIFIC REGIONAL OVERVIEW

The onslaught of the COVID-19 pandemic exacerbated the human rights situation in the Asia-Pacific region. It was the first region affected by the COVID-19 pandemic as the first cases were reported in the Chinese city of Wuhan in December 2019. When Chinese authorities reprimanded health workers who had raised warnings about a new virus, it sparked calls for transparency not only from people in China, but also from other countries in the region. It was the first of many moments throughout the year when governments seized on the pandemic as a pretext to muzzle critical voices and unduly limit the right to freedom of expression, including the right to receive and impart information on COVID-19.

Many governments in the region enacted laws and measures to punish the spreading of "misinformation" or "false information" about COVID-19. In countries where authorities had a history of routinely abusing their powers, these laws were used to intensify existing crackdowns especially on the freedoms of expression, association and peaceful assembly. Open debate and criticism of government responses to the pandemic were severely restricted. Governments across the region subjected many human rights defenders, journalists, lawyers and members of the political opposition to attacks, including harassment, intimidation, threats, violence and arbitrary arrests for their legitimate expression of dissent and criticism of government actions.

To prevent the further spread of COVID-19, various degrees of lockdown and other limitations on movement were put in place by governments. Public assemblies were often not allowed, greatly restricting protests demanding political reforms. As the year progressed, however, people in India, Thailand and Hong Kong in particular took to the streets to oppose government oppression. Police used excessive and unnecessary force to disperse these public assemblies.

Many governments also further responded to the COVID-19 pandemic by adopting or weaponizing repressive national security or counter-terrorism laws. These laws consolidated the power that some of the governments in this region already wielded. In India, peaceful dissent was punished and restrictions on communications and key freedoms in Jammu and Kashmir continued; journalists and human rights defenders were questioned for allegedly "anti-national" activities.

While the Asia-Pacific region suffered fewer deaths than other parts of the world, the pandemic was economically devastating and further deepened pre-existing social divides. It disproportionately affected already disadvantaged groups such as migrant workers, refugees, people living in poverty, ethnic and religious minority groups, and incarcerated people.

The policies developed and imposed by many governments to address the spread of COVID-19 reflected existing patriarchal norms that discriminate against women. The lockdowns also contributed to a sharp increase in the number of cases of sexual and gender-based violence against women and girls, and governments in the region did not provide adequate resources to address this issue.

Religious and ethnic minorities were attacked across the region. The Chinese authorities pressed on with their systematic repression of Uyghurs and other Turkic Muslims in the Xinjiang region. Muslims came under attack in India and were demonized during the pandemic and denied medical access. The Myanmar military continued to elude accountability for its crimes against the Rohingya. In Afghanistan and Pakistan, members of the minority communities were killed by armed groups.

The Asia-Pacific region was swept by natural disasters related to climate change. Countries in the region responsible for high percentages of global greenhouse gas emissions failed to set adequate reduction targets that would contribute to avoiding the worst human rights impacts of climate change.

FREEDOM OF EXPRESSION

Within days of the news of the COVID-19 outbreak, authorities in several countries across the region tried to suppress information about it and punished those who criticized government actions. The Chinese authorities sought to control information about COVID-19, both online and offline. Hundreds of keywords related to the virus were blocked and online protests demanding the right to receive and impart information on COVID-19 were deleted. Doctor Li Wenliang, one of eight people who tried to spread information about the new virus before the government disclosed the outbreak, was reprimanded by the police after he messaged colleagues to wear PPE to avoid infection. He subsequently died from the effects of COVID-19.

Several other countries in the region imposed similar restrictions on what could or could not be said about COVID-19, often on the pretext of suppressing false or inaccurate information. In April, the Indonesian authorities ordered the police to scour the internet and act against "hoax spreaders" and those who insulted the government. At least 57 people were arrested. Journalists, academics, students and activists were subjected to intimidation online, including threats of physical violence through text messages. In India and Nepal, authorities arrested or charged dozens of individuals, many of them journalists, for allegedly spreading "misinformation" or "fake news" about the pandemic.

Many individuals, including journalists, who criticized government responses regarding the COVID-19 pandemic were punished under draconian laws. In Sri Lanka, the police warned that legal action would be taken against people publishing posts on social media that were critical of the government's COVID-19 response. Several social media commentators were arrested following the announcement. In Bangladesh, nearly 1,000 people were charged under the country's Digital Security Act, while 353 people were detained. Among the first targets were journalists Mohiuddin Sarker and Toufiq Imroz Khalidi, both editors of online portals. The authorities arrested them in April for their reports which alleged corruption in the use of funds designated for COVID-19 relief efforts. In Pakistan, the Electronic Crimes Act was repeatedly invoked to charge or arrest journalists for critical comments made online, often accompanied by vicious and co-ordinated online attacks.

Journalists continued to face reprisals for reporting news not favoured by the government. In Myanmar, following the designation of the ethnic minority armed opposition group the Arakan Army as a "terrorist organization", at least three journalists were prosecuted under counter-terrorism laws and the Unlawful Associations Act for contacting the group. In Jammu and Kashmir, the Indian police attacked or summoned 18 journalists for their reporting and the offices of the *Kashmir Times* were sealed after its editor sued the government over its shutdown of internet and telephone services in the region. In Nepal, the government introduced several new bills that threatened the right to freedom of expression, online and offline. In Singapore, even as it was being challenged in court, the authorities used the Protection from Online Falsehoods and Manipulation Act throughout the year to muzzle government critics and independent media outlets. In the Philippines, journalists Maria Ressa and Reynaldo Santos, were convicted of "cyber libel" and lawmakers denied the renewal of the franchise of ABS-CBN, one of the country's largest independent broadcasting networks.

The right to freedom of expression, which includes the right to receive and impart information, is especially critical during a

public health crisis. Governments must understand fully that access to credible, objective and evidence-based information on the COVID-19 pandemic saves lives. The role of journalists and media in providing reliable information to the public during a public health crisis is vital. They also play an important role in calling attention to matters of public interest and upholding human rights. Rather than thwarting such efforts, governments must enable, promote and protect robust and independent media in the region.

HUMAN RIGHTS DEFENDERS

Human rights defenders, including journalists, lawyers and members of the political opposition continued to be attacked, harassed, intimidated, threatened and killed for their legitimate support for human rights, expression of dissent and criticism of government actions and corruption.

In China, human rights defenders and activists were subjected to harassment, intimidation, enforced disappearances, torture and other ill-treatment, and arbitrary and incommunicado detention. They were also often charged with vaguely worded offences such as "leaking state secrets". Their trials were routinely held in secret and they were deprived of their right to access legal counsel. Many lawyers of these human rights defenders were denied their right to freedom of movement and were unable to meet with their clients and access case materials.

During the year, many governments in the region attempted to undermine the operations of human rights NGOs to prevent human rights defenders from continuing to expose human rights violations. Cambodian authorities used the repressive Law on Associations and NGOs (LANGO) to designate as illegal groups of human rights defenders exposing practices that caused environmental degradation. In September, Amnesty International India was forced to close its operations after Indian authorities froze the organization's bank accounts. During the year, the organization had published reports on human rights violations that occurred during and after the riots in Delhi in February where 53 people, mostly Muslims, were killed and more than 500 injured. The riots followed incendiary speeches by government officials and lawmakers, but had not been effectively investigated months later, including documented complicity and participation in the riot by Delhi police. Amnesty International India also released a report on Jammu and Kashmir, documenting the violations that occurred there after the territory's special status was revoked in August 2019.

In Malaysia and Afghanistan, human rights defenders who called attention to corrupt practices of government authorities faced serious challenges during the year. Cynthia Gabriel of the Center to Combat Corruption and Cronyism, together with other human rights defenders Thomas Fann and Sevan Doraisamy, were investigated by Malaysian authorities for raising corruption scandals linked to public officials. Human rights defenders who made allegations of corruption against officials in Helmand province in Afghanistan were hospitalized for injuries they suffered after government officials had assaulted them. Also, human rights defenders, activists, journalists and moderate religious authorities were subjected to targeted attacks and assassinations by armed groups in particular.

Governments used counter-terrorism measures against human rights defenders or labelled them as "terrorists" in countries including the Philippines and India. Philippine authorities continued the practice of "red-tagging" human rights defenders and activists as "terrorists" or sympathizers of armed communist groups. In August, Randall Echanis and Zara Alvarez were killed within a week of each other in different cities. They had both been "tagged" as "terrorists" by the government for their activism and human rights work. During the year India's National Investigation Agency (NIA), the country's

main counter-terrorism agency, arrested several human rights defenders and raided their homes and offices. Among those arrested were seven human rights defenders who worked with marginalized groups and nine students who protested peacefully against the discriminatory Citizenship (Amendment) Act. The NIA also raided the offices and homes of Kashmiri defender Khurram Parvez and three of his associates.

As the conflict in Afghanistan entered its twentieth year, human rights defenders were also wounded and killed by unknown gunmen thought to belong to armed groups, including two staff members of the Afghan Independent Human Rights Commission, who were killed in an attack on their car in Kabul. In December, President Ghani created a joint commission for the protection of human rights defenders. This was viewed by human rights organizations as a first significant move forward. However, it appeared to be the only development in the region that promised to address the systematic patterns of violations against human rights defenders.

In Sri Lanka, the new government continued to crack down on human rights defenders, including activists, journalists, law enforcement officers and lawyers. **Governments must effectively address acts of violence against human rights defenders and perpetrators of these acts must be held accountable. It is crucial that human rights defenders are able to do their work free of fear of punishment, reprisal or intimidation so that everyone can effectively enjoy all human rights.**

RIGHT TO HEALTH

The COVID-19 pandemic highlighted and exacerbated gaps in equal access to health care and pre-existing social divides in the region. In North Korea, the lack of medical supplies prompted the emerging middle class to secure medicines or health services in the so-called "grey markets". In Papua New Guinea, high rates of poverty and other chronic illnesses compounded the situation of those infected with COVID-19.

The anti-drug campaigns which emphasized criminalization and the practice of arbitrarily detaining without charge people who used drugs continued in Cambodia and the Philippines, which led to excessively overcrowded prisons that continued to violate detainees' right to health. In the Philippines, the Supreme Court ordered the release of over 80,000 prisoners to prevent the spread of COVID-19 in prisons. In Cambodia, the authorities revealed plans to reduce prison overcrowding, but implementation was limited.

In Malaysia, the authorities conducted immigration raids in areas with high migrant-worker populations and arrested and detained many migrants and refugees. A COVID-19 outbreak hit immigration detention centres, and over 600 people were infected. **Governments must ensure access to health facilities and services without discrimination.**

DISCRIMINATION - ATTACKS ON ETHNIC AND RELIGIOUS MINORITIES

Across the region, ethnic and religious minorities continued to experience discrimination, violence and other forms of persecution at the hands of authorities.

In January, the International Court of Justice ordered the government of Myanmar to prevent genocidal acts against the Rohingya. The Myanmar authorities failed to ensure accountability for the military operations in Rakhine State during 2017, which caused over 700,000 Rohingyas to flee to Bangladesh. In the context of counter-insurgency operations, the security forces continued to commit human rights violations and violations of international humanitarian law against other ethnic minority groups in Rakhine, Chin, Kachin and Shan States.

In China, authorities justified their discrimination and persecution of Tibetans and of Uyghurs and other Turkic Muslim

peoples in the region of Xinjiang on the grounds of countering "separatism", "extremism" and "terrorism". The Chinese authorities continued to subject Uyghurs and other Turkic Muslims to arbitrary detention without trial, political indoctrination, and forced cultural assimilation. They tightened restrictions on access to Xinjiang and continued to establish mass internment camps throughout the year.

Iminjan Seydin, who had disappeared for three years, appeared in May and praised Chinese authorities in an apparently coerced testimony. Mahira Yacub, a Uyghur who worked for an insurance company, was charged with "giving material support to terrorist activity" for sending money to her parents in Australia to help them buy a house. Nagyz Muhammed, a Kazakh writer who has been detained since March 2018, was convicted in secret for "separatism" for a dinner he had with friends on Kazakhstan Independence Day nearly a decade ago.

Uyghurs also faced pressure outside of China. Chinese embassies and agents continued to harass and intimidate people who had left the country and gone into exile. Chinese security agents harassed Uyghurs abroad through messaging apps, demanding their ID numbers, locations of residence and other details. Some received phone calls from the Chinese security police, asking them to spy on Uyghur diaspora communities.

In Inner Mongolia, protests erupted over a new language policy for schools that would change the teaching medium for some classes from Mongolian to Mandarin Chinese. Hundreds of people who protested – students, parents, teachers, pregnant women, children – were reportedly arrested for "picking quarrels and provoking trouble". Hu Baolong, a human rights lawyer who spoke out during the protests, was reportedly arrested on charges of "leaking state secrets overseas".

In some countries, ethnic and religious minority groups suffered the brunt of the impact of the COVID-19 pandemic. India's Muslims were among those who were further marginalized. After a Muslim group, the Tablighi Jamaat, was accused of spreading the virus at a public gathering, many Muslims were denied access to medical services and essential commodities. On social media, there were calls to boycott Muslim businesses. In Sri Lanka, the authorities prevented Muslims from burying people who had died as a result of COVID-19 according to religious rites and forcibly cremated the bodies instead. The Sri Lankan government reportedly racially profiled the country's Muslim community by identifying it as a source of higher risk during the pandemic.

In Afghanistan, at least 25 people were killed when the armed group calling itself "Islamic State" attacked one of the few Sikh temples in the country. The country's mainly Shi'a Hazara community also suffered many attacks from armed groups, including an October bombing of a school that killed 30 people, mostly children, in Kabul.

In Pakistan, the Ahmadiyya community was subjected to attacks, social and economic boycotts and at least five targeted killings. During the Muslim holy month of Muharram, hate preachers incited violence against the country's Shi'a minority as nearly 40 blasphemy cases were filed against Shi'a clerics. In July, bowing to pressure from politicians, some media outlets and clerics, the Pakistani authorities halted the construction of a Hindu temple in the capital, Islamabad, denying the community its right to freedom of religion and belief. The Pakistani government failed to take effective action against the forced conversions to Islam of women and girls from Hindu and Christian communities.

Governments must ensure that the human rights of ethnic and religious minorities are protected. Moreover, they must facilitate equal access to health care for all minority groups and take steps to end systemic discrimination against them.

WOMEN AND GIRLS

The COVID-19 pandemic highlighted and exacerbated the existing inequalities between men and women in the region. Government

responses to the pandemic reflected patriarchal norms and gender stereotypes that undervalue women.

In the informal sector, where women were typically paid less than men, thousands of women were suddenly deprived of their livelihoods and forced to assume additional care responsibilities at home, such as homeschooling children or caring for sick relatives. In previous years, women across the Asia-Pacific region carried out more than four times as much unpaid work at home than men. Those numbers rose sharply during the pandemic.

Women also constituted the majority of essential workers during the pandemic, including doctors, nurses, sanitation workers and other roles. In Pakistan, when violence against health workers erupted in May, a group of women health workers were forced to lock themselves in a room for their own protection as disgruntled relatives of patients vandalized the hospital they were working in.

Migrant domestic workers in the Gulf, who overwhelmingly come from the Asia-Pacific region, lost their jobs and were forced to return home at the onset of the pandemic. In most of the national financial stimulus packages in the region, there was no special provision for the needs of these women, including social protections.

Many governments in the region did not classify services for women as essential and that could continue during lockdowns, including those that are aimed to support or assist women experiencing sexual or gender-based violence. Women and girls who had already been living with abusive partners or family members were at further risk of violence. The number of cases of domestic violence and intimate partner violence rose sharply across the region. In Japan, there were 13,000 cases reported in April alone – a 29% increase on the same month in 2019.

Women continued to be subjected to vicious misogynistic attacks. In Indonesia, the targets of digital attacks included feminist news outlets. One journalist's account was hacked, and she was harassed by attackers who sent pornographic pictures and demeaning statements about women. In South Korea, the pervasiveness of online violence against women and girls became increasingly apparent with the arrests of the perpetrators of digital sex crimes, who had blackmailed more than 70 women and girls into sharing sexually exploitative videos and photographs that the perpetrators then circulated through messaging apps.

In Cambodia, Prime Minister Hun Sen led a public attack on women's right to freedom of expression, invoking arbitrary notions of "tradition" and "culture" to justify the policing of women's bodies and choices. In January, he ordered the police to take action against women advertising products on Facebook in purportedly "revealing" clothes. Within days, a Facebook vendor was arrested and charged with producing "pornography" for the clothes she wore. The assault on women's rights in Cambodia intensified in June, when the government sought to turn these penalties into law, criminalizing the wearing of clothes that were deemed "too short" or "too see-through". The draft law triggered online protests from many women and girls.

Violence against women and impunity for these crimes persisted in several countries. In Papua New Guinea, allegations of sorcery put women at a heightened risk of violence. In Afghanistan, women continued to face discrimination and gender-based violence, especially in Taliban-controlled areas, where violent "punishments" were meted out for perceived transgressions of the armed group's interpretations of Islamic law. Over 100 murder cases related to violence against women were reported in Afghanistan during the year, and these highlighted the persistent failure of the government to investigate these murders or tackle violence against women effectively. In Fiji, a former rugby captain convicted of rape and sentenced to eight years' imprisonment was allowed to resume training after serving less than a year of his sentence.

In Pakistan, an annual march on International Women's Day came under sustained attack, first from the courts, when there was an attempt to ban the march, and

then on the day, when a religious group attacked marchers in Islamabad with rocks. The police failed to protect the protesters. In September, the gang rape of a woman on a national highway sparked national outrage, with calls for the resignation of the top provincial police officer and harsher punishments for rapists. In December, the government passed an ordinance that sought to speed up trials for rape and punish perpetrators with forced chemical castration. Amnesty International expressed its concern that forced chemical castration violates Pakistan's international and constitutional obligations to prohibit torture and other cruel, inhuman, or degrading treatment.

In India and Nepal, the rapes of Dalit women sparked fury. In May, a 12-year-old Dalit girl was forcibly married to her alleged rapist, a man from a dominant caste, in Nepal's Rupandehi district. In September, another 12-year-old Dalit girl was raped and killed in Bajhang district, allegedly by a man who had evaded prosecution for another rape of a 14-year-old girl a month before. Also in September, a Dalit woman was raped and murdered by a group of men from the dominant caste in Hathras, in India's Uttar Pradesh state. Her body was cremated by the police without the consent of the family. The accused men were only arrested after protests erupted across the country demanding justice and accountability.

To address the various problems of violence against women, steps were taken in South Korea, where the government passed laws to enhance the protection of women and girls from sexual exploitation and abuse. The National Assembly increased punishments for digital sex crimes. The age of consent was also raised from 13 to 16, without discrimination, and the statute of limitations was removed for crimes involving the sexual exploitation of children.

In developing their post-pandemic response and recovery, governments must give priority to advancing gender equality and eliminating gender-based violence and harmful gender stereotypes. Women must also be involved in all stages of legislative, policy and budgetary decision-making processes in developing the post-pandemic response and recovery plans of governments in the region.

FAILURE TO PREVENT CLIMATE CHANGE

The Asia-Pacific region is particularly vulnerable to the effects of the climate crisis. In 2020, a series of climate shocks affected human rights in the region. India was severely hit by super-typhoon Amphan, while Bangladesh, Nepal and Myanmar suffered widespread flooding that left millions displaced. Australia experienced unprecedented bushfires which caused displacement and air pollution.

Despite the severity of the impacts, countries in the region most responsible for global emissions failed to set adequate reduction targets that would contribute to avoiding the worst human rights impacts of climate change. Australia, which became the largest fossil fuel exporter in the world, failed to set a more ambitious emission reduction target for 2030 or commit to reach net-zero emission in the long-term. While Japan and South Korea announced carbon neutrality targets for 2050 – and China for 2060 – they failed to demonstrate that they were taking all feasible steps to reach zero carbon emissions before this date as they are required to do in order to refrain from causing significant harm to the human rights of people in and outside of their countries.

Governments must urgently adopt and implement emission reduction targets and strategies that protect human rights from the climate crisis and ensure a just and human rights-consistent transition to a zero-carbon economy and resilient society.

EUROPE AND CENTRAL ASIA REGIONAL OVERVIEW

Government responses to COVID-19 threatened a wide range of rights in Europe and Central Asia and exposed the human cost of social exclusion, inequality and state overreach. Under-resourcing of health systems and failure to provide adequate PPE exacerbated the death rates, workers faced barriers in accessing adequate social security, and public health measures disproportionately affected marginalized individuals and groups. Many governments also used the pandemic as a smokescreen for power grabs, clampdowns on freedoms and a pretext to ignore human rights obligations.

In a number of countries, governments continued to erode the independence of the judiciary. Contested presidential elections in Belarus provoked a human rights emergency in which all semblance to the right to a fair trial and accountability was eroded. Unresolved conflicts in the region negatively affected freedom of movement and rights such as to health. Armed conflict between Armenia and Azerbaijan saw all sides use banned cluster munitions on civilian areas, and commit war crimes.

The space for human rights defenders shrank, through restrictive laws and a pandemic-related reduction in funding. Support organizations reported spikes in domestic violence during COVID-19 lockdowns, while such measures limited access to services.

The pandemic also worsened the already precarious situation of refugees and migrants. Several countries delayed or suspended asylum requests, and many refugees and migrants were particularly at risk as they were forced to live in overcrowded and unhealthy conditions. States failed to set targets to reduce greenhouse gas emissions at a pace which would avoid the worst human rights impacts of the climate crisis. Attacks on the European human rights framework continued. Arms sales to Saudi Arabia and the United Arab Emirates persisted, despite the risk of human rights violations in the Yemen conflict.

RIGHTS TO HEALTH AND SOCIAL SECURITY

The Europe and Central Asia region was hit hard by the COVID-19 pandemic, with some 27 million cases and 585,000 deaths in the region by the year's end, amounting to close to a third of the global total. Numbers may well have been higher due to under-reporting, which, in some cases, was deliberate as in Turkmenistan. Government responses to the pandemic varied dramatically, as did the quality of health care and data collection. This led to vastly differing reported rates of infection and death.

Infections and deaths also varied widely across different groups of the population. According to the WHO, up to half of those who died due to COVID-19 in some countries were older people in long-term care homes. Health care workers and care home workers were infected and died at a greater rate than the rest of the population, sometimes owing to a failure to provide adequate and sufficient PPE. As of September, as per available data, the highest rate of death among health workers was in the UK, Russia, Italy, Kyrgyzstan, and Spain. The pandemic highlighted the weakened state of many western European health care systems after years of austerity measures, and the chronic under-resourcing of health systems in eastern Europe and Central Asia.

COVID-19–related lockdown measures had an immediate impact on the economy and workers' rights. Many workers, especially those in informal employment, experienced barriers to accessing social security schemes,

including furlough, sick leave and other income-supporting mechanisms. Particularly affected were gig workers, seasonal workers, cleaners, care home workers, and sex workers. The pandemic revealed the essential role of migrant workers in the agricultural and other sectors, as some governments such as the UK and Germany flew them in at the peak of the first lockdown, and others such as Spain, Italy and Portugal quickly regularized some.

In many countries, people of colour and ethnic minority origin had disproportionately high rates of infection and death. This reflected multiple challenges faced by these populations, including barriers to adequate health care and a higher incidence of underlying health conditions, exacerbated by poverty, systemic racism and discrimination. Authorities generally failed to fulfil early promises to release older prisoners and detainees or juveniles, women with children or those with underlying health conditions. A tragic consequence was the death on 25 July – reportedly of pneumonia – of Kyrgyzstani human rights defender and prisoner of conscience Azimjan Askarov. He had been sentenced to life imprisonment in 2010 on false charges and repeated calls had been made for his release including due to the COVID-19 risk to his health.

Governments must investigate the disproportionate deaths in settings such as care homes, and failures to provide adequate PPE. Equal access to vaccines within and across countries is also urgent, and co-operation between states imperative, to ensure that treatment and vaccines are acceptable, affordable, accessible and available to all.

STATE OVERREACH

Close to one half of all countries in the region imposed states of emergency related to COVID-19. Governments restricted not only freedom of movement, but also other rights such as freedoms of expression and peaceful assembly. Some political movements sought to hijack human rights discourse in opposing lockdown measures and the wearing of masks, but the human toll of the virus underlined the importance of science and facts. President Alyaksandr Lukashenka in Belarus, for example, defied both when he dismissed COVID-19 as a "psychosis".

A record number of countries (10 at mid-year) derogated from provisions of the European Convention on Human Rights, several for extended periods of time. While under certain conditions countries can derogate from some of their human rights obligations in times of crisis, restrictions must be temporary, necessary and proportionate.

The enforcement of lockdowns and other COVID-19 related public health measures disproportionately hit marginalized individuals and groups who were targeted with violence, discriminatory identity checks, forced quarantines and fines. Such practices highlighted institutional racism, discrimination and the lack of accountability regarding allegations of unlawful use of force by law enforcement officials. Roma and people on the move, such as refugees and asylum-seekers, were placed under discriminatory "forced quarantines" in Bulgaria, Cyprus, France, Greece, Hungary, Russia, Serbia, and Slovakia. Monitors recorded the unlawful use of force by law enforcement officials together with other violations in Belgium, France, Georgia, Greece, Italy, Kazakhstan, Kyrgyzstan, Poland, Romania and Spain. In Azerbaijan, arrests on politically motivated charges intensified under the pretext of containing the pandemic, and government critics were arrested, when in March the President declared he would "isolate" and "clear" the opposition.

In contexts where freedoms were already severely circumscribed, 2020 saw several countries restricting them even further. Russian authorities moved beyond organizations, stigmatizing individuals also as "foreign agents" and clamped down further on single person pickets. The authorities in Kazakhstan and Uzbekistan adopted or proposed new restrictive laws on assemblies. When allegations of election fraud prompted

mass protests, police in Belarus responded with massive and unprecedented violence, torture and other ill-treatment. Independent voices were brutally suppressed as arbitrary arrests, politically motivated prosecutions and other reprisals escalated against opposition candidates and their supporters, political and civil society activists and independent media.

While the need for timely, accurate, science-based information was urgent to combat the pandemic, a number of governments imposed unjustified restrictions on freedom of expression and access to information. Governments misused existing and new legislation to curtail freedom of expression in Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, France, Hungary, Kazakhstan, Poland, Romania, Russia, Serbia, Tajikistan, Turkey, Turkmenistan and Uzbekistan.

Governments took insufficient measures to protect journalists and whistle-blowers, including health workers, at times targeting those who criticized government responses to COVID-19. This was the case in Albania, Armenia, Belarus, Bosnia and Herzegovina, Hungary, Kazakhstan, Kosovo, Poland, Russia, Serbia, Turkey, Ukraine and Uzbekistan. In Tajikistan and Turkmenistan, medical and essential workers did not dare speak out against already egregious freedom of expression restrictions. In Turkey, the government orchestrated troll armies and imposed online restrictions and mis-navigations to distract from certain websites, accounts and inconvenient information.

Some governments conflated the public health crisis with national security concerns, such as in Hungary. In France and Turkey, for example, national security legislation was rushed through in expedited proceedings, while governments in Russia and elsewhere bolstered surveillance capabilities, hoarded and sometimes disclosed personal data, posing a long-term threat to privacy and other rights. The EU's Counter-Terrorism Agenda, launched in December, promised to harness the power of technology to keep people safe from violent attacks. But the Agenda would vastly expand surveillance capacity and the use of predictive technologies at the expense of freedom of expression and the right to privacy, fair trial and non-discrimination. **Governments must cease using the pandemic as a pretext to crack down on dissent, rein in police overreach, ensure accountability for misconduct, and stop the slide into surveillance states.**

UNDERMINING JUDICIAL INDEPENDENCE

In a number of countries, governments continued to take steps that eroded the independence of the judiciary. One common measure was to discipline judges or interfere with their appointment or the security of their tenure, for demonstrating independence, criticizing the authorities, or passing judgments that went against the wishes of the government.

In Poland, Parliament adopted a new law prohibiting judges from questioning the credentials of judges appointed by the President at the Disciplinary Chamber of the Supreme Court. The state initiated disciplinary proceedings in August against 1,278 judges who had asked the OSCE to monitor the presidential election. Despite an April decision by the Court of Justice of the EU (CJEU) requiring the Polish government to immediately suspend its new system of disciplinary proceedings against judges, the authorities refused to implement this ruling.

In Hungary, senior members of the government contested final judgments in official government communications and in the media, delaying their execution. In Turkey, the Council of Judges and Prosecutors initiated disciplinary proceedings against the three judges who acquitted the Gezi trial defendants, following the President's criticism of the acquittal decision.

The authorities in Turkey also undermined fair trial guarantees by taking steps to control bar associations and targeting lawyers for their professional activities. In July, Parliament passed a law changing the structure of the bar associations, weakening

their ability to voice concerns about issues such as the lack of independence of the judiciary and human rights. In September, 47 lawyers were detained by police on suspicion of "membership of a terrorist organization", based solely on their work. Also, in September, the Court of Cassation upheld the prison sentences of 14 lawyers prosecuted under terrorism-related charges.

In Russia and in much of Eastern Europe and Central Asia, violations of the right to a fair trial remained widespread and the authorities cited the pandemic to deny detainees meetings with lawyers and prohibit public observation of trials. During Belarus' human rights emergency all semblance of adherence to the right to a fair trial and accountability was eroded: not only were killings and torture of peaceful protesters not investigated, but authorities made every effort to halt or obstruct attempts by victims of violations to file complaints against perpetrators.

Governments must ensure respect for the rule of law, protect the independence of the judiciary and uphold fair trial guarantees.

HUMAN RIGHTS IN CONFLICT ZONES

Conflicts in countries of the former Soviet Union continued to hold back human development and regional co-operation, and lines of contact along unrecognized territories constrained the rights of residents on both sides.

In Georgia, Russia and the breakaway territories of Abkhazia and South Ossetia/Tskhinvali Region continued to restrict freedom of movement with the rest of the county, including through the further installation of physical barriers. Crossing points shut in 2019 remained closed, and at least 10 residents were said to have died after being refused permission for medical transfer to the rest of Georgia. In Moldova, the de facto authorities in the unrecognized Transdniestria region introduced restrictions on travel from government-controlled territory, affecting medical provisions to the local population. In Ukraine both government forces and those of Russian-backed separatists in the east of the country imposed restrictions on travel across the contact line, often appearing as reciprocal measures, with the number of crossings dropping from a monthly average of one million to tens of thousands by October. These and COVID-19 restrictions meant that scores of people suffered family separation, and lack of access to health care, pensions and workplaces. Older people and vulnerable groups were among those most severely affected.

The most serious clashes were in September when heavy fighting erupted between Azerbaijan and Armenia and Armenian-supported forces in Azerbaijan's breakaway region of Nagorno-Karabakh. More than 5,000 deaths resulted. All sides used heavy explosive weapons with wide-area effects in densely populated civilian areas, including ballistic missiles and notoriously inaccurate rocket artillery salvos. These caused civilian deaths, injuries and widespread damage to civilian areas. Cluster munitions banned under international humanitarian law were deployed on Stepanakert/Khankendi, the capital of Nagorno-Karabakh, and on Barda city in an area under Azerbaijan government control. Both Azerbaijani and Armenian forces committed war crimes including extrajudicial execution, torture of captives and desecration of corpses of opposing forces.

All parties to the conflicts must fully respect international humanitarian law and protect civilians from the effects of hostilities. Any restrictions on freedom of movement should be strictly necessary, dictated by genuine security and military considerations, and proportionate.

HUMAN RIGHTS DEFENDERS

Some governments further limited the space for human rights defenders and NGOs through restrictive laws and policies, and

stigmatizing rhetoric. This trend accelerated during the pandemic, which thinned the ranks of civil society through financial attrition, as funding streams from individuals, foundations, businesses and governments dried up as a consequence of COVID-19-related economic hardship.

Turkey continued to repress and harass NGOs, human rights defenders and dissenting voices, while failing to implement a key European Court of Human Rights judgment calling for the immediate release of unjustly detained civil society activist Osman Kavala. The governments in Kazakhstan and Russia continued moves to silence NGOs through smear campaigns, and tax authorities in Kazakhstan threatened over a dozen human rights NGOs with suspension based on alleged reporting violations around foreign income. In Russia peaceful protesters, human rights defenders and civic and political activists faced arrests and prosecution. In Kyrgyzstan proposed amendments to NGO legislation created onerous financial reporting requirements.

In the context of counter-terrorism, France and Austria moved to dissolve a number of Muslim associations on the basis of problematic procedures. Restrictive new NGO legislation was mooted in Bulgaria, Greece, Poland, and Serbia, while governments in France, Italy, Malta and elsewhere continued to obstruct and sometimes criminalize the work of NGOs involved in rescuing or providing humanitarian assistance to migrants and asylum-seekers.

In a positive development, the CJEU struck down a 2017 restrictive NGO law in Hungary as being in breach of EU law. The year also saw the strengthening of social movements focussed on the environment, accountability, women's rights and anti-racism. Protesters mobilized against contested election results in Belarus, corruption in Bulgaria and regressive moves by the new government in Slovenia. Thousands challenged a controversial security law proposed in France and a ruling further restricting access to safe abortion care in Poland.

Governments must halt the stigmatization of NGOs and human rights defenders and ensure a safe and enabling environment in which it is possible to defend and promote human rights without fear of punishment, reprisal or intimidation.

RIGHTS OF WOMEN AND LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Progress on combating domestic violence stalled – and even reversed – in many countries. The year saw no new signatures or ratifications to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention). On the contrary, the Hungarian Parliament refused to ratify it, while the Polish Minister of Justice announced plans to withdraw from the Convention and Turkey's President mooted the same idea.

As many women were confined in their homes with abusers under lockdown, support organizations in a number of countries reported spikes in domestic violence, while accessing support services became more difficult. In Ukraine and many other countries in Eastern Europe and Central Asia, strict quarantine measures meant that many survivors could not access free legal aid offered online as they continued to share living space with their abuser or could not travel to shelters. Some governments in the EU took special steps to assist victims during the pandemic by renting hotel rooms instead of sending women to shelters where the risk of infection was higher, or creating new helplines. Some countries, including Croatia, Denmark, the Netherlands and Spain finally took steps to improve their rape laws to make them consent-based.

Under lockdown, some jurisdictions categorized abortion care as non-essential medical treatment, placing new obstacles to women's sexual and reproductive health and

rights. While a legislative initiative to further restrict access to abortion care in Slovakia narrowly failed, the Constitutional Tribunal in Poland struck down a provision which allowed women to terminate a pregnancy in cases of fatal or severe foetal abnormality. This move prompted mass protests by women and allies in the country. Peaceful protesters were met with police violence and faced administrative and criminal charges. Meanwhile, 11 women's rights activists in Greece were arrested and charged for breaching public health rules after staging a symbolic action against gender-based violence.

In several countries, religious and political figures used COVID-19 as an excuse for engaging in advocacy of hatred against the LGBTI community, blaming them for the pandemic. Monitors also reported COVID-related spikes in domestic abuse against LGBTI people. Some countries used the pandemic as a pretext to restrict access to hormone therapy and other medical treatment for trans people. A number of local governments in Poland declared themselves to be "LGBTI-free zones" and incumbent President Andrzej Duda engaged in advocacy of hatred against the LGBTI community during his campaign for re-election. At the end of the year, the Hungarian government proposed a raft of legislation restricting LGBTI rights. In a related development, the Romanian Parliament passed a law prohibiting the teaching of gender studies, which remained contested at the Constitutional Tribunal at the year's end.

Governments must bolster support services for women and LGBTI victims of domestic violence, remove obstacles to accessing sexual and reproductive rights, and combat discrimination against women and LGBTI people.

RIGHTS OF REFUGEES AND MIGRANTS

COVID-19 worsened the already precarious situation of refugees and migrants. Several countries delayed or suspended processing asylum requests. Many refugees and migrants were particularly at risk of COVID-19 as they lived in overcrowded, insalubrious detention facilities, camps, or squats. The most emblematic case was the Moria camp on the Greek island of Lesvos, where a fire left 13,000 refugees and migrants without shelter. Border closures deprived seasonal workers and labour migrants of subsistence and their families of remittances, including in Central Asia.

Pushbacks and violence at land and sea borders continued. In a cynical and dangerous move, Turkey instrumentalized refugees and migrants for political purposes by encouraging them to travel from Turkey to Greece's land border, sometimes even facilitating their transport. In turn, the Greek authorities committed human rights violations against people on the move, including excessive use of force, beatings, use of live ammunition, and pushbacks into Turkey. Croatia continued forcible expulsions of asylum-seekers, often accompanied with violence and abuse. Governments throughout southern Europe prohibited ships in the Mediterranean from disembarking rescued migrants and refugees, leaving them stranded at sea for record periods of time. In a clear attempt to circumvent legal obligations against pushbacks, Italy, Malta and the EU continued to co-operate with Libya, where disembarked migrants and refugees were subjected to serious human rights violations. The EU began to discuss a new migration pact which continued the EU's main policy thrust of deterring migration rather than managing it in a human rights compliant manner.

Governments must expand the provision of safe and regular pathways of migration, particularly for persons in need of protection to come to Europe, including humanitarian visas, resettlement, community sponsorship and family reunification.

PREVENTION OF CLIMATE CHANGE AND CORPORATE ACCOUNTABILITY

In December, the European Council decided to cut greenhouse gas emissions by at least 55% by 2030. While an advance from its previous, even more inadequate, pledge, this target would still fail to reduce emissions at a pace that avoids the worst human rights impacts of the climate crisis and would put an excessive burden on developing countries. At national level, the vast majority of European countries announcing net-zero emission targets continued only to commit to reaching this by 2050. In order to refrain from causing significant harm to rights of people in and outside of Europe, they are required to aim for carbon neutrality well before this date. In addition, in most cases net-zero plans included loopholes that could delay climate action, together with measures that would be detrimental for the enjoyment of human rights. Several countries, such as France, Germany, Italy, Russia and the UK allowed fossil fuel companies, the aviation industry and other carbon-polluting companies to benefit from economic stimulus measures, such as tax rebates and loans, without any conditions to reduce their carbon footprint.

There was a significant increase in climate litigation targeting governments and corporations, with major new cases being filed in France (applying the recent 'law of vigilance'), Germany, Poland, Spain and the UK, among others, as well as a case by six Portuguese children and young adults to the European Court of Human Rights targeting 33 member states. The Irish Supreme Court required the government to adopt more ambitious emissions reductions targets, whereas the Swiss Federal Court rejected a similar claim.

Following years of pressure from civil society and trade unions, the European Commission began the process of introducing a law obliging corporations to respect human rights and environmental standards through businesses' entire global value chains. In November, while a majority of Swiss voters voted in favour of introducing a similar law, the initiative failed as it did not receive the support of most cantons.

Governments must accelerate inadequate timetables to reduce greenhouse gas emissions, reach zero-carbon emissions and eliminate loopholes delaying climate action. They should condition any economic support measure to high-emitting companies with time-bound commitments to phase out fossil fuels. EU legislators must ensure laws effectively hold businesses accountable for human rights and environmental harm within their value chain and provide victims with access to remedy.

HUMAN RIGHTS AT HOME AND IN THE WORLD

Attacks on the European human rights framework continued in 2020. In the OSCE, states could not agree on the leadership of the key human rights institutions and allowed mandates to lapse for many months before approving replacements. Council of Europe member states continued to delay the implementation or selectively implement judgments of the European Court of Human Rights. A striking indicator of backsliding was the growth in judgments finding a violation of Article 18 of the European Convention on Human Rights, which prohibits using restrictions on rights for any purpose other than those prescribed by the Convention. Member states such as Azerbaijan, Russia and Turkey were found to have abusively detained or prosecuted individuals or otherwise restricted their rights. Article 18 violations should ring loud alarm bells: they indicate political persecution.

The EU continued to struggle to address the ongoing erosion of the rule of law in Hungary and Poland, although it activated proceedings against the two states for risking a serious breach of the union's core values. At the year's end, EU member states agreed

to link EU funding, including COVID-19 recovery and climate-related funds, to compliance with the rule of law, but how this linkage could be triggered in the future remained unclear. Despite some important human rights-related judgments of the CJEU on the independence of the judiciary and attacks on NGOs, the failure of the EU to reverse or arrest the shrinking space for NGOs and migration-related human rights violations strained internal/external coherence and made it more difficult for the EU to engage credibly on human rights in foreign policy.

In Eastern Europe and Central Asia, Russia and China continued to wield political, economic and sometimes military influence, and undermined the international human rights framework and the institutions mandated to protect it. Russia offered financial and media support to the Belarusian authorities as they waged a full-fledged violent assault on the population, and the EU, UN and regional human rights institutions were unable to muster political weight to halt the egregious violations. In Western Europe, Belgium, the Czech Republic, France and the UK were among those permitting arms sales to Saudi Arabia and the United Arab Emirates, despite the high likelihood that these arms would be used to commit human rights violations in the conflict in Yemen.

Notwithstanding internal challenges, the EU and its member states remained important players in promoting human rights worldwide. In 2020, the EU took significant steps to boost its human rights policy, including by adopting a new Human Rights Action Plan.

States must fulfil the treaty obligations they have chosen to take upon themselves and respect the human rights architecture of which they are a part. Where they have undertaken to respect the decisions of international human rights courts, they must implement those rulings.

MIDDLE EAST AND NORTH AFRICA REGIONAL OVERVIEW

Governments across the region responded to the COVID-19 pandemic by declaring states of emergency or passing legislation with excessive restrictions on freedom of expression. People were prosecuted for their legitimate criticism of their governments' handed response to the pandemic. Health workers protested a lack protection at work, including inadequate protective gear and access to testing, but faced arrest and prosecution for raising concerns about conditions of work and public health. Governments discriminated in their responses to the pandemic, including in vaccine distribution.

The region's human rights defenders continued their work despite the high risk of imprisonment, prosecution, travel bans or other reprisals. Security forces used unlawful lethal or less-lethal force that killed or injured hundreds of people with impunity. Overcrowding and insanitary conditions put prisoners in the region at particular risk of COVID-19, a situation that was exacerbated by inadequate health care and torture or other ill-treatment in prisons.

Parties to armed conflicts committed war crimes and other serious violations of international humanitarian law. In the midst of the pandemic, the authorities restricted humanitarian aid, exacerbating the poor state of health care systems which were already depleted. Other military powers fuelled violations through illicit arms transfers and direct military support to combatants. Smaller countries continued to host over 3 million refugees from Syria but a range of push factors forced many Syrians to return. Military offensives and other fighting and insecurity in several countries displaced hundreds of thousands of people from their homes.

Workers across the region faced summary dismissal or reduced wages as the pandemic's economic impact caused hardship. Migrant workers were particularly vulnerable given that the *kafala* (sponsorship) system ties their residency to employment in many countries. Domestic violence increased, especially during national lockdown periods, and "honour" killings continued with impunity.

Authorities heavily repressed the rights of lesbian, gay, bisexual, transgender and intersex people, arresting them for their real or perceived sexual orientation or gender identity and subjecting some men to forced anal examinations.

RIGHT TO HEALTH

Health workers in Tunisia and Morocco organized protests against the lack of adequate protection measures provided to them, citing insufficient PPE, access to testing and failures to designate COVID-19 as an occupational disease. In Egypt and Iran, health workers faced reprisals, including arrests, threats and intimidation for voicing their concerns or other criticism of the authorities' response. The Egyptian authorities arrested at least nine workers who expressed safety concerns or criticized the government's handling of the pandemic and detained them pending investigations into "terrorism"-related charges and "spreading false news".

The Syrian government failed to provide adequate protective gear or access to testing for health workers. In December, the Israeli Health Ministry distributed COVID-19 vaccines exclusively to citizens and residents of Israel, including Palestinians living in illegally annexed East Jerusalem, discriminating against the nearly 5 million Palestinians living under Israeli military occupation in the West Bank and Gaza in violation of its obligation as occupying power to ensure preventive measures to combat the spread of epidemics. In southern Libya,

Tabus and Touaregs faced barriers in accessing adequate health care as rival armed groups controlled access to major hospitals and, in some cases, because they did not have identity documents.
Authorities should ensure that the health care they provide, including preventive vaccines, is delivered without discrimination, that health care workers are adequately protected and that any restrictions on rights to combat the pandemic are necessary and proportionate.

FREEDOM OF EXPRESSION

Governments across the region used the COVID-19 health crisis to justify further clampdowns on freedom of expression, thereby denying people the right to information on the virus or to debate government responses. The authorities in Algeria, Jordan and Morocco issued decrees or legislation citing a state of emergency that criminalized legitimate expression about the pandemic. These were promptly implemented, with the authorities prosecuting people for "spreading false news" or "obstructing" government decisions. In Bahrain, Iran, Oman and Saudi Arabia judicial authorities dedicated teams to prosecuting people for spreading "rumours" about the pandemic that disturb public opinion. Authorities in Egypt and Iran arrested or otherwise harassed journalists and social media users for questioning the official narrative around COVID-19. Shorter-term arrests or criminal investigations occurred in Jordan and Tunisia for criticizing the government or local authorities' handling of the crisis.

Across the region, authorities used overly broad and subjective Penal Code provisions, criminalizing "insult" to silence online criticism of the authorities and leading to harsh prison sentences including against the writer Abdullah al-Maliki in Saudi Arabia, who was sentenced to seven years. Journalists in Egypt and Libya faced prosecution and imprisonment for their work and additionally, in Iran, one journalist was executed. The Lebanese authorities investigated dozens of journalists or activists who had taken part in the October 2019 protest movement. In Tunisia, nine social media users faced criminal investigation and, at times, brief periods of detention for publishing Facebook posts criticizing local authorities or the police.

Regional governments continued to censor the internet; the Egyptian and Palestinian authorities blocked access to websites, and the Iranian authorities blocked social media channels. Governments invested in expensive digital surveillance equipment like that produced by the NSO Group, an Israeli spyware company, to target human rights defenders. Amnesty International investigations revealed how the Moroccan authorities used the NSO Group's notorious Pegasus software to target human rights defender and academic Maati Monjib and independent journalist Omar Radi, both of whom were arrested and faced prosecution on trumped-up charges. In July, a Tel Aviv court rejected a case brought by Amnesty International and others asking the Israeli Ministry of Defense to revoke the NSO Group's security export licence.
Governments must release all prisoners of conscience immediately and unconditionally, halt all investigations or prosecutions related to peaceful online or offline expression, and stop blocking websites without due process. As a priority, authorities should repeal subjective provisions that criminalize "insult" and must decriminalize defamation.

HUMAN RIGHTS DEFENDERS AND FREEDOM OF ASSOCIATION

Human rights defenders continued to pay a heavy price for their bravery. The authorities tried to silence and punish them for their work, using various tactics. The Israeli authorities used raids, judicial harassment and travel bans against critics of the military occupation, including Amnesty International employee Laith Abu Zeyad whose travel ban

was upheld by the Jerusalem District Court in November. The Iranian authorities unlawfully closed businesses or froze assets of human rights defenders and carried out reprisals against their relatives, including their children or parents. In Egypt, security forces arrested three staff members from the Egyptian Initiative for Personal Rights and, in a rare move, released them weeks later, following a global campaign. At the same time, judicial authorities arbitrarily added at least five human rights defenders to "terrorists lists" for five years. Virtually all Saudi Arabian human rights defenders were in exile or imprisoned. In December, a court sentenced women's rights defender Loujain al-Hathloul to five years and eight months in prison.

The Algerian authorities passed legislation further restricting freedom of association, introducing a 14-year prison sentence for receiving foreign funding to undermine "the fundamental interests of Algeria". The Moroccan authorities arrested Maati Monjib in December and investigated him on charges related to the receipt of foreign funding.

In June, Nabeel Rajab, head of the outlawed Bahrain Centre for Human Rights, was released on probation, after serving a four-year prison sentence for a Twitter post in which he criticized the government's human rights record.

States must recognize their obligations to respect and guarantee the right to defend human rights by ensuring that human rights defenders are able to work free from arbitrary arrest and prosecution, threats, attacks and harassment. Authorities must respect the right to freedom of association and remove arbitrary restrictions on civil society organizations.

PROTESTS AND THE UNLAWFUL USE OF FORCE

Protest movements in Algeria, Iraq and Lebanon continued to organize in the first few months of the year until the spread of COVID-19 led to their suspension. Peaceful protesters faced arrest, beatings and, at times, prosecution for participating in protests. In Iraq, federal security forces arrested thousands of protesters in the first few months of the year. Kurdistan Regional Government officials cited COVID-19 as justification for dispersing protesters in May in the city of Dohuk and charged them with "misusing electronic devices" in organizing a protest.

Security forces throughout the region used force to disperse protests, including through use of less-lethal weapons. The force used was frequently unlawful, often because it was unnecessary or excessive, and weapons were used in a manner they were not designed for. In Iraq, security forces used live ammunition and military-grade tear gas grenades, killing dozens of protesters in Baghdad, Basra, Karbala, Diyala, Najaf and Nasriya. In Lebanon, security forces used rubber pellets in a shoot-to-harm manner in January and February, injuring hundreds of protesters. In Tunisia, police used unnecessary and excessive force when dispersing a peaceful protest in the southern governorate of Tataouine, recklessly firing tear gas in densely populated residential areas with canisters landing inside homes and near a hospital. In Iran, security forces fired pointed pellets, rubber bullets and tear gas, beating and arresting scores of peaceful protesters.

As economic hardship increased, sporadic protests took place later in the year against worsening living conditions in a number of countries. In Libya, there were rare protests in the east and west against corruption and unaccountable militias and armed groups, who responded to protests by abducting protesters and using live ammunition against them, killing at least one man. In the city of Sulaymaniyah in northern Iraq, protests against unpaid wages and corruption were met with live ammunition by Kurdish authorities leading to scores of deaths. In Egypt, rare protests led to the arrests of hundreds of protesters and bystanders who remained in detention pending investigations into "terrorism" and protest-related charges.

Authorities should ensure that their law enforcement officers comply with international standards on the use of firearms and less-lethal weapons, investigate the unlawful use of force and hold law enforcement officers to account. States should always uphold the right to freedom of peaceful assembly.

DETENTION CONDITIONS AND TORTURE

Prisoners in several countries were at heightened risk of contracting COVID-19 due to overcrowding, insanitary conditions and poor ventilation in conditions that amounted to torture and other cruel and inhuman treatment. Overcrowding was common because of arbitrary detention practices, including prolonged pre-trial detention without effective appeal, as in Egypt for example, or administrative detention, such as in Israel and Palestine. In Morocco, the authorities increased the prison population when they imprisoned people solely for breaching pandemic-related measures.

Prison visits were banned during national lockdowns and sometimes beyond, for example in Bahrain and Egypt. Prisoners were not provided with alternative means to communicate with their families.

In Egypt, prison officials failed to distribute adequate sanitation products or to introduce testing and isolation measures and punished prisoners who raised safety concerns. In Iran, where prison authorities themselves acknowledged the lack of resources to respond to the pandemic, security forces responded to prison protests and riots calling for better protection from COVID-19 with unlawful force, including by using live ammunition, pellets and tear gas, in some cases leading to killings. Prison health care was often inadequate and in Egypt, Iran and Saudi Arabia, prisoners with a political background were sometimes deliberately denied health care as a punishment. In Egypt, at least 35 detainees died in prison or shortly after release, following medical complications and, in some cases, denial of adequate health care.

Torture or other ill-treatment in state custody continued in at least 18 countries, particularly during the interrogation phase to extract "confessions". Across the region, courts convicted defendants on the basis of torture-tainted evidence. Prison officials in Bahrain, Egypt, Iran and Morocco used prolonged and indefinite solitary confinement, itself often amounting to torture, to punish prisoners for their political views or speech or to extract "confessions". **Authorities should prioritize medical care and overcrowding in prisons. To counter the spread of COVID-19, they should release all those arbitrarily detained or detained without necessity, such as pre-trial detainees. Judicial officials should investigate torture and other ill-treatment in places of detention as well as punitive ill-treatment in prisons, including the use of prolonged solitary confinement, and end the use of torture-tainted statements in legal proceedings.**

IMPUNITY AND ACCESS TO JUSTICE

Across the region, security forces enjoyed impunity for human rights violations, especially for the unlawful use of lethal or less-lethal force and torture. In June, the Iranian authorities revealed for the first time the official figures for those killed during the November 2019 protests, but continued to cover up the real death toll , and publicly praised security and intelligence forces for their role in the crackdown. In Iraq, the new Prime Minister's promises to investigate the killing of hundreds of protesters and to compensate their families were not realized. In Lebanon, judicial authorities failed to investigate over 40 complaints of torture and the unlawful use of less-lethal weapons that had caused hundreds of injuries to protesters between 2019 and 2020. In Egypt, prosecutors routinely failed to effectively investigate torture and enforced

disappearance complaints, with the rare exception of deaths in custody in non-political cases like that of shop owner Islam al-Australy who died two days after his arrest in September.

There were some steps towards accountability, often a long struggle, at the international level. In June, the UN Human Rights Council established a fact-finding mission to investigate violations and abuses of international human rights law and international humanitarian law committed by all parties to the conflict in Libya since 2016. In December, seven UN experts wrote to the Iranian government warning that past and ongoing violations related to prison massacres in 1988 may amount to crimes against humanity and that they would call for an international investigation if these violations persisted.

Ten years after its revolution, Tunisia's transitional justice process continued, with the government finally publishing the Truth and Dignity Commission's concluding report and establishing a reparations fund. Dozens of trials continued before dedicated criminal courts but security force and police unions continued to boycott the process while accused officers refused to respond to court summons.

In countries including Egypt, Iran, Israel and the Occupied Palestinian Territories (OPT), Libya, Saudi Arabia and Syria, exceptional courts, such as military, revolutionary and security courts, were used extensively, and trials grossly violated fair trial standards. Trials before ordinary criminal courts were often equally problematic, with mass trials continuing to take place. In some countries, notably Egypt, Iran, Iraq and Saudi Arabia, the death penalty was imposed and implemented following grossly unfair trials.

Israel continued to carry out systematic violations, including crimes under international law, against Palestinians with impunity. A pre-trial chamber at the International Criminal Court was still looking at the question of the court's jurisdiction in the OPT, the result of which may allow for the Office of the Prosecutor to open an investigation into crimes under international law.

Israel continued to impose institutionalized discrimination against Palestinians living under its rule in Israel and the OPT, displacing at least 996 Palestinians in Israel and the occupied West Bank through home demolitions.

National judicial authorities should hold members of security services to account for abuses, to ensure judicial oversight of the executive, and uphold due process standards without recourse to the death penalty.

VIOLATIONS IN ARMED CONFLICT

The lives of civilians in Iraq, Libya, Syria and Yemen continued to be afflicted by years of armed conflict, where fluctuating levels of violence by state and non-state parties to these conflicts reflected shifting alliances on the ground and the interests of external military powers. Multiple parties in the conflicts committed war crimes and other serious violations of international humanitarian law. Some carried out direct attacks against civilians or civilian infrastructure. In Libya, armed groups and militias continued to attack medical facilities and abduct health workers. Al-Khadra General Hospital in the capital, Tripoli, designated by the Health Ministry to treat COVID-19 patients, was shelled in April and May. Syrian and Russian government forces carried out direct attacks on civilians and civilian objects, including hospitals and schools, through the aerial bombing of cities in the governorates of Idlib, Hama and Aleppo.

Almost all parties to the fighting in the region carried out indiscriminate attacks that killed and injured civilians in the form of air strikes and shelling of residential areas with artillery, mortars and rockets. The transfer of weapons used to commit war crimes and other violations continued. The United Arab Emirates (UAE) continued to illicitly divert

weapons and military equipment to militias in Yemen. In Libya, countries including Russia, Turkey and the UAE, continued to supply their allies with arms and military equipment, including banned anti-personnel mines in violation of the UN arms embargo. Turkey and the UAE directly intervened in hostilities through airstrikes which killed civilians and people not directly participating in hostilities. In Syria, Russia maintained its direct support of military campaigns by government forces that violated international law, while Turkey backed armed groups that engaged in abductions and summary killings.

Some actors continued to restrict humanitarian access as a tactic, exacerbating socio-economic hardship and particularly undermining the access of affected civilians to health care during the pandemic. In Yemen, all parties to the conflict arbitrarily restricted humanitarian assistance, further worsening the state of the already depleted health care system, which had only 50% of its hospitals and other medical facilities operating. The Syrian government continued to impede access to UN humanitarian aid agencies and Damascus-based international NGOs, so that the UN Security Council-authorized mechanism for cross-border aid from Turkey remained the only lifeline for some communities, although the number of crossing points was reduced from four to two.

In Gaza and southern Israel, sporadic bursts of armed hostilities flared up between Israel and Palestinian armed groups. Israel maintained its illegal blockade on the Gaza Strip.

Parties to armed conflicts must abide by international humanitarian law. In particular they must end direct attacks against civilians or civilian infrastructure and indiscriminate attacks, and refrain from using explosive weapons with wide-area effects in civilian areas. Military powers must halt arms transfers where there is a significant risk that they will be used in violation of international law, as was the case in the ongoing conflicts in the region.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS, MIGRANTS AND INTERNALLY DISPLACED PEOPLE

Already at heightened risk due to overcrowding, refugees, migrants and internally displaced people (IDPs) living in camps were hit hard by movement restrictions imposed to prevent the spread of COVID-19, limiting their access to employment outside the camps and the ability of humanitarian workers to deliver aid.

The barrage of attacks on civilians and civilian infrastructure in northwest Syria increased the population of already overstretched IDP camps close to the Turkish border by nearly 1 million people. In Iraq, the authorities closed at least 10 IDP camps, subjecting tens of thousands of people to secondary displacement and, for those perceived to have ties to the armed group calling itself Islamic State, the risk of arbitrary detention and enforced disappearance.

Jordan, Lebanon and Turkey continued to host most of the 5 million refugees who had fled Syria since the start of the crisis in 2011, illustrating the failure of the international community to share the burden of responsibility. In Jordan, Syrian refugees were among those most affected by the national lockdown due to their largely informal employment and a lack of written contracts, social security and health insurance cover or valid work permits.

In Libya, the suffering of refugees, asylum-seekers and migrants was compounded by the economic impact of COVID-19, border closures and movement restrictions. State and non-state actors subjected them to indefinite arbitrary detention, abductions, unlawful killings, torture and other ill-treatment, rape and other sexual violence, and forced labour. Thousands were forcibly disappeared upon disembarkation by the EU-supported Libyan Coast Guard, while at least

6,000 were expelled from eastern Libya without due process.

Authorities continued to arrest and detain undocumented migrants, often without legal grounds. Algerian authorities denied detained migrants any access to legal recourse, sometimes for months, expelling over 17,000 of them. In Tunisia, a group of 22 migrants won a case challenging their detention in Ouardia Center and the Ministry of Interior complied by releasing them gradually. **Governments must halt the direct and constructive *refoulement* of refugees and asylum-seekers to Syria and other countries, while western and other states must take a much greater share of their responsibilities, including through resettlement.**

WORKERS' RIGHTS

The economic impact of the pandemic led to widespread job losses across the region. In Egypt, tens of thousands of private sector workers were dismissed, forced to accept reduced wages, work without protective equipment or take open-ended unpaid leave. Workers and trade unionists often faced arrest solely for exercising their right to strike. In Jordan, a protracted dispute between the government and the teachers' union was exacerbated by the government's decision to freeze public sector pay until the end of 2020 due to COVID-19, which was met by new protests in August. Jordanian police raided 13 union branches, arrested dozens of union and board members and a court ordered the union's dissolution.

The pandemic aggravated the already vulnerable position of migrant workers whose employment was governed by the *kafala* system in Bahrain, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia and the UAE. Inadequately protected from abuse by their employers and agents, migrant workers faced arbitrary dismissals and unpaid wages and were also at heightened risk of COVID-19, due to insanitary conditions and overcrowding in camps or shelters. They rarely had access to social protection or alternative employment since emergency in-kind and cash assistance was limited to country nationals, for example in Jordan, where only daily workers who were Jordanian were eligible. Thousands of migrant workers who lost their jobs also lost their residency status, and were therefore at risk of arrest, detention and deportation. Those wishing to leave the country often could not do so because of COVID-19-related travel restrictions. Governments, including in Kuwait and Saudi Arabia, extended residency permits or announced amnesties for permit violators, allowing them to leave the country without paying fines if they had no debts or ongoing court cases.

Reforms to improve protection for migrant workers were announced in several countries, particularly in the Gulf, where they constituted a high proportion of the workforce. In Oman and Qatar, the authorities made legislative changes to allow migrant workers to change jobs without their employers' permission. In Kuwait, the authorities prosecuted at least three cases of physical abuse by employers against migrant domestic workers as well as cases of human trafficking and illegal visa traders. **Governments should ensure that workers' rights are upheld, that they protect the right to strike, extend labour law protections to migrant workers, including migrant domestic workers, and abolish the *kafala* system.**

WOMEN AND GIRLS' RIGHTS

Women's rights organizations, helplines or shelters for survivors of violence reported an increase in calls for help due to domestic violence, and requests for emergency shelter during national lockdown periods, including in Algeria, Iraq, Jordan, Morocco and Tunisia. "Honour" killings continued in Iraq, Jordan, Kuwait and Palestine where the authorities failed to take action to prosecute the perpetrators. In Libya, state and non-state actors subjected women and girls to gendered abuse, intimidation online,

abduction and assassination, as in the case of lawyer Hanan al-Barassi in Benghazi. In Iran, the "morality" police enforced discriminatory forced veiling laws by subjecting women and girls to daily harassment and violent attacks.

Women continued to face entrenched discrimination in law, including in relation to marriage, divorce, child custody, inheritance and, in Saudi Arabia and Iran, employment and political office. The suspension of court proceedings during lockdowns had an adverse impact on women's access to a remedy, including in prosecutions of violence against women in Morocco.

In Egypt, an online campaign by young feminists led to the arrest of several men accused of rape, resulting in one trial, but the authorities also arrested survivors and witnesses who had testified in these cases. At least nine women social media influencers in Egypt were prosecuted on charges of "violating family principles" for their videos on TikTok.

In a positive step, the Kuwaiti Parliament approved a bill criminalizing domestic violence, offering further protections for victims of domestic violence as well as legal and medical services.

In addition to addressing long-standing discrimination against women in law and practice, authorities should publicly condemn all forms of violence against women. They should prioritize policies to ensure that women and girls who are victims of violence are accorded an effective remedy and that their abusers are held to account.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Throughout the region, LGBTI people faced harassment, arrest and prosecution, on the basis of their real or perceived sexual orientation or gender identity. In some countries, forced anal examinations, a practice amounting to torture, took place to gather evidence of same-sex sexual conduct in the case of gay men. Criminal courts continued to treat consensual same-sex sexual relations as a crime, often sentencing men, and sometimes women, either under public decency or dedicated provisions. Algerian police arrested 44 people for a party they described as a "homosexual wedding", and a court later sentenced the hosts and all guests to three years and one year in prison, respectively, for "inciting homosexuality" and "debauchery". Tunisian courts convicted at least 15 men and one woman under Article 230 of the Penal Code, which criminalizes "sodomy". In Libya, Al-Radaa Forces continued to detain men for their perceived sexual orientation or gender identity, and tortured and otherwise ill-treated them.

Governments must release all those detained for their real or perceived sexual orientation and drop all charges against those facing prosecution. Legislative authorities must repeal provisions criminalizing consensual same-sex sexual relations, scrap anal examinations and enact legislation prohibiting discrimination on the basis of sexual orientation or gender identity.

AMNESTY INTERNATIONAL REPORT 2020/21

A-Z COUNTRY ENTRIES

AFGHANISTAN

Islamic Republic of Afghanistan
Head of state and government: **Mohammad Ashraf Ghani**

The current conflict in Afghanistan entered its twentieth year and continued to claim large numbers of civilian casualties. Attacks by the Taliban and other armed groups deliberately targeted civilians and civilian objects in violation of international humanitarian law; sites that were attacked included a maternity hospital and educational institutions. There was no accountability for these crimes as impunity persisted. Women and girls continued to face violence, harassment and intimidation. Violence against children persisted. Afghan asylum-seekers continued to be forcibly returned to Afghanistan, particularly from Iran where some had been attacked by the Iranian security forces. The Afghan Government established a Joint Commission for protection of human rights defenders and civil society activists in Afghanistan; the Commission will work under the Second Vice-President Mohammad Sarwar Danish, and the members include activists and the Afghanistan Independent Human Rights Commission.

BACKGROUND

In February the Afghan Taliban signed a peace agreement with the USA ahead of a proposed withdrawal of US troops. The agreement included a pledge to release "up to 5,000" Taliban fighters held in Afghan government prisons from a list initially given to the USA, in exchange for 1,000 members of the Afghan security forces held by the armed group. The Afghan government resisted releasing 400 fighters from the list, who were alleged to be responsible for serious crimes. The proposed release of certain Taliban fighters also triggered concerns from France and Australia as it included those responsible for killing their soldiers. However, under pressure from the USA they too were released; a few who were accused of killing foreign citizens were subsequently transferred to Qatar. Eventually, more than 5,000 Taliban prisoners were released, including prisoners accused of serious crimes.

The US-Taliban peace agreement deferred the question of a political settlement in Afghanistan to direct talks between representatives of the Afghan government and various mainly political groups on one side, and representatives of the Taliban on the other. The so-called "intra-Afghan talks" began in September in Doha, Qatar. There was little representation of women on the side of the Afghan government, and no representation of women in the Taliban delegation. There was also no representation of conflict victims, despite the demands of human rights groups. By December, the negotiating teams had only agreed on an internal guiding principle for the negotiation processes.

ARMED CONFLICT

Despite the peace talks, the armed conflict continued to see civilians injured and killed throughout the year and a rise in the number of people internally displaced. According to the UN Assistance Mission in Afghanistan (UNAMA), 2,177 civilians were killed and 3,822 wounded between 1 January and 30 September. Although the figures represented a 30% reduction in civilian casualties compared with the same period in 2019, the number of civilian deaths remained almost the same.

UNAMA reported that the Taliban was responsible for 45% of the civilian casualties, and the armed group calling itself the Islamic State in Khorasan was responsible for 7% of the civilian casualties between 1 January and 30 September. Armed groups were collectively responsible for the deliberate targeting and killing of civilians, including teachers, health workers, humanitarian workers, judges, tribal and religious leaders, and state employees. The attacks included violations of international humanitarian law,

including war crimes, with civilians and civilian objects deliberately targeted. In May, a maternity hospital in the Dasht-e-Barchi neighbourhood in the west of the capital, Kabul, was attacked by gunmen. They killed 24 people, including new-born babies, pregnant women and health workers. No group claimed responsibility for the attack.

Pro-government forces were responsible for more than a quarter of all deaths and injuries between 1 January and 30 September, with 602 people killed and 1,038 injured. These included 83 people killed and 30 injured by international military forces. According to UNAMA, the number of civilian casualties attributed to the Afghan National Army had increased in comparison to the previous year, mainly from airstrikes and ground engagements. UNAMA said violence increased in the lead-up to the peace talks.

Children continued to be recruited for combat, particularly by armed groups and the Afghan security forces – pro-government militias and local police – and faced multiple abuses, including sexual abuse. Afghanistan continued to be, according to UNAMA, "one of the deadliest countries in the world for children", with both pro-government and anti-government forces responsible for more than 700 child casualties each. In October, First Vice-President Amrullah Saleh announced ordering the arrest of an individual who reported civilian casualties in an Afghan government air strike on a school, which had killed 12 children. Later, the Takhar provincial governor's spokesperson reported that he was removed from his position for reporting on child civilian causalities caused by the Afghan security forces.

IMPUNITY

The peace agreement between the USA and the Taliban made no mention of human rights or of women. Under the agreement, impunity was preserved for serious crimes under international law by all parties. In September, the US administration cemented this position by imposing sanctions, including asset freezes, against the Prosecutor of the ICC, who was poised to lead an investigation into war crimes and crimes against humanity by all parties to the conflict since 2003.

RIGHT TO HEALTH

Afghanistan's weak health care infrastructure was overwhelmed when COVID-19 swept across the country. A total of 52,011 cases and 2,237 deaths were recorded, which almost certainly did not represent the true scale of infection in the country. In most Afghan provinces there was no possibility of receiving a COVID-19 test, and samples were transported to the capital. The government's response – implemented with the support of international donors – was sharply criticized, with allegations of corruption, and people with the greatest need of assistance being left behind. During quarantine, there were many reported cases of poor households having not been included in lists for the distribution of bread because they were not members of the community mosque, while those who were relatively better off received bread.

Internally displaced people, who were already living in precarious conditions before the pandemic, faced particular difficulties in accessing health care and basic amenities. Across the country, the number of people living in poverty remained high, at 55% of the population, and this figure was predicted to rise because of economic slowdown caused by the pandemic.

REFUGEES AND INTERNALLY DISPLACED PEOPLE

Iran, Pakistan, Turkey and EU countries continued to forcibly return migrants and asylum-seekers to Afghanistan, in violation of the principle of *non-refoulement*. These returns, which slowed for a period during the pandemic, were alarming in light of the health care situation in Afghanistan, the unabated conflict, and high levels of poverty.

The Iranian authorities forcibly returned nearly 700,000 people between 1 January and 31 October. Iranian border forces were also responsible for attacks on Afghan migrants, including cases of torture and drowning in May and an arson attack on a

vehicle carrying migrants in June. The attacks were not investigated, and no action was taken against the perpetrators.

According to the International Organization for Migration, there were 4 million people internally displaced in Afghanistan in 2020, an increase from 1.2 million in 2016 and half a million in 2013. Throughout this time, internally displaced people languished on the brink of survival, in many cases living in densely populated camps and facing constant difficulties accessing clean water, health care and employment. Their situation deteriorated further as a result of the COVID-19 pandemic.

WOMEN'S AND GIRLS' RIGHTS

Violence against women and girls

Women and girls continued to face gender-based discrimination and violence throughout Afghanistan, especially in areas under Taliban control, where their rights were violated with impunity and violent "punishments" were meted out for perceived transgressions of the armed group's interpretation of Islamic law.

Violence against women and girls remained chronically under-reported, with women often fearing reprisals and lacking confidence in the authorities if they came forward. According to the Afghanistan Independent Human Rights Commission (AIHRC), more than 100 cases of murder were reported during the year. Where these cases were reported, there was a persistent failure to investigate them. In some cases, victims of violence came under pressure from their communities or state officials to withdraw their complaints, or "mediation" was used to resolve complaints beyond the protection of the law. As a result, there was widespread impunity for the perpetrators of beatings, killings, torture and other ill-treatment, and corporal punishments.

Women's participation in government

Women's participation in government remained limited despite some key improvements in the situation of women since 2000. Women's participation in roles in provincial and local governments remained largely restricted, particularly in the social protection and education sectors. The few women in government faced intimidation, harassment and discrimination. They were not able to access office resources on equitable terms with male colleagues and were often denied overtime work and payment. Women were further denied adequate opportunities in decision-making roles and the attacks they faced while working in government offices were rarely investigated, with impunity persisting for the perpetrators.

CHILDREN'S RIGHTS

Children continued to face harassment and sexual violence. Despite the sexual abuse of children being well-publicized, and the abusive practice of "bacha bazi" (male children being sexually abused by older men) being criminalized in 2018, the authorities made little effort to end impunity and hold perpetrators accountable.

Children lacked adequate opportunities to pursue their right to quality education. According to UNICEF, over 2 million girls remained out of school, and according to government figures about 7,000 schools in the country had no building. Large numbers of children continued to be pressed into forced labour or begging on the streets.

FREEDOMS OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The conditions grew more difficult for journalists, media workers, and activists to function due to increasing insecurity and the targeted killings of activists, journalists, and moderate religious scholars. Journalists raised concerns over the lack of access to information and did not enjoy adequate protection from attacks by armed groups. The government introduced a draft mass media bill, which would have imposed further restrictions on the right to freedom of expression. It was forced to withdraw the bill in the face of widespread criticism.

Discussions were ongoing in parliament over a draft bill on public gatherings, strikes

and demonstrations, which if passed would significantly restrict the right to freedom of peaceful assembly.

The cabinet rejected a third draft bill on NGOs after Amnesty International raised concerns that it placed unnecessary restrictions on registration processes and operational independence.

HUMAN RIGHTS DEFENDERS

Attacks and targeted killings against activists, human rights defenders and journalists increased. Human rights defenders continued to come under attack, facing intimidation, violence and killings. In March, government officials in Helmand province physically assaulted human rights defenders who had alleged corruption. They needed hospital treatment for their injuries. In May, Mohammad Ibrahim Ebrat, a facilitator of the Civil Society Joint Working Group, was attacked and wounded by unknown gunmen in Zabul province. He subsequently died of his injuries. In June, two staff members of the AIHRC, Fatima Khalil and Jawad Folad, were killed in an attack on their car in Kabul.

In December, the Afghan government established the Joint Commission for protection of human rights defenders and civil society activists in Afghanistan. The Commission will work under the Second Vice-President Mohammad Sarwar Danish, and the members include activists and the AIHRC. It remained too early to assess the Commission's effectiveness in protecting activists or ensuring attacks and threats are investigated and perpetrators are prosecuted.

ALBANIA

Republic of Albania
Head of state: **Ilir Meta**
Head of government: **Edi Rama**

Domestic violence against women increased during lockdown. The Prime Minister threatened to use extraordinary powers to close media for "spreading panic" over COVID-19. Roma and LGBTI people continued to face discrimination.

BACKGROUND

Between 31 March and 23 June, Albania derogated from certain European Convention on Human Rights obligations in the name of containing COVID-19. Excessive measures were used to enforce the lockdown.

VIOLENCE AGAINST WOMEN AND GIRLS

Gender-based violence worsened during the lockdown. A women's rights NGO reported a threefold annual increase in calls to the national Counseling Line for Women and Girls during the March-May period.

The sexual abuse of a 15-year-old girl by her school's guard and three other men sparked public outrage in June. Hundreds protested gender-based violence in the capital, Tirana.

FREEDOM OF EXPRESSION

In March, the Prime Minister threatened media organizations with closure for "spreading panic" over COVID-19.

The authorities retracted a controversial anti-defamation law that threatened online media freedom.

In August, the authorities seized Ora News TV following an investigation into the owner's assets. The media group remained operational.

REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

UN Rapporteurs expressed concern and the Ombudsman found serious human rights violations in Harun Çelik's expulsion to Turkey on 1 January. Harun Çelik, a Turkish teacher linked to the so-called Gülen movement, had applied for asylum in Albania.

DISCRIMINATION

In April, Roma activists protested discrimination in the government's allocation of financial emergency assistance that did not cover those working in the informal sector.

Parliament adopted amendments to the law on discrimination, significantly expanding the scope of groups covered by legal protection.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

LGBTI people remained subject to widespread discrimination, including being denied the right to same-sex partnerships.

The Order of Psychologists prohibited its members from performing conversion therapy. The Ministry of Health banned medical intervention on newborn intersex children.

EXCESSIVE USE OF FORCE

Activists protesting the demolition of the National Theatre in Tirana on 17 May faced disproportionate use of police force. Two journalists covering the protest were verbally assaulted and hit by police officers; one was temporarily detained.

Street clashes erupted in several cities following the shooting of a 25-year-old man by a police officer enforcing a COVID-linked curfew on 8 December. Two journalists covering the protests were detained and assaulted. The Council of Europe's Commissioner for Human Rights called on authorities to reverse blanket bans on freedom of assembly.

ALGERIA

People's Democratic Republic of Algeria
Head of state: **Abdelmadjid Tebboune**
Head of government: **Abdelaziz Djerad**

The authorities continued to detain and prosecute peaceful protesters, journalists, activists and citizens for exercising their rights to peaceful assembly and expression relating to the mass protest movement known as Hirak. Legislative changes imposed further restrictions on freedoms of expression and association, by imposing heavy criminal sanctions for spreading "fake news" and for receiving certain types of foreign funds. A new Constitution was adopted, which improved protection for women but imposed undue restrictions on rights and freedoms by making the exercise of freedom of speech conditional on religious and cultural values. The authorities prevented Christian churches from operating and harassed members of the Ahmadiyya religious community. They also proceeded with mass and arbitrary expulsions of migrants. Discrimination against women in law and practice continued, as did gender-based violence and femicide. Consensual same-sex sexual relations remained criminalized and several arrests were made. The right to form trade unions remained restricted.

BACKGROUND

The peaceful protest movement Hirak, which began in 2019 calling for radical political change in Algeria, continued early in the year, with protests halting in March due to COVID-19 restriction measures.

The country went into a national lockdown in response to COVID-19 from 4 April until June, when measures were eased. In December, the National Syndicate of Liberal Doctors reported that at least 139 health workers had died as a result of COVID-19.

In April, Parliament adopted the Preventing and Combating Discrimination and Hate Speech Law, which includes a penalty of up to 10 years' imprisonment for those who breach it. However, the Law failed to refer to discrimination based on religion, sexuality or gender identity.

In November, a new Constitution was adopted by referendum that saw a very low turnout due to controversy over the process. The Constitution improved language on women's rights and social and economic rights, but maintained the death penalty and fell short of international standards on freedoms of expression, assembly and judicial independence.

FREEDOMS OF EXPRESSION AND ASSEMBLY

Hirak protests continued until March when protesters decided to suspend protests to prevent the spread of COVID-19. In January 2020, the authorities released more than 70 protesters, but at least 93 people, including journalists as well as civil society and political activists, remained in detention for online posts or for participating in Hirak at the end of the year, according to the National Committee for the Liberation of Detainees.

The authorities used COVID-19 as a justification to increase the arrests of activists, journalists and bloggers for online speech critical of the authorities, prosecuting many of them under Penal Code provisions.

The authorities took advantage of the international focus on the COVID-19 pandemic to pass amendments to the Penal Code that criminalize the spread of "fake news", punishable by up to three years in prison.[1]

In March, an appeals court in the capital, Algiers, sentenced Karim Tabbou, head of the unrecognized opposition political party Democratic and Social Union, to one year in prison and a fine for videos published on Facebook in which he criticized the army's role in politics. He was released on parole on 2 July after nine months of detention.

On 15 April, the authorities admitted blocking two online independent media outlets, Maghreb Emergent and Radio M, pending legal proceedings against their Director for defamation of the President. As of December, both sites remained blocked.

On 21 June, a court in Chéraga, a suburb of Algiers, sentenced Amira Bouraoui, a doctor and activist, to one year in prison for online posts that criticized the President, before provisionally releasing her pending appeal.[2] On 8 November, another court in Algiers sentenced her to three years in prison in her absence for an online post she published about the Prophet Muhammed.

In August, prominent journalist Khaled Drareni was sentenced, on appeal, to two years in prison for "incitement to unarmed gathering" and "harming the integrity of the national territory" for his independent reporting on Hirak. A court in Algiers also sentenced activists Samir Benlarbi and Slimane Hamitouche to a year in prison, eight months of which were suspended, for their online publications and participation in the protests.[3]

On 8 October, over 20 people were arrested in the north-western city of Oran during a protest organized by women's rights groups to denounce the prevalence of gender-based violence and the rape and murder of a 19-year-old woman. All those arrested were released later that day without charge.

Also in October, 42 peaceful demonstrators were arrested in Algiers while commemorating the 1988 youth protests. Thirty-three, including at least five women, were provisionally released, and nine were imprisoned in El Harrach prison, in a suburb of Algiers, before eventually being released.

In November, a first instance court in the north-western city of Relizane, sentenced political activist Abdallah Benaoum to one year in prison for Facebook posts he published criticizing the authorities and opposing the holding of presidential elections.

FREEDOM OF ASSOCIATION

A Penal Code provision introduced in April provided for up to 14 years' imprisonment for members of associations who receive foreign funding to carry out activities deemed detrimental to state security and the "fundamental interests of Algeria". This vague language could lead to the limitation of legitimate activities of associations disliked by the authorities.

The authorities kept many associations, including Amnesty International Algeria, in legal limbo by failing to respond to registration applications submitted in line with the highly restrictive Associations Law.

FREEDOM OF RELIGION AND BELIEF

The 2006 Decree 06-03 continued to restrict the exercise of religions other than Islam. The

Decree stipulates that non-Muslim religious worship can only take place in buildings that have received a licence from the "National Commission for Non-Muslim Religious Groups", though it is unclear how operational the Commission is. According to the Protestant Church of Algeria, authorities rarely approve their request for licensing, putting their churches at constant risk of closure.

The Ahmadiyya community, who consider themselves as Muslims, continued to face harassment on the basis of their religious beliefs. In January, the Prosecutor's Office in Constantine interrogated seven Ahmadis and confiscated their passports after interviewing them in relation to their religious beliefs and practices, then prosecuting them for forming an illegal association. At the end of December, the Court of First Instance acquitted them but the authorities did not return their passports.

On 25 November, an appeals court in the eastern city of Khenchela sentenced Amazigh and Hirak activist Yacine Mebarki to one year in prison and a fine of DZD50,000 (around US$385), for "insulting Islam" in relation to social media posts in which he appeared to criticize a Salafi scholar for calling for jihad.

In December, a judge at a court in Tizi Ouzou sentenced 31 Ahmadis to a two-month suspended prison sentence on accusations of "undermining the integrity of the national territory" under Article 79 of the Penal Code, because of their religious beliefs.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Detentions and mass expulsions of migrants from Algeria to neighbouring Niger and Mali continued throughout the lockdown period, despite closed borders and the health risks related to COVID-19 in removal centres. According to humanitarian organizations in Niger, between January and October, the Algerian authorities expelled over 17,000 migrants to Niger – around 8,900 Nigeriens and 8,100 people of other nationalities. Local NGOs said that Algerian military personnel treated migrants harshly during expulsions, using violence and confiscating their belongings.

Algerian authorities denied detained migrants any possibility to exercise legal recourse, sometimes for months. As of 31 December, at least seven Yemeni asylum-seekers registered with UNHCR, the UN refugee agency, and awaiting approval of their asylum applications, remained in government detention centres in Algiers, at risk of imminent expulsion and deportation to Yemen.

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. The Penal Code's "forgiveness clause" allows rapists to escape sentencing if they obtain a pardon from their victim, and does not explicitly recognize marital rape as a crime.

The Centre of Information on the Rights of Women and Children reported 39 cases of homicide and intentional assault and battery resulting in the death of women during the COVID-19 lockdown period. The women's group Feminicides Algérie said the true number of cases of violence against women far exceeded the official figures. Women's rights group Réseau Wassila recorded an increase in calls to their helpline reporting domestic violence perpetrated by family members in May, suggesting this was due to confinement measures.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

The Penal Code continued to criminalize consensual same-sex sexual relations, carrying a prison sentence of between two months and two years and a fine.

In September, police in Constantine arrested 44 people for attending a party that the media falsely described as a "homosexual wedding". The majority of those arrested were sentenced to one year in prison, while the host and his supposed partner were both sentenced to three years'

imprisonment. The court convicted them of "inciting homosexuality" and "debauchery" under Article 338 of the Penal Code, and of breaking lockdown measures.

WORKERS' RIGHTS

The Labour Code continued to restrict the right to form trade unions by limiting trade union federations and confederations to single occupational sectors; allowing only Algerian-born people or those who had held Algerian nationality for at least 10 years to create trade union organizations; and imposing restrictions on foreign funding for trade unions.

The authorities continued to deny registration to the independent General Autonomous Confederation for Algerian Workers, which first filed its application in 2013.

INDEPENDENCE OF THE JUDICIARY

The new Constitution failed to end the executive's control over the judiciary and uphold judicial independence.

In February, the Justice Ministry ordered the transfer of prosecutor Mohamed Sid Ahmed Belhadi to El Oued, 600km south of Algiers, two days after he had urged an Algiers court to acquit 16 people arrested for their peaceful participation in Hirak in January. The National Union of Algerian Magistrates described the transfer as "political punishment and retaliation".

Lawyers organized a national strike on 30 September and 1 October to demand respect for the rights of defence and fair trial.

DEATH PENALTY

The Justice Minister announced on 11 October that a new law to prevent kidnapping would include capital punishment for child abduction resulting in the victim's death.

Courts continued to hand down death sentences. No executions have been carried out since 1993.

1. Algeria: End repression against Hirak activists and journalists amid COVID-19 (Press release, 27 April)
2. Algeria: Constitutional reform process undermined by crackdown (Press release, 25 June)
3. Algeria: Authorities pursue crackdown on Hirak, sentencing journalist Khaled Drareni to three years in prison (Press release, 10 August)

ANGOLA

Republic of Angola
Head of state and government: **João Lourenço**

The security forces used excessive force to impose COVID-19 restrictions and dozens of people, including children, were unlawfully killed. Human rights defenders were arrested for disseminating health information and distributing masks and hand sanitizer to Indigenous communities. The rights to freedom of expression, assembly and association were restricted and activists faced arbitrary arrests and detentions. Commercial farmers colluded with government officials to forcibly evict agro-pastoral communities from their land, undermining their rights to food, water and housing. The government failed to guarantee the right to food for low-income families during the nine-month lockdown period.

BACKGROUND

In February, international media disclosed the "Luanda Leaks" which revealed how former President dos Santos' daughter embezzled state funds in offshore bank accounts. In October, President Lourenço said that his predecessor's administration illegally withdrew US$24 billion from the country through fraudulent contracts with state oil and diamond companies. Also in October, the Public Prosecutor confiscated assets worth billions of dollars which had been acquired fraudulently by the former President's military generals and his Vice-President.

Economic and social conditions worsened amid the groundswell of pressure from youth who demanded that the President fulfil his promise, made during the 2017 electoral

campaign, to create 500,000 jobs, and protests against the high cost of living.

On 27 March, the government introduced a state of emergency which was followed by natural disaster regulations to address the COVID-19 pandemic. These remained in force until October and were used to impose arbitrary restrictions which undermined human rights. Lockdown measures restricting movement between provinces continued at the end of the year.

RIGHT TO FOOD

During the nine-month lockdown period, the government failed to guarantee the right to food, especially in low-income neighbourhoods where most people depended on the informal economy for their livelihoods, for example by selling goods in the streets and daily markets.

The authorities took punitive measures against those in poor neighbourhoods who were forced to leave their homes in search of food, an act which was criminalized under the state of emergency rules. While the government introduced a food relief programme for those living in poverty, families in the Luanda and Benguela provinces said they were not properly informed about who qualified for the aid or how the government decided which communities should benefit.[1] Rural communities in the south were also disproportionately affected by food shortages as a result of the ongoing drought.

UNLAWFUL KILLINGS

The security forces used excessive force to impose restrictive COVID-19 measures which resulted in dozens of deaths. Most of those killed were young people, the youngest being a 14-year-old boy, and were from poor neighbourhoods. In many cases, Angolan National Police (PNA) and Angolan Armed Forces (FAA) officers were responsible.[2]

On 17 June, PNA officers stopped 20-year-old João de Assunção for not wearing a mask in the Palanca neighbourhood. He offered to get his mask but the officers ordered him to perform acrobatics at gunpoint. When he said he was tired and ill, an officer fired into the air next to his head causing him to fall. Neighbours told the officers that João de Assunção suffered from a heart problem and hypertension. The police took him to Hospital Cajueiros, where he died the same day.

On 3 July, the police shot and killed 15-year-old Mabiala Mienandi in Luanda province. At around 7am, he was playing soccer with friends. Witnesses said a police vehicle approached and, without warning, officers shot at the boys who ran for cover. Mabiala Mienandi was hit by a bullet, after which three policemen got out of their car and kicked him three times before driving away.

The next day, police officers shot 16-year-old Clinton Dongala Carlos dead as he returned from dinner at his aunt's house in the Cacuaco municipality, Luanda province. According to witnesses, two FAA and three PNA officers pursued him and one of them shot him in the back.

On 13 July, José Manuel was shot dead in street in the Prenda neighbourhood at around midnight. He and his 16-year-old friend, Maurício, heard local people shouting that the police were coming and while they were running away, a police officer fired at them hitting Maurício in the shoulder and killing José Manuel instantly.

These cases and others were under police investigation at the end of the year. No findings or information as to the progress of investigations were made public and impunity for such crimes remained widespread.

ARBITRARY ARRESTS AND DETENTIONS

Those deemed to have flouted the COVID-19 restrictions, including political activists and human rights defenders, were subjected to arbitrary arrests, detentions and torture or other ill-treatment.

On 2 April, nine human rights defenders from MBATIKA, a local civil society organization, were distributing information about COVID-19 and essential protective products like soap and sanitizer, to the San

Indigenous people and other traditional communities in Cuando Cubango province. Police beat them with batons and threatened them with guns before arresting them. They were released eight hours later without charge.[3]

On 4 April, police beat 10 men in the street in Buco-Zau municipality, Cabinda province, and arrested them. Local people said that seven of them had been on their way to buy food. They were initially held together in one cell in poor conditions and released without charge at various points between 5 and 7 April.

FREEDOMS OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The authorities continued to repress the rights to freedom of expression, association and peaceful assembly in Cabinda province. Political activists and human rights defenders were harassed, beaten and arbitrarily detained. From September onwards, people regularly protested against widespread hunger, poverty and the high cost of living. Authorities responded with unlawful force, with security forces using water cannons, rubber bullets, batons and tear gas to unlawfully disperse the protesters.[4]

On 28 June, plain-clothes police officers physically assaulted, arbitrarily arrested and detained Maurício Gimbi, President of the Union for the Independence of Cabinda (UIC), and André Bonzela, Director of the UIC President's Office, at a taxi stop in Cabinda city. Some days before, they and their colleague, João Mampuela, UIC Vice-President, had displayed leaflets in Cabinda city bearing the slogan "Cabinda is not Angola" and calling for an "end to the right to bear arms".

On 29 June, the police searched João Mampuela's home at 5am and arrested him after finding UIC leaflets. Charges brought against the three men included "rebellion", "criminal association" and "outrage against the state". In September, the Cabinda Court granted André Bonzela bail of 300,000 Angolan kwanza (US$350), a sum which he could not afford, and he remained in detention. Maurício Gimbi and João Mampuela were refused bail on grounds of prior criminal records. The records related to their participation in a peaceful demonstration in 2019 after which they had been charged with "outrage against the state" and "public disturbance and resistance", among other trumped-up charges. The men remained in detention in Cabinda Province Civil Prison at the end of the year.[5]

FORCED EVICTIONS

Diversion of land use in favour of business, mainly in the southern province of Huíla, continued to devastate local pastoral and peasant farmer communities. Large scale farming landowners, as well as local authorities, blocked local communities from accessing their farmlands and diverted their water supplies to force them from their land. Civil society organizations who lodged formal complaints with the government, or took other action to try and halt evictions, received no response. The authorities failed to carry out meaningful consultations with the affected communities or to provide them with compensation or reasonable alternatives. Consequently, families were forcibly evicted from their land, denied their livelihoods, seriously undermining their rights to food, water, housing and health.

In August, a spate of land diversion moves affected families. A commercial farmer initiated an extrajudicial process to evict the community of Kamphanda, a remote village in Gambos municipality, from their communal land. He coerced illiterate residents to sign over their land using their fingerprints.

In the same month, the Communal Administrator for Cainda, Quipungo municipality, made an order for communal agro-pastoral land farmed by local families to be fenced off and handed over to another commercial farmer. When residents protested, the local authorities threatened them with imprisonment.

Local government officials colluded with farming businesses to evict the Cuvangue

communities from their land in the Matala municipality, in order to privatize areas of the Cunene river, blocking the communities' access to water.

The water company, Água Preciosa, began an unlawful process to force the Tyihonguelo community, in Lubango municipality, from its communal land, home to hundreds of families, obstructing the canal that supplied their water.

By the end of the year, the government had not acted to protect communities from forced evictions, or to protect their rights to basic necessities.

1. Southern Africa: Governments must move beyond politics in distribution of COVID-19 food aid (Press release, 6 May)
2. Angola: Witnesses describe horrific killings of teenagers by police (Press release, 25 August)
3. Angola: Activists prevented from distributing COVID-19 essentials (AFR 12/2146/2020)
4. Angola: Authorities escalate use of excessive force to crack down on dissent (Press release, 8 December)
5. Statement on the Continued Detention of André Bonzela, Maurício Gimbi and João Mampuela and the Human Rights Situation in Cabinda, Angola (Joint statement with Advancing rights in Southern Africa and Human Rights Watch, 6 October)

ARGENTINA

Argentine Republic
Head of state and government: **Alberto Fernández**

The COVID-19 pandemic exacerbated the country's ongoing economic crisis. Measures to curb the spread of the virus saw an increase in gender-based violence. Indigenous Peoples were disproportionately impacted by the pandemic. Enforced disappearances and excessive use of force by the police were reported. Abortion was decriminalized and legalized within the first 14 weeks of pregnancy.

BACKGROUND

Argentina continued to experience a profound economic and social crisis. According to official figures, by June, 40.9% of the population was living in poverty and the unemployment rate was 13.1%. Concerns remained over debt repayments and the obligation of states to protect economic and social rights during the pandemic and the recovery period.

In March, Decree 297/20 imposed a nationwide lockdown and restricted freedom of movement to curb the spread of COVID-19.

Strict controls on movement between provinces left hundreds of people stranded across borders, without access to adequate health care, hygiene and, in some cases, family reunification. In November, the National Supreme Court ordered the province of Formosa to allow 8,300 people return to their homes after eight months of the restrictive measures. Full implementation of the ruling was pending.

The Ministry of Security approved a new police protocol that provides for the use of open-source intelligence during the health emergency, raising concerns about potential online mass surveillance.

Health and essential workers were central to the COVID-19 response. By 18 December, 64,958 health workers had been infected with the virus.

WOMEN'S RIGHTS

The pandemic exacerbated and underscored existing gender inequalities. Data showed that unpaid domestic and care work would represent 16% of GDP if it were paid. Women performed over 75% of domestic and care work in the country.

VIOLENCE AGAINST WOMEN AND GIRLS

During the pandemic there was a rise in violence against women; by November, emergency calls to helplines had increased by an average of more than 18% compared to 2019.

According to civil society monitoring groups, there were at least 298 femicides in 2020.

As lockdown measures led to a greater engagement online, women experienced violence and abuse on social media,

especially when seeking to defend women's human rights.

SEXUAL AND REPRODUCTIVE RIGHTS

In December, the Congress took a historic step by decriminalizing and legalizing abortion within the first 14 weeks of pregnancy. After that, abortions are permitted where the pregnancy poses a risk to the life or health of the pregnant person or is the result of rape. The Thousand Days Programme – to strengthen comprehensive care for women and children in the first years of life – was unanimously approved by the Senate in December.

According to official data, every four hours a girl aged under 15 gives birth in Argentina. Most are forced to carry to term pregnancies that are the result of sexual violence.

During the pandemic, there were increased barriers to accessing legal abortion. In addition, women and adolescents had their contraceptive treatment interrupted for fear of COVID-19 at health facilities.

INDIGENOUS PEOPLES' RIGHTS

Indigenous communities still lacked legal recognition of their land rights, even though the Constitution recognizes their right to ancestral territories.

Encroachment on the ancestral territories of Indigenous Peoples by private individuals or state forces continued. Communities were subjected to violence, restrictions on their movement and food supplies, inadequate access to clean water and a lack of hygienic and sanitary conditions.

Concerns were raised over the impact of COVID-19 on Indigenous Peoples, who continued to experience obstacles to accessing social benefits.

The federal government declared mining an essential sector during the pandemic. Concerns remained over projects for possible lithium extraction on Indigenous Peoples' lands without an exhaustive study of the possible impact on natural resources and without ensuring the free, prior and informed consent of the Indigenous communities affected. In the Salinas Grandes Salt flat, Indigenous communities continued to demand information about the potential impacts of mining on their water sources.

IMPUNITY

Trials before ordinary civilian courts continued for crimes against humanity committed under the 1976-1983 military regime. Between 2006 and December 2020, 250 rulings were handed down, bringing the total number of convictions to 1,013 and acquittals to 164.

In September, the Inter-American Commission on Human Rights found the state responsible for violating the rights to life and physical integrity of the victims, as well as for cover-up operations that resulted in impunity, in relation to the bombing of the Jewish mutual society AMIA in Buenos Aires in July 1994.

At the end of the year, the investigation into the disappearance and death of Santiago Maldonado continued. His body had been found in 2017 in a river on Mapuche territory in Chubut province, 78 days after the security forces had closed off the area.

EXCESSIVE USE OF FORCE AND ENFORCED DISAPPEARANCES

There were numerous incidents of excessive use of force in the context of the enforcement of COVID-19 lockdowns. Police officers killed Luis Espinoza in Tucumán province in May; his body was not discovered until a week after his death.

In May, security forces violently entered the homes of members of the Qom Indigenous People in Fontana, Chaco province, and took three men and a 16-year-old girl into custody. Those held reported that they were tortured and otherwise ill-treated, including the sexual abuse of the girl.

The body of Facundo Astudillo Castro was found 107 days after he was reported missing in late April. He was last seen at a police checkpoint in Buenos Aires province. The autopsy found he died of asphyxiation. Contradictory police accounts and other evidence suggested that the Buenos Aires

police could be responsible for his disappearance and death.

Concerns remained over the lack of institutional public policies on effective searches for missing persons and investigations of enforced disappearances.

RIGHTS OF MIGRANTS, REFUGEES AND ASYLUM-SEEKERS

Executive Order 70/2017, which modified the Migration Act and introduced serious regressive measures regarding migrants' rights, remained in force even though several human rights mechanisms had deemed it unconstitutional.

Migrants, refugees and asylum-seekers experienced obstacles to completing regularization proceedings and accessing social assistance programmes. With limited access to the formal labour market and adequate housing, these groups were among the most affected by the COVID-19 crisis. The closure of borders affected the resettlement of refugees through Argentina's community sponsorship-based Syria Programme. Nine Syrian refugee families who had been approved to travel to Argentina had their resettlement stalled and new community sponsorship applications were suspended.

FAILURE TO PREVENT CLIMATE CHANGE

Argentina ratified the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (the Escazú Agreement).

More than 120,000 hectares in 11 provinces were affected by forest fires, many of them linked to deforestation.

ARMENIA

Republic of Armenia
Head of state: **Armen Sarkissian**
Head of government: **Nikol Pashinyan**

Military conflict with Azerbaijan, in which both sides committed war crimes and carried out indiscriminate attacks in populated areas, resulted in numerous civilian deaths, injuries and displacement. Freedoms of expression and peaceful assembly were restricted by the state of emergency introduced to deal with the COVID-19 pandemic, and by martial law declared because of the conflict. Environmental concerns remained regarding the Amulsar gold mine, amid demonstrations which saw dozens of peaceful protesters arrested and fined.

BACKGROUND

On 27 September, heavy fighting erupted between Azerbaijan and Armenia and Armenian-supported forces in Azerbaijan's break-away region of Nagorno-Karabakh. On 9 November, under a Russian-brokered ceasefire agreement, Armenia conceded most of the Azerbaijani territory it had previously occupied. The regional capital of Stepanakert/Khankendi and parts of the disputed Nagorno-Karabakh region remained under the control of the Armenia-backed de facto authorities, dependent for protection on Russian peacekeepers. The defeat caused political unrest and calls for the Prime Minister's resignation, plunging the country into a political crisis. Twelve opposition figures were arrested on 12 November for their role in violent unrest that saw the Prime Minister's residence raided and the parliamentary speaker hospitalized after he was severely beaten by an angry mob.

According to the UN High Commissioner for Human Rights, at the height of the conflict, some 90,000 ethnic Armenians fled the fighting in Nagorno-Karabakh for Armenia, a displacement which worsened the already dire effects of the COVID-19 pandemic.

Promised judicial and anti-corruption reforms stalled, in part due to their fragmented nature and the inability to sustain institutional change. Reforms were also impacted by the conflict and the pandemic, both of which ravaged the economy and the health care system. Hospitals and the health care sector remained overwhelmed. They

struggled to provide care to a rising number of patients during the pandemic and warfare. The government provided limited financial aid to those who lost jobs and to families with young children.

INDISCRIMINATE ATTACKS

Both sides of the conflict over Nagorno-Karabakh used heavy explosive weapons with wide-area effects in densely populated civilian areas, including ballistic missiles and notoriously inaccurate rocket artillery salvos, causing civilian deaths, injuries and widespread damage to civilian areas. Verified evidence indicated that both sides used cluster munitions, which is banned under international humanitarian law, including in the attack on Stepanakert/Khankendi in Nagorno-Karabakh region on 4 October, and on the city of Barda in an area under Azerbaijan government control, on 28 October (see Azerbaijan entry).[1]

WAR CRIMES

War crimes were committed by Armenian forces in Nagorno-Karabakh. Several verified videos depicted the mistreatment of prisoners of war and other captives, and desecration of the dead bodies of enemy soldiers by the Armenian side. This included a video showing the murder of an Azerbaijani border guard who had his throat cut.[2]

FREEDOMS OF EXPRESSION AND ASSEMBLY

The rights to freedom of expression and peaceful assembly were restricted throughout the year, firstly as a result of a state emergency imposed from March to September in response to COVID-19, and then on account of martial law imposed from September until the end of the year in response to hostilities with Azerbaijan.

Under the state of emergency the government, among other things, prohibited public gatherings of more than 20 people and the publishing of "unofficial information" about pandemic-related issues. The authorities forced 20 media outlets to amend or delete information that officials deemed as "conducive to spreading panic". The restrictions on the media were lifted in April, following harsh criticism by local and international rights groups.

Martial law placed renewed restrictions on the rights to freedom of expression and assembly. On 9 October, Parliament approved a bill banning dissemination of "unofficial information" on the conflict and national security matters, and any public criticism of military actions and statements by government officials. Martial law restrictions on freedom of peaceful assembly were invoked in November, after the ceasefire was reached, to ban the anti-government demonstrations demanding the resignation of the Prime Minister.

ENVIRONMENTAL DEGRADATION

In April, the government proposed legislative amendments which would allow it to withhold information that could "negatively affect the environment." Environmental NGOs raised concerns that the government was seeking to reduce transparency over environmental issues to benefit mining interests at the expense of local communities. This was against the backdrop of ongoing tensions over the Amulsar gold mine in southern Armenia.

Local residents had been blocking the access to the Amulsar mine since 2018, protesting that it posed a threat to the environment and their livelihoods. On 4 August, hundreds of activists gathered at the Amulsar mining site, after the company's new security personnel had forcibly removed the local residents who were blocking the mine's access. On 5 August, police arrested 12 people following a violent confrontation with security personnel. In the capital Yerevan, police broke up simultaneous protests in support of environmental activists, detaining dozens of peaceful protesters. All those detained in Amulsar and Yerevan were issued with administrative fines for disobeying police and released.

1. Armenia/Azerbaijan: First confirmed use of cluster munitions by Armenia 'cruel and reckless' (News story, 29 October)
2. Armenia/Azerbaijan: Decapitation and war crimes in gruesome videos must be urgently investigated (News story, 10 December)

AUSTRALIA

Australia
Head of state: **Elizabeth II, represented by David Hurley**
Head of government: **Scott Morrison**

Violations of the rights of Indigenous Peoples, refugees and asylum-seekers continued to cause concern. The enforcement of government COVID-19 measures lacked accountability and transparency.

BACKGROUND

The year began with the worst bushfires in Australia's living memory. Thirty-four people died and thousands remained displaced. A state of emergency was introduced in March. In response to the COVID-19 pandemic, the government placed vast swathes of the country into lockdown.

INDIGENOUS PEOPLES' RIGHTS

As the #BlackLivesMatter movement protests took place around the world, Australia confronted the fact that since the Royal Commission into Aboriginal Deaths in Custody handed down its recommendations in 1991, more than 400 Indigenous people had died in police custody with no charges ever having been brought against detaining officers.

The over-representation of Indigenous people in prisons received heightened attention in both the media and in government policy. A report from the Australian Bureau of Statistics in September showed Aboriginal and Torres Strait Islander people made up 29% of the prison population but only 5% of the total population.

The movement to raise the age of criminal responsibility from 10 to 14 gained substantial public support, despite national lawmakers declining to bring Australia into line with international standards. Almost three in five children in detention were Indigenous. In August, the Australian Capital Territory (ACT) announced that it would be the first jurisdiction in Australia to increase the age to 14.

REFUGEES AND ASYLUM-SEEKERS

The harsh offshore detention regime for refugees and asylum-seekers continued for a seventh year. At least 241 people were held offshore, despite repeated offers from the New Zealand government to resettle up to 150 people per year.

Those who had been evacuated from immigration detention in Papua New Guinea, including Manus Island, for medical care in Australia remained in so-called alternative places of detention (APODs) with no indication of when they would be released.

The re-opening of the Christmas Island immigration detention centre in August raised alarm among refugees and asylum-seekers as they feared that they would still remain in indefinite detention.

Australia suspended its humanitarian resettlement programme due to the pandemic in March, but the government began a review of the Community Sponsorship Program for refugees in July.

FREEDOM OF MOVEMENT

Overzealous policing of COVID-19 restrictions, a lack of transparency on police enforcement guidelines, the disproportionate application of new regulations on marginalized communities and the extension of the state of emergency caused significant concern.

During the lockdown, police issued and then retracted fines for activities such as mountain biking, putting old holiday photos on social media and for a teenager taking driving lessons. People in Aboriginal communities with overcrowded and inadequate housing reported being harassed by police for having too many people in one dwelling.

In July, in the city of Melbourne, state of Victoria, 3,000 ethnically diverse people in seven public housing buildings, many of whom had experienced war or persecution, were put into "hard lockdown" without notice, unable to leave their homes for any reason and without any indication of when the lockdown would lift. The Victorian Ombudsman found the lockdown breached Victorian human rights law.

The COVID-19 restrictions coincided with major Indigenous rights protests across the country. During this time, some politicians claimed that COVID-19 cases were linked to the protests, which was strenuously refuted by health authorities.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Attacks on the rights of the LGBTI community were made throughout the year through various attempts to change anti-discrimination laws at a federal and state level, which would prioritize the right to freedom of religion over other rights. Some advances were made by the state of South Australia and the ACT to end "conversion" practices for LGBTI people.

AUSTRIA

Republic of Austria
Head of state: **Alexander Van der Bellen**
Head of government: **Sebastian Kurz (replaced Brigitte Bierlein in January)**

There was an increase in calls to helplines from victims of domestic violence during the COVID-19 lockdown. Afghan nationals continued to be deported to Afghanistan. The Federal Government continued to refuse child asylum-seekers. There was a rise in online abuse against Black people, Muslims and refugees.

FREEDOM OF MOVEMENT

In March, a nationwide lockdown due to COVID-19 was imposed and being in public spaces was generally prohibited. After restrictions were lifted at the end of April, the Constitutional Court ruled in July that a blanket ban regarding public spaces was not provided by law and was therefore unconstitutional.

FREEDOM OF ASSEMBLY

Under lockdown restrictions, all public gatherings and protests were banned by the relevant authorities. Public assemblies were permitted again from May, provided the necessary COVID-19 precautions were taken. However, the authorities continued to impose unnecessary and disproportionate restrictions on some demonstrations for health reasons despite precautions being put in place by organizers. In September, a "Fridays for Future" march to demand action against climate change in Linz was restricted to a rally with a maximum number of 1,000 participants. In October, a regional administrative court ruled that these restrictions were illegal.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

In July, concerns were expressed at the multiple bureaucratic hurdles that 24-hour care workers from other EU countries had to overcome in order to access benefits provided by the COVID-19 hardship fund.[1]

RIGHTS OF WOMEN AND GIRLS

Following the March lockdown, domestic violence helplines reported a 38% increase in calls from women seeking support and safety. According to media reports, there were 24 femicides in 2020.

In December, the Constitutional Court overturned a law prohibiting primary school children from wearing religious head coverings, finding that it breached the rights of Muslim girls who wear the headscarf, including their right to freedom of religion and non-discrimination, and could lead to their marginalization.

RIGHTS OF REFUGEES AND ASYLUM-SEEKERS

In February it was announced that contracts with civil society organizations providing legal advice to asylum-seekers were to be terminated at the end of the year and the responsibility given to an agency embedded in the Ministry of Interior. Concerns were raised by several organizations about the potential implications for the fairness of the asylum procedure.[2]

Between January and March, 37 Afghan nationals whose asylum claims had been rejected were deported to Afghanistan, in violation of the principle of *non-refoulement* which prohibits states from returning individuals to a country where they would be at real risk of serious human rights violations. There were no deportations to Afghanistan from April to November due to the COVID-19 pandemic, but in December, Austria resumed deportations to Afghanistan and 10 further Afghan nationals were deported.

The Federal Government continued to refuse to accept asylum-seekers from the Greek islands, despite a resolution by the Vienna State Parliament committing to receive 100 asylum-seeking children for relocation.

FREEDOM OF EXPRESSION

According to civil society organizations, from the beginning of the pandemic there was a significant increase in abuse and attacks online, especially against Muslims, Black people and refugees. In December, a controversial bill regulating hate speech online was approved by Parliament. Several organizations raised concerns that the bill was overly broad.

EXCESSIVE USE OF FORCE

In January, the newly elected government committed to establishing an independent investigation and complaints mechanism for allegations of ill-treatment and excessive use of force by police. In August, over 40 individuals and civil society organizations, in a joint letter to the responsible ministries, urged the creation of an independent and effective mechanism. They also expressed concern that the lack of identification badges for law enforcement officials was hindering access to justice.[2]

COUNTER-TERRORISM AND SECURITY

Following a terrorist attack in Vienna in November, authorities dissolved a number of Muslim associations on the basis of problematic procedures. In December, the government proposed several law reforms related to terrorism which gave rise to concerns about how some of the new provisions may impact the human rights of particular groups of people.

1. Kurzanalyse: Soziale Menschenrechte und COVID-19: Amnesty Fordert Verfassungsänderung in Österreich (Press release, 1 July, in German only)
2. Austria: Human rights challenges persist - Amnesty International submission for the UN Universal Periodic Review, 37th Periodic Review (EUR 13/2855/2020)

AZERBAIJAN

Republic of Azerbaijan
Head of state: **Ilham Aliyev**
Head of government: **Ali Asadov**

The civilian population suffered widespread human rights abuses as a result of heavy fighting that erupted between Azerbaijan and Armenian forces in Nagorno-Karabakh in September. Conflict-related violence led to deaths, injuries, destruction of livelihoods and displacement. Authorities intensified a clampdown on dissent using the conflict with Armenia and the COVID-19 pandemic as a pretext. Dozens of opposition leaders and activists were arbitrarily arrested and detained. Freedoms of assembly and expression were further restricted in response to growing public discontent; freedom of association remained curtailed. Lawyers were harassed and reports of torture and other ill-treatment of government critics in detention remained widespread.

INDISCRIMINATE ATTACKS

On 27 September, heavy fighting erupted between Azerbaijan and Armenia and Armenian-supported forces in Azerbaijan's break-away region of Nagorno-Karabakh. All sides of the conflict used heavy explosive weapons with wide-area effects in densely populated civilian areas, including ballistic missiles and notoriously inaccurate rocket artillery salvos, causing civilian deaths, injuries and widespread damage to civilian areas. Verified evidence indicated that both sides used cluster munitions, which is banned under international humanitarian law, including in the attack on Stepanakert/Khankendi, capital of Nagorno-Karabakh region, on 4 October, and on the city of Barda in an area under Azerbaijan government control, on 28 October (see Armenia entry).

WAR CRIMES

War crimes were committed by Azerbaijani forces in Nagorno-Karabakh. Several verified videos depicted the mistreatment of prisoners of war and other captives, decapitations, and desecration of the dead bodies of enemy soldiers.[1]

FREEDOM OF EXPRESSION

The authorities intensified their crackdown as increasing numbers of people voiced their discontent in the streets, through social media and other means.

More than a dozen individuals, including journalists and opposition activists who criticized the authorities' handling of the pandemic, were sentenced to so-called "administrative detention" of between 10 and 30 days on bogus charges, including disobeying police orders or breaking the rules of lockdown.

The authorities intensified arrests on politically motivated criminal charges. A string of arrests of government critics followed the announcement by President Ilham Aliyev on 19 March on "isolating" and "clearing" his country's opposition in the face of pandemic. On 25 March, prominent opposition activist Tofig Yagublu was arrested on trumped-up charges of hooliganism. On 18 September, the Court of Appeals in the capital, Baku, replaced his prison sentence of four years and three months with house arrest with immediate effect. Human rights defender Elchin Mammad was arrested on 30 March on charges of theft, and sentenced to four years' imprisonment on 18 October by a court in Sumgait. Both men had publicly criticized the authorities. Farkhaddin Abbasov, an ethnic Talysh activist incarcerated for criticizing the authorities, died in prison on 9 November, allegedly as a result of suicide. By the year's end there had been no effective investigation into his death.

Harassment of the political opposition climaxed when President Ilham Aliyev blamed mass protests held on 15 July in Baku on the opposition Popular Front Party of Azerbaijan (PFPA), accusing it of staging an insurgency. Forty PFPA party activists, including four senior leaders, were detained on politically motivated charges ranging from violating public order to resisting police.

International concern over the repression of dissent continued. In January, the Council of Europe's Parliamentary Assembly condemned "retaliatory prosecutions" and a "troubling pattern of arbitrary arrest and detention of government critics". In at least three separate cases during the year, the European Court of Human Rights (ECtHR) found political motives were behind the arbitrary detention of government critics; the cases concerned activists Bayram Mammadov and Giyas Ibrahimov, prominent human rights defenders Leyla and Arif Yunus, and investigative journalist Khadija Ismayilova.

On 4 September, the Committee of Ministers of the Council of Europe ended infringement proceedings against Azerbaijan, after the Supreme Court of Azerbaijan acquitted Ilgar Mammadov and Rasul Jafarov, two of the applicants the ECtHR had ruled were wrongfully imprisoned for their criticism of the government. Six other applicants, including prominent human rights defenders who were in the Ilgar Mammadov

group of cases, were not acquitted despite the call by the Committee to quash their convictions. They continued to endure the consequences of arbitrary criminal convictions, such as travel bans and the inability to access bank accounts.

FREEDOM OF ASSOCIATION

Despite the commitment to simplify NGO registration requirements and streamline the receipt of foreign funding, as per an Action Plan for Open Government adopted by the Azerbaijani government in February, obstacles to officially registering independent NGOs remained in place and the arbitrary denial of registrations and grant applications continued. Independent NGOs were unable to resume their activities, while their leaders continued to face penalties arising from unfounded criminal convictions, which also prevented them from standing in elections.

Human rights lawyers continued to face harassment for performing their professional duties, affecting their independence and willingness to take on human rights cases. In June, lawyer Javad Javadov was arbitrarily reprimanded by the Bar Association in retaliation for publicizing information on social media about the alleged ill-treatment of his client Kerim Suleymanli in police custody. Also in June, the ECtHR ruled that the suspension and disbarment of prominent lawyer Khalid Bagirov for questioning the fairness of the court decision in the case of his client, had violated his right to private life and freedom of expression.

FREEDOM OF ASSEMBLY

The right to freedom of assembly remained severely restricted while protesters continued to be penalized simply for participating peacefully in public gatherings.

On 11 and 16 February, police violently broke up and dispersed protests against electoral fraud in parliamentary elections in front of the Central Election Commission in Baku, beating and arresting protesters.

On 15 July, police used excessive force to break up a demonstration begun the previous day, when thousands had gathered peacefully in front of the Parliament building in Baku to demand a stronger military response against Armenian forces following clashes at the border. The protests turned violent when a small group of protesters entered the building without permission. Police and security forces used excessive force, including water cannons, to remove the intruders and disperse the crowd outside. The clashes that ensued left several protesters and journalists injured, and police officers confiscated the equipment of some journalists covering the rally. Seventy people were detained immediately after the demonstration.

TORTURE AND OTHER ILL-TREATMENT

Reports of torture and other forms of ill-treatment remained widespread.

In February, ruling in the case of *Ibrahimov and Mammadov v. Azerbaijan*, the ECtHR found that the two activists "had been subjected to ill-treatment by police officers which had been aimed at forcing them to confess to serious charges", and that the authorities had failed to effectively investigate the torture allegations.

People detained following the 15 July protests were held in crowded, hot, unventilated police detention rooms with limited food and water. They were reportedly beaten and abused while being denied access to lawyers and their families.

1. Armenia/Azerbaijan: Decapitation and war crimes in gruesome videos must be urgently investigated (News story, 10 December)

BAHRAIN

Kingdom of Bahrain
Head of state: **Hamad bin Isa Al Khalifa**
Head of government: **Salman bin Hamad Al Khalifa (replaced Khalifa bin Salman Al Khalifa in November)**

Unfair trials of protesters, online critics of the government and relatives of these individuals continued, as did other suppression of freedom of expression.

Group trials of excessive numbers of defendants, in some cases amounting to mass trials, as well as other unfair trials, also continued. Detainees were ill-treated and, in some cases, tortured. The Ministry of Interior's Ombudsman, the government's National Institution for Human Rights (NIHR) and the Office of Public Prosecution's Special Investigation Unit (SIU) remained ineffective in safeguarding human rights and punishing violations. Women faced discrimination under Bahraini law. Prison conditions were poor. Dire living conditions for migrant workers left them particularly vulnerable to infection during the COVID-19 pandemic.

BACKGROUND

The Bahraini authorities' response to the COVID-19 pandemic included significant restrictions on movement and social life. There were reportedly very high levels of testing, but this lacked basic transparency and did not include adequate protections for migrant workers. The authorities rolled out an invasive contact tracing app, putting the privacy of millions at risk by tracking users' locations in real time.[1]

Bahrain continued to deny access to independent human rights monitors, including Amnesty International, Human Rights Watch and UN human rights bodies. Bahrain remained a member of the coalition led by Saudi Arabia in the armed conflict in Yemen.

FREEDOM OF EXPRESSION

Bahrain has no independent media. All locally based newspapers and broadcasters support the government and are owned and/or managed by people close to the government.

Bahrain used the pretext of COVID-19 to further repress freedom of expression. In March, the Office of Public Prosecution threatened to act against anyone publishing or circulating "false news" or "biased rumours" on the grounds that "the current circumstances" called for "support for the agencies and institutions of the state". A few days later, the Ministry of Interior announced that its Cyber Crime Directorate had assigned employees to "monitor and track offending [social media] accounts". This led to scores of new investigations and prosecutions under Article 168 of the Penal Code, which criminalizes publication of "false news".

Individuals who spoke out about human rights violations, and their relatives, faced reprisals. The authorities brought more than 20 cases against Kameel Juma Hasan, the 17-year-old son of former prisoner Najah Ahmed Yusuf, after they both refused to be informants for state security, and after Najah Ahmed Yusuf had told international human rights groups and media that she had been sexually assaulted during interrogation in 2017.[2]

In June, Nabeel Rajab, head of the outlawed Bahrain Centre for Human Rights, was released from prison on probation, after serving four years for posting on Twitter criticizing the government's human rights record.

Twelve of the country's most prominent Shi'a civic, religious and political leaders remained in prison. Eleven had been in prison since 2011 for their participation in mass opposition demonstrations that year. Sheikh Ali Salman, leader of the largest legal political bloc in Bahrain between 2006 and 2011, continued serving a life sentence imposed in 2018 based on falsified charges of "spying" for Qatar.

The prominent Shi'a cleric Sheikh Isa Qasim remained in forced exile in Iran, where he went in 2018 after the Bahraini authorities had revoked his citizenship.

TORTURE AND OTHER ILL-TREATMENT

Prosecutors failed to effectively address complaints of torture brought before them, despite widespread reports of it at specific sites, with detainees often identifying the agency and sometimes the name and rank of the alleged torturers. In Bahrain there is no known record of a successful prosecution for torture to force a confession in the past four years.

On 13 July, the Court of Cassation, Bahrain's highest judicial authority, upheld for the second time the death sentences handed down in 2014 on Mohamed Ramadhan Isa and Husain Ali Moosa. In a rare investigation into a torture complaint, the prosecution's Special Investigation Unit had found "suspicion of the crime of torture" behind Husain Ali Moosa's "confessions." However, the appellate court's verdict once again relied on Husain Ali Moosa's "confession" as evidence, and stated incorrectly that Mohamed Ramadhan Isa had also signed a confession.

Also in July, the Ministry of Interior's Ombudsman asserted that multiple cases referred to it relating to detainees who had been held incommunicado were beyond its remit. This was despite its clear statutory mandate to investigate all violations of law by Ministry of Interior personnel.[3]

In September, credible reports emerged that guards in Jaw prison had beaten Ali AbdulHusain al-Wazeer, breaking many of his bones. However the Ombudsman, the SIU and the NIHR all failed to effectively address the case despite being informed of it.

Prison conditions

Prison conditions, especially in the central prison at Jaw in south-eastern Bahrain, were poor, with lack of sanitation and frequent ill-treatment, including arbitrary confiscation of personal items, reprisals for speaking out, and denial of adequate medical care.

In April, the administration of Jaw prison put the jailed journalist Mahmood AbdulRedha al-Jazeeri in several days of solitary confinement after he had sent out a recorded message criticizing as a whitewash a televised COVID-19 safety inspection of the prison by the NIHR. The NIHR failed to investigate or condemn this punishment.

In January, following an outbreak of scabies lasting for several months at Jaw prison, the NIHR – instead of urging better conditions for prisoners – reiterated the call by prison authorities for prisoners with "allergies" to comply with official "health instructions". Despite the COVID-19 pandemic and infections among prison staff, prisoners at Jaw were not given masks, gloves, hand sanitizer, or regular testing for the virus.

Ahmed Merza Ismaeel, a prisoner with sickle cell anaemia – which can cause extreme pain when left untreated – continued to receive only sporadic medication from the prison administration.

In August, just after the Shi'a holy day of Ashura, guards at Dry Dock Juvenile Reform and Rehabilitation Centre near al-Hidd confiscated personal religious items from the cells of some of the children, including from 17-year-old Kameel Juma Hasan. In September, his family complained to the NIHR that he was suffering from dental pain, but no treatment was given. Another child held in the same wing reported that he received no treatment for pain and bleeding in his ear canal.

There were no statements or reported prison visits by the Prisoners and Detainees Rights Commission, a monitoring body established following the 2011 political unrest.

WOMEN'S RIGHTS

Women continued to face discrimination under Bahraini law. Article 4 of the Nationality Law prevents Bahraini women from passing on their nationality to their children, and Article 353 of the Penal Code provides impunity for rape if the rapist marries his victim.

In a positive step, in August the Ministry of Labour and Social Development's Decision No. 51 annulled the regulation that had limited professions available to women. However, the Minister retained the authority to impose such restrictions under Article 31 of the Domestic Privsate Sector Labour Law of 2012.

Bahrain maintained its reservation to the core principle of Article 2 of CEDAW, maintaining that it would not be bound by any provisions of the treaty that do not comply with "Islamic Shari'a".

MIGRANTS' RIGHTS

The sponsorship (*kafala*) system for employing migrant workers in Bahrain put migrant workers in an even more vulnerable position and at risk of contracting COVID-19 during the pandemic.[4] This was in addition to unsanitary living conditions in overcrowded accommodation, scarce legal protection and limited access to preventive health care and treatment.

UNFAIR TRIALS

The Court of Cassation continued to uphold the outcomes of flawed mass trials. In June, it rejected 48 of 49 appeals from a mass trial of 169 individuals charged with joining a terrorist organization. A group trial of 39 Shi'a defendants, including 14 children, concluded on 13 September with prison sentences for all defendants, some of whom were prevented from attending court for the verdict. On 3 November another mass trial of 52 alleged members of a "terrorist cell" concluded with 51 convictions.

DEATH PENALTY

Courts continued to hand down death sentences, in some cases following grossly unfair trials.

The Court of Cassation confirmed the death sentences against Zuhair Ebrahim Abdulla and Husain Abdulla Khalil on 15 June, and against Mohamed Ramadhan Isa and Husain Ali Moosa on 13 July. No executions were reported.

1. Bahrain, Kuwait and Norway contact tracing apps among most dangerous for privacy (Press release, 16 June)
2. Bahraini youth targeted in family reprisal (MDE 11/3011/2020))
3. Bahrain: Joint public letter to King calling for commutation of death sentences ((MDE 11/2861/2020))
4. Bahrain: Ensure protection of migrant workers in COVID-19 response ((MDE 11/2168/2020))

BANGLADESH

People's Republic of Bangladesh
Head of state: **Abdul Hamid**
Head of government: **Sheikh Hasina**

Journalists were increasingly persecuted for reporting corruption and criticizing the government's COVID-19 policies. The draconian Digital Security Act (DSA) 2018 was widely enforced to curtail freedom of expression. Police and other law enforcement agencies continued to carry out extrajudicial executions. Violence against women increased during the COVID-19 pandemic. Implementation of the Chittagong Hill Tracts Agreement remained stalled and a crackdown on Indigenous activists intensified. People's right to health care was not adequately protected or fulfilled during the pandemic. Bangladesh continued to shelter nearly 1 million Rohingya refugees from Myanmar as little progress was achieved towards their safe, dignified return.

BACKGROUND

Bangladesh's health care system and economy suffered heavily because of the COVID-19 pandemic. Since the first confirmed COVID-19 case on 8 March, infections spread quickly throughout the country and the health care system was overwhelmed. The economy took a double hit due to the slump in domestic demand and a sharp decline in exports. Millions of workers, especially those working on low wages, for example in the garment industries and in the informal sector, were badly affected by the economic shock. There was also rampant mismanagement and corruption in relief distribution, and the authorities increased their repression of journalists and media outlets that reported these scandals. Rallies and marches could not take place because of physical distancing rules.

FREEDOM OF EXPRESSION

The government continued to use the draconian Digital Security Act (DSA) 2018 to suppress the right to freedom of expression and to target and harass journalists and human rights defenders. Despite repeated calls from civil society and human rights organizations to repeal controversial and punitive provisions of the DSA, the law was not amended.

According to official statistics, more than 900 cases were filed under the DSA between January and December; nearly 1,000 people were charged and 353 detained.[1] At least 247 journalists were reportedly subjected to attacks, harassment and intimidation, by both state agencies and individuals affiliated with the government.

In April, Mohiuddin Sarker, the acting editor of Jagonews24.com, and Toufiq Imroz Khalidi, editor-in-chief of bdnews24.com, were charged under the DSA for publishing reports on embezzlement of relief materials intended for people economically affected by the COVID-19 lockdown. Both men were granted bail from the High Court and were awaiting trial at the end of the year.

In May,Ramzan Ali Pramanik and Shanta Banik, news editor and staff reporter respectively of *Dainik Grameen Darpan* newspaper, and Khandaker Shahin, publisher and editor of the online news portal Narsingdi Pratidin, were arrested for reporting on a death in custody at Ghorashal police station. In June, AMM Bahauddin, the editor of Bangla national newspaper *Inqilab*, was charged for publishing a story about an adviser to the Prime Minister. The trial was pending with the court at end of year.

Academics were also persecuted for peacefully exercising their right to freedom of expression. In September, the Dhaka University authorities dismissed Professor Morshed Hasan Khan for publishing an opinion piece in a national newspaper, and the National University authorities dismissed Professor AKM Wahiduzzaman for posting a comment on Facebook about the Prime Minister. In June, two professors at Rajshahi University and Begum Rokeya University were sacked for Facebook comments they made about a deceased ruling party Member of Parliament.

FREEDOM OF ASSEMBLY

The right to freedom of peaceful assembly continued to be severely restricted. The COVID-19 pandemic limited outdoor political activities after March, and indoor meetings of opposition parties were targeted by the authorities. Between January and December, the government officially blocked 17 public gatherings using Section 144 – a legal provision under the Penal Code 1860 that permits the authorities to prohibit gatherings of five or more people and the holding of public meetings on grounds of public safety. The government also blocked or dispersed a number of other political gatherings.

In January, members of the ruling party, Awami League, physically attacked the opposition Bangladesh Nationalist Party's (BNP) mayoral candidate in Dhaka City North during his campaign, injuring him and several of his followers.

In February, police baton-charged and violently dispersed a series of meetings organized by the BNP and its affiliated organizations across the country. In July, police stopped an indoor discussion meeting of the newly formed Amar Bangladesh Party in Brahmanbaria district without any provocation.

In August, police in the southern district of Barguna violently dispersed a peaceful rally and human chain organized to demand the release of a graduate student of Stamford University in Dhaka. Videos suggest that the police broke up the human chain violently without any provocation from the protesters.[2]

EXTRAJUDICIAL EXECUTIONS AND ENFORCED DISAPPEARANCES

At least 222 people were killed by the security forces in alleged extrajudicial executions – 149 people were killed without being arrested, 39 were killed after arrest, and others died during torture or in other circumstances. At least 45 Rohingya

refugees were allegedly extrajudicially executed by members of different law enforcement agencies during the year, mostly during operations as part of the "war on drugs", a government campaign launched in 2018 which has resulted in thousands of extrajudicial executions.

Nine incidents of enforced disappearance were reported during the year: a college teacher, an editor, a businessperson, two students, and four opposition activists. Three were later "found" by the police and then detained, and a student leader was released by undisclosed captors after 48 hours amid intensified protests from civil society and human rights organizations. One political activist was found dead, and four others remained missing at the end of the year.

VIOLENCE AGAINST WOMEN AND GIRLS

According to the human rights organization ASK, at least 2,392 cases of violence against women were reported during the year. These included 1,623 reported rapes (331 against girls under 12 years old), 326 attempted rapes, and 443 cases of physical assault. The victims included Indigenous women and girls. At least 440 women and girls were murdered after physical assault, rape, or attempted rape.

In October, a video was shared widely on social media showing a woman being stripped of her clothes, kicked, punched and sexually assaulted by a group of five men. The attack, which is believed to have taken place on 2 September, triggered a mass public outcry and nationwide protests.

INDIGENOUS PEOPLES' RIGHTS – CHITTAGONG HILL TRACTS

At least 285 human rights violations were recorded in the Chittagong Hill Tracts (CHT) during the year, including three extrajudicial executions, 99 arbitrary detentions, 54 cases of physical abuse, 104 house raids and 25 incidents of property damage by state security agencies. Of those arbitrarily detained, 50 were sent to prison and the rest were released.

Indigenous activists accused military and intelligence agencies of sowing divisions between Indigenous political groups. These divisions continued to contribute to communal violence in the CHT region. At least 69 Indigenous political activists were killed in local clashes during the year. At least 50 Indigenous activists were abducted, and approximately 82 houses belonging to Indigenous people were set on fire in clashes between local political groups.

In June, three Indigenous activists were abducted in Sadar Upazila in Rangamati district. Their families accused the United People's Democratic Front – a breakaway faction of the main Indigenous political party, which is allegedly backed by the state security agencies – of the abduction.

In August, an Indigenous woman and girl were gang-raped by settler Bengali men in Lama, Bandarban district. In September, Indigenous political activist U Thowai Aoi Marma was subjected to enforced disappearance in Rowangchhari in Bandarban district. His family and local people accused members of the Bangladeshi military of the abduction. His whereabouts remained unknown at the end of the year.

REFUGEES AND ASYLUM-SEEKERS

Bangladesh continued to host nearly 1 million Rohingya refugees, a persecuted ethnic minority group whose members fled Myanmar in August 2017. Despite little progress in repatriation discussions with Myanmar, Bangladesh maintained its official position that only safe, dignified and voluntary returns of the Rohingya refugees could put an end to their current situation.

The refugees faced restrictions of their rights in Bangladesh. The authorities' construction of barbed wire fences around the refugee camps curtailed their right to freedom of movement. Restrictions on the refugees' access to high-speed mobile internet services, in place since September 2019, were partially lifted on 24 August.[3]

The outbreak of COVID-19 affected an already overburdened health care system in the camps, and refugees lacked access to

health care. In May, the Bangladeshi authorities took more than 300 Rohingya refugees to Bhashan Char, a remote silt island in the Bay of Bengal. By December the authorities had relocated a further 1,642 Rohingya refugees to the island. The authorities planned to relocate about 100,000 refugees to Bhashan Char, a move which was largely opposed, principally by human rights organizations, as the island is prone to regular floods, especially during the rainy season, and is vulnerable to frequent cyclones. In interviews with Amnesty International, at least five Rohingya family members representing 23 refugees alleged that the authorities had coerced them to relocate to the island.[4]

RIGHT TO HEALTH

The COVID-19 pandemic put an enormous strain on the country's health care system. Given the history of low public health care spending in the country, facilities were found to be inadequate, ill-prepared and ill-equipped to tackle the crisis.[5] According to the Bangladesh Medical Association, more than 8,000 health workers, including 2,887 physicians, 1,979 nurses and 3,245 other medical staff tested positive for COVID-19. Among them, at least 123 physicians died, and the Doctors' Association stated that the infections among medical staff could have been reduced if immediate measures had been taken.

The lack of available and accessible critical health care services related to COVID-19 created a major public health crisis across the country, as many public and private hospitals turned away patients with COVID-19 symptoms due to fear of infection, even though they had capacity. This practice led to the deaths of hundreds of people.

WORKERS' RIGHTS

When the COVID-19 pandemic broke out in early March, the Bangladeshi authorities introduced nationwide lockdown measures termed "public holidays", from late March to May. During the lockdown, major business activities were disrupted, and freedom of movement was restricted. The disruption to economic activity and the closure of businesses led many workers to either lose their jobs or experience a significant drop in income. The workers affected by the crisis had little or no social protection, so their right to work and to an adequate standard of living were significantly undermined. More than five million workers in the informal sector, and approximately four million garment workers (80% of whom were women), were most affected.

1. Bangladesh: Escalating attacks on the media must stop (Press release, 8 October)
2. Bangladesh: Rising attacks on freedom of expression and peaceful assembly must be urgently stopped (Press release, 11 August)
3. Let us speak for our rights: Human rights situation of Rohingya refugees in Bangladesh (ASA 13/2884/2020)
4. Bangladesh: Plan to relocate hundreds of Rohingya to remote island must be dropped (Press release, 20 November)
5. Bangladesh must put human rights at the centre of its COVID-19 response strategies (ASA 13/2268/2020)

BELARUS

Republic of Belarus
Head of state: **Alyaksandr Lukashenka**
Head of government: **Raman Halouchanka (replaced Sergei Rumas in June)**

The year was characterized by recurrent peaceful protests, with the presidential election in August serving as a catalyst for the most egregious crackdown on freedoms of expression, peaceful assembly and association in Belarus' post-independence history. Opposition candidates, their campaign teams and associates were arrested on false charges or forcibly exiled. Police used excessive and indiscriminate force to disperse demonstrations. Tens of thousands of peaceful protesters and bystanders were detained, and many of them tortured or otherwise ill-treated. Journalists, medics, students, union leaders and others were also targeted with arrest, beatings and prosecution. The government's initial response to the COVID-19 pandemic

was inadequate. Death sentences continued to be imposed.

BACKGROUND

A worsening economic outlook, poor handling of the COVID-19 pandemic and numerous incendiary comments by President Alyaksandr Lukashenka, amongst other issues, saw his popularity drop dramatically. In the run-up to the presidential election on 9 August, he made misogynistic pronouncements in statements broadcast on prime time television while arbitrary arrests, politically motivated prosecutions and other reprisals escalated against opposition candidates and their supporters, political and civil society activists, and independent media. An opposition coalition around presidential candidate Svyatlana Tsikhanouskaya led women to the forefront of a burgeoning protest movement which spread across the country and society. President Alyaksandr Lukashenka claimed a landslide victory, although the result was strongly disputed by Svyatlana Tsikhanouskaya and regarded as fraudulent by numerous independent election monitors. The OSCE, which was prevented from observing the elections, noted credible reports of widespread irregularities and serious administrative misconduct. Protests against the conduct of the election and the results quickly engulfed Belarus and were overwhelmingly peaceful despite a brutal crackdown by the authorities. Individuals regarded as protest opinion leaders were swiftly arrested or forcibly exiled. Relations with much of the international community deteriorated drastically and targeted sanctions were introduced against scores of Belarusian officials implicated in electoral and human rights violations. Russia expressed its support for the Belarusian authorities, providing financial assistance.

FREEDOM OF EXPRESSION

The right to freedom of expression was severely curtailed in an attempt to curb all opposition and dissent, including through the targeting of individuals and media outlets, legislative changes, administrative pressure and the use of technical means such as internet blackouts.

The media remained under tight government control. Independent journalists and media organizations were harassed and prevented from carrying out their legitimate work. Local monitors documented over 400 such instances, including arrests, torture and other ill-treatment of media workers, between May and October alone. International media outlets had their accreditation denied or revoked to prevent uncensored reporting. Domestic newspapers, such as *Komsomolskaya Pravda in Belarus*, faced refusals from state-controlled printing houses to print issues criticizing authorities. Major online news outlet TUT.by had its licence suspended by the authorities. Natallia Lyubneuskaya, a journalist working for the independent newspaper *Nasha Niva*, was one of at least three journalists shot at by police with rubber bullets, on 10 August. She required surgery and was hospitalized for 38 days. Several bloggers and journalists were targeted with politically motivated criminal prosecutions, including the co-author of a popular Telegram channel, Ihar Losik, arrested on 25 June on trumped-up charges pending trial.

The authorities co-opted internet providers and imposed a near-total shutdown of mobile internet during the first three days of post-election protests – and subsequently during weekly protests – to prevent the co-ordination of demonstrations and undermine the exchange of information. Access restrictions were routinely imposed on independent media websites.

Dissenting views that spread across all sectors of society were brutally and directly suppressed. Students, academics, athletes, religious and cultural figures and employees of state enterprises were expelled or sacked from their posts and many faced administrative and even criminal sanctions for speaking against the authorities, supporting peaceful protest, or taking part in strikes.

Women

Women with dissenting views faced gendered reprisals and were targeted via their perceived vulnerabilities, including through threats of sexual violence or of their young children being placed in state care.[1]

FREEDOM OF ASSEMBLY

The right to freedom of assembly remained severely and unduly restricted. Penalties issued to peaceful protesters under administrative law were often heavier than sanctions applied for certain criminal offences.

At the start of the year, dozens of activists were heavily fined or sentenced to "administrative arrest", including lengthy consecutive multiple terms of 15 days (the legal maximum) for "administrative offences", purportedly committed during peaceful protests at the end of 2019.

Overall, between the start of the presidential campaign in May and the election, hundreds of peaceful protesters, online activists, independent journalists and others were arbitrarily detained, including by men in plain clothes using unlawful force and unmarked vehicles, and dozens received fines or "administrative arrest". Following the election, hundreds of thousands of Belarusians regularly and peacefully took to the streets across Belarus to protest, tens of thousands were arrested, and hundreds were subjected to torture and other ill-treatment and heavily penalized. Amnesty International directly witnessed the unfounded, arbitrary, and brutal nature of a number of these arrests.[2]

Between 9 and 12 August alone, the government confirmed the detention of 6,700 protesters. Weekly peaceful protests continued across the country, both on the streets and within government-owned enterprises, theatres, universities and elsewhere. By mid-November, official and independent figures estimated that over 25,000 people had been detained including numerous bystanders and journalists. Repeatedly, over 1,000 people were detained in a single day.[3] Local human rights organizations documented over 900 criminal cases with at least 700 individuals facing charges.

Police (often plain-clothed) used excessive and indiscriminate force, including rubber bullets fired at short-range into crowds, stun grenades, chemical irritants, water cannons, automatic firearms with blank cartridges, truncheons and other means to disperse peaceful crowds and apprehend individuals. At least four people were killed by government forces[4] and several others died under suspicious circumstances.

While many protesters and bystanders were attacked randomly and arbitrarily, others were targeted for their professional activity, including media workers documenting events or medics who voluntarily attended to the wounded. Others were singled out because of their sexual identity. On 26 September, human rights defender Victoria Biran was detained on her way to a rally after being identified by police officers as an LGBTI activist and sentenced to 15 days' "administrative detention".

FREEDOM OF ASSOCIATION

The authorities waged a campaign of brutal persecution against all forms of independent association intended to protect human rights and peaceful opposition to the regime, including monitoring initiatives, opposition campaigning teams and independent trade unions. Scores of people were subjected to arrest, unfounded criminal prosecution or "administrative detention", threats of imprisonment and forcible exile.

On 6 May popular blogger and presidential hopeful Syarhei Tsikhanouski was subjected to 15 days' unfounded administrative detention to prevent his candidacy, prompting his wife, Svyatlana Tsikhanouskaya, to stand herself. On 29 May, while he was gathering signatures for her in Hrodna, an attempt was made to provoke him and he was immediately arrested alongside at least seven of his associates.[5] They and several other prominent opposition bloggers were later prosecuted as part of the

same criminal investigation under Article 342 of the Criminal Code ("organization or active participation in group actions that grossly violate public order").

Another presidential hopeful, Viktar Babaryka, his son Eduard Babaryka, members of his team and former colleagues were also detained on trumped-up economic charges, to exclude him from the election and warn other presidential hopefuls.

The opposition Coordination Council, formed by Svyatlana Tskhanouskaya and led by a Presidium of seven people, was condemned as "an attempted seizure of power" by President Lukashenka, and on 20 August a criminal investigation was opened under Article 361 of the Criminal Code ("calls to actions seeking to undermine national security"). By the end of the year, all Presidium members were under arrest or forced into exile, as were many of their associates.[6]

On 7 September, the authorities abducted opposition leader Maryia Kalesnikava and drove her and two colleagues to the border of Ukraine, demanding that they leave the country under threat of imprisonment. The colleagues crossed into Ukraine but Maryia Kalesnikava tore up her passport to prevent expulsion. She remained in unacknowledged, incommunicado detention for two days, after which she was remanded as a criminal suspect on trumped-up charges, as was another Presidium member, Maksim Znak.

Marfa Rabkova from the NGO Human Rights Centre "Viasna", was arrested on 17 September and remanded as a criminal suspect, charged with "preparation of mass riots" in connection with her human rights work.

The leader of the Belarusian Independent Trade Union, Anatoli Bakun, was repeatedly arbitrarily detained in connection with political strikes at the Belaruskali potash mine in Salihorsk, and consecutively sentenced to a total of 55 days of "administrative arrest" for violating the law on mass gatherings. Three other trade union activists, Yury Karzun, Syarhei Charkasau and Pavel Puchenya, served 45 days each for the same "offence", between September and November.

TORTURE AND OTHER ILL-TREATMENT

The authorities systematically used torture and other ill-treatment against people detained during protests, including participants, journalists and bystanders. Local and international groups documented hundreds of cases across the country.

UN human rights experts received 450 testimonies of ill-treatment of detainees supported by photo, video and medical evidence, documenting a horrific litany of abuses. They describe how protesters were tortured and ill-treated during arrest, transportation and detention in severely overcrowded facilities. Protesters were humiliated, brutally beaten, subjected to sexual violence, including against women and minors, and deprived of access to food, clean water and medical care during lengthy periods of detention. Detainees were also denied the right to inform their relatives of their whereabouts, in some instances for the entire period of "administrative arrest", and denied access to their lawyers. Parcels and letters were withheld, and warm clothes and hygiene products were confiscated including for menstruating women.

The Belarusian authorities admitted receiving some 900 complaints of abuse by police in connection with the protests but by the end of the year not a single criminal investigation had been opened, nor had any law enforcement officer been charged with respective violations.

RIGHT TO HEALTH

The government's initial response to the pandemic was inadequate. President Alyaksandr Lukashenka dismissed COVID-19 as a "psychosis", blamed the first confirmed casualties on their own lifestyle, recommended tractor driving, vodka and visits to the sauna as remedies and refused to impose major restrictions.

DEATH PENALTY

Belarus remained the sole country in Europe and the former Soviet Union to impose death sentences. At least four men were on death row at the end of the year, and at least three death sentences were handed down; two of which were to brothers aged 19 and 21. No executions were reported.

1. Crackdown from the top: Gender-based reprisals against women activists in Belarus (Public statement, 17 July)
2. Belarus: Police unleash appalling violence on peaceful protesters (News story, 10 August)
3. Belarus: More than 1,000 people arrested in a single day of peaceful protests amid escalating repression of rights (News story, 9 November)
4. Belarus: Peaceful protester held by police after beating dies in hospital (News story, 13 November)
5. Belarus: A criminal case involves a growing number of the regime's critics (Public statement, 30 July)
6. Belarus: "They are stealing the best of us". Arbitrary arrests and forced expulsion of leading opposition activists (Public statement, 10 September)

BELGIUM

Kingdom of Belgium
Head of state: **Philippe**
Head of government: **Alexander De Croo (replaced Sophie Wilmès in October)**

The government response to COVID-19 raised human rights concerns, including in relation to health, asylum-seekers, policing and privacy. The government established extra care centres for survivors of rape and sexual violence. The Wallonia region authorized arms transfers to the Yemen conflict.

BACKGROUND

A coalition government was formed in October, following elections in May 2019. Almost 20,000 people were estimated to have died from COVID-19. Lockdown measures restricted freedom of movement and other human rights.

RIGHT TO HEALTH

Older people in care homes

Over half of the deaths from COVID-19 were older people living in care homes. Violations of the residents' right to health, life and non-discrimination resulted from government failures, including: structural shortcomings; lack of priority attention at the onset of the pandemic; failure to ensure access to hospitals; insufficient provision of personal protective equipment for staff and lack of access to testing.[1]

Prison conditions

Overcrowding in dilapidated prisons continued, with insufficient access for inmates to basic services, including health care and sanitary facilities. COVID-19 measures – including temporary, early and conditional release – temporarily reduced overcrowding. But other measures limited prisoners' rights, including by reducing their contact with the outside world.

EXCESSIVE USE OF FORCE

A police chase in April in the capital, Brussels, resulted in the death of a 19-year-old who fled for fear of being fined for breach of COVID-19 restrictions. His scooter collided with a police car.[2]

In August, media released leaked video footage from inside a holding cell at Charleroi Airport, where Slovakian national Jozef Chovanec was detained in February 2018. He suffered a cardiac arrest following a violent altercation with police officers and later died in hospital. The footage shows officers joking and one making a Nazi salute next to the restrained man. A criminal investigation was ongoing.

GENDER-BASED VIOLENCE

In March, a survey on sexual violence in Belgium was published which had interviewed 2,300 people aged 15 to 85. In it, 20% of female and 14% of male respondents said they had been raped.[3]

In June, the government decided to establish seven extra care centres for

survivors of sexual violence; such centres already existed in three cities.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

In March, due to COVID-19, the authorities closed the office accepting asylum claims. Hundreds of people were temporarily denied access to asylum and consequently to food and housing. The authorities established an online registration system that was inadequate. In over 100 individual cases, the Labour Court ordered the Federal Service for reception of asylum-seekers to ensure access to material assistance.

In September, a government commission tasked with reviewing returns and removal procedures and practices, presented its report to Parliament, which called for increased use of repressive measures, including pre-removal detention and harsher penalties for irregular entry. Civil society organizations criticized the regressive approach and presented an alternative report with human rights-compliant proposals.

DISCRIMINATION

"Stop Ethnic Profiling", a platform launched in June, expressed concern that ethnic profiling by police increased during lockdown.

In July, four local police forces adopted a framework outlining how police should avoid ethnic profiling.

FREEDOM OF ASSEMBLY

In June, 10,000 people protested against racism and police violence in Brussels. In response to the pandemic, public gatherings were banned, but the authorities tolerated the protest. In several other towns, local authorities banned smaller protests.

RIGHT TO PRIVACY

The state response to COVID-19 included the increased collection, retention and aggregation of personal data. Privacy experts and civil society organizations advocated for safeguards to protect the right to privacy, including by ensuring the swift erasure of data allowing identification.[4]

IRRESPONSIBLE ARMS TRANSFERS

Concerns remained that continued authorization of arms transfers by the Wallonia region to the Saudi-led coalition in Yemen could mean such arms being used to commit or facilitate serious violations of international human rights and humanitarian law. Following legal action by NGOs, the Council of State annulled several such licences.

1. Les maisons de repos dans l'angle mort: Les droits humains des personnes âgées pendant la pandémie de COVID-19 en Belgique (in French only) (Report, November)
2. Policing the pandemic: Human rights violations in the enforcement of COVID-19 measures in Europe (EUR 01/2511/2020)
3. Sondage sur le viol: Chiffres 2020 (in French only) (Article, 4 March)
4. Global: COVID-19, surveillance and the threat to your rights (Press release, 3 April)

BENIN

Republic of Benin
Head of state and government: **Patrice Athanase Guillaume Talon**

The rights to freedom of expression and peaceful assembly were unduly restricted; journalists and health workers were unjustly prosecuted, harassed and intimidated. The police used excessive force while policing demonstrations and enforcing public health restrictions. Discrimination against women and minorities persisted and LGBTI people suffered harassment and violence.

BACKGROUND

Tensions between the government and opposition parties persisted following disputed parliamentary elections in 2019. The African Court on Human and Peoples' Rights (African Court) requested that Benin suspend the May local elections, pending its decision on a case brought by political opponent, Sébastien Ajavon, concerning the exclusion of the Social Liberal Union Party

from local elections. A few days later, the government barred individuals and NGOs from submitting direct complaints to the African Court, and the May elections went ahead.

In December, the African Court ordered Benin to take all measures to repeal the Amnesty Law for all the criminal offences relating to the 2019 legislative elections.

The government responded to the COVID-19 pandemic by implementing certain restrictions on human rights and releasing 411 prisoners.

FREEDOM OF EXPRESSION

The authorities continued to detain and prosecute journalists under certain provisions in the 2018 Digital Code that unduly restricted the right to freedom of expression.

On 3 January, Aristide Fassinou Hounkpevi, editor of the online L'Autre Figaro newspaper, was arrested by agents of the Central Office for the Repression of Cybercrime. He was charged with "harassment through electronic communication" in connection with comments he made on social media about the possible appointment of the Foreign Minister as ambassador to France. He was released on 9 January but his case was kept open for further investigation.

Ignace Sossou, a journalist, was released from Cotonou Prison in June, after the Cotonou Court of Appeal reduced his sentence to 12 months, including six months suspended for "harassment through electronic communication" after he posted on Twitter quoting the Public Prosecutor.

In July, the High Authority of Audiovisual Communication ordered unauthorized online media outlets to close. The decision was viewed by some in the media as a way to silence opposition media.

On 10 November, Loth Houénou, a political opponent, was sentenced to two years in prison and a fine of XOF200,000 (US$370) for "harassment through electronic communication". He was arrested on 26 June after he published audios on social media criticizing the President and other institutions.

FREEDOM OF ASSEMBLY

Restrictions introduced to control the spread of COVID-19 were used to prevent political opponents from organizing meetings and rallies. However, demonstrations by government supporters went ahead without interference.

In August, the police prevented a meeting organized by Frédéric Aïvo, a political opponent, on the grounds that it was unauthorized.

EXCESSIVE USE OF FORCE

In March, the police shot dead Théophile Dieudonné Djaho, a student, during a demonstration against the arrests of three National Student Federation members at the University of Abomey-Calavi. The Honorary Chairman of the NGO Voices of Students filed an appeal with the Constitutional Court against the President and the Minister of Interior and Public Security for human rights violations. The government announced an investigation.

In April, videos were distributed on social media showing the police beating people for not wearing face masks.

In May, Antonin Lokossi was shot dead by a Forest Service guard in the town of Toffo in Atlantique department while he was gathering firewood. He was at the time accompanied by two members of his community, who said they were unarmed when guards fired at them.

HEALTH WORKERS' RIGHTS

In March, health sector unions raised concerns with the authorities about their exclusion from initiatives to manage the impact of COVID-19 on the health and safety of their members. In July, they issued a public statement denouncing the lack of PPE and poor working conditions.

Police arrested a health worker on 8 June after he posted a warning on social media about a COVID-19 outbreak at Ouémé-Plateau Departmental Hospital Centre. He

was charged with breaching confidentiality and sentenced to six months in prison, including five months suspended and a fine. He was released on 8 July.

On 8 July, Adolphe Houssou, a spokesperson for health sector unions, publicly criticized the government for not doing enough to protect health workers from COVID-19. On 25 July, he fled the country in fear of reprisals after police officers went to the Health Ministry asking for his address.

DISCRIMINATION

In March, the UN Committee on Economic, Social and Cultural Rights issued its concluding observations on Benin's periodic review. It raised concerns about widespread attacks against people with albinism; killings of so-called "witch children"; and local customs which deprived women of their inheritance and property rights.

A government civil service recruitment competition excluded people with disabilities.

GENDER-BASED VIOLENCE

The widespread use of violence and sexual harassment against women and girls continued. In May, Angela Kpeidja, a journalist for a national television station, publicly denounced sexual harassment and other abuses in her workplace. The authorities suspended the station's deputy editor-in-chief.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

In Cotonou in April, unknown assailants beat a transgender woman unconscious. She regained consciousness in Godomey police station, where officers beat, insulted and threatened her. They stripped her naked, photographed her and sent her home without her clothes after five days in detention.

In July, a transgender woman was attacked by a mob who stripped her and beat her as they chased her through the streets. Later that night, police arrested her at her home for no legitimate reason, took her to the Sodohomè police station in Zou department, photographed her face and genitals, and held her in a cell with male detainees. She was released without charge the next day.

BOLIVIA

Plurinational State of Bolivia
Head of state and government: **Luis Alberto Arce Catacora (replaced Jeanine Áñez Chávez in November)**

The social, economic, political and human rights crisis in Bolivia which began in the aftermath of the 20 October 2019 elections continued in 2020. The crisis was exacerbated by the COVID-19 pandemic, which reached very worrying dimensions in the country, disproportionately affecting those in vulnerable situations. Those defending human rights and the rights of Indigenous Peoples, journalists and political opponents, or those perceived as such, continued to be threatened and harassed.

BACKGROUND

On 13 August, after two postponements due to public health considerations relating to COVID-19, the Plurinational Legislative Assembly, the interim government and the Supreme Electoral Tribunal agreed that a general election should be held on 18 October 2020. On 23 July, after the second postponement was announced, demonstrations, including roadblocks, intensified amid complaints by the authorities and the general population that the blockades were preventing key supplies for dealing with COVID-19 from reaching various communities that needed them. There were also reports of violence by some protesters and between groups of protesters, with interventions by the security forces. Early on 14 August, there were reports of an attack with explosives on the office of the Bolivian Union of Workers (COB) in La Paz. The COB had played a key role in the demonstrations.

Bolivia reported its first cases of COVID-19 in March 2020 and on 12 March the acting President declared the situation a national emergency. Supreme decrees and

subsequent laws established additional quarantine measures and mandatory stay-at-home regulations, among other economic and social measures to deal with the pandemic. As of 31 December, the Ministry of Health had reported 160,124 confirmed cases of COVID-19 and 9,165 deaths related to the virus.

On 18 October, general elections for the President, Vice-President and members of the Legislative Assembly were held. On 8 November, Luis Arce, the Movimiento Al Socialismo party candidate, took office as President.

EXCESSIVE AND UNNECESSARY USE OF FORCE

In the context of the post-election crisis, human rights violations were perpetrated, including the use of excessive and unnecessary force by the National Police and the Armed Forces to repress demonstrations. At least 35 people died and 833 were injured. These human rights violations were not adequately investigated, tried and punished, resulting in impunity.[1]

IMPUNITY

On 23 January the Inter-American Commission on Human Rights (IACHR) announced an agreement with the interim government of Bolivia for the creation of an Interdisciplinary Group of Independent Experts (GIEI) to investigate acts of violence and human rights violations committed between 1 September and 31 December 2019. However, the government publicly questioned the independence of two of the four members of the GIEI announced by the IACHR. On 28 April, the IACHR announced that it would include a fifth member "to strengthen the GIEI" and that the Group would be installed soon. On 23 November, the GIEI was installed and on 22 December it announced that it had concluded the "preliminary stage" of its work, which entailed meetings with groups of victims and witnesses and with civil society organizations.

HUMAN RIGHTS DEFENDERS

Human rights defenders, such as Waldo Albarracín, continued to be threatened and harassed while criminal investigations into attacks on them remained stalled, and the authorities failed to provide human rights defenders with appropriate protection so that they could carry out their legitimate work.

FREEDOM OF EXPRESSION

Journalists and social communicators reported that the right to freedom of expression was being unduly restricted in Bolivia by means of threats, attacks and attempts to silence the national and international media. The interim government created a climate of fear and censorship through its public statements and regulations, and harassed and threatened political opponents and those perceived as such. It issued public threats, accusing political leaders of spreading "misinformation" and journalists of "sedition". The government also accused people of participating in "destabilization and disinformation movements" and of conducting a "virtual war" against it.

In the context of the pandemic, the government also issued regulations that raised a number of concerns, such as Supreme Decrees 4199, 4200 as well as 4231 which modifies the first two. Some articles of these decrees violated the right to freedom of expression, for example establishing a crime against public health for "spreading wrong information" about COVID-19 or "generating uncertainty in the population". These decrees were later repealed. Nevertheless, they served to intensify the harassment against political opponents and those perceived as such, as did criminal proceedings and detentions.

INDIGENOUS PEOPLES' RIGHTS

Indigenous Peoples were disproportionately affected by the pandemic. Their right to participate in decision-making processes on issues affecting their rights continued to be undermined by the granting of licences for

economic projects on community lands without their free, prior and informed consent. According to the Office of the Ombudsperson, in the context of the pandemic, there was a lack of a public health policy to protect Indigenous Peoples and an increase in the use on social media of racist rhetoric that stigmatized them.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

On 3 July the Second Constitutional Chamber of La Paz Departmental Court of Justice annulled a decision by the National Civil Registry to deny registration for a same-sex civil union. The Chamber ordered the Civil Registry to issue a new resolution upholding international human rights standards. The order was not complied with and the Civil Registry lodged a request with the Plurinational Constitutional Tribunal for a precautionary measure to suspend the effects of the ruling; this remained pending at the end of the year. On 9 December, the Civil Registry complied with the Chamber's order and issued a new resolution, allowing two men to become the first same-sex couple to register their civil union.

1. Healing the pandemic of impunity: 20 human rights recommendations for candidates in the 2020 presidential elections in Bolivia (AMR 18/2871/2020)

BOSNIA AND HERZEGOVINA

Bosnia and Herzegovina
Head of state: **Rotating presidency – Milorad Dodik, Željko Komšić, Šefik Džaferović**
Head of government: **Zoran Tegeltija**

The authorities failed to provide support to thousands of refugees, asylum-seekers and migrants stranded in the country. The Constitutional Court declared that movement restrictions imposed on older people and children due to COVID-19 were disproportionate. State of emergency measures further limited the rights to freedom of peaceful assembly and expression. Unlawful disclosures of personal data of COVID-19 patients violated the right to privacy. Prosecution of war crimes was further delayed.

REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Bosnia and Herzegovina (BiH) failed to provide effective access to asylum and adequate reception conditions for thousands of migrants and asylum-seekers travelling through the country on their way to the EU. Despite reduced numbers in March and April due to COVID-19 movement restrictions, close to 10,000 people were stranded in BiH at the end of the year, the majority in Una-Sana Canton on the border with Croatia.

The asylum system remained largely ineffective due to persisting institutional gaps, including limited capacity in the Ministry of Security, resulting in a significant backlog of pending cases and people awaiting registration.

Political inaction from the Council of Ministers, and the reluctance of authorities at all levels to co-operate, led to failures in identifying additional suitable accommodation and prevented the transfer of existing reception centres from the International Organization for Migration (IOM) to BiH authorities.

In August, citing the lack of support from the national government, Una-Sana Canton authorities prohibited new arrivals on their territory and imposed strict measures targeting migrants and asylum-seekers living outside official accommodation centres. The measures included severe restrictions on freedom of movement, prohibition on gatherings in public places and using public transport, and a ban on letting accommodation to migrants.[1]

In September, the Una-Sana Canton authorities forcibly evicted residents from the official reception centre operated by the IOM in Bihac, leaving close to 400 people without

shelter and assistance in deteriorating weather conditions.[2] In the last days of December, around 900 migrants and asylum-seekers were stranded in inhumane conditions and without access to food, water or electricity in the temporary camp Lipa after the authorities failed to agree to their relocation to more suitable facilities in other parts of the country. The European Commission strongly condemned the actions saying they "undermined the rule of law and put lives at risk".

At the end of the year, around 3,000 asylum-seekers and migrants were living in squats, abandoned houses and forests across Una-Sana Canton.

FREEDOM OF MOVEMENT

As a part of the COVID-19 emergency measures in March, the authorities imposed a blanket 24-hour curfew on children and people aged 65 and older. The curfew was eased after several weeks but over 300 people found in violation of the order received fines that could exceed the average monthly pension. In April, the Constitutional Court ruled the measures were disproportionate and breached the right to freedom of movement enshrined in the Constitution and the European Convention on Human Rights.

FREEDOM OF EXPRESSION

The BiH Association of Journalists recorded nearly 30 cases of serious violations of media freedom, including physical assault and death threats against journalists and other media workers.

Journalists and others criticizing the government's COVID-19 response faced backlash and censorship. In several cantons, independent journalists were denied access to government briefings on the COVID-19 crisis. In March, the Republika Srpska government issued a decree prohibiting the "incitement of panic and disorder" and imposed heavy fines for violations. At least 18 people were charged under the decree before it was repealed in late April, including a medical doctor who expressed concern on social media about the lack of equipment and capacities in local hospitals. Federation BiH authorities actively monitored private social media accounts and criminally charged at least five people for "spreading false information and panic" in March. At the end of the year, there was no credible information on whether any of the charges were dropped. The Council of Europe Commissioner for Human Rights warned that the measures limited the right to freedom of expression.

FREEDOM OF ASSEMBLY

According to the European Commission, laws regulating assemblies were contrary to international law as they severely restricted public places for protests and placed a disproportionate burden on organizers, who had to cover the costs for additional security and emergency measures during events.

RIGHT TO PRIVACY

In March, authorities in several parts of the country cited public health grounds in disclosing personal data of individuals, including minors, who were diagnosed with COVID-19 and of those with orders to self-isolate. The BiH Data Protection Agency warned that it breached national data protection legislation and prohibited further public disclosure of personal data by the authorities.

RIGHT TO TRUTH, JUSTICE AND REPARATION

In September, the BiH Council of Ministers adopted the long-delayed revised War Crimes Strategy, which set new deadlines for completion of backlog cases. By the end of 2020, over 600 cases were pending before various courts in BiH.

Prosecution of war crimes continued to be delayed due to systemic deficiencies in the Prosecutor's Office.

In March, a survivor of wartime rape in Novi Travnik received financial compensation, the first such award in criminal proceedings.

In August, the UN Committee for Elimination of Discrimination against Women (CEDAW) ruled in a wartime rape case that BiH failed to ensure an impartial and effective investigation and adequate reparation to the victim. The Committee called on BiH to provide immediate and comprehensive support to survivors of wartime sexual violence.

In July, the country marked the 25th anniversary of the Srebrenica genocide when more than 8,000 Bosnian Muslim men and boys were killed; survivors continued to face insurmountable obstacles to obtaining truth, justice and remedy.[3]

Over 7,200 people remained missing as a result of the armed conflict. Political pressure and lack of resources continued to impede the work of the BiH Missing Persons Institute.

1. Bosnia and Herzegovina: Reckless restrictions of movement leave refugees and migrants stranded without protection (News story, 25 August)
2. Bosnia and Herzegovina: Authorities create gratuitous suffering for hundreds left without shelter (News story, 1 October)
3. Bosnia and Herzegovina: 25th anniversary of Srebrenica massacre is a sombre warning from history (News story, 9 July)

BOTSWANA

Republic of Botswana
Head of state and government: **Mokgweetsi Masisi**

Food insecurity remained widespread. State of emergency legislation was introduced in response to the COVID-19 pandemic which further restricted the right to freedom of expression. Police subjected political activists to torture and other ill-treatment. Death by hanging was maintained as a punishment for crimes including murder.

BACKGROUND

On 2 April, the President declared a state of public emergency and also introduced legislation under the Emergency Powers Act. He ordered a 28-day national lockdown subject to parliamentary oversight, which was extended for another week on 28 April.

Later that month, the President pardoned 149 prisoners to ease prison overcrowding during the COVID-19 pandemic. Twenty of those released were reportedly foreign nationals. It was not clear which crimes were pardoned or how long the prisoners had left on their sentences.

TORTURE AND OTHER ILL-TREATMENT

According to the NGO Ditshwanelo (the Botswana Centre for Human Rights), a 16-year-old boy was flogged at a traditional court in Mahetlwe village in Kweneng District by the village's Deputy Chief, and on instructions from the police, for not wearing a face mask.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Food insecurity remained widespread, mainly as a result of recurring drought. It was compounded by an African Migratory Locust outbreak in February which affected staple crops. These factors, combined with COVID-19 pandemic mitigation measures like border closures, adversely affected food supplies and further exacerbated food insecurity levels.

The impact of lockdown and movement restrictions was particularly harsh for people working in the informal economy, among the most vulnerable to a socio-economic shock, who represented the majority of workers across the country, and particularly those who mainly worked in the agricultural sector as well as street vendors.

In May, the government enforced the wearing of face masks in public and imposed a maximum fine of BWP5,000 (approximately US$432) or up to five years' imprisonment for anyone who failed to comply.

FREEDOM OF EXPRESSION

The Emergency Powers Act prohibited journalists from using "source(s) other than the Director of Health Services or the World Health Organization" when reporting on COVID-19. Journalists failing to obey faced a fine of up to BWP100,000 (approximately US$8,100) or a five-year jail term. The Act outlawed publishing information with "the

intention to deceive" the public about COVID-19, or information about the government's measures to control the spread of the virus.

Several people were believed to have been charged either under the Emergency Powers Act or the Penal Code for expressing their opinions. For example, Justice Motlhabane, the spokesperson for the Botswana Patriotic Front, an opposition party, was arrested by police on 16 April for "degrading and maligning the leadership" after he was accused of suggesting on Facebook that the President would prolong the state of emergency to "deal with his political rivals and business competitors". Justice Motlhabane told journalists that he was tortured by being electrocuted while in police custody on this and several other occasions.

Journalists

On 18 June, journalists David Baaitse and Kenneth Mosekiemang were arrested by intelligence agents after they photographed a building linked to the Directorate of Intelligence and Security, the domestic and international intelligence agency. After spending a night in custody, they were released and charged with "common nuisance", which, under the Penal Code, carries a fine of up to BWP5,000 (US$432) or up to two years' imprisonment.

DEATH PENALTY

Botswana continued to impose death sentences and carried out executions by hanging for crimes including murder. It was the only state in Southern Africa to carry out executions.

BRAZIL

Federative Republic of Brazil
Head of state and government: **Jair Messias Bolsonaro**

Anti-human rights rhetoric continued to escalate, increasing the risks to human rights defenders. The shrinking of civic space fomented by an official narrative that stigmatized NGOs, journalists, activists, human rights defenders and social movements continued. Obstacles to freedom of expression and attempts to restrict this right impacted the work of journalists and media workers. Attacks and killings of human rights defenders, members of Indigenous Peoples, Quilombola communities and environmental defenders remained chronic problems. Protection of natural resources and traditional territories was neglected as government structures to protect Indigenous Peoples and the environment were further dismantled and weakened. Violence against women increased in the context of measures introduced to curb the spread of COVID-19. The pandemic exposed deep-seated inequalities in Brazilian society, impacting communities that face discrimination disproportionately. The President's ongoing denial of the gravity of the COVID-19 pandemic only exacerbated the situation.

BACKGROUND

On 31 March a group of people gathered in front of the army´s headquarters in Brasília, the capital, to commemorate the 1964 coup, which led to a 21-year-long military government. The demonstration was attended by President Bolsonaro, who referred to the date as "the day of liberty". According to Brazil's National Truth Commission, under the military regime hundreds of people were systematically tortured, disappeared and extrajudicially executed. Mainly due to the interpretation given to the 1979 Amnesty Law, impunity continued to prevail for crimes under international law and human rights violations committed during the military government (1964-1985).

RIGHT TO HEALTH

The COVID-19 pandemic hit Brazil powerfully, deepening existing historic, structural and persistent inequalities and exacerbating the economic, political, and

public health and sanitation crisis in the country. The government failed to ensure the right to health, including access to health care, and social protection for all peoples. By the end of the year, the number of people who had died of COVID-19 was around 195,000, the second highest total of any country in the world. Brazil was an epicentre of the pandemic, with more than 7 million cases of infection.

Although dealing with the COVID-19 pandemic was a challenge worldwide, the outbreak in Brazil was exacerbated by ongoing tensions between the federal and state authorities, the absence of a clear plan of action based on the best available scientific information and the lack of transparency in public policies, among other failings.

Economic and social rights

The government failed to mitigate the social and economic consequences of COVID-19 on groups in vulnerable situations, such as low-income communities, women, LGBTI people, residents of favelas, Indigenous Peoples and Quilombola communities. Economic relief programmes for low-income individuals were insufficient and flawed. Many people faced difficulties registering for these benefits and the process was mired with allegations of lack of transparency.

In November 2020, there was a massive 21-day blackout in the State of Amapá. According to the National Coordination of Articulation of Black Rural Quilombola Communities (CONAQ), the lack of electricity worsened the humanitarian crisis faced by Quilombola and Indigenous communities in the state.

Health workers

The state failed to provide health workers with adequate assistance during the COVID-19 pandemic. According to the Brazilian Association of Collective Health and the Brazilian Society of Family and Community Medicine, health care professionals faced challenging working conditions, including insufficient personal protective equipment, a lack of clear protocols to manage infections, the absence of mental health support, lack of social protection for workers' families and precarious employment contracts.

Prisoners

Prisoners were denied their right to health by inadequate state measures to deal with and curb the pandemic. Systemic overcrowding, inadequate health services, and poor living and sanitary conditions posed grave concerns for the right to health of prisoners and juvenile detainees. According to the National Council of Justice, as of October, more than 39,000 COVID-19 cases in the adult prison system and 4,190 cases in the juvenile detention system were registered. In terms of testing, from October to December 2020, at least five states (Amazonas, Espirito Santo, Paraiba, Rondônia and Roraima) had not conducted one single additional test in their prisons. The State of Roraima, for instance, did not report testing of any prisoners or workers in the system to date. The administrative area with the highest prison population rate was the Distrito Federal, with 15% of the detainees tested from the beginning of the outbreak in March to December.

FREEDOM OF EXPRESSION

Attacks on journalists and media workers restricted and stifled freedom of expression. According to a report by the NGO Article 19, between January 2019 and September 2020, members of the federal government made aggressive and stigmatizing statements towards journalists and their work 449 times. These attacks included intimidation, smear campaigns, defamation, gender discrimination and questioning the legitimacy of journalistic activity.

Restrictions on civil society participation in public debate about government policies intensified as a result of the hostile government approach to social movements and NGOs. The authorities constantly and consistently used rhetoric that stigmatized activism and groups in vulnerable situations.

An emblematic example of this was the President's speech at the UN General Assembly in September. Jair Bolsonaro alleged that there was a "disinformation campaign" about wildfires and deforestation in the Amazon led by international institutions. He also claimed the wildfires were a consequence of the traditional practices of Indigenous Peoples and other traditional communities. Days later, General Augusto Heleno, Chief of the Institutional Security Cabinet, accused the Articulation of Indigenous Peoples of Brazil (APIB) movement of endangering national security due to its work on Indigenous Peoples' rights, citing the same legislation that the military dictatorship used in previous decades to accuse the opposition of treason.

HUMAN RIGHTS DEFENDERS

A report by the NGO Global Witness highlighted the dangerous situation faced by territory, land and environmental defenders in Brazil, which was third in its list of the most lethal countries for environmental and human rights activists.

On 18 April, Ari Uru-Eu-Wau-Wau was killed in the city of Jaru, in the State of Rondônia, after several threats in 2019.

The notorious killing in 2018 of Marielle Franco, a defender of LGBTI, Black and women's rights, and her driver, Anderson Gomes, highlighted the obstacles faced in obtaining justice and reparations for attacks on human rights defenders. Two men were charged with carrying out the killings. However, two years after the death, investigations had yet to establish who was behind the killings.

RIGHTS OF WOMEN AND GIRLS

One of the indirect consequences of movement restriction measures to curb the spread of COVID-19 was an increase in cases of domestic violence against women. Data consolidated by the Brazilian Public Security Forum revealed that the rate of femicide increased in 14 out of the 26 states in the period between March and May 2020 as compared to the same period in 2019. For example, in the State of Acre, the rate of femicides increased by 400%. Other states also saw significant increases in the number of femicides from March to May: 157.1% in Mato Grosso, 81.8% in Maranhão and 75% in Pará.

In the first six months of 2020, 1,861 women were murdered, and an additional 648 were victims of femicide, according to data from 12 states compiled by the Brazilian Public Security Forum. Emergency phone calls to the police related to domestic violence rose by 3.8% in the first six months of 2020 compared to the same period in 2019. In the State of Ceará, according to the Popular Public Security Forum, the number of women killed increased by 66% in the first seven months of the year compared to the same period in 2019, during which 216 women were killed. The number of girls murdered increased by 124% in the same state.

There were over 119,546 cases of domestic violence resulting in physical injuries to women in the first six months of the year, equivalent to an average of 664 cases per day. This represented an overall reduction of 11% compared to the same period in 2019, likely due to under-reporting during the pandemic. However, six states registered an increase in cases of physical injuries during the same period. The State of Pará saw the highest rise in such cases: 2,674 cases were recorded, an increase of 46.4% compared to the same period of the previous year. On average 126 girls and women were raped every day in the country during 2020.

RIGHTS OF INDIGENOUS PEOPLES AND OTHER TRADITIONAL COMMUNITIES

Despite Brazil's international commitments and national laws for the protection of Indigenous peoples and other traditional communities, the historical lack of respect for the rights of these communities intensified in 2020.

Illegal mining, wildfires and the seizure of land for illegal cattle farming and agribusiness continued to threaten

Indigenous peoples and other traditional communities, impacting the right to land of these communities and affecting the natural environment.[1]

Data collected by the National Institute for Space Research registered an increase of 9.5% in the destruction of forests between August 2019 and July 2020, compared to the same period a year earlier. More than 11,000km² of forest were devastated in that period. The progressive dismantling of national institutions responsible for monitoring and protecting these areas reflected the failure of the state to fulfil its obligation to guarantee the rights of affected communities to a healthy environment, livelihoods, and to be protected from forced evictions.

Wildfires in the Amazon were, in many cases, started by farmers who illegally invaded the territories of Indigenous peoples in order to prepare the land for cattle. Cattle illegally grazed in the Amazon has entered the supply chain of JBS, the biggest meat-packing corporation in the world.[2]

In a public hearing before the Inter-American Commission on Human Rights in October, Indigenous representatives condemned invasions into Yanomami territories and threats to Indigenous leaders by those seeking to carry out illegal mining activities. They also condemned the invasion of the lands of the Uru-Eu-Wau-Wau, Karipunas, Guajajaras and Tembés communities for economic exploitation. Many members of Indigenous communities have lost their lives in the context of these invasions, including Edilson Tembé dos Santos killed in September and Ari-Uru-Eu-Wau-Wau, killed in April.

Right to health

Ineffective public policies and measures to mitigate the impact of COVID-19 among traditional communities highlighted the failure of the state to ensure the right to health of these groups.

In July, along with six political parties, APIB took to the Supreme Court the Action of Noncompliance with Fundamental Precept (ADPF) number 709, which seeks health protection measures for these communities, due to the pandemic. According to the lawsuit, the fatality rate among Indigenous peoples was 9.6%, while the national average was 5.6%. The Supreme Court had determined that the state should implement a specific emergency plan and public health sanitation measures in Indigenous areas. However, in December a third version of the plan presented by the government was rejected by the Supreme Court for not providing answers to basic topics such as access to water and sanitation and for not setting detailed measures to provide personal protective equipment (PPE), testing material and human resources. APIB claimed that a proper response to the pandemic was coming from within the community, since the federal government had failed to comply with the Supreme Court's determination to protect the communities in the context of a pandemic. The articulation had to create an emergency plan to equip the special units across the country by delivering tests, breathing tubes, hygiene kits, PPE and cylinders of oxygen.

The CONAQ took ADPF 742 to the Federal Court in September, demanding a national plan in response to the pandemic in Quilombola communities, inspired by ADPF 709. The plan was filed, but there was still no positive action. The organization launched its own initiative to monitor the spread of COVID-19 among communities and kept alerting to high fatality rates and under-reporting. Communities also denounced other difficulties – and even denial – in accessing tests.

EXCESSIVE USE OF FORCE

In favelas and other marginalized neighbourhoods, police violence escalated during the COVID-19 pandemic. Between January and June, at least 3,181 people were killed by the police across the country, an average of 17 deaths per day and 7.1% more than in 2019. While people were following recommendations to stay home, police officers continued to conduct incursions in

favelas for arrests which ended in killings. Federal and state governments and representatives publicly supported the idea that "good criminals are dead criminals" and the use of force by the police in favelas and city outskirts.

According to the Brazilian Public Security Forum, 79.1% of the people killed by the police were Black and 74.3% were under 30 years of age. Brazil´s population comprises 54% Black people, according to the Brazilian Institute of Geography and Statistics. Residents of marginalized neighbourhoods were the most affected.

During the year, Rio de Janeiro's police forces continued to carry out militarized police operations in favelas, frequently using helicopters and armoured vehicles. Police killings in the state reached a level unprecedented since they began recording fatalities in 1998; between January and May, 741 people were killed, the highest number in the country.

In May, 13 men were killed in Complexo do Alemão, a group of favelas in Rio de Janeiro, during a violent police operation carried out by the Special Operations Battalion (BOPE) and the police.

A few days later, 14-year-old João Pedro Mattos died in an operation in the Salgueiro favela, São Gonçalo, Rio de Janeiro. He was at home with friends when members of the Special Resources Unit (CORE) entered his home and fired over 70 rounds. João Pedro Mattos was shot in the back.

The worsening situation in Rio de Janeiro led civil society organizations, local activists, the Rio Public Defender's Office, the Brazilian Socialist Party and relatives of victims to file a petition with the Supreme Court to stop police incursions in the favelas. In June, the Court issued a preliminary decision to suspend police operations in favelas during the pandemic. Following the decision, killings by the police fell by 74%.

In São Paulo, police officers killed 514 civilians between January and June, a 20% increase compared to the same period in 2019 and the highest number since records started to be collected in 2001. A recent law known as the Anti-Crime Package has determined that an investigated policeman should have a lawyer during investigations and if he does not have one, the police corporation should provide him one. In addition, the State of São Paulo determined that military policemen should have access to lawyers for free. Since public defenders do not act during investigations and no private lawyers have been nominated for the cases, the internal ordinance of the Military Police says investigations should be suspended. These conditions resulted in at least 300 police killings not being investigated.

In the state of Bahia, police killings rose from 361 in the first six months of 2019 to 512 in the same period in 2020, an increase of 42%. In the state of Ceará, 96 people were killed in the first six months of the year, a 12.5% increase compared with the same period in 2019. In July, 13-year-old Mizael Fernandes da Silva was killed by the police while he was at home asleep. Two parallel procedures were initiated to conduct investigations. The military investigation concluded that the police officers who killed the boy were acting in self-defence. The parallel investigation by the Civil Police concluded that a police officer should be charged with the crime of homicide and violating legal procedures. The prosecution had not pressed charges by the end of the year.

ENFORCED DISAPPEARANCES

Enforced disappearances remained a serious concern nationwide given the involvement of paramilitary groups, including police officers and former state agents, in these crimes in the past decades.

Despite families' struggle for justice, impunity persisted and there was no significant progress in clarifying past cases of enforced disappearance.

Domestic law was not brought into line with international treaties and did not include a specific crime of enforced disappearance, which continued to be dealt with under other provisions, such as kidnapping. This gap in the law continued to pose a barrier to the

prosecution of those responsible for enforced disappearances, as well as to the implementation of reparation policies for victims. The justice system also lacked effective and independent systems for the investigations into these crimes.

There was no progress in the case of Davi Fiuza, a 16-year-old Black youth who, according to witnesses, was forcibly disappeared in October 2014. He was last seen in the city of Salvador de Bahia with his hands and feet bound being put into the trunk of a car that was escorted by the Bahia State Military Police. In 2018, the Public Prosecutor´s Office indicted seven military police officers for kidnapping and false imprisonment. In 2019 the case was transferred to a military court, contrary to international human rights law standards. Hearings scheduled to take place in April and June were postponed, ostensibly due to COVID-19. At the end of the year no date had been set for the rescheduled hearings to take place.

1. Brazil: Alarming number of new forest fires detected ahead of Amazon Day (News, 3 September)
2. Brazil: Cattle illegally grazed in the Amazon found in supply chain of leading meat-packer JBS (News, 15 July)

BULGARIA

Republic of Bulgaria
Head of state: **Rumen Radev**
Head of government: **Boyko Borisov**

Media freedom and freedom of association further deteriorated as authorities targeted journalists and critics and cracked down on anti-government protests. Authorities placed some Roma communities under mandatory COVID-19 quarantines and severely restricted their movement; officials engaged in openly racist rhetoric towards Roma. Domestic violence remained widespread and resources to support victims were insufficient. Lesbian, gay, bisexual, transgender and intersex people faced discrimination and social exclusion.

FREEDOM OF EXPRESSION

As a part of COVID-19 emergency measures in March, the government proposed amendments to the Criminal Code that would impose heavy fines and prison sentences for dissemination of false information. However, the President vetoed the proposal before it became law, citing its negative impact on freedom of expression.

Media freedom continued to deteriorate, with journalists investigating organized crime and corruption facing intense political and prosecutorial pressure in the form of threats and intimidation.

In July, investigative reporter Nikolay Staykov was questioned by the Prosecutor's Office and threatened with prosecution after he released a documentary which implicated the Prosecutor's Office in a financial crime.

Several journalists covering the anti-government protests in the capital, Sofia, in September were physically assaulted by police; one was detained for hours. The Council of Europe's Commissioner for Human Rights called the actions "unacceptable" and urged the authorities to investigate the attacks.

In its Rule of Law Report in September, the European Commission expressed serious concerns about the lack of transparency of media ownership and noted that media remained subject to systematic political control. Ranking 111th out of 180 countries on the World Press Freedom Index, Bulgaria remained the EU member state with the lowest standard of media freedom.

FREEDOM OF ASSOCIATION

In July, United Patriots, a junior partner in the governing coalition, proposed amendments to the Non-profit Legal Entities Act that would impose disproportionate scrutiny and strict reporting requirements for organizations receiving foreign funding. A coalition of NGOs warned that the amendments were inconsistent with the European Convention on Human Rights and EU law and would

create a hostile environment for civil society organizations.

In September, dozens of people, including journalists and police, were injured and hundreds were arrested when months-long anti-government protests in Sofia were forcefully dispersed by anti-riot forces. Police used pepper spray, tear gas and water cannons against protesters who demanded the resignation of the Prime Minister and Chief Prosecutor, combined with an overhaul of state governance. The European Parliament strongly criticized the "violent and disproportionate intervention" by the police and urged the authorities to investigate reports of excessive use of force.

Authorities targeted businesses and individuals associated with the protests, allegedly subjecting them to politically motivated prosecutions and financial audits. Anti-government protests continued into December.

VIOLENCE AGAINST WOMEN AND GIRLS

Domestic violence remained widespread and significantly under-reported. According to women's rights organizations, the COVID-19 pandemic exacerbated the situation, in which at least eight women were killed by their partners during the two months' nationwide lockdown between March and May.

For domestic violence to be considered as a grave punishable offence, the Criminal Code required it to be committed in the context of "systemic violence" or be preceded by three separate acts of violence by the same perpetrator. This exposed victims to prolonged risks and limited their access to justice. Victims of violence faced barriers in accessing support services and legal assistance, while capacity in the existing shelters remained insufficient. In May, the government adopted a national domestic violence prevention programme aimed at improving co-ordination among relevant institutions and organizations.

The definition of rape in the Criminal Code did not include marital rape and required evidence of physical resistance by the victim, which was contrary to international standards. The UN Special Rapporteur on violence against women urged Bulgaria to amend the Criminal Code to include a rape provision based on lack of consent and explicitly covering marital rape. A 2018 Constitutional Court ruling declaring the Istanbul Convention incompatible with the Bulgarian Constitution continued to prevent the Convention's ratification.

DISCRIMINATION

The COVID-19 pandemic and nationwide lockdown exacerbated the already widespread discrimination against Roma.

Between March and May, local authorities in Sofia, Nova Zagora, Kazanlak, Yambol and Sliven imposed a special regime, including mandatory quarantine for all residents, which disproportionately applied only to majority-Roma neighbourhoods.[1] The quarantines were enforced by armed police who set up roadblocks and prevented people from leaving the settlements. At the same time, the authorities failed to provide sufficient and safe access to water and sanitation, medical supplies and food during the quarantines, putting many families at further risk of COVID-19 infection and poverty.

In Burga municipality, the authorities used drones with thermal sensors to take the temperature of residents in Roma settlements remotely and monitor their movements. In the town of Yambol, the authorities used planes to "disinfect" the Roma neighbourhood, which had registered COVID-19 infections. Such measures were only applied to Roma communities.[2]

Hostile anti-Roma rhetoric increased during the ongoing pandemic, with officials openly engaging in hate speech. The Bulgarian National Movement (VMRO) party portrayed Roma as a collective threat to the general population, while government ministers threatened stricter COVID-19 measures against Roma, suggesting that they deliberately flouted physical distancing rules.

In May the UN Special Rapporteurs on contemporary forms of racism and on minority issues urged officials to stop hate speech and end restrictions targeting Roma

neighbourhoods, stating that they violated residents' rights to equality and freedom of movement.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

In a homophobic attack in Plovdiv in September, a group of young football fans physically attacked and injured several teenagers, some as young as 14, whom they perceived to be LGBTI. The attackers reportedly wanted to "cleanse" the city centre of LGBTI people. The Plovdiv Prosecutor initiated a criminal investigation which was ongoing at the end of the year.

According to an EU Fundamental Rights Agency survey, over 70% of LGBTI people in Bulgaria felt compelled to hide their sexual orientation and 40% avoided certain locations for fear of being assaulted or threatened.

1. Stigmatizing quarantines of Roma settlements in Slovakia and Bulgaria (EUR 01/2156/2020)
2. Policing the pandemic: Human rights violations in the enforcement of COVID-19 measures in Europe (EUR 01/2511/2020)

BURKINA FASO

Burkina Faso
Head of state: **Roch Marc Christian Kaboré**
Head of government: **Christophe Joseph Marie Dabiré**

Armed groups committed human rights abuses, including killings and abductions, in the context of the armed conflict. Security forces also perpetrated extrajudicial executions and torture. Impunity remained pervasive. The right to education was hindered. Freedoms of expression and assembly were restricted.

BACKGROUND

The armed conflict continued, particularly in the northern and eastern regions. In January, the Volunteers for the Defence of the Homeland Act was passed which allowed for the recruitment of local "volunteers" to support military operations.

Seven of the 13 regions remained under a state of emergency, giving the authorities extensive powers to arrest and detain people and limit their movements.

In March, a national curfew was imposed to control the spread of COVID-19. The government also released 1,207 prisoners to reduce prison overcrowding and mitigate the risk of infection.

In September, the Electoral Code was amended ahead of the presidential elections and stipulated that where polling stations were closed for exceptional security reasons, election results would be based on votes cast in stations which remained open. In November, President Kaboré was re-elected for a second term.

ABUSES BY ARMED GROUPS

There were regular clashes between armed groups, and attacks against civilians were committed, often along ethnic lines, which could amount to war crimes.

Since the beginning of the year, the Group for the Support of Islam and Muslims (GSIM) had blockaded the city of Djibo, in Soum province, Centre-North region, restricting access and peoples' movement along a 37km stretch.

In March, the Koglweogo, an armed "self-defence" group, raided three villages in the Barga department in the Northern region, killing at least 43 inhabitants and destroying buildings. In the same month, at least 10 civilians were taken from a mosque in Cissé village in the Sahel region and killed by unidentified gunmen, according to media reports.

In May and August, at least 45 people were killed when unidentified assailants fired indiscriminately at cattle markets in Kompienbiga town and Namoungou village in the Eastern region.

In July, the Mayor of Pensa and 10 others were killed following an ambush on their convoy between the towns of Barsalogho and Pensa in the Centre-North region, believed to be carried out by GSIM members. One

month later, El Hadj Souhaib Cissé, the leader of the Islamic community of Soum province, was abducted by gunmen while travelling to his home in Djibo. His body was found four days later on the outskirts of the city.

RIGHT TO EDUCATION

The right to education was severely undermined as a result of armed attacks by GSIM and Islamic State of Greater Sahara members against primary and secondary schools; students and teachers were also frequently threatened with violence. The Ministry of Education said that 222 education workers had been "the victims of terrorist attacks" between January and April. According to UNICEF, around 3,000 schools were closed by April due to the security situation.

EXTRAJUDICIAL EXECUTIONS

On 9 April in Djibo, 31 people were arrested and executed by members of the special unit force during a raid. Although the government announced an investigation into the killings, which could amount to war crimes, no further information on the investigation was made public.

TORTURE AND OTHER ILL-TREATMENT

On 11 May, gendarmes, accompanied by volunteers, arrested and detained at least 25 people at a market in Kpentchangou town in the Eastern region. The next morning, 12 of them were found dead in their cells at the Tanwalbougou gendarmerie post. The gendarmerie denied responsibility, but the survivors, who were released in June, said that the 12 men had died as a result of severe beatings by the gendarmes. The authorities said they would investigate the incident but no public information was available at the end of the year on the investigation.

GENDER-BASED VIOLENCE

According to UNHCR, the UN refugee agency, the incidence of gender-based violence, including rape, early and forced marriage and prostitution, other sexual abuse and exploitation, was exacerbated by the conflict. Victims of such violence faced difficulty in getting help as sexual and reproductive health care services were either in short supply or were disrupted by the conflict.

REFUGEES AND INTERNALLY DISPLACED PEOPLE

By August, according to UNHCR, 1 million people had been internally displaced by the conflict. Internally displaced people (IDP) and refugee camps were the targets of attacks by all parties to the conflict.

In May, army officers beat 32 refugees in the Mentao refugee camp in the Sahel region, while searching for perpetrators of an attack against them that day in which a soldier was killed. UNHCR called on the authorities to investigate the incident, but they responded by saying the camp hosted gunmen.

In October, 25 IDPs were killed in an ambush by an armed group near the town of Pissila, in the Central North region. Survivors said the assailants executed the men after separating them from the women and children, who they later released.

RIGHT TO TRUTH, JUSTICE AND REPARATION

In February, El Hadj Boureima Nadbanka, commander of the Koglweogo in Namentenga province, Central North region, was provisionally released by the High Court of Kaya. He had been arrested in December 2019 in connection with an investigation into the unlawful killings of 50 people and the enforced disappearance of 66 others in the village of Yirgou, in Sanmatenga province, in January 2019. No significant progress had been made in the proceedings against him at the end of the year.

FREEDOMS OF EXPRESSION AND ASSEMBLY

In January, a car belonging to Yacouba Ladji Bama, an investigative journalist and editor of the *Courrier Confidentiel*, was set alight

outside his home. Journalists' unions said the attack was intended to intimidate him for his work uncovering corruption and fraud.

In the same month, the Ouagadougou City Council arbitrarily banned a sit-in outside the Ouagadougou Court, organized by the Collective Against Impunity and Stigmatization of Communities (CISC). The CISC were protesting at the authorities' failure to secure justice for the 50 people killed by the Koglweogo in Yirgou in January 2019 (see above, Right to truth, justice and reparation).

In August, the authorities stopped a demonstration by supporters of deposed President Compaoré, refusing them access to the People's House venue in Ouagadougou, without providing an official reason.

RIGHT TO HEALTH

Workers' rights

In March, the National Union of Human and Animal Health Workers (SYNTSHA) raised concerns about the country's preparedness to tackle the COVID-19 pandemic and called for greater protection for front-line health workers. SYNTSHA regularly denounced the lack of infrastructure investment and the government's failure to respect the 2017 agreement which had aimed to improve health workers' employment conditions.

BURUNDI

Republic of Burundi
Head of state: **Evariste Ndayishimiye (replaced Pierre Nkurunziza in June)**
Head of government: **Alain Guillaume Bunyoni (assumed office in June)**

Unlawful killings, arbitrary arrests, enforced disappearances and sexual violence were carried out, mainly against perceived political opponents. Freedoms of expression, association and peaceful assembly remained restricted; journalists and human rights defenders faced reprisals for their work. Hate speech along ethnic lines continued, and the President made homophobic remarks in his speeches.

BACKGROUND

The human rights situation did not improve following the May general elections. The presidential candidate for the ruling party, the National Council for the Defence of Democracy – Forces for the Defence of Democracy (CNDD-FDD), was elected. He was inaugurated in June following the sudden death of President Nkurunziza on 8 June. In late June, the Council of Ministers were sworn in. This included the role of Prime Minister, newly created under the 2018 Constitution. Communal and legislative elections took place in May, followed by Senate and local level or *colline* (hill) elections in July and August, respectively.

There was no international election observation mission, partly due to restrictions imposed in response to the COVID-19 pandemic. The Conference of Catholic Bishops of Burundi raised concerns about "numerous irregularities" reported by its observers. On 4 June, the Constitutional Court ruled that the election had been held "in a regular fashion".

In October, the UN Human Rights Council voted to renew the mandate of the Commission of Inquiry on Burundi.

RIGHT TO HEALTH

Government representatives initially claimed that the country's "special pact with God" had spared it from being impacted by COVID-19. In late March, a government spokesperson threatened sanctions against schools and other institutions for taking proactive containment measures ahead of the government, and for seeking "to manipulate or disorientate public opinion". Initial measures taken by government included quarantine for travellers, and advice on hand washing and avoiding physical greetings. The international airport was closed from late March to early November. Mass gatherings continued during and after the election campaigns. In May, some doctors told the media that testing was

insufficient and that official COVID-19 figures underestimated the actual death rate. The Minister of Foreign Affairs expelled the WHO representative and three medical experts in mid-May. Former President Nkurunziza's death proved a turning point in the authorities' approach to the pandemic. On 30 June, the incoming President declared COVID-19 "public enemy number one", and the government launched mass testing.

REFUGEES AND ASYLUM-SEEKERS

The government continued to encourage refugees to return to Burundi. Refugee returns, facilitated by the governments and UNHCR, the UN refugee agency, continued from Tanzania and began in August from Rwanda. Tanzanian authorities arrested, forcibly disappeared, tortured and arbitrarily detained several refugees, some of whom were later forcibly returned to Burundi. Returnees continued to face difficulties reintegrating and received insufficient support. Some were accused of supporting the opposition and were threatened or physically attacked by the Imbonerakure, the ruling party's youth wing.

Restrictions due to COVID-19 made it harder for people to seek asylum outside Burundi. Between January and mid-March, 3,242 people sought refuge in neighbouring countries in the run-up to the May elections. Between mid-March, when border restrictions were imposed, and the end of November, only 24 new arrivals from Burundi were registered in the region.

DISCRIMINATION

In the run-up to the elections, CNDD-FDD members increasingly used rhetoric which incited violence against the political opposition, and justified attacks against opposition members. The government failed to hold to account those suspected of being responsible for hate speech along ethnic lines. Such rhetoric continued after the elections.

Women's groups criticized First Lady Angeline Ndayishimiye Ndayubaha's speech to the Women's Leaders Forum in September, in which she stated that the country would never see gender equality, and quoted from scripture to support her argument. The Family Code recognizes husbands as the head of the "conjugal community".

President Ndayishimiye made several homophobic remarks in his speeches. In his inauguration speech, he described same-sex marriage as "social deviation"; in August, he suggested a correlation between countries which accepted homosexuality and high COVID-19 rates.

FREEDOM OF EXPRESSION

In January, Agnès Ndirubusa, Christine Kamikazi, Egide Harerimana and Térence Mpozenzi, journalists at Iwacu Press Group, arrested in October 2019 on their way to report on clashes in Bubanza province, were convicted of an "impossible attempt" to threaten internal state security. They were sentenced to two-and-a-half years in prison and fined BIF1 million (US$525). Their driver Adolphe Masabarakiza was acquitted. In June, the Ntahangwa Court of Appeal upheld their conviction on appeal, but in December they received a presidential pardon and were released.[1]

In October, Fabien Banciryanino, a former opposition parliamentarian, was arrested on charges of rebellion, defamation, and threatening state security. He was questioned about speeches he had made in the National Assembly in which he criticized the government, which would normally be covered by parliamentary immunity.[2]

HUMAN RIGHTS DEFENDERS

In June, Burundi's Supreme Court ruled that the 2019 Ntahangwa Court of Appeal's decision to uphold human rights defender Germain Rukuki's conviction, and 32-year prison sentence, was invalid. The case was sent back to the Court of Appeal to be heard again with a newly composed bench.

The trial of 12 exiled human rights defenders and journalists for "insurrection" continued before the Supreme Court. They were accused of involvement in the failed

coup attempt of May 2015, in connection with their role in protests against the then President's third term. Their lawyers were not present at a hearing in February.

FREEDOM OF ASSOCIATION

Members of the main opposition party, the National Congress for Freedom (CNL), faced numerous obstacles to their political activities. In some places, permission to open party offices was denied, whereas in other locations their offices were vandalized and destroyed. During the electoral campaign period, local administration officials prevented them from holding some campaign rallies.[3]

The authorities continued to press for stricter control over the operations of international NGOs, including by demanding that organizations provide individualized data on the ethnicities of their national staff. In May, a presidential decree was issued to establish international NGO recruitment committees, including government committees in each province to oversee and approve all national staff hires.[4]

ENFORCED DISAPPEARANCES

Enforced disappearances continued to be regularly reported, and previous cases remained unresolved. The UN Working Group on Enforced or Involuntary Disappearances raised 81 new cases (primarily from 2015 and 2016) with the authorities. By the end of the year, the government had provided no response to any of the 156 cases raised by the Working Group since 2016. Despite having signed the International Convention for the Protection of All Persons from Enforced Disappearance in 2007, Burundi was yet to ratify and implement it.

ARBITRARY ARRESTS AND DETENTIONS

The CNL reported that more than 600 of its members, including candidates, were arrested before and during election day. Some were arrested after clashes with Imbonerakure members. Several CNL members were convicted in expedited trials before the elections. Reports of arrests and disappearances of party members continued throughout the year.

Two days before the election, the Prosecutor General wrote to the President of the National Election Commission asking for the disqualification of 59 CNL candidates in the legislative and communal elections on grounds that they were the subject of ongoing investigations. The Constitutional Court later overturned the decision to disqualify three candidates for the National Assembly.

UNLAWFUL KILLINGS

Extrajudicial executions and other unlawful killings continued throughout the year. After fighting in February between an unidentified armed group and the police and army in Bujumbura Rural province, photographs and videos circulated on social media showing at least 12 young men who had been captured and tied up, as well as photographs of the bodies of several of the men. The UN Commission of Inquiry on Burundi analysed the evidence and concluded that the men were killed after being captured and while under the responsibility of police, military and the Imbonerakure, who also featured in the images.

The Imbonerakure killed several members of opposition parties during the election period. CNL and CNDD-FDD members also died as a result of violent clashes between the parties. Richard Havyarimana, a CNL member, was abducted in May in Mwaro province and his body was found three days later. In a rare example of accountability, two members of the Imbonerakure were found guilty of his murder. They were sentenced in August to 15 years in prison and ordered to pay his family compensation of BIF10 million (US$5,200).

GENDER-BASED VIOLENCE

Sexual violence was used by the Imbonerakure and others as a form of intimidation and punishment against people perceived as political opponents. In its 2020 report, the UN Commission of Inquiry highlighted acts of sexual violence committed

against men and boys, as well as women and girls, in detention at the National Intelligence Service (SNR) since 2015. SNR agents subjected male detainees to torture and other ill-treatment that targeted their genitals and included rape. They also forced them to have sexual relations with other detainees, male and female, and subjected them to forced nudity and other humiliation. Women were raped and subjected to other forms of sexual violence.

RIGHT TO TRUTH, JUSTICE AND REPARATION

Throughout the year, the Truth and Reconciliation Commission conducted highly publicized exhumations of mass graves connected to past atrocities. Exhumations were focused on graves linked to the 1972 massacres that primarily targeted Hutu. This focus combined with comments made by public officials was polarizing and seen as an attempt to impose a single narrative. The exhumations were carried out in a manner which jeopardized the preservation of valuable evidence and failed to ensure respectful storage of human remains.[5]

1. Burundi: Upholding journalists' conviction further undermines media freedom (Press release, 5 June)
2. Burundi: Release outspoken opposition politician (AFR 16/3230/2020)
3. Burundi: Prioritise human rights in election season (AFR 16/2214/2020)
4. Burundi: Drop demand on international NGOs to disclose ethnic identity of employees (Press release, 27 February)
5. Burundi: Human rights priorities for new government (AFR 16/2777/2020)

CAMBODIA

Kingdom of Cambodia
Head of state: **Norodom Sihamoni**
Head of government: **Hun Sen**

The extreme restrictions on civil and political rights implemented since 2017 intensified, with the new State of Emergency Law adding to a legal framework which severely impinges upon human rights. Human rights defenders, peaceful demonstrators and members of the banned opposition party continued to face harassment and intimidation through misuse of the justice system. Women's rights came under sustained attack, as Prime Minister Hun Sen led a public campaign that used arbitrary interpretations of "tradition" and "culture" to curtail the rights of women. The ongoing anti-drug campaign led to widespread violations of fair trial rights. People arbitrarily detained in drug detention centres faced torture and other ill-treatment including inhumane living conditions. The economic impact of the COVID-19 pandemic left tens of thousands of garment workers and others at risk of destitution, particularly those holding microfinance debts.

BACKGROUND

The government crackdown targeting independent media, outspoken civil society organizations and the political opposition that began in 2017 continued throughout 2020. The EU partially revoked Cambodia's preferential free-trade status under the Everything But Arms (EBA) trade agreement, citing violations of labour rights and human rights. Per capita, Cambodia was the most microfinance-indebted country in the world.

FREEDOM OF EXPRESSION

The authorities used the COVID-19 pandemic as a pretext to further repress freedom of expression, with journalists, human rights defenders and government critics targeted for the expression of their views. Between January and March, Amnesty International documented 22 arrests, with seven people charged for allegedly sharing "false information" about the pandemic, of whom six were affiliated with the banned opposition party Cambodia National Rescue Party (CNRP).[1] Journalist Sovann Rithy was arrested on 9 April and later convicted on 5 October of "incitement to commit a felony" for quoting the Prime Minister Hun Sen verbatim about the economic impact of the

pandemic in the country.[2] In April, the Law on the Management of the Nation in a State of Emergency was promulgated in response to COVID-19, providing the government with a range of arbitrary and excessive powers in times of emergency.[3]

On 31 July, police arrested prominent trade unionist Rong Chhun for comments he made about the Cambodia-Viet Nam border. He was charged with "incitement to commit a felony" and remained in pre-trial detention. His arrest sparked protests which were met with a series of further arrests and charges targeting young people and environmental activists. Between 13 August and 7 September, at least 12 young activists, including a Buddhist monk and two rap artists, were arrested and charged with "incitement to commit a felony", and placed in pre-trial detention.[4] Both rap artists were later convicted. Other human rights defenders fled Cambodia in order to escape prosecution. Luon Sovath, a Martin Ennals Award winner and renowned activist monk, was forced to flee into exile after authorities in the city of Siem Reap sought to defrock and charge him on the basis of spurious allegations of sexual misconduct.

FREEDOM OF ASSOCIATION

Members of the banned CNRP faced continued arbitrary criminalization and increasing levels of physical violence. CNRP president Kem Sokha faced trial on trumped-up treason charges in January, and his trial remained ongoing. CNRP co-founder Sam Rainsy and over 100 CNRP politicians remained banned from participating in politics following the party's dissolution in 2017. Judicial harassment against former CNRP politicians and activists intensified in November as at least 126 CNRP-affiliated individuals were summoned in a series of politically-motivated mass trials on treason and incitement-related charges. Severe physical assaults of individuals affiliated with the CNRP continued, with no one arrested or investigated for any of the attacks.

The repressive Law on Associations and NGOs (LANGO) continued to be used to stifle freedom of association. Environmental activists working to expose rampant illegal logging in the Prey Lang rainforest faced arbitrary detention and physical assaults by both state authorities and corporate actors.[5] In September, the Ministry of Interior characterized grassroots groups Mother Nature Cambodia and Khmer Thavrak as illegal organizations because they had not registered under LANGO.

WOMEN'S RIGHTS

Hun Sen led a public attack on women's rights, invoking arbitrary notions of "tradition" and "culture" to justify the policing of women's bodies and choices. In a speech in January, he ordered the authorities to take action against women who allegedly wore "revealing" clothing while selling products on Facebook. Days later, authorities arrested and arbitrarily charged Facebook seller Ven Rachna with producing "pornography" on the basis of her clothing.[6] In June, attacks on women's rights intensified when the government released a draft of Cambodia's proposed Law on Public Order. The draft prohibited women from wearing clothes that were "too short" or "too see-through". Despite this oppressive environment, many women and girls engaged in online protest against the draft law, which was still pending at year end.

RIGHT TO HEALTH

Detention conditions characterized by overcrowding and ill-treatment continued to systematically violate detainees' right to health. The government's anti-drug campaign, which was rife with torture, other ill-treatment and fair trial rights violations, entered its fourth year, exacerbating the overcrowding crisis in prisons and drug detention centres. The campaign, which emphasized criminalization rather than measures protecting the right to health, disproportionately impacted women and poor and at-risk populations, including children, sex workers and people living with HIV.[7]

Amid the COVID-19 pandemic, in May Cambodia's ministers of justice and interior

revealed plans to reduce prison overcrowding.[8] However, progress was limited and the practice of arbitrarily detaining people who used drugs, without charge, continued.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The economic impact of the COVID-19 pandemic, combined with the partial revocation of EBA trade preferences, adversely affected the country's crucial garment sector, leaving tens of thousands of workers, the majority of whom were women, out of work. Workers' socio-economic insecurity was exacerbated by ballooning levels of microfinance debt, which many were unable to repay as a result of the loss of income. NGOs and unions criticized the government for a failure to protect those at risk of homelessness and destitution because of the widespread practice of microfinance institutions using land titles as collateral for loans. These developments put at risk the right to an adequate standard of living for millions of workers and their dependents. People dependent on fishing and small-scale agriculture also saw their livelihoods seriously threatened by the increasing impacts of climate change combined with development projects, including hydroelectric dams.

ENFORCED DISAPPEARANCES

On 4 June, Wanchalearm Satsaksit, a 37-year-old Thai opposition activist living in exile in Cambodia, was abducted by unidentified persons in the capital, Phnom Penh. His whereabouts remained unknown. On 15 July, a group of UN experts wrote to the Cambodian authorities expressing deep concerns about the "lack of progress in the investigation into the alleged abduction and enforced disappearance". As of December, the authorities had made negligible progress in the investigation.[9]

1. Cambodia: Overcrowded detention centres a ticking time bomb for COVID-19 amid raft of 'fake news' arrests (News story, 27 March)
2. Cambodia's Government Should Stop Silencing Journalists, Media Outlets (ASA 23/3294/2020)
3. Cambodia: Proposed emergency powers would obliterate human rights (News story, 2 April)
4. Cambodia: Youth targeted in 'shocking' wave of arrests (News story, 10 September)
5. Cambodia: Harassment of forest defenders undermines struggle against climate change (ASA 23/2004/2020)
6. Cambodia: Drop discriminatory 'pornography' charges against Facebook seller (News story, 21 February)
7. Cambodia: Substance abuses: the human cost of Cambodia's anti-drug campaign (ASA 23/2220/2020)
8. Cambodian authorities must follow through with release of prisoners amid COVID-19 (ASA 23/2768/2020)
9. Cambodia: Probe into Thai exile's enforced disappearance moving at snail's pace, has glaring gaps (News story, 8 December)

CAMEROON

Republic of Cameroon
Head of state: **Paul Biya**
Head of government: **Joseph Dion Ngute**

Security forces and armed groups continued to commit human rights violations and abuses. Hundreds of thousands of people were displaced due to violence; and gender-based violence against women was widespread. The government continued to crack down on peaceful dissent and on critics. There were reports of torture and other ill-treatment in detention.

BACKGROUND

In February, the ruling Cameroon People's Democratic Movement party won the legislative and local elections. Prior to this, the Cameroon Renaissance Movement, led by Maurice Kamto, called for a boycott of the elections, and for electoral reform. President Paul Biya has been in power since 1982.

On 17 March, the authorities adopted measures to control the spread of COVID-19, including by closing borders. On 31 March, the President made a plea for public solidarity to help fund the health sector. Many critics raised concerns about the lack of transparency surrounding the management of the funds, and about public policies which failed to address hardship resulting from loss of earnings. In April, hundreds of prisoners

were released, but severe overcrowding continued to put detainees at increased risk of COVID-19.

ABUSES BY ARMED GROUPS

Anglophone separatist armed groups continued to commit serious human rights abuses, and targeted people perceived as government supporters in the North-West and South-West regions.

In the North-West, a man was killed and his father injured on 15 January, near Bamenda city, when they tried to avoid a checkpoint held by armed separatists. On 30 January, four humanitarian workers were abducted by a separatist group which accused them of working for the government. They were released the next day. The organization for which they worked said that three of them were beaten and subjected to psychological torture. On 7 August a humanitarian worker was abducted from his home in the Batibo subdivision by unidentified assailants and later killed. Three days later, armed men killed a teacher in Nkwen district in Bamenda and threw his body into a river.

On 11 August, the body of Confort Tumassang, a 35-year-old woman, was found on a road in Muyuka, a town in the South-West region. She had been beheaded by her attackers who were believed to be separatists. They posted a video of her execution on social media in which they accused her of complicity with security forces.

At least eight students were killed and others injured in an attack on a school on 24 October in the town of Kumba in Mémé division, South-West region. The authorities accused armed separatists.

Meanwhile, in the conflict in the Far North region, armed groups related to Boko Haram carried out hundreds of attacks, committing serious human rights abuses. Some of these amounted to war crimes. Between January and December, at least 312 civilians, including children as young as 10, were killed in at least 412 attacks, according to data compiled from UN bodies, media and other organizations.

Internally displaced people (IDPs) were victims of attacks. In August, at least 18 people were killed and 11 injured when assailants threw an explosive device into a makeshift camp in which they were sleeping, near Nguetchewe village. Eight hundred IDPs had taken shelter in the area. In September, according to UNHCR, the UN refugee agency, a suicide bomb attack killed seven people and wounded 14 others at Koyapé, a village which hosted IDPs.

Also in the Far North region, as of December, at least 124 people, mainly women and children, were victims of abductions by armed groups related to Boko Haram.

UNLAWFUL KILLINGS

In the armed conflict with separatist armed groups, the military carried out attacks against villages in which people were unlawfully killed and their homes destroyed. There was a spike in such violence in the run-up to the elections in January and February.

In January, soldiers shot at people in a market in Ndoh village in the South-West region, in a reprisal attack following reports of a soldier being killed in the area. At least 16 people were killed and five injured, including two boys aged 14 and 17.

On 14 February, at least 21 people were killed, including children and two pregnant women, in the Ngarbuh neighbourhood in the North-West region. After NGOs investigated the incident, the government established a Joint Commission of Inquiry which, on 21 April, concluded that 10 children and three women had died during "gunfire exchange" between the army, supported by members of a "vigilante group", and an armed group. The authorities said that disciplinary procedures would be taken against all soldiers who participated in the operation, while others would face arrest. No official information was available on this at the end of the year.

INTERNALLY DISPLACED PEOPLE

As of November, according to the UN Office for the Coordination of Humanitarian Affairs (OCHA), more than 700,000 Cameroonians were internally displaced within or outside the North-West and South-West regions, as a result of violence. A further 60,000 people sought refuge in neighbouring Nigeria. More than 320,000 people were internally displaced in the Far North region.

GENDER-BASED VIOLENCE

The OCHA recorded 676 incidents of gender-based violence in the North-West and South-West regions in September (compared to 567 cases in August). The organization said that their records may not have reflected the total number of cases due to their limited access to affected communities. Of all reported cases, sexual violence represented 39%. Survivors of gender-based violence crimes were mostly women (64%).

FREEDOMS OF EXPRESSION AND ASSEMBLY

The authorities continued to crack down on peaceful dissent, banning demonstrations and arbitrarily arresting those who exercised their rights to freedom of expression and peaceful assembly. On 18 September, four members of the Stand Up For Cameroon movement, a coalition of political parties, NGOs and others, were arrested by the gendarmerie in Douala city after attending a meeting at the Cameroon People's Party headquarters. They were brought before a military court on false charges of attempted conspiracy, revolution and insurrection. The judge ordered their pre-trial detention in New Bell prison where they remained at the end of the year.

Maurice Kamto called for peaceful demonstrations to take place on 22 September to demand the President's resignation. Governors of the West and Centre regions responded by banning all demonstrations for an indefinite period. The security forces surrounded Maurice Kamto's house between 22 September and 8 December. At least 500 demonstrators were arrested on 22 September, the majority of whom were members or supporters of the Cameroon Renaissance Movement. According to lawyers, 160 of them remained in detention in the towns of Douala, Yaoundé, Bafoussam and Nkongsamba and, as of 9 December, 13 had been given prison sentences by civilian courts, and 14 had appeared before a military court.

TORTURE AND OTHER ILL-TREATMENT

The death in custody of journalist Samuel Ebuwe Ajiekia was finally revealed by independent media on 2 June, and then by the National Union of Cameroonian Journalists. His whereabouts had been unknown for nearly a year, and his death had been kept secret by the authorities. On 5 June, the Defence Ministry confirmed his death and said that he had died of sepsis on 17 August 2019 at the Cameroon Military Hospital in Yaoundé, although photographs of his body showed signs of physical torture and other ill-treatment. Samuel Ebuwe Ajiekia was arrested in Buea, the capital of the South-West region, on 2 August 2019, after he had criticized the government's handling of the Anglophone crisis. He was initially detained at the Buea police station before being taken to an undisclosed location.

CANADA

Canada
Head of state: **Elizabeth II, represented by Governor General Julie Payette**
Head of government: **Justin Trudeau**

There were concerns about governmental responses to the COVID-19 pandemic, Indigenous land defenders, climate change and past cases of forced and coerced sterilization of Indigenous women and girls.

BACKGROUND

Governments at all levels instituted public health measures in response to COVID-19. There were concerns about inadequate

responses for groups experiencing disproportionate impact, including Indigenous Peoples, Black and racialized communities, women, older persons, sex workers, people seeking asylum, and migrant workers. Governments did not act on a proposal from more than 300 organizations and experts for human rights oversight of responses to the pandemic.

INDIGENOUS PEOPLES' RIGHTS

Throughout the year, Indigenous land defenders were subjected to threats and violence throughout their territories.

In January and February, Indigenous Peoples organized actions in solidarity with land defenders in Wet'suwet'en territory facing rights violations from the federal and British Columbia governments and the Royal Canadian Mounted Police.

In April, the federal government and Asubpeeschoseewagong First Nation reached an agreement to fund a health care facility to treat decades of mercury poisoning.

In May, First Nations in northern Manitoba successfully advocated to be consulted by Manitoba Hydro on measures to prevent the spread of COVID-19 from the Keeyask Hydroelectric Dam construction site.

In July, the government of British Columbia ordered an independent review of ongoing construction of the Site C dam, which does not have the consent of directly affected First Nations and faces mounting geotechnical risks.

In September, Joyce Echaquan, an Atikamekw woman, live-streamed racist taunts from health care workers before her death at a Quebec hospital. Her death prompted calls to address racism in health care.

In October, government and police failed to respond adequately to violence and property damage experienced by Mi'kmaq fishers in Nova Scotia exercising their right to fish lobster.

In December, the federal government tabled a bill to implement the UN Declaration on the Rights of Indigenous Peoples. The same month, Canada contested and appealed the Canadian Human Rights Tribunal ruling determining eligibility for compensation for Canada's discrimination against First Nations children.

FAILURE TO PREVENT CLIMATE CHANGE

In February, the Federal Court of Appeal dismissed an appeal by Indigenous groups challenging construction of the Trans Mountain Pipeline, which is to transport bitumen from oilsands in Alberta.

In September, the Supreme Court of Canada heard an appeal by three provinces challenging the federal government's constitutional authority to enact a nationwide carbon-pricing scheme.

In November, the government proposed climate legislation that will enshrine a commitment to net-zero carbon emissions by 2050 but was criticized by civil society as being insufficient given Canada's responsibilities as a wealthy nation.

In December, the government released a new plan for meeting Canada's climate targets that includes significant increases in carbon pricing in coming years.

WOMEN'S RIGHTS

In February, in its response to 2018 UN Committee against Torture recommendations regarding forced and coerced sterilization of Indigenous women and girls, the government failed to commit to investigate cases, halt the practice or ensure justice for survivors.

In September, the government committed to invest in a Canada-wide early learning and child care system that will be "accessible, affordable, inclusive, and high quality".

In September, the government promised to "accelerate" development of a National Action Plan in response to the 2019 report by the National Inquiry into Missing and Murdered Indigenous Women and Girls, and re-committed to developing a National Action Plan on gender-based violence, but gave no details of the process.

In November, the Quebec Superior Court heard a legal challenge to the province's "secularism" law, which bans certain public servants from wearing religious symbols at

work, raising concerns about gender equality, discrimination, religious freedom and freedom of expression.

DISCRIMINATION

A disproportionate number of Indigenous, Black and other racialized individuals died following interactions with police during the year.

In September, the federal government "pledged to address systemic racism", including in policing and the justice system, but did not ban police practices of identity card checks and street checks.

In October, an Ottawa police officer was acquitted of charges related to the 2016 death of Abdirahman Abdi, a Black man, during a violent arrest.

Also in October, the government facilitated the return to Canada of a five-year-old Canadian orphan from northeast Syria but refused to act on cases of at least 46 other citizens, including 25 children, arbitrarily detained in camps controlled by Kurdish forces.

RIGHTS OF REFUGEES AND MIGRANTS

In March, as part of COVID-19 border control measures, the government prohibited most people seeking asylum from entering Canada from the USA.

In July, the Quebec government announced it would stop refusing public health services to children who are Canadian citizens but whose non-citizen parents are not covered by provincial health insurance. The change had not been implemented by the end of the year.

In July, the Federal Court struck down the Canada/US Safe Third Country Agreement, which bars most asylum claims at official land border posts. The ruling was suspended in October pending the outcome of an appeal.

In August, the federal government announced a programme to provide permanent resident status to asylum-seekers who worked in health care facilities between March and August. The programme was not available to refugee claimants who worked in other essential services impacted by COVID-19.

CORPORATE ACCOUNTABILITY

In February, the Supreme Court ruled that a lawsuit by Eritrean nationals against Vancouver-based Nevsun Resources, regarding human rights abuses associated with the company's mine in Eritrea, could proceed in Canadian courts. The plaintiffs reached a confidential settlement with the company in October.

In June, Alberta province passed the Critical Infrastructure Defence Act, prohibiting protests and similar actions targeting infrastructure deemed "essential". A challenge to the law's infringement of freedoms of speech, assembly and association was pending.

In September, the Special Rapporteur on toxics and human rights called on Canada to grant the Canadian Ombudsperson for Responsible Enterprise (CORE) promised powers to independently investigate alleged human rights abuses associated with Canadian companies operating abroad.

Export Development Canada failed to act on civil society calls to reform its due diligence screenings of loans to controversial projects such as the Hidroituango dam in Colombia. Prosecutors did not act on a 2019 recommendation from investigators to lay criminal charges against those responsible for the 2014 Mount Polley mine disaster. An appeal by affected communities of the company's permit to discharge untreated mine waste into Quesnel Lake was pending.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

In October, the government tabled proposed legislation to ban conversion therapy that seeks to change people's sexual orientation or suppress a person's gender identity or expression.

IRRESPONSIBLE ARMS TRANSFERS

In April, the federal government ended a moratorium on new arms export permits to

Saudi Arabia, despite ongoing concerns that Saudi forces are responsible for war crimes in Yemen.

In October, the federal government suspended arms exports to Turkey while investigating reports that Canadian drone-sensor technology was improperly used in the conflict between Azerbaijan and Armenia.

CENTRAL AFRICAN REPUBLIC

Central African Republic
Head of state: **Faustin-Archange Touadéra**
Head of government: **Firmin Ngrébada**

Armed groups continued to commit war crimes and other human rights abuses. Sexual violence remained widespread. The justice system made important but limited progress towards combating impunity for crimes under international law. The right to health was severely restricted. Foreign companies were responsible for the environmental degradation of local people's land and water.

BACKGROUND

Following the Khartoum Peace Agreement, signed by the government and 14 armed groups in February 2019, the security situation remained precarious. Armed groups, including the Ex-Seleka and Anti-Balaka, continued to control most of the country's territory. In July, the UN Security Council renewed its arms embargo on the country for one year. In November, the mandate of the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) was also renewed for a year.

On 3 December, the Constitutional Court rejected several candidacies for the presidential election of 27 December, including of former President Francois Bozizé. On 17 December, several armed groups formed the Coalition of Patriots for Change to oppose the presidential election and launched several attacks in the west and south of the country.

ABUSES BY ARMED GROUPS

Armed groups were responsible for war crimes and other human rights abuses, including killings, sexual violence against civilians and attacks against humanitarian workers. The Popular Front for the Rebirth of Central African Republic; the Central African Patriotic Movement; Return, Reclamation and Rehabilitation (known as 3R); the Union for Peace in the Central African Republic; and Anti-Balaka were among the main perpetrators.

According to the UN Security Council, 18 civilians were killed in Ndélé city, in the north-east, in an attack by armed groups in March. Between June and October, the UN Secretary-General reported 271 cases of human rights abuses including homicides, rapes and lootings. Over the same period, the UN recorded 60 cases of conflict-related sexual violence including 55 rapes or attempted rapes resulting in the death of one victim, four forced marriages and one case of sexual slavery. The country continued to be one of the most dangerous places for the staff of humanitarian organizations. The UN Office for the Co-ordination of Humanitarian Affairs (OCHA) recorded 424 incidents targeting aid workers and their facilities – mainly robberies, thefts and threats – including 59 cases in December. Three humanitarian workers were killed and 29 injured.

According to the June report of the UN Panel of Experts on the Central African Republic, armed groups continued to benefit from the increase in gold production. For instance, in Nana-Mambéré and Mambéré-Kadéï prefectures, the 3R imposed taxes on miners. The Experts also expressed concerns about reports of illegal international trafficking networks which funded and supplied armed groups.

RIGHT TO TRUTH, JUSTICE AND REPARATION

Impunity for crimes under international law remained widespread. Several armed group leaders held roles in government while their members committed human rights abuses.

In February, the criminal court of Bangui convicted five Anti-Balaka leaders for war crimes and crimes against humanity in relation to the 2017 attack in Bangassou, in which at least 62 civilians and 10 UN peacekeepers were killed. It was the first conviction for crimes under international law since the conflict started. However, serious concerns arose during the trial over the rights of the defendants and protection of victims and witnesses. The work of the criminal courts was hindered in March when the COVID-19 pandemic brought hearings to a halt for the rest of the year.

The Special Criminal Court, a UN-backed hybrid court mandated to investigate and prosecute crimes under international law, and other serious human rights violations committed in the country since 2003, confirmed in September that 10 cases were under investigation. At least 21 people were arrested as a result of investigations in 2019 and 2020 and were in pre-trial detention at the end of the year. However, proceedings lacked transparency and the identities of those arrested were not publicly disclosed. There were also delays in the recruitment of international judges and the establishment of the Court's legal aid system.

Alfred Yekatom and Patrice-Edouard Ngaïssona, Anti-Balaka leaders, remained waiting to face trial before the ICC, which was scheduled to start in February 2021. They were arrested for war crimes and crimes against humanity and were transferred to The Hague in 2018 and 2019 respectively.

GENDER-BASED VIOLENCE

The Gender-Based Violence Information Management System recorded 2,904 incidents of gender-based violence, including 668 cases of sexual violence, between April and June, compared to 1,299 incidents between January and March. In 92% of cases the violence was perpetrated against women and girls; 52% of cases happened in the victim's home; and 63% of attacks were carried out by perpetrators who were known to their victims. However, some victims did not report crimes for fear of reprisals or stigma.

In April, the UN Human Rights Committee issued its concluding observations on the country's third periodic report in which it expressed concerns about various legal provisions in the Criminal Code, including Article 105 "which allows the perpetrator of an abduction to marry the victim, thereby depriving the latter of the right to take proceedings against the former". The Committee recommended that the government repeal Article 105 and also that it adopt comprehensive anti-discrimination legislation.

RIGHT TO HEALTH

According to the WHO, humanitarian organizations provided 70% of all health services, and the country was among those least prepared to deal with the COVID-19 pandemic. In October, the organization reported that PPE for health care personnel met less than one third of estimated needs, and there were only two ventilators available nationwide. There were just four COVID-19 treatment centres which were based in Bangui, the capital. Outside the capital, there were seven centres for the treatment of mild and moderate cases which provided quarantine facilities.

According to OCHA, over half the population – 2.6 million people – were in need of humanitarian assistance and protection, including 660,000 people who were, by 31 July, internally displaced by violence. Children were particularly affected by the dire humanitarian situation. One child in 18 was at a high risk of dying from severe acute malnutrition, and only one in 10 had access to hygiene facilities, while one third of the population had access to safe drinking water.

ENVIRONMENTAL DEGRADATION

In April, seven people died in one week in the Bozoum region, reportedly as a result of extensive environmental damage caused by four gold mining companies who abandoned their mines in late April.

In 2018, the companies had cut down trees, diverted an area of the Ouham river and excavated the riverbed, leaving it in ruins. Analysis of water samples showed evidence of mercury contamination far in excess of international safety standards. Local people reported that the river water was filthy, and fish stocks had declined. Residents of Boyele village had to travel 10km to find safe drinking water. People living in the area reported that some people had developed skin rashes; there were also reports of the rate of miscarriages being disproportionately high, and several babies were born with physical deformities.

According to the local population, they were not consulted about the mining project, nor were any environmental and social impact studies conducted prior to the excavation process, as required under Article 34 of the Environmental Code. There was no established system to allow residents to make compensation claims against land appropriation.

CHAD

Republic of Chad
Head of state and government: **Idriss Déby Itno**

Freedom of expression was restricted. Measures to control the spread of COVID-19 limited many people's access to food. Access to health care was restricted. Early marriage and female genital mutilation (FGM) continued in violation of the law. Armed groups committed human rights abuses against the population.

BACKGROUND

The security situation remained precarious, particularly in the Lake Chad area where Boko Haram and the Islamic State in West Africa Province (ISWAP) operated. Deadly inter-communal violence continued including in Batha and Sila provinces.

Legislative elections were postponed for the fifth year and scheduled for 2021 because, according to the Electoral Commission President, the census was delayed by the impact of the COVID-19 pandemic. At the end of October, for several days, police units surrounded offices of political parties and civil society organizations who had refused or not been invited to participate in a governmental national forum on institutional and political reforms.

The government adopted measures to control the spread of the pandemic, including a ban on gatherings, a curfew, and heavy fines and prison sentences for not wearing face masks; they also took steps to address hardship.

ARBITRARY ARRESTS AND DETENTIONS

In January, Baradine Berdei Targuio, a human rights defender, was taken from his home in N'Djamena, the capital, by armed men wearing balaclavas. He was believed to be held incommunicado at the National Security Agency in N'Djamena. In February, the Justice Minister confirmed he had been arrested for "subversive activities on social media". In violation of the law, he was not presented to a prosecutor and an investigative judge until August. He was charged with breaching national security, illegal possession of weapons, and assault and battery. He remained in arbitrary detention pending trial.

On 27 November, police arrested and detained Alain Kemba Didah of The Time, a citizen movement, at the FM Liberté radio station in N'Djamena, apparently in connection with the authorities' ban on an alternative forum on reforms, initiated by political parties and civil society organizations. He was charged with

"disturbing public order" and "acts of rebellion". He was released on 11 December after a tribunal acquitted him.

FREEDOM OF EXPRESSION

The rights to freedom of expression and access to information continued to be violated. In March, the Union of Chadian Journalists said two national television journalists and their driver were beaten by the police in N'Djamena while they were reporting on COVID-19 restrictions on gatherings. They were interrogated for three hours before being released without charge.

Since 22 July, social media platforms were partially blocked after a video was circulated showing an army colonel in a fight with some men in N'Djamena. The Minister of Communication said that the measure, which remained in place at the end of the year, was taken to prevent people from sending hate messages.

In September, the High Authority for Broadcast Media suspended 12 perceived opposition newspapers for three months on grounds they did not comply with the press law which required them to employ a director of publications and editor-in-chief who were trained journalists and university graduates.

TORTURE AND OTHER ILL-TREATMENT

On 14 April, during a military operation against armed groups in the Lake Chad area, known as "Bohoma Anger", 58 suspected members of Boko Haram were arrested and detained at the N'Djamena Gendarmerie Legion 10. By 16 April, 44 of them had died in their cell. The Public Prosecutor said autopsies concluded that they had died after consuming a poisonous substance. The National Human Rights Commission (NHRC) investigated the case and said poor detention conditions could have contributed to their deaths, and rejected claims that they had committed suicide. The men were held in cramped cells, forced to sleep on the floor without bedding and were denied water and food.

The Chadian League for Human Rights (LTDH) reported that more than 200 people, including dozens of women, were arrested in the streets and workplaces in May. Many were beaten with batons in detention, for violating the curfew in the Mayo-Kebbi West and Oriental Logone provinces.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Right to food

In July, the Famine Early Warning Systems Network (FEWS-NET) said that COVID-19 measures had led to increased economic hardship among those living in poverty, rendering many food insecure. In the north and east, the cost of staple foods increased by 21%. The armed conflict in the Lake Chad area also caused widespread hunger. FEWS-NET said that 39 of the 107 departments were affected, among which 15 were in crisis, and nearly 4 million people were in need of humanitarian assistance.

Right to health

Access to health care was limited. According to government data people travelled around an average of 45km to access health centres. There was a ratio of one doctor to 28,531 people and one midwife to 5,902 women.

Medical equipment and facilities were inadequate to deal with the influx of COVID-19 patients. In May, the WHO said that the COVID-19-related death rate was 6% higher than the average in the continent.

In June, the LTDH said that 68 health workers were reported to have been infected due to lack of PPE. The government's quarantine facilities for patients or others at risk of having contracted COVID-19 did not provide for necessary isolation to prevent the spread of infection. According to the LTDH, hygiene standards were poor, water was scarce and medical care insufficient.

WOMEN'S RIGHTS

Media continued to report cases of early marriage, a practice which violated a 2015 law prohibiting child marriage. According to UNICEF, the child marriage rate was one of the highest in the world.

Women's rights organizations said that more than 200 girls were subjected to FGM in July and August in the Mandoul and Logone Oriental provinces. In September, the NHRC expressed concern about the increase in FGM which was illegal under national law.

ABUSES BY ARMED GROUPS

Boko Haram and ISWAP committed serious human rights abuses against the population in the Lake Chad area which resulted in dozens of deaths. According to the International Organization for Migration, 298,803 people were internally displaced in April in the region, rising to 363,807 in September; 64% of them had left their villages to escape the violence.

In one case, reported by the UN Secretary-General, 10 people were killed in August when Boko Haram attacked their village, Tinana, in the Kaya department. According to local authorities, during the night armed men surrounded the village, fired on civilians and looted houses.

CHILE

Republic of Chile
Head of state and government: **Sebastián Piñera Echenique**

Although mass protests against persistent inequalities decreased due to the COVID-19 pandemic, those that did take place were usually met with excessive use of force by state agents, often resulting in serious injuries. The government misused the law to criminalize protesters, invoking the State Security Law and introducing new criminal laws. The pandemic had a disproportionate impact on those living in poverty and those dependent on public health services, as well as on public health workers.

BACKGROUND

Mass demonstrations continued in the first months of the year but largely stopped in compliance with measures to curb the spread of COVID-19. The government declared a "state of catastrophe" due to the pandemic in March, which was extended until December. This imposed restrictions on movement and a night-time curfew. Chile was one of the 10 countries worldwide with the highest number of deaths per million inhabitants due to COVID-19, affecting mostly poorer communities and those in vulnerable situations.

Chile failed to adhere to the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (the Escazú Agreement).

In October, Chile held a referendum and approved a process to draft a new Constitution.

EXCESSIVE USE OF FORCE

Mass protests continued from January until mid-March, with multiple new incidents of excessive use of force. At least two new criminal lawsuits for alleged crimes against humanity were filed against President Piñera and other officials. At the end of the year, the Regional Prosecutor of Valparaíso was jointly investigating these and other lawsuits filed in 2019.

The National Human Rights Institute expressed concern at the slow pace of investigations into human rights violations that occurred during the mass protests in 2019. In August, the Prosecutor's Office filed formal charges against policemen accused in cases such as the blinding of Gustavo Gatica and Fabiola Campillai, almost a year after the incidents to which the charges related. Administrative investigations and sanctions by the *Carabineros* (Chilean National Police) were slow and ineffective, often based on less serious administrative offences rather than human rights violations.

Organizers of "soup kitchens" set up to address widespread hunger said police resorted to excessive use of force to try to shut them down.

In March, during the curfew, police shot Jonathan Reyes in the chest, killing him. The police alleged they acted in self-defence, but

video footage showed there was no evident threat when the shot was fired.

As measures to curb COVID-19 were relaxed, protests increased. In October, a 16-year-old protester sustained serious injuries after a policeman pushed him and he fell off a bridge onto the concrete channel of the Mapocho River in the city of Santiago. A policeman was charged and the prosecution produced evidence that police officers did not attempt to help the injured youth.

Recommendations by commissions on police reform set up since November 2019 by government and Congress had yet to be implemented. A bill to "modernize" the police, with a narrow focus on stricter oversight procedures, was before Congress at the end of the year.

REPRESSION OF DISSENT

The government filed lawsuits against over 1,000 protesters using the State Security Law, which is not in line with international human rights law and carries a risk of political harassment.

An "anti-barricade" law came into force in January, increasing penalties for people who impede free movement by placing objects on streets. The broad and vague definition used in the law risks criminalizing legitimate acts of protest.

RIGHT TO HEALTH

Health workers told Amnesty International that, during the peak of the pandemic, they worked in unsafe conditions, with insufficient personal protection equipment and high levels of stress, placing their physical and mental health at risk. They also said that they risked sanctions if they spoke out publicly. This affected mostly public hospitals that provide services to poorer communities. Private clinics did not report these problems and had significantly lower mortality rates.

To reduce overcrowding in prisons, Congress passed a law that enabled over 1,700 prisoners at high risk from COVID-19 to be released and placed under house arrest.

INDIGENOUS PEOPLES

In June, Mapuche women who sell vegetables on the streets in the city of Temuco in the south of the country filed a criminal lawsuit against the Chilean National Police for torture in detention, including forced nudity. The women had been harassed for several years due to a municipal ban on selling goods on the street.

In August, Mapuche protesters occupied the premises of the Municipality of Curacautín in southern Chile. Private individuals came to the building to "support the police" who were ejecting the Mapuche. The individuals shouted racist slurs and allegedly burned a protester's vehicle. All the Mapuche were detained, but neither the government nor the police took action against the individuals who had engaged in acts against the Mapuche.

The trial of the policemen accused of killing Camilo Catrillanca, a Mapuche, in November 2018 began in March but was suspended due to the pandemic. It restarted in a partly in-person and partly virtual format on 27 October.

SEXUAL AND REPRODUCTIVE RIGHTS

The government failed to prioritize sexual and reproductive health care as essential services during the pandemic or issue protocols to provide abortion services for the limited reasons allowed for in law.

In October, Congress rejected a bill to regulate comprehensive sexuality education for young people.

RIGHTS OF LGBTI PEOPLE

Changes to the anti-discrimination law to expand its scope and include prevention measures as well as reparation to victims was before Congress at the end of the year.

In June, for the first time, a judicial decision recognized in law two women as the mothers of a child and ordered the Civil Registry to register them as a family, which the Civil Registry had refused to do. The child, a two-year-old boy, was registered with two mothers in July.

RIGHTS OF MIGRANTS

In December, Congress approved a new bill on migration that could reduce the opportunities for migrants to regularize their legal status once in Chile and undermine the principle of *non-refoulement*. A group of Congresspeople filed a requirement before the Constitutional Court, asking to declare parts of the law unconstitutional. A decision was pending.

Due to the pandemic, the government initiated a "humanitarian plan of orderly return" for foreign nationals who wanted to return to their countries. People who accessed the plan were required to accept being banned from returning to Chile for nine years. In July, the Supreme Court ruled that this requirement was unlawful.

CHINA

People's Republic of China
Head of state: **Xi Jinping**
Head of government: **Li Keqiang**

The year was marked by harsh crackdowns on human rights defenders and people perceived to be dissidents, as well as the systematic repression of ethnic minorities. The beginning of the year saw the start of the COVID-19 outbreak in Wuhan, which killed more than 4,600 people in China. People demanded freedom of expression and transparency after authorities reprimanded health professionals for warning about the virus. At the UN, China was strongly criticized and urged to allow immediate, meaningful and unfettered access to Xinjiang. Stringent restrictions on freedom of expression continued unabated. Foreign journalists faced detention and expulsion, as well as systematic delays to and refusals of visa renewals. Chinese and other tech firms operating outside China blocked what the government deemed politically sensitive content, extending its censorship standards internationally. China enacted its first Civil Code, which received thousands of submissions by the public calling for legalization of same-sex marriage. Hong Kong's National Security Law led to a clampdown on freedom of expression.

HUMAN RIGHTS DEFENDERS

Despite constitutional provisions and its international commitments and obligations, China continued its unrelenting persecution of human rights defenders (HRDs) and activists. Throughout the year, they were systematically subjected to harassment, intimidation, enforced disappearance and arbitrary and incommunicado detention, as well as lengthy terms of imprisonment. The absence of an independent judiciary and effective fair trial guarantees compounded such recurrent violations. Many human rights lawyers were denied their right to freedom of movement, as well as to meet and represent defendants and have access to case materials. HRDs and activists were targeted and charged with broadly defined and vaguely worded offences such as "subverting state power", "inciting subversion of state power" and "picking quarrels and provoking trouble".

Dozens of prominent HRDs and activists continued to be arbitrarily detained after attending a private gathering in Xiamen, Fujian province, in December 2019. On 23 March, UN human rights experts expressed grave concerns for former human rights lawyer Ding Jiaxi and other HRDs whom they said had been subjected to enforced disappearance. On 19 June, after six months' incommunicado detention, legal scholars Xu Zhiyong and Ding Jiaxi were formally arrested for "inciting subversion of state power" and placed under "residential surveillance at a designated location" without access to their family and lawyers of their choice.[1,2] On 24 February, Hong Kong bookseller Gui Minhai was sentenced to 10 years' imprisonment on charges of "illegally providing intelligence to foreign entities" following his secret trial.[3] Anti-discrimination activists Cheng Yuan, Liu Yongze and Wu Gejianxiong were tried in secret between 31 August and 4 September

on the charge of "subversion of state power" after more than a year of incommunicado detention. The three men were arbitrarily detained solely for advocating for the rights of marginalized groups and at-risk people.

Huang Qi, founder and director of the Sichuan-based human rights website "64 Tianwang", was finally allowed to talk to his mother on 17 September, the first time since being detained more than four years previously. Huang's health had reportedly deteriorated since being sentenced to 12 years' imprisonment in January 2019 and he appeared to show symptoms of malnutrition. Australian writer and blogger Yang Hengjun, held incommunicado since 30 December 2019 and charged with espionage, was finally able to meet with an Australian consular representative and his lawyer on 31 August. Yang reportedly endured over 300 interrogations and continued to deny all allegations against him.

Five years after the unprecedented crackdown targeting human rights activists and lawyers known as the "709 crackdown", many lawyers remained in prison or under strict surveillance. On 17 June, human rights lawyer Yu Wensheng was tried in secret and sentenced to four years' imprisonment for allegedly "inciting subversion of state power" after being held incommunicado for 18 months.[4] Yu was tortured in detention and his health deteriorated drastically, according to his lawyer. Human rights lawyer Jiang Tianyong, released in 2019 after serving a two-year sentence for "inciting subversion of state power", remained under strict surveillance along with his parents. Human rights lawyer Wang Quanzhang was released from prison on 4 April after more than four years' imprisonment for "subverting state power" and reunited with his family in late April. According to his lawyer, Wang had been subjected to torture.

AUTONOMOUS REGIONS: XINJIANG, TIBET AND INNER MONGOLIA

Severe and wide-ranging repression of ethnic minorities continued unabated under the pretence of "anti-separatism", "anti-extremism" and "counter-terrorism" in the Xinjiang Uyghur Autonomous Region (Xinjiang) and the Tibet Autonomous Region (Tibet). Access to and from Tibet remained highly restricted, particularly for journalists, academics and human rights organizations, making it extremely difficult to investigate and document the human rights situation in the region. In Xinjiang, since 2017 an estimated one million or more Uyghurs, Kazakhs and other predominantly Muslim peoples were arbitrarily detained without trial and subjected to political indoctrination and forced cultural assimilation in "transformation-through-education" centres. Documenting the full scope of violations remained impossible due to a lack of publicly available data and restrictions on access to the region. Despite having initially denied the existence of camps, authorities later described them as "vocational training" centres. Nevertheless, satellite imagery indicated that an increasing number of camps continued to be built throughout the year.

Missing since 2017, prominent Uyghur historian and publisher Iminjan Seydin suddenly reappeared and praised the Chinese government in a video published by a state-run English language newspaper in early May. His comments in the video appeared to have been scripted in an attempt to discredit his daughter's public testimony about his arbitrary detention. Ekpar Asat, a Uyghur entrepreneur and philanthropist, went missing in 2016, after returning to Xinjiang from attending a US State Department leadership training programme. In January, his sister discovered that Asat had been convicted in secret on charges of "inciting ethnic hatred and ethnic discrimination" and sentenced to 15 years in prison. Detained since January, Uyghur model Mardan Ghappar had not been seen or heard from since March when his messages and images describing his poor detention conditions were shared on social media. Mahira Yakub, a Uyghur who worked in an insurance company, was indicted for "giving material support to terrorist activity" in

January for transferring money to her parents in Australia. According to her sister, the money was transferred in 2013 to help her parents buy a house. Kazakh writer Nagyz Muhammed was sentenced to life imprisonment in September on charges of "separatism" in connection with a dinner he had with friends on Kazakhstan Independence Day around 10 years ago.

An increasing number of Uyghurs living overseas requested proof of life from authorities for their missing relatives in Xinjiang. Uyghurs living overseas were reportedly told by Chinese diplomatic offices in their countries of residence that they could only renew their Chinese passports if they returned to Xinjiang. Chinese embassies and agents harassed and intimidated members of the Uyghur and other diaspora minority communities across the globe.[5] To silence and suppress the activities of Uyghurs living abroad, local authorities in Xinjiang reportedly targeted their relatives there. Numerous Uyghurs residing overseas were contacted by Chinese security agents via messaging apps and asked to provide information, such as ID numbers, locations of residence, passport photos and ID information of their spouses. Others reportedly received repeated calls from security police asking them to gather information about and spy on others in overseas Uyghur communities.

In June, 50 independent UN human rights experts strongly criticized China for the repression of religious and ethnic minorities in Xinjiang and Tibet, among others. On 6 October, 39 UN member states issued a joint statement expressing grave concerns about the human rights situation in Xinjiang, Hong Kong and other regions, urging China to allow immediate, meaningful and unfettered access to Xinjiang for independent observers, including the UN High Commissioner for Human Rights and relevant UN special procedure mandate holders. Capitalizing on its rising political and economic influence and expanding role within the UN, China continued to seek ways to challenge established human rights mechanisms.[6]

In Inner Mongolia, there were region-wide protests over a new "bilingual education" policy that would gradually change the teaching medium of several classes from Mongolian to Mandarin Chinese throughout the nine years of compulsory schooling. According to media reports, hundreds of people, including students, parents, teachers, pregnant women and children, were arrested for "picking quarrels and provoking trouble" solely because they participated in peaceful protests or shared information about protests on the internet. Human rights lawyer Hu Baolong was reportedly formally arrested on charges of "leaking state secrets overseas".

RIGHT TO HEALTH

Government censorship obstructed the flow of vital information during the earliest weeks of the COVID-19 outbreak in Wuhan. In the early stage of the epidemic, professional and citizen journalists, as well as health workers, were prevented from reporting on the outbreak. The local authorities later admitted that they had withheld information, thus impeding the public's timely access to necessary information about the virus. By 21 February, there were already more than 5,511 criminal investigation cases against individuals who published information in relation to the COVID-19 outbreak for "fabricating and deliberately disseminating false and harmful information", according to the Ministry of Public Security. Although health professionals had raised alarms about the virus in late December 2019, the government's failure to promptly respond and its targeting of those who spoke out delayed a co-ordinated response.[7]

Extensive application of personal and technological surveillance in the name of public health and safety further tightened the state's grip on society.[8] Each provincial government assigned hundreds of thousands of community workers to watch over their neighbourhoods under a "grid management system" deployed to enforce lockdowns. Many residents unable to produce relevant documents or who had recently been out of

town were denied entry to their own homes. In April, African residents of Guangzhou and other locations were evicted from their homes and hotels and barred from restaurants, facing discrimination in relation to the COVID-19 pandemic.

FREEDOM OF EXPRESSION

Internet censorship continued, driven partly by efforts to suppress information about COVID-19 and extreme lockdown measures. Medical professionals and activists were harassed by authorities for "making false comments" and "severely disturbing the social order" in Wuhan, the epicentre of the pandemic. Doctor Li Wenliang, one of eight individuals who tried to sound the alarm before the outbreak had been announced, was reprimanded by local police four days after he sent a warning message in a chat group asking fellow doctors to wear personal protective equipment to avoid infection. His subsequent death from COVID-19 unleashed nationwide outrage and grief on the internet, with demands for freedom of expression and an end to censorship. The authorities blocked hundreds of keyword combinations on social media and messaging apps. Online posts of dissent, sensitive hashtags related to the outbreak and demands for free speech were quickly deleted. Leaked notices indicated that authorities ordered people accused of "spreading rumours" to delete their social media accounts and posts.

Authorities detained or otherwise punished people for revealing details about the COVID-19 outbreak. Numerous journalists and activists were reportedly harassed and subjected to prolonged incommunicado detention solely for sharing information about COVID-19 on social media. Human rights defender Chen Mei, along with two other contributors to a crowd-sourced project known as Terminus2049, were detained by police in Beijing on 19 April and remained out of contact with their families, solely for collecting and archiving public information about the pandemic. Outspoken lawyer and citizen journalist Chen Qiushi and Wuhan resident Fang Bin went missing in early February after reporting on the outbreak and posting footage from hospitals in Wuhan. Their exact whereabouts remained unknown. On 28 December, citizen journalist Zhang Zhan was sentenced to four years' imprisonment for reporting on COVID-19 in Wuhan. Shackled 24 hours a day for more than three months, Zhang was reportedly tortured and forcibly fed by officials after she began a hunger strike.

During the year, some foreign journalists faced expulsion while others experienced delays to and refusal of visa renewals. The Chinese foreign ministry revoked credentials for and expelled American journalists from multiple US media groups. In August, Australian journalist Cheng Lei was placed in "residential surveillance at a designated location" on suspicion of "endangering national security". Two other Australian journalists left the country after initially being barred from exiting and interrogated by security officials.

In April, authorities placed new stringent restrictions on academic papers about tracing the origins of COVID-19, requiring them to be submitted to a task force appointed by the State Council for approval. On 13 July, law professor Xu Zhangrun, who published criticism of the government's response to the COVID-19 outbreak, was released after six days' detention. Xu was reportedly fired from his job at Tsinghua University one day after his release. On 19 August, Peking University announced a new set of rules for attending online webinars and conferences organized by foreign entities, as well as those in Hong Kong and Macau. The notice demanded that participants apply for and seek approval 15 days before an event.

China's censorship and surveillance extended beyond its borders during the year. Complying with strict domestic censorship standards, Chinese tech firms operating outside China blocked and censored content deemed to be "politically sensitive", including topics relating to ethnic minorities, political unrest and criticism of the Chinese government. On 12 June, teleconferencing company Zoom revealed that it had

suspended the accounts of human rights activists outside China at the request of the Chinese government and suggested it would block any further meetings that the government considered "illegal".[9] TikTok, a video-sharing app, deleted numerous videos shared by Uyghurs living abroad to draw attention to their missing relatives. Leaked internal documents showed that the platform had instructed moderators to censor videos featuring "politically sensitive" topics, such as Falun Gong or the 1989 crackdown in Tiananmen Square.

FREEDOM OF RELIGION AND BELIEF

Regulations, effective as of 1 February, stipulated that religious groups must "follow the leadership of the Communist Party of China… persist in the direction of sinicization of religion, and practise core socialist values". The government sought to bring religious teachings and practices in line with state ideology and to comprehensively strengthen control over both state-approved and unregistered religious groups. Reports documented the destruction of thousands of cultural and religious sites, particularly in the north-west of China. The state's repression of religion in Xinjiang and Tibet remained severe. People were arbitrarily detained for ordinary religious practices that authorities deemed "signs of extremism" under the "De-extremification Regulations".

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

On 13 August, Shanghai Pride, China's largest and longest-running LGBTI festival, announced the cancellation of all future activities amid shrinking space for the LGBTI community. Activists faced harassment for speaking out against discrimination and homophobia. Online platforms, including microblogs and magazines, blocked and removed LGBTI-related content and hashtags. Despite various challenges and mounting pressure, members of LGBTI communities continued to fight for their rights. A university student reportedly filed an official complaint about references to gay and lesbian people as suffering from a "common psychosexual disorder" in a government-approved textbook. The court rejected the lawsuit in August, even though China had stopped classifying "homosexuality" as a mental disorder in 2001. On 28 May, the National People's Congress (NPC) adopted its first ever Civil Code, a draft of which had received 213,634 comments from the public regarding the marriage chapter. Although an NPC spokesperson acknowledged a large volume of calls for same-sex marriage, it was still not legalized under the Civil Code, which took effect on 1 January 2021.

HONG KONG SPECIAL ADMINISTRATIVE REGION

China's top legislature adopted the broadly-worded Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (the National Security Law). The local government escalated its crackdown on pro-democracy activists and opposition leaders and used national security as a pretext to interfere in the media and education sectors. The right to freedom of peaceful assembly was further curtailed by seemingly arbitrary enforcement of physical distancing regulations in the context of the COVID-19 pandemic.

Freedoms of assembly and association

Repression of the right to peaceful assembly persisted following the protests in 2019.[10] Just three hours into a protest on New Year's Day, police declared an approved demonstration "unlawful" and gave the organizers and tens of thousands of largely peaceful protesters 30 minutes to disperse. The police then started firing tear gas and water cannons at protesters and arrested 287 people, including three human rights monitors.

On 18 April, the authorities arrested 15 prominent pro-democracy leaders and activists for violating the Public Order Ordinance, a law frequently used to prohibit and end largely peaceful protests. They were

accused of organizing and joining "unauthorized assemblies" that took place more than six months before their arrests.

The right to freedom of peaceful assembly was further curtailed after the authorities imposed physical distancing regulations in response to the COVID-19 pandemic. In March, the government introduced the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation, banning public gatherings of more than four people. The ban was revised several times and at year's end applied to gatherings of more than two people.

The authorities subsequently banned at least 14 protests, citing the COVID-19 pandemic. These included totally banning the annual June Fourth Tiananmen commemoration vigil and 1 July protest march, despite pledges to observe physical distancing by organizers of both assemblies, who provided the authorities with detailed plans for preventive measures. It was the first time the government had prohibited either of these two annual protests. Despite the ban, thousands convened to commemorate June Fourth at the historical protest site, and 26 activists were charged with "unauthorized assembly" for joining the vigil.

As of 4 December, the Hong Kong police had issued at least 7,164 fixed-penalty tickets under the public gathering ban. Peaceful protesters were often targeted under the new ban despite having observed physical distancing measures. Journalists covering protests were also fined, despite an exemption under the regulation covering those who were attending as part of their work.

Around 9,000 hospital health workers went on strike in February against the government's delay in implementing border controls in response to the COVID-19 pandemic. The Hospital Authority later demanded that the individuals involved explain their "absence at work" and threatened to retaliate, adding to a chilling message to doctors not to organize and go on strike.

Freedom of expression

National security was used as a pretext to restrict freedom of expression. Virtually anything could be deemed a threat to "national security" under the extremely vague provisions of the National Security Law adopted on 30 June without any meaningful consultation and coming into effect the next day. Giving the authorities new grounds to prosecute peaceful activities, the law created a chilling effect on free expression.[11] By the year's end, the authorities had arrested 34 individuals for displaying political slogans, establishing overseas organizations to call for Hong Kong independence or supporting various political groups. The authorities also invoked the law's extraterritorial provision and issued arrest warrants against eight activists residing outside Hong Kong.

On 10 August, Jimmy Lai, owner of the pro-democracy newspaper *Apple Daily*, was arrested for "collusion with a foreign country or external elements". Police raided the newspaper's offices and searched through documents, in apparent disregard for journalistic privilege. Lai remained in detention after prosecutors appealed against an earlier grant of bail.

On 6 October the authorities stripped a primary school teacher of his teaching registration for "spreading the idea of Hong Kong independence", reportedly for giving pupils a worksheet containing questions such as "What is freedom of speech?" and "What is the reason for advocating Hong Kong independence?"

LGBTI rights

On 4 March, the High Court ruled in the first instance that same-sex couples who had married overseas could enjoy equal rights to apply for public rental housing. On 18 September, the High Court granted married same-sex couples equal rights to inheritance and succession if one spouse died without a will. However, in a separate judgment handed down the same day, the court ruled that to deny same-sex couples the right to marry in Hong Kong was constitutional.

1. China: Prominent legal scholar held incommunicado: Xu Zhiyong (ASA 17/2738/2020)
2. China: Further information: Lawyer charged for inciting subversion: Ding Jiaxi (ASA 17/2645/2020)
3. China: Bookseller handed outrageous 10-year sentence must be released (News story, 25 February)
4. China: Wife of detained lawyer Yu Wensheng tells of ongoing fight for justice (Campaign, 9 July)
5. China: Nowhere feels safe: Uyghurs tell of China-led intimidation campaign abroad (Research, February)
6. China: Joint NGO statement on Item 10 and Draft Resolution on "Mutually Beneficial Cooperation" delivered during Item 10 General Debate at HRC43 (IOR 40/2563/2020)
7. Explainer: Seven ways the coronavirus affects human rights (News story, 5 February)
8. How China used technology to combat COVID-19 – and tighten its grip on citizens (News story, 17 April)
9. China: Zoom must not become a tool in state-sponsored censorship (News story, 12 June)
10. Hong Kong: Missing truth, missing justice (ASA 17/1868/2020)
11. Hong Kong's national security law: 10 things you need to know (News story, 17 July)

COLOMBIA

Republic of Colombia
Head of state and government: **Iván Duque Márquez**

Crimes under international law and human rights violations and abuses in the context of the continuing internal armed conflict increased in rural areas where control of territories formerly dominated by the Revolutionary Armed Forces of Colombia (FARC-EP) was disputed. The primary victims continued to be members of rural communities. Sexual violence against women and girls persisted, as did impunity for these crimes. Colombia was widely recognized as the most dangerous country in the world for those who defend human rights. Protection measures for defenders of the territory, land and environment remained limited and ineffective, and impunity for crimes against them continued. In 2020, killings of social leaders reached shocking levels. There were concerns about the withdrawal of protection schemes for human rights defenders, the authorities' excessive use of force when enforcing mandatory quarantines and the failure to guarantee the right to health of Amazonian Indigenous Peoples in the context of the COVID-19 pandemic. The police responded to nationwide protests in September with excessive use of lethal force, killing 10 people, and torture. The Supreme Court of Justice issued a landmark ruling in September, ordering measures to guarantee the exercise of the right to peaceful protest and acknowledging the excessive use of force by state security officials.

BACKGROUND

The government declared a state of economic, social and environmental emergency on 17 March to curb the spread of COVID-19. The executive approved an unprecedented 164 legislative decrees, some of which the Constitutional Court declared unconstitutional.

In August, the Supreme Court of Justice ordered that former President Álvaro Uribe Vélez be placed under preventive house arrest in the context of judicial proceedings for alleged bribery, fraud and witness tampering. This was lifted in October, but judicial proceedings continued.

The UN Security Council extended the mandate of the UN Verification Mission until 2021.

In October, FARC-EP dissidents intercepted a humanitarian mission of the OHCHR Office in Colombia and the Office of the Ombudsperson in Caquetá department, and then set fire to their vehicle.

According to the Kroc Institute, which monitors compliance with the 2016 Peace Agreement between the FARC-EP and the Colombian state, implementation of the Agreement was slow. The National Commission on Security Guarantees (CNGS) did not make progress in dismantling criminal organizations or ensuring a state presence in the territories hardest hit by the armed conflict, despite pressure from civil society to step up its efforts.

There was no significant progress during the year in implementing comprehensive rural reform and solving the illicit drug problem through programmes for voluntary crop substitution, central parts of the Peace Agreement. Instead, the government set a goal of forcibly eradicating coca production on over 130,000 hectares, led by the military. Despite the health, economic, social and ecological state of emergency, these operations continued in at least seven departments.

INDIGENOUS PEOPLES' RIGHTS

Government measures to curb COVID-19 failed to adequately guarantee the fundamental rights of Indigenous Peoples. Communities have historically lacked adequate access to health, water or food and lacked the sanitary and social conditions to deal with the virus. In addition, isolation measures meant they were unable to access their means of subsistence.[1]

HUMAN RIGHTS ABUSES IN THE CONTEXT OF INTERNAL ARMED CONFLICT

Crimes under international law and human rights violations and abuses in the context of internal armed conflict continued to claim victims, particularly in rural areas which were the focus of territorial disputes between various armed groups. The violence resulted in thousands of people being forcibly displaced, confined, subjected to sexual violence or becoming victims of targeted killings.

Guerrilla groups – the National Liberation Army (ELN) and Popular Liberation Army (EPL) – and state security forces and paramilitary groups, such as the Gaitanista Self-Defense Forces of Colombia (AGC), all committed acts of violence.

A report by over 500 civil society organizations recorded a notable expansion of rearmed paramilitary groups and estimated that the AGC had a presence in 22 of the country's 32 departments, approximately 90% of Colombian territory. In the south of Córdoba and Antioquia departments, there were clashes between two subgroups of the AGC sparked by a territorial dispute over drug trafficking and mining areas.

In the Catatumbo region, the armed territorial conflict between the ELN and EPL continued. In Cauca, Nariño and Meta departments, FARC-EP dissidents clashed with other armed actors. In Chocó department, the conflict between the ELN and paramilitary groups over control of illegal mining continued.

As a result of armed clashes, 23,128 people belonging to Indigenous and Afro-descendent communities in Chocó department were confined throughout 2020.

At least 69 people, mostly civilians, sustained injuries from landmines. According to some communities, some armed groups laid new anti-personnel mines. The most affected areas were the departments of Nariño, Antioquia, Norte de Santander, Arauca, Guaviare, Cauca, Chocó and Córdoba.

Internally displaced people

According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), as of June, 16,190 people were the victims of mass forced displacement. The department most affected was Nariño, followed by Chocó, Antioquia, Cauca, Caquetá and Norte de Santander. The leading causes were confrontation between armed groups and threats against civilians. Some 100 former FARC combatants were displaced from the Territorial Training and Reincorporation Area (ETCR) of Ituango to Mutatá in Antioquia department. Two massive displacements of more than 1,590 members of the Emberá Dobida Indigenous Peoples were reported.

Unlawful killings

By 15 December, the OHCHR had verified 66 massacres, defined as incidents in which three or more people are killed at the same time and place by the same alleged perpetrator. The civil society organization Indepaz reported 51 massacres of people protected by international humanitarian law between January and September.

On 16 July, the Emberá Indigenous People in Geandó community reported that a nine-year-old girl died after being shot during an armed confrontation between the ELN and the AGC.

The UN Verification Mission reported that 41 former FARC-EP members in the process of reintegration under the terms of the Peace Agreement were killed in the first six months of the year.

There was some progress on justice and victims' rights. The Inter-American Commission on Human Rights reported that the Special Jurisdiction for Peace (JEP) had informed the organization it had issued over 29,000 judicial decisions by July 2020. Seven macro-cases were opened, including into unlawful killings presented as combat casualties by state agents.

RIGHTS TO HEALTH, WATER AND FOOD

There were concerns that spraying operations to eradicate coca production in some areas could also destroy legal crops on which *campesino* communities depend for food. In addition, these operations expose a population with little access to health services to COVID-19 virus. There were repeated calls for the Colombian authorities to urgently take appropriate measures to guarantee the rights of rural communities, including their rights to health, water and food, and to stop forced eradication operations.[2]

EXCESSIVE USE OF FORCE AND EXTRAJUDICIAL EXECUTIONS

In the subregions of Bajo Cauca, northeast of Antioquia and Catatumbo, and the south of Bolívar department, state forces used excessive force when enforcing isolation measures to curb COVID-19.

The Awá Indigenous People of the Pialapí reserve in Nariño condemned the killing of an Indigenous man during a protest against forced eradication of coca in the area.

On 19 May, Anderson Arboleda, a young Afro-descendent man, died in Puerto Tejada, Cauca department, allegedly as a result of being beaten by a member of the National Police.

The Association of Traditional Authorities and U'was Councils (ASOU'WAS) reported that the National Army killed an Indigenous leader in military operations in Chitagá municipality, Norte de Santander department. The community refuted the National Army's claim that he was killed in combat.

In May, the Catatumbo *Campesino* Association (ASCAMCAT) reported two violent incidents in Catatumbo in which security force officials enforcing the forced eradication of coca indiscriminately fired on *campesinos*, as result of which two people died in Teorama municipality.

On 9 September, lawyer Javier Ordóñez died as a result of torture and excessive use of lethal force by National Police in Bogotá.[3] On 10 September, the Minister of Defence, who is in charge of the National Police, reported that 403 people were injured, among them 194 members of the security forces, and 10 people were killed (seven in Bogotá and three in Soacha) in the context of protests on 9 and 10 September in response to Javier Ordoñez's killing. An internal investigation into Javier Ordóñez's death was ongoing.

HUMAN RIGHTS DEFENDERS

Colombia was the most dangerous country in the world to defend environmental rights, according to the NGO Global Witness. On 17 August, the OHCHR stated that it had documented 97 killings of human rights defenders and verified 45 homicides. Those targeted were members of Indigenous Peoples and Afro-descendent communities, people defending the right to land and the environment, and those involved in implementing the Peace Agreement. The Somos Defensores programme reported that between January and December 135 human rights defenders had been killed because of their work and a further 65 homicides were awaiting verification.

In March, the Attorney General's Office reported that there had been progress in 173 of the 317 cases of killings of human rights defenders. These efforts were not sufficient to

combat impunity for attacks against defenders.

The Ríos Vivos Movement reported that collective protection measures for human rights defenders were inadequate and did not guarantee its members' right to life and physical integrity because they failed to address the structural causes of the violence and the authorities did not fulfil their commitments.

The Black Communities' Process (PCN) in Buenaventura reiterated that impunity for threats encourages new attacks. The Catatumbo Social Integration Committee (CISCA) reported that *campesinos* defending land-related rights experienced high levels of violence and lack of state protection.

The Kubeo-Sikuani Ancestral Indigenous Settlement in Meta department condemned the failure to recognize the territorial rights of Indigenous Peoples and underscored that this was a key cause of the violence affecting them.

The Association for the Comprehensive Sustainable Development of La Perla Amazónica (ADISPA) highlighted the threat posed by new armed groups since the Peace Agreement.[4]

State security forces continued illegal surveillance and smear campaigns against social leaders, journalists and government opponents. The Inter-Church Commission for Justice and Peace reported in May that the National Army was conducting illegal surveillance of two women human rights defenders, Luz Marina Cuchumbe and Jani Rita Silva. In May, several media outlets and human rights organizations reported that the military was carrying out illegal surveillance of more than 130 people, including national and international journalists, human rights defenders and politicians.

RIGHTS OF WOMEN AND GIRLS

During the isolation measures imposed to curb COVID-19, reports of gender-based violence increased. According to the Observatory on Feminicides in Colombia, between January and November, 568 femicides were reported, including cases in which women were impaled, set on fire, sexually abused, tortured and dismembered.

Venezuelan women in an irregular migratory situation faced barriers in accessing health services.

Organizations that work to defend women's rights reported that the barriers to accessing legal abortion services increased during the year. On 16 September, 91 civil society organizations and 134 activists presented a petition to the Constitutional Court for the crime of abortion to be removed from the Penal Code; this remained pending at the end of the year.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

The organization Colombia Diversa reported that in 2020, 71 LGBTI people were killed. Organizations that defend LGBTI people's rights condemned the killing of Juliana Giraldo, a trans woman shot by a soldier in Miranda, Cauca department, in September.

RIGHTS OF REFUGEES AND MIGRANTS

The R4V Coordination Platform for Refugees and Migrants from Venezuela reported in May that 1,764,883 migrants and refugees from Venezuela were living in Colombia, of whom 8,824 applied for refugee status.

Refugees and migrants were subjected to forced evictions during periods in which isolation measures were in place, even though these were prohibited by the government during the state of emergency. Thousands of people returned to Venezuela due to the lack of opportunities in Colombia, despite the risks this posed to their lives. There were also cases of arbitrary detention. The NGO Dejusticia reported that illegal armed groups in La Guajira, Norte de Santander and Arauca departments on the border with Venezuela put at risk the lives and physical integrity of people who had fled from Venezuela to Colombia.

1. Colombia: Indigenous Peoples will die from COVID-19 or from hunger if the state does not act immediately (Press release, 17 April)

2. Colombia: Decision to forcibly eradicate illicit crops could result in human rights violations (Press release, 22 July)
3. Colombia: Amnesty International condemns torture and excessive use of force by police (Press release, 11 September)
4. Why do they want to kill us?: Lack of safe space to defend human rights in Colombia (AMR 23/3009/2020)

CONGO

Congo (Republic of the)
Head of state: **Denis Sassou Nguesso**
Head of government: **Clément Mouamba**

Political activists and civil society members including human rights defenders continued to face intimidation, harassment and arbitrary detention. Rights to freedom of expression and peaceful assembly were restricted particularly in the context of the COVID-19 pandemic. The right to health was hindered due to lack of adequate equipment in health care facilities. Indigenous Peoples still faced discrimination while women in those communities also experienced high levels of gender-based violence.

BACKGROUND

The ruling party nominated President Sassou Nguesso to stand again in the 2021 presidential elections. He had served as President since 1997 and, prior to that, between 1979 and 1992.

On 30 March, the government declared a state of emergency which established measures to respond to the COVID-19 pandemic including curfews, border closures and mandatory wearing of face masks. At the end of the year, curfews remained in place in the capital, Brazzaville, and in Pointe-Noire between 11pm and 5am and 8pm and 5am during working days and weekends, respectively. The decline in oil revenue during the pandemic led the authorities to ask the International Monetary Fund (IMF) for urgent economic aid despite their having failed to implement the conditions to secure an IMF loan of over US$400 million in 2019.

ARBITRARY DETENTION

Political opponents, human rights defenders and activists faced intimidation, harassment and arbitrary detention.

In March, Hallel Bouesse, a member of Ras-le-bol, a pro-democracy movement, was arrested at Maya-Maya International Airport in Brazzaville, as he was about to board a flight to Senegal to participate in a training event. After being questioned by airport security officers about the reasons for his trip, he was taken to the General Directorate of Territorial Surveillance where he was again questioned about his trip, his links with Ras-le-Bol and the Congolese Human Rights Observatory. He was released without charge the same day. His passport was confiscated for two days.

In June, the Prosecutor appealed against the Brazzaville High Court's decision in March to provisionally release Parfait Mabiala Hojeij, Franck Donald Saboukoulou, Guil Ossebi Miangué and Rolf Meldry Dissavouloud, all supporters of Incarner l'Espoir, an opposition movement whose leader announced in June 2019 that he would run in the 2021 elections. According to Article 171 of the Criminal Procedure Code, the Prosecutor's appeal was out of time – the law stipulates that appeals must be made within 24 hours of a ruling. The four were arrested between November and December 2019 and charged with breaching state security. They remained in arbitrary detention in Brazzaville until the 4 December decision by the Brazzaville Court of Appeal which declared the Prosecutor's appeal inadmissible and freed the four detainees pending trial.

In July, Jean-Marie Michel Mokoko, aged 73, was evacuated to Turkey for one month for medical treatment after his health deteriorated in Brazzaville prison. He had been detained since June 2016 after standing as a presidential candidate in the same year. He was sentenced to 20 years' imprisonment in 2018 after being convicted of an "attack on internal state security, and illegal possession of weapons of war and

munitions". In the same year, the UN Working Group on Arbitrary Detention said it considered his detention to be arbitrary.

FREEDOMS OF EXPRESSION AND ASSEMBLY

The rights to freedom of expression and peaceful assembly were undermined in the context of the authorities' response to the COVID-19 pandemic.

Rocil Otouna, a news anchor for Télé Congo, a state-owned national TV channel, learned from his boss that he had been suspended after he presented a debate on the President's speech about the COVID-19 pandemic on 30 April. During the debate he questioned the Minister of Justice and a doctor who was a member of the experts' panel on the National Committee for the Fight against COVID-19 about the lack of available information on the number of people who were infected with, or had recovered from COVID-19; and on the social consequences of the government's restrictive measures. According to Reporters Without Borders, on 3 May the Ministry of Communications dismissed claims of his suspension. Meanwhile, Rocil Otouna was sacked from his post as Press Secretary at the Communications Ministry. On 12 May, the Higher Council for Freedom of Communication, the media regulator, confirmed Rocil Otouna's suspension from Télé Congo and called for his reinstatement.

In July, the Secretary-General of Brazzaville Department banned a demonstration organized in support of Jean-Marie Michel Mokoko's evacuation to receive medical treatment. He said the ban was issued to limit the risks posed by COVID-19.

RIGHT TO HEALTH

Crucial health care facilities lacked adequate equipment. This prevented the population from fully enjoying their right to health.

Health workers

Health workers complained about the lack of personal protective equipment (PPE) to protect them from COVID-19.

In January, unions denounced conditions at the Brazzaville University Hospital, including water cuts, closure of some of the specialized services, non-sterile wards, an empty pharmacy, and broken radiography equipment.

On 3 April, at the beginning of the COVID-19 outbreak, a trade union branch representing workers at the Edith Lucie Bongo Ondimba Hospital in Oyo city sent a list of complaints to the sub-prefect of Oyo raising concerns mainly about the inoperability of the emergency operating theatre and radiography equipment, and the lack of pharmaceutical supplies and oxygen tanks. They also demanded partial payment of their unpaid salaries.

On 30 July, health workers met in an extraordinary General Assembly at the Adolphe Sicé Hospital in Pointe-Noire and denounced the Hospital's outdated and inadequate technical equipment and raised concerns about shortages of PPE which further exposed them and their patients to the risk of COVID-19 infection. They also issued an alert about the rise in numbers of hospital workers infected with COVID-19 – more than a dozen at the time of the General Assembly – and the reduced capacity to provide care for patients. The workers denounced the fact that they had not been paid for eight months and demanded three months' back payment.

In September, health workers treating COVID-19 patients at the Albert Leyono municipal clinic in Brazzaville asked the President to take responsibility for the health of front-line workers. According to the media, the clinic had been without a laundry for six months, which meant that it was not possible to ensure sufficient hygiene standards.

INDIGENOUS PEOPLES

According to the report of the UN Special Rapporteur on the rights of Indigenous Peoples published in July, despite progressive legislation adopted in recent years, particularly a 2011 law to promote Indigenous Peoples' rights, communities continued to face high levels of

discrimination in both urban and rural settings, and no progress had been made on the demarcation and titling of land. Illiteracy remained widespread and access to justice and employment with decent wages remained particularly inadequate. Indigenous women said their access to sexual and reproductive health care was limited; they faced gender-based violence including rape and early marriage; maternal and infant mortality rates were high; and they were food insecure.

CÔTE D'IVOIRE

Republic of Côte d'Ivoire
Head of state: **Alassane Dramane Ouattara**
Head of government: **Hamed Bakayoko (replaced Amadou Gon Coulibaly in July)**

Political activists, civil society representatives, journalists and others who expressed dissent were arbitrarily arrested. The government imposed a ban on public protests. Dozens of people were killed and hundreds injured during protests and clashes in the context of contested presidential elections. Impunity for past human rights violations continued.

BACKGROUND

On 6 August, President Ouattara announced that he would run for re-election. In September, the Constitutional Council accepted his candidacy and rejected 40 other contenders, including former President Laurent Gbagbo and former Prime Minister Guillaume Soro, in part because they were not on the electoral list. The latter was sentenced in April in his absence to 20 years' imprisonment on fraud-related charges.

Opposition parties boycotted the 31 October presidential elections and called for civil disobedience, arguing that the 2016 Constitution did not allow the incumbent to run for a third term. However, the President was re-elected. On 2 November, the opposition announced the creation of its Transitional National Council, with the aim of establishing a transitional government. Dozens of opposition members were arrested, including the presidential contender Pascal Affi N'Guessan, who was charged with conspiracy against state authority among other things. He was released under judicial supervision on 30 December.

FREEDOM OF EXPRESSION

Political activists, journalists and others who expressed dissent were harassed and arbitrarily arrested.

According to Reporters Without Borders, on 4 March Yacouba Gbané and Barthélémy Téhin of *Le Temps* newspaper were fined XOF5 million (US$9,200) for publishing an article which criticized the authorities' handling of public affairs. On 31 March, Vamara Coulibaly and Paul Koffi, of *Soir Info* and *Nouveau Réveil* newspapers respectively, were fined XOF2.5 million (US$4,600) for "disseminating false information", after they published a letter from MP Alain Lobognon's lawyers about their client's harsh detention conditions.

In August, political activists, civil society representatives and others who had called for demonstrations or attended peaceful protests against the President's candidacy were arbitrarily arrested. Pulchérie Edith Gbalet, co-ordinator for the pro-democracy NGO Alternatives Citoyennes, was arrested at a hotel in Abidjan with two associates. The charges pending against them included disruption of public order and participation in an insurrectionary movement. Five women from the opposition party GPS (Générations et peuples solidaires) were also arrested while on their way to a peaceful protest. They all remained in detention in MACA prison in Abidjan at the end of the year.

Several opposition figures were put under de facto house arrest in November after they created the Transitional National Council.

On 3 December, two singers, known as Yode and Siro, were found guilty of propagation of false information with tribalist and racist overtones with the intention of rising a community against another, contempt of court and discrediting the

judicial institution and its functioning, after a concert during which they questioned the impartiality of the General Prosecutor in the investigation of electoral violence and called for the return of political opponents to the country. They were fined XOF5 million (US$9,200) and given a one-year suspended sentence.

FREEDOM OF ASSEMBLY

In August, several demonstrations organized by the opposition were repressed.

On 13 August in Yopougon district of Abidjan, police officers apparently had allowed groups of men, some armed with machetes and sticks, to attack protesters.

The Minister of Security and Civil Protection said that between 10 and 14 August, demonstrations had led to five deaths, 104 injuries and 68 arrests of people accused of "disrupting public order, incitement to revolt, violence against law enforcement agents and destroying property".

On 19 August, the Council of Ministers suspended all public protests. The ban was renewed several times until 15 December. However, electoral campaign meetings were permitted.

Despite the ban, women's marches went ahead on 21 August and were violently dispersed by youth counter-demonstrators in the cities of Divo in the south, and Bonoua in the south-east of the country.

UNLAWFUL KILLINGS

Violent clashes erupted in August between supporters of the ruling party and opposition supporters. According to official figures, 85 people died and 484 were injured during these clashes before, during and after the elections at the end of October.

Between 21 and 22 August in Divo and Bonoua, violence between supporters of President Ouattara and supporters of opposing parties raged after the women's marches were dispersed (see above, Freedom of assembly). Seven people were killed and property was destroyed. Between 19 and 21 October, according to the Minister of Security and Civil Protection, at least 16 people were killed and dozens injured in Dabou. During the 10 days following the 31 October election, the National Human Rights Council said there were 55 deaths and 282 injuries and that thousands of people were internally displaced due to violence in areas including the towns of Yamoussoukro, Tehiri, Tiebissou, Bougouanou, Daoukro and Toumodi.

TORTURE AND OTHER ILL-TREATMENT

François Ebiba Yapo, a cyber activist, also known as Serge Koffi Le Drone, said that between 7 and 11 May he was tortured in the custody of the Unit to Combat Organized Crime. He said that officers beat him with a machete on the soles of his feet and his back and punched and stamped on his face and stomach. He was charged, in relation to his social media posts, with undermining national defence, disturbing public order, defamation and contempt on social media, among other things. The torture allegations were not investigated.

RIGHT TO HEALTH

On 29 March, the Platform of Health Unions called on the government to take urgent measures to protect health workers from COVID-19 infection. It said that medical equipment was inadequate and urged the authorities to supply workers with PPE and sterilization tools. From April, the government received medical equipment donations from private and public bodies, including the WHO. On 8 April, the authorities released over 2,000 prisoners to ease congestion and thereby reduce the spread of COVID-19 in prisons.

RIGHT TO TRUTH, JUSTICE AND REPARATION

In April, the government withdrew the rights of individuals and NGOs to bring cases to the African Court on Human and Peoples' Rights. One week earlier, the Court had ruled that an Ivorian arrest warrant against Guillaume Soro be suspended and asked the authorities to provisionally release 19 of his relatives and

supporters who had been detained since December 2019.

The appeal against the ICC's 2019 acquittal of Laurent Gbagbo and former Minister Charles Blé Goudé remained pending.

The Supreme Court was yet to rule on a 2019 petition from human rights organizations to cancel a 2018 law granting an amnesty to hundreds of people accused or convicted of crimes committed in 2010 and 2011.

CROATIA

Republic of Croatia
Head of state: **Zoran Milanović (replaced Kolinda Grabar-Kitarović in February)**
Head of government: **Andrej Plenković**

Asylum-seekers were denied access to asylum; the police pushed back and abused people entering irregularly. The legal framework on gender-based violence was improved, but cases continued to attract minor penalties. Access to abortion remained severely constrained. Same-sex couples were granted the right to foster children. The government withdrew amendments to allow all phones to be tracked in response to the COVID-19 pandemic. Journalists continued to be threatened for their work.

REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Many asylum-seekers entering the country irregularly continued to be denied access to asylum. Aid organizations documented over 15,000 cases of pushbacks and collective expulsions, frequently accompanied by violence and abuse. In May, in one of the most serious incidents, 16 migrants reported being handcuffed and restrained, tied to a tree, and then severely beaten and tortured by police in black uniforms and balaclavas.[1] Several men suffered serious injuries and trauma. The UN refugee agency, UNHCR, and the Special Rapporteurs on the human rights of migrants and on torture urged Croatia to immediately investigate the reports, while the European Commission announced a monitoring mission to look into Croatia's border activities. In August, the Council of Europe's Committee for the Prevention of Torture conducted a rapid reaction visit to Croatia to examine the treatment of migrants and asylum-seekers by the Croatian police. The report was not published by the end of the year.

Due to COVID-19 restrictions, access to asylum-seekers' accommodation centres was restricted, forcing NGOs providing free legal aid and psycho-social support to stop their work. Refugees who had received international protection as well as those whose applications had been rejected were not allowed to stay in the centres during lockdown. They received no government support, and some were left homeless.

In November, Parliament adopted changes to the Law on Foreigners that, according to NGOs, could restrict the rights of asylum-seekers and migrants and potentially criminalize legitimate acts of solidarity.

VIOLENCE AGAINST WOMEN AND GIRLS

In January, legal amendments harmonizing the definition of rape in criminal legislation with international standards and increasing penalties for crimes of gender-based violence entered into force. According to government statistics, the number of reported rape cases more than doubled as a result of the changes as they significantly expanded the scope of the offence. Proceedings continued to be lengthy, lasting between three and five years.

Due to the reclassification of domestic violence offences, the number of criminal prosecutions for such offences rose sharply. Nevertheless, in the majority of cases, domestic violence continued to be treated as a minor offence attracting minor penalties. Police and courts remained reluctant to enforce protective measures.

SEXUAL AND REPRODUCTIVE RIGHTS

Women continued to face significant barriers in accessing sexual and reproductive health

services and information. The widespread refusal of individual doctors and some clinics to perform abortions on grounds of conscience, as well as prohibitively high costs of services and poor regional coverage of authorized providers, presented an insurmountable obstacle to women of lower social economic status. According to a survey conducted by women's rights organizations, many clinics suspended abortion services during the COVID-19 pandemic lockdown.

A new law on abortion was not adopted by the end of the year. The deadline to replace an outdated law set by the 2017 Constitutional Court ruling expired in February 2019. Ahead of the July parliamentary elections, some candidates from conservative parties, including the ruling Croatian Democratic Union (*Hrvatska demokratska zajednica*), condemned abortions and advocated for stronger restrictions on accessing the care, including for rape victims.

RIGHT TO PRIVACY

In April, the government withdrew amendments to the Law on Electronic Communications which would have allowed the location of all mobile phones to be tracked as a part of COVID-19 contact tracing. Civil society and constitutional experts were highly critical, warning that such powers extended beyond protecting public health and included no safeguards against potential abuse.

DISCRIMINATION

Roma continued to face discrimination in all walks of life, including education, health, housing and employment. For many Roma communities living in informal settlements, access to food and hygiene products was particularly constrained because of COVID-19 as the local authorities failed to provide the necessary support.

Due to a continued lack of access to electricity, the internet and family capacity, many Roma children were unable to access any remote learning during school closures, thereby further deepening educational gaps between Roma and non-Roma pupils.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

In a landmark ruling in January, the Constitutional Court decided that same-sex couples have the right to be foster parents on the same terms as anyone else who meets the legal requirements. Same-sex couples continued to be barred from adopting children.

FREEDOM OF EXPRESSION

Journalists investigating corruption and organized crime continued to face threats and intimidation.

According to the Croatian Journalists' Association (*Hrvatsko novinarsko društvo*), over 900 lawsuits were filed against journalists and media outlets for "violation of honour and reputation". The European Federation of Journalists warned that such lawsuits had a chilling effect on journalists and the media.

1. Croatia: Fresh evidence of police abuse and torture of migrants and asylum-seekers (News story, 11 June)

CUBA

Republic of Cuba
Head of state and government: **Miguel Mario Díaz-Canel Bermúdez**

Amid reports of food scarcity, the authorities continued to repress all forms of dissent, including by imprisoning independent artists, journalists and members of the political opposition.

RIGHT TO FOOD

Throughout the year there were reports of scarcity of food and other basic goods, leading senior government officials to call on Cubans to grow more of their own food. In September, artist "Yulier P" graffitied a

haunting image of someone eating their own bones on the streets of the capital, Havana.

Despite the UN's recommendation that sanctions be waived to ensure access to food and essential medical supplies to adequately respond to the COVID-19 pandemic, the USA continued to impose its economic embargo on the country.

REPRESSION OF DISSENT

Authorities continued to clamp down on all forms of dissent, imprisoning political leaders, independent journalists and artists.

In April, the authorities released José Daniel Ferrer García, leader of the unofficial political opposition group Patriotic Union of Cuba (UNPACU) and former prisoner of conscience, who had been imprisoned in October 2019 and tried on 26 February in a trial tainted by irregularities.[1] The Cuban authorities had prevented the press, the EU and Amnesty International from monitoring his trial.

FREEDOM OF EXPRESSION

Reports of independent journalists fined for reporting on COVID-19 and its impact on the country prompted calls for President Miguel Díaz-Canel to take immediate measures to guarantee press freedom.[2] Civil society and journalists also expressed concern during the year that Decree-Law 370, a law related to online expression, appeared to tighten the Cuban government's network of control and censorship online, especially during the pandemic.

In March, Cubanet journalist Camila Acosta was arrested for hours and given a fine for sharing information on Facebook. In September, she was arrested again and threatened with further prosecution for protesting Decree 370. On 4 September, the authorities released independent journalist with Cubanet, Roberto Quiñones Haces, aged 63. He had been tried in 2019 and sentenced to one year's imprisonment for "resistance" and "disobedience" because of his work as a journalist. Amnesty international, Article 19, the Institute for War and Peace Reporting and the Committee to Protect Journalists called consistently for his release, especially in the context of his heighted risk from COVID-19 as a person with underlying medical conditions and over the age of 60. Roberto Quiñones had published articles about his prison conditions, including overcrowding, poor food and water quality, and lack of adequate medical care.[3]

Throughout the year, authorities harassed and intimidated members of the San Isidro Movement – composed of artists, poets, LGBTI activists, academics and independent journalists. Its members were at the forefront of challenging Decree 349 that stands to censor artists. The authorities' actions symbolized Cuba's ongoing repression of the right to freedom of expression in the country.[4]

Luis Manuel Otero Alcántara, a key leader in the movement, was jailed for two weeks in March, having reportedly been charged with "insults to symbols of the homeland" (Article 203 of the Penal Code), an offence inconsistent with international human rights law and standards, and "damage" to property (Article 339).[5]

In November, the San Isidro Movement garnered international attention when members went on hunger strike to demand the release of rapper Denis Solís González, who had been sentenced to eight months' imprisonment for "contempt", a crime also inconsistent with international human rights standards.

Following a police raid on the headquarters of the movement in Old Havana – which according to Cuba's official newspaper was carried out due to alleged violations of COVID-19 related health protocols – authorities took Luis Manuel Otero Alcántara into custody again for several days, and detained academic Anamely Ramos González for approximately 12 hours.[6]

In response to the raid, on 27 November, hundreds of artists and intellectuals staged a rare protest outside the Ministry of Culture and secured an equally unusual audience with the Vice Minister of Culture.

For approximately two weeks after the meeting, members of the movement,

including Luis Manuel Otero Alcántara and Anamely Ramos González, and approximately 10 or more activists and independent journalists were subjected to constant surveillance and faced arrest by police and state security officials if they left their houses, essentially amounting to house arrest, in violation of international law.[7]

1. Cuba: Opposition leader sentenced to house arrest after trial tainted by irregularities (Press release, 3 April)
2. Cuba: Authorities must guarantee press freedom in the COVID-19 era (Press release, 2 May)
3. Cuba: Prisoner of Conscience at risk of COVID-19: Roberto Quiñones Haces (AMR 25/2210/2020)
4. Cuba: Harassment of San Isidro movement exemplifies ongoing assault on freedom of expression (Press release, 20 November)
5. Cuba: Artist opposing censorship at risk: Luis Manuel Otero Alcántara (AMR 25/2028/2020)
6. Cuba: Amnesty International calls for release of two San Isidro prisoners of conscience (Press release, 27 November 2020)
7. Cuba: San Isidro movement and allies under frightening levels of surveillance (Press release, 15 December 2020)

CYPRUS

Republic of Cyprus
Head of state and government: **Nicos Anastasiades**

Asylum-seekers were detained in substandard conditions in Pournara refugee camp. Several incidents of pushbacks of refugees and migrants were reported.

BACKGROUND

In October, the UN Security Council called on Turkey to reverse the decision to open parts of the military controlled area of Varosha. In November, the UN hosted an informal meeting between the Greek-Cypriot and Turkish-Cypriot leaders where the topic of fresh talks about the island was discussed.

REFUGEES AND ASYLUM-SEEKERS

In April, NGOs denounced the detention in overcrowded and unhygienic conditions of nearly 700 asylum-seekers in Pournara refugee camp in Kokkinotrimithia. They were initially detained without legal basis between mid-March and 8 April and then prohibited from leaving the camp following a Ministerial Decision citing COVID-19 concerns.

In May, the NGO KISA reported that excessive force was used against asylum-seekers protesting against poor living conditions and detention in Pournara.

From 20 May, the authorities prohibited residents from leaving the camp citing a scabies outbreak. This sparked new protests by residents. While the measures were lifted on 15 June, UNHCR, the UN refugee agency, described Pournara as a closed facility as of 28 September. In November, new COVID-19 measures reintroduced the ban on movements outside the camp. In December, the Ombudswoman recommended the camp's decongestion.

On 20 March, reports emerged that the Cyprus Coast Guard pushed back to sea a boat carrying 175 Syrian refugees. Further incidents were reported in September concerning the Coast Guard forcibly returning to Lebanon more than 200 refugees and migrants who had reached or tried to reach Cyprus by boat.

VIOLENCE AGAINST WOMEN AND GIRLS

In January, a British teenager appealed against a Cyprus district court ruling finding her guilty of making false claims in her report of being gang-raped in July 2019. Serious concerns remained about the reported shortcomings of the police investigation and the fairness of her trial.

FREEDOM OF EXPRESSION

In June, the Observatory of Human Rights Defenders and the International Federation for Human Rights expressed concerns over a Supreme Court ruling convicting the NGO KISA of "defamation" and imposing a penalty of €10,000. The case related to action taken by KISA in 2010 against online hate speech. The ruling was appealed.

IMPUNITY

In January, the European Court of Human Rights found Cyprus in breach of the Convention for failing to effectively investigate

the death of Athanasios Nicolaou, an army conscript, found dead under a bridge in 2005.

ENFORCED DISAPPEARANCES

Between 2006 and 30 November 2020, the remains of 993 missing individuals (711 Greek Cypriots and 282 Turkish Cypriots) were identified by the Committee on Missing Persons in Cyprus in its mission to establish the fate and whereabouts of individuals who were forcibly disappeared during the inter-communal fighting of 1963 to 1964 and the events of 1974.

CZECH REPUBLIC

Czech Republic
Head of state: **Miloš Zeman**
Head of government: **Andrej Babiš**

Discrimination against Roma persisted. Parliament again failed to ratify an international convention on violence against women and take forward a bill on same-sex marriage. The European Court of Justice ruled against the government for failure to accept mandatory refugee quotas. Up to 16% of primary school children were reportedly unable to access education online during the lockdown related to the COVID-19 pandemic. Concerns remained over continuing arms transfers to parties in the Yemen conflict.

BACKGROUND

Both the Czech authorities and the EU continued to investigate alleged conflicts of interest by Prime Minister Andrej Babiš relating to EU subsidies received by his business interests. Prior to the first lockdown as a result of the pandemic, in March thousands of people held a demonstration in the capital, Prague, against the Prime Minister and what they perceived as his corrosive effect on the country's institutions.

The tenure of the new Public Defender of Human Rights, appointed in February, provoked controversy. Over 300 academics and lawyers signed an open letter in April, concerned that he appeared to demonstrate insufficient commitment to certain issues including minority rights.

DISCRIMINATION

Roma

Discrimination against Roma remained widespread, although the new Public Defender of Rights claimed that it was only a marginal problem.

Some steps were taken towards implementing a mechanism for providing compensation to Roma women who were victims of forced sterilization. In September the Council of Europe's Human Rights Commissioner called on the lower house of parliament to adopt a draft law providing one-off compensation for victims. The bill was awaiting its first reading at year's end.

The Committee of Ministers of the Council of Europe held a regular review in December of the measures taken to address the discriminatory segregation of Roma in schools and classes for pupils with mental disabilities (following the continued failure to implement the judgment in *D.H. and Others v Czech Republic*). The Committee noted some positive trends but remained concerned that the majority of Roma pupils assessed as needing individual educational plans were still educated outside the mainstream.

Women

Parliament failed to ratify the Council of Europe Convention on preventing and combating violence against women (Istanbul Convention) although it was scheduled to be submitted for ratification in 2018. According to a group of Czech NGOs, the Coalition Against Violence, annually some 168,000 victims of domestic violence have sought medical help in recent years. Service providers noted an increase in the number of domestic violence incidents during the restrictions imposed as a result of the pandemic.

In June the European Committee of Social Rights made public its decision (in the case

of *University Women of Europe v. Czech Republic*) that there had been insufficient progress on the right to equal pay and the balanced representation of women in decision-making bodies in private companies. In response the Czech Government Commissioner for Human Rights submitted a new draft strategy on gender equality 2020-2030 to the government.

Lesbian, gay, bisexual, transgender and intersex (LGBTI) people

Parliament again failed to table a vote on a bill, originally approved by government in 2018, which would fully recognize equal marriage for same-sex couples. Such couples had been able to register their partnerships since 2006, but this did not permit joint adoption.

RIGHT TO EDUCATION

According to the Czech School Inspectorate, approximately 11-16% of primary school children were unable to access education online during the first lockdown as they lacked access to an internet connection and/or appropriate devices, with under 1% of pupils not involved in education in any form.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

The government continued to refuse to participate in any relocation efforts within the EU, including to accept unaccompanied child refugees. Despite calls from Greece to accept 40 unaccompanied child migrants, the Interior Minister claimed that the only refugees in Greece were young men who he did not consider as children as they were around 17 years old. He also said that accepting young male refugees aged 12-17 would pose serious security risks for the public.

The European Court of Justice ruled in April that the Czech Republic (together with Poland and Hungary) had broken European law by failing in its obligations and commitments to relocate asylum-seekers and refugees. The European Commission had brought a case against the three countries to the Court in 2017, for refusing to participate in the EU's Emergency Relocation Scheme which sets mandatory relocation quotas.

IRRESPONSIBLE ARMS TRANSFERS

Concerns remained that continued arms transfers to the Saudi Arabia/United Arab Emirates-led coalition could be used to commit or facilitate serious violations of international human rights and humanitarian law in the Yemen conflict.

DEMOCRATIC REPUBLIC OF THE CONGO

Democratic Republic of the Congo
Head of state: **Félix Antoine Tshisekedi Tshilombo**
Head of government: **Sylvestre Ilunga Ilunkamba**

Poor households suffered increased food insecurity as a result of COVID-19 restrictions while prisons were chronically overcrowded. Armed conflicts and inter-communal violence continued in some provinces, resulting in hundreds of deaths and the displacement of hundreds of thousands of people. Government forces and armed groups continued to enjoy impunity for grave human rights violations, including extrajudicial killings and summary executions. Conflict-related sexual violence against women increased. The authorities continued to restrict the right to freedom of expression and media freedom. Journalists were imprisoned and human rights defenders were subjected to death threats and prosecution.

BACKGROUND

The human rights situation remained dire and tensions within the ruling coalition persisted. The increase in violence, particularly in the east and the central parts of the country involving armed groups,

including those from neighbouring countries, exacerbated the humanitarian crisis.

Thousands of armed group combatants, who surrendered their weapons early in the year in North Kivu, Ituri, South Kivu and Tanganyika provinces, were left without shelter, food or medical care and many rejoined their groups. The government's focus on controlling COVID-19 and other diseases diverted its attention from disarmament, demobilization and reintegration efforts.

On 18 March, the President announced measures to control the spread of the COVID-19 pandemic, including movement restrictions, border closures and a ban on gatherings of more than 20 people. On 24 March, the President announced a 30-day state of emergency which was extended on 23 April and confirmed by the Constitutional Court and Parliament. On 22 July, it was lifted following a slowdown in late June in COVID-19 cases and deaths, and restrictions were lifted in phases.

New appointments were made to the army and the judiciary but there was no significant change in the conduct of those institutions, which remained a major impediment to the protection of human rights.

On 23 November, the North-Kivu operational military court sentenced warlord Ntabo Ntaberi alias Sheka, leader of the Nduma Defense of Congo, to life imprisonment for serious crimes committed against civilians in North Kivu between 2007 and 2017. Charges included the rape of some 400 women, men and children in 2010. A member of the Democratic Forces for the Liberation of Rwanda was also sentenced to life imprisonment. Two Sheka collaborators were sentenced to 15 years in prison after a trial that lasted two years and in which 178 victims took part.

RIGHT TO HEALTH

The COVID-19 pandemic put immense pressure on an already underfunded and overstretched health system, and on poorly paid health workers who were also responding to Ebola, measles and cholera epidemics.

In September, the US government, via USAID, donated 50 new ventilators to the Democratic Republic of the Congo (DRC) government to boost the country's fight against the COVID-19 pandemic. Confirmed COVID-19 cases and related deaths reached 18,153 and 599 respectively by the end of the year.

By June, the COVID-19 infection rate had decreased but the 10th Ebola outbreak, which began in 2018, had affected at least 3,470 people and left some 2,287 dead, while the measles outbreak had killed around 6,000 people.

Prison conditions

Overcrowding continued to be one of the biggest concerns in prisons and was worsened by the COVID-19 pandemic. DRC prisons were among the most overcrowded in the world, with some facilities holding more than 300% over their intended capacity. Some prisoners went for days without food and others did not receive necessary medical attention, resulting in dozens of deaths. Twenty-five inmates died in Makala prison in the capital, Kinshasa, from starvation and lack of medicine at the beginning of the year. In April, the government addressed the risk of COVID-19 infection in prisons by releasing at least 2,000 inmates. At the end of that month, 43 prisoners tested positive for COVID-19 at the Ndolo military prison in Kinshasa.

RIGHT TO EDUCATION

The government closed schools, universities and other educational institutions on 19 March as part of its COVID-19 measures, affecting around 27 million students. The closure of schools increased the risk for many children of recruitment into armed groups, as well as to sexual exploitation, early marriage and child labour in mines. Schools were re-opened on 10 August.

Armed conflicts also disrupted the education of thousands of children, especially in the east.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

COVID-19-related lockdowns and other restrictions had an adverse impact on low income households although the government took measures to alleviate hardship by, for instance, providing some essential services like water and electricity for a two-month period. Such households in urban and rural areas, and in the border regions, lost key sources of income due to the decline in demand for informal economy workers and those involved in cross-border trading.

The government continued in its failure to enforce environmental and labour protection regulations in the mining industry where many workers were exposed to toxic pollution which caused birth defects in the children of cobalt and copper miners.[1] Men, women and children worked in some mines without basic protective equipment like gloves and face masks. They also complained of respiratory diseases and urinary tract infections, among other health problems. The use of child labour, forced evictions to make way for mining projects, a lack of transparency over how mining rights were awarded, corruption, tax evasion and abusive transfer pricing were widespread.[2]

EXCESSIVE USE OF FORCE

Following a ban on large public gatherings under COVID-19 restrictions, security forces used excessive force to disperse peaceful protests. On 9 July, mass protests took place in several cities against the appointment of the new Electoral Commission President. The police responded to the largely peaceful demonstrations with excessive force, killing at least one protester in Kinshasa and two others in Lubumbashi city. Many more were injured.

UNLAWFUL KILLINGS

Armed conflict and inter-communal violence continued in areas of South Kivu, North Kivu and Ituri provinces in the east and led to the deaths of hundreds of people. Attacks by armed groups forced hundreds of thousands of people to flee their homes. According to the UN Joint Human Rights Office (UNJHRO), in the first half of the year, combatants from all armed groups carried out summary executions in which around 1,315 people, including 267 women and 165 children, were killed.

Violence attributed to the Allied Democratic Forces (ADF), an armed group operating in DRC and Uganda, soared during the year after the authorities launched preventive attacks on the group. Between 25 and 26 May, the ADF killed 40 civilians in Irumu territory, Ituri province, and was believed to be responsible for killing seven civilians on 15 August and for the deaths of 58 people in two September attacks in the same area. The UNJHRO accused the ADF of committing war crimes.

Meanwhile, government forces were accused of killing 14 civilians and injuring 49 others in the first half of the year. They also arbitrarily arrested and detained 297 civilians.

Between March and June, ethnically motivated attacks by militias resulted in around 444 civilian deaths in Ituri and the displacement of more than 200,000 people. Most killings were carried out by fighters from the Lendu community, and the majority of victims were ethnic Hema and Alur residents.

There were reports of inter-communal clashes in May and June between Alur and Hema communities in Ituri. Clashes between the Twa and Bantu communities in Tanganyika province left at least 100 people dead.

VIOLENCE AGAINST WOMEN AND GIRLS

There was an increase in sexual violence against women and girls, particularly in the context of the conflict in the east. In May, the UNJHRO reported 79 such cases, up from 53 in April, against women who were attacked by armed groups. While armed groups were the main perpetrators, state security forces were also accused of responsibility for at least 26 cases of sexual violence against women between April and May.

EXTRAJUDICIAL EXECUTIONS

Extrajudicial executions remained prevalent across the country. While armed groups were responsible in the majority of cases, state agents also carried out such killings, particularly in conflict-affected areas. The UNJHRO reported that state agents were responsible for extrajudicially executing at least 225 people, including 33 women and 18 children, in the first half of the year.

In July alone, there were at least 55 extrajudicial executions at the hands of the security forces, around 11 of whom were women and two children. In the same period, armed groups summarily executed 248 people, including 34 women and 11 children. State agents and armed group combatants were rarely prosecuted for these and other human rights violations and abuses. A lack of funding and judicial independence continued to pose major barriers to the achievement of accountability.

HUMAN RIGHTS DEFENDERS

Human rights defenders and human rights organizations continued to be targeted by the authorities as a means to prevent them from carrying out their work. In July, Nobel Peace Prize laureate Denis Mukwege received death threats via social media, phone calls and in direct messages after he made demands for accountability and justice for human rights crimes committed in the DRC.[3] Also in July, the Senate President threatened to have Jean-Claude Katende, a lawyer and President of the African Association for the Defence of Human Rights, disciplined by the Kinshasa Bar Association and brought to court. The threats were connected to the lawyer's social media posts in which he called for the Senate President to be brought to justice on various charges.

In September, Dismas Kitenge, head of the Lotus Group, an NGO which documented human rights violations in Kisangani, and his family members received death threats from unidentified sources. The threats came soon after he met the Minister of Human Rights, with whom he discussed his NGO's plans to denounce the impunity enjoyed by a senior military officer who was alleged to have committed serious human rights violations in Kisangani between 1998 and 2002.

Five community human rights defenders faced charges in connection with their criticism of a palm oil company operating in Tshopo province. Iswetele Eswetele Mokili, Dominique Kamatinanga Zuzi, Antoine Swimbole Lingele, Robert Esumbahele and Franck Lwange Etiota had peacefully protested against the company after it violated an agreement with the community to build a school, health centre and a water supply before exploiting land used by the local community. They were held in poor conditions at Kisangani Central Prison, 300kms from their homes, for more than six months before being released on bail on 27 March. Their trial was pending at the end of the year.

FREEDOM OF EXPRESSION

The authorities subjected media workers to threats, intimidation, harassment, violence, arbitrary arrests and detention, and prosecution. They accused journalists and media houses of disturbing public order or breaching professional ethics. Numerous journalists were detained on trumped-up charges.

On 7 February, Dek'son Assani Kamango, a journalist with Radio Omega, was arrested on allegations of "insulting the Maniema provincial authority". On 9 May, Christine Tshibuyi, a Kinshasa-based reporter, received threatening phone calls after she published an article about attacks on journalists in Mbuji-Mayi town in Kasai Oriental province. The same day, a four-wheel drive vehicle of the type commonly used by the Republican Guard, rammed the front of her car, forcing her to crash into a wall. A man who was accompanied by four security force officers slapped her around the face, causing her to bleed. She said she reported the incident to the authorities but no investigation was carried out.

On 17 June, the Mongala provincial authorities revoked the credentials of 13

journalists, ordered the temporary closure of five radio stations, and suspended the broadcasting of several television and radio programmes deemed to be of a political nature.

INDIGENOUS PEOPLES

The authorities failed to honour commitments made to the Indigenous Twa people in connection with their forced eviction from the Kahuzi Biega National Park in the east. Since 1975 the community had been evicted in waves and had received promises that they would be provided with alternative land of equal quality, education and employment opportunities, health services and the release of members of their community who had been arrested for entering the National Park. Meanwhile, negotiations between the Park authorities and Twa representatives, concerning alternative land for the community, remained stalled.

In February, six Twa men, including key negotiator Chief Jean-Marie Kasula, and two Twa women, were found guilty of illegal activities in the Park. Their one-day trial before a military tribunal fell far short of international standards for fair trial and they were sentenced to between one and 15 years in prison. Four of the eight were released on bail from Bukavu prison in August. An appeal against their convictions had not been heard at the end of the year.

1. Democratic Republic of the Congo: Alarming research shows long lasting harm from cobalt mine abuses (Press release, 6 May)
2. South Africa: Mining gathering must confront human rights violations (Press release, 3 February)
3. Democratic Republic of the Congo: Concrete actions must be taken to protect Denis Mukwege after death threats (Press release, 4 September)

DENMARK

Kingdom of Denmark
Head of state: **Margrethe II**
Head of government: **Mette Frederiksen**

A new law was passed recognizing sex without consent as rape. Abuse of minorities increased during the national COVID-19 lockdown. A discriminatory law on social housing remained in place. The authorities failed to protect the rights of children born with variations in sex characteristics.

DISCRIMINATION

In June, the Danish Institute for Human Rights published a survey which showed that members of minorities experienced increased verbal and physical abuse during the COVID-19 lockdown between March-June.

Housing

The 2018 Regulation L38 on social housing continued to be in force despite recommendations from 2019 by the UN Committee on Economic, Social and Cultural Rights (CESCR) to reform the law. The CESCR raised concerns about stigmatizing categories such as "ghettos" and "hard ghettos" for neighbourhoods comprising more than 50% of residents with "non-western backgrounds". The police had the power to temporarily designate these neighbourhoods as "increased punishment zones" in which residents and visitors could face double the criminal penalties for certain offences, including vandalism, assault, public order offences, arson, threats and extortion. At the end of the year, the law had yet to be reformed.[1]

In May tenants of one of these neighbourhoods, the housing project Mjølnerparken in the capital, Copenhagen, filed a lawsuit for discrimination against the Ministry of Transport and Housing in the Eastern High Court. In October, UN experts called on the government to suspend the sale of apartment houses in the area until courts determined whether laws permitting the sale violated residents' human rights, including the high risk of forced eviction in violation of their right to adequate housing.

VIOLENCE AGAINST WOMEN AND GIRLS

In September, the government and coalition parties put forward a cross-party agreement to introduce consent-based rape legislation. Parliament passed the proposed bill into law on 17 December.[2]

In March, the national hotline "Live without violence" saw a doubling of requests for safe spaces after the COVID-19 lockdown. In April, the Ministry of Social Affairs and the Interior responded by creating 55 emergency shelter places.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Despite specific recommendations from the CESCR in 2019, the authorities failed to protect the rights of children with variations in sex characteristics. Infants and children continued to be at risk of non-emergency, invasive and irreversible genital surgery or hormone treatment.

REFUGEES AND ASYLUM-SEEKERS

In January, the European Committee for the Prevention of Torture called on the government to take steps to improve the conditions at Ellebæk, a detention centre where migrants, asylum-seekers and rejected asylum-seekers are held based on Denmark's immigration laws. At the end of the year, no substantial improvements had been made.

CORPORATE ACCOUNTABILITY

In January, the government committed to respond to the CESCR 2019 recommendation that Denmark adopt a legal framework requiring business entities to exercise human rights due diligence in their operations. The CESCR also recommended that businesses be held liable for human rights violations and that victims be enabled to seek remedies. By year's end, the government had yet to take steps to introduce the required legal framework.

1. Denmark: Human rights must be ensured for all (EUR 18/3229/2020)

2. Denmark: First reading of "sex without consent is rape" bill brings historic moment for women's rights closer (Press release, 20 November)

DOMINICAN REPUBLIC

Dominican Republic
Head of state and government: **Luis Rodolfo Abinader Corona (replaced Danilo Medina in August)**

The authorities carried out an estimated 85,000 detentions between 20 March and 30 June, for alleged non-compliance with the evening curfew. Abortion remained criminalized in all circumstances. The authorities failed to pass the comprehensive anti-discrimination legislation demanded by civil society for years.

ARBITRARY DETENTION

In March, the authorities declared a state of emergency and imposed a curfew to try to contain the spread of COVID-19. According to data published daily on Twitter by the National Police, law enforcement carried out an estimated 85,000 detentions between 20 March and 30 June for alleged non-compliance with the evening curfew. The authorities did not respond to requests for information about the conditions in which people were held, including whether people were physically distanced in detention or had access to a lawyer and other due process guarantees.

Video evidence suggested that the police used detention as a first rather than last resort to enforce lockdowns and routinely rounded up groups of people in the back of police vans, without taking any COVID-19 preventive measures like physical distancing or mask wearing.

Videos also showed the authorities stopping or detaining people on their way to get food or other basic items, despite evidence from previous public health emergencies that coercive enforcement, including criminalization, can be

counterproductive and have a disproportionate impact on marginalized groups.

The authorities often used tactics designed to humiliate people for allegedly breaking curfews, such as forced group exercise, and employed unnecessary force during detentions, a trend documented in previous years in reports on the arbitrary detention of women sex workers and young people.[1]

VIOLENCE AGAINST WOMEN AND GIRLS

In the first weeks of the curfew there was a significant drop in the number of reports of gender-based violence, according to news reports. This raised concerns that women were suffering violence in silence in a country with one of the highest rates of gender-based killings of women in the world, according to the UN Gender Equality Observatory for Latin America and the Caribbean. Between January and December, 130 women were killed, 66 of which were femicides, according to preliminary statistics published by the Prosecutor General's Office.

WOMEN'S RIGHTS

Women facing discrimination on multiple and intersecting grounds, such as transgender women and low-income cisgender women, continued to experience discrimination in accessing formal employment and many continued to sell sex as their primary method of income.

Following the implementation of the evening curfew in March, many transgender sex worker women were unable to work, which left many of them struggling to pay rent and without access to key social protections such as a range of health services, according to the NGO Transsa. Although the authorities put in place financial assistance programmes for workers, sex workers faced barriers when trying to access them, according to Transsa, which, working with other NGOs, was able eventually to get assistance for some transgender women.

The authorities also failed to implement a national protocol for the investigation of torture, despite evidence presented to the authorities by Amnesty International in 2019 that the police routinely raped, beat and humiliated women engaged in sex work in acts that may amount to torture or other ill-treatment.

SEXUAL AND REPRODUCTIVE RIGHTS

The country failed to decriminalize abortion, including in instances where the pregnancy poses a risk to the life of a pregnant woman or girl, in cases of foetal impairments or where the pregnancy is the result of rape or incest.

In February, the Inter-American Commission on Human Rights admitted for review the case of "Esperancita", a 16-year-old girl who died in 2012 after being denied life-saving treatment for leukaemia because she was pregnant.

ARBITRARY DEPRIVATION OF NATIONALITY

Thousands of people born to foreign parents who were registered as Dominicans at birth but later unrecognized as nationals, most recently through a 2013 ruling that left tens of thousands without nationality, remained unable to obtain Dominican identity documents, leaving them stateless and at risk of expulsion.

In his last week in office, former President Danilo Medina ordered the naturalization of 750 Dominicans of Haitian descent who had been stripped of their nationality, a symbolic gesture, but insufficient to resolve the country's long-standing statelessness crisis.

In August, civil society organizations called on President Abinader to embrace dialogue with Dominicans of Haitian descent and the organizations that accompany them to put an end to the conditions that drive statelessness and the barriers that it poses for access to health care, education and other rights. At the end of the year the President had not responded publicly.

DISCRIMINATION

Despite accepting the recommendations made by the UN Human Rights Council, the authorities failed to pass the comprehensive

anti-discrimination legislation demanded by civil society organizations for years.

1. Americas: Authorities must protect people from COVID-19 instead of resorting to repressive measures (Press release, 15 May)

ECUADOR

Republic of Ecuador
Head of state and government: **Lenín Boltaire Moreno Garcés**

Human rights defenders lacked appropriate protection mechanisms to safeguard their lives and physical safety. The authorities failed to ensure effective investigations into threats and attacks against human rights defenders, particularly those working to defend Indigenous Peoples' rights, their territory and the environment. Ongoing exclusion and discrimination exacerbated the impact of the COVID-19 pandemic on the rights of Indigenous peoples.

BACKGROUND

Ecuador reported its first case of COVID-19 in February and on 11 March the Minister of Health declared the national health system to be in a state of emergency. Supreme decrees and subsequent laws established quarantine measures, mandatory stay-at-home regulations, among other economic and social measures to deal with the pandemic. On 7 April Ecuadorian human rights organizations drew attention to the grave humanitarian situation in the city of Guayaquil after images emerged of corpses abandoned in the streets, hospitals in a state of collapse and morgues overwhelmed with bodies. As of 31 December, the Ministry of Public Health had reported 212,512 confirmed COVID-19 cases and 9,473 deaths and a further 4,561 deaths "probably" related to the virus.

HUMAN RIGHTS DEFENDERS

The authorities had yet to design and implement a national policy for the protection of human rights defenders, including a protocol for the investigation of crimes committed against them. By the end of the year, no one had been brought to justice in connection with threats and attacks against Amazonian Women collective members Patricia Gualinga, Nema Grefa, Salomé Aranda and Margoth Escobar. There were concerns that the criminal investigations into these attacks might be archived.[1]

In May, Ecuador ratified the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement).

On 16 December, a judge ruled that criminal proceedings against digital human rights defender Ola Bini for "unauthorized access to a computer system" should proceed to the pre-trial stage.

INDIGENOUS PEOPLES' RIGHTS

Indigenous Peoples in the Ecuadorian Amazon continued to be at high risk in the context of the pandemic due to lack of access to drinking water, food, medical supplies, health services and COVID-19 tests, resulting from long-term inequality, exclusion and discrimination.

On 7 December, Indigenous and human rights organizations reported 3,257 confirmed cases, 50 confirmed deaths and 54 deaths with symptoms of COVID-19 among the Indigenous nationalities (ethnicities) in the Ecuadorian Amazon.

In August, the government published a protocol for the prevention and care of COVID-19 in Indigenous, Afro-Ecuadorian and Montubio Peoples. Indigenous and human rights organizations in the Amazon stated that Indigenous Peoples had not been adequately consulted on the protocol and it did not reflect their demands. They also noted that Indigenous Peoples had been excluded from the Emergency Operations Committees in charge of implementing the protocol.[2]

On 7 April an oil spill in the Amazon polluted the Coca and Napo rivers, affecting the environment, water, food and livelihoods

of nearly 120,000 people, of whom 27,000 were Indigenous. On 29 April, a group of Indigenous and human rights organizations filed constitutional protection proceedings and requested precautionary measures on behalf of the people affected by the oil spill. On 1 September, a judge rejected the petition and refused precautionary measures, stating that the petitioners had not proved a violation of rights. The petitioners claimed that there had been procedural irregularities in the case and that the judge had not respected due process guarantees.

SEXUAL AND REPRODUCTIVE RIGHTS

In August, the National Assembly approved a new Health Code which improved access to sexual and reproductive health care. In September, the President vetoed the Health Code, which was to be reviewed by the National Assembly in September 2021, in its entirety. Abortion remained criminalized in most cases, creating a barrier to accessing health care.

REPRESSION OF DISSENT

By the end of the year, investigations into allegations of human rights violations and abuses committed in Ecuador during the October 2019 protests had not concluded. In June, the Ministry of Defence issued Agreement 179, which allows the Armed Forces to use lethal force against protesters, in violation of international human rights law and standards. In July, the Constitutional Court suspended the application of the Agreement pending its decision on its constitutionality.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Some 25% of the Ecuadorian population was living below the national poverty line in 2020. In May, the government announced a series of measures to reduce public spending, raising concerns about the possible negative impact this could have on economic and social rights, especially for disadvantaged individuals and groups who could be disproportionately affected. There were concerns that these measures could deepen existing inequalities and lack of access to rights.

1. Ecuador: State must urgently adopt public policy to protect human rights defenders facing grave risks (News, 12 March)
2. Ecuador: COVID-19 threatens Indigenous peoples' lives (AMR 28/2643/2020)

EGYPT

Arab Republic of Egypt
Head of state: **Abdel Fattah al-Sisi**
Head of government: **Moustafa Madbouly**

The authorities continued to punish any public or perceived dissent, and severely repressed the rights to peaceful assembly and freedom of expression and association. Tens of journalists were detained arbitrarily solely in relation to their work or critical views. The authorities clamped down on reporting that deviated from the official narrative on COVID-19 and detained health care workers who expressed safety concerns. The authorities continued to severely restrict human rights organizations' and political parties' freedom of association. Security forces used unlawful force to disperse rare protests, and arbitrarily detained hundreds of protesters and bystanders pending investigations into "terrorism" and protest-related charges. Thousands of people remained in prolonged pre-trial detention, including human rights defenders, journalists, politicians, lawyers and social media influencers. Conditions of detention remained cruel and inhuman and prisoners were denied adequate health care, which led or contributed to at least 35 deaths in prisons or shortly after release. Fair trial guarantees were routinely flouted. Death sentences were handed down and executions were carried out. Women were prosecuted on "morality" charges for the way they dressed, acted or earned money online. Dozens of workers were arbitrarily arrested and prosecuted for exercising their

right to strike. Residents of informal settlements were forcibly evicted. The authorities arrested and prosecuted Christians, Shi'a Muslims and others for blasphemy. Security forces dispersed protests by refugees over the killing of a Sudanese child with force and subjected them to racial slurs and beatings.

BACKGROUND

Between August and December, elections were held for both chambers of parliament amid low voter turnout.

Every three months, the authorities extended the state of emergency, in force since April 2017, thereby circumventing the constitutional six-month limit. In May, the emergency law was amended giving the President additional sweeping powers to restrict public and private gatherings and further expanding the jurisdiction of military courts over civilians.

In June, the International Monetary Fund approved a US$5.2 billion package to help Egypt respond to the economic impact of COVID-19. In August, the government reduced the size of subsidized bread. In September, small and scattered protests took place in several poor urban and rural communities, triggered mainly by the deteriorating economic situation and government threats to demolish unregistered buildings unless residents paid a fine based on the law on reconciliation.

Attacks by armed groups in North Sinai continued sporadically. The military announced fatalities in its ranks in May, July and October, and the killing of dozens of militants. According to media reports, armed groups overran several villages in the Bir al-Abd area in July, forcing residents to flee. Some were killed by improvised explosive devices in October upon their return home.

Egypt remained a member of the Saudi Arabia-led coalition in the conflict in Yemen, and in the coalition imposing sanctions on Qatar arising from the ongoing diplomatic crisis in the Gulf. Egypt supported the self-declared Libyan Arab Armed Forces (LAAF), a party to the armed conflict in Libya, including by allowing transhipments of arms from the United Arab Emirates (UAE). The UAE launched drone strikes in Libya on LAAF's behalf from the Sidi Barrani airbase in Egypt.

FREEDOM OF ASSEMBLY

The authorities responded to small and rare protests in September and October with unlawful use of force, mass arrests, censorship and random security checks. Security forces used tear gas, batons, birdshot and on at least one occasion live ammunition to disperse protests. They also raided homes in a violent manner to arrest suspected protesters, killing at least two men and injuring others.[1] Hundreds of protesters and bystanders were arrested and detained pending investigations into "terrorism" and protest-related charges.

FREEDOM OF EXPRESSION

The authorities clamped down on free speech offline and online.

Security forces arbitrarily arrested and detained tens of media workers pending investigations into charges related to "misuse of social media", "spreading false news" or "terrorism".

On 24 June, security forces raided the office in the capital, Cairo, of the al-Manassa independent news site and briefly detained its editor-in-chief Noura Younes.

Hundreds of news, human rights and other websites remained blocked, according to rights groups. In April, the authorities blocked the Darb news site after it reported on human rights concerns.

The authorities clamped down on independent reporting on COVID-19 and warned against "spreading false news" on the pandemic. The authorities arbitrarily arrested at least nine health care workers who expressed safety concerns or criticized the government's handling of the pandemic on their social media platforms and detained them pending investigations into "terrorism"-related charges and "spreading false news". Others were subjected to threats, harassment and punitive administrative measures.

On 25 August, a terrorism circuit court sentenced the director of the Cairo Institute for Human Rights Studies, Bahey el-Din Hassan, in his absence, to 15 years' imprisonment on charges of "insulting the judiciary" and "disseminating false news" for tweeting about human rights violations in Egypt.

FREEDOM OF ASSOCIATION

The politically motivated criminal investigation into the activities and funding of human rights organizations, known as Case 173, remained active. At least 31 staff members of civil society organizations continued to be banned from travelling abroad. In July, a Cairo court rejected an appeal by 14 of them against their travel bans.

In February, security forces arbitrarily arrested Patrick Zaki George, a human rights researcher at the Egyptian Initiative for Personal Rights (EIPR), a human rights NGO, upon his arrival in Cairo from abroad. His lawyers said that the police subjected him to electric shocks and beatings. He remained in pre-trial detention pending investigations into unfounded "terrorism"-related charges. In November, security forces arrested EIPR directors Gasser Abdel Razek, Karim Ennarah and Mohamed Besheer and detained them pending investigations on terrorism-related charges following a meeting with several western diplomats that took place at EIPR offices. They were released after a global campaign, but the authorities froze their assets in December.

Opposition politicians faced arbitrary detention and other harassment. In March, a court sentenced Zyad el-Elaimy, a former parliamentarian and leader of an opposition party, to one year in prison for conducting a media interview on the human rights situation. In June, a higher court upheld the verdict. He remained imprisoned. Following amendments to counter-terrorism legislation in February allowing the judicial authorities to designate entities and individuals as "terrorists" on the sole basis of police investigations and without the occurrence of "terrorist acts", terrorism circuit judges added politicians Zyad el-Elaimy and Abdelmoniem Abouelfotoh, as well as activists Ramy Shaath and Alaa Abdelfattah and human rights defender Mohamed el-Baqer, to Egypt's "terrorists list" for five years without any hearing or due process.

ARBITRARY DETENTIONS AND UNFAIR TRIALS

Thousands of people were detained arbitrarily solely for exercising their human rights or on the basis of grossly unfair trials, including mass and military trials. The authorities also threatened, questioned and arbitrarily detained family members of exiled dissidents.

In August, activist Sanaa Seif, unjustly detained since June, was referred to trial for "spreading false news," "insulting an official" and other charges relating to her speaking out against a police officer's complicity in an assault she suffered with her mother and sister outside the Tora Prison Complex in full view of security forces.

Prosecutors and judges routinely renewed the pre-trial detention of thousands of suspects held pending investigations into unfounded "terrorism"-related charges, in some cases in the defendants' absence and without allowing lawyers to challenge the legality of their detention. Many were held in pre-trial detention for periods exceeding the maximum limit under Egyptian law of two years.

The Supreme State Security Prosecution (SSSP), a special branch of the Public Prosecution responsible for investigating security threats, bypassed court or prosecution release decisions after prolonged pre-trial detention by issuing new detention orders covering similar charges. The SSSP employed similar tactics to arbitrarily detain convicted prisoners after they had served their sentences.

ENFORCED DISAPPEARANCES, TORTURE AND OTHER ILL-TREATMENT

Authorities subjected hundreds of detainees, including prisoners of conscience, to

enforced disappearance in undisclosed locations.

Among them was trade unionist Ahmad Amasha, who was forcibly disappeared for 25 days following his arrest on 17 June. On 12 July, the SSSP questioned him and ordered his detention pending investigations into "terrorism"-related charges.

Torture remained rife in formal and informal places of detention. Defendants arrested in connection with the September protests told prosecutors that they were beaten and given electric shocks by security forces.

Prosecutors routinely failed to order investigations into claims of torture and enforced disappearance against National Security Agency (NSA) officers. Only in rare cases of deaths in custody did the authorities open criminal investigations. On 7 September Islam al-Australy, a poultry shop owner, died at Monib police station in Giza governorate two days after his arrest. The Ministry of Interior denied claims that he had died as a result of torture. Security forces arrested his relatives, neighbours and local residents protesting against his death, releasing them after his family dropped their complaint. The Public Prosecution ordered the detention of four low-ranking policemen pending investigations and released a police officer on bail.

In December, Italian prosecutors named four NSA officers as suspects in the abduction, torture and killing of Italian student Giulio Regeni in 2016.

RIGHT TO HEALTH – PRISON CONDITIONS

Conditions in prisons and other detention facilities remained cruel and inhuman, with prisoners complaining of overcrowding, poor ventilation, lack of hygiene and access to sanitation facilities, and inadequate food and drinking water. Authorities tortured some detainees by holding them in dire conditions in prolonged and indefinite solitary confinement.

Authorities denied prisoners access to adequate health care, in some cases deliberately to punish dissidents which may have amounted to torture. At least 35 detainees died in prison or shortly after their release, following medical complications and in some cases denial of adequate health care; the authorities failed to conduct independent or effective investigations into the causes and circumstances of their deaths.

On 13 August, senior Muslim Brotherhood figure Essam El-Erian, who had been detained since 2013, died in prison. He had previously complained in court about ill-treatment in solitary confinement and denial of health care.

The authorities failed to take measures to reduce the impact of the outbreak of COVID-19 in prisons and other detention facilities, including by failing to provide prisoners with sanitizing products or systematically testing and quarantining those suspected of infection or attempting to address overcrowding. The authorities failed to release thousands held in prolonged pre-trial detention, proceeding only with regular annual pardons to release thousands of prisoners in non-political cases. Authorities also arbitrarily arrested and harassed relatives and supporters of prisoners for expressing concerns over their health.

The authorities banned prison visits between March and August citing COVID-19 fears, and for the whole year for scores of detainees in political cases. Prison officials failed to provide regular alternative means of communication between prisoners and their families and lawyers.

DEATH PENALTY

Egyptian courts, including military courts and terrorism circuits of criminal courts, handed down death sentences after unfair mass trials. Higher courts upheld the verdicts on appeal. Executions were carried out.

In March, a criminal court handed down death sentences against 37 men after an unfair mass trial.[2] Many of them had been forcibly disappeared for months, beaten, subjected to electric shocks or suspended for prolonged periods before their trials. In July,

the Court of Cassation upheld the death sentence against Wael Tawadros, known as Father Isaiah, after a trial marred by torture and enforced disappearance.

Executions were carried out, including of individuals convicted in grossly unfair trials, marred by allegations of enforced disappearance and the acceptance of "confessions" extracted under torture as evidence. In October and November alone, Egypt executed almost double the number of those executed in all of 2019.

SEXUAL AND GENDER-BASED DISCRIMINATION AND VIOLENCE

Women and girls continued to face discrimination in law and practice.

In response to public campaigning against impunity for sexual violence, the authorities arrested several men suspected of rape. However, they failed to guarantee the protection of survivors and witnesses, and neither prevented nor adequately investigated widespread violence against women and girls. Authorities also carried out reprisals against a rape survivor and others who reported sexual violence.

In August, authorities arbitrarily detained and opened criminal investigations against four people who came forward as witnesses in a case concerning a gang rape at a Cairo hotel in 2014, over charges related to "morality" and "misuse of social media", among others. Two men also arrested in connection with the case, other than the rape suspects, faced "debauchery" charges, frequently used in Egypt to prosecute same-sex sexual relations. Authorities subjected the two to forced anal examinations, an act amounting to torture. The case against the six people was primarily based on private videos and photographs of an intimate nature.

On 5 September, the Code of Criminal Procedures was amended to prohibit prosecutors and law enforcement officials from revealing the identities of survivors of sexual violence; it did not stipulate penalties for breaches of confidentiality or contain provisions to protect witnesses and others reporting sexual violence.

From April, the authorities intensified their crackdown on women social media influencers for the way they dressed, acted and earned money on apps such as TikTok, prosecuting at least nine women on charges of "indecency" and "violating family principles and values". At least six women were sentenced to prison terms ranging from two to six years.[3]

WORKERS' RIGHTS

Following the COVID-19 outbreak, tens of thousands of private sector workers were dismissed, forced to accept reduced wages, work without protective equipment or take open-ended unpaid leave. The authorities failed to provide workers who lost their livelihoods as a result of the economic impact of COVID-19 with sufficient social protection measures, including unemployment benefits.

The authorities arbitrarily detained tens of workers and trade unionists solely for exercising their right to strike and protest peacefully.

In September, security forces arrested at least 41 workers at a state-owned textile company in Shebin al-Kom city who were protesting for their outstanding dues. All were released 10 days later.

A June verdict by the Court of Cassation sanctioned the dismissal of workers at state-owned companies who had been convicted of protest-related charges, even if acquitted by higher courts.

RIGHT TO HOUSING AND FORCED EVICTIONS

The authorities carried out forced evictions in informal settlements and arbitrarily arrested dozens of people for protesting against threatened house demolitions.

On 18 July, security forces used force to disperse a protest by residents of Ma'awa el-Sayadeen in Alexandria against the demolitions of their homes, and arrested about 65 protesters. At least 42 men were detained pending investigations into charges of "participating in unauthorized protests" and "attacking public employees" for up to five months. All were released later.

FREEDOM OF RELIGION AND BELIEF

The authorities continued to discriminate against Christians in law and practice. Their right to build or repair churches remained restricted by a 2016 law requiring approval from security agencies and other state bodies. According to the EIPR, such bodies had granted full legal registration to fewer than 200 churches out of a total of 5,540 applications since 2016, while only 1,412 churches received preliminary, conditional approvals.

Members of Muslim minorities, atheists, Christians and others were prosecuted and imprisoned for blasphemy or for "terrorism"-related charges. In June, two Shi'a men were sentenced to one year's imprisonment for practising their faith. In August, security forces arrested Quranist writer and blogger Reda Abdel-Rahman and forcibly disappeared him for 22 days, apparently in retaliation for the religious and political writings of his exiled relative. He remained in pre-trial detention.

RIGHTS OF REFUGEES AND MIGRANTS

The authorities continued to arbitrarily arrest and detain refugees and migrants. Between January and September, security forces arrested and detained at least 14 Syrians, 29 Sudanese people and one Guinean person in police stations in southern Egypt for irregularly entering or staying in Egypt.

In November, security forces violently dispersed two peaceful protests by Sudanese refugees and migrants over the murder of a Sudanese child. Security forces arrested dozens of protesters and subjected them to beatings, racial slurs and other ill-treatment.

1. Egypt: Rare protests met with unlawful force and mass arrests (Press release, 2 October)
2. Egypt: Death sentences against 37 convicted of terrorism after unfair trial (Press release, 2 March)
3. Egypt: Survivors of sexual violence and online abuse among prosecuted women TikTok influencers (Press release, 13 August)

EL SALVADOR

Republic of El Salvador
Head of state and government: **Nayib Armando Bukele Ortez**

Thousands of people were detained in quarantine centres for alleged violations of a mandatory quarantine imposed in the context of the COVID-19 pandemic. There were reports of precarious and insanitary conditions in these centres, as well as arbitrary detentions and excessive use of force. The President made public statements stigmatizing journalists and human rights organizations. The rights of the victims of crimes under international law and of human rights violations during the internal armed conflict remained under threat. Restrictions and attacks on freedom of the press and limited access to official information were reported throughout the year. The total ban on abortion remained in place.

BACKGROUND

In February, the Council of Ministers held an extraordinary session of the Legislative Assembly accompanied by a security forces deployment with reports of snipers stationed in the vicinity and restrictions on press freedom.[1]

In April, the President publicly rejected rulings of the Constitutional Chamber of the Supreme Court.[2] In August, an investigation by the media revealed that President Bukele's administration might have negotiated with a local gang to reduce crime rates.

No detailed information was made public about the content of the Territorial Control Plan, which sets out the country's national security policy. Local organizations expressed concern about the continuing repressive and militarized approach to public security.

RIGHT TO HEALTH

According to official figures, more than 2,000 people were detained in quarantine centres

for alleged violations of the mandatory national quarantine imposed in late March, some for up to 40 days. Conditions in these centres fell short of minimum standards for sanitary conditions and physical distancing, putting those held at unnecessary risk of COVID-19 infection.[3]

Between 13 March and 27 May, the Supreme Court received 330 *habeas corpus* petitions and 61 *amparos* (requests for judicial protection) in the context of the COVID-19 pandemic. In many of these cases, people alleged that conditions in the quarantine centres were inadequate, lacked cleaning materials and drinkable water, and that people were unable to access medication for chronic illnesses. El Salvador's Ombudsperson Office (PDDH) identified at least 44 cases of people deprived of their liberty in the context of the quarantine between March and May who had underlying medical conditions.

In April, a human rights defender who has diabetes was detained when she went out to buy food and medicine for her three-year-old child. She spent more than a month in a quarantine centre with poor conditions, which could have increased her exposure to COVID-19.

That same month, while cases of health workers infected with COVID-19 and a lack of adequate equipment were being reported, the President vetoed Decree 620. The Decree, which aimed to guarantee health insurance and biosafety equipment to health workers, was later declared constitutional by the Constitutional Chamber.

As of late July, at least 104 health workers had died from COVID-19.[4]

ARBITRARY DETENTION

Hundreds of people detained for alleged quarantine violations were taken to government quarantine centres or police stations, as if they had committed a crime. In that context, the Constitutional Chamber of the Supreme Court ruled that the authorities had no legal basis for holding people in these centres as a form of punishment. Some detainees stated in their appeals before the Chamber that they were detained solely for leaving their houses to buy food or medicine.

EXCESSIVE USE OF FORCE

The PDDH received hundreds of complaints of human rights violations by the security forces, including reports of excessive use of force and ill-treatment, in the context of enforcing the quarantine.

In March, a 17-year-old boy reported that the police detained him as he was leaving work on a sugar plantation. He and his family stated that the police beat him and took him to a detention centre, where he was held with adults for almost three days before being released without charge.

In another case, a young man reported that when he went out to buy food and fuel after being paid, a police officer detained him, beat him and shot him twice in the legs.[5]

HUMAN RIGHTS DEFENDERS

Throughout the year, the President issued public statements vilifying civil society groups, including journalists and human rights organizations, and stigmatizing those seeking greater government transparency and accountability.

In June, human rights organizations reported that, following the introduction of the measures to tackle COVID-19, attacks on local organizations and women human rights defenders increased significantly, particularly through digital media. Organizations also reported an increase in government statements that put human rights defenders at risk.[6]

The Legislative Assembly failed to approve the Law for the Recognition and Comprehensive Protection of Human Rights Defenders and for the Guarantee of the Right to Defend Human Rights; the bill had been presented before the Assembly in 2018.

RIGHT TO TRUTH, JUSTICE AND REPARATION

In February, the Legislative Assembly approved a decree containing the Special Law on Transitional Justice, Reparation and

Reconciliation. This contains provisions that hinder the investigation and effective punishment of those responsible for crimes under international law. The President vetoed the decree later that month.[7] However, the government failed to make public information related to military operations during the internal armed conflict (1980-1992) and denied judicial access to military operation files related to the 1981 El Mozote massacre.

In September, a Spanish court convicted a former Salvadoran colonel and former defence minister for the murder of five Jesuit priests in 1989, during the armed conflict.[8]

WOMEN'S RIGHTS

The total ban on abortion remained in place and until June at least 18 women remained in jail on charges related to obstetric emergencies.

1. El Salvador: Deployment of security forces in the Legislative Assembly raises alarm over the future of human rights (Press release, 9 February)
2. El Salvador: Open letter to President Nayib Bukele regarding measures taken for COVID-19 (Open letter, 30 April)
3. When protection becomes repression: Mandatory quarantines under COVID-19 in the Americas (AMR 01/2991/2020)
4. Global: Amnesty analysis reveals over 7,000 health workers have died from COVID-19 (Press release, 3 September)
5. El Salvador: Repression and broken promises, the new face of the country after one year of President Bukele's government (Press release, 1 June)
6. Las medidas del gobierno ante la covid-19 han propiciado un entorno violento y hostil para las defensoras de derechos humanos (AMR 29/2560/2020, Spanish only)
7. El Salvador: Las autoridades deben garantizar justicia, verdad y reparación para las víctimas del conflicto armado (AMR 29/1930/2019, Spanish only)
8. El Salvador: Conviction of one of those responsible for the murder of Jesuit priests must break the chain of impunity (Press release, 11 September)

EQUATORIAL GUINEA

Republic of Equatorial Guinea
Head of state: **Teodoro Obiang Nguema Mbasogo**
Head of government: **Francisco Pascual Obama Asue**

The crackdown on human rights defenders continued and administrative obstacles prevented NGOs from obtaining legal registration. The right to a fair trial was violated. Police used excessive force and the right to freedom of expression, including access to information, was violated in the context of the COVID-19 pandemic. Draft legislation threatened to discriminate against lesbian, gay, bisexual, transgender and intersex (LGBTI) people and sex workers.

BACKGROUND

The government planned to organize international events to attract foreign investment and signed new mining contracts with foreign companies. Corruption and embezzlement continued to hit the headlines. In February, the Appeal Court of Paris upheld a three-year suspended sentence and a €30 million fine against Vice-President Teodoro Obiang Nguema Mangue, the President's son, for embezzlement.

In March, the government responded to the COVID-19 pandemic by declaring a state of emergency on health grounds which included rights-restricting provisions. Some restrictions were lifted on 15 June.

The government resigned in August, acknowledging its responsibility for the economic crisis which was aggravated by the pandemic. A new government took over.

FREEDOM OF EXPRESSION

The authorities violated the right to freedom of expression, including access to information, in the context of the COVID-19 pandemic. In May, the government stopped publishing the numbers of COVID-19 cases,

arguing that the information had been used by its critics to discredit its public health work.

Later in May, the Ministry of Foreign Affairs asked the World Health Organization to withdraw its representative and make sure she left the capital, Malabo, immediately after the government accused her of "falsifying the data" on COVID-19 infections.

On 15 April, Nuria Obono Ndong Andeme, a nurse, was summoned by the Minister of Health about a WhatsApp message she had sent to a friend which went viral. She had complained about the lack of oxygen in Malabo's Sampaka Hospital. The day after, she appeared before a judge who put her in pretrial detention in Black Beach Prison, in Malabo. She was released without charge on 21 April.

According to Reporters without Borders, seven journalists who worked for the TV channel, Asonga, were suspended in May after they publicly criticized the use of violence by the defence and security forces to impose the COVID-19 pandemic lockdown.

EXCESSIVE USE OF FORCE

In April, people regularly posted videos on social media which showed the police using violence against people while enforcing the lockdown. Many of those attacked were street sellers, particularly women, whose stalls were destroyed.

RIGHT TO A FAIR TRIAL

In March, a military court in Oveng Asem (a city on the mainland) convicted 10 men in connection with membership of the Movement for the Liberation of Equatorial Guinea Third Republic (MLGE3R), an opposition group. They were sentenced following a trial held behind closed doors to a total of 734 years' imprisonment for treason, verbal abuse/insult against the head of state, and espionage. Four of them – two Spanish nationals of Equatorial Guinean origin and two Equatorial Guineans resident in Spain – had been abducted in South Sudan and transferred to Equatorial Guinea in November 2019. Their whereabouts remained unknown for several months until they were reported to be in Black Beach Prison and then transferred to Mongomo Prison on the mainland. The Spanish nationals were denied access to their embassy representatives.

HUMAN RIGHTS DEFENDERS

Freedom of association

The authorities continued to place obstacles in the way of NGOs seeking to register their organizations. In 2019, the government had accepted recommendations during the UN Universal Periodic Review process to reform Law 1/1999 which regulates NGO registration, but failed to modify the law.

In June, Somos+, a civil society platform, submitted an application for legal registration to the Ministry of the Interior and Local Corporations. Several days later, they were notified by this body that their application should be validated by the General Direction of Human Rights, although such validation is not required by law. In August, Somos+ representatives met with the Interior Minister who interviewed them about their activities and reminded them that they needed to register before they carried out any activities.

Arbitrary arrests and detentions

In February, Joaquín Elo Ayeto, a Somos+ member, was released without explanation from Black Beach Prison where he had been held for almost one year following his arbitrary arrest in February 2019. Although he was tried in 2019 for defamation and threats against the President, he was not given any information about his sentence. He was released on the President's orders after the President met the Secretary General of the opposition Convergence for Social Democracy Party.

DISCRIMINATION

Draft legislation regulating sex work and LGBTI rights remained under consultation at the ministerial level. Although the draft would prohibit some forms of discrimination, it included a provision to safeguard the "moral integrity of the social majority", implicitly perpetuating discrimination against LGBTI

people and sex workers, and included a ban on gay pride events. The draft legislation also included a provision requiring the government to establish a "social reintegration" policy for LGBTI people who voluntarily abandoned their homosexuality.

ERITREA

State of Eritrea
Head of state and government: **Isaias Afwerki**

The whereabouts of government critics and pro-democracy leaders who had been arbitrarily detained since 2001 remained unknown. The authorities continued to violate the rights to freedom of expression, religion and freedom of movement. Prisoners were denied their rights to health. Thousands continued to flee abroad as the repression and indefinite military conscription continued, even after Eritrea restored relations with its former arch-enemy Ethiopia.

FREEDOM OF EXPRESSION

There continued to be no independent press since the authorities banned all non-state media in 2001. In 2020, the Committee to Protect Journalists found Eritrea was the most censored country in the world and had more journalists in prison than any other country.

ARBITRARY DETENTION AND ENFORCED DISAPPEARANCES

Hundreds of politicians, religious leaders, journalists and other government critics – some held for more than a decade without charge or trial – remained in arbitrary detention and continued to be denied access to their families and lawyers. The whereabouts and fate of 11 high-profile politicians and 17 journalists who criticized President Afwerki's rule in 2001 remained unknown at the end of the year.

Former Finance Minister Berhane Abrehe remained in prison since his arrest in the capital Asmara in 2018. No charges had been brought against him by the end of the year. He was arrested after he had published a book calling for democratic reform and was subjected to enforced disappearance.

RIGHT TO HEALTH

Prisons and detention centres

Prisons and detention centres remained chronically overcrowded with unsanitary living conditions.[1] Adi Abeto prison, north of Asmara, held about 2,500 inmates despite having capacity for only 800. The Mai Serwa Asmara Flowers detention camp near Asmara, where many Jehovah's Witnesses were held, had no toilets for an estimated 700 detainees, and men and women inmates had to relieve themselves in the open. The Mai Serwa Maximum Security prison, close to Asmara, had only 20 toilets for 500 detainees.

Prisons and detention facilities did not provide detainees with adequate water, food and hygiene products such as soap. Many detainees in Mai Serwa Maximum Security prison, Mai Serwa Asmara Flowers detention facility and the all-male Ala prison, near Asmara, relied on their families for supplementing the meagre food that was provided to them. On 2 April, the authorities imposed a lockdown on prisons to prevent the spread of COVID-19 and other diseases. No visitors were allowed in, cutting off necessary supplies from relatives, and putting detainees at even greater risk of malnutrition and disease.

FORCED LABOUR

Conscripts to the mandatary national service programme continued to be forced to serve for indefinite periods extending far beyond the legal limit of 18 months. There was no provision for conscientious objection and thousands remained in open-ended conscription, many of them having already served for decades. The government continued to send final-year high-school students to Sawa Defence Training Centre and made no commitment to release them

from national service after they had served 18 months.

Conscripts earned ERN800 (approximately US$53) a month which was not enough to cover basic needs. The government used them to work on infrastructure projects such as irrigation, roads and agriculture. Working conditions could be degrading and inhumane, and in some cases amounted to torture.

At the Mai Serwa Asmara Flowers detention facility, which in reality is a forced labour camp, Jehovah's Witnesses and other detainees were forced to work on the nearby flower farms.

FREEDOM OF MOVEMENT

The right to leave the country remained severely restricted and people were prevented from travelling abroad without government permission.

REFUGEES AND ASYLUM-SEEKERS

Thousands of Eritreans continued to flee the country, primarily to avoid indefinite national service, and sought asylum in other countries. According to UNHCR, the UN refugee agency, 9,463 asylum-seekers from Eritrea crossed the border into Ethiopia during the first quarter of the year. After April, there was a marked reduction in the number of new arrivals in Ethiopia, due to COVID-19 restrictions on the movement of people.

Eritrean refugees and asylum-seekers continued to face serious human rights abuses as they made their way to Europe, including in transit countries, particularly Libya, where many were subjected to detention, abduction, sexual abuse, and torture and other ill-treatment.

1. Eritrea: Detainees in overcrowded and unsanitary conditions defenceless against COVID-19 (Press release, 21 May)

ESTONIA

Republic of Estonia
Head of state: **Kersti Kaljulaid**
Head of government: **Jüri Ratas**

The number of stateless individuals remained high; ethnic minorities continued to face discrimination. Legislative developments to improve LGBTI rights slowed. A government minister attempted to limit funding to NGOs working on equality and gender issues.

BACKGROUND

In March, the government invoked Article 15 of the European Convention on Human Rights, enabling partial restriction of several freedoms, including freedom of assembly, for the two-month emergency period in connection with the COVID-19 pandemic.

In May, amendments to the Aliens Act gave police and border guards the right to annul the visa or visa-free period of all non-Estonian nationals if they had lost employment, including as a result of COVID-19.

Five of the 15 ministerial posts in government continued to be held by the Conservative People's Party of Estonia (EKRE) who spoke out against immigration and LGBTI rights.

DISCRIMINATION

In January, Parliament amended the Citizenship Act, easing children's access to citizenship in cases where at least one of their parents was effectively stateless and the other a citizen of another country. Consequently, 1,500 minors were granted citizenship. However, some 71,000 people, approximately 5.3% of the population, remained stateless. The European Commission noted that Estonia's citizenship policy "continued to be conservative".

Non-Estonian speaking minorities, albeit with residency rights, continued to face discrimination in a range of areas, including employment, housing, education and health

care. Studies found they experienced greater financial hardship as a consequence of the COVID-19 lockdown than the Estonian-speaking majority.

HUMAN RIGHTS DEFENDERS

In July, the Minister of Trade, a post held by the EKRE, attempted to halt grants to three human rights organizations working on gender and equality issues: the Estonian Women's Associations Roundtable, the Estonian Women's Studies and Resource Centre, and the Estonian Human Rights Centre.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Parliament failed to pass legislation to implement the 2016 Registered Partnership Act. A regulation to legitimize gender recognition of transgender people was removed from the new Public Health Act draft. LGBTI organizations continued to face explicit threats from far-right groups.

ESWATINI

Kingdom of Eswatini
Head of state: **Mswati III**
Head of government: **Ambrose Mandvulo Dlamini**

Hundreds of families were threatened with forced eviction. LGBTI people were subjected to discrimination and harassment. A man was charged with marital rape for the first time. Repressive legislation was used to silence peaceful dissent and journalists faced arbitrary detention, torture and other ill-treatment, and prosecution.

BACKGROUND

In March, the Prime Minister declared a two-month state of emergency to control the spread of the COVID-19 pandemic. There were reports that security forces harassed people when they went out for food or to seek medical attention.

FORCED EVICTIONS

The lack of land policy or land act continued to disadvantage people who faced forced evictions. Hundreds of families in the Manzini region were threatened with eviction when landowners took steps to regain their farmland. The Human Rights Commission had intervened and was negotiating with the landowner in the case of over 100 people facing evictions in Sigombeni. If due process requirements are not followed and adequate compensation is not provided, this could result in a forced eviction. In July, an appeal by the Council of Eswatini Churches to the Ministry of Resources and Energy successfully averted the eviction of 45 families, including 38 children, from their land in Mbondzela, Shiselweni.

Local authorities in the Mangwaneni township of the capital, Mbabane, demolished one homestead in February and three in August, resulting in the forced eviction of 17 people in households headed by older people. After a resident was injured by a rubber bullet fired by police during clashes in the August demolition, the Ministry of Housing and Urban Development halted the demolitions while the local traditional authorities worked to resolve the matter. However, most of the affected residents were too poor to rebuild or repair their structures and the municipality banned them from doing so.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

LGBTI people were discriminated against, harassed and stigmatized. Consensual same-sex relations remained a criminal offence.

In July, the Eswatini Sexual and Gender Minorities advocacy group challenged the Minister of Commerce and Industries' decision to reject its application for registration. The case was adjourned twice before being heard in October at the High Court in Mbabane, although a judgment was not issued by the year's end.

VIOLENCE AGAINST WOMEN AND GIRLS

In January, Nhlanhla Dlamini became the first person to be charged with marital rape under the 2018 Sexual Offences and Domestic Violence Act. In the same month, his case went before the High Court which granted him bail.

Under COVID-19 measures, the work of civil society groups was classified as non-essential, thereby denying survivors of violence access to vital support services. In April, the government allowed such organizations to continue their work following pressure from the Swaziland Action Group Against Abuse and other NGOs.

FREEDOMS OF EXPRESSION AND ASSOCIATION

In May, Goodwill Sibiya was released and all charges against him dropped after he spent one year in prison for saying the King should be charged with embezzlement and human rights violations. He had also been charged with terrorism and sedition in connection with his association with the People's United Democratic Movement Party.

Journalists

The government used draconian legislation, including the Suppression of Terrorism Act and the Sedition and Subversive Activities Act, to silence media. Journalists were subjected to arbitrary arrest, and torture and other ill-treatment.

In February, Zweli Martin Dlamini, editor of the *Swaziland News*, was arrested at his home in Mbabane for publishing articles which criticized the King. He said he was tortured in the Mbabane police headquarters, including by having a plastic bag put over his head. He was released without charge six hours later and fled to South Africa the following day. In April, police raided his home and arrested his wife, Nompendulo Nokuthula Mkhonta. While in police custody in Mbabane, she was tortured under interrogation and released three hours later without charge.

The Eswatini Communications Commission rejected applications for short-term community broadcasting licences from the Swaziland Community Multimedia Network on behalf of Shiselweni Community Radio and Lubombo Community Radio. It had applied for licences to allow the radio stations to broadcast information which would raise public awareness about COVID-19. The applications were rejected in line with the Broadcasting Guidelines, which stated that two licences could not be issued to one entity, and because there was reduced staff capacity to process applications during the partial lockdown.

The Computer Crime and Cybercrime Bill, which was yet to be brought before Parliament, contained provisions to impose 10-year prison sentences and hefty fines on online news sites journalists deemed to have published "fake news".

ETHIOPIA

Federal Democratic Republic of Ethiopia
Head of state: **Sahle-Work Zewde**
Head of government: **Abiy Ahmed Ali**

Security forces used excessive, and sometimes lethal, force and carried out extrajudicial executions. Hundreds of people were killed and property destroyed in ethnically motivated violence by armed groups and militias. Opposition members and journalists were subjected to arbitrary arrests and detention.

BACKGROUND

Recurrent unrest and violence led to increased political polarization along ethnic lines, and largely prevented the realization of political and human rights reforms initiated in 2018.

The conflict in the Tigray Region, which began on 4 November, pitted the Ethiopian federal government against the Tigray regional government. From the beginning of the conflict, there were armed confrontations between the federal army, supported by the

Amhara Region's special (paramilitary) police units and local militias on one side, and the Tigray special (paramilitary) police units and local militias on the other.

EXTRAJUDICIAL EXECUTIONS

Security forces responded to protests and civil unrest with excessive and, at times, lethal force. Between 9 and 11 August, they killed at least 16 people, including two bystanders, during protests in Wolaita zone in the Southern Nations, Nationalities and People's Region (SNNPR). Demonstrators, who had taken to the streets to protest at the arrests of over 20 Wolaita zone administration officials, community leaders and activists in the area, were shot at and beaten by security forces.[1]

FREEDOMS OF EXPRESSION AND ASSEMBLY

In January, the government adopted a new anti-terrorism law. Although it contained some provisions which could better protect the rights of those detained or prosecuted for alleged terrorism offences, other provisions restricted the right to freedom of expression. The Hate Speech and Disinformation Proclamation, adopted by the Federal Parliament in March, criminalized people for exercising their right to freedom of expression.

Security forces used violence to repress the right to freedom of assembly.

On 15 February, Liyu police raided an inauguration event by the Oromo Liberation Front (OLF) opposition party at its office in Welenchiti town in Oromia region. They fired live ammunition and tear gas at participants, killed one OLF supporter and beat others. They shot holes into the tyres of the Oromia News Network crew's van, later confiscating their equipment.

Later that day, Liyu police violently dispersed OLF supporters from a launch party at a hotel in Burayu town, killing one person and injuring scores more. They forced around 30 of them into a police van and drove them to the Burayu stadium, where they beat them again and forced them to do laps around the stadium on their knees.[2]

ARBITRARY ARRESTS AND DETENTIONS

The authorities subjected opposition politicians and journalists to prolonged pre-trial detention without charge, many of them for several months. Although courts increasingly asserted their independence in granting bail to some opposition politicians, police frequently defied these orders.

In January, police arrested at least 75 OLF supporters in Oromia Region. Most of them were held without charge and not brought before a judge for several months. They included Chaltu Takele, a prominent political activist, who was released in February but re-arrested in early July and accused of organizing the violence which followed the killing of Oromo musician Hachalu Hundessa (see below, Unlawful killings). She was released on bail in August on charges of organizing violence.

In February, security officers arrested five senior OLF members and four supporters in the capital, Addis Ababa. Eight of them were released within 24 hours.

Two Oromia News Network journalists and three OLF officials were arrested by police in March and charged in connection with photographing the Burayu police station, and traffic offences. Although the Prosecutor later dropped the charges on grounds that the allegations did not relate to criminal acts, the police continued to detain them, claiming that their identity documents were irregular. Four of them were released in May without charge, but one of them, Batir Fille, remained in detention in Yabelo without charge at the end of the year.

UNFAIR TRIALS

In October, the government tabled the draft Criminal Procedure and Evidence Code to replace the 1962 Criminal Procedure Code. It was intended to address long-standing fair trial concerns, but contained some provisions which did not meet international fair trial standards.

UNLAWFUL KILLINGS

Hundreds of people were killed in widespread ethnic violence and attacks by armed groups.

Between 30 June and 1 July, 166 people were killed in violence which erupted in the Oromia Region after the killing of Hachalu Hundessa, a popular Oromo musician, on 29 June. His killing sparked mass protests and violence in Addis Ababa and various areas of Oromia, Harar and Dire Dawa. Organized youth targeted ethnic and religious minorities, including Orthodox Christians, at least 40 of whom were killed in various towns in the region and their properties set alight. In several Oromia cities, protesters clashed with security forces, who used live ammunition to disperse them, resulting in over 100 deaths. Federal Police officials said that at least 10 people, including two police officers, were also killed in grenade attacks and shootings in Addis Ababa on 30 June. Around 5,000 people, including opposition party leaders suspected of involvement in the unlawful killings and destruction of property, were arrested. In September, the Attorney General Office brought terrorism charges against opposition party leaders Jawar Mohammed, Bekele Gerba and Eskinder Nega. In October, four people suspected of being responsible for Hachalu Hundessa's killing were arrested and charged with terrorism and homicide.

In September, armed groups which, according to regional police, belonged to the Benishangul People's Liberation Front, carried out a series of attacks on ethnic Amhara and Agew residents in Metekel zone in the Benishangul-Gumuz Region, killing at least 45 people and displacing thousands.

Between 18 and 21 October, at least 31 ethnic Amhara residents from the Guraferda district in the SNNPR were killed by armed assailants, and around 1,500 of them were displaced.[3]

On 9 November, local militias and youth stabbed and hacked to death scores, and likely hundreds, of ethnic Amhara residents in Mai-Kadra in the western part of the Tigray Region.[4] Witnesses reported that they saw dead bodies with gaping wounds that appeared to have been inflicted by weapons such as knives and machetes. Survivors of the attack also reported that local youth and security officers loyal to the Tigray regional government had carried out the attack.

FORCED EVICTIONS

In mid-February, the Addis Ababa municipal authorities demolished dozens of homes, making at least 1,000 people homeless, during the COVID-19 pandemic. The inhabitants said they had built their homes on land they bought in 2007, but the authorities insisted the families were squatters who had not purchased the land from the Addis Ababa municipality. The families were not given prior notice of, or consulted about, the evictions. Most of them relied on the informal economy to make a living and had lost their livelihoods due to COVID-19 measures which limited employment opportunities.

Following the demolitions, the residents tried to build temporary shelters from canvas and tarpaulin, but on 14 April these were also pulled down by the authorities and the materials confiscated by the police. As a result, the families were forced to sleep in the open during periods of heavy rain.

RIGHT TO TRUTH, JUSTICE AND REPARATION

The authorities provided no information as to what measures they had taken to locate and rescue 17 Amhara students abducted in November 2019 from Dembi Dolo University in western Oromia by unidentified people. Their whereabouts remained unknown at the end of the year.[5]

The government took some steps towards ensuring accountability for atrocities and grave human rights violations carried out since 1991, including extrajudicial executions, torture and other ill-treatment, and mass and arbitrary arrests. These measures offered little hope that victims would see justice for crimes, including killings, torture and other ill-treatment, and excessive use of force, carried out by security

forces, including the Ethiopian National Defence Force, the Federal Police and regional police special force units.

1. Ethiopia: Stop the use of deadly force on protesters (Press release, 14 August)
2. Ethiopia: Vendor killed, musician injured after police attack opposition supporters in Oromia (Press release, 17 February)
3. Ethiopia: Authorities ban protests as "illegal and unnecessary" (Press release, 27 October)
4. Ethiopia: Investigation reveals evidence that scores of civilians were killed in massacre in Tigray state (Press release, 12 November)
5. Ethiopia: Parents fear for missing Amhara students as universities close over COVID-19 (Press release, 25 March)

FIJI

Republic of Fiji
Head of state: **Jioji Konrote**
Head of government: **Josaia Vorenqe 'Frank' Bainimarama**

The authorities continued to stifle criticism and restrict the right to freedom of expression. New allegations of torture and other ill-treatment by the security forces surfaced throughout the year. Some cases resulted in disciplinary actions and charges against officers involved. Women and girls continued to experience high rates of gender-based violence. Fiji's response to the COVID-19 pandemic failed to protect or offer targeted financial support to women and those working in informal sectors, increasing the risks of poverty and financial hardship for already marginalized individuals.

BACKGROUND

The adoption of Fiji's UPR outcome in March exposed gaps in human rights protection, including the need to pass a comprehensive anti-discrimination law, protect the right to freedom of expression, and take further action to address gender inequality.[1] Fiji continued to be particularly vulnerable to adverse impacts of climate change, including rising sea-levels.

FREEDOM OF EXPRESSION AND PEACEFUL ASSEMBLY

Fiji reported its first COVID-19 cases in late March and suppressed the spread of the virus by relying on restrictions on free movement and public gatherings, enforced by arrests and hefty fines.[2]

Authorities threatened to charge protesters at the University of the South Pacific after the Vice Chancellor was suspended for exposing corruption and misuse of funds.[3] He was later reinstated by the regional university's executive council.

In June, trade union leader Felix Anthony was charged and appeared in court under the Public Order Act for statements made in support of workers' rights.

TORTURE AND OTHER ILL-TREATMENT

In January, Fiji notified the UN of its decision to withdraw the reservation made upon ratification of the Convention Against Torture in respect to the definition of torture. Reservations remained in place in relation to recognizing the right to compensation and the Committee Against Torture receiving complaints. Widespread immunities continued to exist under national laws.

In June, four police officers were charged with causing grievous bodily harm for allegedly throwing a man off a bridge in Tailevu in April, with a fifth officer charged for interference with witnesses.

Four former prison officers claimed in May that the Prisons Commissioner directed or ordered the torture and other ill-treatment of prisoners, including beatings, sleep deprivation and isolation. There was no investigation into these allegations by year's end.

VIOLENCE AGAINST WOMEN AND GIRLS

Women and girls continue to experience high rates of gender-based violence. The authorities failed to take such crimes seriously.

A former national team rugby player convicted for rape and sentenced to eight years in prison in October 2019 was granted

permission to participate in rugby training in July while serving his sentence. Women's rights organizations condemned the lack of accountability and transparency and called for an independent investigation.

1. Fiji: Address gaps in human rights protection before next review (ASA 18/1993/2020)
2. Pacific countries must not use COVID-19 to regress on human rights (ASA 05/2144/2020)
3. Fiji: Stop harassing peaceful protesters at the University of the South Pacific (ASA 18/2551/2020)

FINLAND

Republic of Finland
Head of state: **Sauli Niinistö**
Head of government: **Sanna Marin**

Refugee family reunification remained difficult due to legislative and practical obstacles. Intimate partner violence against women increased during the COVID-19 pandemic. Many social security benefits remained inadequate.

REFUGEES AND ASYLUM-SEEKERS

In March, the Non-Discrimination Ombudsman published a family reunification study on children who were granted international protection. In almost half of the 66 cases, the justifications for denying reunification were severely restrictive and the process, and outcomes, put children's rights at risk. Legislative and practical obstacles, including high income requirements, continued to impede family reunification.

Finland continued to detain some unaccompanied children, and families with children, based on their immigration status. Legal changes introduced in 2016 and 2019 continued to place asylum-seekers at risk of *refoulement* (return to a country where there is real risk of persecution).

EXCESSIVE USE OF FORCE

In February, the Supreme Court upheld the conviction of a police officer for excessive use of force. The officer had used a Taser unannounced on a man who refused to lie down in 2015. Also in February, a district court convicted a police officer for the violation of official duties in 2018 when using a Taser on an intoxicated woman. In September, a police officer was convicted of aggravated assault and breaching official duties for using excessive force on a handcuffed man, who had to be resuscitated, in police detention in 2019.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

In February, a working group published its proposal to reform legislation to increase the protection of the rights of those seeking legal gender recognition.

VIOLENCE AGAINST WOMEN AND GIRLS

In February, June and December, new Sexual Assault Support Centres opened in Oulu, Pori and Rovaniemi.

In July, a working group published its recommendations aimed at aligning rape legislation with international standards.

Between January and June, under COVID-19 restrictions, reports of intimate partner violence against women and the number of individuals seeking support increased significantly.

In October, a government programme combatting violence against women was launched.

RIGHT TO PRIVACY

In June, the Intelligence Ombudsman submitted its first annual report. It noted that public oversight of the use of surveillance was complicated due to the lack of detail in the applications presented to the court as well as in the surveillance decisions made by the authorities.

CONSCIENTIOUS OBJECTORS

By the end of the year, 33 conscientious objectors who had been acquitted by the courts had refused non-military service for the second time. At least 19 of them were subsequently convicted and given custodial

sentences of up to nearly six months which, in most cases, meant electronic monitoring. The length of the civilian alternative to military service remained punitive and discriminatory, at more than double the shortest period of military service.

RIGHT TO SOCIAL SECURITY

Many social security benefits remained below that required by the European Social Charter, despite minor improvements to some provision levels. In March and September, due to the COVID-19 pandemic, some further improvements to social security coverage and benefit levels were made, but only on a temporary basis.

INDIGENOUS SÁMI PEOPLE

Finland still failed to ratify International Labour Organization (ILO) Convention 169, which would improve the monitoring of the rights of the Indigenous Sámi people.

FRANCE

French Republic
Head of state: **Emmanuel Macron**
Head of government: **Jean Castex (replaced Edouard Philippe in July)**

The government's response to COVID-19 raised human rights concerns, including in relation to excessive use of force by police, the right to peaceful assembly and the rights of migrants and asylum-seekers. Human rights defenders continued to face harassment and prosecutions. Following the murder of Samuel Paty, the government introduced counter-terror measures that violated human rights. Thousands of people continued to be prosecuted for the vague offence of contempt of public officials. Racist comments by law-enforcement officials were reported. Arms sales to Saudi Arabia and the United Arab Emirates continued. There remained no measures to monitor compliance with corporate accountability legislation. The government's response to tackling climate change was inadequate.

BACKGROUND

To combat the pandemic, on 17 March, the authorities introduced measures severely restricting human rights, including the rights to freedom of movement and to peaceful assembly. Some were eased on 11 May, but on 29 October new lockdown measures were passed in view of the steep increase in COVID-19 cases. On 15 December the authorities imposed a national curfew between 8pm and 6am.

EXCESSIVE USE OF FORCE

Cases of excessive use of force were reported throughout the year. In January, Cédric Chouviat died after a police road stop when officers subjected him to a chokehold. After his death, the Minister of Interior announced a ban on chokeholds but reversed his decision a few days later.

Enforcement of COVID-19 measures further revealed the recurrent unlawful use of force by police, particularly in deprived urban areas with a high proportion of ethnic minority residents. Amnesty International verified at least 15 such incidents between March and April in 15 cities. In some cases, police officers also made racist and homophobic remarks.[1]

In September, the Ministry of Interior made public a new strategy for policing assemblies. Rather than prioritizing dialogue and de-escalation practices, the strategy remained focused on the use of force, including the use of dangerous weapons and techniques.

There remained no independent mechanism to investigate cases of unlawful use of force. Very few law enforcement officials were prosecuted in relation to allegations of unlawful use of force during protests in 2018 and 2019. In one such case in June, a police officer was fined for firing a rubber bullet in the face of a protester during a demonstration in 2018.

In November, the National Assembly adopted a law that criminalizes the circulation of images of law enforcement

officials that are deemed to threaten their "physical and psychological integrity", thereby hampering accountability for excessive use of force. The law was pending before the Senate at the end of the year.

HUMAN RIGHTS DEFENDERS

In June, the authorities decided to prosecute three police officers, one of whom had assaulted a British human rights defender, Tom Ciotkowski, while he was documenting police abuse against refugees in Calais in 2018.[2] Courts also eventually acquitted three defenders – Pierre Alain Mannoni, Cédric Herrou and Martine Landry – who had been prosecuted for helping and hosting asylum-seekers.[3]

The government reiterated its intention to make the protection of human rights defenders abroad one of its foreign policy priorities, particularly ahead of the election of France to the UN Human Rights Council. However, no concrete measures were taken during the year and in France during lockdown, human rights defenders providing humanitarian aid to refugees and migrants continued to face harassment and intimidation in Calais and Grande-Synthe. In September, the Prefect of Pas-de-Calais, prompted by the Interior Minister, issued an order prohibiting the distribution of food and beverages to migrants and asylum-seekers in a large area of Calais.

STATE OVERREACH

In June, the government introduced a bill to extend the administrative control measures set out in the law on internal security and counter-terrorism, set to expire at the end of the year. In December, Parliament approved the extension of the measures until 31 July 2021.

In October, Kamel Daoudi, a man who had been subject to control measures since 2008, was sentenced to one year's imprisonment because he had missed a curfew.

In October and November, following the murder of Samuel Paty, a teacher who showed cartoons of the Prophet Mohammed to his pupils, the government adopted counter-terror measures that raised human rights concerns. In particular, the government dissolved several organizations and expelled at least 66 foreign nationals without duly assessing the real risk of torture that they would face in their countries of origin.[4]

FREEDOM OF EXPRESSION

In June, the European Court of Human Rights ruled that the conviction of 11 activists for their involvement in a campaign calling for a boycott of Israeli products (the Boycott, Divestment, Sanctions (BDS) campaign) violated their right to freedom of expression. Since 2010, the authorities have specifically instructed prosecutors to use anti-discrimination laws to silence peaceful BDS campaigners.

Thousands of people continued to be prosecuted and convicted for the vague criminal offence of contempt of public officials. In October, following the murder of Samuel Paty, the authorities launched dozens of investigations for the similarly vague offence of "apology for terrorism".

FREEDOM OF ASSEMBLY

On 11 May, the government imposed a blanket ban on demonstrations to protect public health. On 13 June, the Council of State overturned the ban. Nevertheless, hundreds of protesters were fined for participating in public assemblies between 11 May and the end of August.[5] Protesters also continued to be arrested and prosecuted on the basis of vaguely formulated criminal offences such as contempt of public officials, failure to comply with notification requirements and participating in a group with a view to preparing violent acts.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

The COVID-19 pandemic resulted in further barriers for people on the move in accessing social and economic rights, particularly for those living in informal settlements in Paris and northern France. The government

suspended the processing of all asylum applications during lockdown.

In the capital, Paris and northern France, migrants and refugees living in informal settlements continued to be regularly forcibly evicted, including during lockdown, without alternative shelters and access to health care. In Calais, law enforcement officials regularly subjected migrants and refugees to harassment and excessive use of force.

Border police continued to push back migrants and asylum-seekers to Italy; and migrants continued to face administrative detention, without consideration for the protection of their health during the pandemic. Unaccompanied minors continued to suffer barriers in accessing welfare provisions and to be pushed back to Italy.

In July, the Council of State ruled that the returning of a woman and her child to Italy without registering and examining their asylum applications violated her right to seek and enjoy asylum.

France and the UK failed to put in place mechanisms for sharing the responsibility for providing a place of safety for thousands of people who tried to cross the English Channel in small boats.

DISCRIMINATION

Sexual and reproductive rights

At year's end, the Senate was still debating the bill on bioethics that the government had introduced to Parliament in 2019. If passed, the law would provide access to medically assisted procreation to all women, regardless of their sexual orientation or marital status.

Hate crimes

NGOs reported that Roma living in two informal settlements near Paris suffered at least five arson attacks in May. One informal settlement was targeted four times with Molotov cocktails that burned down most of the makeshift houses.

Racism

Media reported racist comments and behaviours by law enforcement officials on social media. The then Minister of Interior condemned such behaviour and called for zero-tolerance concerning racism inside the police.

IRRESPONSIBLE ARMS TRANSFERS

The government continued to sell arms to Saudi Arabia and the United Arab Emirates despite the high likelihood that these arms would be used to commit human rights violations in the conflict in Yemen. The government failed to provide detailed, comprehensive and up-to-date information on arms transfers authorized by the Prime Minister. On 8 August, Lebanese security forces used weapons acquired from France to police protests that left more than 230 people injured (see Lebanon entry).

CORPORATE ACCOUNTABILITY

Many companies still failed to comply with the 2017 French duty of vigilance law requiring companies to conduct human rights due diligence, with only 72 companies of nearly 200 publishing plans on how they intended to respect human rights in their value chains. The authorities again failed to propose measures to ensure a system to monitor compliance with this legislation.

FAILURE TO PREVENT CLIMATE CHANGE

The government failed to meet its obligation to adequately tackle the climate emergency. In April, the government's revised national strategy raised the permitted level of greenhouse gas emissions compared to the previous year. In July, the High Council for the Climate, an independent authority, considered that the government's action to tackle the climate emergency was inadequate. Moreover, the government granted financial aid to the most polluting sectors of the economy as part of a COVID-19 business recovery plan.

1. Europe: Policing the pandemic: Human rights violations in the enforcement of COVID-19 measures in Europe (EUR 01/2511/2020)
2. France: Prosecution of police who assaulted Calais camp volunteer sends message against impunity (Press release, 11 June)

3. France: Acquittal of farmer who helped asylum-seekers shows that solidarity is not a crime (News story, 13 May)
4. France: Counter-terror measures following the murder of Samuel Paty raise human rights concerns (EUR 21/3281/2020)
5. France: Thousands of protesters wrongly punished under draconian laws in pre and post COVID-19 crackdown (News story, 28 September)

GEORGIA

Georgia
Head of state: Salome Zurabishvili
Head of government: Giorgi Gakharia

Labour safety standards were not effectively enforced causing high levels of injuries and fatalities at work and prompting strengthening of labour rights legislation. Electoral rules were changed to ensure greater representation of women in Parliament. Authorities continued to use disproportionate and indiscriminate force against largely peaceful protesters. Concerns remained over politically motivated prosecutions. Russia and the breakaway territories of Abkhazia and South Ossetia/Tskhinvali Region continued to restrict freedom of movement with the rest of Georgia. New torture allegations and a related death sparked widespread protests in South Ossetia/Tskhinvali Region.

BACKGROUND

A state of emergency was declared in March in response to the COVID-19 pandemic, including partial lockdown measures and restrictions among other things on international and domestic travel. A nationwide ban on public gatherings was in force until late April. The restrictive measures were lifted in June, although physical distancing rules remained in place.

Thousands were affected by COVID-19 restrictive measures which negatively impacted the economy, leading to increased unemployment and the closure of many businesses. The government's COVID-19 anti-crisis plan, announced in April, introduced measures to support the most economically vulnerable groups, including the unemployed, less well-off families, people with disabilities and pensioners. It also covered water, gas and electricity bills for some domestic consumers. Despite these measures the negative effects of the pandemic remained vast, placing increasing numbers of people at risk of poverty.

Following political battles and protests in 2019, in March a compromise was reached on electoral system reform, which introduced a change to the mixed (proportional-majoritarian) system and a lower electoral threshold for parties. Parliamentary elections in October gave the ruling party – Georgian Dream – a new majority required to form the government. The opposition political parties did not recognize the election result and claimed election fraud, with the majority refusing to take up their parliamentary mandates.

The breakaway regions of Abkhazia and South Ossetia/Tskhinvali Region remained under Russian occupation and overall control, with their de facto authorities continuing to deny access to international monitors.

CORPORATE ACCOUNTABILITY

Against a backdrop of inadequate monitoring and enforcement of health and safety standards in the workplace, dozens of fatal accidents were reported throughout the year, particularly among miners and construction workers.

In October, despite persistent opposition from some business groups, Parliament passed amendments to the Labour Code which strengthened labour rights and brought national legislation more in line with international human rights law and standards. The amendments strengthened the institutional independence of the Labour Department and extended its mandate to inspect labour standards beyond occupational safety. The amendments also regulated work hours, overtime, night work, mandatory weekly rest, internships and breaks during shifts.

DISCRIMINATION

Gender discrimination persisted. The World Economic Forum's 2020 Global Gender Gap Index placed Georgia 74th out of 153 countries, noting women were close to parity with men on educational attainment and health and survival, but there was a significant gap in economic participation and opportunity, and deep disparity in political empowerment.

After years of campaigning by women's rights groups, in July, Parliament introduced electoral gender quotas to increase women's representation in the legislative body. These require all political parties to ensure that at least a quarter of their parliamentarians elected under the proportional system are women, which in the October parliamentary elections led to the election of at least 30 women out of a total of 150.

FREEDOM OF ASSEMBLY

On 8 November, police used water cannons disproportionately and indiscriminately against largely peaceful pro-opposition demonstrators after several individuals tried to enter the building of the Central Election Commission. The demonstrators were protesting against alleged fraud during the parliamentary elections.

UNFAIR TRIALS

Local civil society organizations continued to raise concerns over politically motivated prosecutions.

In October, two cartographers who had been working on delimiting the border between Georgia and Azerbaijan were detained and charged with violating the country's territorial integrity. Prosecutors claimed they used the wrong map and put Georgia at risk of surrendering parts of its territory to Azerbaijan. Local civil society groups claimed the case was trumped-up and aimed to inflict political damage on the present-day opposition which was in power during the delimitation negotiations.

FREEDOM OF MOVEMENT

In November, the de facto authorities in Abkhazia opened a crossing point with the rest of Georgia for pensioners from Abkhazia who have Georgian citizenship and receive their pensions in Georgian-controlled territory. However, Russian forces and the de facto authorities in Abkhazia and South Ossetia/Tskhinvali Region continued to install physical barriers and restrict movement across the division line with the rest of Georgia and detain and fine residents for "illegal border crossings".

In July, local resident Zaza Gakheldze was detained near an unmarked stretch of the division line with South Ossetia/Tskhinvali Region and accused of "illegally crossing the border" and allegedly firing on "border guards", which are crimes punishable by up to 20 years in prison. By the end of the year he remained in Tskhinvali detention centre pending trial.

Right to health

Crossing points shut in 2019 in the South Ossetia/Tskhinvali region remained closed. Georgian authorities and independent sources inside South Ossetia/Tskhinvali Region reported that at least 10 residents of Akhalgori died after they were refused permission for medical transfer to the rest of Georgia.

TORTURE AND OTHER ILL-TREATMENT

Torture and other ill-treatment remained widespread in the breakaway South Ossetia/Tskhinvali Region, with three cases including one death reported in August. Inal Dzhabiev and Nikolai Tskhovrebov were allegedly severely beaten following detention on 23 August. Inal Dzhabiev died of his injuries while Nikolai Tskhovrebov was paralyzed with a spinal injury. Photos of their injuries circulated on social media, together with those of a third man, Gennady Kulaev, detained on 24 August. The cases caused a major public outcry, resulting in the dismissal of the entire de facto government and the arrest of eight police officers. By the end of

the year the cases against the police officers were pending trial.

GERMANY

Federal Republic of Germany
Head of state: **Frank-Walter Steinmeier**
Head of government: **Angela Merkel**

Revelations of right-wing extremist activities among police and security forces raised concerns about the protection of minorities' human rights. The authorities were urged by the European Commission against Racism and Intolerance to investigate police racial profiling. The authorities failed to develop a comprehensive strategy against hate crimes. Calls to the nationwide "Violence against women" helpline rose sharply during the restrictions to prevent the spread of COVID-19. In a landmark court ruling it was stated that the Federal Intelligence Service's obligation to comply with the human rights enshrined in the Constitution includes extraterritorial activity. Germany remained one of the few EU countries to accept asylum-seekers for relocation.

BACKGROUND

In February, a man in Hanau shot and killed nine people of foreign descent in two shisha bars before killing his mother and himself at home. Before the attack, the man published a racist and anti-Semitic manifesto online. The Federal Prosecutor General took up the case and treated it as a terrorist attack.

DISCRIMINATION

In March, following the Hanau attack, the government set up a Cabinet Committee against Racism and Right-wing Extremism. In September, the Committee carried out expert hearings, attended by representatives of migrant organizations and academics.

Civil society organizations continued to report discriminatory identity checks by police of members of ethnic and religious minorities. In March, the European Commission against Racism and Intolerance called for a study on racial profiling by the police. In July, the Federal Minister of the Interior rejected the need for a study, arguing that "discriminatory identity checks were illegal".

Authorities at both federal and state level failed to establish an independent complaints mechanism to investigate discriminatory and unlawful behaviour by police. At the end of the year, police in six federal states were still not required to wear individual identification badges.

In May, the Federal Ministry of the Interior reported that the number of hate crimes committed in 2019 had risen by over 5% to 8,585; anti-Semitic hate crimes had risen by 13%. The authorities at both federal and state level failed to develop a comprehensive strategy against hate crimes which would include obligatory anti-racism training for law enforcement officers.

Throughout the year, investigations were ongoing into a series of more than 100 threatening letters, including death threats, sent between August 2018 and the end of 2020 and addressed to mostly female politicians, lawyers and anti-racism activists. They were mostly signed "National Socialist Underground 2.0", referring to the racist murders committed by the Nationalist Social Underground (NSU) between 2000 and 2007. The addresses were obtained from police databases, raising concern over data breaches and infiltration of the security forces. The Military Counterintelligence Service also investigated more than 500 soldiers suspected of using banned National Socialist symbols and of connections to "far-right" networks that have advocated violence, focusing on the Special Commando Forces.

RIGHT TO TRUTH, JUSTICE AND REPARATION

In April, the first trial addressing torture by Syrian officials started before the Higher Regional Court in Koblenz. Two members of the Syrian General Intelligence Directorate were charged with crimes against humanity, including 58 counts of murder and at least 4,000 cases of torture.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

In May, the Federal Parliament passed a law banning so-called "conversion therapies" that aim at changing or suppressing a person's sexual orientation or gender identity. Although the law was considered to enhance the rights of LGBTI people, it was criticized by NGOs and experts for falling short in some areas, including limiting the ban to people under the age of 18. Concerns were raised that the law allows exemptions for parents who try to "cure" their children if they do not "grossly violate their duty of care".

In September, the federal government presented a draft law to protect infants and children born with variations of sex characteristics from so-called "normalizing treatments". Although the draft addressed human rights violations of intersex people concerning medical procedures, it failed to address compensation for people who underwent unnecessary and irreversible treatment. The draft also failed to introduce further measures to end the pathologization of intersex bodies.

GENDER-BASED VIOLENCE

According to preliminary figures by the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth, requests to the nationwide helpline Violence against women rose by 20% in April when restrictions to prevent the spread of COVID-19 were first implemented and remained at that higher level compared to the first quarter of the year.

RIGHT TO PRIVACY

In May, the Federal Constitutional Court held that monitoring by the Federal Intelligence Service of worldwide internet traffic was a violation of constitutional law. In a landmark decision, the Court decided that state authorities, including the Intelligence Service, are bound by the rights enshrined in the Constitution, such as the privacy of communications, regardless of whether the target is a German or a foreign national, and regardless of where the target was based. The provisions for untargeted surveillance in the Act on the Federal Intelligence Service were found to be too vague. Germany's intelligence oversight regime was judged to be inadequate. The Court noted the lack of safeguards for the protection of groups such as journalists and lawyers. The law was due to be revised by the end of 2021.

FREEDOM OF ASSEMBLY

In April, the Federal Constitutional Court ruled that the COVID-19 regulation prohibiting public gatherings of more than two people from different households could not be interpreted as a blanket ban on protests. Instead, local authorities had to weigh the health restrictions against the right to freedom of peaceful assembly. Demonstrations could be held if they met public health requirements, including physical distancing.

FREEDOM OF EXPRESSION

In April and June, amendments to the Network Enforcement Act were passed. The law regulates the handling of certain content punishable under the German criminal code by large internet platforms. Although some revisions were largely welcomed as improvements for the protection of users' freedom of expression, some experts raised concerns that users could be reported to the Office of the Federal Criminal Police for creating legitimate content which was wrongly assessed by the platform provider.

REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

In December, Amnesty International and other civil society organizations criticized a decision taken by the Interior Ministers of the federal states to allow individuals convicted of crimes or considered so-called "potential attackers" to be deported to Syria, despite the risks to their right to physical integrity if returned to Syria.

By the end of the year, 1,293 refugees and asylum-seekers from the Greek islands were admitted to Germany. Under the EU

voluntary humanitarian admission scheme of the EU-Turkey statement, 1,178 Syrian refugees arrived, and 216 refugees were resettled under the UNHCR resettlement programme.

CORPORATE ACCOUNTABILITY

The government launched a two-phased monitoring process in 2019 to examine the level of implementation by large German companies of human rights due diligence policies and procedures. In August 2020 the Ministry of Foreign Affairs published the results of the second phase of the monitoring process. The findings indicated that only 13-17% of companies conducted a sufficient level of human rights due diligence. In Germany's National Action Plan on Business and Human Rights adopted in 2016, the government announced that it would consider implementing legislative measures if fewer than 50% of companies conducted sufficient due diligence.

Access to judicial remedies for victims of human rights abuses by or involving German companies abroad remained difficult to obtain.

IRRESPONSIBLE ARMS TRANSFERS

An arms export moratorium on Saudi Arabia was prolonged in March to the end of the year. The moratorium did not cover any other countries involved in the Yemen conflict. The export of German parts and components for joint European arms projects destined to Saudi Arabia remained permitted.

GHANA

Republic of Ghana
Head of state and government: **Nana Addo Dankwa Akufo-Addo**

Over 1,000 prisoners were pardoned and others had their death sentences commuted to life imprisonment. Prisons remained severely overcrowded and conditions were deplorable. Women suffered discrimination and gender-based violence. Lesbian, gay, bisexual, transgender and intersex people continued to face discrimination. Health workers were particularly at risk from COVID-19 infection.

BACKGROUND

In December, the President was re-elected for a second term.

The year was marked by the authorities' restriction of human rights and punitive measures in their response to the COVID-19 pandemic. As a step to control the spread of COVID-19, the government introduced the Imposition of Restrictions Bill, which became law on 21 March and imposed measures notably restricting the rights to freedom of movement and peaceful assembly. Under an Executive Instrument (known as EI 164), adopted in June, anyone not wearing a face mask in public places faced a maximum fine of GHS60,000 (about US$10,000) and/or a prison sentence of between four and 10 years.

WOMEN'S RIGHTS

Discrimination

The President's promise to ensure that the Affirmative Action Bill became law was not realized. The Bill sought to increase women's political participation.

Violence against women

Akua Denteh, a 90-year-old woman, was beaten to death in a mob attack on 23 July in Kafaba, a town in the East Gonja District in the Savannah Region, for alleged witchcraft. Between July and August, the police arrested several suspects alleged to have played a role in the killing. In August, the Minister for Gender, Children and Social Protection pledged to assist women in "witch" camps including by enrolling them onto Livelihood Empowerment Against Poverty programmes. The media reported that another woman, also accused of witchcraft, was attacked and seriously injured on 29 August in the Savannah Region.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

LGBTI people continued to face discrimination. Consensual same-sex sexual relations between men remained criminalized. Religious and political leaders, and the media used hate speech against LGBTI people. This contributed to a climate of fear, hostility and intolerance towards the LGBTI community.

RIGHT TO HEALTH

Health workers

The limited availability of PPE to health workers and inadequate health care facilities due to insufficient investment in the health sector hindered efforts to combat the COVID-19 pandemic. In April, the Greater Accra Regional Hospital in the capital, which was designated as the main care facility for treating COVID-19 patients, had only four dedicated beds. In August, the privately funded Infectious Disease Isolation and Treatment Centre, which had 100 beds, was established at the Ga East Hospital in Accra. According to the Director General of the Ghana Health Service, as of July, about 2,065 health workers had been infected with coronavirus and six had died due to COVID-19 related complications.

Prison conditions

The President pardoned hundreds of prisoners in March and June in a bid to mitigate the dangers to health caused by overcrowding, particularly in light of the risks posed by the COVID-19 pandemic. Those who benefited were 1,555 first-time offenders who had already served half their sentences, as well as 15 seriously ill prisoners and 19 elderly prisoners. Nine death row prisoners had their sentences commuted to life imprisonment, while four prisoners had their life sentences commuted to 20-year terms. Nevertheless, prisons remained chronically overcrowded and conditions were poor. According to the World Prison Brief database, there were 13,333 inmates as of November. Prison Administration statistics showed that inmates were held in 44 prisons with a combined capacity of only 9,945. They were given insufficient, poor quality food and standards of medical care and hygiene were grossly inadequate.

FORCED EVICTIONS

In April, during the lockdown period when the COVID-19 pandemic was at its peak, the Accra Metropolitan Assembly supervised home demolitions in Old Fadama, a slum in Accra. An estimated 1,000 residents were made homeless and therefore also more vulnerable to contracting COVID-19 as the government made no arrangements to provide alternative housing.

ENVIRONMENTAL DEGRADATION

In January, environmental NGOs and activists filed a notice of civil action against the government for violating the constitutional right to life and dignity - which they argued includes the right to a safe and healthy environment - as a result of a proposed mining project in the Atewa Range Forest in the Eastern Region. This followed the government's signing a Memorandum of Understanding with China which would allow the latter access to bauxite in exchange for their financing infrastructure projects such as roads and bridges. According to the complainants, the mining project would have a negative impact on water supply, biodiversity and climate change adaptation. In November, the International Union for the Conservation of Nature passed a resolution urging the government to stop all mining related activities and other destructive activities in the Atewa forest and to establish the forest as a national park to ensure its preservation.

GREECE

Hellenic Republic
Head of state: **Katerina Sakellaropoulou (replaced Prokopis Pavlopoulos in March)**
Head of government: **Kyriakos Mitsotakis**

Austerity measures adopted over the past decade continued to erode the accessibility and affordability of health care. Allegations of torture and other ill-treatment and excessive use of force by police persisted. More pushbacks of refugees and migrants at land and sea were reported. In a historic ruling in October, an Athens court found the extreme far-right Golden Dawn party guilty of running a criminal organization. Moria refugee camp on the island of Lesvos was destroyed by fires.

BACKGROUND

In October, the International Monetary Fund highlighted that the COVID-19 pandemic had interrupted Greece's modest economic recovery, with the GDP contracting by 7.9% in the first six months of the year.

RIGHT TO HEALTH

Research published in April found that austerity measures adopted in the previous 10 years had continued to erode the accessibility and affordability of health care in Greece.[1] As a result, many people found it harder to afford health care and to access the public health system. The retrogressive impact of these measures, which disproportionately impacted the poorest and most marginalized, combined with how they were implemented, violated the right to the enjoyment of the highest attainable standard of health. Many of the challenges faced by health workers, including difficulties due to low numbers of staff, were exacerbated by COVID-19.

TORTURE AND OTHER ILL-TREATMENT

Incidents of ill-treatment and excessive and otherwise unlawful use of force by law enforcement officials continued to be reported. Those targeted included people protesting in solidarity with refugees, those who gathered in public squares as the authorities started easing COVID-19 restrictions, and refugees and migrants.

In May, a court in the capital, Athens, awarded compensation to journalist Manolis Kypreos after it found the Greek state responsible for his serious injury by a police officer who threw a stun grenade at him in 2011. Concerns were raised following the authorities' decision to appeal against the ruling in October and the impact this would have on Manolis Kypreos' right to an effective remedy.

In October, a Mixed Jury Court in Athens started hearing the case against two civilians and four police officers indicted for the death of LGBTI activist Zak Kostopoulos in Athens in September 2018.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Land and sea arrivals declined sharply during the year, with 15,669 arrivals recorded as of 31 December, compared to 74,613 in 2019.

While the government claimed the reduced arrivals as the result of their policies, population numbers were also impacted by COVID-19 and the tougher approach to border control, in numerous instances accompanied by reports of pushbacks and violence.

In May, amendments to the asylum and migration laws further reduced procedural and substantive safeguards for individuals. The changes expanded the use of detention in asylum and return procedures and provided for the creation of new facilities, with a controlled entry/exit system intended to replace open camps.

Despite the formal implementation in April of a new system to ensure asylum-seekers' access to public health care, individuals continued to face difficulties.

Pushbacks

Following Turkey's announcement on 27 February that it would no longer prevent asylum-seekers and migrants from crossing

into the EU, tens of thousands of people tried to cross Greece's land borders in the Evros region. Greece reacted by sending in border forces that used tear gas, water cannons and plastic bullets against those attempting to cross. Testimonies described a series of abuses by Greek border forces, including excessive use of force, beatings, use of live ammunition, unlawful detention and systematic pushbacks into Turkey, leading to the deaths of at least two men and the disappearance of one woman. These practices were consistently denied by Greek authorities.

Among the measures taken to address the situation at its borders, on 2 March, Greece suspended asylum applications for one month and most refugees and migrants arriving by sea were held arbitrarily. [2]

In the same month, the EU Commission praised Greece as Europe's "shield" and mobilized additional funds to support its migration system; additional assets were deployed by the EU Border and Coast Guard (FRONTEX).

Numerous incidents of pushbacks and dangerous practices at sea against refugees and migrants, allegedly by Greek security forces, were also reported by NGOs and other actors.

Following allegations, internal inquiries were launched into FRONTEX's involvement in pushbacks in the Aegean Sea.

Situation on the Aegean islands

Despite reduced arrivals, overcrowding levels in the five EU-sponsored hotspots on the Aegean islands reached a peak around March. At that time, Moria refugee camp on Lesvos, with capacity for 3,000 people, hosted almost 20,000. Camp residents continued to suffer unsanitary conditions, inadequate medical care, insecurity and violence, including gender-based violence.

Between 8 and 10 September, consecutive fires destroyed Moria camp, leaving its 12,000 or more residents to sleep rough for days on a road cordoned by police, without adequate access to shelter, sanitation and food. By 17 December, 553 unaccompanied minors were relocated to European countries from Greece, including 406 who were removed from Lesvos. Other Moria residents were moved to a new temporary tent camp, where they faced conditions that were criticized by UNHCR, the UN refugee agency, and NGOs. The EU Commission formed a taskforce to manage the situation in Lesvos in co-operation with the Greek authorities.

COVID-19 response in asylum facilities

Responding to COVID-19, Greece restricted the movements of asylum-seekers inside and outside camps. In many facilities, these measures were repeatedly and discriminatorily renewed throughout the year. The overcrowded camps in Lesvos and Samos, among other locations, registered COVID-19 outbreaks and individuals were placed under quarantines. The inadequate living conditions prevented the implementation of quarantines with full respect of people's basic rights.

Situation on mainland

Transfers of asylum-seekers and recognized refugees to the mainland increased, reaching 13,500 as of 30 November.

From June, thousands of people who obtained international protection status were required to leave reception facilities around Greece, following a legislative amendment which reduced accommodation support. Media and NGOs documented that many faced difficulties in accessing basic services on the mainland and were sleeping rough in Athens.

Criminalization of solidarity

In April and September, new rules severely limited NGOs' ability to work on migration and asylum issues. While the criminal proceedings against rescuers Sarah Mardini and Séan Binder remained pending, in October, criminal charges were announced against 33 NGO members and the independent refugee shelter PIKPA was closed and its residents moved to a different facility on Lesvos.

DISCRIMINATION

In a landmark verdict in October, an Athens court found the political leadership of far-right party Golden Dawn guilty of running a criminal organization. Golden Dawn members committed a series of violent crimes, including attacks against refugees, migrants, trade unionists and human rights defenders. Forty-three party members, including 11 former Members of Parliament, were convicted for participating in a criminal organization. Golden Dawn member Giorgos Roupakias was convicted of the murder of anti-fascist singer Pavlos Fyssas in 2013, and 15 other defendants were convicted as accessories. The court convicted five people of the attempted murder of an Egyptian fisherman and four defendants for the attack against trade unionists from the Greek Communist Party

FREEDOM OF ASSEMBLY

In July, NGOs, trade unions and political parties expressed serious concerns over a controversial bill regulating public assemblies. The bill became law on 11 July and included a provision establishing liability for the organizers of an assembly.[3]

CONSCIENTIOUS OBJECTORS

Serious violations of the rights of conscientious objectors continued, including repeated prosecutions, fines and trials in military courts. In October, a 45-year-old conscientious objector whose application for conscientious objector's status had been rejected in 2004 by the Minister of National Defence, was acquitted on procedural grounds by a military court.

Procedures for the examination of applications on conscientious objectors' status were suspended for nearly 15 months before a reformed Committee, tasked to examine such applications, started operating in July. An appeal against a 2019 increase to the length of alternative service before the Supreme Administrative Court was pending at the end of the year.

RIGHT TO EDUCATION

Prison inmate and university student Vasilis Dimakis went on hunger and thirst strike in April and May, protesting that his transfer to Grevena prison and then to an isolation cell in the female ward of Korydallos prison prevented him from continuing his university education. Vasilis Dimakis ended his strike at the end of May. Following pressure from civil society, he was returned to his original cell in Korydallos prison, where he was able to continue his studies.

CRUEL, INHUMAN OR DEGRADING PUNISHMENT

In a report published on 9 April, the European Committee for the Prevention of Torture highlighted systemic failures in Greece's prisons. On the same day, a female prisoner died in Eleonas prison; fellow inmates reported that she had not received adequate medical attention. Prisoners around the country told the Initiative for Detainees' Rights that they were not provided with personal protective equipment against COVID-19.

1. Greece: COVID-19 crisis exposes urgent need to bolster austerity-ravaged health system (News story 27 April)
2. Europe: Caught in a political game: asylum-seekers and migrants on the Greece/Turkey border pay the price for Europe's failures (EUR 01/2077/2020)
3. Greece: Blanket ban on public assemblies must be urgently revoked (EUR 25/3346/2020)

GUATEMALA

Republic of Guatemala
Head of state and government: **Alejandro Giammattei Falla (replaced Jimmy Morales Cabrera in January)**

Thousands of people were detained for breaching the curfew ordered in March by the government to contain the spread of COVID-19. Health workers faced difficult working conditions during the pandemic, often lacking personal protective equipment and in some cases work contracts or wages.

Attacks on human rights defenders increased and Congress passed a law that threatens the right to defend human rights.

FREEDOM OF MOVEMENT

In response to the COVID-19 pandemic, on 4 March the government declared a "state of calamity", followed on 16 March by border closures and a mandatory curfew. According to the authorities, more than 40,000 people were detained for curfew violations during the first six months this was in force. The media reported that people with no choice but to keep working in the informal economy were detained. A possible extrajudicial execution at the hands of the police in the capital, Guatemala City, was also reported during curfew on 17 June.

RIGHT TO HEALTH – HEALTH WORKERS

Health workers worked under precarious conditions during the pandemic, and repeatedly reported the lack of personal protective equipment in hospitals. In early May, a group of doctors from the temporary hospital set up in Guatemala City's Parque de la Industria to care for patients with COVID-19 reported that they had been working without a contract or pay since the beginning of the pandemic.

RIGHT TO FOOD AND WATER

The lockdown measures exacerbated the precarious economic situation of many households in Guatemala, which already had one of the highest rates of chronic child malnutrition in the region. White flags were placed in windows of people's homes as a sign that they had no food and people stood in long lines to receive food from solidarity initiatives such as the Community Pot in Guatemala City. The Ombudsperson and the media reported that several neighbourhoods and communities did not have access to water, preventing people from adopting adequate hygiene practices during the COVID-19 pandemic. The devastating impact of hurricanes Iota and Eta, which affected more than two million people in November, led to fears of a worsening of the food and sanitary crises.

MIGRANTS' RIGHTS

As of November, more than 41,000 Guatemalans who had fled violence, poverty and inequality were returned to Guatemala from Mexico and the USA. The first temporary shelters set up to receive returnees and test them for COVID-19 did not always meet the minimum requirements for housing people.

HUMAN RIGHTS DEFENDERS

According to the Unit for the Protection of Human Rights Defenders in Guatemala (UDEFEGUA), a local human rights organization, attacks against human rights defenders increased in 2020 compared to previous years, with a total of 1,004 attacks recorded as of 15 December. Those who defend land, territory and the environment were particularly at risk.

This group, women defending sexual and reproductive rights and those fighting impunity and corruption were also the targets of unfounded criminal complaints and proceedings, as part of the misuse of the criminal justice system to harass and punish them for their activities. The Ombudsperson faced several criminal complaints and requests for his removal in reprisal for his activities.

In September, an appeals court increased the prison sentence against prisoner of conscience Bernardo Caal Xol, who had been deprived of his liberty since January 2018 for defending the rights of Indigenous Peoples affected by the construction of the OXEC hydroelectric dam project.

In general, the vast majority of attacks on human rights defenders remained unpunished. By the end of the year, Guatemala had yet to adopt the public policy for the protection of human rights defenders ordered by the Inter-American Court of Human Rights in 2014.

Despite multiple concerns expressed by UN human rights bodies and international and local organizations, in February Congress

amended the law on NGOs. Decree 4-2020 added conditions for the functioning of NGOs and could lead to their arbitrary closure. However, implementation was halted due to an appeal pending before the Constitutional Court.

EXCESSIVE USE OF FORCE

On 21 November, the National Civil Police used excessive force to repress protests in Guatemala City. They made unnecessary and indiscriminate use of tear gas and water canon against protesters and passers-by and violently arrested dozens of people, including journalists.

IMPUNITY

The future of the fight against impunity in cases of corruption and human rights violations remained at risk. On several occasions, prosecutors, judges and magistrates who had worked on emblematic cases of the fight against impunity were targeted with criminal complaints and intense media smear campaigns also aimed at discrediting them.

This fight against impunity was also at the heart of struggles to select new magistrates for the Supreme Court of Justice and the Courts of Appeals. The process, which had been pending since 2019, was again delayed because of a new corruption scandal and delays in the vote by Congress.

VIOLENCE AGAINST WOMEN AND GIRLS

Despite high levels of gender-based violence against women and girls, organizations denounced the lack of funding to temporary shelters known as Comprehensive Support Centres for Women Survivors of Violence (CAIMUS) and mobilized against the government's intention to close the Presidential Secretariat for Women (SEPREM) and replace it with a lower-ranking commission.

The investigation into the death of 41 girls during a fire at the state-run shelter Virgin of the Assumption Safe House in March 2017 remained pending. None of those accused or suspected of responsibility had been convicted by the end of the year.

GUINEA

Republic of Guinea
Head of state: **Alpha Condé**
Head of government: **Ibrahima Kassory Fofana**

Human rights violations were carried out in the context of controversial constitutional change and disputed presidential election results. Dozens of people were killed by members of defence and security forces during demonstrations, while alleged perpetrators enjoyed impunity. Members of opposition political parties and pro-democracy activists were arbitrarily arrested and detained. The rights to freedom of expression and peaceful assembly were restricted. Prisoners' rights to health were undermined by chronic overcrowding and poor detention conditions.

BACKGROUND

From March, a state of emergency was imposed in response to the COVID-19 pandemic, and measures introduced restricting movement and the right to assembly, among other things.

In March, the National Front for the Defence of the Constitution (FNDC), a coalition of political parties and civil society organizations, organized mass protests against a constitutional reform project that would allow the President to run for a third term, and called for a boycott of the legislative elections and constitutional referendum, both of which were held on 22 March. In April, the Constitutional Court announced that almost 90% had voted for the constitutional reform.

On 24 October, the Independent National Electoral Commission announced that Alpha Condé had won the presidential elections, despite one contender, Cellou Dalein Diallo, having already claimed victory.

UNLAWFUL KILLINGS

The defence and security forces used excessive force against demonstrators. Dozens of people were shot dead and many others suffered bullet wounds or were injured when hit by tear gas canisters.

Between 21 and 22 March, at least 12 people were killed during protests organized by the FNDC.

On 12 May, seven people were killed during demonstrations, some of them violent, in the towns of Manéah, Coyah and Dubréka, in the Kindia region, and in the city of Kamsar in the Boké region. They were demonstrating against the security forces' management of COVID-19 movement restrictions.

In the days following the October presidential election at least 16 people were killed by security forces while protesting at the results. Defence and security forces also committed acts of violence against residents of neighbourhoods perceived as favouring the opposition in Conakry, the capital, killing at least one resident of Wanindara, on 1 December, without reason.

According to the authorities, two policemen were killed in Conakry on 21 October and 30 November respectively, while three gendarmes and a soldier were killed in an attack on a train belonging to the mining company Rusal on 23 October, also in Conakry.

ARBITRARY ARRESTS AND DETENTIONS

Between January and September, dozens of representatives of civil society organizations and political activists were arbitrarily arrested for having opposed the referendum, called for demonstrations and/or denounced human rights violations in the country.

On 6 March, police arrested Ibrahima Diallo, an FNDC leader and co-ordinator of the Tournons la Page/Guinea (TLP/Guinea) pro-democracy movement and Sékou Koundouno, co-ordinator of Le Balai Citoyen, a citizens' movement which promotes democracy, in Conakry. Earlier that day, they had held a press conference, notably to denounce the use, by members of the security forces, of arbitrary arrests. Charges against the two men included "contempt of officers, assault with violence and threat to public order and the safety, integrity and dignity of individuals, through the use of electronic communication." On 15 July, the Conakry Court of Appeal dismissed the case against them on grounds of legal and procedural flaws.

Another FNDC leader and TLP/Guinea member, Oumar Sylla, was arrested on 17 April in Conakry by Research and Intervention Brigade agents. The arrest followed his participation in a radio show in which FNDC members called for demonstrations against constitutional reform. He had also denounced the killings, torture, arbitrary detention and harassment of FNDC members in the city of Nzérékoré. He was charged with the "communication and dissemination of false information", "violence and making death threats". He was released on 27 August, after a judge dismissed all charges against him. However, on 29 September, he was arbitrarily detained again after plain-clothes police officers arrested him at a banned demonstration in Matoto, a municipality in Conakry. He remained in Conakry Central Prison on charges of "participation in a mob that may disturb public order".

On 7 May, Saïkou Yaya Diallo, an FNDC legal officer, was arrested in Conakry, after he participated in a press conference during which he and others isolated in an office someone they believed to be working for the intelligence services allegedly to protect her from other participants. He was charged with "assault, violence, threats and public insults" and detained in Conakry Central Prison despite two court rulings for his release under judicial supervision. He was convicted on November 16 and released on 11 December after he completed his sentence.

On 10 November, the Dixinn District Prosecutor announced that 78 people, including political opposition figures, were brought before a judge in the context of post-election demonstrations and violence and

charged with, among other things, "possession and manufacturing of small arms, criminal conspiracy, and statements inciting violence".

TORTURE AND OTHER ILL TREATMENT

Ibrahima Sow, aged 62, was arrested on 24 October after the attack on a Rusal train (see above, Unlawful killings). According to the authorities, while under arrest, he tested positive for COVID-19 from which he recovered but after "complaining of diabetes" he was taken to hospital where he died. Photographs of his injuries sustained during his detention strongly suggested that he had suffered burns from a hot iron rod or similar object.

FREEDOMS OF ASSEMBLY AND EXPRESSION

National and local authorities undermined the right to freedom of assembly, banning – without giving legitimate reasons – at least seven demonstrations against the constitutional referendum and the President's candidacy for a third term of office. Protests planned for January in the cities of Kissidougou and Nzérékoré were banned to "keep the peace"; in March, demonstrations in Matoto and Matam were prevented because of a forthcoming ECOWAS visit and preparations for International Women's Day. Demonstrations in Matoto during the electoral campaign between September and October were also outlawed.

The right to freedom of expression was also restricted. According to the NGO Access Now, social media transmission was disrupted for a total of 36 hours between 21 and 23 March. On 18 October, the High Authority for Communication suspended the news site Guineematin.com for one month after it broadcast live from polling stations during ballot counts.

IMPUNITY

Despite pledges from the authorities that the killing of any protester would be investigated, there was no official information by the end of the year about developments.

The Justice Minister's 2019 pledge that, following the completion of a judicial investigation in 2017, the trial of alleged perpetrators in the September 2009 massacre in the Conakry Stadium would start by June 2020, remained unrealized. Defence and security forces had killed 157 peaceful demonstrators in the stadium and raped at least 100 women.

RIGHT TO HEALTH

Prison conditions

The health of prisoners was particularly at risk during the COVID-19 pandemic due to chronic overcrowding, and inadequate sanitation and medical care in detention facilities.

The authorities reported that in May, out of 713 prisoners tested at Conakry Central Prison, 68 had positive results for COVID-19. The Ministry of Justice said they were treated in health facilities deployed in the prison. In Kindia Prison there were 30 positive test results among the total population of 352 inmates and 25 prison guards, and the Ministry of Justice reported that the 28 inmates who tested positive were sent to Conakry Central Prison to receive treatment. Conakry Central Prison was the most overcrowded facility in the country, holding 1,500 detainees, but with a capacity for only 300.

HONDURAS

Republic of Honduras
Head of state and government: **Juan Orlando Hernández**

During the COVID-19 pandemic, the security forces used excessive force to implement lockdowns and to police protests. Health workers highlighted the health risks posed by the lack of personal protection equipment (PPE) in hospitals. Honduras remained one of the most lethal countries for human rights defenders.

BACKGROUND

Levels of violence and impunity remained high, as well as poverty and inequality. In November, devastating landslides and floods caused by hurricanes Eta and Lota resulted in at least 94 deaths and affected almost 4 million people, raising serious concerns about the rights to food, water and livelihood of already marginalized groups.

EXCESSIVE USE OF FORCE

The police and the military used excessive force to implement national and local curfews and lockdowns introduced in response to the pandemic and to suppress protests sparked by the lack of state food aid and unemployment. Civil society organizations documented injuries and arbitrary detentions (including of journalists covering protests), and at least one possible extrajudicial execution.

RIGHT TO HEALTH

Health workers

The pandemic worsened the already precarious working conditions of health workers, amid allegations of corruption and complaints about the inadequate management of emergency funds for the purchase of medicines and materials. Health workers repeatedly highlighted the lack of PPE.

In several hospitals, health workers were asked to sign confidentiality agreements prohibiting them from speaking publicly about their concerns.

RIGHTS OF MIGRANTS AND REFUGEES

In January and October, thousands of Hondurans joined the so-called caravans to leave the country and flee violence and poverty. The vast majority were returned or deported to Honduras from Mexico, the USA and Guatemala, often without their rights being guaranteed.

HUMAN RIGHTS DEFENDERS

Human rights defenders, particularly those defending the territory, environment and access to land, continued to face high levels of violence. Most of these attacks remained unpunished.

By the end of the year, the trial of a businessman detained in 2018 and accused of being behind the killing of Indigenous leader Berta Cáceres had not started. The National Council of Popular and Indigenous Organizations of Honduras (COPINH) repeatedly highlighted delays and irregularities in proceedings. There was no progress in the investigation into others believed to be responsible for planning and ordering her killing.

Five men from the Garifuna Triunfo de la Cruz community, including four Black Fraternal Organization of Honduras (OFRANEH) activists, were allegedly forcibly disappeared on 18 July by unidentified individuals wearing police-type clothing. The men's fate and whereabouts remained unknown at the end of the year.

Human rights defenders also continued to face unfounded judicial proceedings to intimidate and harass them and to hinder their human rights work. Among those targeted were members of the Municipal Committee for the Defence of Common and Public Assets (CMDBCP).

In June, a new Penal Code entered into force that contains provisions that are sometimes ambiguous or contrary to the principle of legality and could be arbitrarily interpreted to restrict the exercise of freedom of assembly and association and to reinforce the criminalization of human rights defenders.

GENDER-BASED VIOLENCE

Women and girls faced high levels of gender-based violence. The National University of Honduras' observatory on violence reported 224 femicides between January and December. According to the NGO Women's Peace Movement "Visitación Padilla", more than 65,000 calls about domestic and intra-family violence were registered through the National Emergency System 911 between January and October.

The organization Cattrachas reported at least 19 violent deaths of LGBTI people, as well as high levels of impunity for such crimes.

HUNGARY

Hungary
Head of state: **János Áder**
Head of government: **Viktor Orbán**

Women and transgender people were discriminated against in law and in practice. Asylum-seekers were refused safe entry at borders and were expelled. Changes to laws to contain COVID-19 restricted freedom of expression and peaceful assembly. The government continued to undermine judicial independence and public confidence in the judiciary.

BACKGROUND

In March, Parliament adopted the Bill on Protection against the COVID-19 pandemic. It extended the government's power to rule by decree by absolving it from parliamentary scrutiny, without providing a clear cut-off date. While the bill was replaced in mid-June, the government continued to uphold a set of transitional powers allowing the restrictions of human rights, such as the right to freedom of peaceful assembly, and curtailing access to asylum.

In September, the European Commission published its first rule of law report, noting serious concerns regarding Hungary.

Judicial independence remained at risk of attacks from senior members of the government who contested final judgments in official government communication and in the media, delaying their execution. A gradual erosion of the internal organizational independence of the judiciary was not addressed, continuing to cause fear of retaliation by the executive among judges.[1]

DISCRIMINATION

Lesbian, gay, bisexual, transgender and intersex (LGBTI) people

In May, Parliament prohibited the legal gender recognition of transgender and intersex people, requiring the registration of sex by birth based on biological markers and chromosomes, which cannot be changed at a later stage. This means transgender people can no longer change their sex on official documents and certificates to reflect their gender identity.[2]

In July, the European Court of Human Rights ruled that Hungary had violated the right to respect for private and family life of a transgender man from Iran. He had been recognized as a refugee in Hungary based on persecution for his gender identity, yet the authorities refused to legally recognize his gender and name.

In December, Parliament passed a law denying LGBTI people adoption rights, along with discriminatory amendments to the Constitution specifying that "mother is a female and father is a male", and that Hungary "protects self-identity of the children's sex by birth".[3]

Women

In May, the Curia (the highest court in Hungary) confirmed that the maternity ward in a hospital in the city of Miskolc had discriminated against pregnant Roma women from disadvantaged and low-income backgrounds whose birth companions were required to purchase and wear a "maternity garment" for hygiene reasons. This often resulted in Roma women being forced to give birth without the support of their companions. The court ordered the termination of the practice.

Gender-based discrimination in the workplace and labour market particularly affected pregnant women and women with young children wanting to return to work.[4] The authorities failed to ensure access to effective remedies for unlawful termination of employment.

VIOLENCE AGAINST WOMEN AND GIRLS

In May, Parliament adopted a political declaration calling on the government not to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention), despite initially signing it in 2014.

RIGHT TO EDUCATION

In January, the government launched a co-ordinated communication and media campaign to discredit 63 Roma former elementary school students in the town of Gyöngyöspata who had successfully taken a case to court about segregated and lower quality education. Despite the government's campaign, the Curia confirmed in May that the compensation they had been awarded had to be paid in full without delay.

In March, the UN Committee on the Rights of the Child expressed serious concern about the continuing segregation of Roma children in special education, the increased gap in attainment between Roma and non-Roma children, and the lack of data on Roma children in education.

In September, a new national curriculum, which had been adopted without broad public consultation and despite widespread protests by educational professionals, was rolled out in elementary and secondary schools.

Between September and November, students at the University of Theatre and Film Arts in the capital, Budapest, occupied their school to protest against a government-controlled restructure of ownership and management which they claimed curtailed academic freedom. Several prominent lecturers resigned.

In October, the Court of Justice of the European Union (CJEU) ruled that Hungary had breached EU rules relating to academic freedom, through the 2017 amendments to the Law on higher education, which forced the Central European University out of the country.

FREEDOMS OF EXPRESSION, ASSOCIATION AND ASSEMBLY

A bill adopted in March increased penalties for the crime of "imparting or conveying false information" related to the COVID-19 pandemic and to the government's responses. It instituted the crime of obstructing the enforcement of a quarantine or isolation order.[5]

In mid-June, transitional provisions were adopted, amending applicable rules during a "state of medical emergency", and giving the possibility to government to arbitrarily restrict the rights to freedom of movement and peaceful assembly.

Also in June, the CJEU ruled that restrictions in the Law on the Transparency of Organizations Supported from Abroad, imposed on the financing of civil society organizations by foreign funders, breached EU law.

In July, the editorial team and nearly 100 staff journalists resigned from Index, the country's largest independent online news portal, in response to the dismissal of its editor-in-chief. The editors had publicly announced that their independence was in danger following the takeover of the portal's advertising branch by a media executive with close ties with the government.

RIGHT TO SEEK ASYLUM

The government lost three court cases regarding breaches of international obligations. In April, the CJEU ruled that Hungary had failed to fulfil EU law obligations by refusing to relocate asylum-seekers within the mandatory scheme set up in solidarity with Italy and Greece.

In May, the Court ruled that Hungary's automatic detention of asylum-seekers in border detention centres known as "transit zones" breached EU legislation as the detention measures were disproportionate, exceeded the maximum time limit, and could not be challenged in court. While initially protesting the judgment, the government vacated the transit zones the same month.

In June, new rules introduced severely limited access to asylum. Transitional measures, denounced by UNHCR, the UN refugee agency, removed the possibility for asylum-seekers to submit applications inside Hungary, instead requiring them to first submit a "declaration of intent" at selected embassies outside the country. By the end of the year, only a handful declarations were registered, and one family was granted permission to enter Hungary to submit an application. In October, the European Commission launched an infringement procedure, arguing that the restrictions were unlawful.

Those entering irregularly, mostly from Serbia, were expelled, often collectively. By the end of the year, police pushbacks across the border fence exceeded 30,000, in breach of the obligation to individually assess the risk of *refoulement*, the forcible return of individuals to countries where they risk serious human rights violations. In December, the CJEU ruled that such returns breached EU law

1. Hungary: Fearing the unknown – How rising control is undermining judicial independence in Hungary (EUR 27/2051/2020)
2. Hungary: Government must revoke prohibition of gender legal recognition (EUR 27/2085/2020)
3. Hungary: Hungarian Parliament must reject amendments further undermining the rights of LGBTI people (EUR 27/3353/2020)
4. Hungary: No working around it: Gender-based discrimination in Hungarian workplaces (EUR 27/2378/2020)
5. Hungary: Government must not use extraordinary power to roll back human rights amid COVID-19 emergency (EUR 27/2046/2020)

INDIA

Republic of India
Head of state: **Ram Nath Kovind**
Head of government: **Narendra Modi**

Freedom of expression was guaranteed selectively, and dissent was repressed through unlawful restrictions on peaceful protests and by silencing critics. Human rights defenders, including students, academics, journalists and artists, were arbitrarily arrested, often without charge or trial. Despite a Supreme Court ruling to reduce prison overcrowding to curb the spread of COVID-19, the authorities continued to incarcerate many who were critical of the government. The authorities failed to adequately investigate or punish perpetrators of violence based on caste, sex and gender, and carried out reprisals against those who reported rape and caste-based crimes. There was widespread impunity and lack of accountability for murders and attacks carried out by vigilante mobs and police officers against religious minorities. Swift and extreme restrictions were placed on freedom of movement in response to the pandemic, leaving thousands of migrant workers stranded without adequate food and protection. Some restrictions to curb the pandemic also threatened the right to privacy.

BACKGROUND

In December 2019, the government passed the Citizenship (Amendment) Act (CAA) enabling irregular migrants from Afghanistan, Bangladesh and Pakistan to obtain Indian citizenship, excluding Muslims. The discriminatory nature of the CAA sparked peaceful protests across the country, which were met with arbitrary arrests and detention and widespread demonization of those protesting.

The government's strategy to curb COVID-19 included a punitive lockdown at very short notice, lack of transparency in disbursing relief funds, threats to privacy, and demonization of religious minorities.

ARBITRARY ARRESTS AND DETENTIONS

Seven human rights activists – Father Stan Swamy, Jyoti Raghoba Jagtap, Sagar Tatyaram Gorkhe, Ramesh Murlidhar Gaichor, Hany Babu, Gautam Navlakha and Anand Teltumbde, were arrested by the National Investigation Agency (NIA), India's main counter-terrorism agency, for their alleged involvement in violence during the Bhima Koregaon celebrations near the city of Pune in 2018. Those arrested worked with

marginalized groups, including Adivasi (Indigenous) communities, and had criticized government policies. The government accused them of breaching the Penal Code by "waging war against the country" and having links with the banned Communist Party of India (Maoist).

Many arrested activists were elderly and in poor health. However, they were held in overcrowded prisons where several inmates had either tested positive or died from COVID-19. Varavara Rao, an 80-year-old poet arrested in the Bhima Koregaon case in 2018, tested positive for COVID-19 in July while in prison. Nevertheless, the courts continued to reject the bail pleas of the activists.

At least nine students peacefully protesting against the CAA were arrested and jailed under counter-terrorism and sedition laws. Many other anti-CAA protesters were subjected to intense intimidation and harassment from the police. Meanwhile, the authorities ignored violence and hate speech by the supporters of the CAA against those protesting draconian counter-terrorism laws, including the Unlawful Activities (Prevention) Act and National Security Act. Safoora Zargar, a research scholar who was three months' pregnant at the time, and Umar Khalid, a former student union leader, were among those arrested. Safoora Zargar was later released on bail.

On 26 June, the UN High Commissioner for Human Rights called on India to immediately release human rights defenders who had been arrested for protesting against the CAA. However, the majority remained in detention at the end of the year.

In December, Uttar Pradesh police arbitrarily arrested 10 Muslim men under a law introduced by the Uttar Pradesh Government that targets consensual interfaith marriages, and allegedly tortured them. The legislation, which has been termed the "love jihad" law by right-wing nationalists and leading politicians, had not been approved by the Indian Parliament or the state legislature.

FREEDOMS OF EXPRESSION AND ASSEMBLY

New restrictions were imposed on freedoms of expression and assembly in response to the COVID-19 pandemic. On 24 March, Prime Minister Modi imposed a nationwide lockdown, comprising mandatory 'stay-at-home' quarantine under the Disaster Management Act, a draconian law which gives the government sweeping powers in disaster situations. Breaches of the lockdown resulted in arrests and detentions.

Even before the pandemic, freedom of assembly was restricted, including by burdening civilians with recovering the cost of damages to public property after peaceful protests turned violent.

A year after the government revoked the special status of Jammu and Kashmir and split the state into two union territories, the clampdown on civil liberties and restrictions on communications services continued. Political leaders such as Farooq Abdullah, Omar Abdullah and Mehbooba Mufti, who were administratively detained in 2019, were released in 2020. However, the union government continued to silence those who demanded accountability and imposed a harsh media blackout.

At least 18 journalists in Kashmir were physically attacked by police or summoned to police stations. Dissent was further suppressed when a new media policy was introduced by the Jammu and Kashmir government to create "a sustained narrative on the functioning of the government in media" by checking "anti-national activities".

On 20 October, the Jammu and Kashmir government closed the office of the *Kashmir Times*, without prior notice, after its editor, Anuradha Bhasin, had challenged the communications blockade in the Supreme Court. The NIA also raided the offices and residences of civil society activists including Khurram Parvez and three of his associates, and Parveena Ahanger, who had reported extensively on human rights abuses in Kashmir. The NIA alleged that the activists had raised funds for "carrying out

secessionist and separatist activities" in Jammu and Kashmir.

During the nationwide lockdown imposed after the COVID-19 outbreak, more than 50 journalists were arrested or charged under emergency laws for spreading "misinformation" or "fake news". On 7 April, Uttar Pradesh police lodged a First Information Report (FIR) against journalist Prashant Kanojia for allegedly making "objectionable remarks" about Prime Minister Modi and Chief Minister Yogi Adityanath on social media. Shortly afterwards, the Uttar Pradesh police registered another FIR against The Wire, a daily news website, and its editor Siddharth Varadarajan for reporting that Yogi Adityanath had attended a public religious event after the nationwide lockdown was announced.

On 28 September the government amended the Foreign Contribution (Regulation) Act (FCRA), banning large NGOs from passing to grassroots NGOs funds received from foreign donors. The new amendments also required all FCRA-registered non-profit organizations to limit their administrative expenses to 20% of donations (from the earlier 50%). This amendment was likely to force NGOs to reduce staff, potentially reducing human rights work.

On 30 September, Amnesty International India was forced to halt its operations after the government froze its bank accounts without notice. The organization was forced to lay off all its staff and pause all its campaign and research work. This occurred shortly after Amnesty International India had published briefings demanding accountability for grave human rights violations carried out by the Delhi police and the government during the Delhi riots and in the Jammu and Kashmir region.

More than 160 farmers died after three laws on farming were passed by Parliament in August with minimal consultation. The causes of death included suicides, as well as heart attacks and road accidents during protests. In November, as the farmers marched towards Delhi to protest the laws, the Delhi police indiscriminately used water cannons and fired tear gas shells, injuring protesters.

UNFAIR TRIALS

The courts, particularly the Supreme Court, failed to monitor the government's response to the COVID-19 crisis in a timely manner.

On 13 March, even before the national lockdown was imposed, the Supreme Court declared that the courts – for public health reasons – would function at reduced capacity. Between 23 March and 4 July, the Supreme Court only took up cases of "extreme urgency", barring physical hearings and relying on video conferencing facilities.

No qualifying criteria or definitions were laid down for cases of "extreme urgency", leaving judges with wide discretion, resulting in many significant cases involving grave human rights violations either not being heard or being seriously delayed. On 3 April, the Bombay High Court, while hearing a bail application, maintained that the meaning of the term "urgent" was subjective and did not, for example, apply to those seeking bail while awaiting the outcome of their trial.

The Supreme Court routinely undermined its own impartiality and independence. In August it convicted Prashant Bhushan, a lawyer and human rights defender, under the outdated provisions of criminal contempt laws. Prashant Bhushan had criticized on Twitter the court's functioning since 2014.

UNLAWFUL ATTACKS AND KILLINGS

In February, communal violence broke out in the capital, New Delhi. According to government data, 53 people – mostly Muslims – died in the riots, and more than 500 were injured.

In the build-up to the Legislative Assembly elections in Delhi, held on 8 February, several political leaders made hate speeches against the anti-CAA protesters. On 27 January, referring to the protesters at Shaheen Bagh, the Delhi epicentre of peaceful sits-ins against the CAA, the Union Minister of State for Finance, Anurag Thakur, encouraged the crowd to chant "shoot the traitors of the

nation". On 28 January, Parvesh Verma, member of parliament for the ruling Bharatiya Janata Party (BJP) claimed that the protesters from Shaheen Bagh would enter citizens' homes and "rape your sisters and daughters and kill them". In another speech on the same day, he promised to "not leave even one of [the mosques] standing" after the BJP's election win in Delhi.

These speeches were followed by violence on university campuses against those protesting against the CAA. Hate speeches by political leaders continued after the Delhi elections, followed by widespread violence in the North East district of Delhi.

On 23 February, BJP leader Kapil Mishra called on Twitter for people to rally against a women-led protest in Jaffrabad in North East district of Delhi, urging people to "prevent another Shaheen Bagh". At the rally, he warned the police of dire consequences if the protesters did not vacate the site. Communal violence erupted shortly after his speech.

EXCESSIVE USE OF FORCE

The police used unlawful force and committed various other human rights violations, abusing laws to intimidate people and silence dissent on behalf of the union government.

During the February communal violence in Delhi, members of the Delhi police pelted stones alongside rioters, tortured people in custody, dismantled sites of peaceful protest and stood by as rioters attacked peaceful protesters and destroyed public and private property. No independent investigation was launched into these acts.

As the COVID-19 pandemic unfolded, the discriminatory enforcement of the lockdown restrictions by the police heightened human rights concerns. The majority of those arrested for violating the lockdown guidelines belonged to marginalized communities such as Scheduled Castes, Scheduled Tribes, De-notified Tribes, Muslims or low-income workers. In March, migrant workers who were travelling back home were forced by the Uttar Pradesh police to crawl on the road carrying their belongings, as punishment for breaching the lockdown guidelines. On 18 April in Uttar Pradesh, a Muslim man, Mohammed Rizwan, died in hospital two days after being beaten by police with batons when he went out to buy essential supplies. On 19 June, low-income workers P. Jayaraj and his son J. Bennicks were picked up for questioning by the Thoothukudi police in Tamil Nadu for keeping their small shop open during lockdown. The two men were allegedly tortured to death in police custody.

IMPUNITY

The police continued to carry out unlawful killings – some amounting to extrajudicial executions – with impunity. In July in Kashimr, three young labourers in an apple orchard were unlawfully killed by members of the Indian army. The Armed Forces (Special Powers) Act, which governs the use of force by security personnel in Kashmir, grants virtual immunity to members of the security forces from prosecution for alleged human rights violations. In another extrajudicial execution in July, Vikas Dubey was allegedly killed while being escorted to the city of Kanpur after his arrest by Uttar Pradesh police. Four of his associates were also killed unlawfully by the Uttar Pradesh police. Uttar Pradesh police had earlier claimed in a tweet that since 2017 it had killed 103 "criminals" and injured 1,859 others in 5,178 "police engagements" – a common euphemism used by state actors for alleged extrajudicial executions.

Hate crimes including violence against Dalits, Adivasi (Indigenous) communities and religious minorities were also committed with impunity. In September, a Dalit woman was allegedly raped and murdered by a group of dominant-caste men in Hathras district in Uttar Pradesh, and cremated by the Uttar Pradesh police without her family's consent. The accused men were arrested only after nationwide protests. Later, several FIRs were registered by the Uttar Pradesh police against protesters for criminal conspiracy and sedition.

RIGHT TO HEALTH AND LIVELIHOOD

The handling of the COVID-19 pandemic exposed weaknesses in the public health care system. It also resulted in unsafe and poor working conditions for those who lack adequate social and economic protection, such as community health care workers and religious minorities.

The government accused members of the Muslim Tablighi Jamaat minority of spreading COVID-19, and as a result, health care facilities denied access to Muslims. Instances of hospitals refusing Muslim pregnant women and cancer patients surfaced in April 2020. In the months following the nationwide lockdown of March, social media and WhatsApp groups were flooded with calls for social and economic boycotts of Muslims, alongside fake news stories and other misinformation.

The COVID-19 pandemic overburdened the public health care system, but little protection was provided to front-line health workers in terms of safety equipment and social security such as medical and life insurance. These included people working in the community, such as Accredited Social Health Activist workers and sanitation workers.

The Supreme Court delayed a hearing in a public interest case urgently seeking transport, food and shelter for migrant workers who were left stranded for over a month by the sudden imposition of the lockdown. On 7 April, as many migrant workers were walking to their distant homes in the absence of government-sponsored or public transport, India's Chief Justice, S.A. Bobde, stated while hearing the petition that the Supreme Court "did not want to interfere with the government decisions for the next 10-15 days". At least 200 migrant workers were killed in road accidents while walking long distances home in other districts or states during the lockdown. In May, after intense public pressure, the government began running special trains for stranded migrant workers. However, many died from a lack of food and water on these trains, including a four-year-old child who died of hunger.

During the lockdown, workers in the informal sector – who constitute more than three-quarters of India's workforce – faced enormous difficulties due to rampant job losses. However, many states suspended the legal protections otherwise afforded to workers, such as regulation of working hours, the right to form trade unions, and safe working conditions.

The COVID-19 lockdown resulted in an increase in violence against women, particularly domestic violence. Pregnant women and girls faced further barriers accessing health care, and there was an increased risk of maternal mortality and morbidity.

RIGHT TO PRIVACY

In April, the government launched the mobile app Aarogya Setu, purportedly to speed up contact tracing and ensure timely access to essential health services and public health information. No information was provided on which government bodies would have access to the data collected through the app. Aarogya Setu's code was not open to the public, in violation of the government's own policy. Although the Ministry of Electronics and Information Technology maintained that downloading the app was not mandatory, many government departments and private companies, including the Airport Authority of India, made it mandatory for their staff to install it.

INDONESIA

Republic of Indonesia
Head of state and government: **President Joko Widodo**

Many health workers did not have access to adequate personal protective equipment or COVID-19 tests. The right to freedom of expression was curtailed with the issuance of a directive by the National Police criminalizing criticism of the government's

response to the pandemic. An increasing number of people were imprisoned solely for expressing their opinions or organizing peaceful protests. Unidentified parties digitally intimidated academics, students, activists, human rights defenders, social justice leaders and journalists, trying to silence their critical voices. Several journalists filed police complaints in August; investigations remained pending at year's end. At least 35 prisoners of conscience remained imprisoned. Security forces committed human rights violations against people in Papua and West Papua, largely with impunity. The House of Representatives dropped the Sexual Violence Eradication Bill from its priority list. The LGBTI community remained under threat following misleading statements made by several public officials on grounds of "morality".

BACKGROUND

Indonesia officially recorded 22,138 COVID-19 deaths nationwide (82 per 100,000 population) at year's end, making it the country with the third-highest fatalities rate in Asia. The pandemic and the government's response had significant human rights consequences, particularly with regard to the rights of health workers, the right to information, labour rights and the right to freedom of expression. Indonesia failed to place the protection of human rights at the centre of its prevention, preparedness, containment and health care policies and activities.

RIGHT TO HEALTH

Health workers

At year's end, at least 504 health workers had died either because of COVID-19 or sometimes exhaustion due to long working hours. In March the chairperson of the Indonesian Doctors Association stated that health workers treating COVID-19 patients did not have adequate personal protective equipment (PPE). The slow distribution of PPE, especially in outlying regions, did not keep pace with the continued increase of COVID-19 cases. A doctor from Flores reported in April that doctors needed to wash and iron disposable surgical masks and re-use them since they had run out of stock.[1]

Health workers and their families had difficulties accessing COVID-19 swab tests and had to pay for them.[2] They also experienced discrimination because of their occupation. The chairperson of the Indonesian Nurses Association said people feared that medical workers could transmit the virus. At least 19 health care workers were evicted from and refused entry to their boarding houses in the period from 22 March to 16 April. Unable to find alternative accommodation, some medical workers were forced to stay at the hospital where they worked.

RIGHT TO INFORMATION

In March, following the government's confirmation of the first two COVID-19 cases in the country, the Health Ministry decided against disclosing important data on COVID-19 transmission chains, such as contact tracing and the travel history of suspected cases, claiming that doing so was likely to create widespread panic and an impact on law and order.

Officials acknowledged that government reporting on the virus outbreak was inadequate. In April, the spokesperson for Indonesia's National Disaster Mitigation Agency stated that it was unable to provide accurate data as the Health Ministry's statistics did not match the figures as reported by provincial administrations and that the Ministry's data was incomplete.

The government was not transparent in releasing data relating to the number of health workers infected by COVID-19 and where they worked. The Indonesian Medical Association criticized the government and requested that data regarding COVID-19 patients be made available to the relevant medical authorities in order to facilitate contact tracing and treatment.

WORKERS' RIGHTS

The COVID-19 pandemic had a negative impact on workers' rights, through: termination of employment; threats of wage cuts and holiday allowance cuts by employers in sectors badly affected by the pandemic; and problematic physical distancing and work-from-home policies.

The President announced the need for physical distancing and work-from-home policies on 14 March, but employers in some sectors not classified as essential nevertheless required the physical presence of workers. In some cases, employers threatened to cut workers' wages and/or their annual leave if they did not attend work. Informal workers in delivery services, garment factories and restaurants continued to work during the pandemic. The government failed to hold employers in these sectors accountable when they did not provide handwashing facilities or masks, or impose a physical distancing policy.

In October, the Parliament adopted a new jobs law (Omnibus law) that weakened protection of workers' rights including by removing provisions relating to the maximum time limit of temporary work contracts, amending the minimum wage formula, and increasing the limit on overtime work.[3]

FREEDOM OF EXPRESSION

The authorities cracked down on public criticism of the government's response to the COVID-19 pandemic. On 4 April, National Police Headquarters issued Telegram Letter No. ST/1100/IV/HUK.7.1/2020, instructing the police to monitor cyberspace and to take action against "hoax spreaders" and those who insulted the President and his administration. At least 57 people were arrested on charges of spreading "false news" and insulting the President and his administration.

Unknown parties digitally intimidated academics, students, activists and journalists in attempts to instil fear and silence critical voices. The intimidation took many forms, including threats of physical violence via text messages and, in the case of students holding discussions on politically sensitive topics, intervention by university leadership.

Digital attacks also targeted alternative media groups, including the online feminist newsgroups Magdalene and Konde. The personal information of one of Magdalene's journalists was hacked online and she was harassed by unidentified people who sent her pornographic pictures and demeaning statements about women.[4] Several of those attacked and harassed filed police complaints; investigations remained pending at year's end.

FREEDOMS OF ASSEMBLY AND ASSOCIATION

Prisoners of conscience

The authorities continued to prosecute people participating in peaceful political activities, particularly in regions with a history of pro-independence movements such as Papua and Maluku, using the Criminal Code and its *makar* (rebellion) provisions. At year's end, at least 48 Papuan prisoners of conscience and 10 from Maluku were still imprisoned. They were charged with rebellion even though they had held peaceful protests and did not commit any internationally recognized criminal offence.

On 25 April, the authorities arrested seven activists from the Republic of South Maluku movement for conducting a peaceful "*Benang Raja*" flag-raising ceremony on the 70th anniversary of its founding. On 23 March, the military instructed every household in Maluku to raise Indonesia's national flag.

In September 2019, seven Papuans who had been arrested in Jayapura for joining peaceful anti-racism protests in support of Papuan university students in Surabaya, East Java, were eventually released from jail in Balikpapan, where they had been moved for security reasons. On 17 June, judges at the Balikpapan District Court, East Kalimantan, convicted and sentenced them to between 10 and 11 months' imprisonment for their involvement in anti-racism protests. When they had completed their sentences including

time served, they were refused normal financial assistance from the authorities as the Attorney General's Office claimed it had no money to pay for their return to Papua.

HUMAN RIGHTS DEFENDERS

Human rights defenders and social justice leaders (mostly community leaders working on forced evictions and other land rights issues) continued to face threats, attacks, intimidation and arbitrary prosecution for their legitimate activities. Authorities frequently arrested critics as a tactic to silence them.

Between February 2019 and 21 September 2020, Amnesty International recorded that at least 201 human rights defenders and social justice leaders were victims of human rights abuses, both offline and online. They were harassed and intimidated simply for criticizing the government or discussing politically sensitive issues such as human rights violations and abuses in Papua. The online intimidation took many forms, including credential theft of WhatsApp accounts, spam calls from unidentified international numbers, and digital harassment such as intrusions during online discussions, particularly on the issue of Papua.

On 5 June, a webinar held by Amnesty International to discuss racism in Papua was disrupted by spam calls and intrusions. Robocalls from three unidentified foreign numbers bombarded three speakers during the discussion.

In August, the Endowment Fund for Education, a government-funded scholarship programme under the coordination of the Indonesian Finance Ministry, asked Veronica Koman, a human rights lawyer who was documenting human rights violations in Papua, to return scholarship money for her master's degree studies.[5] Over the previous two years she had faced harassment, intimidation and threats, including of death and rape, and was living in exile in Australia.

Land disputes involving local communities and corporations were characterized by human rights violations. In August, police in Central Kalimantan arrested six Indigenous villagers, including the social justice leader of the Laman Kinipan community, Effendi Buhing, for defending a customary forest against the expansion of PT Sawit Mandiri Lestari, a palm oil company. The police arrested them for theft but observers agreed the arrests were linked to the growing resistance against forced evictions by palm oil companies. Between January and August, at least 29 Indigenous rights defenders and social justice leaders were subjected to detention, physical violence and intimidation.

There was still no accountability for past violations against human rights defenders, including the cases of Fuad Muhammad Syafruddin (Udin), Wiji Thukul , Marsinah and the prominent human rights activist Munir Said Thalib (Munir).

HUMAN RIGHTS VIOLATIONS IN PAPUA AND WEST PAPUA

Human rights groups reported unlawful killings and other serious human rights violations by security forces, primarily excessive use of force. Between February 2018 and August 2020, 47 cases of suspected unlawful killings by security forces were recorded, involving 96 victims. In 15 cases, the alleged perpetrators were police officers ; in 13 cases, they were members of the Indonesian military; and in 12 cases, members of both the police and the military were allegedly involved.

On 19 September, Yeremia Zanambani , the chief of the Indonesian Evangelical Christian Church in the district of Hitadipa, Intan Jaya, Papua, was killed. The police and military stated that an armed group was behind his death. Local activists in Papua, who were in close communication with the priest's family, rejected this claim and alleged the military shot Yeremia during a search for members of the armed group suspected of killing two military officers.[6] During the military operation, numerous local people fled their homes to nearby forests or sought refuge in the surrounding area.

Successive governments have limited international human rights observers' access

to Papua. Investigations into reports of unlawful killings by security forces in Papua were rare.[7]

WOMEN'S RIGHTS

Data from the National Commission on Violence against Women indicated that, as of July, there was a 75% increase in reports of sexual violence against women during the pandemic.

There was no comprehensive legal umbrella covering all forms of sexual violence. The Indonesian Criminal Code narrowly defines sexual violence as including rape and "adultery" (in contravention of international law), and provides for limited protection of survivors. On 2 July, the House of Representatives officially dropped the Sexual Violence Eradication Bill from the priority list of the national legislation programme. This undermined the adoption of a comprehensive legal framework that can guarantee prosecution of perpetrators and offer appropriate protection to survivors of sexual violence.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Harassment, intimidation, attacks and discrimination against LGBTI people continued. The media reported inflammatory, inaccurate and misleading statements made by public officials on the grounds of defending the country's public morality. Both state and non-state actors were responsible for acts of violence as well as issuing threats, intimidation and other types of harassment of LGBTI individuals.

On 1 September, police in the capital, Jakarta, raided a private gathering of men in an apartment in South Jakarta. Nine people were arrested and charged with "facilitating obscene acts" under the pornography law, which carries a sentence of up to 15 years' imprisonment.[8]

1. Indonesia: COVID-19 and its human rights impact in Indonesia (ASA 21/2238/2020)
2. Indonesia: Unprotected, overworked, ailing Indonesian health workers face avalanche of COVID-19 cases (Press release, 11 September)
3. Indonesia: 'Catastrophic' Omnibus Bill on job creation passed into law (Press release, 5 October)
4. Indonesia: End wave of digital attacks on students, journalists and activists (ASA 21/2536/2020)
5. Indonesia: Financial punishment against human rights defender shows no respect for freedom of expression (Press release, 14 August)
6. Indonesia: Investigate killing of priest in Papua (Press release, 23 September)
7. Indonesia: Civil and political rights violations in Papua and West Papua (ASA 21/2445/2020)
8. Indonesia: Men accused of holding 'gay party' face 15 years in jail (Press release, 3 September)

IRAN

Islamic Republic of Iran
Head of state: **Ali Khamenei (Supreme Leader)**
Head of government: **Hassan Rouhani (President)**

The authorities heavily suppressed the rights to freedom of expression, association and assembly. Security forces used unlawful force to crush protests. The authorities continued to arbitrarily detain hundreds of protesters, dissidents and human rights defenders, and sentenced many to imprisonment and flogging. Women, as well as ethnic and religious minorities, faced entrenched discrimination as well as violence. Enforced disappearances, torture and other ill-treatment were committed with impunity on a widespread and systematic basis. Judicial corporal punishments amounting to torture, including floggings and amputations, were imposed. Fair trial rights were systematically violated. The death penalty was used as a weapon of political repression. Executions were carried out, one in public and some others in secret. Those executed included people aged under 18 at the time of the crime. The authorities continued to commit crimes against humanity by systematically concealing the fate and whereabouts of several thousand political dissidents forcibly disappeared and extrajudicially executed in secret in 1988. Mass graves

believed to contain their remains were subject to ongoing destruction.

BACKGROUND

On 8 January, amidst heightened tensions following a US drone strike in Iraq that killed Revolutionary Guards Commander Ghasem Soleimani, the Revolutionary Guards fired missiles at a Ukrainian passenger plane in Iranian air space, killing all 176 people on board. After an initial cover-up, the Iranian authorities blamed "human error".

Iran continued to provide military support to government forces in the armed conflict in Syria.

The health care system was overwhelmed by the COVID-19 pandemic; at least 300 health care workers reportedly died of the disease.

US-imposed sanctions continued to negatively impact the economy, with detrimental consequences for the enjoyment of economic, social and cultural rights.

In March, the UN Human Rights Council renewed the mandate of the UN Special Rapporteur on the situation of human rights in Iran. The authorities did not grant him and other UN experts or independent human rights observers entry to the country.

FREEDOMS OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The authorities heavily suppressed the rights to freedom of expression, association and assembly.

The Ministry of Interior as well as security and intelligence bodies continued to ban independent political parties, and human rights and civil society groups. Censorship of media and jamming of foreign satellite television channels continued. Facebook, Telegram, Twitter and YouTube remained blocked.

Hundreds of people remained arbitrarily detained for peacefully exercising their human rights. Among them were protesters, journalists, media workers, political dissidents, artists, writers and human rights defenders, including lawyers, women's rights defenders, labour rights activists, minority rights activists, conservationists, anti-death penalty campaigners and those demanding truth, justice and reparation for the mass extrajudicial executions in the 1980s. Hundreds of prisoners of conscience were excluded from pardons and temporary releases. Political dissidents Mehdi Karroubi, Mir Hossein Mousavi and Zahra Rahnavard remained under arbitrary house arrest without charge or trial.

Throughout the year, the authorities unlawfully closed the businesses or froze the bank accounts or assets of numerous journalists working with independent media outlets outside Iran, and of human rights defenders and their families. They also subjected the children, older parents and other family members of protesters, journalists and human rights defenders to intimidation, interrogation or arbitrary arrest and detention in reprisal for their relatives' journalistic or human rights work or their participation in protests.

In January, security forces used unlawful force, including firing pointed pellets from airguns, rubber bullets and tear gas, and using pepper spray, to disperse peaceful protesters demanding justice for the Ukrainian plane crash victims. They also kicked, punched and beat protesters and carried out scores of arbitrary arrests.[1]

In January and February, to quash independent reporting in the run-up to parliamentary elections, the authorities targeted journalists for arbitrary arrest and detention, house searches and interrogations.

The authorities took measures to stop independent reporting on COVID-19 and silence criticism about their handling of the pandemic. The Ministry of Culture and Islamic Guidance ordered media and journalists to use only official sources and statistics in their reporting. Cyber police established a special task force to tackle "cyber rumours" and "fake news" related to COVID-19 on social media; and scores of journalists, social media users, health care workers and others were arrested, summoned for questioning or given warnings. In April, Rahim Yousefpour, a doctor from

Saqqez, Kurdistan province, was charged with "spreading propaganda against the system" and "disturbing public opinion" for his Instagram posts about COVID-19.

TORTURE AND OTHER ILL-TREATMENT

Torture and other ill-treatment remained widespread and systematic, especially during interrogation.

Iran's police, intelligence and security forces, and prison officials subjected detainees to prolonged solitary confinement, beatings, floggings, stress positions, forced administration of chemical substances and electric shocks.[2] Prison and prosecution authorities also deliberately denied prisoners of conscience and other prisoners held for politically motivated reasons adequate health care.[3]

The Penal Code continued to provide for corporal judicial punishments amounting to torture, including flogging, blinding, amputation, crucifixion and stoning.

At least 160 people were sentenced to flogging, according to the Abdorrahman Boroumand Center, for theft and assault as well as for acts that are protected under international human rights law, such as participating in peaceful protests, engaging in extramarital or consensual same-sex relationships and attending mixed-gender parties. In many cases, flogging sentences were carried out.

In one prison alone in Urumieh, West Azerbaijan province, at least six people were at risk of amputation.

Several men died in custody in suspicious circumstances, with photo and video evidence indicating that at least two of them were tortured before their deaths, including a juvenile offender who died in April.

RIGHT TO HEALTH

Prisoners

Conditions in many prisons and detention facilities remained cruel and inhuman. Prisoners suffered from overcrowding, limited hot water, unsanitary conditions, inadequate food and drinking water, insufficient beds and bathrooms, poor ventilation and insect infestations, placing them at greater risk of COVID-19.

Between February and May, the authorities temporarily released around 128,000 prisoners and pardoned another 10,000 in response to COVID-19. Official letters leaked in July revealed that the Ministry of Health ignored repeated requests from the Prisons Organization for additional resources, including disinfectant products and medical and protective equipment. Some prisoners complained about the authorities' improper use of bleach to disinfect surfaces, exacerbating poor air quality and leading to severe coughs, chest tightness and asthma attacks.

In March and April, prisoners across the country waged hunger strikes, protests and riots to protest the authorities' failure to protect them from COVID-19. Authorities responded with unlawful force, resorting to beatings and firing live ammunition, metal pellets and tear gas to suppress protests. As a result, on 31 March, in Sheiban prison in Ahvaz, Khuzestan province, several Ahwazi Arab prisoners were killed and many others were injured.

ENFORCED DISAPPEARANCES

Authorities subjected many detainees, including prisoners of conscience, to enforced disappearance, holding them in undisclosed locations and concealing their fate and whereabouts from their families. The authorities continued the pattern of executing members of ethnic minorities on death row in secret and concealing the whereabouts of their bodies, thereby subjecting their families to the ongoing crime of enforced disappearance.

Several Ahwazi Arab prisonersremained forcibly disappeared.

The authorities continued to commit the crime against humanity of enforced disappearance by systematically concealing the fate and whereabouts of several thousand political dissidents who were forcibly disappeared and extrajudicially executed in secret in 1988 and destroying unmarked

mass gravesites believed to contain their remains.

Security and intelligence forces threatened victims' families with arrest if they sought information about their loved ones, conducted commemorations or spoke out.

UNFAIR TRIALS

Fair trial rights were systematically violated in the criminal justice system.

Authorities continued to systematically deny individuals facing national security-related charges access to a lawyer at the investigation stage. In some cases, access was even denied at trial. Some defendants were tried in their absence because authorities failed either to notify them of their trial dates or transfer them from prison to court.

Many trials took place behind closed doors. Revolutionary Court judges showed hostility towards defendants during court proceedings and treated the accusations of intelligence and security bodies as pre-established facts.

Forced "confessions" obtained under torture and other ill-treatment were broadcast on state television prior to trials and were consistently used as evidence by courts to issue convictions, even when defendants retracted them.

Convictions and sentences were often upheld on appeal without hearings taking place.

Courts frequently refused to provide those convicted of national security charges with a copy of written judgments.

DISCRIMINATION AND VIOLENCE AGAINST WOMEN AND GIRLS

Women continued to face entrenched discrimination in law, including in relation to marriage, divorce, employment, inheritance and political office.

The "morality" police and vigilantes, enforcing the country's discriminatory and degrading forced veiling laws, continued to subject millions of women and girls to daily harassment and violent attacks amounting to torture and other ill-treatment. Several women's rights defendersremained in prison for campaigning against forced veiling.

The authorities failed to criminalize domestic violence, marital rape, early and forced marriage and other gender-based violence against women and girls, which remained widespread.

The legal age of marriage for girls stayed at 13, and fathers and grandfathers could obtain permission from courts for their daughters to be married at a younger age. According to official figures, about 30,000 girls under the age of 14 are married every year.

The authorities failed to take steps to end impunity for men who kill their wives or daughters and to ensure accountability proportionate to the severity of these crimes.

In June, the Guardian Council approved a new law for the protection of children, but which did not contain protections against so-called honour killings, child marriage and marital rape.

The government continued its review of the long-standing bill aimed at protecting women against violence. The delay was attributed to changes made by the judiciary during its review, which considerably weakened protections.

DISCRIMINATION

Ethnic minorities

Ethnic minorities, including Ahwazi Arabs, Azerbaijani Turks, Baluchis, Kurds and Turkmen faced entrenched discrimination, curtailing their access to education, employment, adequate housing and political office. Continued under-investment in minority-populated regions exacerbated poverty and marginalization. Despite repeated calls for linguistic diversity, Persian remained the sole language of instruction in primary and secondary education.

Members of minorities who spoke out against violations or demanded a degree of regional self-government were subjected to arbitrary detention, torture and other ill-treatment. The authorities criminalized peaceful advocacy of separatism or federalism and accused minority rights

activists of threatening Iran's territorial integrity.

Several Azerbaijani Turkic activists were sentenced to imprisonment and flogging in connection with the November 2019 protests and peaceful activism on behalf of the Azerbaijani Turkic minority, and two had their flogging sentences carried out.

Ahwazi Arabs reported that the authorities restricted expressions of Arab culture, including dress and poetry.

Iran's border guards continued to unlawfully shoot scores of unarmed Kurdish *kulbars* who work, under cruel and inhumane conditions, as cross-border porters between the Kurdistan regions of Iran and Iraq, killing at least 40 men and injuring dozens of others, according to Kurdish human rights organizations.

Many Baluchi villagers in the impoverished province of Sistan and Baluchestan were denied their right to sufficient, physically accessible and safe water due to particularly poor infrastructure. They were forced to rely on unsafe sources of water such as rivers, wells, ponds and water pits inhabited by crocodiles for drinking and domestic use. Several people, including children, drowned while fetching water, including an eight-year-old girl from Jakigoor village where the water supply was cut for a week in August. Some local officials blamed victims for failing to take precautions. Many residents in the province also experienced poor access to electricity, schools and health facilities due to under-investment.

FREEDOM OF RELIGION AND BELIEF

Freedom of religion and belief was systematically violated in law and practice. The authorities continued to impose on people of all faiths, as well as atheists, codes of public conduct rooted in a strict interpretation of Shi'a Islam. The authorities refused to recognize the right of those born to Muslim parents to convert to other religions or become atheists, with individuals seeking to exercise this right risking arbitrary detention, torture and the death penalty for "apostasy."

Only Shi'a Muslims were allowed to hold key political positions. Members of religious minorities, including Baha'is, Christians, Gonabadi Dervishes, Yaresan (Ahl-e Haq) and converts from Shi'a Islam to Sunni Islam or Christianity faced discrimination, including in education and employment, as well as arbitrary arrest and imprisonment, torture and other ill-treatment for practising their faith.

In October, a Christian man was flogged 80 times in Bushehr province for drinking Holy Communion wine.

Followers of the Erfan-e Halgheh spiritual doctrine were arbitrarily detained.

The authorities continued to commit widespread and systematic human rights violations against members of the Baha'i minority, including forcible closure of businesses, confiscation of property, bans on employment in the public sector, denial of access to higher education and hate speech campaigns on state media.

Raids on house churches persisted.

Sunni Muslims continued to face restrictions on establishing their own mosques.

DEATH PENALTY

The death penalty was increasingly used as a weapon of political repression against protesters, dissidents and members of minority groups.[4]

Scores of protesters were charged with "enmity against God" (*moharebeh*) and "spreading corruption on earth" (*efsad f'il arz*), which carry the death penalty. Several protesters were sentenced to death following unfair trials which relied on torture-tainted "confessions."

In December, dissident and journalist Ruhollah Zam was executed in connection with his anti-establishment social media news channel, Amad News.

Executions were carried out after unfair trials. One victim was executed in public and others were in secret. Those executed included people who were under 18 at the time of the crime.

A disproportionate number of those executed were members of Iran's Kurdish and Baluchi minorities.

The death penalty was maintained for consensual same-sex sexual conduct.

Stoning remained a method of execution for those convicted of adultery.

IMPUNITY

No public official was investigated or held accountable for crimes of unlawful killings, torture and enforced disappearance or other grave human rights violations.

Judicial authorities failed to conduct independent and transparent investigations into the use of lethal force by law enforcement officials against individuals who posed no imminent threat to life or serious injury.

Impunity prevailed for past and ongoing crimes against humanity related to the 1988 prison massacres, with many of those involved continuing to hold top judicial and government positions, including the current Head of the Judiciary and the Minister of Justice.

In May, Iran's border guards detained dozens of Afghan nationals, including children, who had crossed the border into Iran to find work, beat them and forced them at gunpoint into the Hariroud river, which flows along the border with Afghanistan. Several drowned as a result. The authorities denied any responsibility.

The authorities continued to cover-up the real death toll of people killed during the November 2019 protests, and publicly praised security and intelligence forces for their role in the crackdown. In May, the authorities announced, for the first time, that around 230 people were killed during the protests, including six members of the security forces. Amnesty International documented the details of 304 men, women and children who were killed by security forces during the protests, but the real number of deaths is likely to be higher.[5]

1. Iran: Scores injured as security forces use unlawful force to crush protests (Press release, 15 January)
2. Iran: Trampling humanity – Mass arrests, disappearances and torture since Iran's November 2019 protests (MDE 13/2891/2020)
3. Iran: Tortured prisoners in need of medical care (MDE 13/2237/2020)
4. Iran: Two Kurds executed amid increasing use of death penalty as weapon of repression (Press release, 15 July)
5. Iran: Details of 304 deaths in crackdown on November 2019 protests (MDE 13/2308/2020)

IRAQ

Republic of Iraq
Head of state: **Barham Ahmed Salih**
Head of government: **Mustafa Al-Khadhimi (replaced Adil Abdul-Mahdi in May)**

Dissent continued to be severely repressed through excessive use of force against protesters, arbitrary arrests, torture and other ill-treatment, unlawful killings, enforced disappearances and attacks on freedom of expression. Security forces killed at least 600 protesters by using live ammunition and other excessive force during demonstrations that started in October 2019. Unidentified gunmen believed to be militia members targeted tens of activists, and killed, abducted and subjected dozens to enforced disappearance – at least six remained disappeared. Kurdistan Regional Government (KRG) security forces violently dispersed protests and arrested scores of protesters. Restrictions of movement and other measures to prevent the spread of COVID-19 adversely impacted internally displaced people (IDPs). The authorities resumed the closure of camps, closing at least 10, subjecting thousands of people to secondary displacement and impeding their access to humanitarian aid. IDPs with perceived ties to the armed group calling itself the Islamic State (IS) continued to be subjected to collective punishment and remained at risk of arbitrary detention and enforced disappearance. Thousands of others remained missing after being

subjected to enforced disappearance by Iraqi security forces – including the Popular Mobilization Units (PMU) – while fleeing IS-held territories. Killings of women were reported in the media. Yezidi children and women who survived IS enslavement faced significant difficulties in accessing rights and reparations. IS resumed military operations against civilians and military targets, carrying out bomb attacks in cities and assassinating community leaders.

BACKGROUND

In March, to curb the spread of COVID-19, Iraq banned entry to travellers from several countries, closed its border with Iran and imposed a nationwide lockdown for two weeks. Intermittent nationwide lockdowns followed throughout the year. Similar measures were imposed in the Kurdistan Region of Iraq (KR-I).

Nationwide protests that began in October 2019, calling for better employment opportunities and public services, and an end to government corruption, continued in the first months of 2020 until they were temporarily halted by the outbreak of COVID-19. Smaller protests resumed in May, most notably in the cities of Baghdad, Basra and Nasriya. Protesters demanded accountability for violations by security forces, including killings and enforced disappearances of protesters.

In the KR-I, protests were held throughout the year over delayed or unpaid salaries to civil servants.

By the end of June 2020, over 4.7 million IDPs had returned to their areas of origin. However, returns decreased overall through the second quarter of 2020, partly due to COVID-19 restrictions, and more than 1.2 million remained displaced, 207,000 of them in camps, 97,600 in critical shelters and 915,000 in secondary or informal settlements such as unfinished or abandoned buildings in several governorates.

On 3 January, a US drone strike in Baghdad killed Iranian general Ghasem Soleimani in a targeted attack.

On 7 May, a new central government was formed, headed by Mustafa Al-Kadhimi.

On 15 June, Turkey's Ministry of National Defence announced Operations Claw-Eagle and Claw-Tiger, targeting members of the Kurdistan Workers Party and Free Life of Kurdistan (PJAK) in the north of the KR-I. It subsequently carried out air strikes in the KR-I, reportedly killing at least five Kurdish civilians. Intermittent Iranian shelling targeting PJAK members inside the KR-I continued throughout the year.

EXCESSIVE USE OF FORCE

Iraqi security forces continued to use excessive and unlawful force against largely peaceful protests that had started in 2019. Security forces used live ammunition and military-grade tear gas grenades, killing dozens of protesters in Baghdad, Basra, Karbala, Diyala, Najaf and Nasriya. A PMU faction also used live ammunition against anti-government protesters in Basra, killing at least one person and injuring four others.

Arbitrary arrests and detentions, and torture and other ill-treatment

Federal security forces continued to arbitrarily arrest activists and protesters, arresting thousands of protesters in the first two months of the year alone. By June, most protesters had been released.

In January in Baghdad, armed members of Iraq's Presidential Guard beat protesters, including children, and arrested others. In Basra, security forces violently dispersed protesters, with some children being beaten until they lost consciousness. Other protesters were subjected to ill-treatment that could amount to torture.[1] In May, security forces arrested at least three people, one of them under the age of 18, as they were heading to protests in Baghdad's al-Khilani square, and beat and sexually assaulted them, according to medical workers. The Prime Minister ordered the arrest of members of the security forces who had been near where the incident occurred.

FREEDOM OF EXPRESSION AND ASSEMBLY IN THE KR-I

KRG security forces raided and shut down news outlets in the governorates of Dohuk and Erbil, confiscating equipment and beating and arresting journalists who had been covering protests.

On 7 October, local police and KRG security forces raided the home of journalist Sherwan Sherwani in Erbil and arrested him at gunpoint without explanation. He was held incommunicado until 26 October and the next day he was finally able to meet his lawyer. The KRG authorities later stated that he was facing charges of "endangering public safety" under the Iraq Penal Code.

KRG security forces, accompanied by armed men in civilian clothes, also dispersed protests. In May, in the city of Dohuk in the KR-I, they violently dispersed a gathering of teachers and civil servants protesting against delayed payment of salaries, arresting at least 167 protesters and media workers. Most were released the same day or the following week, but at least five remained in detention after the local authorities charged them under Article 2 of KR-I Law No. 6 of 2008 for "the misuse of electronic devices" for their role in organizing the protest. The KRG initially said it had dispersed the protest because the protesters had failed to obtain a permit to hold the event, but subsequently cited COVID-19 measures as the reason. All those detained were eventually released on bail. However, in August, one of the protest organizers was arrested along with his son from their home.[2]

In December, protests broke out in Sulaymaniyah and other areas of the KR-I against unpaid wages and corruption. Kurdistan authorities met protesters with excessive force, leading to the death of tens of protesters, some as young as 17. Authorities also arrested and released several activists and journalists, while also severely restricting the internet and banning press coverage of the protests.

UNLAWFUL KILLINGS AND ENFORCED DISAPPEARANCES

Throughout the year, unknown gunmen and PMU members targeted activists for assassination or abduction, killing at least 30 in Baghdad, Nasriya and Basra. Attempts were made on the lives of more than 30 others, who escaped with injuries. By the end of the year, 56 activists had been subjected to enforced disappearance. Those subjected to enforced disappearance during the 2019 protests remained missing, including human rights lawyer Ali Jaseb Hattab, who was abducted by PMU members in the southern city of Amarah on 8 October 2019.

IDPs, including children, with perceived affiliation to IS were subjected to enforced disappearance after their arrests at checkpoints, camps and in their areas of origin. Thousands of men and boys were still missing after being arbitrarily detained for suspected links to IS and subjected to enforced disappearance by central Iraqi forces while fleeing IS-held areas between 2014 and 2018. They included hundreds who had been subjected to enforced disappearance in Anbar governorate.

IMPUNITY

The newly appointed Prime Minister ordered investigations into the killing and injuring of protesters since 1 October 2019, promising compensation for their families. However, by the end of the year, no results of these investigations had been made public, fuelling intermittent protests across the country.

In May, the Prime Minister ordered the closure of the headquarters of a PMU faction in Basra and the arrest of PMU members the morning after an attack on protesters in the city.

In September, the Prime Minister ordered counter-terrorism forces to rescue an abducted activist in the city of Nasriya, but the activist remained missing.

INTERNALLY DISPLACED PEOPLE

The authorities continued to close and consolidate IDP camps, subjecting thousands

of IDPs to secondary displacement. Some IDPs were forcibly removed from tents, and electricity supplies were cut, in efforts to close the camps. These operations were temporarily halted in March due to restrictions of movement to prevent the spread of COVID-19 and resumed in November.

IDPs – mostly female-headed families – with perceived affiliation to IS, continued to face obstruction, evictions and confiscation and/or destruction of their homes when returning or attempting to return to their areas of origin. Security agents continued to block and hinder their access to civil status documentation and, in some cases, arrested lawyers who tried to help families obtain these documents.[3]

Access to humanitarian assistance for IDPs and returnees worsened after December 2019 when the authorities suspended the issuing of access letters and visas to NGO workers.

The KRG continued to prevent Arab IDPs originating from disputed territories to return to their areas of origin.

Impact of COVID-19 restrictions

COVID-19 measures that restricted movement and reduced humanitarian workers' presence in IDP camps adversely affected IDPs, who rely solely on humanitarian aid to survive, and left them further isolated. As a result, some IDPs lost their jobs outside the camps or were forced to leave the camps in order to keep their jobs.

Humanitarian aid workers reported that their programmes that did not support public health services, particularly the prevention of the spread of COVID-19, were reduced. This adversely affected reconciliation efforts essential to facilitate the safe return to their areas of origin of IDPs with perceived ties to IS. The move to virtual schooling meant education completely stopped for many displaced children as they did not have access to the internet and electronic devices. Lack of access to these devices similarly affected urban children.

Lockdowns reduced the capacity of the Iraqi and KRG authorities to operate normally, causing the closure of courts and civil status directorates. This resulted in further delays in obtaining justice for many IDPs with perceived ties to IS, already facing administrative obstacles due to collective punishment.

RIGHTS OF YEZIDIS

Iraq's central government and the KRG fell short of their obligations to respect and guarantee the rights to health, education, legal identity and family unity of Yezidi child survivors of IS as well as Yezidi women and girl survivors of IS enslavement.

Hundreds of Yezidi children who had been abducted by IS, enslaved, forced to fight, raped and otherwise tortured, and subjected to other egregious human rights abuses, continued to face significant challenges after their return to what remained of their families and relatives. Many were unable to re-enrol in school and faced barriers to obtaining new or replacement civil status documents essential for accessing basic rights in Iraq. Psychosocial services and programmes available to them fell short of meeting these children's rights and needs.

Many Yezidi women who had been abducted by IS and given birth as a result of rape were forced to separate from their children because of religious and societal pressures.[4]

VIOLENCE AGAINST WOMEN AND GIRLS

The COVID-19 lockdown exacerbated the vulnerability of women and girls. Media and civil society organizations reported an increase in domestic violence, resulting in the deaths of women, and in one incident, severe injuries to a young girl.[5]

UNLAWFUL KILLINGS

Violent activity by IS, which had ceased since 2018, resumed in 2020 and targeted security forces and a smaller number of civilians. Renewed IS military operations in several areas of Iraq were announced. IS activity killed at least tens of civilians during 2020.

At Baghdad airport in September, at least five children and two women were killed by a rocket apparently aimed at US personnel. Other diplomatic personnel, including a UN convoy, and affiliated institutions in Baghdad and in the governorates of Najaf and Ninewa, were also targeted. No groups claimed responsibility for these attacks.

DEATH PENALTY

Authorities continued to hand down death sentences and at least 50 men convicted of terrorism were executed, according to credible reports.

1. Iraq: Protest death toll surges as security forces resume brutal repression (Press release, 23 January)
2. Iraq: Police arrests teacher and protest organizer: Badal Abdulbaqi Aba Bakr Barwari (MDE 14/2396/2020)
3. Iraq: Marked for life – displaced Iraqis in cycle of abuse and stigmatization (MDE 14/3318/2020)
4. Iraq: Legacy Of terror: The plight of Yezidi child survivors of Isis (MDE 14/2759/2020)
5. Iraq: Open letter to Iraq's new Prime Minister (MDE 14/2290/2020)

IRELAND

Ireland
Head of state: **Michael D. Higgins**
Head of government: **Micheál Martin (replaced Leo Varadkar in June)**

The government response to COVID-19 raised human rights concerns, including in relation to the right to health, the enactment of emergency legislation without parliamentary oversight, and police use of spit hoods. Increased numbers of people accessed abortion services under the 2018 law, but gaps remained. The European Committee for the Prevention of Torture was critical of support available for prisoners with mental health problems. The government committed to replacing the Direct Provision system of shared accommodation for those seeking international protection, and to holding a constitutional referendum on housing.

RIGHT TO HEALTH

A parliamentary committee established to review the government's initial handling of the pandemic – the Special Committee on COVID-19 Response – found it "totally disproportionate" that 56% of all deaths from COVID-19 were in nursing homes for older people. It recommended a public inquiry and noted state over-reliance on institutional care for older people.

It also noted difficulties for those seeking international protection and living in the Direct Provision system of shared accommodation, including challenges of physically distancing and self-isolating, as well as for health care workers living in this system.

It recommended an inquiry into meat processing factories, the source of several outbreaks, with concerns about protection of workers from infection. It noted that workers in this industry were particularly vulnerable to poor working conditions which could exacerbate the risks from COVID-19.

Spit hoods

There were concerns over An Garda Siochána's (police) deployment of spit hoods to protect police from COVID-19 infection via spitting. This was despite evidence that this device did not prevent aerosol transmission, potentially exacerbating the risk to police and the wider public.[1] A particular concern was their use on children and people with mental health problems.

STATE OVERREACH

The Special Committee on COVID-19 Response criticized emergency legislation enabling the government to make regulations without Oireachtas (Parliament) review or approval. It also recommended that all proposed emergency measures be human rights-proofed.

SEXUAL AND REPRODUCTIVE RIGHTS

In June, the first annual report on the 2018 legislation, which expanded lawful access to abortion services, showed 6,666 pregnant

people accessed abortion care in 2019, up from 32 in 2018. UK Department of Health and Social Care statistics published in June showed 375 women travelled from Ireland to access abortion services in England and Wales in 2019. This highlighted remaining gaps and barriers, such as the lack of lawful access in cases of severe rather than fatal foetal impairments.

INTERNATIONAL SCRUTINY

In November, the European Committee for the Prevention of Torture published the report of its 2019 periodic visit to Ireland. It welcomed the recent policy abolishing solitary confinement, but recommended measures to ensure de facto solitary confinement was addressed. Amongst its concerns was the continued unsuitable placing of immigration detainees in prison together with remand and convicted prisoners, where in some cases they were subjected to abuse and bullying. While finding very good access to health care, the Committee noted poor conditions and inadequate treatment in high support units for prisoners with mental health problems. Another major concern was the rising number of homeless people with severe mental health problems ending up in prison. The Committee also found the complaints system available to prisoners not fit for purpose.

RIGHTS OF REFUGEES AND ASYLUM-SEEKERS

Following longstanding concerns about poor living conditions, mental health impacts, isolation, and lack of dignity and privacy in the Direct Provision system for accommodating international protection seekers, the new government in June committed to replacing it with a more human rights-compliant housing model. In October, a government-appointed Advisory Group made recommendations for a long-term approach to the provision of housing and support, as well as improvements in the international protection process. The government undertook to publish a policy document outlining its reform plans.

RIGHT TO HOUSING

The new government committed to scheduling a constitutional referendum on housing. However, it was not clear if this would propose enshrining a right to housing, as had been recommended by the government-established Constitutional Convention in 2014.

RIGHTS OF SEX WORKERS

A study published by HIV Ireland in September found that the 2017 law criminalizing the purchase of sex had a negative impact on the safety, health and well-being of sex workers.

In September, the government commissioned an independent expert to review the operation of this law. This law had also retained the criminal offence of "brothel-keeping", which continued to impact sex workers' human rights. The report of this review was expected in 2021.

1. Gardai's use of spit hoods may increase risk of spread of COVID-19 (Press release, 25 June)

ISRAEL AND THE OCCUPIED PALESTINIAN TERRITORIES

State of Israel
Head of state: **Reuven Rivlin**
Head of government: **Benjamin Netanyahu**

Israel continued to impose institutionalized discrimination against Palestinians living under its rule in Israel and the Occupied Palestinian Territories (OPT). It displaced hundreds of Palestinians in Israel and the occupied West Bank, including East

Jerusalem, as a result of home demolitions and imposition of other coercive measures. Israeli forces continued to use excessive force during law enforcement activities in Israel and the OPT. Israeli forces killed 31 Palestinians, including nine children, in the OPT; many were unlawfully killed while posing no imminent threat to life. Israel maintained its illegal blockade on the Gaza Strip, subjecting its residents to collective punishment and deepening the humanitarian crisis there. It also continued to restrict freedom of movement of Palestinians in the OPT through checkpoints and roadblocks. The Israeli authorities arbitrarily detained in Israel thousands of Palestinians from the OPT, holding hundreds in administrative detention without charge or trial. Torture and other ill-treatment of detainees, including children, were committed with impunity. The authorities used a range of measures to target human rights defenders, journalists and others who criticized Israel's continuing occupation of the West Bank, Gaza Strip and Syrian Golan Heights. Violence against women persisted, especially against Palestinian citizens of Israel. The authorities denied asylum-seekers access to a fair or prompt refugee status determination process. Conscientious objectors to military service were imprisoned.

BACKGROUND

Israel held parliamentary elections in March, the third in just over a year. In May, the two largest parties in the Knesset, Likud and the Blue and White alliance, reached a power-sharing agreement that included an announcement that Israel would further annex territories in the occupied West Bank starting in July 2020. This followed US President Donald Trump's announcement of his "deal of the century", which included a formal extension of Israel's sovereignty over the Jordan Valley and the vast majority of the illegal settlements in the rest of the occupied West Bank in exchange for land currently inside Israel. Israel postponed the annexation plans following diplomatic deals with the United Arab Emirates and Bahrain in September. The parliament was again dissolved in December, triggering another round of elections in three months' time.

Israel imposed lockdown measures in March and in September to contain the spread of COVID-19, triggering waves of protests calling on the Prime Minister to step down. The measures allowed the Israel Security Agency (ISA) to use surveillance capabilities usually reserved for Palestinians to trace COVID-19 infections. The Prime Minister's trial on corruption charges began in May.

In February, the Palestinian armed group Islamic Jihad fired around 80 rockets and mortar shells from the Gaza Strip towards Israel, causing minor injuries to over 20 people, after Israeli forces killed an Islamic Jihad operative. The Israeli army carried out multiple airstrikes in Gaza, injuring 12 Palestinians, according to the Palestinian Ministry of Health in Gaza.

In August and September, Israel launched artillery and airstrikes against Gaza in retaliation for incendiary balloons and kites launched from Gaza into Israel. Palestinian armed groups launched indiscriminate rockets into Israel in response.

In August, Israel launched airstrikes against Hizbullah targets in Lebanon after it said that shots were fired from Lebanon into Israel. Israel also launched airstrikes against Iranian and Hizbullah targets in Syria.

In July, a district court rejected a case to force the Ministry of Defense to revoke the export licence of spyware company NSO Group, dealing a blow to victims of unlawful and targeted international surveillance.

FORCIBLE TRANSFERS, FORCED EVICTIONS AND DEMOLITIONS

Israel demolished 848 Palestinian residential and livelihood structures in the occupied West Bank, including East Jerusalem, displacing 996 people, according to the UN Office for the Coordination of Humanitarian Affairs (OCHA). Israeli authorities said many of the demolished buildings lacked Israeli-

issued permits, which are virtually impossible for Palestinians to obtain, or were in closed military zones. The law of occupation prohibits such destruction unless necessary for military operations.

In other cases, Israel confiscated residential and livelihood structures, including some that were donated for humanitarian purposes. Israeli forces also punitively demolished at least six Palestinian homes, leaving 22 people, including seven children, homeless, according to B'Tselem. Punitive demolitions constitute collective punishment and are prohibited under international law.

On 5 March, Israeli forces demolished the homes of Walid Hanatsheh, in Ramallah, and Yazan Mughamis, in Birzeit, displacing six Palestinians, after an Israeli court rejected a petition by the families against the punitive demolition. On 11 March, Israeli forces punitively demolished the home of Qassam Barghouti in Kobar village near Ramallah. The three men are in prison in Israel for alleged involvement in an attack in August 2019 that killed an Israeli civilian and injured two others outside Ramallah city in the occupied West Bank.

Israeli settler organizations initiated, with the support of the Israeli authorities, forcible evictions of Palestinians from their homes in East Jerusalem.

OCHA estimated in December that around 200 Palestinian households in the occupied West Bank, including East Jerusalem, had eviction cases pending against them, placing 800 adults and children at risk of displacement.

Israeli authorities demolished at least 29 residential and livelihood structures that belonged to Bedouin citizens living in "unrecognized" villages in the Negev/Naqab, according to the Negev Coexistence Forum, an Israeli NGO.

DISCRIMINATION

Israel continued to discriminate against Palestinian citizens of Israel in areas of planning, budget allocation, policing and political participation. According to the Adalah-The Legal Center for Arab Minority Rights in Israel, Israel maintains over 65 laws that discriminate against Palestinians.

Local Palestinian councils in Israel went on strike to protest against discrimination in the distribution of the state budget for local councils. The vast majority of Palestinians in Israel, comprising over 20% of the total population, live in around 139 towns and villages. They received only 1.7% of the state budget for local councils.

In August, Adalah and the Arab Center for Alternative Planning filed a petition to the Israeli Supreme Court on behalf of 10 local Palestinian councils and dozens of Palestinian citizens of Israel against government policy discriminating against these communities in the distribution of housing, construction and land development benefits compared to neighbouring Jewish communities that enjoy higher socio-economic status and have access to such benefits.

Israel continued to deny Palestinians from the West Bank and Gaza married to Palestinian citizens of Israel the right to nationality by enforcing the discriminatory Entry to Israel Law.

In December, the magistrate court in Krayot, near Haifa, rejected a petition for access to education by Palestinian citizens of Israel living in Karmiel, citing the discriminatory Nation State Law. The decision said that establishing an Arabic school in the town or funding transport for its Palestinian residents to study in Arabic schools in nearby communities would undermine the town's "Jewish character".

In December, the Israeli Health Ministry began the distribution of COVID-19 vaccines that excluded the nearly 5 million Palestinians who live under Israeli military occupation in the West Bank and Gaza Strip.

UNLAWFUL KILLINGS AND EXCESSIVE USE OF FORCE

Israeli military and police used unnecessary and excessive force during law enforcement activities, including search and arrest

operations, and when policing demonstrations.

Military and security forces killed at least 31 Palestinians, including nine children, in the Gaza Strip and West Bank, according to OCHA. Many were unlawfully killed by live ammunition or other excessive force when posing no imminent threat to life. Some of the unlawful killings appeared to be wilful, which would constitute war crimes.

Israeli forces frequently used excessive force against protesters in Kufr Qadum who continued weekly protests against settlements and settlement expansion. According to OCHA, 214 protesters and bystanders were injured during the year.

On 15 February, Israeli forces shot and injured in the eye nine-year-old Malek Issa while he was returning home from school in the East Jerusalem neighbourhood of Issawiya. No clashes were recorded at the time, according to OCHA. Israeli forces were maintaining a violent and intense police operation in Issawiya as a form of collective punishment.

Israeli forces frequently opened fire on fishermen and farmers in Gaza. According to Al Mezan Center for Human Rights, 12 fishermen and five farmers were injured.

FREEDOM OF MOVEMENT

For the 13th consecutive year, Israel continued its illegal air, land and sea blockade of the Gaza Strip, restricting the movement of people and goods in and out of the area, which continued to have a devastating impact on the human rights of Gaza's 2 million inhabitants. Israel stopped the entry of construction materials and fuel into Gaza repeatedly. This shut down the only power plant in Gaza, leading to a further reduction in the supply of electricity, which had already been available for only about four hours a day. Israel also imposed a full maritime closure and repeatedly limited entry of goods to food and medicine only. The measures amounted to collective punishment at a time of increasing COVID-19 infections in Gaza.

On 2 February, following an exchange of attacks between Israeli forces and Palestinian armed groups, Israel cancelled the permits of 500 traders from Gaza that enable their holders to travel to Israel and the West Bank for business. The permits were reactivated on 18 February.

On 18 June, Omar Yaghi, a baby with a cardiac condition, died in Gaza after Israel denied the family a permit to enter Israel for a scheduled operation on 24 May at the Sheba Medical Center in Ramat Gan city.

In the West Bank, at least 593 Israeli checkpoints and roadblocks continued to heavily restrict the movement of Palestinians and access to rights, including health, education and work. Holders of Palestinian identification cards faced an ongoing bar on using roads built for Israeli settlers.

Israeli restrictions on freedom of movement continued to impede Palestinians' access to health care, posing further threats to vulnerable populations during the COVID-19 pandemic. Lack of access to hospitals and specialized clinics during the pandemic particularly affected Palestinian residents of the East Jerusalem neighbourhoods of Kufr Aqab and Shu'fat Refugee Camp, which are segregated from the rest of the city by military structures, including checkpoints, and the fence/wall.

ARBITRARY DETENTION

Israeli authorities conducted hundreds of raids throughout the West Bank to arrest Palestinians, usually at their homes at night. Those arrested were detained in prisons in Israel, along with thousands of other Palestinians from the OPT arrested in previous years. This violated international humanitarian law, which prohibits the transfer of detainees into the territory of the occupying power.

Israeli authorities used renewable administrative detention orders to hold Palestinians without charge or trial. Some 4,300 Palestinians from the OPT, including 397 administrative detainees, were held in Israeli prisons as of December, according to the Israel Prison Service. Many families of

Palestinian detainees in Israel, particularly those living in Gaza, were not permitted entry to Israel to visit their relatives.

On 16 July, Israeli forces arrested Iyad Barghouti, an astrophysicist and professor at Jerusalem's Al-Quds University, at a checkpoint near Jerusalem and placed him in administrative detention. He had previously been administratively detained in 2014 and 2016.

Israel held 157 Palestinian children in prison, including two in administrative detention, as of October. Defense for Children International Palestine said that children were interrogated without their parents present and placed with adults in prison. Under international law, detention of children should be a measure of last resort and for the shortest appropriate time.

UNFAIR TRIALS

Palestinian civilians, including children, from the OPT were prosecuted in military courts that did not meet international fair trial standards.

TORTURE AND OTHER ILL-TREATMENT

Israeli soldiers, police and ISA officers continued to torture and otherwise ill-treat Palestinian detainees, including children, with impunity. Reported methods included beating, slapping, painful shackling, sleep deprivation, use of stress positions and threats of violence against family members. Prolonged solitary confinement, sometimes lasting months, was commonly used as a punishment.

Israeli forces occasionally denied medical help for Palestinians injured during law enforcement activities.

FREEDOMS OF EXPRESSION AND ASSOCIATION

The authorities used a range of measures, including raids, incitement campaigns, movement restrictions and judicial harassment, to target human rights defenders who criticized Israel's continuing military occupation of Palestinian and Syrian territories.

Israel continued to deny human rights bodies entry to the OPT, including the UN Special Rapporteur on the situation of human rights in the OPT.

On 30 July, Israeli forces arrested Mahmoud Nawajaa, a human rights defender and co-ordinator of the Boycott, Divestment and Sanctions movement in the occupied West Bank, from his home in Ramallah. A prisoner of conscience, he was released without charge on 17 August.

On 13 November, the Jerusalem District Court rejected a petition by Amnesty International against the arbitrary and punitive travel ban imposed on its employee, human rights defender Laith Abu Zeyad. For undisclosed reasons, Israeli security forces continued to bar him from entering occupied East Jerusalem and from travelling abroad through Jordan.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Israel continued to deny asylum-seekers access to a fair and prompt refugee status determination process, leaving many without access to basic services. About 31,000 asylum-seekers were living in Israel.

GENDER-BASED VIOLENCE

Violence against women persisted in Israel, especially against Palestinian citizens.

At least 21 women were killed as a result of gender-based violence.

CONSCIENTIOUS OBJECTORS

At least four Israeli conscientious objectors to military service were imprisoned. Hillel Rabin spent 56 days in military prison for refusing to serve in the Israeli army citing oppressive policies against Palestinians.

ITALY

Italian Republic
Head of state: **Sergio Mattarella**
Head of government: **Giuseppe Conte**

The authorities took decisions which increased the risk of COVID-19 infection for older people in care homes leading to preventable deaths. Refugees' and migrants' access to Italian territory was limited and their rights were restricted during lockdown. Co-operation with Libyan authorities on migration continued. The criminalization of rescue NGOs persisted. There were numerous deaths in custody and reports of torture. Poor and homeless people endured lockdown with inadequate housing. Domestic violence cases rose during lockdown.

BACKGROUND

COVID-19 cases started early in the year, with the north of the country worst hit. By the end of March, the health and burial systems of the Lombardy region were overwhelmed. Unprecedented measures were put in place to isolate some towns and later all northern regions, before lockdown measures were extended to the rest of the country on 9 March. Emergency measures by decree were adopted from February, restricting movement and limiting gatherings. The government started lifting national lockdown restrictions on 3 May, but further national and regional restrictions were imposed towards the end of the year.

RIGHT TO HEALTH

By the end of the year, over 74,159 people had died with COVID-19. Older people accounted for 85.7% of the total.

The impact of COVID-19 varied significantly among different parts of the country, with older people in care homes in the north being particularly affected. Decisions at the national and local level, along with the failure to implement adequate protection mechanisms, increased residents' risk of exposure to the virus. Some regional government and health authorities allowed the discharge of infected or potentially infected patients from hospitals into care homes without ensuring adequate mechanisms were in place to care for them. The national, regional and local health authorities failed to make public crucial data and information related to the impact of COVID-19 in care homes.

Care home workers lacked personal protective equipment and testing, putting them at heightened risk of COVID-19 infection.

REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

By the end of the year, 34,154 people – including 4,631 unaccompanied minors – had arrived irregularly by sea.

On 7 April, Italy closed its ports to disembarkations and declared that due to the pandemic the country was not a place of safety for rescues carried out by foreign-flagged ships outside its search and rescue (SAR) region. The measure appeared to target NGO ships which were often left at sea for days without instructions after rescues. When transfer to Italy was authorized, rescued people were placed in quarantine generally for two weeks on large ships before being transferred ashore. Hundreds of refugees and migrants arrived autonomously, mostly at the island of Lampedusa, leading to severe overcrowding of the local reception centre. Refugees and migrants there faced difficulties adhering to physical distancing; their quarantine time was reset at each new arrival.

A 15-year-old unaccompanied boy from Côte d'Ivoire died in a hospital in Palermo, Sicily, in October, after serving quarantine on a ship where doctors had requested an earlier disembarkation due to his deteriorating health. He had reportedly showed signs of torture suffered in Libya.

In December, Parliament reformed the two security laws, known as "security decrees", passed in 2018 and 2019. The new Law 173/2020 reintroduced humanitarian protection, which had been abolished in 2018 and had deprived some 37,000 people of a regular status. It also reduced the maximum length of stay in detention centres for repatriation, from 180 to 90 days. Improved assistance and reception for

asylum-seekers were also reintroduced in smaller structures, facilitating integration.

Criminalization of solidarity

The authorities continued to penalize NGOs for their rescue activities at sea. Ships were inspected and seized and fines repeatedly issued.[1]

There were some positive developments for rescue NGOs. In February, the Court of Cassation in the capital, Rome, ruled that the arrest of the *Sea Watch 3* captain, Carola Rackete, in June 2019 had been unlawful. She had entered territorial waters despite the authorities' prohibition. The Court noted that she was fulfilling her duty to rescue people at sea, and that a rescue operation ends with disembarkation in a place of safety. In November, the Tribunal of Ragusa, Sicily, dismissed smuggling charges against two crew members of the NGO Proactiva Open Arms in relation to a rescue in 2018, recognizing that they acted in a "state of necessity".

The 10 crew members of the *Iuventa* rescue ship were still awaiting the closure of an investigation for facilitating irregular entry, initiated in 2017 by prosecutors in Trapani, Sicily.

Law 173/2020, passed in December, abolished the prohibition on entering territorial waters for rescue ships and the associated heavy administrative fines, provided rescues were conducted according to international law, co-ordinated by the competent maritime authorities, and the flag state of the rescue ship was informed. However, violations remained punishable with criminal fines of up to €50,000 and imprisonment of up to two years. The Minister of Interior could still prohibit entry into territorial waters for public order and security reasons and in cases of human trafficking.

Co-operation with Libya

Co-operation with Libya on border control continued, leading to over 11,265 people being intercepted by Libyan authorities and disembarked in Libya, where refugees and migrants continued to face torture and other systematic abuse (see Libya entry).

In January, the Council of Europe Commissioner for Human Rights called on Italy to suspend co-operation activities which result – directly or indirectly – in the return to Libya of people intercepted at sea. However, the 2017 Memorandum of Understanding with Libya, underpinning the collaboration between the two countries on border control, was automatically extended for a further three years. In February, the Italian government proposed some light amendments, emphasizing the need to improve human rights guarantees for refugees and migrants, but these were not accepted by the Libyan Government of National Accord. Italy nonetheless continued to support Libyan maritime authorities, including by extending the deployment of Italian military personnel in Libya.

In May, the Tribunal of Messina, Sicily, condemned at first instance three foreign nationals to 20 years' imprisonment for torture of refugees and migrants in a detention centre in Zawiya, Libya.

In August, five Eritrean asylum-seekers landed in Rome, carrying visas granted by the Italian authorities to enable them to seek asylum in Italy. The issuance of visas had been ordered by an Italian court in 2019, ruling that the group had been unlawfully pushed back to Libya 10 years earlier.

The trial of the former Minister of Interior for the unlawful deprivation of liberty of over 100 rescued people on the Italian coastguard ship *Gregoretti* in July 2019, started in October before the Tribunal of Catania, Sicily.

RIGHT TO LIFE

Numerous deaths in custody in prisons and repatriation centres were recorded, against the background of increased isolation of detainees from society and a reduction of services, including of mental health care provision, due to the COVID-19 pandemic. In March, there were 13 deaths in prisons following unrest in some establishments. Several deaths were due to overdose when

detainees gained access to the infirmaries' medical supplies.

Two men, Georgian and Albanian nationals, died in January and July respectively in the repatriation centre of Gradisca d'Isonzo, Friuli-Venezia Giulia. Investigations were ongoing at the end of the year.

TORTURE AND OTHER ILL-TREATMENT

There were numerous reports of torture and other cruel, inhuman or degrading treatment by prison staff and police officers.

Investigations were ongoing into reports that prison officers beat detainees, leaving several gravely injured, at the Santa Maria Capua Vetere prison, near Naples, on 6 April, when some 300 prison officers were brought in for an inspection.

In July, prosecutors in Turin, Piedmont, accused 25 people, including the prison director and many officers, of committing or facilitating torture and other ill-treatment against detainees between March 2017 and September 2019.

The trial of five prison officers and a doctor charged with torture in relation to a 2018 case in the prison of San Gimignano, Siena, was ongoing at the end of the year. A further 15 prison officers remained under investigation.

RIGHT TO HOUSING AND FORCED EVICTIONS

In March, the government suspended evictions and subsequently extended the measure until the end of the year. Despite this, in August local authorities forcibly evicted the Roma settlement of Foro Italico in Rome. Most of the residents had abandoned their homes in the days preceding. Many families were left homeless.

Local authorities failed to ensure that migrant workers employed to pick fruit – often in exploitative conditions – in the Piana di Gioia Tauro, Calabria, had access to adequate protection against COVID-19, including adequate housing. Hundreds of migrants endured the pandemic in informal settlements without electricity and sanitation, and with inadequate access to drinking water and food.

Many homeless people across the country could not access safe accommodation during the lockdown and struggled to find food and assistance due to the closure of public kitchens and dormitories where COVID-19 cases had been recorded.

WOMEN'S RIGHTS

Women's rights NGOs reported an increase in domestic violence during lockdown. Official data recorded over 23,000 calls to a national help line which in 2019 received approximately 13,400.

In October, the Council of Europe Committee of Ministers (the Committee), supervising the implementation of the ruling by the European Court of Human Rights in *Talpis v. Italy*, expressed concern at the high rate at which proceedings for domestic violence were discontinued at pre-trial stage. The Committee requested that by 31 March 2021, the authorities provide information and data about protection orders and risk assessments for victims.

The prevalence of gynaecologists who objected to abortion for reasons of conscience remained a significant obstacle to access the right to abortion. In August, the Ministry of Health approved new guidance to extend access to medical abortion.

1. Europe: Punishing compassion: Solidarity on trial in fortress Europe (EUR 01/1828/2020)

JAPAN

Japan
Head of government: **Yoshihide Suga (replaced Shinzo Abe in September)**

The government introduced measures to prevent harassment of LGBTI people at work, but no law was passed to protect them from overall discrimination. Domestic violence against women increased during the COVID-19 pandemic. The authorities'

responses to the pandemic excluded certain ethnic minorities.

BACKGROUND

On 28 August, Shinzo Abe announced his resignation after serving as prime minister for almost eight consecutive years. The Tokyo Olympics and the UN Congress for Crime Prevention and Criminal Justice, both scheduled for 2020, were postponed until 2021 due to the COVID-19 pandemic.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

In June, a law was revised with the goal of ensuring that companies take measures to stop employees from being harassed by staff in positions of relative power. The revision included provisions to protect LGBTI people from "outing" or other abuse based on sexual orientation, gender identity and expression. Small and medium enterprises had until April 2022 to introduce relevant measures, while compliance from larger companies was expected immediately.

The national government took no steps towards the legal recognition of same-sex marriage, but an increasing number of local municipalities introduced ordinances or guidelines that acknowledged same-sex unions. There were 69 such municipalities, covering approximately one third of the population at year's end. A bill introduced in 2018 by opposition political parties to outlaw discrimination against LGBTI people remained under examination at the national Diet (parliament) at year's end.

VIOLENCE AGAINST WOMEN

The numbers of women reporting domestic violence, which had been on the rise for 16 consecutive years, increased sharply during the COVID-19 pandemic.[1] There were 13,000 reported cases in April, 29% higher than the same month in 2019.

Journalist Shiori Ito won a civil lawsuit in December 2019 against a high-profile male journalist, who had sexually assaulted her after inviting her to dinner to discuss a job opportunity in 2015. Although no criminal charges were brought against him, the verdict was considered a major step for the #MeToo movement in the country, where victims of sexual harassment or other such abuse rarely speak up. Despite winning the court case, Shiori Ito faced further attacks on social media, which led her to file defamation lawsuits in June against a woman cartoonist and two men.

DISCRIMINATION

During the COVID-19 pandemic, health workers and their families faced discrimination in access to services. According to media reports, some health workers were subject to abuse during house calls, or were denied medical care, taxi or restaurant services. The family members of some health workers were suspended from work. Although the authorities warned that discrimination against health workers and their families was unacceptable, there were media reports that children of health workers were denied day care services and access to recreational facilities, or became targets of bullying.

Authorities responsible for distribution of COVID-19 assistance discriminated against ethnic Korean schools. In March, the city government of Saitama excluded an ethnic Korean kindergarten from an initiative to distribute face masks to workers providing care or education to pre-school children. Students at the Korea University in Tokyo were excluded from government payments designed to help students facing financial difficulties caused by the pandemic. The university is attended primarily by ethnic Koreans, some of whom were Japanese citizens.[2]

REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

In March, the authorities reported that 44 out of 10,375 asylum applications in 2019 were accepted as refugees. Existing laws allowed the authorities to indefinitely detain undocumented foreign nationals, including asylum-seekers and irregular migrants, until

such time as their deportation took place. When considering the detention of two asylum-seekers in August, the UN Working Group on Arbitrary Detention stated that such detention was arbitrary and discriminatory.

During the COVID-19 pandemic, detainees in immigration facilities complained of overcrowding, poor ventilation and lack of adequate distancing measures to protect them from infection. To reduce the number of individuals in immigration detention facilities, the authorities provisionally released more than half of all detained foreign nationals scheduled for deportation starting in April, but did not give them permission to work nor the means of an adequate standard of living. Instead, civil society organizations provided assistance for their survival.

DEATH PENALTY

While no executions took place during the year, the government took no steps towards abolishing the death penalty. People with intellectual and psychosocial disabilities continued to be at risk of execution. In February, the Osaka District Court denied Kenji Matsumoto's eighth request for a retrial. He was sentenced to death in 1993 after police allegedly coerced him into "confessing" to two robberies and murders. He was born with a severe intellectual disability, and developed a delusional disorder while in detention.

In December, the Supreme Court overturned a 2018 Tokyo High Court decision denying a retrial of the case against Iwao Hakamada, who had spent 46 years on death row.

1. The rise of 'corona divorce' amid Japan's domestic violence shadow pandemic (News story, 17 August)
2. Japan: Submission to the UN Human Rights Committee – 130th session, 12 October – 6 November 2020 (ASA 22/3065/2020)

JORDAN

Hashemite Kingdom of Jordan
Head of state: **Abdullah II bin al-Hussein**
Head of government: **Bisher al-Khasawneh (replaced Omar al-Razzaz in October)**

The authorities announced a state of emergency in March to combat COVID-19, giving the Prime Minister sweeping powers allowing for the detention of at least 13 journalists critical of the government and the King, and those accused of "spreading panic about COVID-19". The COVID-19 lockdown saw a spike in domestic violence. Migrant workers were left stranded with unpaid wages. Child labour increased as the economic impact of the pandemic pushed many families into poverty. Children of Jordanian mothers and non-Jordanian fathers were left without access to emergency state funding. Some Syrian refugees were left without humanitarian aid, and many others lost their jobs and returned to government-controlled areas in Syria.

BACKGROUND

In March, the King enacted Defence Law No. 13 of 1992, declaring a state of emergency and giving the Prime Minister sweeping powers to take "all measures necessary" to combat COVID-19. The Prime Minister pledged to implement it to the "narrowest extent" and in a manner that would not impinge on political rights, freedom of expression or private property.

Jordan remained a member of the Saudi Arabia-led coalition in the armed conflict in Yemen.

FREEDOMS OF EXPRESSION AND ASSEMBLY

The authorities continued to curtail freedom of expression and peaceful assembly.

The crackdown on journalists and activists continued, including through harassment of journalists in relation to the government's COVID-19 measures.

On 15 April, following the declaration of the state of emergency, the Prime Minister issued a decree stipulating that disseminating news that could "cause panic" over COVID-19 would carry a penalty of up to three years in prison. By the end of the year, at least 13 journalists had been arrested under the decree, most of whom were released soon after. In November, Fares Sayegh, owner of Roya TV, and its news director, Mohamad al-Khalidi, were arrested for airing a segment "criticizing the King", after they showed Jordanian residents complaining about the economic impact of the COVID-19 lockdown. The two men were detained for 14 days.

On 1 and 23 July, the Ministry of Education blocked access to popular social media apps throughout the country for several hours, saying, according to the Jordan Open Source Association, that the measure was to curb cheating during school examinations.

On 28 July, Tujan al-Bukhaiti, a 17-year-old Yemeni refugee, was found not guilty of the charges of "blasphemy" and "insulting religious feelings" after an eight-month trial. The Juvenile Police had summoned her for questioning following a report by the Cybercrime Unit over social media posts that included re-posts of Facebook statuses of her father, Ali al-Bukhaiti, that discussed cultural and religious topics in December 2019.

In August, journalist and cartoonist Imad Hajjaj was arrested over a caricature criticizing the deal to normalize relations between the United Arab Emirates and Israel. His case was referred to the State Security Court for "carrying out acts undermining Jordanian relationships with a friendly country". According to findings by Human Rights Watch, after the enactment of Defence Law No. 13, the General Intelligence Directorate regularly contacted several journalists, asking them questions about their work and warning them against covering certain issues. Journalists said that the authorities intentionally withheld permits and/or permission for them to attend and cover certain events. The authorities also used gagging orders on various human rights issues, including those involving domestic violence.

WORKERS' RIGHTS

On 25 July, after a protracted dispute between the government and the teachers' union over a pay increase, security forces raided 13 union branches, arresting 13 board members. In the following days, the authorities also arrested dozens of union members. The Attorney General then issued a gagging order, which banned any public discussion of the case, and an order to shut down the union for two years. Tensions had resurfaced over the government's decision to freeze public sector pay until the end of 2020 due to COVID-19, breaching a commitment to increase salaries by 50%. The union's closure triggered new protests in early August; two journalists covering the protests were arrested and held for a few hours, while two others were beaten.

On 31 December, a court in Amman ordered the dissolution of the teachers' union and the arrest of its board members, following investigations into accusations of "corruption" and "incitement over social media" that began in August. Soon after, four board members were arrested but then released on bail after the union's lawyer filed an appeal.

WOMEN'S RIGHTS

Provincial governors continued to use the Crime Prevention Law to administratively detain women, often for months and for discriminatory reasons, such as for being "absent from home" without a male guardian's permission, or for having sex outside marriage (*zina*), begging or homelessness. Dar Amneh, a shelter for women at risk of being killed by family members, continued to provide an alternative to the administrative detention of women at risk in "protective custody". However, women were not allowed to leave the shelter without the approval of a provincial governor.

Women's rights groups noted an increase in domestic violence cases during the

COVID-19 lockdown, including in Syrian refugee communities and among migrant domestic workers. The Family Protection Unit affiliated to the Public Security Directorate, which was established to respond to domestic violence and sexual assaults, had been overwhelmed. There was also a drop in cases of people seeking protection from the authorities or turning to women's state shelters. Other measures were introduced, such as tele-counselling and a hotline, but women's groups reported that these could only offer limited support.

Despite legislative changes in 2017 and some positive steps reported by women rights activists towards taking such crimes more seriously, there were no concrete measures to address domestic violence and so-called "honour" killings, both of which were particularly prevalent in Jordan. On 17 July, a widely disseminated video of the brutal public killing by her father of a woman named only as Ahlam triggered protests. The authorities failed to take any action to hold the father accountable or to respond in any other way.

MIGRANT WORKERS' RIGHTS

Migrant workers continued to be inadequately protected from abuse by their employers and agents and remained at risk of arbitrary detention. Their vulnerable situation was aggravated by COVID-19, as the pandemic led to a plethora of abuses, including arbitrary dismissals and unpaid wages. Rights groups indicated that many migrant workers lost their jobs and rarely had access to social protection or alternative employment, as only Jordanian daily workers and those with active social security accounts benefited from emergency in-kind and cash assistance. This meant migrant workers lost their residency status, a consequence of the *kafala* (sponsorship) system governing employment of migrant workers in the region, leaving them subject to arrest, detention and deportation. Migrant workers who wished to leave the country often could not do so because of travel restrictions imposed to curb the virus.

Migrant workers peacefully protesting for their rights were met with tear gas, as happened when Sri Lankan migrant domestic workers protested in July about the authorities continuing to ignore their demands.

CHILDREN'S RIGHTS

Citizenship laws continued to discriminate against children of Jordanian mothers and non-Jordanian fathers who, unlike children of Jordanian fathers married to non-Jordanians, were denied Jordanian citizenship. This effectively deprived those children from benefiting from the emergency fund set up by the Ministry of Social Development to counter the economic fallout of COVID-19, especially in cases where the mother was not present to apply for the aid herself. According to rights groups, the economic impact of COVID-19 led to an increase in child labourers.

RIGHTS OF REFUGEES AND ASYLUM-SEEKERS

Jordan continued to host approximately 655,000 Syrians, 67,000 Iraqis, 15,000 Yemenis, 6,000 Sudanese nationals and 2,500 refugees from 52 other countries registered with UNHCR, in addition to over 2 million Palestinian refugees registered with the UN Relief and Works Agency.

At least 10,000 Syrian refugees remained in the "berm", a no man's land in the desert along the Jordanian-Syrian border. In March, Jordan announced it would bar aid convoys from crossing through its territory to deliver assistance and medical equipment to the refugees, citing COVID-19 concerns.[1] The authorities' decision exacerbated an already dire humanitarian situation, including by putting pregnant women at risk as no maternal health care was accessible there.

In August, Jordanian authorities forcibly transferred at least 16 Syrian refugees, including eight children, to an informal camp in the "berm".[2] Many of them chose to go back to government-controlled areas in Syria as a result of the dire living conditions in the "berm".

Syrian refugees were amongst the most affected by state measures to combat COVID-19 as a result of their largely informal employment and a lack of written contracts, social security and health insurance cover or valid work permits. According to UNHCR, one third lost their jobs while others saw a 40% drop in their income. Syrian refugees were barred from several employment sectors, including the health, teaching, engineering and technical professions.

Palestinian refugees from the Gaza Strip continued to be excluded from basic rights and services as they do not have Jordanian citizenship.

DEATH PENALTY

Authorities continued to hand down death sentences; no executions were carried out.

1. Jordan: Authorities must allow urgent medical care for displaced Syrians in Rukban during COVID-19 (Press release, 7 May)
2. Jordan: Stop forcible transfer of Syrian refugees to a no-man's land in the desert (Press release, 15 September)

KAZAKHSTAN

Republic of Kazakhstan
Head of state: **Kassym-Jomart Tokayev**
Head of government: **Askar Mamin**

The rights to freedom of peaceful assembly and expression remained severely limited. Critics of the authorities faced politically motivated prosecution. Torture and other ill-treatment remained widespread. Human rights defenders faced harassment and civil prosecution for libel. LGBTI people faced stigma and abuse. People with disabilities were deprived of their rights. The worsening economic situation caused by the pandemic reduced access to education and increased child labour.

BACKGROUND

On 10 February during clashes between ethnic Kazakhs and Dungans, a Muslim ethnic group of Chinese origin, hundreds were injured and 10 died. Following the first confirmed COVID-19 cases a state of emergency was declared from 16 March to 11 May. By 29 October, 2,219 deaths from COVID-19 had been officially confirmed. Official excess death statistics, however, indicated a considerably higher death toll. The World Bank reported in a mid-year projection that as a result of the pandemic an additional 800,000 people were living in poverty.

In September, Kazakhstan signed the Second Optional Protocol to the ICCPR, committing not to carry out executions and to abolish the death penalty.

FREEDOM OF ASSEMBLY

Peaceful demonstrators were subjected to administrative detentions and fines. In May, the President signed a new Law on Public Assemblies which fell short of international standards. It effectively requires the authorities' permission and only allows assemblies in designated locations. It openly discriminates against non-citizens, persons with mental or "psycho-social" disabilities, and unregistered organizations.

On 6 June, a peaceful protest in the city of Almaty was dispersed on the grounds that the area needed to be disinfected. Hundreds were briefly detained. Human rights defender Asya Tulesova remonstrated with police officers for detaining peaceful protesters and knocked a police officer's hat off. She was remanded for two months in pre-trial detention despite the risks of COVID-19 and sentenced on 12 August to 18 months of "restricted freedom" (a parole-like non-custodial sentence) and a fine for attacking and insulting a police officer.

FREEDOM OF EXPRESSION

In June, the President signed a law to decriminalize libel. However, peaceful critics of the government faced prosecution and harsh penalties as the authorities exploited the state of emergency measures envisaged by Article 274 of the Criminal Code ("dissemination of knowingly false information") to clamp down on dissent.

From January to August, 81 cases were started under Article 274 and five reached the courts.

On 22 June, Alnur Ilyashev was found guilty under Article 274 for three posts on social media criticizing the government's response to COVID-19 and corruption. He was sentenced to restricted freedom for three years and banned from "voluntary political and social activism" for five years.[1]

Prisoners of conscience

Maks Bokayev continued to serve his five-year prison term, despite his worsening health condition. He had been convicted for his involvement in the organization of peaceful demonstrations and his posts on social media, including under Article 174 of the Criminal Code ("incitement of social, clan, national, racial or religious discord").

TORTURE AND OTHER ILL-TREATMENT

Torture and other ill-treatment remained widespread in penitentiary institutions. With few exceptions, authorities failed to carry out impartial, independent and effective investigations.

On 6 October, a Committee of National Security officer was sentenced to five and a half years' imprisonment for rape and torture. Viktoriya Berdkhodzhaeva, a transgender woman serving a prison sentence in a women's colony, reported that she had been raped by the officer in July 2019. She earlier reported that she had suffered sexual harassment from male staff and discriminatory attitudes from other prisoners since arriving in the colony in 2017.

On 17 October, Azamat Orazaly was detained on suspicion of stealing livestock and died in police custody the same day in Makanchi village in the East Kazakhstan region. Three police officers were detained on suspicion of torture. The case was ongoing at the end of the year.

HUMAN RIGHTS DEFENDERS

Human rights defenders faced harassment and prosecution. Elena Semionova, from Pavlodar, in northern Kazakhstan, was the subject of eight civil defamation cases lodged against her by prison officials from six prisons because of her work exposing alleged cases of torture. On 3 June, a court found that she had defamed the staff of Prison 161/2 and ordered her to publicly retract her statements. On 3 July, she lost a defamation case against the director of Prison 164/4 in the village of Zarechny in Almatinsky region, for reporting the beating of a prisoner by prison guards on 10 April. Despite medical reports documenting the prisoner's injuries, the court found that Elena Semionova's reports were untrue and harmed the reputation of the prison director. Two cases were dropped by the applicants and four cases were ongoing at the end of the year.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE (LGBTI)

LGBTI activist Nurbibi Nurkadilova published a statement in May by the European Union and a number of foreign embassies in Kazakhstan marking the International Day against Homophobia, Transphobia and Biphobia. The publication provoked homophobic and transphobic comments, including by a well-known mixed martial arts fighter, Kuat Khamitov.
After Nurbibi Nurkadilova replied to him and revealed that she was a transgender woman, he encouraged people to attack LGBTI people. No action was taken by the authorities.

CHILDREN'S RIGHTS

The closure of the Kazakh-Uzbek border due to the pandemic caused labour shortages. Radio Azattyk reported in October that children were working in cotton fields in the Turkestan region, in southern Kazakhstan. Some were below the legal working age for light work of 16. The World Bank reported that the number of secondary school students in Kazakhstan performing below functional literacy would increase as a result of pandemic-related school closures and inadequate access to distance learning.

RIGHTS OF PEOPLE WITH A DISABILITY

People with mental disabilities continued to be deprived by the courts of legal capacity, and thereby of their basic rights. In the absence of systems for review it remained very rare for people to regain their rights. In January, a court in Almaty reinstated Vadim Nesterov's legal capacity. He had been diagnosed as "retarded" and was deprived of legal capacity when he reached the age of 18 while living in institutional care.

Levels of institutionalization remained high. In April, four children living in a residential care home for children with disabilities in Ayagoz in eastern Kazakhstan died from medical conditions while most of the staff were on unpaid leave as part of quarantine measures. An investigation found that the home failed to provide adequate medical care and disciplinary measures were taken against some of the staff involved.

On 22 October, President Tokayev announced that by 2022 Kazakhstan would ratify the Optional Protocol to the Convention on the Rights of People with Disabilities, allowing people to bring complaints under the treaty.

1. Kazakhstan: Political activist sentenced to "restricted freedom" for criticizing government's COVID-19 response (News story, 22 June)

KENYA

Republic of Kenya
Head of state and government: **Uhuru Muigai Kenyatta**

Police used excessive and sometimes lethal force to enforce a curfew and to disperse peaceful protests; they also carried out extrajudicial executions and enforced disappearances. Journalists and bloggers were subjected to harassment, intimidation and arbitrary arrests. COVID-19 movement measures were restrictive and undermined the right to health for women and for people from marginalized groups, and subjected refugees and asylum-seekers to further hardship. Women continued to face inequality. The authorities forcibly evicted thousands of people, and the President disregarded the Constitution by failing to appoint superior court judges.

BACKGROUND

In response to the COVID-19 pandemic, on 27 March the President invoked the Public Order Act to impose restrictions, including a three-month nationwide curfew between 7pm and 5am. It was extended in June and again in November but with the hours reduced to between 10pm and 4am.

EXCESSIVE USE OF FORCE

In January, residents of the Kasarani district in the capital, Nairobi, peacefully demonstrated against the poor state of roads in their neighbourhood. Police officers responded by firing live ammunition at them, killing a 17-year-old boy.

The use of excessive force by police escalated after the curfew was imposed in response to the COVID-19 pandemic. Officers shot at and beat people for violating the curfew, sometimes hours before the curfew was due to be imposed, and at least six people were killed by police officers in the 10 days following its introduction.

On 27 March, a police officer beat journalist Peter Wainaina with a baton while he filmed police kicking, slapping and firing tear gas at commuters, as they rushed them to board a ferry ahead of the curfew.

In June, police officers killed a man in Lessos in Nandi County when they fired live ammunition into a crowd of motorcycle taxi drivers protesting after one of their colleagues was arrested, allegedly for not wearing a face mask. When the protesters marched to the police station the police shot dead two other men. The Independent Police Oversight Authority said it had launched an investigation into the killings. No findings were made public by the end of the year.

EXTRAJUDICIAL EXECUTIONS AND ENFORCED DISAPPEARANCES

There were 144 extrajudicial executions and 11 people were subjected to enforced disappearance during the year. In February, the Senate began a formal inquiry into these crimes. However, COVID-19 restrictions on movement of people prevented its evidence-gathering hearings from proceeding.

There was a spike in the number of extrajudicial executions while security forces enforced the curfew. On 28 March, police officers beat Hamisi Juma to death, near Zibani village, after he drove a woman in labour to hospital at night during the curfew.

On 30 March, 13-year-old Yassin Moyo was shot dead by a police officer in Eastlands in Nairobi while he was playing on his balcony after the 7pm curfew. A police officer was charged with his murder in June.

In April, the Interior Minister said that 14 police officers accused of gross misconduct during the curfew period had been suspended pending investigation.

Later that month, Michael Njau, a social justice activist, his cousin and a taxi driver disappeared while travelling from Thika to Nairobi. Two days later, police discovered their abandoned car. There was no evidence to implicate the police, but Michael Njau's colleagues said he had received threats for his work on police killings. The men's whereabouts remained unknown at the end of the year.

FREEDOM OF EXPRESSION

Police intimidated, harassed and attacked journalists and bloggers as a means to silence them. On 29 March, three journalists were arrested for allegedly violating the curfew, despite their legal exemption from curfew restrictions.

Several bloggers and journalists were arrested and charged under the Computer Misuse and Cybercrimes Act for publishing what the government deemed to be misleading information about COVID-19 (which it said amounted to incitement of the public against the government), or for publishing corruption allegations. In August, Milton Were and Jack Okinyi were arrested by Directorate of Criminal Investigations (DCI) officers after they had published a story on alleged mismanagement of public funds, and detained overnight at Muthaiga police station in Nairobi. Nyukuri Barasa and Charles Gichuki were also arrested by DCI officers in August for, among other things, publishing information exposing government corruption. Nyukuri Barasa was detained at Kilimani police station and Charles Gichuki was detained at Capitol Hill police station, both in Nairobi. They were both released without charge the next day.

FREEDOM OF MOVEMENT

In March, the Health Ministry issued directives requiring everyone entering the country to report to quarantine centres. Anyone who violated the public health guidelines by not wearing a mask or flouting the curfew, for example, could also be held in quarantine. According to the Ministry, around 2,000 people were quarantined. Many of them said they were ill-treated and exposed to increased health risks. Physical distancing measures were not followed, sanitary conditions were poor, and there was inadequate food. Those confined were not informed of how long they would spend in quarantine and were charged excessive fees.

Hospitals detained patients, or refused to hand over the bodies of those who died to their families because of unpaid medical bills, something the High Court had ruled to be illegal in 2018. Dennis Bwire was detained by a private hospital for three months after his discharge date and released in July following a civil society campaign.

RIGHT TO HEALTH AND WORKERS' RIGHTS

In August, hundreds of public hospital doctors held a week-long strike over delayed salaries, inadequate PPE, and lack of medical insurance.

Meanwhile, the Auditor General reported a KES2.2 billion (US$20 million) corruption scandal at the Kenya Medical Supplies

Agency in which PPE that had been donated to the government was allegedly stolen. Most front-line medical staff were forced to buy their own PPE, and if they became infected with COVID-19 they had to cover the costs of their own treatment.

The COVID-19 curfew and the fear of police deterred people from moving at night and restricted access to maternal health care for many women. Some women were unable to get to hospital during labour, and pregnant women reported being verbally and physically assaulted by police when they sought health care during curfew hours.

FORCED EVICTIONS

On 4 May, the Nairobi Water Company, accompanied by police, forcibly evicted 7,000 people from their homes at the Kariobangi Sewerage settlement in Nairobi, one day after a court ordered a temporary halt to the evictions. Their homes and other buildings were demolished to make way for a sewerage system with only two days' notice, in violation of international human rights standards and Kenyan law. On 11 May, following a public outcry, the Interior Ministry announced a moratorium on evictions during the COVID-19 pandemic.

Although the moratorium halted 13 evictions planned to make way for sanitation facilities, other evictions continued. On 15 May, the authorities forcibly evicted over 1,000 people in Ruai ward in Nairobi, rendering them homeless. In October, the Kenya Power and Lighting Company demolished 3,000 homes in Dagoretti Corner, an informal settlement in Nairobi.[1]

In September, the EU withdrew funding for a €31million (US$35 million) conservation project, in response to forced evictions and other human rights violations against the Sengwer Indigenous community in Embobut Forest. In 2018, it had suspended funding when a Kenya Forest Service guard killed a Sengwer Indigenous man.

WOMEN'S RIGHTS

Although the government increased investment to address violence against women, to improve women's economic participation and increase access to health and education, women remained disadvantaged and under-represented in most public and private spheres.

Parliament failed to enact laws which would ensure gender equality in accordance with the Constitution's "two-thirds gender rule". As a result, in September the Chief Justice advised the President to dissolve the legislative body.

The two-thirds rule stipulates that the National Assembly and Senate shall not be made up of more than two thirds of members from one gender.

RIGHT TO TRUTH, JUSTICE AND REPARATION

Relations between the National Executive and the judiciary remained tense after the Supreme Court nullified the presidential election results in 2017. The President ignored his constitutional obligation and a High Court order to appoint 11 judges to the Court of Appeal, and 30 judges to the High Court. In January, Court of Appeal hearing centres outside Nairobi were forced to close due to a shortage of judges, and many hearings were postponed until 2022.

Senior public officers continued to disobey court orders. In January, the government violated a court ruling when it prevented Miguna Miguna, a government critic who was deported to Canada in 2018, from returning to Kenya.

Civil society organizations continued to fight for justice. Residents of the Owino-Uhuru settlement in Mombasa, together with the Centre for Justice, Governance and Environmental Action NGO, won damages from the state amounting to KES1.3 billion (US$11.6 million) as compensation after a factory contaminated the community's land, resulting in some residents suffering lead poisoning. The government appealed against the decision.

REFUGEES AND ASYLUM-SEEKERS

In April, movement in and out of the Kakuma and Dadaab refugee camps was restricted under lockdown measures.

In May, Kenya closed its borders with Somalia and Tanzania, citing COVID-19 concerns. Reception and registration centres for asylum-seekers in urban areas and in the refugee camps remained partially closed at the end of the year. Over 13,000 new arrivals in Dadaab refugee camp, many of them from Somalia, were unable to register as asylum-seekers.

1. Kenya: Forced eviction leaves 3000 people homeless (AFR 32/3151/2020)

KOSOVO*

Kosovo*
Head of state: **Vjosa Osmani (acting, replaced Hashim Thaçi in November)**
Head of government: **Avdullah Hoti (replaced Albin Kurti in June)**
*This designation is without prejudice to positions on status, and is in line with UN Security Council Resolution 1244 and the International Court of Justice Opinion on the Kosovo Declaration of Independence.

The Kosovo Specialist Chambers in The Hague opened proceedings against senior Kosovo Albanian politicians and former Kosovo Liberation Army commanders suspected of crimes under international law during the 1998-1999 war. Few survivors applied for the pension awarded to victims of wartime sexual violence. Under restrictions and a curfew imposed by the government during the COVID-19 pandemic, discrimination against Roma continued and domestic violence rose.

BACKGROUND

Following a no confidence vote, Prime Minister Albin Kurti's government was replaced in June, without an election, by Avdullah Hoti's government. However, in December, the Constitutional Court ruled the Assembly's approval of this government unlawful.

In mid-March, the Kurti government introduced COVID-19-related restrictions and limited freedom of movement. The Hoti government lifted some restrictions, but in July reinstated curfews and other limitations. Inadequate health services and environmental factors produced disproportionately high COVID-19 mortality rates.

RIGHT TO TRUTH, JUSTICE AND REPARATION

Proceedings began at the Kosovo Specialist Chambers (KSC) established in The Hague in 2016. The court allowed victims to be party to the proceedings and to be eligible for reparations. In June, the Specialist Prosecutor's Office (SPO) announced an unconfirmed indictment against President Hashim Thaçi, who resigned in November, before appearing before the KSC. He is indicted – along with former Kosovo Liberation Army (KLA) General Staff Kadri Veseli, Rexhep Selimi and Jakup Krasniqi – for war crimes and crimes against humanity, including the murder of around 100 civilians, including Serbs, Roma and ethnic Albanian opponents.

In September, the SPO summoned Agim Çeku, former Prime Minister and KLA commander, for questioning. In the same month, proceedings opened against former KLA commander Salih Mustafa, indicted for the arbitrary detention, cruel treatment, torture, and murder of civilians at Zllash detention camp in April 1999.

Confidential SPO files naming protected witnesses were anonymously leaked to the KLA War Veterans' Organization; subsequently two officials were transferred to the court, and publicly indicted in December for the obstruction of justice, witness intimidation and secrecy violations.

In Kosovo, former Serbian police officer Darko Tasić was convicted in June of war crimes for his part in burning and dumping 100 bodies after the massacre in Krushe e Vogel/Mala Kruša village. The victims' families

protested the Appeals Court December decision to halve his 22 year sentence.

ENFORCED DISAPPEARANCES

On 30 August, International Day of the Disappeared, 1,643 people remained missing. In both the Serbian capital, Belgrade, and Pristina, families of missing Kosovo Serbs and Kosovo Albanians together called on their governments to open military archives to help identify burial sites.

GENDER-BASED VIOLENCE

In March, former Kosovo Serb police officer Zoran Vukotić was indicted by Kosovo prosecutors for the rape of a 16-year-old girl in the Mitrovica region in May 1999.

Only 200 victims of wartime sexual violence applied to the government commission established to decide on their survivor status and grant them a €230 monthly pension. Including some applications submitted in 2019, 222 applications were accepted and 69 rejected. Although the NGO Medica Gjakova had counselled over 4,500 rape survivors, only 300 of them had applied since 2018; many feared stigmatization or family disapproval.

FREEDOM OF EXPRESSION

Investigative journalists faced threats, slurs and attack. In June, the former Minister of European Integration opened a defamation suit against Jeta Xharra, director of the Balkan Investigative Reporting Network, KALLXO.com and Prishtina Insight. In July, Jeta Xharra was threatened by another former minister, and in September, former Prime Minister Ramush Haradinaj called journalists "mercenaries". In October, journalist Shkumbin Kajtazi's car was damaged by gunfire outside his home in Mitrovica.

RIGHT TO HEALTH

In September, the UN Special Rapporteur on hazardous substances urged the UN to provide "individual compensation and a public apology" to Kosovo Roma, Ashkali and Egyptians who suffered lead poisoning while living in UN-operated refugee camps situated on contaminated land.

The NGO Admovere reported in July that despite receiving additional social payments, Roma, Ashkali and Egyptians were disproportionately disadvantaged in accessing COVID-19 tests.

VIOLENCE AGAINST WOMEN AND GIRLS

Domestic violence cases increased in March by 36% over the previous year. By December, seven women had been killed by a partner or family member.

In June, Luljeta Alija opened a discrimination case against Pristina police who refused to file a complaint against her husband for violating a domestic violence protective order because she was "inappropriately dressed".

KUWAIT

State of Kuwait
Head of state: **Nawaf al-Ahmad al-Jaber al-Sabah (replaced Sabah al-Ahmad al-Jaber al-Sabah in September)**
Head of government: **Sabah al-Khaled al-Hamad al-Sabah**

The authorities continued to unduly restrict the rights to freedom of expression and association. Members of the stateless Bidun minority remained unable to access a range of public services. With the spread of COVID-19, residence permit violators were granted a month's amnesty, allowing them to leave the country without paying fines or travel costs. Migrant workers remained inadequately protected against exploitation and abuse.

BACKGROUND

Kuwait sped up its "Kuwaitization" process to replace expatriates with nationals in the workforce to address rising unemployment among nationals.

Under the UN Universal Periodic Review (UPR) process in July, the government rejected recommendations to ratify or accede

to treaties, including those protecting the rights of migrant workers and refugees, and to bring its laws into compliance with the rights to freedom of expression, peaceful assembly and association.

Kuwait remained part of the Saudi Arabia-led coalition engaged in armed conflict in Yemen, albeit in a very limited role.

FREEDOM OF EXPRESSION, ASSEMBLY AND ASSOCIATION

In August, Parliament approved amendments to the law on press and publications, including lifting the Ministry of Information's control over imported publications.

The authorities detained and prosecuted at least 12 government critics and activists under provisions of the Cybercrime Law and Penal Code provisions that criminalize legitimate speech, including for offending the Emir, criticizing neighbouring countries or spreading false news.

In April, a Ministry of Information source told a news outlet that the Ministry had intensified its "monitor[ing] of websites and news services that broadcast lies and rumours and provoke sedition" since the COVID-19 pandemic began, referring "25 news services sites" for prosecution.[1]

On 28 January, a criminal court sentenced three Bidun men, including Redha al-Fadhli, Hammoud al-Rabah and one man in his absence, to sentences ranging from 10 years to life in prison for their peaceful activism. The court acquitted another Bidun man and released 12 others, including human rights defender Abdulhakim al-Fadhli, on a pledge of good conduct for two years.[2] Security forces had arrested them in July 2019 during a crackdown on peaceful protesters. On 20 July, the 10-year sentences against Redha al-Fadhli and Hammoud al-Rabah, for membership of a proscribed organization, were overturned on appeal. The court reduced their sentences to suspended two-year prison terms.

DISCRIMINATION – BIDUN

Stateless Bidun people remained unable to access a range of public services, including health care. During the UPR process, the government accepted recommendations to ensure that the Bidun enjoy equal access to education, health care and employment, and some recommendations on their acquisition of nationality.

In October, the Chairman of Kuwait's National Assembly attempted to speed up the debate and vote on six proposed drafts laws on the Bidun issue during the last parliamentary session, ahead of parliamentary elections. His attempts were thwarted when Members of Parliament boycotted the discussions.

MIGRANTS' RIGHTS

The *kafala* (sponsorship) system, which ties migrant workers' right to be in Kuwait to their employment, put these workers at greater risk of human rights violations. The workers were also at heightened risk of contracting COVID-19, including because of poor living conditions. Thousands lost their jobs as a result of the economic impact of the pandemic and hundreds were stranded in Kuwait.

At the end of March, the government announced a one-month amnesty for residence permit violators, allowing them to leave the country without paying fines or travel costs. Those with ongoing court cases, bank loans or bills were not eligible. While awaiting repatriation, migrant workers were set up in camps and shelters with dire sanitary conditions, further increasing their vulnerability to infection.

The authorities prosecuted at least three cases of physical abuse of domestic workers by their employers. On 30 December, a criminal court sentenced a Kuwaiti woman to death and her Kuwaiti husband to four years in prison for the murder of their employee Jeanelyn Villavende, a Filipina domestic worker. Both have the right to appeal against their conviction and sentence. In separate cases, two Sri Lankan domestic workers were abused by their sponsors' wives, including one who later succumbed to her injuries. Following investigation, the authorities arrested the two female suspects.

The authorities also arrested and prosecuted scores of human traffickers and illegal visa traders, investigating hundreds of companies accused of exploiting government contracts to engage in human trafficking.

WOMEN'S RIGHTS

During the UPR in July, Kuwait accepted recommendations to fully implement CEDAW but rejected other recommendations including to ensure "full equality between men and women", to criminalize sexual violence and marital rape and to make its personal status and nationality laws gender-neutral.[3]

In August, Parliament approved a bill criminalizing domestic violence, offering further protections for victims of domestic violence as well as legal, medical and rehabilitation services. Women continued to face discrimination in law and practice.

Kuwait retained a law (Penal Code Article 153) that makes murder of a female relative punishable by as little as a fine in "honour killing" cases. Killings of women by their brothers were reported in Kuwait City in September and December.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE

Maha al-Mutairi, a transgender woman, was arrested several times and charged under Article 198 of the Penal Code, which criminalizes "imitat[ing] the other sex in any way". On 5 June, shortly before fulfilling a summons to attend a police station, she posted Snapchat videos accusing police officers of raping and beating her during her seven months' detention in 2019 in a male prison for "imitating the opposite sex". She was released on 8 June without charge.

DEATH PENALTY

Courts continued to hand down death sentences; no executions were reported.

1. COVID-19 is new pretext for old tactics of repression in GCC (MDE 04/3136/2020)
2. Kuwait: Heavy prison sentences of activists demanding rights of citizenship (Press release, 28 January)
3. Kuwait: Fulfil treaty obligations on women's rights (MDE 17/2672/2020)

KYRGYZSTAN

Kyrgyz Republic
Head of state: **Talant Mamytov (replaced Sadyr Japarov in November, who replaced Sooronbai Jeenbekov in October)**
Head of government: **Artem Novikov (replaced Sadyr Japarov in November, who replaced Kubatbek Boronov in October)**

Reports of torture and other ill-treatment in police custody continued. The government failed to take adequate measures to protect health workers during the COVID-19 pandemic. Survivors of gender-based violence faced serious obstacles in accessing justice. Prisoner of conscience Azimjan Askarov died after contracting pneumonia in prison. Human rights defenders faced retaliation for their work. Proposed new legislation threatened to impose further restrictions on NGOs. Police dispersed a peaceful march to mark International Women's Day.

BACKGROUND

The first cases of COVID-19 were reported on 18 March and a state of emergency was declared from 22 March to 10 May. Restrictions were severe; in some cases residents were sealed into their apartment blocks.

The country was plunged into a period of instability, after the October parliamentary elections results were widely contested and then annulled after mass protests. Several people held in custody were released by the protesters, including Sadyr Japarov who had been imprisoned in 2017 for hostage-taking. Amid bitter disputes over leadership, a group of parliamentarians nominated him as Prime Minister on 10 October. President Sooronbai Jeenbekov resigned under pressure on 15 October and Sadyr Japarov was confirmed as interim President, but then stepped down in

November to run in presidential elections set for January 2021.

TORTURE AND OTHER ILL-TREATMENT

Credible reports of torture and other ill-treatment in police custody persisted. Uzbekistani journalist Bobomurod Abdullayev was arrested in the capital, Bishkek, on 9 August following an extradition request from Uzbekistan. He was denied access to a lawyer, and later alleged that investigators tortured him on 11 August to force him to sign a document by attempting to suffocate him with a towel. On 22 August, Bobomurod Abdullayev was forcibly returned to Uzbekistan, where he was at real risk of torture, while his application for asylum in Kyrgyzstan was still pending.

The UN Human Rights Committee ruled in the cases of Shukurillo Osmonov and Zhanysbek Khalmamatov in May and June respectively that Kyrgyzstan had failed to carry out independent investigations into torture allegations. Shukurillo Osmonov alleged that he was tortured by four police officers in 2011, to force him to confess to taking part in the mass disturbances in Osh in 2010, although he had been out of the country at the time. His allegations of torture were investigated by the same investigator who had been in charge of the investigation against him and who found no evidence of torture despite medical reports and eye-witness statements. Shukurillo Osmonov was later convicted of arson, rioting and murder.

RIGHT TO HEALTH – HEALTH WORKERS

The authorities failed to protect the human rights of health workers. Doctors were not provided with adequate PPE in a timely fashion, they were expected to work excessive hours, were subjected to enforced and unsafe "prison like" quarantine, and remained on low pay (and were often not paid on time). Compensation payments to workers for death and illness due to COVID-19 were restricted and not paid to all those who otherwise should have qualified. Furthermore, doctors who spoke out about working conditions and lack of PPE faced reprisals.

VIOLENCE AGAINST WOMEN AND GIRLS

Survivors of gender-based violence faced serious obstacles in accessing justice, such as the failure to provide a protected environment for victims during the judicial process. Survivors were often subjected to threats from the prosecution or public, and in many cases withdrew their complaints. According to the Interior Ministry, in 2019, 8,519 cases relating to domestic violence under the Code on Misdemeanours were recorded, but only 554 cases reached the courts (their outcomes were not reported), and 560 were still under investigation. The rest were terminated because the alleged victims withdrew their complaints or petitioned the prosecuting authorities to end the proceedings. According to the Ministry, between January and March 2020, the number of reported cases of domestic violence increased by 65% compared to the same period in 2019. In June, the Code of Criminal Procedure was amended to allow police to detain perpetrators of domestic violence for up to 48 hours.

HUMAN RIGHTS DEFENDERS

Human rights defenders continued to face harassment and reprisals for their work. Kamil Ruziev, the leader of the human rights organization Ventus in the city of Karakol, was targeted by the criminal justice system in retaliation for his work on behalf of victims of torture. Police arrested him outside a court building in Karakol on 29 May for not having any identification with him, in full knowledge that the relevant document had been deposited in the court building. He was remanded under house arrest on 31 May on a charge of allegedly falsifying a hospital letter presented to a court to explain why he missed an appeal on behalf of one of his clients, even though doctors confirmed that they had issued the letter. The case was ongoing at year's end.

Prisoners of conscience
Azimjan Askarov died in prison on 25 July reportedly of pneumonia despite repeated calls for his release, including in view of the risk to his health from the COVID-19 pandemic. Azimjan Askarov was sentenced to life imprisonment in September 2010 on false charges and following an unfair trial. He alleged that he had been tortured while in detention.

FREEDOM OF ASSOCIATION
In June, Parliament passed at the second reading amendments to the Law on NGOs which would impose additional onerous financial reporting requirements. Failure to comply could result in dissolution. The amendments passed without adequate consultation – civil society's access to the discussion was limited because of COVID-19 restrictions, and online discussion was not provided. By year's end, the required final third reading had yet to be timetabled.

FREEDOM OF ASSEMBLY
On 4 March, the Pervomaisky District Court of Bishkek upheld a decision by the city authorities to ban a peaceful march to celebrate International Women's Day on 8 March, on the grounds that measures needed to be taken to prevent the spread of COVID-19. The Court declared that "peaceful demonstrations disturb the stable functioning of everyday life of the capital" and imposed a ban on all assemblies of over 100 people except for official events in Bishkek until 1 July. Police dispersed a peaceful march on 8 March, detained 70 activists and held them for several hours before charging six with the administrative offence of disobeying a police officer. The rally set for 8 March finally went ahead on 10 March, and the ban on peaceful gatherings was lifted until the state of emergency was imposed later that month.

LATVIA

Republic of Latvia
Head of state: **Egils Levits**
Head of government: **Arturs Krišjānis Kariņš**

Roma and LGBTI people continued to face discrimination. Statelessness remained high. There remained no comprehensive law on gender-based violence. Limitations on education in minority languages continued.

BACKGROUND
A state of emergency in response to the COVID-19 pandemic, effective from March to June and then from November onwards, allowed for restrictions on certain human rights. During the first period, Latvia derogated from several of its obligations under the European Convention on Human Rights.

The government implemented swift measures to address the impact of the pandemic and contain the spread of the virus, but COVID-19 related infections and deaths spiked at the end of the year.

DISCRIMINATION
The Latvian Centre for Human Rights noted in March an increase in cases of incitement to violence and discrimination targeting Latvian nationals repatriating from abroad due to COVID-19.

Roma
Discrimination against Roma persisted in many areas of life.

Concrete measures to include Roma children, in particular girls, in the mainstream education system remained insufficient. Data on dropout rates for Roma, disaggregated by factors such as sex and age, were not available.

Lesbian, gay, bisexual, transgender and intersex (LGBTI) people
Latvia's legislative framework regarding LGBTI rights remained weak, and NGOs

reported widespread discrimination against LGBTI people. The EU's Fundamental Rights Agency reported that 47% of LGBTI people did not report physical or sexual attacks to the police out of fear of a homophobic and/or transphobic reaction.

On 12 November, the Constitutional Court recognized the right of same-sex couples to parental leave.

STATELESSNESS

Statelessness remained high, with 212,814 people having the status of "non-citizen" – a special category for citizens of the former USSR who have neither Latvian nor another citizenship – and 163 people with "stateless" status. Domestic law provisions for "non-citizens" continued to fall short of international standards, including a lack of political rights and some restrictions on employment and land ownership. Gaps remained for stateless migrants, including a lack of protection during the statelessness determination procedure, absence of a facilitated route to naturalization and few safeguards against arbitrary detention, with alternatives to detention applied only in a small proportion of cases.

WOMEN'S RIGHTS

In Concluding Observations in March, the CEDAW Committee reiterated many concerns from its previous review in 2004, including calling on Latvia to adopt a comprehensive law on gender-based violence.

Latvia again failed to ratify the Istanbul Convention, and 21 members of parliament lodged a case in the Constitutional Court challenging the Convention's compliance with the Constitution.

RIGHT TO EDUCATION

The Council of Europe's Venice Commission noted in June that certain 2018 amendments to the law on education in minority languages failed to strike a fair balance between protection of the rights of minorities and promotion of the official state language.

LEBANON

Lebanese Republic
Head of state: **Michel Aoun**
Head of government: **Saad Hariri (replaced Hassan Diab in October, who replaced Mustapha Adib in September, who replaced Hassan Diab in August)**

The authorities continued to repress the protest movement that began in October 2019 through repeated summonses of activists to security and military institutions on charges of criminal defamation, as well as the use of excessive force against largely peaceful protesters, including with live ammunition, tear gas and rubber bullets. State officials rejected calls for an international investigation into a devastating explosion at the Port of Beirut. Torture complaints remained without effective investigation. Due to the economic crisis and COVID-19, dozens of migrant domestic workers were fired and found themselves trapped without passports or pay; the Ministry of Labour adopted a revised, standard unified contract for migrant workers that included new protections for migrant domestic workers, including vital safeguards against forced labour, but a judicial review body suspended its implementation.

BACKGROUND

Hassan Diab's government won a parliamentary vote of confidence on 11 February after his predecessor's government had resigned in response to the October 2019 protest movement calling for an end to corruption and for radical change among the political elite. The economic crisis deteriorated, with unemployment rising exponentially and the UN stating that more than 55% of the population lived in poverty, almost double the previous year's rate. On 7 March, the government defaulted, for the first time in its history, on Lebanon's nearly US$90 billion debt. By the end of the year, the Lebanese lira had lost more than 80% of its value, depositors were unable to access

their US dollar savings but only to withdraw in lira at less than 50% of the black market rate, and inflation had risen to 133.5%.

On 4 August, a massive explosion in the port area of Beirut killed at least 204 people(nine people remained missing), injured more than 6,500 others and left some 300,000 displaced or homeless. Material damage was found up to 20km from the blast and the World Bank estimated the repair cost to be between US$3.8 and US$4.6 billion. According to President Aoun, the blast was caused by 2,750 tons of ammonium nitrate stored for years at the port, while officials exchanged blame.

On 10 August, the government of Hassan Diab resigned amidst public uproar following the explosion. On 22 October, parliament named Saad Hariri as Prime Minister. He was not able to form a government before the end of the year.

In November, the country entered a second full lockdown after an earlier one in March, due to a spike in COVID-19 rates and increasing scarcity of ICU beds.

In December, parliament passed a law criminalizing sexual harassment specifically in the workplace. It is the first law in Lebanon to punish sexual harassment, but it did not set a mechanism for complaints outside the criminal justice system. Parliament also passed amendments addressing some of the shortcomings of the 2014 law on domestic violence against women and strengthening the punishment for sex work.

IMPUNITY

Following the explosion in Beirut, state officials exchanged accusations of blame, with leaked official documents indicating that customs, military and security authorities, as well as the judiciary, had warned successive governments of the dangerous stockpile of chemicals at least 10 times in the past six years. Lack of trust in state procedures led victims, their relatives and human rights organizations to call for an international fact-finding mechanism. Instead, the authorities referred the investigation to the Judicial Council, a court of exception whose proceedings inherently lack independence, impartiality and jurisdiction to prosecute sitting officials despite serious allegations against state bodies.[1]

On 18 August, the Trial Chamber of the Hague-based Special Tribunal for Lebanon, set up in 2009 to try those responsible for the 2005 assassination of former Prime Minister Rafik Hariri, found one person guilty and acquitted three others. All were tried in their absence.

Impunity for torture remained in place three years after the 2017 Anti-Torture Law was passed. Complaints rarely reached court and most were closed without an effective investigation, often because they were referred for investigation to the same agencies accused of torture or to the military justice system.[2]

There was no further action on the torture complaint actor Ziad Itanihad filed since the single hearing session an investigative judge had held in April 2019. In August, one of the officers who Ziad Itani had accused of torturing him was promoted. In September, the same officer and his superior filed a criminal defamation case against Ziad Itani accusing him of "spreading false accusations and damaging the prestige of the State" in relation to his social media posts about his ordeal.

In February, military prosecutors closed an investigation of 15 complaints filed by the Lawyers' Committee to Protect Protesters on behalf of 17 protesters in December 2019. The complaints listed acts of torture and other ill-treatment that occurred during protests, arrests and transportation to and inside detention centres.

ARBITRARY ARRESTS AND DETENTIONS

Between 17 October 2019 and 15 March 2020, Military Intelligence, Internal Security Forces and other security agencies arbitrarily arrested 967 peaceful protesters, often without a warrant, and subjected them to severe beatings and blindfolding, in addition to torture and other ill-treatment in custody, to extract "confessions": the authorities failed to investigate. In three days on 14, 15 and 19

January, 167 protesters were arbitrarily arrested in Beirut.[3]

On 30 September, parliament amended Article 47 of the Code of Criminal Procedures, introducing the right of suspects to have a lawyer present during pre-trial interrogations and requiring that there be audiovisual recordings of interrogation sessions. However, it added a provision allowing for an open-ended extension of the pre-trial detention period, previously set at a maximum of four days, if the detainee is transferred from one detention centre to another.

RIGHT TO HEALTH

Thousands of prisoners were at heightened risk of exposure to COVID-19 due to persistent overcrowding and inadequate living conditions, often without access to adequate preventive measures. From March onwards, a number of riots took place inside prisons, and family members held sit-ins outside prisons and police stations, calling for the release of prisoners. On 6 April, the Ministry of Interior announced the release of more than 600 prisoners who had been in pre-trial detention, as part of the government's measures to contain the spread of COVID-19.[4]

FREEDOM OF EXPRESSION

Between January and July, judicial and security officials summoned at least 60 activists and journalists for interrogation in relation to charges of criminal defamation mostly related to social media posts in support of the protest movement or that criticized the authorities.[5] Security and military agencies interrogated them, some repeatedly and some during the COVID-19 lockdown, even though none of these agencies is mandated to look into issues of free speech.

In June, the State Prosecutor ordered the Central Criminal Investigation Bureau to investigate and identify people who posted on social media statements or photoshopped photos considered offensive to the President, and to prosecute them for defamation, slander, libel, insult and for making those posts public.

FREEDOM OF ASSEMBLY

Protests continued in the first quarter of the year with protesters feeling their demand for genuine political change had not been met. The protests continued until the March COVID-19 lockdown.

In response to protests in January, February and August, the military, the Internal Security Forces and Parliament Police used excessive force, including live ammunition, rubber pellets and tear gas, against largely peaceful protesters and failed to protect them from armed supporters of political parties. On 19 January, the Internal Security Forcesunlawfully used rubber bullets at close range, in addition to water cannons, tear gas and baton beatings, while seeking to disperse protesters in Beirut, leaving hundreds of protesters injured. At least two women who were arrested said that policemen had threatened them with rape. The Lebanese Red Cross announced that at least 409 protesters were injured over two nights.

On 8 August, thousands of protesters gathered in Beirut's Martyrs' Square to call for justice for the victims of the Beirut explosion. The army and security forces responded with unlawful force against unarmed protesters, recklessly firing tear gas, rubber bullets and pellets and injuring more than 230 people.[6]

MIGRANT WORKERS' RIGHTS

Women migrant workers continued to suffer discriminatory practices under the *kafala* (sponsorship) system. Due to the economic crisis coupled with the spread of COVID-19, dozens of migrant domestic workers were dismissed and unable to return to their countries of origin. From May onwards, employers abandoned scores of migrant domestic workers outside their consulates or embassies, often without their belongings or even their passports. Many of them said that their employers had stopped paying them and refused to provide them with tickets to

return home, as per their contractual requirements.[7]

The Ministry of Labour consulted the ILO-facilitated working group on the *kafala* on draft versions of a revised unified standard contract, and in September, the Minister of Labour passed Ministerial Decision 1/90 adopting a revised unified standard contract for migrant workers. It includes the right to resign without losing immigration status, change employer without the consent of the current employer and be paid at least the national minimum wage with a permissible deduction that covers in-kind contributions by the employer such as food and housing. It also prohibited employers from confiscating a worker's passport and identity documents and entitled workers to freedom of movement during daily and weekly rest periods. However, on 14 October, the Shura Council, the country's top administrative court, suspended the implementation of the decision introducing the new contract, following an appeal made by the Syndicate of the Owners of Recruitment Agencies, on the grounds that the new contract comprised "severe damage" to the agencies' interests. The Council made no reference to the rights of migrant domestic workers.[8]

REFUGEES AND ASYLUM-SEEKERS

Lebanon continued to host approximately 1.5 million Syrian refugees, including 879,598 people registered with UNHCR, the UN refugee agency, and, according to the government, around 550,000 who were unregistered, after a 2015 government decision to bar the agency from registering new Syrians arriving.

The organized returns of Syrians to Syria continued until March, without their being given the right to challenge their deportation due to protection concerns. On 14 July, the government adopted another general policy paper that would enable the continuation of its policy to push for the return of refugees to Syria, putting many refugees at risk of *refoulement*. However, the Ministry of Social Affairs suspended implementation of the plan following the explosion in Beirut.

In November, UNHCR announced that between August and September, nine resettlement countries had prioritized departures from Lebanon once lockdown measures were lifted, accepting 1,027 refugees.

Over 470,000 Palestinian refugees were registered with the UN Relief and Works Agency, the UN agency for Palestinian refugees, including 29,000 Palestinian refugees from Syria. The 180,000 of them estimated to be still living in the country remained subject to discriminatory laws, excluding them from owning or inheriting property, accessing public education and health services and from working in at least 36 professions.

DEATH PENALTY

Courts continued to hand down death sentences; no executions were carried out.

1. Lebanon: Only an international investigation can ensure Beirut explosion victims' rights to truth, justice and remedy (MDE 18/2997/2020)
2. Lebanon: Authorities' failure to implement anti-torture law is a disgrace (Press release, 25 November)
3. Lebanon protests explained (Press release, 22 September)
4. Lebanon: Government must urgently release more prisoners to prevent spread of COVID-19 (Press release, 21 April)
5. Lebanon: Punishing the October protest movement (MDE 18/2628/2020)
6. Lebanon: Military and security forces attack unarmed protesters following explosion – new testimony (Press release, 11 August)
7. Lebanon: Abandoned migrant domestic workers must be protected (Press release, 3 June)
8. Lebanon: Blow to migrant domestic worker rights (Press release, 30 October)

LESOTHO

Kingdom of Lesotho
Head of state: **Letsie III**
Head of government: **Moeketsi Majoro (replaced Thomas Motsoahae Thabane in May)**

Prime Minister Thomas Thabane faced charges related to his alleged complicity in murder and attempted murder, although no

one had been brought to justice for the crimes by the year's end and witnesses had received death threats. Thousands faced forced eviction to make way for a dam. The outbreak of COVID-19 in the country put the livelihoods of tens of thousands at risk and led to state of emergency measures, which the authorities used as a pretext to violate the rights to freedom of movement and peaceful assembly. Health care workers went on strike when their demands for PPE were not met.

IMPUNITY

No one was brought to justice for the murder of Prime Minister Thomas Thabane's estranged wife, Lipolelo Thabane, and the attempted murder of her acquaintance, Thato Sebolla. In February, the police announced that the then Prime Minister, Thomas Thabane, faced charges in connection with the crimes. Lipolelo Thabane was shot dead in 2017 by unknown assailants while driving home on the outskirts of the capital, Maseru, with Thato Sebolla. The authorities failed to provide adequate protection to witnesses in the case. Thato Sebolla and other key witnesses fled the country after they felt unsafe due to lack of witness protection. Three people, also believed to be witnesses in the case, died in mysterious circumstances in Maseru between 2017 and 2020.[1]

In May, following mounting pressure from various political parties for Thomas Thabane to stand down, he resigned as Prime Minister.[2]

FREEDOM OF MOVEMENT

On 27 March, the Prime Minister declared a state of emergency which was backdated to 18 March, and which introduced measures to control and prevent the spread of COVID-19 after South Africa recorded its first case on 5 March. Security forces used the measures as a pretext to violate the rights to freedom of movement and peaceful assembly.

RIGHT TO HEALTH

In April, senior government officials acknowledged that the country's health care system would be unable to deal adequately with a large-scale COVID-19 outbreak. They had no capacity to test for the virus until mid-May, before which samples were sent for testing to South Africa.

Health workers

In April, many health care workers including doctors, nurses and laboratory technicians, went on strike to demand PPE provision and higher wages which they said should reflect the health risks arising from their exposure to COVID-19. They returned to work after their demands were met.

FORCED EVICTIONS

The construction of the Polihali Dam in Mokhotlong district in the early part of the year threatened nearly 8,000 people with forced eviction and the loss of their livelihoods. The affected communities were not engaged in a process of genuine consultation or adequately compensated for losing their homes and some of the displaced were given just over US$1 as compensation for being resettled far from their homes in areas around Mokhotlong. The dam was being constructed to supply water to South Africa as part of the transnational Lesotho Highlands Water Project.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

COVID-19 disrupted the economy, putting the livelihoods of tens of thousands of people at risk. Many businesses were forced to cease operations leaving their workers unemployed. Mining and manufacturing sectors were hardest hit with more than 40,000 workers losing their incomes after being laid off.

In March, the government took measures to address the economic meltdown, including by providing financial relief for the private sector and its employees who had lost their jobs in the mining and textile industries. However, hundreds of thousands of people

were adversely affected as the financial relief was not enough. Those who worked in the informal economy were disproportionately affected and faced food insecurity.

In April, the government announced that its already failing health system would not be equipped to deal with the return of tens of thousands of Basotho, an Indigenous People from Lesotho, and appealed to them, especially those living and working in South Africa, not to return home while the authorities implemented measures to mitigate against the economic and social impact of COVID-19.

At the end of June, the International Monetary Fund approved US$49.1 million for emergency support to Lesotho to address the pandemic.

1. Lesotho: Authorities must protect key witnesses to the murder of Lipolelo Thabane (Press release (21 February)
2. Lesotho: Thabane's resignation should not be a license to immunity over alleged complicity in the murder of late wife (Press release, 20 May)

LIBYA

State of Libya
Head of state and government: **Fayez al-Sarraj (disputed)**

Militias, armed groups and third states, backing warring parties, committed violations of international humanitarian law, including possible war crimes, with impunity. Fighting in and around the capital, Tripoli, and other cities in western Libya between forces loyal to the Government of National Accord (GNA) and the Libyan Arab Armed Forces (LAAF) led to the killing and wounding of civilians, mass displacement, and damage to civilian infrastructure, including hospitals. In violation of the UN arms embargo, Turkey, Russia and the United Arab Emirates (UAE), among other countries, continued to supply their allies with arms and military equipment, including banned anti-personnel mines. Thousands of people were detained arbitrarily without trial or the possibility to challenge the legality of their detention. Militias and armed groups abducted people on the basis of their actual or perceived political, regional or tribal affiliation and nationality, including protesters, journalists, doctors, government employees and civil society activists; took hostages for ransom; and tortured or otherwise ill-treated them in official and unofficial places of detention. Women, girls and members of the lesbian, gay, bisexual, transgender and intersex community continued to face discrimination and violence. Members of ethnic minorities struggled to access adequate health care and other essential services. Officials, members of armed groups and militias, and criminal gangs systematically subjected detained refugees, asylum-seekers and migrants to torture and other ill-treatment, unlawful killings, sexual violence and forced labour. Military courts handed down death sentences; no executions were reported.

BACKGROUND

Libya remained divided between two entities competing for legitimacy and territorial control: the UN-backed GNA led by Prime Minister Fayez al-Sarraj based in Tripoli; and the Interim Government based in eastern Libya supported by the LAAF, also referred to as the Libyan National Army, led by Khalifa Haftar, and the House of Representatives, headed by Ajila Saleh.

By June, the GNA, openly backed militarily by Turkey, regained full control of the capital and other cities in western Libya, pushing UAE-backed LAAF forces eastward towards Sirte and effectively reversing the April 2019 military offensive launched by the LAAF on western Libya. In October, parties to the conflict signed a permanent ceasefire agreement.

In response to the COVID-19 pandemic, national and de facto local authorities across Libya closed borders and introduced other movement restrictions between March and September. The health care system, weakened by years of conflict and insecurity,

struggled to cope. Libya recorded the second highest per capita infection and death rate in continental Africa.

In October, oil production and exports resumed after the National Oil Company lifted the *force majeure* it had declared in January following the LAAF blockade between January and September. The disruption exacerbated fuel shortages and electricity cuts throughout Libya.

Municipal elections took place in Ghat, Misrata and al-Zawiya districts. In August, armed groups connected to the LAAF forcibly closed polling stations during municipal elections in the town of Traghen.

The armed group calling itself Islamic State claimed a small number of attacks against local security forces in southern Libya.

VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW AND THE UN ARMS EMBARGO

Militias and armed groups committed serious violations of international humanitarian law, in some cases amounting to war crimes. According to the UN Support Mission in Libya, at least 170 civilians were killed and 319 were wounded between January and June. The majority of civilian casualties resulted from indiscriminate attacks with inaccurate weapons in densely populated areas, explosive remnants of war and air strikes. Fighting also led to damage to homes, hospitals and other civilian infrastructure. Over 316,000 people remained internally displaced due to conflict and insecurity.

Armed groups and militias continued to attack medical facilities and abduct health workers. In April and May, LAAF-affiliated forces shelled al-Khadra General Hospital in Tripoli, designated by the Health Ministry to treat COVID-19 patients, injuring at least 14 civilians and causing material damage.

GNA-affiliated militias carried out retaliatory attacks against civilians perceived as being associated with their rivals. Between April and June, they looted civilian homes, hospitals and public buildings, and set properties on fire in areas recaptured from the LAAF and allied armed groups, including in the cities of Surman, Sabratha, al-Asabah and Tarhuna as well as Tripoli neighbourhoods.[1]

In May, LAAF-affiliated non-state actors laid extensive Russian-supplied, tripline-activated, banned anti-personnel landmines and other booby traps in homes and other civilian property in areas from which they withdrew in and around Tripoli, leading to civilian casualties.

Since June, GNA-affiliated forces discovered several mass graves in and around Tarhuna, some containing bodies of women, children and men suspected of being unlawfully killed by the LAAF-affiliated al-Kaniat forces. The GNA announced investigations, but officials said resource shortages impeded their ability to carry out their work.

Several countries violated the UN arms embargo established since 2011. Turkey supplied the GNA with arms and equipment, established a military presence, and directly intervened through air strikes, such as in June when at least 17 civilians were killed and a further 12 wounded in Qasr Bin Ghashir in the south-western outskirts of Tripoli. The UAE provided the LAAF with Chinese-manufactured Wing Loong drones and operated them on its behalf in at least one incident in January, causing fatalities among individuals not directly involved in hostilities. The LAAF used armoured vehicles manufactured in Egypt.

The UAE used military airbases in Egypt to launch airstrikes and to ship arms to the LAAF. The GNA and LAAF used third country nationals in their military operations. Turkey recruited and brought Syrian nationals, including children, to fight with the GNA. Foreign fighters, employed by the Russian military private company Wagner, fought alongside LAAF forces.

FREEDOM OF EXPRESSION

Militias and armed groups continued to target journalists and social media users through arbitrary arrest, detention and threats, simply

for expressing critical views or carrying out their work.

Militias in Tripoli and Misrata stopped vehicles at checkpoints, forcing occupants to unlock their phones and arresting those with phones deemed to contain critical content.

In July, a military court in eastern Libya convicted journalist Ismail Bouzreeba Al-Zway of "terrorism"-related charges and sentenced him to 15 years' imprisonment solely for his media work and opinions critical of the LAAF.

In August, al-Nawasi militia, nominally under the GNA's Interior Ministry, abducted radio journalist Samy al-Sherif and detained him in an undisclosed location for 11 days for his coverage of the protests in Tripoli.

FREEDOMS OF ASSEMBLY AND ASSOCIATION

In August and September, people across the country took to the streets in both GNA- and LAAF-controlled areas in rare protests against worsening living conditions, nepotism and unaccountable militias. Militias and armed groups responded to protests with excessive use of force and arbitrary arrests.

In August, al-Nawasi militia fired live ammunition, including from heavy machine guns, to disperse demonstrations in Tripoli, injuring at least three protesters and forcibly disappeared at least 13 protesters for up to 12 days, before releasing them without charge. The GNA deployed militias across Tripoli and imposed a curfew to deter further protests.[2]

In September, LAAF-affiliated armed groups used live ammunition to disperse protests in the eastern cities of Benghazi and al-Marj, killing at least one man and injuring at least three others in al-Marj. At least 11 people were arrested in connection to the protests.

In October, staff in civil society organizations in GNA-controlled areas reported that the Civil Society Commission had asked them to sign pledges not to communicate with international actors without prior authorization. Civil society activists in both GNA- and LAAF-controlled areas reported being subjected to threats, surveillance and intimidation by militias or armed groups.

ARBITRARY DETENTION AND DEPRIVATION OF LIBERTY

Militias, armed groups and security forces continued to arbitrarily detain thousands of people without charge or trial, some for as long as ten years. The GNA announced the release of around 1,900 prisoners in response to risks posed by COVID-19 outbreaks in custodial settings.

In June, in the LAAF-controlled city of Ajdabiya, at least 11 individuals from the Magharba tribe were abducted and remained detained over their perceived family affiliation to Ibrahim Jadran, former leader of the Petroleum Facilities Guard armed group, at odds with the LAAF.

In western Libya, militias affiliated to the GNA, including the Special Deterrence Force (Radaa Forces), the Bab Tajoura Brigade, al-Nawassi, the Abu Selim Brigade and al-Zawiya Support Force-First Division, continued to unlawfully detain dozens of individuals.

Throughout the year, families of those arbitrarily detained without any judicial process for years at Mitiga prison in Tripoli, controlled by Radaa Forces and nominally under the GNA, organized several protests calling for their release.

TORTURE AND OTHER ILL-TREATMENT

Militias and armed groups systematically tortured and otherwise ill-treated detainees in official and unofficial places of detention with impunity, subjecting them to beatings, electric shocks, mock executions, suspension in contorted positions and sexual violence. Videos, including live footage of torture and sexual violence involving members of a GNA-allied militia and LAAF affiliated armed groups according to activists, circulated on social media, including in January, May and September.

In July 30-year-old Tarek Abdelhafiz was tortured to death while in the custody of the 128th Brigade, an armed group affiliated with

the LAAF, which had captured him from the town of Hon 14 days earlier.[3]

In August, members of al-Nawasi militia and LAAF-affiliated armed groups beat several people arrested in relation to the protests, respectively in Tripoli and al-Marj.

VIOLENCE AGAINST WOMEN AND GIRLS

Women and girls faced sexual and gender-based violence from state and non-state actors, amid the authorities' failure to provide them with protection and redress. Women and girls faced barriers to seeking justice for rape and other sexual violence, including the risk of prosecution for engaging in sexual relations outside marriage, criminalized in Libya, and revenge by alleged perpetrators. Women activists and politicians faced gendered abuse and threats online.

In April, members of al-Kaniat armed group abducted at least four women, probably in retaliation for their family's affiliation with the GNA.

In November, unknown gunmen publicly shot and killed lawyer Hanan al-Barassi in Benghazi, a day after she posted on social media that she was going to release a video exposing LAAF leader's son Saddam Haftar's corruption. A vocal critic of the corruption of several individuals affiliated to the armed groups in eastern Libya, she and her daughter had been receiving death threats as a result.

Women continued to face discrimination in law and practice, including in matters related to marriage, divorce and inheritance. In October, the Libyan Supreme Judicial Council appointed five women judges for two newly created special courts in Tripoli and Benghazi to hear cases of violence against women and children. The courts were not operational by the end of the year.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Articles 407 and 408 of the Penal Code criminalize sexual relations between consenting adults. Al-Radaa Forces continued to detain men for their perceived sexual orientation or gender identity, and tortured and otherwise ill-treated them.

DISCRIMINATION

Ethnic minorities

Some members of the Tabu community in southern Libya faced barriers in accessing adequate health care as major local health facilities were located in areas controlled by rival armed groups. Some Tabus and Touaregs in southern Libya were also denied access to essential services, including education and health care, because they lacked identity documents.[4]

IMPUNITY

Officials and members of militias and armed groups responsible for crimes under international law and other serious human rights violations enjoyed near total impunity. Judges and prosecutors were targeted by militias and armed groups.

Libyan officials on both sides of the conflict continued to ignore the ICC's arrest warrants against Saif al-Islam Gaddafi, al-Tuhamy Mohamed Khaled and Mahmoud al-Werfalli. Mahmoud al-Werfalli, who is wanted by the ICC for the murder of 33 people in Benghazi and surrounding areas, remained a senior leader in the Saiqa Force of the LAAF.

In April, Ahmad al-Dabbashi, also known as al-Amu (the uncle), was seen fighting alongside GNA forces in Sabratha, despite being under an arrest warrant issued by the Libyan prosecution and on the June 2018 UN Security Council sanctions list for his role in human trafficking in Libya.

In a rare move, on 14 October, the GNA Interior Ministry announced the arrest of Abdelrahman Milad, also known as Bidja, for his involvement in human trafficking.

In June, the UN Human Rights Council established a fact-finding mission to investigate violations and abuses of international human rights law and international humanitarian law committed by all parties to the conflict in Libya since 2016.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Refugees and migrants were subjected to widespread and systematic human rights violations and abuses at the hands of officials, members of militias and armed groups, and criminal gangs.[5]

The Libyan Coast Guard (LCG) intercepted 11,891 refugees and migrants at sea and brought them back to Libyan shores, where they were subjected to enforced disappearances, indefinite and arbitrary detention, torture, forced labour and extortion. Thousands of those disembarked were detained indefinitely in facilities run by the Directorate for Combating Illegal Migration (DCIM), under the GNA Interior Ministry, without the possibility to challenge the legality of their detention. Thousands more were forcibly disappeared after being transferred to unofficial places of detention, including the Tobacco Factory under the command of a GNA-affiliated militia led by Emad al-Tarabulsi in Tripoli. Their fate and whereabouts remained unknown.

Italy and other EU member states continued to support the LCG, including by donating speedboats and training crews (see Italy entry).

DCIM officials, members of militias and armed groups, and traffickers systematically subjected detained refugees and migrants to inhumane and overcrowded conditions of detention, torture and other ill-treatment, and forced labour. Some were tortured or raped until their families paid ransoms. Women and girls were at heightened risk of rape and other sexual violence.

The LAAF and affiliated armed groups expelled over 6,000 refugees and migrants from eastern Libya to neighbouring countries without due process or the opportunity to challenge deportation decisions or seek international protection. Many were left at land borders without food or water.

COVID-19 restrictions led UN agencies to temporarily suspend repatriation and resettlement programmes. Only 811 refugees were evacuated, while 2,739 were returned to their countries of origin during the year.

While hostilities were raging in Tripoli and Tarhuna in May and June, militias and armed groups forced refugees and migrants to take part in military operations, for transporting weapons and other equipment to combat zones, endangering their lives and safety.

In May, traffickers in the town of Mazda, 180km south of Tripoli, shot at a group of about 200 refugees and migrants, killing 30 and injuring others. In July, security forces in the city of al-Khums opened fire at a group of unarmed refugees and migrants attempting to flee detention, leading to three deaths and two injuries.

DEATH PENALTY

Libyan law retained the death penalty for a wide range of offences not limited to intentional killing. In May, two military courts in the LAAF-controlled cities of Benghazi and al-Bayda issued death sentences against civilians after grossly unfair trials. Those convicted were denied access to evidence against them and the right to adequate defence.

1. Libya: Retaliatory attacks against civilians must be halted and investigated (Press release, 5 June)
2. Libya: Heavy weaponry used to disperse peaceful protesters demanding economic rights (Press release, 26 August)
3. Libya: UN Rights Council Members must address widespread torture during periodic review (Press release, 10 November)
4. Libya: Historic discrimination threatens right to health of minorities in the south amid COVID-19 (Press release, 20 April)
5. "Between Life and Death": Refugees and migrants trapped in Libya's cycle of abuse (MDE 19/3084/2020)

LITHUANIA

Republic of Lithuania
Head of state: **Gitanas Nausėda**
Head of government: **Saulius Skvernelis**

Lithuania's alleged complicity in the CIA's rendition and secret detention programme remained under scrutiny. LGBTI people continued to face discrimination. Measures

taken in response to the COVID-19 virus negatively affected women.

TORTURE AND OTHER ILL-TREATMENT

The case of *Al-Hawsawi v Lithuania* remained pending before the European Court of Human Rights (ECtHR). Mustafa Al-Hawsawi, a Saudi Arabian national detained at Guantanamo Bay, claimed he had been held at a secret CIA detention centre in Lithuania and subjected to enforced disappearance, arbitrary detention and torture by the CIA between 2005 and 2006. In January, lawyers for Mustafa Al-Hawsawi filed their response to Lithuania's submission to the ECtHR.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Discrimination against LGBTI people remained prevalent in Lithuania. In January, the ECtHR found in favour of two gay men who had been subjected to online comments amounting to incitement to hatred and violence against LGBTI people. The authorities refused to investigate the comments, stating that the applicants' behaviour had been "eccentric" and deliberately provocative and citing "traditional family values" in Lithuania. The ECtHR found that the applicants had suffered discrimination on the grounds of sexual orientation and been denied an effective domestic remedy.

WOMEN'S RIGHTS

The Equal Opportunities Ombudsperson voiced concern that measures imposed to prevent the spread of COVID-19 disproportionately affected women, noting an increase in reports of domestic violence to police. Civil society groups reported that some health care providers had suspended or cancelled abortion services during the nationwide lockdown from March to June, restricting women's access to sexual and reproductive health care.

RIGHT TO PRIVACY

In April, the government proposed an amendment to the Law on Electronic Communications in response to the spread of the COVID-19 virus. The amendment would grant law enforcement broad powers to obtain a person's location data from telecommunications providers during a state of emergency or declared quarantine, without prior judicial authorization. Opposition politicians and health workers' associations warned that the proposed powers would enable widespread surveillance and have limited public health benefits.

MADAGASCAR

Republic of Madagascar
Head of state: **Andry Rajoelina**
Head of government: **Christian Ntsay**

The COVID-19 pandemic had a devastating impact on access to food. Gender-based violence remained widespread, and increasing numbers of women and girls underwent unsafe abortions. A woman faced imprisonment for consensual same-sex relations. Tens of thousands of people, including hundreds of children, were subjected to prolonged pre-trial detention in appalling conditions. The right to freedom of expression was restricted, and the authorities imposed measures to prevent broadcasters from sharing information about COVID-19.

BACKGROUND

On 22 March, the President declared a state of emergency in view of the COVID-19 outbreak. It was extended periodically until 18 October.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The COVID-19 pandemic had a devastating impact on livelihoods and household incomes. In June, the National Institute of Statistics said that over 64% of households

surveyed said their incomes had decreased significantly; around 60% said they did not have enough food; and some 50%, in urban areas, had difficulty buying rice during lockdown, mainly due to a sudden increase in price.

In the south, 1.5 million people were in need of immediate emergency food assistance following three years of drought-affected harvests.

GENDER-BASED VIOLENCE

Despite the government's recent efforts to address women's rights, including by introducing a new law, 009/2019, in December 2019, to combat gender-based violence, the practice remained widespread. Local organizations reported an increase in the number of domestic violence cases during lockdown.

SEXUAL AND REPRODUCTIVE RIGHTS

The NGO Doctors of the World (MdM) said that the increase in gender-based violence during lockdown had led to an increase in the number of unwanted pregnancies and to more women and girls undergoing unsafe abortions. Abortion remained a criminal offence, and MdM said that unsafe abortions were the second main cause of maternal mortality in the country after post-partum haemorrhage.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Gay and lesbian sexual relations remained taboo in Malagasy society, and the government consistently failed to protect LGBTI people from stigmatization and discrimination.

On 10 March, a 33-year-old woman was put in pre-trial detention in Antanimora Prison, on charges of "corruption of minors" for having consensual same-sex relations with a 19-year-old woman. Her trial was postponed at least four times, but she was finally acquitted on the benefit of the doubt in December. Article 331 of the Penal Code carries a prison term of two to five years and a hefty fine for "anyone who has committed an indecent or unnatural act with an individual of the same sex, under the age of 21 years". The age of consent for heterosexual sex, on the other hand, was 14.

RIGHT TO A FAIR TRIAL

Despite promises made by the President in 2019, excessive use of prolonged pre-trial detention and severe prison overcrowding continued. Thousands of people continued to be detained for years without trial, and by May, pre-trial detainees constituted 55% of the prison population. By August, Madagascar's prisons, which had a capacity for 10,360 inmates, held 27,327 people, including 734 children, in inhumane conditions.

In June, the President pardoned around 1,700 convicted prisoners. These included: people convicted of minor offences who had three months or less left on their sentence; women over 55 and men over 60 who had been in prison for 10 years or more; and children who had served at least half their sentence.

Meanwhile, thousands continued in prolonged pre-trial detention, which was used extensively against perpetrators of minor offences. In August, 60% of women and girls in prison were pre-trial detainees, and 75% of all children in prison were in pre-trial detention.

The right of pre-trial detainees to a fair trial was violated. In practice, legal aid was not available, despite legal provisions which guaranteed the right to legal defence at all stages of the process. They were therefore denied access to information about their rights, or the progress of their cases.

In August, 88 inmates escaped from the Farafangana Prison in the southeast, apparently in protest against pre-trial detention, including its use against people who had been charged with petty offences, severe overcrowding and squalid conditions, and widespread reports of corruption within the prison system which forced them to pay bribes to various people within the system to obtain family visits, among other things. Local

sources reported that the detainees had had no family visits since the COVID-19 outbreak. During the escape, the security forces killed 20 detainees, and three more died from their injuries in the following days. Seventeen of them were pre-trial detainees.

FREEDOM OF EXPRESSION

On 28 May, Stéphane Ralandison, a professor and Dean of the Faculty of Medicine at Toamasina University, was arrested and interrogated by the criminal section of the gendarmerie's Toamasina Brigade. The following day, he was summoned to the Toamasina Court and accused of murdering his colleague, Dr Daniel Randriamiarivonjy who, according to hospital staff, hanged himself on 24 May. However, during Stéphane Ralandison's three-hour interrogation, he was also questioned about a recent LinkedIn post in which he had criticized the government's response to the COVID-19 pandemic and the risks of disregarding scientific research into cures, among other things. Ultimately, no charges were brought against him.

On 16 July, Harry Laurent Rahajason, a former journalist and Communication Minister in the previous government, was arrested along with four other people and put in pre-trial detention in Antanimora Prison in the capital, Antananarivo. He was charged with undermining state security in connection with organizing and funding a protest that allegedly took place in July, despite state emergency regulations which banned such events. The protest was connected to the case of Berija Ravelomanantsoa, a student leader, who had been held in pre-trial detention since 8 June. On 30 September, Berija Ravelomanantsoa was convicted under the Cybercrime Law of undermining the state and insulting the President on Facebook and sentenced to 44 months in prison. Harry Laurent Rahajason and his four co-accused were sentenced to 44 months' imprisonment on 15 October.

Media

After the COVID-19 outbreak, the government took drastic measures to control information shared by the media and individuals. It evoked Law 91-011 of 1991 – which was intended to be applied in exceptional circumstances – and permitted the media to share only official government information. Other restrictive measures included prohibiting radio stations from broadcasting phone-in shows.

On 4 April, Arphine Helisoa, a journalist perceived to be affiliated with the opposition, was arrested and put in pre-trial detention in Antanimora Prison. She was charged, for the second time since 2019, with spreading fake news and inciting hatred against the President. She was released one month later, following a presidential amnesty for imprisoned journalists, although it was unclear whether the charges were dropped. Later that month, a television presenter, known as "Sabrina", who worked for the Kolo Channel, was charged with spreading fake news on social media about the number of COVID-19 cases in the country. She was put in pre-trial detention in Antanimora Prison and released on 6 May under the presidential amnesty.

On 6 April the pro-opposition Real TV channel tried to broadcast a repeat interview with former President Ravalomanana in which he criticized the government's handling of the COVID-19 pandemic. The broadcast failed because the transmitter and antenna had been damaged. According to Reporters Without Borders, the incident followed soon after the Ministry of Communication and Culture warned Real TV and two other opposition media outlets not to report on COVID-19. The warning noted that the stations had failed to air live transmissions of the state media's news bulletins on the pandemic.

MALAWI

Republic of Malawi
Head of state and government: **Lazarus McCarthy Chakwera (replaced Arthur Peter Mutharika in June)**

Human rights defenders were intimidated, harassed and arbitrarily arrested. The independence of the judiciary remained under attack from the executive. Prisons were overcrowded and conditions poor. Attacks against people with albinism continued.

BACKGROUND

Following mass protests against the controversial presidential elections in 2019 which saw President Mutharika re-elected, the Constitutional Court annulled the results in February and called for fresh elections within 150 days, as well as for reforms to the Electoral Commission Act. The elections took place in June and a new President was elected.

In March, the government declared a state of disaster in response to the COVID-19 pandemic.

FREEDOM OF EXPRESSION

Human rights defenders

Human rights defenders were arrested, attacked, harassed and intimidated as the authorities mounted a crackdown on dissent ahead of the June elections.

Between March and June, the President and senior ruling party officials issued public statements threatening human rights defenders and activists.

In March, Timothy Mtambo, Gift Trapence and MacDonald Sembereka, of the Human Rights Defenders Coalition, were arrested for calling on people to protest in front of the President's house to urge him to assent to the Electoral Reforms Bill. They were charged with, among other things, "inciting other(s) to contravene the law", under the Penal Code. The police released them from Maula prison in the capital, Lilongwe, four days later, under stringent bail conditions.

Judiciary

In June, two weeks before the elections, the President's office issued a notice to forcibly place the Chief Justice Andrew Nyirenda and another judge Edward Twea on leave pending retirement with immediate effect. This was irregular as the President's office has no power to do so and was widely seen as an attempt to punish the two for having been on the bench that in February annulled the 2019 elections.

RIGHT TO HEALTH

In August, the President pardoned 499 prisoners to ease overcrowding and reduce the risk of COVID-19 infection. Nevertheless, prisons remained overcrowded, and prisoners' health was at risk. Over 107 prisoners and 27 prison officers had tested positive for COVID-19 by August which accounted for 3% of infections nationwide. Facilities were dilapidated and there was insufficient access to food, water and medical treatment throughout the country.

DISCRIMINATION - PEOPLE WITH ALBINISM

Between January and October, at least three abduction attempts were made against people with albinism. In January, the grave of a two-year-old boy with albinism was tampered with in Mulanje. In February, Tafwauli Ngona, a 92-year-old woman, had two toes severed in an attack by an unidentified assailant in Mzimba.

The trial of 12 people accused in connection with the murder of MacDonald Masambuka, whose body was found dumped in a field in 2018, continued. A former presidential adviser and some politicians were implicated in the killing, but charges were not brought against them.

UNLAWFUL KILLINGS

In July, the Police Commissioner for the Central Region and 11 police officers were arrested in connection with the death of Buleya Lule in police custody at Lilongwe Police Station in Area 3 in 2019. According to

an autopsy report, he died after being electrocuted. He was being held in connection with the abduction and murder of a 14-year-old boy with albinism in Dedza.

MALAYSIA

Malaysia
Head of state: **Abdullah**
Head of government: **Muhyiddin Yassin (replaced Mahathir bin Mohamad in March)**

Investigations into human rights activists and government critics, mass raids against undocumented migrants and the pushback of refugee boats contributed to a deterioration of human rights. LGBTI people continued to face discrimination while Indigenous communities remained under threat from logging and mining. Human rights reforms, including the formation of an independent police oversight commission and the abolition of the mandatory death penalty, stalled under a new administration.

BACKGROUND

In February, the Pakatan Harapan coalition government collapsed after parliamentarians defected to form Perikatan Nasional under new Prime Minister Muhyiddin Yassin. The country was placed under a Movement Control Order (MCO) from March in response to the COVID-19 pandemic. Prison populations were not significantly reduced despite an outbreak of over 5,000 infections.

FREEDOMS OF ASSEMBLY, ASSOCIATION AND EXP RESSION

Human rights defenders faced investigation and prosecution, most commonly under Section 233 of the Communications and Multimedia Act (CMA). In March, activist Fadiah Nadwa Fikri was investigated for a social media post calling for demonstrations against the change in government. Fadiah and 18 other activists were later investigated for failing to provide notice for a protest.[1] In May, 262 sedition investigations were reported since the beginning of the year, while 143 cases were opened under the CMA. In June, opposition MP Xavier Jayakumar was investigated under sedition laws after criticizing the government for not convening a full parliamentary session. Also in June, radio personality Patrick Teohwas charged under sedition laws for a social media post allegedly insulting the royalty.

In July, a man was sentenced to 26 months in jail for social media posts deemed insulting to Islam. Steven Ganof news website Malaysiakini was charged with contempt of court over reader comments. The government also investigated journalists from the Al Jazeera news channel and the *South China Morning Post* newspaper for separate reports on the treatment of migrants under the COVID-19 lockdown.

The authorities charged five union activists with violating the MCO after they had held a peaceful demonstration protesting unfair labour practices, union busting and insufficient personal protective equipment for hospital workers.[2] The charges were later dropped by a court.

REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

The government response to the COVID-19 pandemic was harsh on refugees, asylum-seekers and migrant workers. Immigration raids, involving arrests and detentions, were conducted in areas with high migrant populations amid rising xenophobia. A COVID-19 outbreak emerged in immigration detention centres,[3] with over 600 peopleinfected.

Authorities turned away Rohingya refugees arriving in boats or detained them in overcrowded facilities.[4] In April, the navy turned back a boat carrying hundreds, including women and children. That month, another boat with hundreds of Rohingya refugees aboard that was allegedly turned away was accepted by Bangladesh authorities. While the government permitted two boats to land in April and June, the refugees were placed in detention. Some were charged under immigration law, and

sentenced to prison and caning sentences before the latter punishment was overturned.

Allegations of migrants in forced labour and living in cramped housing hit Malaysia's rubber glove industry, which experienced elevated demand during the COVID-19 pandemic. Infection outbreaks hit glove factories, with one employee fired after raising concerns about overcrowding. Outbreaks also occurred in construction sites.

HUMAN RIGHTS DEFENDERS

Human rights defenders faced investigations following the change in government, including the chair of the electoral reform coalition Bersih, Thomas Fann; anti-corruption activist Cynthia Gabriel of C4; and Sevan Doraisamyof the human rights organization Suaram.[5] In July, police investigated Heidy Quah, founderof the NGO Refuge for the Refugees, after she posted an account of dire conditions in immigration detention centres. Quah also received threats online, highlighting a worrying trend for human rights defenders, especially women, who faced harassment and sometimes had their personal information made public. Authorities rarely investigated violence online.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

The government continued to persecute LGBTI people. In July, Minister for Islamic Affairs Zulkifli Mohamad released a statement online that gave "full licence" to religious authorities to arrest and "rehabilitate" LGBTI people.[6] In September, one of 11 men charged for "attempted sexual intercourse against the order of nature" in 2019 filed a judicial review against the law which criminalizes same-sex sexual conduct. The case was ongoing at year end.

INDIGENOUS PEOPLES

Indigenous Peoples across the country remained under threat of losing land to development and logging. In February, a proposal to remove official protection from a forest reserve in Selangor state was met with protests by Indigenous communities, who feared their homes and livelihoods would be affected. In September, Indigenous Peoples in Pahang state protested plans for the development of three rare earth mines.

IMPUNITY

In August, the government withdrew a bill to establish a police oversight commission tabled by its predecessor in 2019, and presented a new draft bill widely criticized as ineffectual.[7] Also in August, the government revealed that from January to June, 23 detainees, including two children, died in immigration detention.[8] There were no meaningful investigations into the causes of these deaths. More cases of deaths in custody followed, including Indian national Zeawdeen Kadar Masdanwho died while being held by immigration authorities.

DEATH PENALTY

In August the Federal Court declared the mandatory death penalty constitutional. Legislative amendments to repeal the mandatory death penalty, proposed under the former government, had not been introduced in Parliament by the end of the year. A moratorium on executions remained in place.

1. Malaysia: Raft of investigations a blatant attempt to intimidate peaceful protesters (Public statement by Amnesty International Malaysia, 4 March)
2. Malaysia: Drop charges against hospital workers' union activists (Public statement by Amnesty International Malaysia, 15 September)
3. Malaysia: Act urgently to stop COVID-19 surge in detention centres (Public statement by Amnesty International Malaysia 5 June)
4. Malaysia: Hundreds of Rohingya seeking safety by boat at acute risk from coronavirus (News story, 8 April)
5. Malaysia must not return to climate of fear for activists and critics (Public statement by Amnesty International Malaysia 12 June)
6. Malaysia: Government must end persecution of transgender people (Public statement by Amnesty International Malaysia, 11 July)
7. Malaysia: Proposed IPCC bill a shameful step backwards in ensuring police accountability (Public statement by Amnesty International Malaysia, 28 August)
8. Malaysia: Government must be accountable for deaths in detention centres (Public statement by Amnesty International Malaysia, 7 August)

MALI

Republic of Mali
Head of state: **Bah Ndaw (replaced Ibrahim Boubacar Keïta in September)**
Head of government: **Moctar Ouane (replaced Boubou Cissé in September)**

Armed groups and security forces committed crimes under international law with impunity. Police used excessive force against protesters and others. Activists and officials affiliated to the former government were arbitrarily arrested and detained. The authorities failed to act to protect women and girls from female genital mutilation (FGM). People were discriminated against based on their perceived social status. The ongoing conflict and the COVID-19 pandemic seriously undermined the rights to health and education.

BACKGROUND

Legislative elections held between March and April led to a political crisis. In June, a coalition of opposition groups and religious leaders formed the June 5 Movement, which contested the election results and demanded the President's resignation. In August, a National Committee for the People's Salvation deposed the President and his government via a coup. A transitional government was formed in October. The security situation remained precarious in the context of the ongoing conflict, particularly in the central regions where different armed groups operate, including the Group for the Support of Islam and Muslims (GSIM), the Islamic State in the Greater Sahara and self-defined "self-defence militias".

ABUSES BY ARMED GROUPS

Armed groups committed war crimes and other abuses, including dozens of attacks against civilians. According to the UN Mission in Mali (MINUSMA), in January a Dozo group (traditional hunters) attacked Sinda village, killing 14 civilians. In February, Dan na Ambassagou, an armed group, attacked Ogossagou village, killing at least 35 civilians and injuring three others, while the fate of 19 people remained unaccounted for. In July, gunmen thought to be affiliated with the GSIM attacked several villages in the Tori and Diallassagou communes, killing at least 32 civilians. Armed groups also targeted MINUSMA. As of September, two UN personnel were killed and 40 others injured.

Between September and the year's end, armed groups besieged Farabougou village in the Ségou region, preventing villagers from accessing their farmland and moving freely.

Abductions

At least three candidates were abducted while campaigning during the legislative elections. All were released. On 25 March, Soumaila Cissé, leader of the opposition, and five members of his campaign team were abducted by members of the GSIM in Niafounké town in the Timbuktu region. His bodyguard was killed during the abduction and, although all the campaign team were released in the following days, Soumaila Cissé was not released until 8 October along with one French and two Italian hostages.

EXTRAJUDICIAL EXECUTIONS

The Malian army committed war crimes and other human rights violations against civilian populations during their operations.

Between 3 February and 10 March, at least 23 civilians were killed by soldiers in Niono Cercle in the Ségou region, and at least 27 others were subjected to enforced disappearance.

In June, according to MINUSMA, 43 civilians were killed by members of the National Guard in the villages of Binédama and Yangassadiou, following a patrol with a Dozo group. The army publicly acknowledged the killings and, despite its promise to investigate, no further information was made public at the end of the year.

EXCESSIVE USE OF FORCE

The security forces used excessive force, including unlawful use of lethal force, to disperse protests.

The Constitutional Court's ruling which validated 31 disputed results during the elections led to nationwide protests. In Sikasso on 7 May, security forces fired live ammunition to disperse protests. Five demonstrators were injured, and one died from his wounds.

On 11 May, a 17-year-old motorcyclist was killed while being arrested by an off-duty police officer in Kayes. This led to demonstrations in the city the following day and two people, including a 12-year-old boy, were shot dead by the police.

Between 10 and 12 July, security forces fired at demonstrators in the capital, Bamako, after they had occupied public buildings and erected barricades to call for the President's resignation; 14 protesters died from gunshot wounds and hundreds were injured. In August, the government announced an investigation into the deaths.

ARBITRARY ARRESTS AND DETENTIONS

On 9 May, Clément Dembelé, an anti-corruption activist, was abducted while driving in Banconi, a suburb of Bamako, by eight hooded intelligence service agents after he had called on security forces to stop using violence against demonstrators in Sikasso. He was detained incommunicado for 12 days by the intelligence services and released on 21 May and charged with "inciting security and defence forces to disobey their commanders." On 29 September, he was acquitted of all charges.

Following the August coup, several cabinet members and military officers, including the then President, Prime Minister and National Assembly President, were illegally detained without charge. Deposed President Keïta was detained for 10 days before being allowed to travel for medical reasons at the end of August. The others were released without charge in October.

RIGHT TO HEALTH

In June, humanitarian organizations estimated that 23% of Mali's health centres were not operational or were partially operational due to budget constraints, and the impact of the COVID-19 pandemic and the conflict on public services. According to the UN, around 287,496 people were internally displaced and 42,780 were refugees. The right to health of these groups was seriously undermined.

RIGHT TO EDUCATION

Children were denied their right to education as a result of the activity of armed groups, especially in central Mali. This was compounded by a 12-month teachers' strike in protest against the government's reneging on an agreement to increase their salaries. As of March, according to UNICEF, 1,261 schools were closed because of the continuing threat of attacks by armed groups, affecting 370,000 students and 7,500 teachers.

DISCRIMINATION

Discrimination based on caste and social status continued to be widespread, often leading to violence. In June 2018, the village chief of Diandioumé, Kayes region, evicted a family from their farmland, based on their perceived inferior social status. In September, after the judicial authorities confirmed the family's land tenure, four individuals fighting against this discrimination were beaten to death by a local mob while three others, including an 80-year-old woman, were seriously injured. The authorities arrested 11 people suspected of being involved in the murders and judicial proceedings were ongoing at the end of the year.

VIOLENCE AGAINST WOMEN AND GIRLS

In June, the CEDAW Committee denounced the government's failure to criminalize FGM, which, it said, enabled perpetrators to violate women's rights with impunity. A bill drafted in 2017 outlawed the practice but was yet to be adopted.

RIGHT TO TRUTH, JUSTICE AND REPARATION

In January, the Assizes Court in Bamako provisionally released Amadou Haya Sanogo, a former leader of a military junta, and 17 of

his co-accused. They were charged in December 2013 for the kidnapping, murder and complicity in the murder of 21 soldiers. They had spent more than six years in pre-trial detention in Sélingué – three years beyond the maximum allowed under Malian law. Their trial, which had begun in 2016, was suspended in January 2020 and was still pending resumption at the end of the year.

The trial of Al Hasan ag Abdoul Aziz ag Mohamed before the ICC started in July. He was accused of crimes against humanity and war crimes committed in Timbuktu while he was a member of the Ansar Eddine, an armed group which controlled the city during the Islamist occupation of northern Mali between 2012 and 2013.

At least 18 armed group members were convicted on terrorism-related charges by the Bamako Assizes Court, including three men sentenced to death for their roles in the attack on the Radisson Blu Hotel in 2015, (although one was later released in a prisoner exchange). Fifteen men were also convicted for "terrorism, possession of war weapons and murder" and sentenced to death in November. However, most war crimes and other serious human rights violations perpetrated against civilians in the context of the conflict remained unpunished.

MALTA

Republic of Malta
Head of state: **George Vella**
Head of government: **Robert Abela (replaced Joseph Muscat in January)**

The public inquiry into the killing of journalist Daphne Caruana Galizia continued. The government resorted to unlawful practices to prevent refugees and migrants from reaching the country by sea, and continued to arbitrarily detain asylum-seekers whose living conditions were aggravated by the COVID-19 pandemic. A total ban on abortion remained in place.

BACKGROUND

On 7 March, the government declared a public health emergency to combat the spread of COVID-19 and adopted measures to restrict movement and limit public gatherings.

In June, the Council of Europe's European Commission for Democracy through Law (Venice Commission) delivered an opinion on the government's proposals to strengthen the rule of law. While some progress was noted, more remained to be done to increase the independence of the judiciary and the powers of Parliament and the Ombudsman and to involve civil society in the reform process.

RIGHT TO TRUTH, JUSTICE AND REPARATION

In January, former Prime Minister Joseph Muscat stepped down following widespread public protests at the end of 2019. Protests were sparked by revelations that members of his cabinet and close aides were involved in the killing of journalist Daphne Caruana Galizia in 2017. In August, he was formally questioned by police. In September, the Council of Europe urged Prime Minister Abela to refrain from undermining the inquiry's credibility and interfering with its timeframe. The public inquiry into the journalist's killing was ongoing at the end of the year.

REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Approximately 2,300 people were rescued at sea and disembarked in Malta, a third fewer than in 2019 when 3,300 people arrived by sea. Nearly a quarter were unaccompanied children, while about 30% of the total were from Sudan.

In April, concerned about the number of people arriving and the additional pressure on resources due to the pandemic, the government announced that no disembarkations would be allowed and that the Maltese authorities would not be able to service their search and rescue region (SAR).

The government resorted to unlawful practices to prevent people arriving by sea. These practices exposed refugees and migrants to grave dangers, including by delaying their rescue, pushing them back to Libya and denying disembarkation.[1] In April, the government contracted a merchant vessel and instructed it to return to Libya a group of people who had been in danger at sea for several days. According to survivors, 12 people died, some before being rescued and others during the journey to Libya. The 51 survivors were detained on arrival in Libya. A magisterial inquiry into the responsibilities of the Prime Minister and the head of the Armed Forces of Malta, which was initiated by the complaint of an NGO, concluded at the end of May that there had been no wrongdoing but failed to acquire key evidence. An appeal was pending at the end of the year.

In May, the government signed a Memorandum of Understanding with Libya to combat irregular migration, raising concern by NGOs that it would lead to more interceptions at sea and returns to Libya.

Between late April and early June, the government detained more than 425 asylum-seekers and migrants; they had been rescued at sea in the Maltese SAR region aboard ferry boats positioned outside territorial waters to circumvent human rights obligations. These boats were unequipped for long stays. No legal grounds were provided and access to lawyers and independent organizations was denied. On 6 June, they were all disembarked, some after nearly six weeks of arbitrary deprivation of liberty.

For nearly six weeks, the government refused to allow the oil tanker *Maersk Etienne* to disembark 27 people, including a pregnant woman and a child, rescued at sea upon request of the Maltese authorities on 4 August. The rescued asylum-seekers and migrants were eventually transferred aboard the NGO ship *Mare Jonio* and disembarked in Sicily, Italy, on 14 September.

In September, the Office of the UN High Commissioner for Human Rights raised concerns about reports of failures to rescue people at sea and the detention of asylum-seekers and migrants in conditions that may amount to ill-treatment, aggravated by COVID-19. In one detention centre, the UN experts received reports of self-harm and attempted suicides. NGOs and lawyers were increasingly restricted from accessing migration detention centres. In some open centres, hundreds of asylum-seekers and migrants were subjected to quarantine measures for prolonged periods in conditions that did not allow for physical distancing due to overcrowding and with inadequate sanitary facilities.

In October, a court ordered the release of an asylum-seeker who had been detained without legal grounds for 144 days. The court stated it was concerned that other foreign nationals may be detained without legal basis and notified the Home Affairs minister of its judgment.

Three young asylum-seekers who refused to be returned to Libya after being rescued by the merchant vessel *El Hiblu 1* in March 2019, and who were subsequently arrested in Malta upon disembarkation, continued to await their indictment. They risked life imprisonment, including on charges under counter-terrorism legislation.

RIGHTS OF WOMEN AND GIRLS

Women continued to be denied access to abortion even when the life of the pregnant woman was at risk.

In November, the independent body to monitor compliance with the Istanbul Convention, *Grevio*, commended Malta for defining rape as sex in the absence of consent, in line with international standards, in 2018. However, it criticized the judiciary's tendency to put the burden of proving the lack of consent on the victim.

1. Waves of impunity: Malta's human rights violations and Europe's responsibilities in the central Mediterranean (EUR 33/2967/2020)

MEXICO

United Mexican States
Head of state and government: **Andrés Manuel López Obrador**

The government responded to the COVID-19 pandemic with cuts to public spending in various areas. Health workers reported that they lacked access to personal protective equipment and the benefits needed to ensure a safe working environment. Reports of violence against women increased. Security forces continued to carry out arbitrary detentions and employ excessive use of force, at times resulting in unlawful killings. The Attorney General's Office announced progress in the investigation into the enforced disappearance of 43 Ayotzinapa college students in 2014. The Senate recognized the competence of the UN Committee on Enforced Disappearances to examine individual complaints. The President stigmatized human rights defenders and the media on various occasions and downplayed the problem of violence against women.

BACKGROUND

According to authorities, Mexico registered 1,426,094 cases of COVID-19. In April, the government implemented austerity policies through a decree that cut public spending, with exceptions for programmes deemed to be priorities such as several major infrastructure projects. In September, Congress dissolved several public trust funds, including those set up to support the protection of human rights defenders, journalists and human rights victims, and on climate change.

The Supreme Court had yet to analyse the National Law on the Use of Force that was the subject of a constitutional challenge in 2019 by the National Human Rights Commission.

The administration deployed a greater number of military personnel in public security operations than the previous two presidential administrations.

In May, the President issued a decree allowing the armed forces to be permanently deployed in public security operations until March 2024. The decree did not include substantive regulations to ensure their conduct was consistent with international standards. The President also announced that the control of ports and customs points would pass to the armed forces.

UNLAWFUL KILLINGS

The Office of the UN High Commissioner for Human Rights (OHCHR) and numerous human rights organizations condemned the death of 30-year-old Giovanni López Ramírez on 5 May while in the custody of municipal police in Ixtlahuacán de los Membrillos, Jalisco state.[1] Giovanni López' family reported that police arrested him as part of COVID-19 enforcement measures because he was not wearing a facemask; the state authorities denied this.

Video footage emerged of an army operation in Nuevo Laredo, Tamaulipas state, on 3 July in which soldiers killed 19-year-old Arturo Garza, an unarmed survivor of a military shoot-out with an alleged criminal group.[2] In a separate event, 35-year-old Jéssica Silva was killed by members of the National Guard who opened fire on her vehicle in the town of Delicias, Chihuahua state, as she was returning from a protest of agricultural workers over rights to water. Her husband was seriously wounded in the attack.[3] The National Guard at first reported that their personnel had repelled an armed attack, but later admitted that the attack on the couple had been an "accident". The Federal Attorney General´s Office arrested six National Guard agents in relation to the events.

EXTRAJUDICIAL EXECUTIONS

The Federal Attorney General´s Office attempted to close the investigation into the killing of 22 people by soldiers in Tlatlaya, México state, in 2014, before having properly investigated chain-of-command responsibility

in the case. The attempted closure of the case was halted by victims' representatives. Two officials were convicted of torture in relation to the case (see below).

ARBITRARY DETENTIONS

Jalisco State Police officers arbitrarily detained at least 27 people during protests in the city of Guadalajara in early June sparked by the death of Giovanni López Ramírez. Protesters were abducted in unmarked vehicles and their whereabouts were unknown for several hours. Local organizations reported that at least 20 of these detentions could amount to enforced disappearances. The Jalisco State Governor later announced that the police involved would be subject to criminal investigations.

In March, the Yucatán State Prosecutor's Office announced it was closing the investigation into events that led to the arbitrary detention and torture in 2016 of José Adrián, aged 14 at the time, due to lack of evidence.[4] The Yucatan State Victim Support Commission agreed a reparation settlement for José Adrián and his family.

The constitutional provision allowing detention without charge (*arraigo*) was not repealed during the year.

ENFORCED DISAPPEARANCES

Enforced disappearances by state agents and disappearances carried out by non-state actors continued to be a concern; those suspected of criminal responsibility enjoyed almost total impunity. In March, the Extraordinary Mechanism for Forensic Identification, an autonomous, interdisciplinary task force, was formally created by decree. The Mechanism is designed to identify the more than 38,000 unidentified bodies awaiting forensic analysis across the country. It includes civil society organizations in its coordinating body, but family groups have only participatory status without being part of the coordinating body. Federal authorities declared that 6,957 people had been registered missing during 2020. The total number of people reported disappeared in Mexico since 1964 was 82,647, with 63,939 disappearances recorded in the past decade.

In July, the special prosecutor for the case of 43 Ayotzinapa college students disappeared in 2014 announced that the remains of Christian Rodríguez Telumbre had been identified. The remains were discovered in November 2019 in a ravine near the municipality of Cocula, Guerrero state. The authorities also declared that the official version of events presented by the previous administration had been rejected by the current investigating authorities. Dozens of arrest warrants were issued throughout the year for public officials with possible links to the case. Among them was Tomás Zerón, head of criminal investigations in the Federal Attorney General´s Office at the time of the disappearances, who was accused of torture, enforced disappearance and tampering with the crime scene. In addition, for the first time in the case, several arrest warrants were issued for members of the military. In addition, the first member of the army was arrested, as well as a marine.

In September, the Senate recognized the competence of the UN Committee on Enforced Disappearances to consider individual cases.

VIOLENCE AGAINST WOMEN AND GIRLS

The killings of a woman and a girl in February sparked outrage, leading to unprecedented attendance at social protests on International Women´s Day. A twenty-five-year-old woman was reportedly skinned and mutilated by her husband and, days later, the body of a seven-year-old girl was found in a plastic bag.

During 2020, 3,752 killings of women were reported, 969 of which were investigated as femicides. Mexico state registered the highest absolute number of femicides, followed by Veracruz. Colima and Morelos states reported the highest rates of femicide per 100,000 women. Calls to the 911 emergency line to report incidents of violence against women rose during the year, with 260,067 calls up to December, compared to a total of 197,693 for the whole of 2019.

Austerity measures proposing funding cuts to help centres for Indigenous and Afro-descendent women and to the National Commission to Prevent and Eradicate Violence against Women were abandoned following significant social outcry. Nevertheless, in July, the National Women´s Institute lost 75% (MXN151 million) of its operational funding. The President continued to downplay the issue of violence against women, questioning the validity of calls made to emergency services to report domestic violence and criticizing women´s protests against femicides. In September, relatives of murdered women occupied the offices of the National Human Rights Commission (CNDH) in protest at the lack of progress by authorities on the issue of violence against women.

Twenty-one coordinated official response protocols, known as "Alerts of gender-based violence against women" remained operational in 18 states. By the end of the year, there was no indication that these mechanisms had reduced gender-based violence.

The San Luis Potosí Prosecutor's Office opened a new investigation into the 2012 killing of Karla Pontigo, this time as the crime of femicide, in compliance with a Supreme Court ruling in November 2019 that ordered the case be investigated with a gender perspective. In November, a judge in Jalisco state handed down a guilty sentence for the murder of Alondra González Arias which occurred in March 2017 soon after reporting violence by her partner.

SEXUAL AND REPRODUCTIVE RIGHTS

In July, the Supreme Court rejected an injunction that sought to change the legislation criminalizing abortion in Veracruz state. In May, the Congress of Guanajuato state voted down a bill for the decriminalization of abortion in the state.

HUMAN RIGHTS DEFENDERS

Human rights defenders continued to be attacked and harassed and, according to civil society organizations, 24 human rights defenders were killed. Defenders of environmental and Indigenous Peoples' human rights expressed concern about the Mayan Train mega project. The President responded by publicly accusing them of being "false environmentalists". Six UN special rapporteurs wrote to the government expressing a series of concerns about the Mayan Train project, including in relation to Indigenous Peoples´ rights to land and health, as well as possible environmental impacts of the project.

In November, Mexico ratified the Regional Agreement on Access to Information, Public Participation and Justice on Environmental Matters in Latin America and the Caribbean (the Escazú Agreement), which includes strong protections for Indigenous and environmental defenders. The Protection Mechanism for Human Rights Defenders and Journalists maintained protection measures for 1,313 people: 887 human rights defenders and 426 journalists. The public trust fund supporting this protection mechanism was dissolved in October and its funds were absorbed into the general public budget.

FREEDOMS OF EXPRESSION AND ASSEMBLY

Media workers continued to be threatened, harassed and attacked; at least 19 journalists were killed during the year, according to official data from November.

During May, information emerged showing that Notimex, the state news agency, was involved in a smear campaign, including a network of bots and fake accounts on social media allegedly financed by public funds, against several journalists and media outlets that published content critical of the government.

In August, a federal judge handed down a sentence of 50 years in prison to the material author of the killing of journalist Miroslava Breach. She was killed by armed men outside her home in Chihuahua in 2017.

In September, a letter signed by 650 journalists and academics accused the President of actions harmful to freedom of

expression, including a series of public statements undermining the press, permitting an environment conducive to censorship, administrative sanctions and misuse of the law to intimidate the press.

During 2020, there were mass protests by women in several cities against femicide and other forms of gender-based violence. The police responded in several instances with excessive use of force, arbitrary detentions, cell phone theft and physical, psychological and sexual attacks, among other human rights violations. Federal and state authorities also stigmatized women protesters in public statements.[5] In August, police in the city of León, Guanajuato state, arbitrarily detained 22 women and beat and sexually assaulted several women and girls.[6] In November, in Cancún, police used live ammunition on a series of mostly peaceful protest by women protesting against femicides.

TORTURE AND OTHER ILL-TREATMENT

Torture and other ill-treatment continued to be a major concern. Investigations into reports of torture were generally flawed and those suspected of criminal responsibility were rarely brought to justice. The National Programme for the Prevention and Punishment of Torture and Ill-treatment had still not been published by the end of the year.

Two Mexico state policemen were sentenced to seven years in prison for using torture to extract false confessions from three women survivors of the 2014 Tlatlaya massacre.

Mónica Esparza, survivor of torture with sexual violence, was released from prison in March, more than seven years after she was arbitrarily detained and tortured by police in the city of Torreón, Coahuila state. She was acquitted of the charges based on false confessions extracted under torture. No officers had been charged for the crimes against her.

Adrián Vásquez Lagunes had not received reparations from Baja California state, despite a 2015 decision by the Baja California State Human Rights and Citizen Protection Ombudsman's Office that he receive reparations for being tortured by Tijuana police in 2012. Adrián Vásquez Lagunes contracted COVID-19 in June and had to cope with the illness on a low income and almost no support from the state.[7]

RIGHTS OF MIGRANTS, REFUGEES AND ASYLUM-SEEKERS

Migrants, refugees and asylum-seekers continued to face excessive use of force and arbitrary detention by authorities, as well as abductions, assaults and killings by non-state actors.

National Guard officials used tear gas during an operation to detain hundreds of migrants who crossed Mexico's southern border in January and dragged and beat migrants who participated in a protest inside a migration detention centre in Tapachula in March.

Also in March, a Guatemalan asylum-seeker died when a protest by detained migrants demanding to be released led to a fire in the Tenosique detention centre.[8]

Migration authorities released hundreds of migrants from detention centres during April and May because of the risk of COVID-19. However, data on these releases was scarce and concerns remained that unlawful deportations or *refoulements* could have taken place in this context.

The federal refugee agency (COMAR) received 41,227 asylum claims in 2020, down from 70,427 in 2019. The largest number of asylum-seekers were from Honduras, followed by Haiti, Cuba and El Salvador. Migration authorities detained 87,260 irregular migrants, including more than 11,000 children, and deported 53,891 people, a decrease compared to 2019. The vast majority of those deported were from Central America.

Civil society organizations presented several injunctions between April and the end of the year requesting the release of all people in immigration detention and an end to such detentions due to the risk COVID-19. A federal judge in Mexico City ruled that all those in immigration detention should be

released. However, authorities failed to comply with the ruling and detentions continued, depriving migrants not only of their right to health but also to liberty.

RIGHT TO HEALTH

Health workers in Mexico expressed concern at the lack of access to sufficient personal protective equipment to work safely while responding to the COVID-19 pandemic.[9] At least 2,397 health workers died with COVID-19 in Mexico.

Several health workers were physically attacked in public places or on public transport. In response, the government rolled out a public campaign to raise awareness about the important role of health workers and combat stigma against them. A number of health workers voiced concerns about irregular contracts and the lack of sick pay and other benefits, which at times led to retaliation. Jorge Pérez, a 70-year-old cleaner in a public hospital, was fired by a private contractor after he spoke out about his poor working conditions.

1. Mexico: Amnesty International exige la investigación y sanción de responsables de violaciones de derechos humanos ocurridas durante las manifestaciones del 4 y 5 de junio en Guadalajara (Press release, 7 June) (Spanish only)
2. The executions in Nuevo Laredo must be a watershed moment for ending human rights violations in Mexico (Article, 28 August)
3. Mexico's new National Guard is breaking its vow to respect human rights (Article, 8 November)
4. False Suspicions: Arbitrary Detentions by Police in Mexico (AMR 41/5340/2017)
5. Autoridades de Guanajuato deben abstenerse de estigmatizar el derecho a la protesta (Press release, 28 August) (Spanish only)
6. Mexico: Carta abierta (Open letter, 25 August) (Spanish only)
7. Mexico: Urgent Action: Torture Survivor Denied COVID-19 Support: Adrián Vásquez Lagunes (AMR 41/2542/2020),
8. Americas: Governments must halt dangerous and discriminatory detention of migrants and asylum seekers (News, 2 April)
9. Americas: The cost of curing: Health workers´ rights in the Americas during COVID-19 and beyond (AMR 01/2311/2020)

MOLDOVA

Republic of Moldova
Head of state: **Maia Sandu, replaced Igor Dodon in December**
Head of government: **Aureliu Ciocoi, replaced Ion Chicu in December**

The government response to COVID-19 raised human rights concerns, including in relation to the right to health and freedoms of expression, peaceful assembly and movement. No progress was made in addressing systemic torture and other ill-treatment. A new NGO law passed following civil society input. Fair trial concerns remained.

BACKGROUND

Moldova avoided political turbulence, unlike previous years, although there was slowly widening popular discontent and regular peaceful protest throughout the year.

A three-month state of emergency effective from March, in response to the COVID-19 pandemic, imposed restrictions on certain rights, including to freedom of movement, education (for example, remote schooling requirements were not affordable for all families) and peaceful assembly. During that period, Moldova derogated from these obligations under the European Convention on Human Rights. The measures also adversely impacted the economy and standard of living.

In July, President Igor Dodon met the de facto leader of the breakaway Transdniestria region, Vadim Krasnoselskiy, although no progress towards resolution of the 30-year-old frozen conflict was reported.

RIGHT TO HEALTH

Measures enacted to confront the COVID-19 pandemic resulted in the reduction of some other medical provision and the temporary suspension of non-emergency services. Despite these measures, the ensuing strain on the health care system left health workers particularly vulnerable, reportedly suffering

from a shortage of effective PPE and a high infection rate. However, few if any health workers agreed to speak of these issues on or off the record, for fear of reprisals.

Transdniestria region

In response to the COVID-19 pandemic, the de facto authorities in Transdniestria introduced restrictions on travel from Moldovan government-controlled territory for individuals without local "passports". While wide-ranging exceptions were made, this measure expressly targeted health workers residing in Transdniestria and working across the Dniester river who consequently were forced to choose on which side of the conflict line to live and work. This combined with the general shortage of medical personnel, reduced medical provision for the local population.

TORTURE AND OTHER ILL-TREATMENT

No progress was made compared to previous years in addressing systemic problems behind torture and other ill-treatment, and impunity for perpetrators prevailed. Torture survivors and victims' families remained unable to access full and effective reparation. The number of allegations, independently reported and officially registered, remained broadly the same year on year.

Conditions in penitentiary institutions, including overcrowding and inadequate provision of health care, drew continuing criticism. The lack of effective necessary services and equipment to establish a diagnosis when a detainee is ill, and denial of transfer to civil medical institutions for necessary treatment, remained a chronic problem. This became more apparent in the face of the COVID-19 pandemic, with hundreds of confirmed cases among prison staff and inmates.

FREEDOM OF EXPRESSION

Media remained generally pluralist but heavily dependent on private sponsorship which typically has clear political leanings. Libel litigation in civil proceedings remained an instrument of pressure on independent media outlets because of taxing legal costs.

In March, the official media regulator mandated that, with immediate effect and throughout the emergency period, media presenters and commentators "waive their personal opinion" regarding COVID-19 and rely exclusively on official information and that of the WHO. The ensuing public resentment forced the regulator to promptly reverse this decision.

FREEDOM OF ASSEMBLY

With street protests regularly occurring throughout the year, the right to freedom of peaceful assembly was generally respected. However, on 16 July, police in the capital, Chisinau, used tear gas to disperse a peaceful gathering of several dozen people. The police detained and later released without charge nine individuals.

In August, the mayor of Chisinau prohibited agricultural vehicles to be used in protests after some demonstrators used these to travel to a protest. Protest organizers challenged the decree in court; its outcome was still pending at year's end.

FREEDOM OF ASSOCIATION

A much-delayed NGO law was adopted by Parliament in June, reflecting the draft bill widely discussed and agreed with civil society representatives in previous years. The law clarified and streamlined provisions regarding NGO funding and reporting. A proposal to ban election monitoring by foreign-funded NGOs was not included, nor an earlier proposal to require NGO leaders and staff to publish their annual income declarations.

UNFAIR TRIALS

Fair trial concerns remained. In February, the Prosecutor General acknowledged the political motivation behind a prosecution by his predecessor, and announced a review of 38 criminal cases. By December, in none of these cases had the conviction been quashed or criminal proceedings terminated. The most high-profile among them was the case against Veaceslav Platon, sentenced to

18 years in 2017 for fraud. In May, the Prosecutor General announced that the evidence against him had been fabricated, and Veaceslav Platon was released the following month pending further investigation and re-trial. However, the review of the 38 cases raised concerns over selective justice, including the lack of clear criteria supporting the choice of cases.

The investigation against officials allegedly responsible for the unlawful detention and forcible return of seven Turkish nationals to Turkey in 2018 was regarded as classified. Following public pressure, however, in September the Prosecutor General revealed that one of the officials had been convicted and fined in July. The court decision was not published officially but leaked to the press.

FREEDOM OF MOVEMENT

In March, Moldovan citizens returning from abroad were obliged to purchase compulsory health insurance within 72 hours of their return. The measure remained in place until the state of emergency was lifted, despite a conclusion in April by the Council for Equality that the measure was discriminatory as it effectively made return conditional on the ability to pay and was applied differently in practice to those returning by air and overland. No information on the implementation of the measure was made public.

MONGOLIA

Mongolia
Head of state: **Khaltmaa Battulga**
Head of government: **Ukhnaa Khurelsukh**

Measures to prevent the spread of COVID-19 contributed to an increase in domestic violence and affected children's rights to education and health. Prior to elections in June, there was a rise in cases of arbitrary detention of individuals speaking out against the government. The authorities failed to investigate most reported cases of torture.

VIOLENCE AGAINST WOMEN AND GIRLS

Domestic violence increased in the capital, Ulaanbaatar, as lockdown measures were imposed to prevent the spread of COVID-19. The number of reports increased by more than 50% during the first quarter of the year compared to the same period in 2019; 90% of the victims were women. Lockdown measures also reduced the options available for support and counselling services.

HUMAN RIGHTS DEFENDERS

In May, the government submitted to parliament a bill on the protection of human rights defenders, which was discussed in December but remained pending. Human rights defenders lacked sufficient legal protection, putting them and their families at risk.

In September, a woman herder-activist and NGO leader was harassed and beaten by managers of a mining company, due to her efforts to protect herders' land from business encroachment and to prevent environmental degradation. Her case was dismissed after investigation by the municipal police.

ARBITRARY ARRESTS AND DETENTION

Prior to parliamentary elections in June, the government arrested and arbitrarily detained individuals – including lawyers and activists – for expressing their views on the human rights situation and corruption. Many of them were detained for weeks without being charged or brought to court.

TORTURE AND OTHER ILL-TREATMENT

There were credible allegations of torture and other ill-treatment by law enforcement officials but the government showed unwillingness to conduct investigations. Between January and October, 54 cases of torture were reported, but only three of them were investigated and brought to court.

FREEDOM OF EXPRESSION

In January, an amendment to the Criminal Code which criminalized the dissemination of "false information" came into effect. A

dedicated police unit was created for its enforcement. Civil society publicly expressed concerns that the law was overly broad and could be used to suppress press freedom.

RIGHT TO HOUSING AND FORCED EVICTIONS

People who were homeless or without adequate housing, as a result of redevelopment in Ulaanbaatar during recent years, faced a higher risk of infection during the COVID-19 pandemic due to lack of access to sanitation facilities and protection from weather. Residents who lived in areas scheduled for redevelopment reported that construction companies immediately asked them to vacate their land and homes after signing development contracts with the government, but did not adequately consult and compensate them.

CHILDREN'S RIGHTS

Schools and other educational facilities were closed from late January through August to prevent the spread of COVID-19. The government offered remote classes through television programmes, but access to education for children returning to remote areas from urban boarding schools was difficult because of poor internet connectivity or television network coverage. For many children who depended on school meals as a main source of nutrition, school closures affected access to adequate food and placed their health at higher risk.

MONTENEGRO

Republic of Montenegro
Head of state: **Milo Đukanović**
Head of government: **Zdravko Krivokapić (replaced Duško Marković in December)**

The government's response to COVID-19 violated rights to freedom of movement, peaceful assembly, non-discrimination and privacy. Impunity for war crimes, torture and other ill-treatment, and attacks on journalists persisted.

BACKGROUND

In August, the opposition coalition narrowly won parliamentary elections, ending 29 years of rule by the Democratic Party of Socialists under Milo Dukanović as Prime Minister or President. The period was characterized by corruption, human rights violations, media repression and impunity for war crimes.

Montenegro was the only European country where, as part of the COVID-19 control measures, the names of individuals required to self-isolate were published.

FREEDOM OF ASSEMBLY

Members of the Serbian Orthodox Church protested against 2019 legislation they feared enabled the state to seize church property. In May, police in Nikšić arrested a bishop and seven priests for demonstrating under COVID-19-related prohibitions on gatherings; their supporters were dispersed with stun grenades and tear gas. Orthodox demonstrators in other towns were also dispersed with tear gas. In June, police beat protesters during an opposition party demonstration in Budva.

In June, NGOs lodged a constitutional appeal against the prohibition of open-air gatherings.

IMPUNITY

Crimes under international law, perpetrated in the 1990s, were neither investigated nor prosecuted.

The European Court of Human Rights considered Montenegro's failure to provide justice to seven relatives of Bosniak refugees transferred in 1992 by Montenegrin police to Bosnian Serb forces and subsequently murdered.

TORTURE AND OTHER ILL-TREATMENT

The State Prosecutor failed to effectively investigate allegations that police used torture, including electric shocks, in May/June to extract "confessions" from two suspects and a witness in two bombing cases. In December, the Ombudsperson found that police had ill-treated the witness.

One suspect was acquitted, the court suspecting that his statement was extorted.

FREEDOM OF EXPRESSION

Impunity continued for historic attacks on journalists, including investigative journalist Olivera Lakić, shot in 2018. In December, NGO Human Rights Action urged the State Prosecutor to provide protection to Olivera Lakić, after a plan to assassinate her was revealed.

In January, proceedings were initiated against three journalists, detained for between 14-28 hours for "causing panic and disorder"; two were prosecuted. Private individuals were similarly detained, four of them for posting "false news" about COVID-19 on social media; three were indicted.

The Appeals Courts quashed the convictions of two other individuals fined under public order legislation for criticizing officials online.

DISCRIMINATION

In July, Parliament adopted legislation recognizing same-sex civil partnerships, although registered partners were not allowed to adopt or foster children.

In April, an exceptional three-week quarantine monitored by the police was imposed on 1,200 Roma former refugees living in apartment blocks in Konik, after one case of COVID-19 was discovered.

VIOLENCE AGAINST WOMEN AND GIRLS

In April, women's NGOs established a coalition to support women experiencing domestic violence after court cases increased and calls to the Centre for Women's Rights rose by 20%.

MOROCCO/ WESTERN SAHARA

Kingdom of Morocco
Head of state: **Mohammed VI**
Head of government: **Saad-Eddine El Othmani**

The authorities responded to the COVID-19 pandemic with a new health emergency decree-law, which restricted freedoms of movement, expression and assembly, and used it to prosecute people for criticizing the government's handling of the crisis or for breaking the emergency measures. Sahrawi human rights defenders continued to be intimidated, harassed and arrested for peacefully expressing their opinions. Women continued to face discrimination as well as sexual and other gender-based violence, and faced increased difficulties in accessing justice during the pandemic. Consensual same-sex sexual relations between adults remained a criminal offence and the authorities failed to investigate incitement to violence against lesbian, gay, bisexual, transgender and intersex people. The rights of migrants were violated, including as a result of inadequate COVID-19 protection measures in migrant detention centres. The Polisario Front, which administers camps in Algeria for refugees from Western Sahara, detained at least one critic. Courts handed down death sentences; there were no executions.

BACKGROUND

In January, Morocco passed laws adding the waters off the coast of the disputed Western Sahara land to its maritime territory, extending its jurisdiction over the waters from Tangier city in the north to Lagouira town on the Mauritanian border.

On 20 March, the government declared a state of health emergency that remained in place until the end of the year. It also imposed a national lockdown which was gradually lifted in June and replaced by a set

of measures including restrictions on movement and area-specific lockdowns.

In October, the UN renewed the UN Mission for the Referendum in Western Sahara's mandate until October 2021, without granting it a human rights component unlike most other UN peacekeeping missions. The territory of the Western Sahara and the Polisario camps remained inaccessible for human rights organizations, making it difficult to monitor human rights abuses.

In December, the government signed a deal with the USA agreeing to establish full diplomatic relations with Israel in exchange for the USA's official recognition of Moroccan sovereignty over the Western Sahara.

REPRESSION OF DISSENT

The authorities used the health emergency to pass restrictive legislation. In March, Parliament passed Law No. 2.20.292 which set penalties of a three-month prison sentence and a fine of MAD1,300 (around US$146) for anyone breaching "orders and decisions taken by public authorities" and for anyone "obstructing" those decisions through "writing, publications or photos". Since its adoption, the authorities have used the new law to prosecute at least five human rights activists and citizen journalists for criticizing the government's COVID-19 response, accusing them of "incitement to violate the authorities' decisions".

In April, authorities prosecuted and detained Mohamed Bouzrou, Mohamed Chejii and Lahssen Lemrabti, administrators of the Facebook news page Fazaz 24, for two posts that criticized the local authorities' handling of COVID-19. Mohamed Chejii was released soon after his arrest though his trial continued, but Mohamed Bouzrou and Lahssen Lemrabti remained in detention.[1]

In April, police in Nador in the north-eastern Rif region arrested Omar Naji, the local representative of the Moroccan Association for Human Rights (AMDH), and prosecuted him for spreading "false allegations or lies" with the aim of "harming privacy or defamation", as well as for breaching the health emergency law. He was arrested after he published a post on social media criticizing Nador authorities for confiscating merchandise from unauthorized vendors during the pandemic and released the following day on bail. On 17 November, the First Instance Court in Nador acquitted him of all charges.

FREEDOM OF EXPRESSION

The authorities continued their crackdown on freedom of expression in Morocco and Western Sahara, investigating and prosecuting a number of journalists and activists for their online posts.

In January, courts around the country sentenced at least nine individuals, including rappers and activists, to between six months and four years in prison, for their online speech on YouTube and Facebook. All were accused of "offending" public officials or institutions under the Penal Code.[2]

In May, Sahrawi journalist and human rights activist Ibrahim Amrikli was arrested in Laayoune, in Western Sahara, and detained for over two days.[3] Security officers interrogated him about his work for Sahrawi human rights organization Nushatta Foundation and repeatedly beat and insulted him. They forced him to sign a "confession" to trumped-up charges of throwing stones at police officers in April. Two days later, he was charged with "breaking orders related to the health emergency status" and "offending public officials" under Article 263 of the Penal Code. His trial opened on 18 November but was postponed to an unknown date.

In June, an Amnesty International report revealed that the phone of independent journalist Omar Radi had been hacked using surveillance technology produced by the Israeli company NSO Group.[4] After the report was published, Omar Radi was summoned for police interrogation several times and a state media smear campaign accused him of espionage. On 29 July, the Prosecutor of the Appeals Court in Casablanca charged him with sexual assault, rape, "undermining external state security" and "harming internal

security" – all charges he vehemently denied – under provisions in the Penal Code. He was placed in pre-trial detention, where he remained at the end of the year.

In July, police in Laayoune arbitrarily detained Algargarat Media's founder Essabi Yahdih for 10 hours when he went to the police station to obtain an administrative certificate, before releasing him without charge. He said that police insulted and threatened him with "arrest, rape and murder" and interrogated him about Algargarat's editorial line, its staff and funding as well as his personal online posts, specifically a post that mocked another post by a Moroccan parliamentarian about the King.

In December, following years of harassment and unlawful surveillance, academic and human rights defender Maati Monjib was arrested arbitrarily and detained. He and members of his family were accused of money laundering and he was awaiting trial at the end of the year.

WOMEN'S RIGHTS

Women continued to face discrimination in law and practice as well as sexual and other gender-based violence. Although Morocco adopted Law 103-13 for the Prevention of Violence against Women in 2018, mechanisms for its implementation remained weak. The Law requires victims to file for criminal prosecution to obtain orders of protection, which became virtually impossible under the COVID-19 lockdown.

Women's organizations such as Mobilising for Rights Associates (MRA) reported an increase of problems for women suffering violence during lockdown, including being confined with their abusers, often without access to means of communication, and difficulty accessing shelters. Between 20 March and 20 April, the number of prosecutions for violence against women fell to one-tenth of the monthly average, according to the Chief Prosecutor. The authorities said this was because of "the stability of the Moroccan family". However, MRA attributed the decrease to difficulties women faced in accessing justice during the lockdown.

RIGHT TO HEALTH

Health workers

In August, doctors began a national strike to denounce their poor working conditions, the absence of minimum protection measures for health workers, and the lack of medical treatment or proper confinement for frontline workers who contracted the virus.

In August, the Health Ministry suspended annual leave for doctors and other medical staff in public hospitals, forcing them to work without a break to meet the demands caused by COVID-19. Hundreds of doctors demonstrated around the country in protest against the move.

CRUEL, INHUMAN OR DEGRADING PUNISHMENT

Prisoners were held in harsh conditions, including prolonged and indefinite solitary confinement, in violation of the prohibition of torture and other ill-treatment. Despite the elevated risks of COVID-19 transmission in prisons and other places of detention, authorities imprisoned people solely for breaching restrictions imposed in the context of the pandemic.

Between April and August, the King issued four royal pardons for a total of 8,133 detainees, including 20 activists from the Hirak El-Rif social justice movement.

In August, Nasser Zefzafi and Nabil Ahamjik, leaders of Hirak El-Rif, staged a 25-day hunger strike to protest against the denial of family visits and the scattering of Hirak El-Rif detainees in different prisons inaccessible to their families.

Sulaiman Raissouni, a journalist and editor of *Akhbar Al Yaoum*, was detained from May until the end of the year, and was permitted only one hour a day to walk alone in the courtyard.

Authorities continued to hold 19 Sahrawi activists in prisons in Ait Melloul and Bouizarkane in south-west Morocco, after they were convicted following unfair trials in 2013 and 2017 that failed to adequately

investigate torture allegations. They were held hundreds of kilometres from their families and, due to the COVID-19 restrictions, were not permitted family visits.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Article 489 of the Penal Code continued to criminalize consensual same-sex sexual relations.

Authorities failed to investigate incitement to violence against LGBTI people or to provide people protection regardless of their sexual orientation or gender identity.

In April, in an apparent campaign, a number of individuals forcibly "outed" people on same-sex dating apps, disclosing their sexual orientation or gender identity without their consent. LGBTI organizations reported that this "outing" campaign led to people being assaulted and threatened, as well as a Facebook group in Agadir calling for people to lynch LGBTI sex workers. The authorities failed to publicly condemn this, and the state media failed to report on it.

MIGRANTS' RIGHTS

The authorities continued to arrest, detain and deport migrants throughout the year. In early 2020, the Spanish governmental delegation in Melilla, Spain, announced the intention to end the migratory route between the northern coast of Morocco and Spain, and the Moroccan authorities reported their arrests of migrants near the border with Ceuta. Several NGOs reported an absence of COVID-19 protection measures in migrant detention centres in Nador and Laayoune. According to the AMDH, around 100 migrants were detained for over a week in Nador in May without access to a lawyer in violation of Law 02-03 of 2003 on the entry and stay of foreigners, which stipulates that after 24 hours of detention, irregular migrants must be put under judicial control and given access to a lawyer.

FREEDOM OF RELIGION AND BELIEF

Moroccan law continued to criminalize "insulting Islam", which can be punishable by a prison sentence. In May, Casablanca police arrested actor Rafik Boubker for a video posted on Facebook in which he mocked Islamic rituals. He was charged with "insulting Islam" and released the next day. His trial opened in November and was postponed several times. In July, a court in the city of Safi in western Morocco sentenced Muhammed Awatif Qashqash to six months in prison and a fine, under the same provision, for a caricature he posted online depicting religious figures, including the Prophet Mohammed.

POLISARIO FRONT CAMPS

The Polisario Front, which calls for the independence of Western Sahara and has set up a self-proclaimed government in exile, detained at least one critic in the camps it administers in Algeria. On 8 August, police in the camps held citizen journalist Mahmoud Zeidan for 24 hours, interrogating him about posts he published online that criticized the way camp authorities handled COVID-19 aid distribution.

The Polisario Front failed to ensure that those responsible for committing human rights abuses in the camps in previous decades were brought to account.

DEATH PENALTY

Courts continued to hand down death sentences; there had been no executions since 1993.

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1. Morocco and Western Sahara: End prosecution of activists under new health emergency law (Press release, 9 June)
2. Morocco/Western Sahara: Crackdown against activists for criticizing the King, public institutions and officials (Press release, 11 February)
3. Morocco: Drop charges against Ibrahim Amrikli and cease arbitrary arrests of journalists and activists in Western Sahara (MDE 29/3111/2020)
4. Moroccan journalist targeted with network injection attacks using NSO group's tools (Blog, 22 June)

MOZAMBIQUE

Republic of Mozambique
Head of state and government: **Filipe Jacinto Nyusi**

Police used excessive force against people who left their homes to look for food during the COVID-19 lockdown. There was a spike in gender-based violence as victims were trapped at home with abusive partners. Violence in the province of Cabo Delgado intensified, becoming an armed conflict which resulted in more than 2,000 deaths. The authorities failed to hold to account perpetrators of crimes under international law and serious human rights violations and abuses. Repression of freedom of expression took a new turn when a newspaper office was firebombed.

BACKGROUND

In January, the President began a second term following a controversial election which took place amid armed violence in the north of the province of Cabo Delgado, an area which remained closed to the media. The government's secret loans scandal destabilized socioeconomic conditions. Meanwhile, flooding in 2019 and 2020 destroyed infrastructure, further isolating the population in northern Cabo Delgado. In response to the COVID-19 pandemic, the authorities imposed a state of emergency between 30 March and 6 September. The measures contributed to poor living conditions nationwide, and in particular exacerbated the precarious conditions in Cabo Delgado when an armed opposition group, known locally as al-Shabaab (although there is no known relationship with al-Shabaab in Somalia), used the period to intensify its attacks.

RIGHT TO FOOD

State of emergency provisions were punitive and led to increased food insecurity in marginalized neighbourhoods, particularly as most people depended on the informal economy to earn a living on the streets and in markets. Those who left their homes to work or find food were subjected to excessive force by the police, and an increased risk of contracting COVID-19. The authorities did not put in place adequate social security measures to protect them from hunger and ill-health.[1]

VIOLENCE AGAINST WOMEN AND GIRLS

Gender-based violence increased sharply during the COVID-19 restrictions, when women and girls were trapped in the home and exposed to heightened risk of domestic violence. Women's prevalence in the essential services workforce put them at greater risk of violence outside the home; restricted public transport exposed them to the threat of violence because they had to travel late at night or in the early morning hours. School closures put more girls at risk of child marriage.

INTERNALLY DISPLACED PEOPLE

The armed conflict between the so-called al-Shabaab and government forces created a humanitarian crisis in Cabo Delgado. By the end of the year, over 500,000 people were internally displaced, and more than 700,000 needed humanitarian assistance. The government failed to provide shelter, food, water, education or health services and many people relied on the goodwill of local families to give them shelter in Cabo Delgado and the neighbouring provinces of Nampula and Niassa. At the end of the year, it remained unclear whether the government's Northern Integrated Development Agency had had an impact on the humanitarian crisis.

IMPUNITY

Impunity for crimes under international law and serious human rights violations and abuses carried out in Cabo Delgado's armed conflict remained widespread. By December, more than 2,000 people had been killed, including civilians caught in crossfire or deliberately targeted by armed opposition groups and government forces. Throughout the year, armed groups beheaded civilians, burned houses, looted villages and

kidnapped women and girls. Meanwhile, civilians, alleged members of armed opposition groups and journalists reporting on the attacks were subjected to detention, torture and other ill-treatment, enforced disappearance and extrajudicial execution by security forces.

In June and July, photographic and video evidence emerged of what appeared to be Mozambique Armed Defence Forces soldiers and officers of the Mozambique Rapid Intervention Unit[2] committing crimes against suspected armed group fighters. The victims were tortured, extrajudicially executed and their bodies dismembered, and corpses were apparently dumped in mass graves. The authorities had not investigated the crimes by the end of the year.

Enforced disappearances

On 7 April, community radio journalist Ibraimo Abú Mbaruco, from the Palma District in Cabo Delgado, disappeared after being approached by army officers on his way home from work at around 6pm.[3] The authorities did not respond to his family's request for information on his whereabouts, which remained unknown at the end of the year.

Extrajudicial executions

On 11 March, the security forces arrested Roberto Mussa Ambasse and Muemede Suleimane Jumbe, two local activists and community leaders, from their homes in Palma district. They were later found dead among 12 other civilians. Despite numerous calls for investigations, the authorities had not conducted any meaningful investigations leading to an arrest by the end of the year.

FREEDOM OF EXPRESSION

There was an escalation in the repression of the right to freedom of expression, characterized by intimidation, smear campaigns, harassment, arbitrary arrests, and prosecutions of journalists, human rights defenders and government critics.

In June, the Public Prosecutor charged Matias Guente, Executive Director, and Fernando Veloso, Editorial Director of the independent newspaper, *Canal de Moçambique*, with "violation of state secrecy" and "conspiracy against the state", after the paper had published an article, in March, about an unlawful secret contract between the Ministry of Defence, the Interior Ministry and natural gas companies in Cabo Delgado. On 23 August, police arrested investigative journalist Armando Nenane in the capital, Maputo, for failing to comply with COVID-19 regulations. This followed his depositing funds in the former Defence Minister's bank account, the details of which he then published as a means to corroborate *Canal*'s story. Following this, government supporters launched a social media campaign demanding that he be prosecuted for "violation of state secrecy".

On the day of Armando Nenane's arrest, unidentified assailants firebombed *Canal*'s offices in Maputo.[4] The attack came just four days after the newspaper had published allegations about an unethical procurement process involving senior Ministry of Mineral Resources and Energy officials, and governing party elites. Government sympathizers responded with a social media campaign calling for the newspaper's closure.

D. Luíz Fernando Lisboa, a Brazilian national and Bishop of Pemba, the capital city of Cabo Delgado, repeatedly raised concerns about the human rights situation in the province. In August, the President indirectly denounced him saying that "certain foreigners" disrespected those who protected them "in the name of human rights". Following this, government supporters, and at least one pro-government newspaper labelled the Bishop a criminal, accused him of supporting insurgency and called for him to be expelled from Mozambique.

1. Southern Africa: Governments must move beyond politics in distribution of COVID-19 food aid (Press release, 6 May)
2. Mozambique: Torture by security forces in gruesome videos must be investigated (Press release, 9 September)
3. Mozambique: Journalist forcibly disappeared: Ibraimo Abú Mbaruco (Urgent Action, 15 April)

MYANMAR

Republic of the Union of Myanmar
Head of state and government: **U Win Myint**

Serious human rights violations occurred across Myanmar as internal armed conflict between the military and ethnic armed groups continued. Indiscriminate airstrikes and shelling by the military took place in Rakhine and Chin States and thousands of civilians were displaced. Humanitarian groups faced severe restrictions on their activities, which limited their access to at-risk populations. The authorities imposed undue restrictions on access to information in Rakhine and Chin States, which negatively impacted the ability of communities to receive potentially lifesaving information, during both the COVID-19 pandemic and the ongoing armed conflict. Persecution of human rights defenders continued around the country. Authorities imposed arbitrary restrictions on the rights to freedom of expression, association and peaceful assembly.

BACKGROUND

On 23 January, the International Court of Justice (ICJ) ordered Myanmar to prevent genocidal acts against the Rohingya Muslims pending the case filed by the Gambia. The ICJ also ordered Myanmar to regularly report on the implementation of this order.[1]

The government repeatedly emphasized that the accountability of those responsible for human rights violations was an internal affair. Impunity continued to be pervasive, however, and the government made no meaningful moves towards establishing civilian oversight of the military or creating effective internal investigative and accountability mechanisms.

The COVID-19 pandemic saw varying degrees of lockdown measures in major cities, as cases continued to rise. The country's health care system was ill-equipped to cope with such large-scale outbreaks, and the economic impact of the pandemic negatively impacted at-risk populations, including internally displaced people and millions living in poverty.

In the general election held on 8 November, Aung San Suu Kyi's National League for Democracy retained its parliamentary majority.

Voting was called off in conflict-affected parts of the country, including much of Rakhine State. As a result, over 1.5 million mainly Rakhine people were deprived of their right to vote. The vast majority of the Rohingya population had already been disenfranchised prior to the 2015 election, through the annulment of "White Card" identity papers.

HUMAN RIGHTS VIOLATIONS IN THE CONTEXT OF INTERNAL ARMED CONFLICT

During the year civilians were killed or injured by indiscriminate airstrikes and shelling by the military in many parts of Rakhine State and Paletwa township, Chin State[2]

Since the escalation of the conflict between the military and the Arakan Army in early 2019, cases of forced labour, arbitrary detention, and torture and other ill-treatment of civilians by government troops increased.

In Kachin and northern Shan States, reports of human rights violations against civilians by the military continued to emerge in the context of several armed conflicts. Reports of human rights abuses by ethnic armed groups included abductions, murder, illegal detention, forced and child recruitment into armed groups, forced portering, and extortion.

On 12 June, the Union Minister of Social Welfare, Rescue and Resettlement announced that it would form two bodies to clear anti-personnel mines nationwide as part of its plan to resettle civilians displaced by armed conflict. Both the military and ethnic armed groups continued to use anti-personnel mines and improvised explosive devices (IEDs).[3]

INTERNALLY DISPLACED PEOPLE

There were some 300,000 individuals displaced in Rakhine, Chin, Kachin and northern Shan States due to armed conflict between the Myanmar military and various ethnic armed groups. Along the Thai-Myanmar border, tens of thousands remained displaced from conflict decades earlier.

Tens of thousands of people were displaced during the year in Rakhine State due to armed conflict. This added to the existing displacement crisis in the state, where 130,000 mostly Rohingya Muslims remained effectively interned in camps since violence in 2012. In Kachin State, almost 100,000 people remained in camps, having been displaced since the 2011 resumption of fighting between the Kachin Independence Army and the military.

The government earmarked for closure many camps for internally displaced people, but none were closed during the year. Repatriation of Rohingya refugees in Bangladesh who fled atrocities in Rakhine State in 2016 and 2017 had yet to commence.

DENIAL OF HUMANITARIAN ACCESS

UN agencies and international NGOs delivering humanitarian aid and supplies faced significant impediments in their efforts to conduct activities. The authorities restricted access to conflict-affected areas and where governance was contested by the government and ethnic armed groups.

Restrictions on humanitarian actors were particularly acute in Rakhine State, where a cumbersome bureaucracy and government-imposed travel bans prohibited access to at-risk populations, including in conflict and displacement settings.

Travel within Rakhine State was risky for humanitarian groups. In April, a WHO vehicle carrying COVID-19 test samples in Minbya township, Rakhine State, came under gunfire and the driver was killed. On 28 October, two men were injured and one killed aboard an ICRC-contracted aid vessel in Rathedaung Township. In both cases, the Myanmar military and Arakan Army denied responsibility.

FREEDOMS OF EXPRESSION, ASSOCIATION AND ASSEMBLY

Authorities used a range of repressive laws to arrest, prosecute and imprison individuals who exercised their rights to freedoms of expression, association and peaceful assembly.

Arbitrary and politically-motivated arrests and prosecutions took place throughout the year, and 58 people were imprisoned.[4] The authorities often pursued charges under Section 66(d) of the 2013 Telecommunications Law and Sections 505(a) and 505(b) of the Penal Code against critics and human rights defenders.

Authorities charged poetry troupe the Peacock Generation with "online defamation" under these two laws for their peaceful Thangyat performances criticizing the military. Thangyat is a traditional art form fusing poetry, comedy and music for satirical ends, performed during the New Year water festival in April. Six members of the group were sentenced to between two and six years' imprisonment. By year's end, three remained in prison.

Authorities used national security legislation to arbitrarily limit the right to freedom of expression and information. The 1908 Unlawful Associations Act was often used by authorities to target, harass, intimidate and punish activists and journalists, especially those belonging to ethnic and religious minorities.

On 24 March, the government designated the Arakan Army as a terrorist organization, which effectively outlawed any communication with the group. At least three journalists were prosecuted under the Counter-Terrorism Law and Sections 17(1) and 17(2) of the Unlawful Associations Act for contacting the Arakan Army. Media workers practised self-censorship and routinely disclosed that they were not able to contact the relevant ethnic armed group for comment, for fear of prosecution.

Under the Peaceful Assembly and Peaceful Procession Law, organizers of public gatherings, such as peaceful demonstrations or processions, were required to notify police prior to the event. Failure to do so could result in criminal sanctions. On 4 September, poet and activist Maung Saungkha was convicted under Section 19 of this law after he placed a banner over a highway during a protest marking the one-year anniversary of restrictions on mobile internet communications in parts of Rakhine and Chin States. Maung Saungkha chose to pay a fine of 30,000-kyat (US$22.50) rather than serve a 15-day prison sentence.

During September the authorities arrested 15 members of the All Burma Federation of Student Unions (ABFSU). They had participated in peaceful anti-war demonstrations and pamphleting awareness campaigns around the country, calling for an end to the conflict in Rakhine and Chin States, and for the restoration of mobile internet services in areas affected by the government-ordered slowdown.

Six of them were charged under sections 505(a) and 505(b) of the Penal Code. One was charged under Section 25 of the Natural Disaster Management Law, and eight were charged under Section 19 of the Peaceful Assembly and Peaceful Procession Law. Prison terms of up to six years were handed down in several cases and legal proceedings were ongoing. Other ABFSU members remained in hiding.

ACCESS TO INFORMATION

In August, the government partially lifted restrictions on mobile internet connectivity imposed in June 2019 in the conflict-affected areas of northern Rakhine and southern Chin States. Areas where service was restored saw a drastic reduction in connection speeds. This impeded the flow of information, especially the documentation of human rights violations and abuses and the dissemination of crucial health care information during the COVID-19 pandemic.

Authorities cited national security in their use of broad powers to block websites critical of the government. They issued three directives between 19 and 31 March to block a total of 2,147 websites under Section 77 of the Telecommunications Law, which granted the government broad and arbitrary powers to suspend telecommunications networks.

The authorities restricted meaningful access to independent media and human rights monitors in conflict-affected areas. Journalists and media outlets faced pressure, intimidation and harassment for reporting on sensitive issues. The threat of arrest loomed large for those reporting on conflict, disproportionately affecting journalists from ethnic minority groups. Aung Marm Oo, editor-in-chief of a Rakhine State-based news agency reporting on violations during the conflict between the military and the Arakan Army, remained in hiding where he had been since May 2019. He faced charges under Section 17(2) of the Unlawful Associations Act, which provided for up to five years' imprisonment for any person who managed, assisted or promoted an unlawful association.

CORPORATE ACCOUNTABILITY

In September, links were exposed between international businesses and the financing of the military, including many units directly responsible for crimes under international law and other human rights violations.[5] Leaked official documents revealed how the military received huge revenues from shares in Myanmar Economic Holdings Limited, a secretive conglomerate whose activities included the mining, beer, tobacco, garment manufacturing and banking sectors.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Section 377 of the Penal Code criminalized consensual same-sex relations. Although this provision was rarely enforced, the fact that it remained on the books created a hostile environment that legitimized harassment, discrimination and violence against LGBTI people, placing them at risk of attack and extortion by police and other authorities.

RIGHT TO EDUCATION

On 13 February, Children's Day, an artillery shell landed on the Basic Education Post-Primary School in Kha Mhwe Chaung village, of San Hnyin Wai Village Tract in Buthidaung Township, injuring at least 17 students.

The military occupied school buildings in Rakhine State, using them as temporary bases. Appropriation of educational facilities not only denied children their right to education, but potentially turned schools into military targets, placing the lives and safety of civilians at risk.

VIOLENCE AGAINST WOMEN AND GIRLS

Progress towards a Prevention of and Protection from Violence Against Women (PoVAW) law was stalled. Members of parliament continued to debate crucial provisions of the draft law, including on the definitions of rape. Under the Penal Code, marital rape was not considered a crime. Although the latest version of the PoVAW criminalized marital rape, its penalties were lighter than for rape outside of marriage.

On 21 January, Myanmar's Independent Commission of Enquiry (ICOE), a domestic body charged with investigating atrocities against the Rohingya in Rakhine State during 2016 and 2017, released an executive summary of its findings in which it claimed that there was "no evidence of gang rape committed by Myanmar's security forces". The ICOE conceded, however, that it had not carried out interviews with Muslim Rohingya survivors who had fled to Bangladesh. The ICOE's claim directly contradicted the findings of human rights groups, attending medical practitioners and the UN Independent International Fact-Finding Mission on Myanmar, which documented widespread and systematic rape against Rohingya women and girls.

On 11 September, the military admitted that three of its soldiers raped an ethnic Rakhine woman during operations in Rathedaung Township on 30 June, despite their previous denials when the allegations were first raised by local media after rape charges had been filed by the survivor in July. In its statement, the military publicly named the survivor but not the perpetrators. In late December, the three soldiers were each sentenced to 20 years' imprisonment with hard labour.

1. World court orders Myanmar to protect the Rohingya (Press release, 23 January)
2. Myanmar: Indiscriminate airstrikes kill civilians as Rakhine conflict worsens (Press release, 8 July)
3. Myanmar: Villages burned, civilians injured and killed as Rakhine State conflict escalates (Press release, 12 October)
4. "I will not surrender": The criminalization of human rights defenders and activists in Myanmar (ASA 16/2041/2020)
5. Myanmar: Leaked documents reveal global business ties to military crimes (Press release, 10 September)

NEPAL

Federal Democratic Republic of Nepal
Head of state: **Bidya Devi Bhandari**
Head of government: **Khadga Prasad Sharma Oli**

Legislation limiting the rights to freedom of expression and privacy remained pending. Security forces detained individuals for "spreading misinformation" and criticizing the government during the COVID-19 pandemic. Protesters were detained and security forces continued to use excessive force to disperse protesters and enforce lockdowns. Efforts toward securing justice, truth and reparation for crimes under international law and human rights violations committed during the 1996-2006 conflict remained grossly inadequate. Indigenous families were forcibly evicted and their homes destroyed. Sexual and gender-based violence continued with impunity. Gender-based discrimination continued in both law and practice. Dozens of abuses against Dalits were reported and abuses were often carried out with impunity. The government did not take adequate measures to protect Nepali migrant workers stranded and otherwise affected by the pandemic abroad.

BACKGROUND

Amid disputes within the ruling party, in December President Bhandari dissolved the lower house of Parliament on the recommendation of the Cabinet led by Prime Minister Oli. At the end of the year, several challenges against the decision were pending before the Supreme Court.

RIGHT TO PRIVACY

The Nepal Special Service Bill, which included broad and vague provisions allowing intrusion on the right to privacy without judicial authorization, remained pending in the Parliament's lower house after being endorsed by the upper house in May. The Ministry of Information and Communication drafted a Bill on Telecommunications giving authorities sweeping powers to conduct surveillance and collect and record information on individuals and organizations without adequate legal safeguards.

FREEDOMS OF EXPRESSION AND ASSEMBLY

A series of bills threatening to severely restrict freedom of expression remained pending in Parliament, including the Media Council Bill, the Mass Communication Bill and the Information Technology Bill. Dozens of individuals, including journalists, were detained for "spreading misinformation" or criticizing the government in the context of the COVID-19 pandemic. The Nepal Press Council shut down more than 30 news websites for "publishing false and fabricated news".

The security forces continued to detain activists and frequently resorted to excessive force to disperse peaceful protesters. In January, police detained human rights activists peacefully demonstrating for justice for conflict-era crimes. In July, security forces tear gassed protesters demanding investigations and accountability for the deaths of Dalits in Dhanusha. In November, a man died and two others were critically injured by bullets after security forces opened fire at protesters in Mahottari district protesting the rape and murder of a six-year-old girl. The security forces often used excessive force to enforce the lockdown imposed amid the pandemic.

RIGHT TO TRUTH, JUSTICE AND REPARATION

The government failed to deliver truth, justice and reparation for thousands of victims of crimes under international law and human rights violations committed during the 1996-2006 armed conflict. The Truth and Reconciliation Commission and the Commission of Investigation on Enforced Disappeared Persons, which together had collected more than 63,000 complaints of crimes committed by state security forces and armed opposition groups, failed to carry out effective and independent investigations. The government failed to amend the Enforced Disappearances Enquiry, Truth and Reconciliation Commission Act 2014 to bring it in line with international human rights law and standards, as repeatedly ordered by the Supreme Court. In January, the government finalized the appointment of new commissioners to the two commissions without adequate consultations with conflict victims and without amending the law allowing amnesties for serious crimes under international law.

The ruling party also continued to appoint people implicated in conflict-era crimes to positions of power without thorough and independent investigations. In October, the National Human Rights Commission named 286 alleged individual perpetrators and highlighted the government's failure to implement the Commission's recommendations and hold perpetrators to account.

MIGRANT WORKERS' RIGHTS

The government failed to protect the rights of hundreds of thousands of Nepali migrant workers stranded abroad as COVID-19 lockdowns came into force. They failed to ensure the protection and affordable repatriation of migrant workers through the Foreign Employment Welfare Fund. The

authorities also failed to ensure adequate standards of living and protect the health and safety of several returnee migrant workers in COVID-19 quarantine facilities. In June, a migrant woman was raped in a quarantine facility in Kailali district.

FORCED EVICTIONS

In July, without prior notice the Chitwan National Park authorities forcibly evicted 10 Indigenous Chepang families, setting two houses on fire and destroying eight other homes with the use of elephants. Others living in informal settlements across the country remained at risk of forced evictions.

DISCRIMINATION

The government failed to ensure timely appointments of commissioners to various constitutional commissions, severely impacting their ability to protect and promote women's rights and the rights of marginalized groups including Indigenous Peoples, Dalits, Madheshis, Tharus and Muslims.

Gender-based discrimination continued and the government did not address constitutional flaws which denied women equal citizenship rights. More than 2,100 incidents of rape and sexual violence were reported to the police. Victims included children and Dalits. Rigid statutory limitations for rape in the Criminal Code continued to allow impunity for perpetrators.

In September, the government passed two ordinances aimed at ending acid attacks against women and girls.

Despite provisions in law and policy to address discrimination based on caste, numerous incidents of discrimination, ostracization, killings and sexual violence against members of the Dalit community were reported. In May, opponents of an inter-caste relationship killed six men including four Dalits in Western Rukum district. Also in May, a 12-year-old Dalit girl was allegedly raped and killed in Rupandehi district after being forcibly married to her alleged rapist, who belonged to a dominant caste. In September, another 12-year-old Dalit girl was raped and killed in Bajhang district, allegedly by a man who was not prosecuted after raping a 14-year-old a month earlier.

TORTURE AND OTHER ILL-TREATMENT

Torture and other ill-treatment were widespread in pre-trial detention to extract "confessions" and intimidate detainees. Although the 2017 Criminal Code criminalized torture and other ill-treatment, no one had been convicted under it by the end of 2020.

Several allegations of deaths due to torture were reported, particularly of Dalits and Indigenous people. In July, Indigenous man Raj Kumar Chepang died allegedly after being tortured by Nepal Army personnel stationed at the Chitwan National Park. An army officer was remanded on charges of murder.

The authorities failed to carry out independent and credible investigations into several deaths in custody suspected to have resulted from torture, especially of young Dalit men. In August, Bijay Mahara died in police custody, allegedly from torture during interrogation. Three police officers were suspended for six months, but were not charged with torture or murder. Shambhu Sada died in police custody in Dhanusha in June and Roshan BK in Kailali district in September. The police claimed that both men had committed suicide, while their families alleged that they were tortured to death.

NETHERLANDS

Kingdom of the Netherlands
Head of state: **Willem-Alexander**
Head of government: **Mark Rutte**

Prison-like migration detention remained a concern. The Minister of Justice and Security announced changes to rape legislation to bring it more in line with human right standards. Ethnic profiling by police continued to be a concern. Predictive policing methods used artificial intelligence

without safeguards against mass surveillance and discrimination.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

The use of punitive measures such as isolation in migration detention remained a concern, with its use more than doubling in the past few years.

In June, a pending bill on migration detention was amended to give the directors of detention centres powers to respond to unrest by imposing a lockdown and restricting all detainees to their cells in a way akin to isolation for a period of up to four weeks.

Some asylum-seekers remained at risk of deportation as documents which could not be verified were not taken into account in asylum applications. In December 2019, a preliminary ruling had been requested by the District Court of The Hague challenging this situation, but no decision was handed down by year's end.

VIOLENCE AGAINST WOMEN AND GIRLS

In May, the Minister of Justice and Security published a preliminary draft bill of the Sexual Offences Act which proposed no amendments to the legal definition of rape, retaining "forcible coercion" and "violence" as its central elements. It introduced a new, lesser crime of "sexual acts against the person's will" which would carry half the sentence for the current crime of rape.

The definition of rape proposed was not in line with international human rights law and did not offer sufficient protection for victims of sexual violence. After criticism from civil society organizations, survivors and Parliament, the Minister announced in November that he would amend the proposal so that all forms of involuntary sex would be defined as rape.

During the COVID-19 lockdown measures in March and April, a specialist helpline reported the number of people calling to seek support due to sexual violence went up.

EXCESSIVE USE OF FORCE

During the year the Minister of Justice and Security worked on the introduction of electro-shock weapons in policing, with the aim of equipping some 17,000 patrol officers with a Taser X2. Contrary to international standards, electro-shock weapons may be used against persons who do not pose an imminent threat to life or risk of serious injury.

DISCRIMINATION

Despite mass demonstrations in May and June in reaction to the Black Lives Matter movement, no measures to combat discrimination were taken. In 2014 the authorities had acknowledged ethnic profiling in law enforcement and introduced interventions such as professional standards, training modules and software applications supporting officers to use their stop and search powers fairly and effectively. However, evaluations showed their implementation continued to be inconsistent.

MASS SURVEILLANCE

Law enforcement agencies increasingly used algorithmic risk profiles. Police in the city of Roermond conducted an ongoing predictive policing experiment designed to prevent and detect alleged thefts committed by people from Eastern Europe. In September, an investigation revealed that the project violates the rights to non-discrimination, privacy and data protection.[1]

1. Netherlands: We sense trouble: Automated discrimination and mass surveillance in predictive policing in the Netherlands (EUR 35/2971/2020)

NEW ZEALAND

New Zealand
Head of state: **Elizabeth II, represented by Patricia Lee Reddy**
Head of government: **Jacinda Ardern**

Investigations revealed that police had used excessive force during arrests and failed in their duty of care to detainees.

BACKGROUND

To prevent the spread of COVID-19, the government enforced a state of emergency from 25 March until 13 May and restricted movement, mass gatherings and entry into the country.

In August, the High Court ruled that during the first nine days of the nationwide lockdown the government acted in a necessary, reasonable and proportionate way but exercised powers which lacked legal basis for those nine days.

TORTURE AND OTHER ILL-TREATMENT

In July, an inquiry into New Zealand Defence Force (NZDF) in Afghanistan operations in 2010 found that the NZDF gave erroneous information to ministers and the public about civilian casualties over a number of years and failed to follow up on credible allegations of torture of a prisoner they had delivered into Afghan detention.

In August, reports from recent inspections of five secure mental health units within hospitals under the Optional Protocol to the UN Convention against Torture (OPCAT) found that two units had practices amounting to cruel, inhuman or degrading treatment, including one unit which used seclusion rooms as long-term bedrooms when facilities were over capacity.

Prison inspections under OPCAT in April and May observed that while the prisons' overall COVID-19 response had been well-resourced, balanced and efficient, four out of the nine prisons "had difficulties ensuring that all prisoners received one hour of fresh air on a daily basis". A Department of Corrections review of this practice in May found that inconsistent manual documentation practices meant that it was unclear whether minimum entitlements had been met in all instances.

EXCESSIVE USE OF FORCE

In February, the Independent Police Conduct Authority (IPCA) found that a police officer had unjustifiably kicked a 13-year-old boy in the head during arrest. In April, the IPCA found in a separate incident that a police officer was not justified in punching a 13-year-old boy during arrest, and that the police had failed in their duty of care to arrange immediate medical attention for an obvious head injury after the arrest.

In August, the IPCA found the police had failed in their duty of care to a man who died after being in police custody. It found insufficient assessment and monitoring, and incorrect application of a spit hood.

REFUGEES AND ASYLUM-SEEKERS

The Community Sponsorship of Refugees pilot, a community-led complementary pathway to the government-led Refugee Quota Programme, received a further three years of funding in the government budget.

SEXUAL AND REPRODUCTIVE RIGHTS

In March, the Abortion Legislation Act was enacted, allowing women to seek an abortion without restrictions within the first 20 weeks of their pregnancy. After 20 weeks, women must consult a qualified health practitioner to assess their physical and mental health and well-being.

NICARAGUA

Republic of Nicaragua
Head of state and government: **Daniel Ortega Saavedra**

Nicaragua's human rights crisis continued throughout 2020, as did the authorities' strategy of repressing dissent. The government's response to the COVID-19 pandemic ignored the health recommendations of international organizations. Arbitrary arrests and detentions of political activists continued

and new threatening laws against dissent were adopted. Hundreds of migrant workers and asylum-seekers from Nicaragua seeking to return to the country in the context of the pandemic faced obstacles imposed by the government. Impunity persisted for those suspected of criminal responsibility for violence against Indigenous Peoples.

RIGHT TO HEALTH

Despite recommendations of international organizations in the context of the COVID-19 pandemic, the Nicaraguan authorities promoted mass gatherings where social distancing was not possible. In April, the Pan American Health Organization (PAHO) expressed concern about the Nicaraguan government's response to COVID-19, which did not include promoting social distancing measures, but rather called for mass gatherings. PAHO also described the prevention and control processes implemented by the authorities as inadequate.[1] In May, PAHO added that, despite repeated requests and the government's response that it would allow PAHO to visit health facilities and provide detailed information, the authorities took no action.

Local groups highlighted the lack of information that the government provided about the pandemic and public policies for prevention, diagnosis and containment. The OHCHR also noted with concern the lack of state transparency regarding official information about the response to COVID-19.

By August, at least 31 health workers had been dismissed from their jobs in the public sector, according to the Citizen Observatory COVID-19 Nicaragua and local lawyers. These dismissals occurred after workers expressed concerns about their working conditions, the lack of personal protective equipment (PPE), or made public their concerns about the state response to the pandemic.[2]

In the context of COVID-19, the situation of political activists and those perceived as government opponents who remained detained in Nicaragua's precarious, overcrowded and unsanitary prison system was especially concerning. Moreover, reports of the poor supply of drinking water and lack of adequate medical care and medicine within the prison system continued.[3]

Local organizations and relatives of individuals whose detention was politically motivated reported that some of these detainees suffered from serious pre-existing health problems that render them especially vulnerable to COVID-19. In addition, they reported that none of them was tested for COVID-19 or receiving proper health care.[4] In May, the OHCHR expressed concern over reports that approximately 40 of these detainees had presented symptoms consistent with COVID-19 and/or suffered from chronic health conditions.

FREEDOMS OF ASSOCIATION, ASSEMBLY AND EXPRESSION

The authorities continued targeting journalists, human rights defenders and local NGOs. By the end of 2020, the legal registration of nine human rights organizations, which had been cancelled by the National Assembly in December 2018, had not been restored and their assets remained confiscated. In June, the National Assembly cancelled the legal registration of an additional NGO that worked in the municipality of Camoapa. Later, in August, Fundación del Río reported that six of its properties, including reforestation areas and nature reserves, had been arbitrarily confiscated.

Throughout the year, reports of illegitimate restrictions on the right of peaceful assembly continued. The OHCHR and the Inter-American Commission on Human Rights (IACHR) received reports of different demonstrations and public events that were repressed or restricted by the government or pro-government groups.

Between March and mid-July, the Observatory of Aggressions on the Independent Press of Nicaragua reported 351 aggressions, including the criminalization of journalists, arbitrary detentions and the harassment of media

workers and their families. Additionally, between mid-July and mid-December the Observatory received reports of 943 aggressions.

In October, the National Assembly approved the Law for the Regulation of Foreign Agents and the Special Law on Cyber-crimes. The following month, the National Assembly approved, on first reading, a reform of the Constitution that would allow lifetime imprisonment. In the current context, there was a well-founded fear that these laws would be used to target people who speak out against repressive policies and call for respect for human rights.

In December, the Law for the Defence of the Rights of the People to Independence, Sovereignty and Self-Determination for Peace was approved by the Assembly. The same month, the General Secretariat of the Organization of American States stated that this law seeks to restrict political rights and jeopardize fundamental rights enshrined in international instruments.

ARBITRARY DETENTION

Hundreds of people have been incarcerated since April 2018 for the free exercise of their rights. By December, local organizations reported that more than 100 of them remained in prison. Arbitrary arrests and detentions of political activists were reported even during the pandemic.

Additionally, political activists released from prison reported harassment and surveillance by the authorities and pro-government groups. As of early December, at least 31 people held for political reasons had been re-arrested after being released, according to local organizations.

INDIGENOUS PEOPLES' RIGHTS

Local NGOs and communities continued to report the presence of non-Indigenous settlers on their lands, as well as threats and attacks by settlers. Despite the fact that some of the attacks resulted in deaths of Indigenous people, according to local organizations and media reports, no special protection measures were put in place by the government to establish responsibility for the killings or to prevent future attacks.

1. Nicaragua: Government increases risk of COVID-19 infection in a country already devastated by two years of crisis (Press release, 16 April)
2. Nicaragua: International organizations call on president Ortega to stop harassment and arbitrary dismissals of health workers (Press release, 17 June)
3. Prison and the pandemic: The lethal cocktail used by the Nicaraguan government against those who criticize them (Press release, 10 August)
4. 'She doesn't want to die there': Women activists punished with jail in Nicaragua amid COVID-19 (Press release, 14 August)

NIGER

Republic of Niger
Head of state: **Mahamadou Issoufou**
Head of government: **Brigi Rafini**

Freedoms of expression and peaceful assembly were routinely violated; civil society members and journalists who criticized government policy were targeted. New legislation allowed the authorities to intercept electronic communications, without adequate oversight by an independent authority. Armed groups committed human rights abuses against the population. At least 72 people were extrajudicially executed and dozens forcibly disappeared by the army in Tillabéry.

BACKGROUND

Presidential and legislative elections were held in December. The National Commission for Political Dialogue acceded to opposition demands by rescheduling local elections to December, but differences persisted over the composition of the Independent National Electoral Commission and the electoral enrolment of Nigeriens abroad.

In February, a Ministry of Defence audit of government contracts was leaked and revealed allegations of misuse of defence funds within the Ministry. Opposition and civil society members responded with demands

that those suspected of being involved be held accountable.

The government declared a state of emergency on 27 March to respond to the COVID-19 pandemic. On 30 March, the authorities released 1,540 prisoners to ease overcrowding and thereby reduce the risk of COVID-19 infection. One of those released was Hama Amadou, an opposition leader.

FREEDOM OF EXPRESSION

Journalists, human rights defenders and civil society activists were arrested after they demanded government accountability in connection with the leaked Ministry of Defence audit, or otherwise criticized government measures to control the spread of COVID-19. The authorities used the 2019 Cybercriminality Act to arrest people for exercising their right to freedom of expression.

In March, police arrested Mamane Kaka Touda, a journalist, for "disseminating data likely to disturb public order" after he posted a Facebook message which warned about a potential COVID-19 case in the Niamey General Hospital. In the same month, he was convicted by a court in the capital, Niamey, and received a three-month suspended sentence. In April, the same charges were used against Mahaman Lawali Mahaman Nassourou, a member of the Network of Organizations for Transparency and Budgetary Analysis (ROTAB) after he shared a WhatsApp message from a religious organization which denounced the closure of places of worship in response to the COVID-19 pandemic. He was detained for one month and provisionally released on 25 May.

Also, in April, Ali Idrissa, the ROTAB Co-ordinator, was arrested and charged with defamation and "disseminating data likely to disturb public order" for posting a message on Facebook about the involvement of military officers in the misuse of defence funds. He was released without charge after five days.

In June, Samira Sabou, a journalist, was subject to the same charges after the President's son complained about a comment on his role in the alleged misuse of defence funds, which had been made by another user on her Facebook page. In July, the Niamey High Court dismissed the charges and she was released after 48 days in detention.

Mass surveillance

In May, the National Assembly voted to pass the Interception of Electronic Communications law which authorized the government to intercept electronic communications for the purpose of national security and threatened to seriously undermine the rights to privacy and freedom of expression. The law did not provide for an independent authority to sanction surveillance requests, or for a body which could adequately oversee interceptions.

FREEDOM OF ASSEMBLY

On 13 March, the government banned all gatherings of over 1,000 people as a measure to control the spread of the COVID-19 pandemic. On 15 March, security forces brutally suppressed a demonstration in Niamey organized by civil society organizations which called for an investigation into the audit that revealed the Defence Ministry had misused funds. Security forces prevented the protesters' access to a venue where they intended to hold their demonstration and fired tear gas to disperse them, resulting in a fire at Tagabati market in which three people died.

Six of the organizers were arrested in the following days on trumped-up charges including complicity in the damage of public property, arson and manslaughter. On 1 May, three of them, Moussa Tchangari, the General Secretary of Alternative Espaces Citoyens, Habibou Soumaila, member of Tournons La Page Niger (TLP Niger) and Sani Chekaraou, President of the Niamey Wholesalers' Association, were provisionally released. On 29 September, the remaining three, Maikoul Zodi, Co-ordinator of TLP Niger, Halidou Mounkaila of the teachers'

union SYNACEB, and Moudi Moussa, a journalist, were also provisionally released.

WOMENS' AND GIRLS' RIGHTS

Niger failed to implement the 2019 concluding observations of the Human Rights Committee which recommended changes to legislation to provide safe access to abortion for women and girls. Abortion was still criminalized in Niger and only allowed in instances where the mother's life is at risk.

REFUGEES AND ASYLUM-SEEKERS

In January, the High Court in Agadez ruled sit-ins held by asylum-seekers in front of the office of UNHCR, the UN refugee agency, to be illegal. The asylum-seekers had been protesting against the refugee camp living conditions and resettlement delays. Following the ruling, the police violently dispersed the sit-ins, forcing protesters to return to the UNHCR camp where some of them destroyed part of the camp. Subsequently, the police arrested 336 asylum-seekers. They were charged for "organized rebellion" and "arson". On 10 February, the High Court in Agadez convicted 111 of them, including one woman, on these charges. After being given suspended sentences ranging from six to 12 months, they were released.

ABUSES BY ARMED GROUPS

Armed attacks continued and emergency law was maintained in several departments of Diffa, Tahoua and Tillabéry, and extended during the year to Kollo and Balléyera, also in the Tillabéry region.

Armed groups, including the Islamic State in the Greater Sahara (ISGS) and the Islamic State in West Africa Province, perpetrated human rights abuses including abductions and unlawful killings.

On 9 May, unidentified gunmen killed 20 men in the villages of Gadabo, Zibane-Koira and Zibane-Tegui in the Tillabéry region.

On 25 June, 10 humanitarian workers with the NGO APIS, were abducted by gunmen in Bossey Bangou in the Tillabéry region while they were distributing food to residents. On 9 August, eight visitors to the Kouré giraffe reserve in Tillabéry, including seven humanitarian workers, were killed by ISGS members.

ENFORCED DISAPPEARANCES

Between 27 March and 3 April, at least 115 people were forcibly disappeared by the army who were deployed in Tillabéry as part of operation Almahou. The authorities denied any responsibility on the part of the army.

On 4 September, the National Human Rights Commission published its report on these incidents and concluded that the army was responsible for the enforced disappearances and that 72 of the disappeared had been extrajudicially executed by soldiers and their bodies buried in at least six mass graves. The fate or whereabouts of the others remained unknown at the end of the year.

RIGHT TO HEALTH AND WORKING CONDITIONS OF HEALTH WORKERS

The authorities failed to provide health workers who treated COVID-19 patients with adequate PPE, despite the announced recruitment of 1,500 additional health personnel, who were deployed from July onward.

The ban on motorbikes due to the emergency law in several departments also negatively impacted the accessibility of health centres to the population.

NIGERIA

Federal Republic of Nigeria
Head of state and government: **Muhammadu Buhari**

Both the armed group Boko Haram and Nigerian security forces continued to commit serious crimes in the north-east, including war crimes and likely crimes against humanity. Boko Haram killed hundreds of civilians and carried out abductions which targeted women and girls. Government forces carried out indiscriminate attacks against villages and

continued to detain thousands in inhumane conditions. In the north-western and north-central regions, over 1,500 people died in inter-communal violence and bandit attacks. Everywhere, excessive use of force resulting in unlawful killings, and torture and other ill-treatment were widespread. The fate of hundreds of Islamic Movement of Nigeria (IMN) members who disappeared in 2015 remained unknown. Meanwhile, impunity for such crimes persisted. The rights to freedom of expression and peaceful assembly and association were routinely violated. In the context of COVID-19, gender-based violence increased and the right to health was undermined. Thousands of people were forcibly evicted from their homes.

BACKGROUND

In January, Chad withdrew its troops from Nigerian territory. The Chadian troops were part of the Multinational Joint Task Force, a regional initiative established to counter armed group attacks in the region. In March, at least 50 soldiers were killed in a Boko Haram ambush in Yobe state.

In March, the government introduced measures to control the spread of COVID-19, including an initial lockdown on non-essential activities, a curfew, school closures and a ban on international and domestic flights. Restrictions were gradually eased and then lifted in September.

ABUSES BY ARMED GROUPS

Boko Haram continued to commit grave human rights abuses in the north-east, including killings and abductions of civilians, which amounted to war crimes and may have constituted crimes against humanity. More than 420 civilians died in around 45 attacks, many of them in Borno state, but also in Adamawa and Yobe. Meanwhile, Boko Haram continued to recruit child soldiers.

In Adamawa state, on 20 January, Boko Haram members beheaded Reverend Lawan Andimi, 18 days after abducting him in Michika, Adamawa state. In the same month, Daciya Dalep, a 22-year-old student, was executed by a child soldier.

At least 30 civilians were killed in February when members of Boko Haram attacked people trying to enter the town of Auno. In June, around 81 people were killed and several others abducted during an attack on the village of Faduma Kolomdi. In October, some 20 farmers were killed in Boko Haram attacks in the villages of Ngwom and Moromti.

Throughout the year, Boko Haram abducted hundreds of women and girls and subjected them to rape and forced marriage, including 20 who were taken in July when they were searching for firewood near the Gamboru internally displaced people's camp in Borno state.

Humanitarian workers

In June, the Islamic State West Africa Province (ISWAP), a Boko Haram faction, threatened to target aid workers, humanitarian facilities and anyone it believed to have "helped" the military.

On 15 January, following negotiations with the authorities, ISWAP released five aid workers – two women and three men – who had been abducted outside Maiduguri a month earlier. On 22 July, the same group executed five aid workers it had abducted in June on the Monguno-Maiduguri road in Borno state.

UNLAWFUL ATTACKS

More than 1,531 people died and thousands were displaced in inter-communal violence mostly between herdsmen and farming communities, as well as in attacks by bandits, in the north-central and north-western regions. More than 1,015 people were taken hostage by unidentified gunmen; in December, over 300 students of Government Science Secondary School in Kankara in Katsina state were abducted from their hostels, although they were released a few days later. The violence forced many farming families to flee to urban areas or displacement camps.

Between January and July, at least 366 people were killed in villages in Kaduna state by suspected herders. In May, some 74 people were reportedly killed in Sokoto state when gunmen attacked four villages in the Sabon Birni Local Government Area.

Civilians were also killed when government forces launched indiscriminate attacks against Boko Haram. On 13 April, at least 10 children and seven women were among those killed when the Air Force accidentally bombed the village of Sakotoku in Damboa Local Government Area in Borno state.

INTERNALLY DISPLACED PEOPLE

Thousands of people were internally displaced by inter-communal violence and attacks by armed groups in the northern regions. Many were also displaced as a result of military attacks against Boko Haram. On 3 January, soldiers razed the villages of Bukarti, Ngariri and Matiri, forcing hundreds of residents to flee to a camp near Maiduguri in Borno state. In September, the Borno state Governor facilitated the return of around 1,000 people, who had been displaced for years, to their homes in the town of Baga.

EXCESSIVE USE OF FORCE

The security forces committed grave human rights violations, including torture and other ill-treatment, and the use of excessive force which resulted, on some occasions, in unlawful killings.

In January, security agents shot and injured five IMN members during a protest to demand the release of their leader, Sheikh Ibraheem El-Zakzaky, and his wife, Zeenah, in Abuja.

The authorities repressed human rights, including the rights to freedom of expression, peaceful assembly and freedom of movement. Such violations were prevalent in the context of enforcing COVID-19 measures: between 30 March and 13 April, at least 18 people were killed by the Nigerian Correctional Service, the police and the military. The National Human Rights Commission documented 105 complaints of human rights violations between March and mid-April, including the use of excessive force perpetrated by security forces in 24 of the country's 36 states and in the Federal Capital Territory Abuja.

On 23 August, security forces opened fire on unarmed members of the separatist group the Indigenous People of Biafra (IPOB), who were holding a meeting at a school in Emene in Enugu state, killing at least four people. Witnesses said officers of the Department of State Services (DSS), police and military were at the scene, some of whom shot directly at IPOB members who were carrying stones and sticks. The authorities said two security force officers were also killed in the incident.

In October, security forces used excessive force to disperse peaceful protests and assemblies, including the #EndSARS demonstrations, resulting in the deaths of 56 protesters, bystanders and members of the security forces. (SARS - the Special Anti-Robbery Squad - is a unit of the police tasked with fighting violent crime.)

ARBITRARY ARRESTS AND DETENTIONS

The military continued to detain thousands of people. They arbitrarily arrested and detained those suspected of links to Boko Haram. Detainees were denied access to their family members and lawyers and were not brought before courts. Children who fled Boko Haram-controlled areas were also arrested and held in military detention facilities, including Giwa barracks in Maiduguri and the Kainji military base in Niger state. In June, 602 Boko Haram suspects were released to the Borno state government for resettlement.

The military flouted an Abuja High Court order in July for the release of Martins Idakpini, an army officer who was detained in June after he publicly condemned the military's handling of the fight against Boko Haram insurgents.

TORTURE AND OTHER ILL-TREATMENT

The use of torture and other ill-treatment remained pervasive throughout the criminal justice system and was perpetrated by the police (particularly the SARS), the DSS and the military.

ENFORCED DISAPPEARANCES

Throughout the year, security agencies, including police, military and DSS officers, arbitrarily detained and subjected people to enforced disappearance.

Security agencies had not yet accounted for about 600 members of the IMN who went missing in 2015, following an incident in which at least 347 IMN members were killed by the military in Kaduna state.

There was no news of Abubakar Idris (also known as Abu Hanifa Dadiyata), an activist and government critic, who was abducted in August 2019 by unidentified armed men from his home in Kaduna.

IMPUNITY

The government failed to promptly, thoroughly and effectively investigate allegations of human rights violations and abuses or bring suspected perpetrators to justice. In particular, no genuine steps were taken to investigate or prosecute crimes under international law committed by Boko Haram or the Nigerian military in the context of the conflict in the north-east.

The government had still not released its report on the findings of a presidential panel which had claimed to investigate the military's compliance with human rights obligations and the rules of engagement. In December, the ICC Prosecutor announced the closure of the court's preliminary examination and stated that she would request authorization from the judges of the Pre-Trial Chamber of the Court to open investigations.

The authorities continually ignored court orders and undermined the rule of law. In March, the Attorney General defied an Abuja Federal High Court order to hand over the soldiers who were allegedly responsible for killing three policemen in Taraba state in August 2019.

FREEDOM OF EXPRESSION

The authorities used repressive laws to harass, intimidate, arrest and detain human rights defenders, activists, media workers and perceived critics. Non-state actors also subjected journalists to intimidation, harassment and beatings.

The Social Media and Hate Speech bills remained before the Senate at the end of the year. If enacted, there could be an increased risk of repression of human rights, including the right to freedom of expression.

In April, in Ebonyi state, police arrested *The Sun* newspaper journalist Chijioke Agwu after he published an article on a Lassa fever outbreak. Peter Okutu, of the *Vanguard* newspaper, was arrested for his report about a military attack on the Umuogodoakpu-Ngbo community in the Ohaukwu Local Government Area. They were both released a few hours after their arrests.

Also in April, Mubarak Bala, President of the Humanist Association of Nigeria, was arrested by Kano state Police Command officers on allegations that he had insulted the Prophet Muhammad on Facebook. He remained in detention, without charge or access to lawyers at the end of the year, despite a 21 December order for his release by the Federal High Court of Abuja.

The authorities took measures to limit broadcast media's ability to carry out their constitutional watchdog roles. In August, the federal government amended the Nigerian Broadcasting Code, increasing the fine for "hate speech" from NGN500,000 (US$1,300) to NGN5 million (US$13,000). The National Broadcasting Commission fined Channels TV, Arise TV and African Independence Television for reporting on the #EndSARS protests in October, citing alleged violation of the broadcasting code, including the use of "unverified online video footage".

In November, Amnesty International Nigeria received threats and harassment from a group calling itself the Centre for Africa Liberation and Socio-Economic Rights after it had issued a statement on reports of killings of peaceful protesters at the Lekki Toll Gate in Lagos state. The group issued an ultimatum for Amnesty International to leave the country within seven days. The group's spokesperson also threatened to attack the

staff, supporters and premises of Amnesty International.

RIGHT TO HEALTH

Prison conditions

Prisons remained chronically overcrowded and around 70% of inmates were in pre-trial detention, some for over five years. In April, the federal government announced the release of 2,600 prisoners in an amnesty to reduce overcrowding and control the spread of COVID-19. On 31 March, six inmates in Kaduna Correctional Centre were killed by prison guards following a protest sparked by fears of the spread of COVID-19.

Health workers

Health workers were not adequately protected from COVID-19 infection. Working conditions were hazardous as a result of PPE shortages, dilapidated and over-stretched health facilities, low wages and harassment by security forces. These were among the reasons for the strike by the National Association of Resident Doctors in June.

GENDER-BASED VIOLENCE

Gender-based violence, including sexual violence, against women and girls was widespread.

In February, over 200 women's groups took to the streets in Abuja to protest against the physical attack by Enugu state police on Goodness Ibangha, a lawyer for the NGO Women's Aid Collective.

According to official statistics, over 3,600 rapes were recorded during the COVID-19 lockdown. Barakat Bello, aged 18, and Uwaila Omozuwa, aged 22, were raped and killed in separate incidents in May and June.

In June, governors in all states announced their intention to declare a state of emergency to tackle rape and other gender-based violence against women and children. They also agreed to impose harsher punishments against perpetrators.

In September, a Kogi state Commissioner was prosecuted for rape, and a Federal High Court in Abuja ordered a Senator to pay NGN50 million (US$130,000) in compensation to a woman he had physically and verbally assaulted in 2019. The Senator's appeal against the decision was pending at the end of the year.

By the end of the year, 17 of the 36 states had adopted legislation which provided protection from gender-based violence.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Gay men, lesbians and bisexual people continued to be arrested by security agents on the basis of their sexuality, and gay men were subjected to blackmail and extortion by mobs and individuals.

In October, a court in Lagos dismissed a case against 47 men prosecuted for public displays of affection with members of the same sex at a hotel in Lagos in 2018.

RIGHT TO HOUSING AND FORCED EVICTIONS

Authorities in the Federal Capital Territory, Lagos and Benue states forcibly evicted thousands of people without adequate notice, compensation or the provision of alternative accommodation. In January, the Navy used live ammunition over a two-day period to forcibly evict hundreds of families from their land in Tarkwa Bay, Lagos state. Some residents said their children went missing during the incident.

In April, Lagos state officials demolished around 10 houses during a forced eviction in Yaya Abatan in Ogba.

In May, more than 20 houses were destroyed in the Logo 1 area of Makurdi in Benue state, overseen by armed police. The Benue state Governor denied any involvement in the demolition and failed to investigate the incident.

In August, hundreds of houses were demolished, and thousands of people were displaced at the Nepa Junction settlement in Apo in the Federal Capital Territory, while armed police dispersed residents with tear gas, resulting in some residents being hospitalized.

On 31 December, residents of Monkey Village in the Opebi area of Lagos state were forcibly evicted when houses and buildings were demolished by bulldozers with the aid of police and thugs.

DEATH PENALTY

Courts continued to impose death sentences, but no executions were carried out. In August, Yahaya Sharif-Aminu, a musician, was sentenced to death by hanging for blasphemy by the Upper Shari'a Court in Kano.

NORTH KOREA

Democratic People's Republic of Korea
Head of state: **Kim Jong-un**
Head of government: **Kim Tok-hun (replaced Kim Jae-ryong in August)**

In response to the COVID-19 pandemic, the authorities enforced even more severe restrictions on the rights to freedom of movement and expression. Significant parts of the population suffered from food shortages and inadequate health care. The government continued to refuse entry to the UN Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, amid numerous reports of arbitrary detention and gender-based violence.

BACKGROUND

The government reported no cases of COVID-19 during the year. On 24 July, it ordered a lockdown of the city of Kaesong on the border with South Korea, after it suspected a man who had returned from South Korea of being infected with the virus. He eventually tested negative for COVID-19. The government ended the lockdown on 14 August.

Relations with South Korea deteriorated. The Inter-Korean liaison office in Kaesong was closed on 30 January to prevent the spread of COVID-19. In June, authorities warned that they would destroy the office, while condemning the South Korean government for failing to stop North Korean activists living in South Korea from sending politically sensitive leaflets over the border using balloons and drones. On 16 June, the authorities demolished the office building.

FREEDOM OF MOVEMENT

On 22 January, the authorities closed all borders and imposed a total ban on the movement of people and goods in and out of the country, to prevent the spread of COVID-19. Prior to this, North Koreans already needed to secure government approval to leave the country. Due to the reinforced border security measures, only 195 North Koreans resettled in South Korea between 1 January and 30 September, the lowest number since 2003 when records were first made available.

EXTRAJUDICIAL EXECUTIONS

On 22 September, the military shot dead a South Korean civilian official floating on an object in North Korean waters after questioning him at a distance. Three days later, the government issued a public apology to the South Korean President but did not mention whether an investigation or judicial procedures had been initiated into the killing. Earlier that month, foreign media reported that the Ministry of Social Security had empowered border guards to shoot unauthorized people coming within 1km of the North Korean-Chinese border, as part of the stricter border security measures to prevent COVID-19 infections.

VIOLENCE AGAINST WOMEN AND GIRLS

More than 70% of North Koreans who left the country and settled in South Korea since 2003 were women and girls. Some of these North Korean women told Amnesty International that sexual and other violence against women and girls was common in their home country, but the topic was taboo and people often blamed the victim. Frequently, the women remained silent about such abuses, even when continuing to suffer similar treatment after leaving North Korea.

Reports of North Korean women who were sexually abused by officials in South Korea after their arrival revealed the wider phenomenon of continuing violence faced by women during different stages of their journey. Women and girls were subjected to rape and other forms of gender-based violence by human traffickers who facilitated their passage out of the country. As North Korean women illegally entering China faced a high risk of being arrested and forcibly repatriated, human traffickers were able to coerce them into sex work or forced marriage. The UN reported instances where women were subjected to physical abuse, unnecessary and invasive body searches, or other forms of ill-treatment by North Korean authorities after being arrested in China, forcibly repatriated, and detained.

RIGHT TO HEALTH

A lack of medical supplies, exacerbated by the imposition of UN sanctions since 2017, left the country ill-prepared for public health emergencies, including the COVID-19 pandemic. According to individuals who worked in North Korea's health sector, the scarcity of resources prompted the emerging middle class to secure medicines or health services in the informal economy, or so-called "grey markets". The resulting pay-for-care system for those who could afford it existed alongside the official system of nominally free medical care.[1] The border closure and stricter security measures further interrupted humanitarian aid supplies, legal imports and smuggling of goods into the country, causing a shortage of medicines in the markets.

Many aid agencies temporarily withdrew their operations because of health and safety concerns during the COVID-19 pandemic. A number of UN agencies and NGOs were nonetheless able to obtain exemptions from UN sanctions and managed to bring materials including medicines and personal protective equipment into the country.

RIGHTS TO FOOD, WATER AND SANITATION

The UN estimated that half of the country's schools and health facilities lacked access to safe drinking water, sanitation and hygiene. It estimated that 10 million people were food insecure and in urgent need of food assistance. Nineteen per cent of children suffered from chronic malnutrition, which was also linked to diseases arising from unsafe drinking water and poor sanitation.

The border closures significantly reduced food imports, causing a surge in grey market food prices. This brought another challenge to a poverty-stricken population that depended on these markets for much of its food supply. Heavy rains and typhoons in August and September caused damage to infrastructure and farmland, including where food production was concentrated, increasing the risk of food shortages.

FREEDOM OF EXPRESSION

The authorities made no improvements in allowing information exchange between people inside and outside the country. All communications continued to be strictly controlled, and only a select few from the ruling elite were able to access the internet or international mobile phone services. The general population relied on imported mobile phones and data SIM cards available in the grey markets to reach people abroad. According to people from North Korea who spoke to Amnesty International, any communications on these phones were subject to heavy surveillance and signal jamming by the authorities. Individuals caught using them to communicate with people outside the country, especially concerning COVID-19, could be charged with crimes such as espionage, and faced the risk of arrest, detention and harsh punishment.

ARBITRARY ARRESTS AND DETENTIONS

The government continued to deny the existence of four known political prison camps, where up to 120,000 people remained detained and subjected to torture,

forced labour and other ill-treatment, and harsh conditions including inadequate food. Many of them had not been convicted of any internationally recognizable criminal offence and were arbitrarily detained solely because they were related to people who were deemed a threat to the state or for "guilt-by-association". Others were detained for exercising their rights, such as the freedom to leave their own country.

At least six South Korean nationals were in custody. Three of them were missionaries serving life sentences and three were originally North Koreans who had moved to the South. The authorities denied their rights to access South Korean diplomats, lawyers of their choice, or their families.

1. North Korea: No COVID-19 cases? Two medical professionals tell their story (News story, 9 July)

NORTH MACEDONIA

Republic of North Macedonia
Head of state: **Stevo Pendarovski**
Head of government: **Zoran Zaev (until 3 January and from 20 August); Oliver Spasovki (caretaker from 6 January, until July elections)**

Despite the implementation of reforms identified by the European Commission (EC), concerns remained about impunity, hate speech, discrimination against women, Roma, and LGBTI people. Unlawful detention and pushbacks of refugees and migrants continued.

BACKGROUND

The EC approved the start of accession talks in March, recognizing progress in judicial, policing and security service reform and in addressing organized crime and corruption. In September, the government announced a media reform programme, which included addressing the proliferation of "fake news".

Following the outbreak of COVID-19, states of emergency were declared from mid-March and lifted in mid-June to enable campaigning for parliamentary elections in July. The police were selective in enforcing compliance with curfews and the ban on religious or public gatherings.

In April, the government cut NGO funding by €525,000, compromising their ability to deliver essential services. Courts barely functioned, making slow progress in prosecuting individuals charged with violating COVID-19 restrictions.

IMPUNITY

Legislation in March closed the Special Prosecution Office, created in 2015 with jurisdiction over alleged serious crimes, including human rights violations, by former government ministers and officials. Over 20 unprosecuted cases were transferred to the Public Prosecutor. The trial of the former secret police chief and Interior Minister for their involvement in unlawful surveillance continued. In June, former Special Prosecutor Katica Janeva was sentenced to seven years' imprisonment for abuse of office.

North Macedonia had not yet ratified the International Convention for the Protection of All Persons from Enforced Disappearance, signed in February 2007.

DISCRIMINATION

Discrimination based on ethnicity, religion, gender and sexual orientation persisted, often fuelled by the pandemic. Hate speech and misinformation on social media often targeted Albanian citizens. The Helsinki Committee for Human Rights reported an 80% increase in anti-Islamic hate speech before the elections, and in July filed five criminal charges for spreading hatred.

Roma

Roma suffered discrimination in accessing COVID-19-related financial benefits. Instead of government support, vulnerable families received occasional humanitarian packages from NGOs and some municipalities. The National Roma Centrum also assisted Roma families required to self-isolate.

In March, nine Roma musicians who had travelled through Italy in a 200-person

convoy were quarantined for five days at an army barracks on entering North Macedonia, then released; non-Roma travellers were told to self-isolate at home.

Lesbian, gay, bisexual, transgender and intersex (LGBTI) people

In May, the Constitutional Court struck out the 2019 Law on Prevention and Protection against Discrimination, which recognized discrimination based on gender identity and sexual orientation, for procedural reasons. In October, Parliament reinstated the law, but failed to ensure the independence of the Discrimination Commission. In August, the president of the Tetovo-based NGO LGBT-United was assaulted, receiving head and eye injuries.

Women

Employers failed to implement COVID-19-related measures to assist working parents, disproportionately affecting women, some of whom had their wages unlawfully reduced if they took time off. In the textile industry, women were threatened with lay-offs, non-renewal of contracts, or – as in Štip, in June – required to work through a weekend curfew.

The government failed to fully implement recommendations from NGOs to protect women and children fleeing domestic violence.

SEXUAL AND REPRODUCTIVE RIGHTS

During the pandemic, state clinics could not provide routine sexual health and reproductive services; the NGO HERA prioritized services for Roma and other vulnerable women.

In March, the CEDAW Committee ordered North Macedonia to provide reparation to six pregnant Roma women unlawfully evicted from their homes in the capital, Skopje, in August 2016.

According to the NGO European Roma Rights Centre, a Roma woman died in March during a procedure to remove her dead baby. She was twice refused admittance at Ohrid hospital, despite presenting with pain, then an infection and fever. When she was finally taken to Skopje hospital, she had to wait six hours for her COVID-19 test result before admission. By then, the baby had died.

REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Almost half of the 172 asylum claims lodged by the end of June were made by individuals unlawfully detained as witnesses in proceedings against smugglers; one applicant was granted temporary protection. The NGO Macedonian Young Lawyers Association reported that by 30 September 24,153 refugees and migrants had been prevented from entering the country or were unlawfully pushed back to Greece.

NORWAY

Kingdom of Norway
Head of state: **Harald V**
Head of government: **Erna Solberg**

The government suspended its invasive COVID-19 tracing mobile application which risked the right to privacy. Violence against women remained a serious concern. A consultation took place on a draft law on human rights in business and supply chains.

MASS SURVEILLANCE

In April, the government rolled out the mobile application Smittestopp ("infection stop") to track possible COVID-19 infections. The contact tracing app put the right to privacy and security of hundreds of thousands of people at risk. After heavy criticism, the app was suspended and all collected data deleted in June.[1]

DISCRIMINATION

Sex-workers' rights

Public health restrictions introduced on 12 March to limit the spread of the COVID-19 virus curtailed people's freedom of movement and assembly, including that of sex workers (80% of whom are women). Despite being temporarily prohibited from selling sex from

March until 27 April, sex workers were excluded from, and largely unable to access, state-funded emergency financial aid packages. This meant some may have been compelled to continue to sell sex despite the risks.

Violence against women and girls

The number of rape cases reported to the police decreased by 10% between 2018 and 2019 and continued to decrease in 2020. It was not clear whether the decrease was caused by a reduction in the incidents of rape, or by a reduced willingness to report rape.

In June, the Director of Public Prosecutions published a report on the quality of police investigations in rape cases. The report noted some progress but highlighted that in half of the reported rape cases the lack of a timely and efficient investigation was a problem.

INTERNATIONAL JUSTICE

In May, the Ministry of Justice concluded that a Rwandan national accused of complicity in the 1994 Rwandan genocide would not be extradited. The accused spent four years in custody as the Ministry of Justice had previously concluded he could be extradited to Rwanda, but further investigation concluded two prosecution witnesses were not sufficiently credible.

CORPORATE ACCOUNTABILITY

A public consultation was held on a draft law on human rights in business operations and supply chains. The government was expected to present a proposal for a human rights due diligence law to Parliament before the end of June 2021.

In April, the UN Committee on Economic, Social and Cultural Rights (CESCR) noted the law but expressed concern, among other things, about inadequate access to remedies by non-nationals whose rights had allegedly been violated by Norwegian companies abroad.

1. Bahrain, Kuwait and Norway contact tracing apps among most dangerous for privacy (News story, 16 June)

OMAN

Sultanate of Oman
Head of state and government: **Haitham bin Tariq (replaced Qaboos bin Said Al Said in January)**

Freedom of expression remained unduly restricted, including through prosecutions of and sentences against individuals for publishing COVID-19-related information deemed "false" by the government. Oman amended the Foreign Residency Law, removing the requirement for foreign workers to obtain a "no objection certificate" from their current employer to change jobs. Women continued to face discrimination in law and practice. Courts handed down death sentences.

BACKGROUND

Oman continued its "Omanization" drive to replace expatriates with Omani nationals in the workforce.

In April, Oman acceded to the International Convention against Enforced Disappearance, the UN Convention against Torture, and the ICESCR. However, it rejected the competence of the UN Committee on Enforced Disappearances and the Committee against Torture to receive individual and interstate complaints. The reservation to Article 8 of the ICESCR impinged on the right of public employees to unionize and strike.

FREEDOM OF EXPRESSION

The government continued to unduly restrict the right to freedom of expression, arresting and sometimes prosecuting journalists and online activists.

On 1 March, shortly after the first confirmed cases of COVID-19 in Oman, the new Sultan Haitham bin Tariq issued a decree reaffirming the extraordinary powers of the Internal Security Service (ISS) which has an open-ended mandate "to combat

activities harmful to the Sultanate's security and stability" and has repeatedly been implicated in the arrest of individuals for exercising their right to freedom of expression.

Also in March, the government prohibited the circulation of all printed publications as part of measures adopted to contain COVID-19. It announced that several individuals had been prosecuted and sentenced, including publishers and "purveyors of rumours", for failing to abide by COVID-19 regulations that prohibit "spreading false news" or "inciting" against the positions taken by state health agencies.

In June, the government established the Cyber Defence Centre led by the head of the Internal Security Service. The Centre was afforded sweeping powers including to inspect internet networks, information systems and electronic devices of civil, military and private institutions.

Also in June, the Ibri Court of First Instance sentenced Awad al-Sawafi to a suspended one-year term of imprisonment, a fine and a ban on social media use for one year for criticizing government agencies for "their continuous intimidation of citizens" on Twitter. The Court of Appeals later confirmed the judgement. During the same month, the Court of First Instance in Muscat, the capital, sentenced former Shura Council member Salem al-Awfi and journalist Adel al-Kasbi to one year in prison for online comments about corruption and justice. They were both released on bail. In July, the ISS arrested activist Ghazi al-Awlaqi for comments he made on social media criticizing the authorities for their intimidation of social media users. He was released in September.

On 17 November, the Sultan pardoned 390 prisoners, including four of six prisoners of conscience who had received life sentences after unfair trials of Shuhuh people in 2018 on vague charges related to national security. The same month, police aggressively entered two homes in the town of Khasab, Musandam province, without a warrant and arbitrarily detained several residents for a week.

MIGRANT WORKERS

Migrant workers continued to be tied to their employers through the *kafala* (sponsorship) system, under which they depend on their employer to enter the country and maintain a legal residency status.

In June, Oman Royal Police passed an amendment – effective from January 2021 – allowing migrant workers to change jobs at the end of their contracts without the permission of their employers. It was unclear whether domestic workers are covered by this amendment. Prior to that, migrant workers who moved jobs without the permission of their employer were banned from entering the country for two years.

The labour system coupled with migrant workers' insanitary living conditions, including crowded labour accommodation and inequitable access to medical care and health insurance, put migrant workers in an even more vulnerable position and at risk of infection during the COVID-19 pandemic.[1]

WOMEN'S RIGHTS

Discrimination against women continued in law and practice, particularly in matters of divorce, child custody and inheritance. Specific legislation to address gender-based violence remained absent. Oman maintained its reservations on provisions of CEDAW, including Article 9(2) which grants women equal rights with men with respect to the nationality of their children; and Article 16 which grants women equal rights in matters relating to marriage and family relations.

DEATH PENALTY

No new death sentences were reported. Three men and one woman were executed.

1. Oman: Ensure protection of migrant workers in COVID-19 response (MDE 20/2166/2020)

PAKISTAN

Islamic Republic of Pakistan
Head of state: **Arif Alvi**
Head of government: **Imran Khan**

The crackdown on the media, civil society and the political opposition intensified. Frequent enforced disappearances continued; nobody was held accountable. COVID-19 created new challenges for economic, social and cultural rights. Health workers were detained for peacefully exercising their right to freedom of expression, and also came under attack at their place of work. The Supreme Court blocked efforts to relieve prison overcrowding, despite the spread of COVID-19 in prisons. Religious minorities continued to be prosecuted under blasphemy laws and attacked by non-state actors. Violence against women remained prevalent. Prime Minister Khan made encouraging announcements to release women prisoners and criminalize torture but there was little progress in implementing these measures. The Ministry of Human Rights presided over critical reforms around the death penalty and child abuse. The National Commission on Human Rights remained defunct.

BACKGROUND

For most of the year, the COVID-19 pandemic overwhelmed the country's health infrastructure, paralysed educational institutions and laid bare existing economic inequalities. The outbreak dominated events in Pakistan for most of 2020, as cases surged after authorities lifted lockdowns prematurely in a bid to stabilize the economy. Difficulties in socially isolating meant that daily wage earners and essential workers, as well as prisoners, refugees, students and others, were exposed to greater risks of infection. The country returned to a policy of "smart lockdowns" in June, isolating certain districts and areas with a high number of reported cases. Cases started dropping significantly in August, baffling medical experts, after which the government relaxed restrictions.

RIGHT TO HEALTH

Frontline health workers

At the outset of the COVID-19 pandemic, health care facilities faced a severe shortage of PPE. Doctors were photographed attending to suspected COVID-19 patients wearing plastic bags instead of face masks, protective suits and gloves. Between March and July, almost 5,400 health workers were infected with COVID-19. At least 58 died. Balochistan police used unnecessary and excessive force against health workers protesting the lack of PPE, resources and government support in Quetta, Balochistan province. Some of the protesters were arrested and detained for almost 24 hours.

There were instances of violence against health workers by police and members of the public when they were forced to turn patients away because hospitals were overwhelmed, or when they did not immediately return the bodies of COVID-19 victims to their families as part of the protocol to control the spread of the disease. They included a doctor who was shot in the legs by a police officer on 17 June, another whose nose was broken by the family member of a COVID-19 patient on 2 June, and an instance on 29 May where women health workers were forced to lock themselves in a room for their own protection when their hospital quarters were vandalized by angry people. No investigation into the attacks was known to have been carried out by the end of the year, and it remained unclear whether the government provided additional security to health workers following repeated requests from hospitals. On 6 April, security forces used excessive force against peacefully protesting doctors in Quetta, beating them with batons and detaining 53 health workers for at least 24 hours. In July, doctors peacefully protesting the lack of security were arrested in the region of Azad Jammu and Kashmir.

Prisoners

Prison populations were well over the maximum capacity and prisoners were particularly vulnerable to contracting COVID-19. The lack of adequate hygiene and sanitation facilities, scarce medical resources, inconsistent testing and the inability of prisoners to socially distance all contributed to easy transmission of the virus.

Prison authorities took steps to relieve overcrowding. Directives from provincial courts also allowed for the release of prisoners considered especially vulnerable to the virus. However, shortly after the releases were ordered the Supreme Court intervened, citing a technicality, and the prisoners were re-arrested. By September, at least 1,800 prisoners had tested positive for COVID-19 in prisons around the country. The true number was probably higher, since insufficient numbers of tests were conducted.

On 2 September, the Prime Minister ordered officials to implement a Supreme Court decision to release women prisoners who were under trial, convicted of minor offences or had served most of their term. However, by the end of the year no list of women prisoners had been prepared for release and the government had not issued any special notification to facilitate the process.

DISCRIMINATION

Amid the economic impact of the pandemic, there was a surge in charity drives to help support those who had lost their livelihoods. Despite this, members of the persecuted Ahmadiyya community were reportedly denied alms and donations on account of their faith. Calls were circulated on social media by religious organizations asking charities to ensure that Ahmadis did not receive food supplies or other essentials.

WORKERS' RIGHTS

The closure of factories producing non-essential items, disruptions in supply chains and travel restrictions resulted in tens of thousands of workers being laid off. The government announced in April it would create 60,000 jobs to hire these workers to support its reforestation drive. This was implemented partially. Pakistan's social security systems remained crippled by a lack of resources; most re-employment programmes were ad hoc.

RIGHT TO EDUCATION

The government closed schools and universities for almost six months to prevent the spread of COVID-19, forcing classes to move online. Internet coverage remained inadequate, with some 68% of the population having limited or no access, especially in remote areas. This negatively affected the right to education of many students who were unable to join classes because of a lack of equipment or limited internet access. Students in the city of Quetta protested, calling for equal internet access to be able to continue their education. At least 24 students were beaten and detained by police officers. Video footage showed that those conducting the arrests were not wearing PPE or maintaining physical distance, increasing the risk of spreading COVID-19.

ENFORCED DISAPPEARANCES

The use of enforced disappearances to punish dissent became more public and widespread, with people being abducted by intelligence agencies in broad daylight from urban centres. In previous years the victims of enforced disappearances included human rights defenders, political activists, students and journalists who were rarely well-known outside their communities. However, in July a vocal critic of the government, Matiullah Jan, was apprehended by armed men in the federal capital, Islamabad. Security cameras captured the abduction and the footage was published online. It provoked a strong backlash against the perpetrators and Matiullah Jan was released 24 hours later.

In June, the Ministry of Defence admitted to having held human rights defender and former Amnesty International consultant Idris Khattak in their custody since he was subjected to enforced disappearence by

armed men on 13 November 2019. Despite the public admission that he was in military custody there was no accountability for the perpetrators, underscoring the culture of impunity around enforced disappearances. Multiple directives from the provincial high court to produce him were ignored. The Joint Investigation Team assembled to investigate the case was dissolved as Idris Khattak was no longer considered a missing person, even though his whereabouts were not disclosed.

In September, Sajid Gondal, a former journalist and member of the Securities and Exchange Commission of Pakistan, was reported missing after his car was discovered in a suburb of Islamabad. He had recently been linked with an investigation by another journalist into corruption allegations against a top aide to the Prime Minister. He was returned five days later.

There was no progress towards criminalizing enforced disappearances, an election promise of the ruling government. The Minister for Human Rights, Shireen Mazari, tweeted in September that in her conversations with the Prime Minister, he had found the practice "unacceptable".

FREEDOM OF EXPRESSION

The authorities tightened their control on the media, and media workers reported increased coercion and censorship. In an interview in September, the Prime Minister denied there was a press crackdown and said that he did not mind criticism. However, journalists who published critical pieces were subjected to harassment, intimidation, censorship and even arrest.

In a joint statement published on 12 August, at least 16 women journalists reported being systematically harassed and threatened with violence by the social media team of the ruling party, particularly when their journalism was not favourable towards the government. They noted that this had affected their ability to work and to express themselves without fear. The number of signatories to the women's statement grew to 161 in one month. The ruling party failed to renounce such attacks or online abuse; instead, the same pattern of intimidation and harassment was perpetuated in statements from its parliamentarians.

Ahmed Noorani, a journalist who had previously been violently attacked in 2017, allegedly by intelligence agents, was targeted in a vicious online campaign after he published a story in August investigating the businesses of a top aide to the Prime Minister and former army official.

In September, journalist Bilal Farooqi was arrested and detained for social media posts about an anti-Shi'a demonstration in the city of Karachi. He was arrested under the draconian Pakistan Electronic Crimes Act.

Mir Shakil ur Rahman, editor and founder of the Jang Media Group – Pakistan's largest media conglomerate – was placed in pre-trial detention in March on charges related to a property transaction that had taken place more than three decades previously. The trumped-up allegations were seen as reprisals for his media group's critical coverage of the government's "anti-corruption" drive.

VIOLENCE AGAINST WOMEN AND GIRLS

The slogan "my body, my choice" became the rallying cry for the growing women's movement in Pakistan. In February, as preparations were underway to hold the third annual Aurat (Women's) March, a provincial court was petitioned by a lawyer to ban the event. The court ruled such a ban to be unconstitutional. Following the ruling, a religious political party accused the Aurat March of "vulgarity" and called on its workers to block it and be prepared for "any sacrifice" should the government provide security to the marchers. Peaceful protesters in Islamabad were pelted with stones. Despite the threat level to the Aurat March, the authorities failed to put in place adequate security measures.

In September, the gang rape of a woman on a motorway in front of her sons caused a national outcry, with protests taking place across the country demanding the resignation of a high-ranking police official who stated the attack was the victim's fault.

The incident triggered public calls for harsh punishments for perpetrators, including chemical castration and public hangings. Civil society groups responded with pushbacks and the media underscored the inefficacy of such steps to curb violence against women and girls.

The passage of the Zainab Alert Bill was a rare success. The law aimed at expediting procedures and allowing for better co-ordination between various government institutions to recover missing and abducted children.

Hundreds of cases of violence against women and girls were reported throughout the year. Few, if any, perpetrators were held to account.

FREEDOM OF RELIGION AND BELIEF

In July, authorities in Islamabad bowed to pressure from a discriminatory campaign mounted by politicians, media outlets and clerics to halt the construction of the first Hindu temple and community centre in the capital. The boundary wall of the construction site was torn down by a mob.

While vague and broad blasphemy laws had been used in previous years to target the most marginalized people in society, in 2020 their application widened to include artists, human rights defenders and journalists.

In July, Tahir Ahmed, a 54-year-old man with mental disabilities, was fatally shot in court by a young man who had come to observe his hearing on blasphemy charges.

In August, police filed a case against female actor Saba Qamar and male singer Bilal Saeed for recording a music video in a mosque. The clip was released online and led to large protests in the city of Lahore during which the leaders of religious party Tehreek-i-Labbaik Pakistan threatened "vengeance" against the artists.

In August police filed a case against journalist and human rights defender Marvi Sirmed under the blasphemy laws for a tweet she posted.

PALESTINE (STATE OF)

State of Palestine
Head of state: **Mahmoud Abbas**
Head of government: **Mohammed Shtayyeh**

The Palestinian authorities in the West Bank and the Hamas de facto administration in the Gaza Strip continued to crack down on dissent, including by stifling freedoms of expression and assembly, attacking journalists and detaining opponents. Security forces in both areas used unnecessary and/or excessive force during law enforcement activities, including when imposing lockdown measures in response to the COVID-19 pandemic. Torture and other ill-treatment of detainees were committed with impunity. Women faced discrimination and violence, including killings as a result of gender-based violence. Lesbian, gay, bisexual, transgender and intersex (LGBTI) people continued to face discrimination and lacked protection. In the West Bank, authorities made widespread use of administrative detention without charge or trial. In Gaza, civilians continued to be tried before military courts. Courts in Gaza handed down death sentences. Palestinian armed groups in Gaza occasionally fired rockets indiscriminately into Israel. Two Israeli civilians were killed after lone attacks by Palestinian individuals.

BACKGROUND

The two major political factions – Fatah which runs the authorities in the West Bank, and Hamas which runs the de facto administration in Gaza – remained split.

On 15 January, President Abbas announced the postponement of parliamentary elections until further notice, citing Israel's refusal to allow elections in East Jerusalem. Both authorities introduced emergency regulations in response to

COVID-19 in areas under their control. In March, the Palestinian authorities in the West Bank imposed lockdown measures, significantly restricting freedom of movement, easing some of the restrictions after a few months.

People in Gaza grappled with the virus while under an Israeli air, sea and land blockade, in force since 2007, which further threatened the fragile health care system. In September, the authorities in the Gaza Strip imposed lockdown measures after a significant COVID-19 outbreak. Egypt continued to enforce an almost total closure of the Rafah border crossing with Gaza. Qatar transferred cash into the Gaza Strip in co-ordination with Israel to pay public sector employees.

On 17 November, the Palestinian authorities in the West Bank announced that they would resume security and civil co-ordination with Israel, suspended since May, in response to Israel's plans to annex parts of the West Bank. During the suspension, the Palestinian authorities did not facilitate permits, including for medical patients to transfer from the Occupied Palestinian Territories into Israel, and stopped submitting documents as proof of identity to the Israeli-controlled population registry. The Palestinian authorities also stopped accepting the tax collected by Israel on their behalf – about 80% of their revenue – forcing them to slash the salaries of tens of thousands of public sector employees, including health workers.

Palestinian judges and civil society actors continued to protest against what they deemed to be significant executive interference in the judiciary and called on President Abbas to repeal laws by decree issued on judicial affairs.

REPRESSION OF DISSENT

The authorities in the West Bank and Gaza repressed dissent by arbitrarily arresting tens of peaceful demonstrators, opponents, critics, journalists and human rights activists.[1] In some cases, authorities used emergency COVID-19 regulations to stifle freedom of expression and assembly.

The Independent Commission for Human Rights (ICHR), the Palestinian national human rights institution, recorded 37 incidents of violations of freedom of expression, freedom of assembly, and freedom of the press: 21 in the West Bank and 16 in Gaza. The ICHR also recorded 158 cases in the West Bank and 118 in Gaza of the arbitrary arrests of opponents and critics. The Palestinian Centre for Development and Media Freedoms recorded 97 incidents of attacks against journalists, including arbitrary arrests, ill-treatment during interrogation, confiscation of equipment, physical assaults and bans on reporting: 36 in the West Bank and 61 in Gaza.

On 9 April, authorities in Gaza arrested activist Rami Aman, a resident of al-Rimal neighbourhood in Gaza City, and seven others after they held a video call on 6 April with a group of Israelis. While five were released, Rami Aman and two other activists were tried in a military court on charges related to treason under the Palestinian Liberation Organization (PLO) Revolutionary Penal Code of 1979. On 17 September, Rami Aman was convicted and sentenced to one year in prison, while the two others were deemed to have served their time. On 26 October, the Permanent Military Court in Gaza issued a decision to release all three on grounds of time already served in detention.

Between 11 and 25 June, authorities in Gaza arbitrarily arrested more than 50 Fatah-affiliated activists in relation to their plans to organize demonstrations to mark the 14th anniversary of the in-fighting between Fatah and Hamas. The Palestinian Centre for Human Rights reported that most of the activists said they were tortured and otherwise ill-treated in detention. None of the detained was charged and all were subsequently released.

On 19 July, authorities in the West Bank arrested 19 anti-corruption activists for holding a peaceful protest in the city of Ramallah, which breached an overly broad COVID-19 ban on assembly. While three were released, 16 were charged with "illegal gathering" and "violating the emergency

rules". All were released on bail; their trial continued.

EXCESSIVE USE OF FORCE

Security forces in the West Bank and Gaza used excessive force during law enforcement activities, including when enforcing lockdown measures in response to COVID-19. Judicial authorities failed to effectively investigate these acts.

On 18 June, security forces in Gaza assaulted members of the Wishah family in al-Bureij refugee camp in the centre of the Gaza Strip when they tried to block the authorities from demolishing a structure that belonged to the family to open a new road. According to the Al Mezan Center for Human Rights, security forces injured Handoumeh Wishah, aged 90, and two of her daughters, all of whom needed hospital treatment.

On 24 June, plain-clothed Palestinian security forces shot dead Alaa al-Amouri from the West Bank town of al-Ezariyeh during an operation to implement a judicial decision to seize a rented property from the tenants. The forces opened fire when members of the al-Amouri family tried to prevent the arrest of Alaa al-Amouri and his two brothers. According to the ICHR, Alaa al-Amouri was shot in the abdomen. At least three other family members sustained bullet wounds. The Palestinian authorities announced that they would open an investigation.

On 25 July, Palestinian security forces shot and killed Imad Dweikat in the Balata Refugee Camp in the West Bank city of Nablus, when he tried to stop the arrest of a shop owner during a police operation to close shops that had opened in contravention of the lockdown measures. According to the ICHR, Imad Dweikat did not pose a threat. The Ramallah-based authorities announced they would open an investigation.

TORTURE AND OTHER ILL-TREATMENT

Palestinian security forces in the West Bank and Gaza routinely used torture and other ill-treatment with impunity. Between January and November, the ICHR received 95 complaints of torture in the West Bank and 51 in Gaza.

On 9 June, the General Intelligence Service in Ramallah arrested activist Mohammed Jaber after he reported following a summons. He said that interrogators had put him in stress positions including by forcing him into a small wooden cabinet for prolonged periods. He was then kept in a one square metre solitary cell for 13 days until his release on 21 June.

VIOLENCE AGAINST WOMEN AND GIRLS

Women and girls faced discrimination in law and practice and were inadequately protected against sexual and other gender-based violence, including so-called honour killings. Nineteen women died in the West Bank and 18 in Gaza as a result of gender-based violence, according to the Women's Center for Legal Aid and Counselling (WCLAC).

On 28 July, Razan Moqbel was killed near the Beitunia industrial zone, west of Ramallah. Security forces arrested her fiancé the next day and the case was referred to the Public Prosecution to carry out an investigation. On 3 August, the two families reached an agreement to drop the case in exchange for the family of her fiancé paying about NIS487,000 (approximately US$150,000). The Palestinian authorities did not comment about the agreement which sparked a public outcry at the use of tribal customs in a criminal case of femicide.

RIGHT TO A FAIR TRIAL

Palestinian authorities in the West Bank continued to use a 1954 law to administratively detain dozens of people for up to six months on the order of a regional governor, many on political grounds, according to Palestinian human rights organizations. These detentions require no charges to be brought and lack due process. The ICHR documented 43 such cases in 2020.

Authorities in Gaza continued to try civilians before military courts.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

The civil society organization alQaws for Sexual and Gender Diversity in Palestinian Society reported that LGBTI people continued to be denied the freedom to exercise their rights, even though consensual same-sex relationships are not criminalized in the West Bank. Meanwhile, Section 152 of the Penal Code applicable in Gaza criminalizes consensual same-sex sexual activity and makes it punishable by up to 10 years' imprisonment.

DEATH PENALTY

Neither of the Palestinian authorities took any steps to translate the State of Palestine's commitments under the Second Optional Protocol to the ICCPR to abolish the death penalty.

In Gaza, Hamas-administered courts continued to sentence people to death and to carry out executions.

ABUSES BY ARMED GROUPS

Palestinian armed groups in Gaza occasionally fired rockets indiscriminately into Israel, injuring at least 27 Israelis, according to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). The Hamas authorities failed to investigate or prosecute those responsible and occasionally allowed groups to launch incendiary kites and balloons into Israel.

Most of the Palestinians responsible for stabbing, shooting and other attacks on Israelis in the West Bank and Israel, which killed two Israeli civilians during the year, were not members of Palestinian armed groups. However, these groups often praised such attacks.

1. Palestine: End arbitrary detention of critics in West Bank and Gaza (Press release, 7 May)

PAPUA NEW GUINEA

Independent State of Papua New Guinea
Head of state: **Elizabeth II, represented by Robert Dadae**
Head of government: **James Marape**

A state of emergency remained in place due to the COVID-19 pandemic. The authorities continued to restrict the right to freedom of expression and intimidate journalists. Dozens of people were killed in inter-communal violence. Women continued to experience high rates of gender-based violence.

BACKGROUND

The government declared a state of emergency after its first confirmed case of COVID-19 in March but replaced it in June with the National Pandemic Act 2020. This act continued to raise concerns regarding parliamentary oversight and will expire only when the Prime Minister declares the pandemic or health emergency over. At the start of the pandemic the country closed its borders to people from all Asian countries, not limited to those with confirmed cases of COVID-19. This left some Papua New Guinean students stranded in the Philippines. Emergency regulations gave government officials wide-ranging powers to restrict the freedoms of movement and expression and impose quarantines. There were some reports of excessive force by police implementing the restrictions.

Only around a third of the population had access to electricity, and only 41% had access to safe drinking water. COVID-19 restrictions and lockdowns negatively impacted food supplies and increased the cost of food.

At year's end, parliament had not yet enacted laws to give effect to Bougainville's vote for independence from Papua New

Guinea in 2019. Bougainville remained governed as an autonomous region.

FREEDOMS OF EXPRESSION AND ASSEMBLY

In April, the Minister for Police criticized two journalists and called for their dismissal after they reported on public spending of COVID-19-related funds. The emergency regulations included fines and imprisonment for vaguely defined acts such as spreading "misleading information" and could unreasonably limit the right to freedom of expression.[1]

REFUGEES AND ASYLUM-SEEKERS

By March, only four refugees and asylum-seekers remained on Manus Island, with all others sent to the capital, Port Moresby. The remaining 18 out of 53 men who were detained at Bomana detention centre were released by 23 January as reports of poor conditions emerged.

GENDER-BASED VIOLENCE

Women and girls

Sexual and other gender-based violence experienced by women and girls continued, with inadequate resources dedicated to addressing the issue. Women and children were at risk of physical and sexual violence from intimate partners, family members and their communities, including as a result of accusations of sorcery. Women and girls had limited access to sexual and reproductive health care services and abortion remained criminalized.

Sex workers

Sex work and consensual same-sex sexual activity between adults remained criminalized. In September, a sex worker in Port Moresby was gang-raped and beaten, prompting calls for stronger protection of sex workers from violence.

RIGHT TO HEALTH

As part of the COVID-19 response, the government offered little assistance to those who worked in the informal sector, which disproportionately impacted on women.

High rates of poverty and the presence of other chronic illnesses, combined with limited access to health care, compounded the situation for those who developed COVID-19.

Health workers

In March, 600 nurses went on strike due to concerns about the lack of safe and healthy working conditions. As of 21 December, Papua New Guinea had recorded 761 cases of COVID-19 and eight confirmed deaths. The most affected provinces were Western (bordering Indonesia) and Central (around Port Moresby). At least one health care worker died, and early outbreaks occurred in hospitals and a testing clinic. Medical professionals reported limited availability of appropriate personal protective equipment.

FAILURE TO PREVENT COMMUNAL VIOLENCE

Ten people, including three children, were killed in Porgera in March, after a policeman was killed in January. Police expressed concerns that these were retaliatory attacks as a result of killings in 2019. In July, 24 people in Hela Province, including two pregnant women, were killed during three days of violent clashes between local communities. It was not clear what prompted these attacks, but the lack of adequate policing was a factor in increased communal violence.

ENVIRONMENTAL DEGRADATION

In September, more than 150 residents of Bougainville filed a complaint against Australian mining company Rio Tinto in Australia, seeking reparations for alleged environmental damage caused by the operation of the Panguna copper and gold mine between 1972 and 1989.

1. Pacific countries must not use COVID-19 to regress on human rights (Public statement, 15 April)

PARAGUAY

Republic of Paraguay
Head of state and government: **Mario Abdo Benítez**

There were allegations of torture and other ill-treatment in the context of policies implemented in response to the COVID-19 pandemic. Indigenous Peoples continued to be overlooked in public policies, as did their rights to territory. Children and adolescents continued to face obstacles in accessing their rights, including their right to protection from sexual abuse and access to comprehensive sexuality education from the state. A new anti-discrimination law and criminal complaints against the treatment of LGBTI people made no progress in the year. Human rights defenders continued to lack an official protection mechanism.

RIGHT TO HEALTH

In April, the authorities placed thousands of people, mostly Paraguayans returning after losing their jobs in the informal sector in Brazil, in mandatory government-run quarantine centres. Early on, reports of inadequate conditions, including lack of robust information about procedures, inadequate staffing, insufficient sanitary supplies and food were particularly concerning. Some of these health and food concerns improved over time.[1]

The health system proved precarious and poorly prepared to address COVID-19 and other diseases. Several allegations of corruption in relation to public purchases of medical supplies were under investigation at the end of the year.

Health workers

Health workers reported that they did not have sufficient personal protection equipment or adequate working conditions to enable them to work in a safe environment during the COVID-19 pandemic.[2]

TORTURE AND OTHER ILL-TREATMENT

Between March and June, the authorities deployed 24,000 police officers and at least 3,000 military personnel to, among other things, enforce COVID-19 lockdown measures and patrol borders. There were several reports of ill-treatment and humiliating or degrading punishment inflicted by members of the security forces enforcing lockdown measures.[3]

On 15 and 16 July, a military operation in the town of Ciudad del Este designed to enforce lockdown measures resulted in a shooting incident in which a member of the Navy was killed. Another operation followed, apparently in retaliation for the death of the marine, which resulted in the detention of 35 people and allegations of torture and other ill-treatment at a naval base. The authorities opened an investigation into the incident, but by the end of the year no official had been charged.

UNLAWFUL KILLINGS

On 2 September, two 11-year-old girls of Argentine nationality died during an operation by the Joint Task Force (FTC) in the department of Concepción. The FTC initially alleged they had killed members of the Paraguayan People's Army, an armed opposition group. However, evidence emerged that the people killed were girls, and the prosecutor's investigation contained several flaws in its forensic handling of the bodies, as well as a failure to comply fully with the Minnesota Protocol on the Investigation of Potentially Unlawful Death during the investigation of the deaths.

INDIGENOUS PEOPLES' RIGHTS

In compliance with an Inter-American Court of Human Rights ruling, an expropriation law was passed in 2019 to allow the construction of a road for the Yakye Axa community to access their lands. However, the law had technical flaws and was amended and promulgated by the Executive on 9 September. Construction of the road resumed in September.

Lands were not returned to the Tekoha Sauce community of the Avá Guaraní People, who had been evicted on two occasions in previous years, one of them to permit the construction of a hydroelectric power plant in Itaipú. A legal action for eviction of the community, filed by the bi-national (Brazilian/Paraguayan) Itaipú company in 2019, remained active throughout 2020, posing a threat to the Avá Guaraní People's human rights.

During the COVID-19 pandemic, the authorities did not implement sufficient and culturally relevant measures for Indigenous Peoples. They also failed to mitigate Indigenous Peoples' lack of access to food, water and medicine in a comprehensive manner.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

There was no progress during the year in criminal complaints relating to attacks against LGBTI people during a 2019 Pride march in the city of Hernandarias. The municipality of Hernandarias had banned the march for being "contrary to public morality". There was also no progress in the constitutional challenge presented by Amnesty International in October 2019 against this and another resolution declaring the city "pro-life and pro-family", both decisions of the municipality of Hernandarias.

A bill against all forms of discrimination, presented in 2015, made no progress during the year.

HUMAN RIGHTS DEFENDERS

Paraguay had yet to ratify the Regional Agreement on Access to Information, Public Participation and Justice on Environmental Matters in Latin America and the Caribbean (the Escazú Agreement), which includes strong protections for Indigenous Peoples and for environmental defenders. The authorities also did not establish a mechanism for the protection of human rights defenders, nor did they disseminate the Declaration on Human Rights Defenders.

In December, the Senate approved a declaration that recognized the work of human rights defenders to be "of national interest".

RIGHTS OF CHILDREN AND ADOLESCENTS

The authorities did not implement sufficient and effective measures to prevent, identify and address cases of sexual exploitation and abuse of children. The Public Prosecutor's Office registered 1,877 reports of sexual abuse of children in the first nine months of the year.

The authorities fell short of guaranteeing the sexual and reproductive rights of adolescents. As of August, the Ministry of Health registered 339 births to girls aged between 10 and 14 and 9,382 births to adolescents aged between 15 and 19.

Anti-rights groups harshly questioned the National Plan for Children and Adolescents (2020-2024), which includes objectives on sexual abuse, prevention of violence, and comprehensive sexuality education. In December, following criticism from anti-rights groups, the Chamber of Deputies ordered the Minister for Children and Adolescents (SNNA) to appear for questioning in Congress.

WOMEN'S RIGHTS

The judiciary did not guarantee the right to due process or ensure a gender perspective in cases of sexual harassment of women. The case of Alexa Torres, a young woman harassed by a priest, came to trial in 2020. Even though the tribunal acknowledged her account of the facts as true, the judges ruled that it did not constitute harassment and dismissed the complaint in favour of the priest. In December, an appeals court overturned the ruling and ordered a new trial.

1. When protection becomes repression: Mandatory quarantines under COVID-19 in the Americas (AMR 01/2991/2020)
2. The cost of curing: Health workers' rights in the Americas during COVID-19 and beyond (AMR 01/2311/2020)

3. Américas: Las Autoridades deben proteger a la población del COVID-19 en lugar de recurrir a medidas represivas (Press release, 16 May)

PERU

Republic of Peru
Head of state and government: **Francisco Rafael Sagasti Hochhausler (replaced Manuel Arturo Merino de Lama on 17 November, who replaced Martín Vizcarra Cornejo on 10 November)**

The COVID-19 pandemic exposed shortcomings regarding access to the right to health in Peru. Inequality in access to a fragmented and underfunded health system, coupled with a lack of protection for health workers, contributed to Peru remaining among the 10 countries with the highest per capita death rate in the world. People and communities exposed to toxic metals and other toxic substances continued to demand public policies to ensure medical care. The state failed to respond effectively to continuing high rates of violence against women and girls. The lives of human rights defenders remained at serious risk due to lack of effective protection by the state and of successful criminal investigations into attacks and threats against them. Peru experienced a political, social and human rights crisis following the impeachment of the then President, Martín Vizcarra, in November.

BACKGROUND

A new Congress was elected in January. The country reported its first cases of COVID-19 in March and the President declared a state of emergency. Supreme decrees and subsequent laws established mandatory stay-at-home orders, among other economic and social measures to deal with the pandemic. As of 31 December, the Ministry of Health had reported 1,017,199 confirmed cases of COVID-19 and 37,724 related deaths.

According to the National Statistics Institute, the informal employment rate in Peru was 72.6%. In this context, the mandatory measures implemented to deal with the pandemic had a particularly strong impact on livelihoods.

On 9 November, Congress voted to remove Martín Vizcarra from the Presidency due to allegations of corruption. A series of demonstrations protested against the actions of Congress. These intensified on 10 November during the inauguration of Manuel Merino as President and continued until his resignation on 15 November. On 17 November, Congressman Francisco Sagasti was sworn in as President.

EXCESSIVE USE OF FORCE

In March, Congress passed the Police Protection Law which, among other provisions, establishes a presumption in favour of the police about the reasonableness of the use of lethal force. There were calls for the President to repeal the law as it violates international human rights law and could pave the way for impunity and excessive use of force by the National Police,[1] particularly after the November protests.

The National Police responded to the protests in November against the impeachment of President Vizcarra using excessive and unnecessary force, which resulted in the death of two young men, Jack Bryan Pintado Sánchez and Jordan Inti Sotelo Camargo, on 14 November and the injury of more than 200 others. Human rights organizations reported that police fired ammunition and tear gas at peaceful demonstrators and beat or otherwise violently subdued people. Plainclothes police officers who refused to identify themselves arbitrarily arrested people, including a human rights defender. There were also reports of ill-treatment by the security forces, including of people who were reported missing. Criminal investigations into the deaths and injuries were continuing at the end of the year.

FREEDOMS OF EXPRESSION AND ASSEMBLY

During December, workers from the agro-export sector held protests calling for better salaries, benefits and working conditions.

Protesters blocked major highways, demanding that the government repeal the Law for the Promotion of Agriculture and issue a new regulation. The Office of the Ombudsperson reported incidents of violence during the protests. Human rights organizations indicated that police repression of the protests resulted in three deaths and several injuries. The Minister of the Interior announced an internal investigation into the incidents and affirmed his willingness to cooperate with criminal investigations.

HUMAN RIGHTS DEFENDERS

The lives and physical integrity of human rights defenders remained at serious risk. Despite a protection protocol, protection measures remained insufficient and human rights defenders continued to be attacked and killed.

The Office of the Ombudsperson reported in September that five defenders of the land, territory and environment had been killed in the first nine months of the year.

On 11 September, human rights defender Roberto Carlos Pacheco was shot dead by unidentified attackers. He had received death threats since 2012 linked to his activism against illegal mining in the Tambopata Reserve, Madre de Dios region, in the Amazon. By the end of the year, no one had been brought to justice for the killing and measures to protect the Pacheco family remained inadequate.[2]

Peru had yet to ratify the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (the Escazú Agreement).

RIGHT TO HEALTH

By the end of the year, the Peruvian Medical Association had reported 11,856 confirmed cases of doctors with COVID-19 and 256 deaths related to the virus. In December, the Peruvian Nurses Association reported 87 deaths related to the virus. Health workers' unions believed that many infections were due to a lack of personal protective equipment.

Although significant progress had been made in developing a Special Multisectoral Plan for those exposed to toxic metals, the National Platform of Persons Affected by Toxic Metals continued to demand public policies to ensure medical care for those affected.

INDIGENOUS PEOPLES' RIGHTS

The virus quickly reached the territories of Indigenous Peoples and the state response was inadequate; health policies were introduced very late, lacked an intercultural approach and did not involve Indigenous Peoples in their design or implementation. On 31 December, the Ministry of Health reported 28,592 confirmed cases and 159 deaths related to COVID-19 among Indigenous Peoples.

WOMEN'S RIGHTS

In July, Law 31030, which guarantees parity and gender alternation on lists of candidates for general elections, was approved. The law stipulates that at least 50% of each party's candidates for election to Congress must be women.

VIOLENCE AGAINST WOMEN AND GIRLS

According to the Ministry of the Interior Registry of Disappeared Persons, 10,685 women were reported missing between January and November. According to the Ministry of Women and Vulnerable Populations, between January and November gender-based violence hotlines received 171,631 calls from women, compared to 88,399 during the same period in 2019, and 121 women were victims of femicide.

In June, the Ombudsperson's Office stated that there were cases in which emergency kits, containing emergency medication and tests, approved by the Ministry of Health for victims of sexual violence were not being provided to girls and women during the pandemic.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

More than two years after it was presented in Congress, a bill to recognize same-sex marriage had yet to be approved.

Transgender people continued to be denied social and legal recognition of their gender identity, affecting their rights to work, housing, freedom of movement, education and health, among others.

The Ministry of Justice issued a resolution recognizing same-sex couples for the purpose of granting economic benefits to those whose partners were health workers who died due to COVID-19.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

The closure of borders to curb the spread of COVID-19 meant migrants and asylum-seekers resorted to using irregular routes, putting them at risk of violence and trafficking, particularly women and children. For several months it was not possible to apply for asylum because the government office responsible was closed and on-line applications were suspended.

During the pandemic, migrants, asylum-seekers and refugees, mainly Venezuelans, did not receive any financial support to enable them to comply with stay-at-home measures. Some were evicted from their homes in circumstances that denied them their rights to health and housing.

1. Peru: State must immediately repeal law that sends a wrong message of impunity for possible police abuses amidst the COVID-19 emergency (Article, 30 March)
2. Peru: Murdered defender's family still in danger (AMR 46/3303/2020)

PHILIPPINES

Republic of the Philippines
Head of state and government: **Rodrigo Roa Duterte**

Extrajudicial executions and other human rights violations continued under the government's "war on drugs". Human rights defenders and political activists were killed, harassed, detained and unjustly charged. Media freedom was unduly curtailed and dangerous anti-terror legislation was passed. Various groups condemned the government's heavy-handed approach to the COVID-19 pandemic. President Duterte renewed his call on Congress to reinstate the death penalty.

BACKGROUND

Measures taken by the government to curb the spread of COVID-19 led to numerous abuses of human rights. President Duterte ordered security forces and local government officials to "shoot dead" those causing "trouble" during community quarantine.[1] Local officials faced charges for locking people in dog cages for alleged violations of the quarantine.

The UN Human Rights Council (UNHRC) adopted a resolution to provide technical assistance and capacity building to the government. The resolution fell short of calls for stronger action to address ongoing violations in the country.

EXTRAJUDICIAL EXECUTIONS AND IMPUNITY

Killings and other human rights violations continued under the government's "war on drugs". On several occasions, President Duterte incited violence against people suspected of using or selling drugs, while promising to protect those who kill them.[2] Reports of killings increased in cities where police chiefs who had previously overseen abusive operations were appointed. Based on government data, police killed at least 155 people from April to July, compared to 103 people from December 2019 to March. Killings by unknown individuals, many with suspected links to the police, continued. Victims were overwhelmingly poor.

Vice President Leni Robredo released a report in January countering government information on the "war on drugs". She

stated that government efforts targeted people who use or sell small amounts of illicit drugs and called on the government to end its deadly approach known as Oplan Tokhang ("Operation Knock and Plead"), prosecute those involved in drug trafficking, and improve its collection and interpretation of drug-related data.[3]

In June, the UN Human Rights Office released a report detailing extrajudicial executions and attacks against human rights defenders, political activists and the media, among other violations.

In July, the government announced the establishment of an inter-agency panel to "review" cases of drug-related killings by the police. Human rights groups said the panel was formed to shield the government from international scrutiny.

Despite repeated calls for an international investigation, the UNHRC adopted in October a resolution providing technical assistance and capacity-building to the government. The resolution required the UN Human Rights Office to continue to provide the UNHRC with updates over the next two years.[4]

In December, the International Criminal Court stated crimes were committed in the "war on drugs", adding that it expected to decide in 2021 whether or not to open an investigation.

REPRESSION OF DISSENT

In February, prisoner of conscience Senator Leila de Lima marked her third year in detention on politically motivated charges after she sought to investigate drug-related killings.[5] Also in February, a court issued arrest warrants against former Senator and critic of the "war on drugs" Antonio Trillanes IV, activist priest Fr. Flaviano "Flavie" Villanueva and nine others on charges of conspiracy to commit sedition. Five activists were arrested in raids by security forces in Tacloban City.

In March, a court issued arrest warrants for perjury against activists seeking court protection after the Philippine military tagged them as "terrorists".

In July, President Duterte signed into law Republic Act 11479 (Anti-Terrorism Act of 2020).[6] Human rights groups criticized the new law for contravening international standards and granting the government unchecked powers to detain perceived enemies of the state. Over 30 petitions challenging its constitutionality were pending before the Supreme Court at year's end.

On 10 August, activist and peace advocate Randall Echanis and his neighbour were killed in Metro Manila.[7] A week later, human rights defender Zara Alvarez was shot dead in Bacolod City.[8] Echanis and Alvarez were branded as "terrorists" in a 2018 government list. Other human rights defenders and political activists were arbitrarily detained and faced increased threats and harassment after the government "red-tagged" or linked them to communist armed groups.

In October, police treatment of detained activist Reina Mae Nasino attending the funeral of her three-month-old baby sparked public outrage.

On 10 December, police arrested journalist Lady Ann Salem and six trade unionists during raids in Metro Manila on charges of illegal possession of firearms and explosives. Human rights groups claimed the charges were fabricated.

On 30 December, police killed nine people and arrested 17 in Capiz and Iloilo provinces. Local groups said they were from an Indigenous community defending their land while police claimed they were members of the New Peoples Army and that the nine were killed after resisting arrest.

FREEDOM OF EXPRESSION

In May, unidentified assailants shot dead radio broadcaster and anti-corruption critic Cornelio Pepino in Dumaguete City. His murder was the first in a string of killings in Negros Oriental over nine days that left six others dead.

In June, Maria Ressa, Chief Executive Officer of news website Rappler, and former Rappler researcher Reynaldo Santos Jr. were convicted of cyber libel.[9] A month later, Congress denied the franchise renewal of

broadcast media network ABS-CBN.[10] Both Rappler and ABS-CBN produced reports highlighting killings and other violations under the "war on drugs". In December, Maria Ressa was charged for a second time for cyber libel after sharing a tweet.

FREEDOMS OF ASSEMBLY AND ASSOCIATION

Violations of the right to freedom of assembly occurred amid the COVID-19 pandemic. In April, police violently dispersed residents of an urban poor community in Quezon City peacefully demanding government aid.

In June, police arrested eight people protesting anti-terror legislation in Cebu City, detaining them for three days. Police also arrested at least 20 people, including three minors, during a Pride march in the capital, Manila. Police accused the protesters of breaching restrictions on mass gatherings during the pandemic, among other alleged violations. They were released pending investigation four days later.

RIGHT TO HEALTH

There were repeated calls for the release of certain groups of prisoners, including people detained for political reasons, to prevent the further spread of COVID-19 in prisons after hundreds of prisoners and staff tested positive for the virus. As of October, the Supreme Court said over 80,000 prisoners were released.

There were concerns over the protection of health workers during the pandemic. A ban on their deployment overseas was partially lifted in November.

ABUSES BY ARMED GROUPS

Clashes between government forces and the communist New People's Army continued. In August, two young members of the Manobo tribe died amid escalating violence in Surigao del Sur.

DEATH PENALTY

In his State of the Nation Address in July, President Duterte renewed his call on Congress to reinstate the death penalty, including for drug-related crimes. At least 24 bills reintroducing the death penalty were pending at year's end.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

In February, Makati City police sparked an outcry after "profiling" 67 individuals as part of its "Oplan X-Men" targeting transgender women.

In April, a local government official subjected three LGBTI individuals to degrading treatment by forcing them to perform sexually-suggestive acts as punishment for alleged COVID-19 curfew violations. In December, a Senate panel approved a bill that aims to prohibit discrimination and violence on the basis of sexual orientation and gender identity and expression.

1. Philippines: President Duterte gives "shoot to kill" order amid pandemic response (Press release, 2 April)
2. "My Job is to kill": Ongoing human rights violations and impunity in the Philippines (ASA 35/3085/2020)
3. Philippines: Vice President's 'insider account' shows failure of deadly anti-drugs campaign (Press release, 6 January)
4. Philippines: UN resolution a missed chance for justice but scrutiny continues (Press release, 7 October)
5. Philippines: Free senator; end attacks on human rights defenders (ASA 35/1854/2020)
6. Philippines: Dangerous anti-terror law yet another setback for human rights (Press release, 3 July)
7. Philippines: Cold-blooded murder of another activist and peace advocate must be investigated (Public statement, 10 August)
8. Philippines: Another human rights defender murdered; cycle of bloodshed must end (Press release, 18 August)
9. Philippines: Quash conviction of Rappler journalists Maria Ressa and Rey Santos (Press release, 15 June)
10. Philippines: Denial of ABS-CBN franchise another nail in the coffin of press freedom (Public statement, 10 July)

POLAND

Republic of Poland
Head of state: **Andrzej Duda**
Head of government: **Mateusz Morawiecki**

The authorities continued to erode the independence of the judiciary. COVID-19 measures served as a pretext to crackdown on peaceful protesters and to restrict access to asylum. Criminal charges were used to curtail freedom of expression. LGBTI rights remained under attack. Authorities attempted to further restrict access to abortion.

BACKGROUND

Due to the COVID-19 pandemic, the May Presidential election was postponed until July and partially held by postal vote. In response to the pandemic, in March, the government introduced a total ban on public assemblies; in May, assemblies of up to 150 people were permitted; in October, only up to 10 or 25 people were allowed to assemble, depending on zones. Legislation intended to support businesses and workers affected by the pandemic included amendments on unrelated matters. This included enhanced penalties for illegal abortion and for insulting the President.

STATE OVERREACH – INDEPENDENCE OF THE JUDICIARY

The government continued to implement legal and policy changes that undermined the independence of the judiciary.

Parliament adopted a new law in January imposing severe restrictions on judges' rights to freedom of expression and association.[1] The law prohibits judges from questioning the credentials of judges appointed by the President. The state's Deputy Disciplinary Commissioner sought to initiate disciplinary proceedings in August against 1,278 judges who had asked the OSCE to monitor the presidential election.

International scrutiny also continued. A number of cases against Poland regarding attacks on the judiciary were pending before the Court of Justice of the EU (CJEU) and the European Court of Human Rights (ECtHR). In September, the European Parliament adopted a resolution expressing concerns regarding the independence of the judiciary and threats to human rights in Poland.

In April, the CJEU issued an order for interim measures requiring the government to immediately suspend its new system of disciplinary proceedings against judges. The authorities, however, continued to refuse to implement this ruling and the Supreme Court carried on examining such disciplinary cases. The Deputy Minister of Justice stated that the CJEU had violated Poland's sovereignty by intervening in its domestic affairs.

In September, the ECtHR formally requested a response in the case of judge Igor Tuleya who was challenging disciplinary proceedings against him as violations of his rights to private life and freedom of expression. The Disciplinary Prosecutor initiated the proceedings against Igor Tuleya in 2018. He had, among other things, submitted a request for a preliminary ruling from the CJEU on whether the new national legislation that undermined the independence of the judiciary was compatible with EU law.

FREEDOM OF ASSEMBLY

Peaceful anti-government protesters continued to face fines and detention, amidst COVID-19 measures used to crack down on some protests beyond what was necessary to protect public health.[2]

In May, during the electoral campaign, police arrested hundreds of peaceful protesters simply for protesting in the streets and imposed heavy fines. The police especially targeted with fines protesters demanding respect for the independence of the judiciary and those criticizing the lack of support for small companies during the COVID-19 lockdown. The authorities imposed fines against peaceful protesters outside the Trójka state radio station who were opposing censorship of a song.

FREEDOM OF EXPRESSION AND ASSOCIATION

Two activists were charged in June with "theft and burglary" for replacing advertisements on bus shelters with posters that accused the government of manipulating COVID-19

statistics.[3] They faced up to 10 years in prison, with the case pending at year's end.

In July, human rights defender Elżbieta Podleśna was indicted for "offending religious beliefs" for allegedly possessing and distributing posters and stickers depicting the Virgin Mary with a rainbow halo.

The Minister of Justice and Minister of Environment proposed a law in August requiring NGOs to declare any sources of foreign funding and to publish them in a public register.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Widespread anti-LGBTI rhetoric from politicians persisted.

In July, the President signed an anti-LGBTI rights pamphlet before the election called the "Family Charter", which pledged to ban marriage equality, adoption of children by LGBTI people and LGBTI education in schools.

Police arrested 48 LGBTI activists in August during a peaceful protest against a prominent activist's pre-trial detention. They faced charges for "participation in an illegal gathering". The investigation was continuing at year's end.

Since March 2019, about 100 local authorities had adopted discriminatory anti-LGBTI resolutions, including resolutions explicitly "against LGBTI ideology"; some refer to "traditional values" or "family rights". In July, the European Commission rejected six town-twinning applications because local authorities had declared so-called LGBTI-free zones or had adopted "family rights" resolutions. In September, the head of the European Commission stated that so-called LGBTI-free zones were in fact "humanity-free zones" that had no place within the European Union.

According to a report published in May by the EU Agency for Fundamental Rights, 15% of LGBTI people in Poland had experienced a physical attack or sexual violence in the last five years. This was the highest rate in the EU. Most reported attacks on LGBTI people resulted in no prosecution.[4]

SEXUAL AND REPRODUCTIVE RIGHTS

Sexual and reproductive rights remained under attack.

A parliamentary debate was scheduled for April to address two "citizens' initiatives" that would set criminal penalties for sex education in schools and would further restrict access to abortion.[5] Large protests took place, held virtually or while respecting physical distancing owing to COVID-19. Members of Parliament voted to send the bills to parliamentary committees, postponing the debates.

In July, the Ministry of Justice announced a plan to withdraw from the Istanbul Convention, an international treaty on violence against women. The government openly lobbied other countries to withdraw as well. The Prime Minister announced a plan to have the Constitutional Court examine the Convention's compatibility with the Polish Constitution, claiming that the Convention was "harmful" because it "contains elements of an ideological nature".

In October, the Polish Constitutional Tribunal ruled that access to abortion on the ground of "severe and irreversible foetal defect or incurable illness that threatens the foetus' life" are unconstitutional. The Constitutional Tribunal's ruling will mean an almost total ban on abortion in the country.

RIGHTS OF REFUGEES AND ASYLUM-SEEKERS

In April, the CJEU ruled that Poland had failed to fulfil its obligations under EU law by refusing to relocate asylum-seekers under the EU relocation scheme.

The ECtHR ruled against Poland in July concluding that the situation at border crossing points amounted to inhuman or degrading treatment because the authorities refused to receive asylum applications and conducted summary removals that put some people at risk of being forcibly transferred to a place where they are at risk of serious human rights violations (*refoulement*).

Due to the COVID-19 pandemic, the Office for Foreigners suspended direct customer services and there were some limitations on the submission of asylum applications at border crossings.

1. Poland: Judges and lawyers from across Europe protest judicial takeover in Warsaw (News story, 9 January)
2. Poland: COVID-19 is no excuse to crack down on protests (EUR 37/2421/2020)
3. Poland: Activists at risk of 10-year jail term for COVID-19 poster campaign challenging government statistics (News story, 11 June)
4. Polki i Polacy chcą, by przestępstwa motywowane homofobią i transfobią były rozpoznawane przez państwo (in Polish only, translates as 'Polish people want crimes motivated by homophobia and transphobia to be recognized by the state') (News story, 24 September)
5. Poland: Abortion ban and regressive sexuality education laws must not be rushed through under cover of COVID-19 (News story, 14 April)

PORTUGAL

Portuguese Republic
Head of state: **Marcelo Rebelo de Sousa**
Head of government: **António Costa**

The government's response to COVID-19 exposed gaps in the rights to health and housing. Discrimination against Roma continued. A man died following a beating in border police custody. Prosecutions and convictions for gender-based violence remained low.

BACKGROUND

From 18 March to 2 May, the government declared a state of emergency to control COVID-19, imposing limitations to freedoms of movement and assembly, including for religious purposes or protest. The government declared a second state of emergency on 9 November until the end of the year, restricting freedom of movement and gatherings.

RIGHT TO HEALTH

The Portuguese Medical Association reported that over half of doctors lacked adequate PPE during the first state of emergency, and that one third continued to lack PPE until the end of June. By November, 8,755 health professionals had contracted COVID-19.

Older people in care homes accounted for one third of COVID-19 deaths, which reached 6,972 by the end of the year. A criminal investigation was ongoing into the deaths of 18 people at a nursing home in Reguengos de Monsaraz, following a report concerning failures to follow government health guidelines.

With sub-standard conditions and overcrowding persisting in some prisons, the government released over 2,000 prisoners to limit contagion. However, some prisoners faced homelessness on release.

RIGHT TO HOUSING

The government suspended foreclosures and evictions during the state of emergency and until the end of the year. Nevertheless, many families continued to lack access to adequate housing. In March, just before the suspension was in place, the City Council in the capital, Lisbon, evicted about 70 people who had occupied social housing for lack of alternatives. At least nine evicted families reported that they had not been offered alternative accommodation and had to sleep in vans, tents or entrance halls of neighbouring buildings.

There were several reports that shelters for the homeless were both insufficient and of poor quality. Support for the homeless was largely left to local authorities and volunteers.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

In March, the government temporarily granted access to health and social care to asylum-seekers and non-nationals with pending residency applications.

The government relocated only 72 unaccompanied minors from Greece out of 500 it had pledged to receive.

The death in custody in March of a Ukrainian national, following a beating by border police at Lisbon airport, exposed failures in the protection of people during border procedures. Three border police

officials were charged with aggravated murder in September.

In April, the UN Human Rights Committee (HRC) expressed concern about reports that unaccompanied children were detained at airports. In June, the Border Control Services announced that the Child Protection Commission would ensure support for children in Lisbon airport's border patrol facilities.

DISCRIMINATION

In April, the HRC expressed concern over continuing racial discrimination against Roma and people of African descent in education, employment and housing, and about reports of hate speech and hate crimes.

VIOLENCE AGAINST WOMEN AND GIRLS

In April, the HRC expressed concern at the low levels of reporting, prosecution and conviction in relation to gender-based violence.

In July, prosecutors charged a mother for subjecting her daughter to female genital mutilation, the first such case to go to trial in Portugal.

PUERTO RICO

Commonwealth of Puerto Rico
Head of state: **Donald Trump**
Head of government: **Wanda Vázquez Garced**

The authorities failed to ensure the rights of thousands of people made homeless by earthquakes in January. The number of femicides increased. For the first time, federal hate crime charges were brought following the killings of two transgender women.

BACKGROUND

In March, in response to the COVID-19 pandemic, Governor Wanda Vázquez declared a state of emergency and signed the first of many Executive Orders issued during the year in relation to curfews.

In September, health care professionals protested over the reported lack of PPE and access to tests for the COVID-19 virus, according to news reports.

CHILDREN'S RIGHTS

In May, the Youth Development Institute, a local NGO, warned that measures related to COVID-19 could increase child poverty from 58% to 65% if sufficient resources were not allocated to mitigate it.

Civil society organizations criticized the closing of canteens that provide free school lunches in public schools in the context of COVID-19, indicating that an estimated 70% of children in the public education system live in poverty and rely on school meals.

RIGHT TO HOUSING

In January, two earthquakes resulted in damage to hundreds of homes and left thousands of people living in temporary housing, shelters, vehicles or tents for months.

By late March, according to news reports, the Department of Housing had closed all the refugee centres they administered.

By September, according to the University of Puerto Rico in Cayey, of the 40,628 requests for housing assistance made to the Federal Emergency Management Agency (FEMA) in the most affected municipalities, only 34% had received assistance.

Media reports estimated that 10,000 families may still have had their homes affected ten months after the earthquakes.

VIOLENCE AGAINST WOMEN AND GIRLS

Despite declaring a state of national alert in 2019, a symbolic response to the high number of gender-based violence cases, the authorities did not present a plan to mitigate this or protect the rights of women and girls.

By late December, 60 people had been killed due to their gender, compared with 37 in the whole of 2019, according to the Observatory of Gender Equality of Puerto Rico.

During the first three months of the island-wide lockdown implemented in response to

COVID-19, between mid-March and late May, there were 11 femicides, compared with six during the same period in 2019, according to data from the Observatory of Gender Equality of Puerto Rico.

The government continued to exclude any content related to "gender" from the educational curriculum.

EXCESSIVE USE OF FORCE

During the island-wide lockdown implemented in an effort to mitigate the impact of COVID-19, there were reports of excessive use of force by the police enforcing lockdown measures, including a verified video in which police appeared to stop an individual on his way to get food and other basic items.[1]

By October, the police had received more than 3,300 complaints related to alleged violations of Executive Orders issued since the beginning of the COVID-19 pandemic and had arrested more than 1,000 people for alleged breaches.

FREEDOM OF ASSEMBLY

The day before the annual 1 May protests, the police announced that protests were prohibited by Executive Order. Following criticism by civil society organizations who alleged this was unconstitutional, the protests went ahead.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Among the 60 femicides during the year, six of those killed were transgender people, four more than in the previous year, according to the Observatory of Gender Equality of Puerto Rico.

In February, the violent killing of Alexa Luciano Ruiz, a transgender woman, provoked a public outcry. According to news reports, the day before her killing the police had intervened after a complaint was made against her for using the women's bathroom in a fast-food restaurant, photos of which went viral on social media.

In April, for the first time, federal authorities in Puerto Rico brought charges under the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, signed by former President Obama in 2009, for the killing of two other transgender women, Serena Angelique Velázquez and Layla Peláez Sánchez.

1. Americas: Authorities must protect people from COVID-19 instead of resorting to repressive measures (News, 15 May)

QATAR

State of Qatar
Head of state: **Tamim bin Hamad bin Khalifa Al Thani**
Head of government: **Khalid bin Khalifa bin Abdulaziz Al Thani (replaced Abdullah bin Nasser bin Khalifa Al Thani in January)**

New laws were passed offering migrant workers better legal protections. Despite government measures to control the spread of COVID-19, migrant workers bore the brunt of the pandemic's impact. The authorities further tightened restrictions on freedom of expression. Women continued to face discrimination in law and practice. Executions resumed after a 20-year hiatus.

BACKGROUND

The Gulf crisis that started in 2017 continued, with ties severed between Qatar and Bahrain, Egypt, Saudi Arabia and the United Arab Emirates.

In January, the Emir appointed Sheikh Khalid bin Khalifa bin Abdulaziz Al Thani as Prime Minister and formed a new cabinet.

In March, the government introduced a series of measures to control the spread of COVID-19, including access to free health care, and provided financial support to businesses. The Emir also amended the Prevention of Infectious Diseases Law to increase fines and prison sentences for anyone violating its provisions and established a Health Prosecution Unit dedicated to such prosecutions.

In November, the Emir announced that long-promised elections to the Shura Council (an advisory body that acts as a quasi-parliament) will be held in 2021.

MIGRANT WORKERS' RIGHTS

Significant reforms aiming to protect migrant workers from labour abuse and exploitation were introduced, but employers continued to retain disproportionate powers as they oversee the entry and residence of migrant workers and can file criminal "absconding" charges against them. Following announcements by the Minister of Administrative Development, Labour and Social Affairs (MADLSA) in 2019 to abolish the *kafala* (sponsorship) system, in January the Ministry of Interior extended the abolition of the exit permit requirement to include domestic workers, stipulating, however, that they inform employers 72 hours before their departure.

In June, MADLSA announced the opening of a joint office with the Judiciary Supreme Council to facilitate implementation of the decisions of newly established committees to resolve labour disputes. However, access to justice for migrant workers remained largely slow and fruitless, and the conditions under which workers could collect their unpaid wages from the support fund, set up to help them recoup their money, were unclear.

Around 100 migrant workers, employed on a construction project for a FIFA World Cup stadium, worked for up to seven months without pay. While most employees eventually received the majority of their basic salaries, some workers still had several months of salaries or allowances outstanding at the end of the year.[1]

Despite some pilot projects to set up joint committees to represent workers in various companies, migrant workers, unlike Qatari nationals, were still unable to form or join trade unions.

In its July report following a visit to Qatar, the Special Rapporteur on racism raised serious concerns regarding the "structural forms of racial discrimination against non-nationals" and called on the government to "take urgent steps to dismantle what is in effect a quasi-caste system based on national origin", including in the private sector.

In August, the Emir signed a series of laws setting a non-discriminatory minimum wage that must be revised annually, and two others abolishing the necessity for migrant workers to obtain the "No-Objection Certificate" from their employer to change jobs. The new legislation enabled workers to change jobs freely through an online process led by MADLSA.[2] In preparation for this move, in July, the government launched a re-employment platform to enable companies and employees to seek new employment opportunities.

Migrant women domestic workers

Migrant domestic workers, mostly women, continued to face severe forms of abuse without access to a remedy despite the Domestic Workers Law introduced in 2017. Many employers made women work an average of 16 hours a day, denied them rest, prevented them from taking a day off in the week, and confiscated their passports despite this being illegal. These abuses took place in a climate of complete impunity for perpetrators. The only shelter, established in 2019, to offer refuge for domestic workers fleeing abuse and exploitation was not fully operational, making it even more difficult for them to leave an abusive workplace, let alone press charges against their employer.[3]

RIGHT TO HEALTH

The COVID-19 crisis exposed the vulnerability of migrant workers in Qatar.[4] Although the government introduced some positive measures, such as free health care and testing for everybody, migrant workers were particularly affected by the pandemic and exposed to infection as a result of overcrowded and often insanitary living conditions.[5] Cases of unpaid wages increased sharply from March and despite government-backed financial packages to support businesses and mitigate the impacts of the pandemic, thousands of companies failed to pay workers on time. Despite the

government's announcement of measures and efforts to provide support to migrant workers, some of those living in lockdown areas complained about the lack of food and supplies.

In April, police rounded up dozens of Nepali migrant workers and told them they were to be tested for COVID-19 and then returned to their accommodation. Instead, they were taken to detention centres and held in appalling conditions for several days, before being expelled to Nepal without explanation or due process.[6]

FREEDOM OF EXPRESSION

Freedom of expression was further restricted by a vaguely worded law passed in January that criminalized a broad range of speech and publishing.[7] Under the law, "biased" broadcasting or publishing can be punished by up to five years in prison and a fine of QAR100,000 (over US$25,000).

The authorities continued to exercise arbitrary executive powers, placing administrative sanctions such as travel bans on individuals without judicial process, in some cases seemingly as punishment for their political opinions or peaceful activities.[8]

WOMEN'S RIGHTS

Women continued to face discrimination in law and practice.

Family law continued to discriminate against women, including by making it much harder for them to seek a divorce, severely disadvantaging them economically if they sought a divorce or their husband left them.

In its report following its visit to Qatar, the UN Working Group on Arbitrary Detention noted that women under the age of 25 must obtain the permission of their male guardians to engage in daily activities such as signing contracts and leaving the country. As a result, it said, "women were prevented from leaving their family homes without the permission of their legal guardians, resulting in de facto deprivation of liberty by their families."

On 2 October, the Qatari authorities took a number of women off planes when they were travelling out of Doha's airport in the capital and subjected them to forced, private medical examinations to determine if they had given birth; a baby girl had been found abandoned in a bin at the airport. The incident drew a public outcry prompting Qatar to issue an apology and launch an investigation into the incident.

RIGHT TO PRIVACY

Qatar's contact tracing app EHTERAZ, developed by the Ministry of Interior to contain the spread of COVID-19, had a serious security flaw that exposed sensitive personal details of over 1 million users. Once the authorities were alerted to the flaw, they quickly fixed it.[9] The app, like many others, remained problematic due to its lack of privacy safeguards.[10]

DEATH PENALTY

Executions resumed in April after a 20-year hiatus.

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1. Qatar: Migrant workers unpaid for months of work on FIFA World Cup stadium (Press release, 11 June)
2. Qatar: New laws to protect migrant workers are a step in the right direction (Press release, 30 August)
3. Qatar: "Why do you want to rest?": Ongoing abuse of domestic workers in Qatar (MDE 22/3175/2020)
4. Qatar: Migrant workers in labour camps at grave risk amid COVID-19 crisis (Press release, 20 March)
5. COVID-19 makes Gulf countries' abuse of migrant workers impossible to ignore (Campaigns, 30 April)
6. Qatar: Migrant workers illegally expelled during COVID-19 pandemic (Press release, 15 April)
7. Qatar: Repressive new law further curbs freedom of expression (Press release, 20 January)
8. Qatar: Arbitrary executive action puts lives on hold (MDE 22/2772/2020)
9. Qatar: Contact tracing app security flaw exposed sensitive personal details of more than one million (Press release, 26 May)
10. Bahrain, Kuwait and Norway contact tracing apps among most dangerous for privacy (Press release, 16 June)

ROMANIA

Republic of Romania
Head of state: **Klaus Iohannis**
Head of government: **Florin Cîțu (replaced Ludovic Orban in December)**

The government's response to COVID-19 raised human rights concerns including in relation to policing, the right to freedom of peaceful assembly and the right to education. Roma continued to experience systemic discrimination, and some faced excessive use of force and ill-treatment by police. The Constitutional Court declared unconstitutional the law adopted in June by Parliament prohibiting the teaching about gender identity. The European Court of Human Rights found the authorities had acted unlawfully in deporting two Pakistani men.

BACKGROUND

In March, the government declared a state of emergency due to the COVID-19 pandemic. It derogated temporarily from a number of rights protected under the European Convention on Human Rights, including the right to education and to freedoms of movement, expression and association. In May, the state of emergency was replaced with a "state of alert" which remained in place until the end of year.

The European Commission continued to pressure Romania to roll back legislative changes that posed a threat to the rule of law, including the independence of the judiciary.

DISCRIMINATION

A legislative proposal which would expand existing anti-discrimination legislation remained before the Senate at year's end. The bill proposed other forms of discrimination – discrimination by association, intersectional discrimination and segregation – as well as the inclusion of discrimination criteria on citizenship and skin colour.

Roma

A European Commission report in February found that Roma continued to face discrimination and segregation including in education, employment, access to housing and forced evictions.

During the state of emergency, NGOs and the media reported several cases of unlawful use of force and allegations of ill-treatment of Roma by the police.[1]

Human rights groups and NGOs raised concerns about Roma being scapegoated during the pandemic. They denounced "the rise of hate speech and racism" targeting Roma in mass media and social media, especially by opinion leaders and public figures. Romania's equality body, the National Council for Combating Discrimination, criticized a local newspaper, a member of Parliament, a former President and a university professor for discriminatory statements against Roma.

Rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people

In June, Parliament passed a law which, among other things, prohibited teaching and training about gender identity. The law, adopted without public debate, prohibited "activities aimed at propagating the gender identity theory or opinion, understood as the theory or opinion that gender is a different concept from that of biological sex and that the two are not always identical."

Human rights groups and universities condemned the ban, arguing it would legitimize discrimination against the LGBTI community. The law, which also raised concerns around the rights to academic freedom and freedom of expression, was declared unconstitutional by the Constitutional Court in December.

RIGHT TO EDUCATION

Despite 2016 legislation prohibiting segregation in primary and secondary education, and subsequent guidelines adopted by the Ministry of Education to apply

the law, the government failed to implement the guidelines by year's end.

A study by the NGO Caritas Romania highlighted the challenges faced by children from vulnerable groups while accessing remote learning during the March-June lockdown, with Roma among the worst affected. According to the study, an average of only 15% of children from marginalized groups participated habitually in online activities during the lockdown, marking a drastic reduction compared to the 83% average for school attendance of the children registered before the pandemic. The main obstacles included a lack of technical equipment, overcrowded homes with a lack of adequate study spaces, and the absence of support from parents to complete online tasks.

FREEDOM OF ASSEMBLY

Following Romania's temporary derogation in March from the right to freedom of peaceful assembly, a blanket prohibition on public gatherings was in place. Civil society groups criticized such measures as disproportionate. Gatherings of up to 100 people were permitted from November as long as certain protection measures were observed.

DUE PROCESS

In October, in the case of *Muhammed and Muhammed v. Romania,* the Grand Chamber of the European Court of Human Rights found that the authorities acted unlawfully when, in 2012, they deported two Pakistani nationals residing legally in the country. The deportation was based on secret evidence seen only by the government and the courts alleging that their activities posed a potential threat to Romania's national security.[2]

The Court found that in expulsion proceedings people have a right to be informed of the relevant factual elements which led authorities to consider that they represent a threat to national security, and to be given access to the content of the documents and the information relied upon by the government. It found that where limitations are necessary to protect national security, they must be accompanied by sufficient counterbalancing safeguards.

1. Policing the pandemic: Human rights violations in the enforcement of COVID-19 measures in Europe (EUR 01/2511/2020)
2. Romania: European Court verdict strikes a blow to decisions based on secret evidence (News story, 16 October)

RUSSIA

Russian Federation
Head of state: **Vladimir Putin**
Head of government: **Mikhail Mishustin (replaced Dmitry Medvedev in January)**

The COVID-19 pandemic exposed chronic under-resourcing in health care. The authorities used the pandemic as a pretext to continue the crackdown on all dissent, including through amendments to a vaguely worded law on "fake news" and tightening restrictions on public gatherings. Peaceful protesters, human rights defenders and civic and political activists faced arrest and prosecution. Persecution of Jehovah's Witnesses intensified. Torture remained endemic, as did near total impunity for perpetrators. The right to a fair trial was routinely violated while legal amendments resulted in a further reduction in judicial independence. Reports of domestic violence rose sharply during COVID-19 lockdown measures, although the draft law on domestic violence remained stalled in Parliament. LGBTI people continued to face discrimination and persecution. Thousands of labour migrants lost their jobs during the pandemic but were unable to leave because of border closures. Evidence emerged to corroborate allegations of war crimes by Russian forces in Syria.

BACKGROUND

The economic downturn, underpinned by falling oil prices, dwindling investment and foreign sanctions, and exacerbated by the COVID-19 pandemic, led to a further impoverishment of a growing proportion of the population. Discontent widened, with a

slow but steady increase in protests. The government continually faced, and ignored, mounting allegations of corruption at all levels. Measures announced by President Vladimir Putin and his government, like extended fully paid leave for all workers in response to COVID-19, failed to address people's broader concerns.

The authorities introduced multiple amendments to the Constitution, with the apparent purpose of removing legal restrictions on President Putin's participation in future presidential elections.

Russia maintained a strong influence on its immediate neighbours, and its occupation of Crimea and other territories continued.

RIGHT TO HEALTH

The COVID-19 pandemic placed further strain on the health care system, exposing chronic under-resourcing. A shortage of hospital beds, key protective and medical equipment and medications, together with the delayed wages of health workers, were frequently reported across the country. Official and independent numbers on infection and mortality rates varied greatly, indicating government under-reporting.

Health workers

Whistle-blowers from among health workers and other groups faced reprisals, including disciplinary measures and prosecution for "fake news".

Doctor Tatyana Revva was arbitrarily reprimanded and threatened with dismissal after she repeatedly complained about the shortage and inadequacy of protective equipment. Police considered and dismissed "fake news" allegations against her following a complaint from the hospital's head doctor.[1]

Prison conditions

Health care and sanitary provisions in penitentiary institutions remained inadequate and further exacerbated by the pandemic. Although the authorities implemented restrictive and additional sanitary measures, they did not take measures to reduce the prison population. Official COVID-19 figures in custody were considered unreliable by independent monitors.

FREEDOM OF ASSEMBLY

Freedom of peaceful assembly remained constrained with further restrictions introduced in December. The rules relating to public assemblies and single-person pickets were further restricted in response to the pandemic, and some regions banned them outright. Public protests were typically small but regular, despite reprisals. There was a sharp increase in the numbers of single picketers arrested and prosecuted.

On 15 July, over a hundred peaceful protesters against constitutional changes were arbitrarily arrested and at least three severely beaten by the police in Moscow. Dozens were heavily fined or detained for five to 14 days.

The 9 July arrest of Sergey Furgal, who in 2018 had defeated the pro-Kremlin candidate to be elected Governor in the Far East Khabarovsk Region, prompted weekly peaceful mass protests in Khabarovsk as well as solidarity protests across Russia. Unusually, tens of thousands were allowed to march repeatedly in Khabarovsk before police made the first arrests on 18 July. On 10 October, police dispersed the protest for the first time, arresting at least 25 people, with at least five later sentenced to several days in detention. The protests in Khabarovsk were continuing at year's end.

In December, peaceful protester Konstantin Kotov was released following his imprisonment in 2019 for "repeated violation" of regulations on public assemblies. In January, the Constitutional Court had ordered a review of his case, and in April, the Moscow City Court reduced his sentence from four years to 18 months. Others prosecuted for the same offence included political activist Yulia Galyamina, who was given a two-year conditional sentence in December, activist Vyacheslav Egorov standing trial in Kolomna, and protester Aleksandr Prikhodko from Khabarovsk. In December, Aleksandr Prikhodko's case was dropped.

While police routinely used excessive and unnecessary force against protesters, they also allowed anti-protester violence by other groups. In Kushtau, Bashkiria, peaceful environmental activists who opposed a local mining project were repeatedly assaulted, with impunity, by private security staff, occasionally operating alongside police. Late on 9 August, around 30 private security guards and around 100 masked men attacked a camp of 10 environmental activists. Police were called but did not intervene. This triggered further local protests which forced the closure of the mining project in late August.

FREEDOM OF EXPRESSION

Restrictions on freedom of expression continued. On 1 April, amendments to the so-called "fake news" law, first passed in 2019, criminalized dissemination of "knowingly false information about circumstances posing a threat to the lives and security of citizens and/or about the government's actions to protect the population." Individuals face up to five years' imprisonment if dissemination of information leads to bodily harm or death, with hefty fines for the media. Hundreds of people were fined under administrative proceedings, and at least 37 faced criminal proceedings under this law, many of them critical civil activists, journalists or bloggers. At least five media outlets were prosecuted. The newspaper *Novaya Gazeta* and its chief editor were fined twice, in August and September, for publications about COVID-19 and ordered to delete respective articles online.

Journalists

Harassment, prosecution and physical attacks against journalists continued. On 30 June, police in Saint Petersburg assaulted reporter David Frenkel at a polling station and broke his arm. On 15 October, a journalist from Khabarovsk, Sergei Plotnikov, was abducted by masked men, driven to the woods, beaten and subjected to a mock execution. He reported the incident to the police once released but by year's end, he had not been informed about any investigation.

A journalist from Nizhnii Novgorod, Irina Slavina, faced routine harassment by the authorities. On 1 October, her home was raided and searched, and police summoned her as a witness in a criminal case against a local activist under the "undesirable organizations" law. On 2 October, she died after self-immolating in protest in front of the regional police headquarters.

On 6 July, a military court in Pskov convicted journalist Svetlana Prokopieva of "public justification of terrorism" and fined her RUB500,000 (US$6,300) for her public comments on repressive policies that may have motivated a 17-year-old to blow himself up near the Federal Security Service building in Arkhangelsk.

Internet

Censorship of the internet continued. In June, the European Court of Human Rights (ECtHR) in *Vladimir Kharitonov v. Russia* and three other cases ruled that internet-blocking measures were "excessive and arbitrary" and violated the right to impart and receive information. A court in Moscow fined Google RUB1.5 million (US$18,899) in August and RUB3 million (US$ 40,580) in December for its search engine listing "dangerous content" banned by Russian authorities. In December, President Putin signed a law introducing sanctions on foreign internet platforms for blocking Russian media content. Another law passed in December introduced imprisonment for libel committed via the internet.

Repression of dissent

Opposition activists and other dissenting voices faced severe reprisals. As part of the politically motivated criminal case against opposition leader Alexei Navalny's Anti-Corruption Fund, 126 bank accounts belonging to his associates were frozen in January, followed by criminal and civil libel cases against Alexei Navalny and others. On 20 August, Alexei Navalny was taken ill on a flight from Tomsk. He was urgently

hospitalized, and later flown to Germany where he was diagnosed with poisoning by a military-grade nerve agent. The Russian authorities failed to investigate the poisoning.

Siberian shaman Aleksandr Gabyshev, who had vowed to "purge" President Putin from the Kremlin, was on 12 May confined to a psychiatric hospital after he refused to be tested for COVID-19. He was discharged on 22 July following criticism in Russia and abroad.

In June, political blogger Nikolay Platoshkin was placed under house arrest on criminal charges of "calls to mass disturbances" and dissemination of "knowingly false information" for planning a peaceful protest against constitutional amendments.

HUMAN RIGHTS DEFENDERS

Harassment, prosecution, and physical attacks against human rights defenders remained commonplace.

Activists Alexandra Koroleva, in Kaliningrad, and Semyon Simonov, in Sochi, were charged and faced possible imprisonment for non-payment of arbitrary and heavy fines by their respective NGOs.

Journalist Elena Milashina and lawyer Marina Dubrovina were assaulted by a mob in a hotel in Grozny, Chechnya, on 6 February.[2] A formal investigation started in March but was manifestly ineffective. Meanwhile, Chechen head Ramzan Kadyrov issued thinly veiled death threats against Elena Milashina, with impunity.

Lawyer Mikhail Benyash's appeal against his criminal conviction – which could lead to disbarment – started in October and was still ongoing at year's end.

FREEDOM OF ASSOCIATION

Laws on "foreign agents" and "undesirable organizations" were actively used to smear independent NGOs, deprive them of funding and severely penalize their members. In December, further draconian legislative changes were signed into law, including to extend the "foreign agents" provisions to NGOs' staff, unregistered groups and individuals.

In April, the education NGO Projectoria was forced to register as a "foreign agent" to avoid fines while its foreign donor, Project Harmony, was declared "undesirable".

In October, activist Yana Antonova from Krasnodar was sentenced to 240 hours of forced labour for association with an "undesirable organization", re-posting Open Russia-branded materials online and taking part in single person pickets. She was subsequently fined again under new administrative proceedings.

FREEDOM OF RELIGION AND BELIEF

The prosecution of Jehovah's Witnesses under "extremism" charges escalated, including in occupied Crimea, with a growing number of convictions, and longer sentences. At year's end, 362 people were under investigation or standing trial, 39 had been convicted and six were imprisoned. Artem Gerasimov, for example, was sentenced on appeal in June to six years' imprisonment and a fine of RUB400,000 (US$5,144) by the de facto Supreme Court of Crimea.

TORTURE AND OTHER ILL-TREATMENT

Torture and other ill-treatment remained pervasive, and the number of perpetrators convicted was negligible. Prosecutions were typically for "abuse of authority" and resulted in lenient sentences.

Twelve former prison officers from Yaroslavl colony were sentenced to up to four years and three months' imprisonment after a leaked video showed an inmate being beaten in 2017. Six of them were immediately released on account of time already spent in detention. The former head and deputy head of the colony were acquitted.

UNFAIR TRIALS

Violations of the right to a fair trial remained common. Detainees were denied meetings with their lawyers and a number of trials continued to be closed to the public, with the COVID-19 pandemic being often abusively used as a justification.

In February and June respectively, seven young men from Penza, and two from Saint Petersburg, received sentences of up to 18 years' imprisonment under trumped-up terrorism charges over their purported involvement with a non-existent organization called "Network". Numerous allegations of torture and other ill-treatment, and of fabrication of evidence, were ignored.[3]

Constitutional and legislative amendments further eroded the right to a fair trial, including by giving the President power to nominate the judges of the Constitutional and Supreme Courts, and initiate the appointment of all federal judges and dismissal of senior federal judges.

Counter-terrorism

Counterterrorism legislation was widely abused, often to target dissent.

Journalist Abdulmumin Gadzhiev, from Dagestan, remained in custody under fabricated charges of financing terrorism and participation in terrorist and extremist organizations. His trial started in November.

In occupied Crimea, allegations of membership of the Islamist organization Hizb-ut-Tahrir (labelled as a "terrorist" movement by Russia in 2003) were widely used to imprison ethnic Crimean Tatars. In June, Crimean human rights defender Emir-Usein Kuku lost the appeal against his 12-year prison sentence. In September, another Crimean human rights defender, Server Mustafayev, was sentenced to 14 years in prison.

In September, 19 men from Ufa, Bashkiria, convicted for alleged Hizb-ut-Tahrir membership and sentenced to between 10 and 24 years, lost their appeal, with one defendant's sentence reduced by a year.

VIOLENCE AGAINST WOMEN AND GIRLS

Proposals to introduce legislation on domestic violence remained stalled in Parliament, while NGOs reported a sharp increase in domestic violence following COVID-19 lockdown measures.

In June, the ECtHR held in *Polshina v. Russia* that deficiencies in the legal system related to domestic violence violated the prohibitions of torture and discrimination. The Court underlined Russia's consistent failure to investigate abuse, and years-long tolerance of "a climate which was conducive to domestic violence".

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

LGBTI people continued to face discrimination and persecution. Constitutional amendments redefined marriage as a "union between a man and a woman", reinforcing existing limitations on same-sex marriage and ensuing restrictions, including adoption by same-sex couples.

LGBTI rights activist Yulia Tsvetkova was fined RUB75,000 (US$1,014) for posting online her drawings in support of same-sex couples and faced other penalties, including ongoing prosecution for pornography relating to her body positive drawings featuring female genitalia.[4]

MIGRANTS' RIGHTS

Over a third of foreign labour migrants reported having lost work owing to the COVID-19 pandemic, and thousands were stranded in Russia due to related border closures. In April, a presidential decree eased work permit and residency rules for migrants and refugees, and temporarily suspended forcible returns of foreign and stateless individuals. Some regional authorities ceased temporary detention of migrants, although new decisions on forcible returns were also reported.

UNLAWFUL ATTACKS

Evidence including witness statements, videos, photographs and satellite imagery of seven air strikes against medical facilities and schools by Russian forces, and four by Syrian or Russian forces, between May 2019 and February 2020 in Syria, corroborated allegations of serious violations of

international humanitarian law amounting to war crimes (see Syria entry).[5]

1. Russian Federation: Russian doctor's persecution continues: Tatyana Revva (EUR 46/2970/2020, 2 September)
2. Russia: Prominent investigative journalist and lawyer attacked during visit to Chechnya (News story, 7 February)
3. Russia: Prosecution for membership of a non-existent "terrorist" organization must stop (News story 7 February)
4. Russian Federation: Activist faces jail for female body drawings: Yulia Tsvetkova (EUR 46/2977/2020)
5. Syria: 'Nowhere is Safe for Us': Unlawful attacks and mass displacement in north-west Syria (MDE 24/2089/2020)

RWANDA

Republic of Rwanda
Head of state: **Paul Kagame**
Head of government: **Édouard Ngirente**

The authorities took measures to promote the right to health during the COVID-19 pandemic and promised accountability for excessive use of force by police officers. Reports of enforced disappearances, arbitrary detention, excessive use of force, unfair trials and restrictions on the right to freedom of expression continued.

RIGHT TO HEALTH

In March, the authorities responded rapidly to the COVID-19 pandemic, imposing a strict nationwide lockdown and suspending commercial flights. They provided free treatment and mass testing. Until mid-May, the government covered the cost of mandatory quarantine for travellers entering the country. Thereafter, it offered subsidized provision.

CHILDREN'S RIGHTS

In January, the UN Committee on the Rights of the Child reviewed the government's report and commended Rwanda's progress in reducing poverty and infant and child mortality rates, improving access to education and health services, and fighting HIV/AIDS. Meanwhile, it urged the government to take further measures to tackle sexual exploitation and abuse of children, to ensure that protection of children with disabilities included those with intellectual and psychosocial disabilities, and to ensure the police fully respected the rights of children living on the streets.

SEXUAL AND REPRODUCTIVE RIGHTS

In May, the President pardoned 36 women convicted for abortion. All except eight of them were arrested and convicted after 2018 Penal Code revisions. While abortion remained illegal in most circumstances, the 2018 Penal Code introduced legal exceptions in cases of rape, incest or forced marriage.

RIGHT TO LIFE

On 17 February, the Rwanda National Police announced that the popular singer Kizito Mihigo had been found dead that morning in his cell in Remera police station in the capital, Kigali. Three days earlier the Rwanda Investigation Bureau (RIB) had confirmed his arrest on charges which included joining "terrorist" groups and attempting to cross the border illegally. There was no independent investigation into his death. The National Public Prosecution Authority concluded he died by suicide and that there was no basis for criminal charges, in a finding based on a RIB investigation and the Rwanda Forensic Laboratory.[1]

ENFORCED DISAPPEARANCES

Enforced disappearances of political opposition members continued and several probable cases from previous years remained unresolved. In June, Venant Abayisenga, a member of Development and Liberty for All (DALFA-Umurinzi), and former member of the United Democratic Forces (FDU-Inkingi), both unregistered opposition political parties, was reported missing. He had been acquitted in January of forming an irregular armed group and released from prison. He told the media that he was tortured in detention. His whereabouts remained unknown at the end of the year.

Rwanda had not ratified the International Convention for the Protection of All Persons from Enforced Disappearance.[2]

EXCESSIVE USE OF FORCE

In September, following an outcry on social media in response to police use of excessive, and at times lethal, force, including in response to alleged curfew violations, the President and the Minister of Justice condemned the actions of individual police officers. They said these actions violated operational guidelines and promised to hold perpetrators accountable. On 9 September, a police spokesperson said several officers were in custody while investigations and prosecutions were ongoing.

UNFAIR TRIALS

On 31 August, the RIB announced the arrest of Paul Rusesabagina, famed as the manager of Hotel des Milles Collines where over 1,200 people sought refuge during the 1994 genocide. He was later charged with offences including terrorism, arson, kidnap and murder in relation to his support for an armed group. He had left Dubai overnight on 27/28 August in mysterious circumstances; in court in November, he said that he had been abducted and blindfolded with his arms and legs bound. The authorities refused to explain how he arrived in Kigali but asserted that due process had been followed. He was initially denied access to a lawyer hired by his family and chose two lawyers from a list of pro bono advocates. From November he was represented by the lawyer chosen by his family. He remained in pre-trial detention at the end of the year, after three requests for release on bail were denied.[3]

RIGHT TO TRUTH, JUSTICE AND REPARATION

In May, Félicien Kabuga, acknowledged as a chief financier of the 1994 genocide, was arrested by French authorities in a Paris suburb. In 1997 the International Criminal Tribunal for Rwanda (ICTR), which tried genocide cases until 2015, indicted him on seven counts of genocide and related crimes. He was transferred to the custody of the International Residual Mechanism for Criminal Tribunals (IRMCT) in The Hague in October, and a plea of not guilty was entered during a pre-trial hearing in November.

In May, the IRMCT Chief Prosecutor confirmed DNA tests had proved that Augustin Bizimana, whom the ICTR had indicted in 2001 for genocide, had died in 2000 in the Republic of the Congo.

The authorities sought the extradition of genocide suspect Aloys Ntiwiragabo from France. In July, a preliminary investigation for crimes against humanity was launched in France after a journalist located him in Orléans, about 100km south-west of Paris.

ARBITRARY DETENTION

A night-time curfew was introduced in response to the COVID-19 pandemic. Police instructed those alleged to have violated the curfew to report to centres, including open-air stadiums, where they remained until the end of curfew the next morning. The police spokesperson said these were not "detention or prison facilities" but "central grounds used to control movements during curfew hours as well as sensitization centres with space for physical distancing, where people are educated on the pandemic and safety practices."

In July, the Rwanda National Police published a list of 498 motorists (including some registration plate details) who, since April, had allegedly ignored orders and not reported to the centres. Those who did not report to the police within an allotted time were warned they would be arrested. Several similar lists were published on a regular basis until October.

FREEDOM OF EXPRESSION

In April, several YouTube bloggers reported on allegations that soldiers raped women and committed other human rights violations during lockdown in the Kangondo II neighbourhood known as "Bannyahe" in Kigali. Although the Rwanda Defence Force announced on 4 April that they were holding five soldiers suspected of involvement in

these crimes, four bloggers who reported on the abuses and other consequences related to the authorities' COVID-19 response, were later arrested. Two of the bloggers were provisionally released later the same month, and one was released on bail in May while Dieudonné Niyonsenga, also known as Cyuma Hassan, and his driver, Fidèle Komezusenge, remained in detention at the end of the year. The Rwanda Media Commission said that bloggers were not recognized as journalists and were "not authorized to interview the population."

REFUGEES AND ASYLUM-SEEKERS

In late August, UNHCR, the UN refugee agency, and the governments of Rwanda and Burundi began to facilitate organized returns of Burundian refugees from Rwanda.

1. Rwanda: Shocking death of gospel singer in custody must be effectively investigated (Press release, 17 February)
2. Rwanda: More progress needed on human rights commitments: Amnesty International submission for the UN Universal Periodic Review, 37th session of the UPR Working Group, January-February 2021 (AFR 47/2858/2020)
3. Rwanda: Paul Rusesabagina must be guaranteed a fair trial (Press release, 14 September)

SAUDI ARABIA

Kingdom of Saudi Arabia
Head of state and government: **Salman bin Abdulaziz Al Saud**

Repression of the rights to freedom of expression, association and assembly intensified. Among those harassed, arbitrarily detained, prosecuted and/or jailed were government critics, women's rights activists, human rights defenders, relatives of activists, journalists, members of the Shi'a minority and online critics of government responses to the COVID-19 pandemic. Virtually all known Saudi Arabian human rights defenders inside the country were detained or imprisoned at the end of the year. Grossly unfair trials continued before the Specialized Criminal Court (SCC) and other courts. Courts resorted extensively to the death penalty and people were executed for a wide range of crimes. Migrant workers were even more vulnerable to abuse and exploitation because of the pandemic, and thousands were arbitrarily detained in dire conditions, leading to an unknown number of deaths.

BACKGROUND

The country maintained economic and political sanctions against Qatar, along with Bahrain, Egypt and the United Arab Emirates (UAE), in the ongoing political crisis in the Gulf that began in 2017.

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).

In March, the Saudi Press Agency announced that the Control and Anti-Corruption Authority (the *Nazaha*) had arrested 298 public sector officials and was investigating them for corruption.

In May, in response to plummeting oil prices and the economic impact of COVID-19, the authorities introduced austerity measures, tripling Value Added Tax to 15% and ending the cost of living allowance for state employees.

In November, the G20 summit was held virtually, chaired by Saudi Arabia. More than 220 civil society organizations pledged not to participate in the parallel civil society engagement process to protest against Saudi Arabia's human rights record.

FREEDOMS OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The authorities escalated repression of the rights to freedom of expression, association and peaceful assembly, including through a crackdown on online expression and undue restrictions on freedom of expression related to the government's responses to the COVID-19 pandemic. They harassed, arbitrarily detained and prosecuted government critics, human rights defenders, family members of activists and many others.

In March, the Public Prosecution announced that social media posts that question, or instigate against, the COVID-19 curfew would be punished under Article 6 of the Anti-Cyber Crime Law, which carries penalties of up to five years' imprisonment and a maximum fine of almost SAR3 million (US$800,000).

Courts frequently invoked the Anti-Cyber Crime Law to sentence government critics and human rights defenders for peacefully exercising their rights to freedom of expression, citing tweets or other peaceful online expression as evidence.

The authorities continued to ban the formation of political parties, trade unions and independent human rights groups, and to prosecute and imprison those who set up or participated in unlicensed human rights organizations. All gatherings, including peaceful demonstrations, remained prohibited under an order issued by the Ministry of Interior in 2011.

Members of the ruling family, former governmental officials and their relatives were among those arbitrarily arrested or detained. A year after her arrest, an official Twitter account confirmed in April the detention without charge of Basma bint Saud Al Saud, a daughter of former King Saud bin Abdulaziz Al Saud and a writer and human rights activist. Her family expressed concern about her health as she has underlying conditions that require medical treatment.

HUMAN RIGHTS DEFENDERS

The authorities arbitrarily detained, prosecuted and imprisoned human rights defenders and family members of women's rights activists for their peaceful activities and human rights work, including under the Counter-Terrorism Law and Anti-Cyber Crime Law. By the end of the year, virtually all Saudi Arabian human rights defenders were in detention without charge, or were on trial or serving prison terms.

Among those arbitrarily detained for prolonged periods without appearing before a judge or being charged was Mohammed al-Bajadi, a founding member of the Saudi Civil and Political Rights Association (ACPRA), detained since May 2018.

In April, Abdullah al-Hamid, a prisoner of conscience and founding member of ACPRA, died in detention following medical neglect. He had written extensively on human rights and the independence of the judiciary.[1] In late April, the authorities arrested writers and others for expressing sympathy over his death, including Abdulaziz al-Dakhil, an economist, writer and former Deputy Finance Minister.

More than two years after a wave of arrests targeted women human rights defenders and supporters, the authorities continued to detain incommunicado Loujain al-Hathloul and Nassima al-Sada for between two to four months at a time. In December, Loujain al-Hathloul was sentenced to five years and eight months in prison, after her case was transferred to the SCC in November. The court suspended two years and 10 months of the total prison term. Several other women activists continued to be detained and on trial before the Criminal Court in Riyadh for their human rights work or expression.

UNFAIR TRIALS

Grossly unfair trials continued before the SCC, a counter-terror court notorious for due process violations including mass trials.[2] Among those who continued to be tried or were convicted after such trials were a woman human rights defender, religious clerics and activists charged with offences, including capital offences, arising from the peaceful expression of their views.

A mass trial of 68 Palestinian, Jordanian and Saudi Arabian nationals facing trumped-up charges under the Counter-Terrorism Law began in March before the SCC. Two of them, Mohammed al-Khudari and his son Hani al-Khudari, were charged with "joining a terrorist entity" understood to be the Hamas de facto authorities in Gaza. Both were forcibly disappeared during the first month of their detention and were detained incommunicado and in solitary confinement for two months. They had no access to legal representation from their arrest onwards.

In June, 14 individuals detained since April 2019 for their peaceful support of the women's rights movement and women human rights defenders were charged under the Anti-Cyber Crime Law, the Counter-Terrorism Law or both. Among them was Salah al-Haidar, the son of Aziza al-Yousef, a woman human rights defender who remained on trial for her women's rights work.

In September, eight people received final sentences for the murder of Saudi Arabian journalist Jamal Khashoggi in Turkey in 2018. The Criminal Court in Riyadh commuted five initial death sentences, and sentenced all eight to prison terms ranging from seven to 20 years. The authorities permitted the attendance of diplomats, but closed the trial to media and independent observers. Additionally, the identity of those on trial and the charges they faced were not disclosed.

Also in September, the SCC sentenced writer and academic Abdullah al-Maliki to seven years in prison for his tweets and other online posts in which he wrote about freedom of expression and political representation and defended ACPRA members. He was also accused of hosting an intellectual forum to discuss books and philosophy, on charges of "inciting public opinion against the country's rulers."

DEATH PENALTY

Courts continued to impose death sentences, and carried out scores of executions for a wide range of crimes.

In April, a royal order announced an end to the use of the death penalty against people aged under 18 at the time of the crime for offences that attract discretionary punishments under Shari'a (Islamic law). The order was aligned to the 2018 Law on Juveniles, which prevents judges from imposing discretionary death sentences on those aged under 15. This law does not prevent judges handing down death sentences for that age group in the case of *hadd* crimes (those with fixed and severe punishments under Shari'a) or crimes punishable by *qisas* (retaliation).

In August, in a long-overdue development, the Saudi Human Rights Commission announced that the country's Public Prosecutor had ordered a review of the death sentences against Ali al-Nimr, Abdullah al-Zaher and Dawood al-Marhoun, who were at imminent risk of execution.[3] The three young men had been arrested in 2012 when children and charged with offences relating to their participation in anti-government protests in the Eastern Province. In December, the public prosecution also reviewed its call for the execution of Mohammad al-Faraj, a member of the country's Shi'a minority, who was arrested at the age of 15 for his "participation in [anti-government] protests" in the Eastern Province, and instead demanded a prison term.

The authorities failed to abide by international fair trial standards in capital cases, often holding summary proceedings in secret and without allowing defendants access to representation or legal assistance. Foreign nationals often did not have access to translation services throughout the various stages of detention and trial.

CORPORAL JUDICIAL PUNISHMENT

In April, the Minister of Justice issued a circular to all courts to implement the Supreme Court's decision to end discretionary flogging punishments and replace them with prison sentences and/or fines. Flogging continued in cases where the punishment is mandatory under Shari'a.

It remained unknown whether the discretionary flogging punishment imposed on blogger Raif Badawi had been dropped. In 2014, he was sentenced to 1,000 lashes, 10 years in jail followed by a 10-year travel ban, and a large fine for "insulting Islam" and creating an online forum for debate. In January 2015, he received the first 50 lashes. Further floggings were delayed, initially on medical grounds and since then for unknown reasons.

WOMEN AND GIRLS' RIGHTS

In July, members of the Shura Council, a body that advises the monarchy, proposed an amendment in the executive by-law to the Saudi Nationality Law to give permanent residency, without any fee or lengthy procedures, to the children of Saudi Arabian women married to foreign nationals. This was presented as an interim solution to shortcomings of the Nationality Law, which bars Saudi Arabian women married to foreign nationals from passing on their citizenship to their children.

In a positive development, also in July, a court ruled that "an adult, rational woman living independently is not a crime" in the case of Maryam al-Otaibi, a Saudi Arabian woman on trial in a case filed by her father – also her legal guardian – for leaving her family home. Maryam al-Otaibi had actively participated in the campaign to end the guardianship system. It remained unclear whether this signalled the authorities' intention to end the criminalization of women fleeing their homes without the permission of their guardian, which allowed male guardians to initiate "absentees" cases against them.

Women and girls continued to face discrimination in law and practice in relation to marriage, divorce and inheritance, and remained inadequately protected from sexual and other forms of violence. Those who had experienced domestic abuse continued to need a male guardian's permission to leave shelters.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

"Homosexuality" remained prohibited in Saudi Arabia, punishable by flogging and imprisonment.

In July, Yemeni LGBTI rights defender Mohamed al-Bokari was sentenced to 10 months in prison followed by deportation to Yemen for charges related to violating public morality, promoting homosexuality online and imitating women. He was arrested after he appeared in a video defending the personal freedoms of LGBTI people.

MIGRANTS' RIGHTS

In March, at the start of the COVID-19 pandemic, the authorities extended residency permits of foreign workers without charge, and the Saudi Human Rights Commission announced the release of 250 foreign detainees held for non-violent immigration and residency offences.

However, the approximately 10 million migrant workers in Saudi Arabia continued to be governed by the *kafala* (sponsorship) system, which gives employers disproportionate powers over them and prevents them from leaving the country or changing jobs without the permission of their employers, increasing their vulnerability to labour abuses and exploitation. During the COVID-19 pandemic, this situation – alongside dire living conditions, scarce legal protection and limited access to preventive health care and treatment – put migrant workers in an even more vulnerable position and at higher risk from COVID-19.

From March onwards, thousands of Ethiopian migrants, including pregnant women and children, were arbitrarily detained in harsh conditions in at least five detention centres across the country. Detainees said that they lacked adequate food, water, health care, sanitation facilities and clothes. Cells were severely overcrowded and prisoners could not go outside. The specific needs of pregnant and lactating women were not addressed. Newborn babies, infants and teenagers were detained in the same dire conditions as adults.[4]

While it was difficult to establish the scale of deaths in detention and corroborate all such allegations, detainees interviewed said that they had seen seven bodies of inmates. Three women said they had had contact with a female detainee whose baby had died in detention. Eight detainees said they had experienced and witnessed beatings by guards and two reported that guards had administered electric shocks as punishment.

1. Saudi Arabia: Prisoner of conscience Dr Abdullah al-Hamid dies while in detention (Press release, 24 April)
2. Saudi Arabia: Muzzling critical voices – Politicized trials before Saudi Arabia's Specialized Criminal Court (MDE 23/1633/2020)
3. Saudi Arabia: Review of young men's death sentences overdue step towards justice (Press release, 27 August)
4. Saudi Arabia: "This is worse than COVID-19": Ethiopians abandoned and abused in Saudi prisons (MDE 23/3125/2020)

SENEGAL

Republic of Senegal
Head of state and government: **Macky Sall**

The Criminal Code was amended to increase sentences for perpetrators of rape and child sexual abuse. Police used excessive force. Detainees protested against poor health conditions and health workers threatened strikes over inadequate resources. Communities were at risk of forcible eviction. There was a resurgence of violence in the Casamance conflict.

BACKGROUND

In January, the Criminal Code was amended, criminalizing rape and child sexual abuse and increasing sentences for both.

In response to the COVID-19 pandemic, the government introduced state of emergency legislation in March, giving them extensive powers to rule without parliamentary oversight. Most of the restrictive measures, including a national curfew, were lifted in June.

The ruling party, opposition and civil society organizations came together under the Political Commission of National Dialogue to discuss reforms related to the rights to freedom of expression and peaceful assembly.

Violence resurfaced in Casamance with several attacks against military positions, and targeted killings.

EXCESSIVE USE OF FORCE

Security forces used excessive force to maintain public order.

In January, a man died in police custody in the city of Fatick after he was allegedly beaten by police. An autopsy, which found he had died from "natural causes", led to violent protests. The authorities then began an investigation into three police officers suspected of being responsible.

In May, the gendarmerie tear gassed a youth press conference, in the town of Cap Skirring, called to highlight the lack of drinking water in the town. At least two participants were seriously injured.

In June, four protesters were injured when police violently dispersed them while they were demonstrating against the 2013 demolition of their homes in Gadaye suburb in the capital, Dakar.

FREEDOMS OF EXPRESSION AND ASSEMBLY

In June, police arrested Assane Diouf after he criticized the government in a live video discussion. He remained in detention on charges including inciting an armed gathering and issuing public insults online.

In August, members of Dahiratoul Moustarchidine wal Moustarchidati, a religious organization, ransacked *Les Échos* newspaper's office after it alleged that the organization's leader had contracted COVID-19. Six suspects were arrested for the attack.

In September, Adja Ndiaye, a journalist working for Dakaractu was verbally abused and assaulted by police agents in Dakar, while reporting on a story. She suffered injuries to her neck and back from the assault and her camera was also damaged.

RIGHT TO HEALTH

Health workers

In June, the doctors' union SAMES threatened strike action over the inadequate provision of PPE and other resources to manage the COVID-19 pandemic, and frontline doctors threatened to strike over unpaid salaries and poor working conditions.

Prison conditions

Detention facilities were overcrowded and health risks to inmates were exacerbated by COVID-19. By October, there were 10,804 detainees of which 5,052 were in pre-trial detention. Between March and September, the government released 3,731 prisoners in response to the COVID-19 pandemic.

The death of two detainees from COVID-19 in Thiès prison led to hunger strikes by inmates calling for mass testing. At least six people died apparently due to poor detention conditions while in police custody and in Thiès and Diourbel prisons.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

LGBTI activists were subjected to smear campaigns and death threats. Under the Criminal Code, same-sex sexual relations were punishable by up to five years' imprisonment. In October, 25 men and boys were arrested at a private party in Dakar and charged with "unnatural acts" and detained. On 6 November, a court in Dakar sentenced two of the men indicted to six-months and five men to three-months in prison. The rest, including those who were under-age, were acquitted.

CHILDREN'S RIGHTS

A draft law to regulate Qur'anic schools awaited parliamentary approval. Twelve Qur'anic students were reportedly tortured and otherwise ill-treated by their teachers. In February, a 13-year-old boy was beaten to death by his teacher in Louga city. In March, the Dakar Criminal Court sentenced a Qur'anic teacher to 10 years' imprisonment for "assault and battery of an individual under 13"; another staff member was sentenced to five years' imprisonment for failing to assist the victim.

In response to the COVID-19 pandemic, the government said it had taken 2,015 children off the streets, returned 1,424 of them to their families and placed the rest in government centres.

FORCED EVICTIONS

Rural communities in the Thiès region continued to challenge the threat of forced eviction as agricultural and petrochemical companies encroached on their land. A farming community in the village of Ndingler, near Mbour city, lost 0.75 square kilometers of communal land to an agri-business project. In July, the authorities brokered a truce, allowing farmers limited access to their land.

The villagers of Tobène accused a petrochemical company of polluting their farmlands and challenged the government's decision to allocate an additional 6 hectares of farming land to the company. The residents protested the company's compensation offer of XOF9 million (US$16,110). In August, demonstrations turned violent and the gendarmerie arrested 22 residents, including the activist Ardo Gningue, who said he was tortured and otherwise ill-treated during detention in Tivaouane.

ABUSES BY ARMED GROUPS

There was a resurgence of violence in Casamance. In August, Hamidou Diémé, a former combatant of the Movement of Democratic Forces of Casamance armed group, was killed in Diégoune in the Ziguinchor region, by unidentified gunmen. No one had been brought to justice for the attack by the end of the year.

SERBIA

Republic of Serbia
Head of state: **Aleksandar Vučić**
Head of government: **Ana Brnabjić**

Serbia failed to indict any former senior police or military commanders for war crimes and resolution of the fate of missing persons stalled. Protesters and journalists were seriously injured in the capital, Belgrade, when police used excessive force. Few refugees gained access to asylum.

Protections against domestic violence remained inadequate.

BACKGROUND

With an increasingly repressive President, and no viable opposition, the Serbian government controlled both police and judiciary, weakening the rule of law, eroding political and civil rights and enabling widespread corruption.

In March, state of emergency COVID-19 legislation introduced a 5pm to 5am curfew and other restrictive measures; armed forces patrolled Belgrade and other cities to enforce public health measures.[1] People who violated unclear self-isolation regulations were sentenced to up to three years' imprisonment. Measures were lifted in May for election campaigning and reimposed in June, triggering mass demonstrations.

There was little progress in normalizing Serbia-Kosovo relations in EU-facilitated talks.

RIGHT TO TRUTH, JUSTICE AND REPARATION

No progress was made towards implementing the national war crimes strategy, opening investigations into the backlog of more than 2,500 war crimes cases, or indicting senior police or military officials for command responsibility. Seven indictments were raised, and five first instance decisions were delivered. Prosecutions of low-level perpetrators in cases transferred from Bosnia and Herzegovina (BiH) were extremely slow. Proceedings against 10 men related to the Srebrenica genocide continued to be delayed by absences of the accused. In January, proceedings opened against a Bosnian Serb police officer, charged with raping a Bosniak woman in August 1992.

At the International Criminal Tribunal for the former Yugoslavia, the retrial continued of former Serbian State Security officials Jovica Stanišić and Franko Simatović for "ethnic cleansing" in Croatia and BiH.

New legislation providing reparation to victims of war discriminated against civilian victims. A series of cumulative conditions required a higher percentage of bodily injury, only applied to those injured in Serbia and discriminated between physical and psychological damage. An estimated 15,000 people, including relatives of the missing and survivors of sexual violence, still had no right to reparation.

Enforced disappearances

Impunity persisted for those responsible for the transfer of bodies of over 900 Kosovo-Albanians from Kosovo to Serbia in 1999. The UN Special Rapporteur on extrajudicial executions urged Serbia to prosecute senior police officials suspected of murdering the three US-Albanian Bytici brothers, whose remains were recovered from a police training ground in 2001. In November, human remains, believed to be Kosovo Albanians, were discovered in a quarry in Kizevak.

EXCESSIVE USE OF FORCE

Over 70 people were seriously injured and 223 arrested during several days of demonstrations in July following the President's ban on public gatherings and proposed weekend curfew. Although right-wing activists invaded the Parliament, most protesters were peaceful. However, police fired tear gas and stun grenades indiscriminately, and protesters and bystanders alike were charged by mounted police or beaten. Four journalists were seriously injured by police in separate incidents across the country, including Žikica Stevanović who was hospitalized with head injuries, despite showing his press card. A joint NGO report documenting 13 allegations of ill-treatment was sent in July to the UN Special Rapporteur on torture. No police officers had been prosecuted by the end of the year.

DISCRIMINATION

Discrimination persisted against ethnic minorities, and anti-migrant protests and attacks increased. The Equality Commissioner reported an increase in hate speech during the state of emergency; her

mandate expired in May, rendering the institution unable to function effectively until her re-election in November.

FREEDOM OF EXPRESSION

Physical attacks, intimidation and political slurs on social media against media workers continued. In April, journalist Ana Lalić was arrested for "causing panic" when investigating conditions in hospitals; staff were prohibited from providing "unauthorized" information. Journalists were briefly excluded from government press conferences, ostensibly for health reasons.

In July, the Finance Ministry targeted individuals, investigative journalists and 37 human rights NGOs in demanding bank account details under a law used to investigate terrorist financing and money laundering.

RIGHT TO HOUSING AND FORCED EVICTIONS

In June, the Belgrade Court of Appeal awarded €2,600 compensation each to two Roma families who were unlawfully evicted from their homes in Belvil, Belgrade, in 2012 and bussed to a derelict warehouse in Niš. Violating legal protections against eviction, Belgrade authorities paid Roma residents at Resnik €19,000 "compensation" to leave the settlement in December.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Between January and November, 24,180 refugees and migrants arrived in Serbia. Asylum claims were suspended until May as refugees and migrants in overcrowded asylum reception centres were placed under mandatory quarantine controlled by the military. Support staff and NGOs were denied entry, although preventative health measures were not implemented. In May, a government order restricting exit from asylum centres was successfully challenged by NGOs, but in October refugees' freedom of movement was again limited.

The asylum process remained inadequate: of 2,639 refugees registering an intention to claim asylum, only 118 applied; by 30 November, 16 had received asylum and 18 subsidiary protection.

Pushbacks into Serbia from EU member states, and from Serbia to neighbouring countries, continued. In April, 16 men, believing they were being moved to another temporary reception centre due to COVID-19, were driven by police to the southern border and forced at gunpoint to walk into North Macedonia.

VIOLENCE AGAINST WOMEN

In April, the NGO Autonomous Women's Center reported a threefold increase in contacts from women during the curfew. Many described the intensification of psychological, economic or physical violence, and their fear of reporting violence to the authorities without access to protection. At least 22 women were killed by a partner or family member before 25 November.

1. Policing the pandemic: Human rights violations in the enforcement of COVID-19 measures in Europe (EUR 01/2511/2020)

SIERRA LEONE

Republic of Sierra Leone
Head of state and government: **Julius Maada Bio**

Security forces used excessive force against protesters. Provisions of the Public Order Act (POA) used to criminalize freedom of expression were repealed. The ban on pregnant girls attending school and sitting exams was lifted. Discrimination against women and LGBTI people persisted and sexual violence against women and girls remained widespread. Health workers and prisoners were at particular risk from COVID-19.

BACKGROUND

The political tensions between the ruling Sierra Leone People's Party and the All People's Congress (APC), the main opposition party, persisted. Measures taken

to fight the COVID-19 pandemic led to violations of economic, social, civil and political rights.

FREEDOM OF EXPRESSION

In May, Sylvia Blyden, publisher of the *Awareness Times* newspaper and a leading APC member, was arrested and charged with, among other things, seditious and defamatory libel, conspiracy to pervert the course of justice and publication of false news for alleging, on social media, that former Defence Minister Alfred Paolo Conteh had been ill-treated in detention. Her case was brought on the same charges before a magistrate court and the High Court. In July, the High Court dismissed the charges against her on the basis of insufficient evidence.

In July, Parliament repealed Part V of the 1965 POA, used to prosecute people on defamation and sedition charges for exercising their right to freedom of expression. Consequently, all charges against Sylvia Blyden before the magistrate court were dropped in November.

On 9 December, 17 environmental and land rights activists, members of the Malen Affected Land Owners Association, were discharged after a prolonged trial which followed their arrest in early 2019 after a land rights demonstration.

EXCESSIVE USE OF FORCE

Concerns about public order management by the security forces continued.

In April, during the lockdown period imposed to control the spread of COVID-19, there were multiple allegations of police brutality on social media, notably against those who went out for essentials like food and water.

According to the Freetown Correctional Centre's July report, 30 prisoners and one correction officer were killed, and dozens of people injured during a riot at the Pademba Road prison in the capital, Freetown, on 29 April. The prisoners were protesting against overcrowding and COVID-19 restrictions. The report concluded that the military used reasonable force to control the riot while NGOs called for an independent investigation into the incident.

Between 17 and 18 July, security forces used excessive force against protesters at a demonstration, which turned violent in Makeni, a city in the Northern Province. According to NGO reports, six protesters were killed in the demonstration against the government's decision to relocate an electricity power generator to another town.

WOMEN AND GIRLS' RIGHTS

Sexual violence continued unabated. The Rainbo Initiative NGO said it received over 1,000 reports of sexual assault between January and May. Survivors of sexual violence continued to struggle to access justice, health care, legal aid and counselling. In July, the first Sexual Offences Model Court was established to expedite sexual offences-related trials and reduce the backlog of cases. A one-stop centre for sexual violence survivors was established, providing psychosocial support and treatment.

On 30 March, the Ministry of Basic and Senior Secondary Education announced with immediate effect the lifting of the ban on pregnant girls attending school and sitting exams. In 2019, the ECOWAS Court of Justice had ruled that the ban should be revoked.

In December, the President launched the first Gender Equality and Women's Empowerment Policy, partly to normalize the gender balance within the political process.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Male consensual same-sex sexual relations remained a criminal offence under the Offences Against the Person Act, carrying a maximum penalty of life imprisonment. LGBTI people continued to suffer discrimination and stigmatization.

RIGHT TO HEALTH

Health workers

In April, the government pledged that health workers' wages would reflect the risks to their

health posed by COVID-19. According to UNICEF, health workers accounted for 10.2% of all COVID-19 cases as of July. On 2 July, doctors stopped treating COVID-19 patients because they had not received compensation or PPE. On 28 July, the government announced that health workers would benefit from a health insurance scheme, and that families of health workers who died of COVID-19 would be financially compensated.

Prison conditions

Detention facilities were chronically overcrowded and the health risks to inmates were exacerbated by the outbreak of the COVID-19 pandemic. On 27 April, the President announced that 235 prisoners nationwide would be pardoned to ease overcrowding and reduce the risk of COVID-19 infection. The decision was delayed following the prison riot in April two days later, but on 21 July, 153 inmates were released.

RIGHT TO A FAIR TRIAL

On 19 March, former minister Alfred Paolo Conteh was arrested after he entered the State House in Freetown carrying a gun. Two others were also arrested for the incident. They were detained at Pademba Road prison but on 29 April, following the riot there, they were transferred to an unknown location without access to their lawyers for several days. In July, Alfred Paolo Conteh was acquitted of treason but convicted on two charges of possession of arms and sentenced to 24 months' imprisonment by the High Court in Freetown. His appeal against the conviction remained pending at the end of the year.

SINGAPORE

Republic of Singapore
Head of state: **Halimah Yacob**
Head of government : **Lee Hsien Loong**

The rights to freedom of expression and peaceful assembly were further curtailed, including via the use of a "fake news" law.

BACKGROUND

In July, the People's Action Party retained power in general elections with a reduced majority. The country was placed under strict lockdown from April to June, in response to the COVID-19 pandemic.

FREEDOM OF EXPRESSION

Throughout the year, directives under the Protection from Online Falsehoods and Manipulation Act (POFMA) – a so-called "fake news" law – were issued against government critics. In January, authorities claimed it was a "coincidence" that the first cases under POFMA involved political opponents. In February, Facebook expressed concerns over being forced to block a news site page under POFMA.[1] Independent media outlets, including The Online Citizen (TOC) and New Naratif, were repeatedly hit with POFMA orders. In September, the Court of Appeal reserved judgement on the first legal challenges to POFMA.

MIGRANT WORKERS

In April over 300,000 migrant workers were quarantined in overcrowded dormitories due to the COVID-19 pandemic. Almost all of Singapore's cases of infection were among migrant workers. Heavy restrictions on their movement remained at the end of the year. In September the acquittal of a domestic worker accused of theft from her employer drew attention to access to justice and inequality for migrant workers.

HUMAN RIGHTS DEFENDERS

In March, police investigated human rights lawyer M Ravi and TOC editor Terry Xu for contempt of court under the Administration of Justice (Protection) Act. The investigation followed the publication of articles on TOC's website regarding Mohan Rajangam, a Singaporean who challenged his extradition to Malaysia in 2015.

Also in March, the Court of Appeal upheld the conviction of human rights defender Jolovan Wham for a Facebook post allegedly "scandalising the judiciary" in 2018. Wham served one week in jail.[2] In August, Wham spent 10 days in jail for organizing a 2016 event at which Hong Kong activist Joshua Wong spoke. In September, media outlet New Naratif and editor PJ Thum faced police investigation for the publication of paid advertisements on Facebook during the July elections. In November, Jolovan Wham was charged with "illegal assembly" after posing on his own for a photo with a smiley face earlier in the year.[3]

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Laws continued to discriminate against LGBTI people. A constitutional challenge to the law criminalizing consensual sexual relations between men was dismissed by the High Court.

DEATH PENALTY

Death sentences continued to be imposed, including for drug trafficking. In May, during the COVID-19 pandemic, a man was sentenced to death in a hearing held online, sparking international attention.[4]

1. Singapore: Social media companies forced to cooperate with abusive fake news law (News story, 19 February)
2. Singapore: Drop investigations under abusive contempt of court law (Public statement, 25 March)
3. Singapore: Drop charges against peaceful activist (Public statement, 27 November)
4. Singapore: Man sentenced to death on Zoom call (News story, 20 May)

SLOVAKIA

Slovak Republic
Head of state: **Zuzana Čaputová**
Head of government: **Igor Matovič (replaced Peter Pellegrini in March)**

Discrimination against Roma remained prevalent. The European Court of Human Rights found in favour of two Roma victims of police ill-treatment. A bill restricting access to abortion was rejected by parliament.

BACKGROUND

Parliamentary elections on 29 February resulted in a new government led by Igor Matovič, who was elected on an anti-corruption platform.

In response to the COVID-19 pandemic, the government declared a state of emergency in March and implemented a wide range of measures to stop the spread of the virus.

In April, a former soldier was convicted of the 2018 murder of investigative journalist Ján Kuciak and his fiancée Martina Kušnírová, whose deaths sparked widespread protests. In September, a court acquitted businessman Marián Kočner, who had been accused of ordering the murder. The journalist had been investigating allegations of corruption, including in relation to the business activities of Marián Kočner.

DISCRIMINATION – ROMA

Anti-Roma prejudice and discrimination remained prevalent as Roma communities were stigmatized as a public health threat during the COVID-19 pandemic.

The authorities targeted Roma settlements with disproportionate and discriminatory measures in response to the COVID-19 virus.[1] In April, the authorities tested residents of some Roma settlements for COVID-19 with the assistance of the army and ordered the mandatory quarantine of five Roma settlements on the grounds of public health. The legal basis for these mandatory

quarantines, enforced by the police and army, was unclear, raising concerns of arbitrary detention. Residents were not promptly informed of the duration and conditions of the quarantine. Inadequate access to water and sanitation in informal Roma settlements and a lack of adequate alternative accommodation are long-standing problems that were not sufficiently addressed by authorities in their response to COVID-19, making compliance by the community with public health recommendations much more difficult.

In July, the Ministry of Education wrote to the European Commission regarding ongoing infringement proceedings against Slovakia for systemic discrimination and segregation of Roma children in schools. In the letter, the government acknowledged the existence of racial segregation in education in Slovakia and set out a series of measures, including the preparation of a legal definition of segregation.

EXCESSIVE USE OF FORCE

Complaints of excessive use of force and ill-treatment by police against Roma continued. In May, the Ministry of Interior opened an investigation into allegations that a police officer beat five Roma children who had briefly left an area under mandatory quarantine in the village of Krompachy.

In January, the European Court of Human Rights (ECtHR) ruled in *A.P. v. Slovakia* in favour of a Roma boy who was subjected to ill-treatment by police in 2015 and criticized the authorities' failure to effectively investigate his complaint. In March, the ECtHR formally requested a response from Slovakia regarding the alleged ill-treatment of six Roma boys in a police station in the city of Košice in 2009 (*M.B. & Others v. Slovakia*).

In September, the ECtHR ruled in *R.R. & R.D. v. Slovakia* that two Roma residents of the settlement of Moldava nad Bodvou had been subjected to inhuman treatment during a police operation in June 2013 in which over 30 people had been injured. The ECtHR also found that the authorities had violated the prohibition on discrimination by failing to investigate alleged discrimination in the planning of the operation.

RIGHTS OF WOMEN AND GIRLS

Violations of women's rights, often under the guise of protecting religious or traditional values, increased.

Although Slovakia remains a signatory to the Convention on preventing and combating violence against women and domestic violence, parliament has refused to ratify it and in February voted to reject the Convention altogether. Organizations working on violence against women reported an increase in domestic violence following the outbreak of the COVID-19 pandemic.

The Public Defender of Human Rights expressed concerns regarding women's access to safe and timely sexual and reproductive health care during the pandemic. Some health care providers suspended abortions, referring to a government requirement to postpone non-essential operations in response to COVID-19.

In October, parliament rejected a bill that would have imposed new barriers on access to abortion, and thereby endangered the health and wellbeing of women and girls.

1. Stigmatizing quarantines of Roma settlements in Slovakia and Bulgaria (EUR 01/2156/2020)

SLOVENIA

Republic of Slovenia
Head of state: **Borut Pahor**
Head of government: **Janez Janša (replaced Marjan Šarec in March)**

Asylum-seekers were denied access to asylum; refugees and migrants were forcibly returned to Croatia. The COVID-19 pandemic severely affected care home residents who accounted for most deaths. Freedom of peaceful assembly was under threat.

RIGHTS OF REFUGEES AND ASYLUM-SEEKERS

Asylum-seekers irregularly entering the country continued to be denied access to asylum and were forcibly returned, frequently in groups, to neighbouring Croatia. Such collective expulsions were against the principle of *non-refoulement*, which prohibits states from returning individuals to a country where there is real risk of serious human rights violations. In November, the Ombudsman's Office criticized the treatment of hundreds of asylum-seekers by the authorities. The asylum-seekers were detained under inhumane conditions in the Centre for Foreigners in Postojna, some before being deported to Croatia. There were reports of widespread violence and abuse by Croatian police.

The Administrative Court ruled in December that the authorities violated the right of a Cameroonian national to seek asylum when he was deported without procedure to Croatia and subsequently to Bosnia and Herzegovina. The Court found the authorities ignored the man's asylum request and failed to provide translation, legal assistance or to assess the risk of *refoulement*, in violation of domestic and EU law.

In August, the Supreme Court ruled that the accelerated returns of irregularly entering migrants and asylum-seekers to Croatia, based on a bilateral agreement between the two countries from 2006, were lawful. The case was referred to the Constitutional Court.

In December, the government proposed to Parliament changes to the Law on Foreigners and the Law on International Protection which would further restrict asylum-seekers', refugees' and migrants' access to protection.

VIOLENCE AGAINST WOMEN AND GIRLS

The definition of rape in the Criminal Code remained based on the use of force, threat of force or coercion, rather than consent, contrary to international human rights law and standards. As part of a wider reform of the Criminal Code, the Ministry of Justice proposed to remove use of force as a condition for the commission of offence. However, the proposal does not fully rely on the absence of consent.

RIGHT TO HEALTH

The COVID-19 pandemic severely affected care home residents, accounting for almost 60% of all COVID-19 deaths. The Ministry of Health was criticized during the first wave over deciding not to hospitalize care home residents and instead rely on an advance medical assessment, allegedly conducted in the care home without patients' knowledge or consent, and which may have deprived some people of hospital care. Instead, care homes had to set up their own isolation units which lacked space, technical equipment and trained staff. Consequently, they did not adequately protect patients while risking exposing other residents and staff to infection.

In August, the Ministry of Health announced new draft legislation on long-term care for older people to address the issue of insufficient accommodation and care capacities for the growing elderly population.

DISCRIMINATION

Roma continued to face widespread discrimination, high levels of unemployment and social exclusion. Many continued living in segregated settlements in inadequate housing, lacking security of tenure and access to adequate water, electricity, sanitation and public transport.

In March, the European Court of Human Rights, in a majority decision which largely ignored the practical obstacles faced by Roma living in informal settlements to access basic services, ruled that Slovenia did not violate the rights of two Roma families by failing to ensure access to water and sanitation.[1] The families claimed their communities were consistently denied access to a public water supply based on living in informal settlements. The ruling became final in September after a referral to the Court's Grand Chamber was rejected.

FREEDOMS OF ASSEMBLY, ASSOCIATION AND EXPRESSION

During anti-government demonstrations between May and December, police conducted random identity checks, detained and fined peaceful protesters simply for carrying anti-government placards and subjected them to legal proceedings. In November, the authorities considerably increased fines for organizing and participating in public gatherings in defiance of a blanket ban, which was in place intermittently throughout the year.

1. Slovenia: ECHR judgment is a blow to Roma communities (Press release, 10 March)

SOMALIA

Federal Republic of Somalia
Head of state: **Mohamed Abdullahi Mohamed (Farmaajo)**
Head of government: **Mohamed Hussein Roble (replaced Hassan Ali Khayre in September)**

Indiscriminate attacks against civilians and civilian targets continued. Freedom of expression was suppressed; journalists were threatened, harassed, intimidated, beaten, subjected to arbitrary arrests and killed. Women and girls continued to be subjected to sexual violence. Internally displaced people were disproportionately impacted by the COVID-19 pandemic, and faced forced evictions. In Somaliland, government critics and journalists were censored, harassed and prosecuted, and attacks on media houses continued.

BACKGROUND

The ongoing conflict between the government and its regional and international partners on one side, and the armed group Al-Shabaab on the other, combined with a series of natural disasters and the COVID-19 pandemic, had a devastating impact on the civilian population, causing further food insecurity and mass displacement.

All parties to the conflict continued to commit serious violations of international humanitarian law with impunity.

Heightened political tensions between federal and regional authorities ahead of the 2020/2021 elections prevented the implementation of necessary judicial, constitutional and human rights reforms.

INDISCRIMINATE ATTACKS

USAFRICOM (the US military's command responsible for military operations in Africa) continued to use drones and manned aircrafts to carry out at least 53 airstrikes.[1]

On 2 February, a US airstrike targeted a house in Jilib in the Middle Shabelle region. Nurto Kusow Omar, an 18-year-old woman, died from a shrapnel wound to the head. Her sisters, aged seven and 12, and their 70-year-old grandmother were injured.

On 24 February, a Hellfire missile from another US airstrike killed Mohamud Salad Mohamud at his farm near Kumbareere village on the outskirts of Jilib. During the year, USAFRICOM admitted responsibility for killing three civilians and injuring eight others in three separate airstrikes in 2019 and 2020. Although USAFRICOM acknowledged responsibility for the 2 February killing of Nurto Kusow Omar and the injuring of her two sisters and grandmother, it maintained that Mohamud Salad Mohamud was an Al-Shabaab operative, despite significant evidence suggesting he was a civilian. None of the victims were compensated by the US or Somali governments.

In April, July and November, USAFRICOM issued its first civilian casualty assessment reports. It also established an online civilian casualty reporting portal, which allowed people with internet access to report allegations of civilian casualties. However, there was a need for further safe and accessible mechanisms to ensure accountability for such attacks, which constitute war crimes when they target civilians or civilian objects.

ABUSES BY ARMED GROUPS

Al-Shabaab continued to enjoy impunity for frequent and indiscriminate attacks targeting civilians and civilian infrastructure, including restaurants and hotels. It also carried out targeted killings of those it perceived to have links with the government and other people, including journalists. According to the UN, Al-Shabaab was responsible for 207 out of the 596 civilian casualties it had recorded between early February and early August.

On 16 August, Al-Shabaab attacked the popular seaside Elite Hotel in Mogadishu, detonating a car bomb and indiscriminately firing at residents and staff inside the hotel. At least 11 people were killed and 18 injured.

UNLAWFUL KILLINGS

In April, a police officer shot dead two people in Mogadishu because they were outside their homes during the night-time curfew, introduced to control the spread of COVID-19. After protesters took to the streets calling for justice for the victims, the authorities arrested a police officer in connection with the killings. He was sentenced to death in July by a military court in Mogadishu.

On 27 May, eight health workers, including seven who worked at a mother and child clinic in the village of Gololey in the Middle Shabelle region, were abducted and killed by unidentified armed men dressed in Somali military and police uniforms. On 28 May, the then President of Hirshabelle state appointed a seven-person committee to investigate the incident. The outcome of the investigation had not been made public by the end of the year.

FREEDOM OF EXPRESSION

Journalists

Two journalists were killed during the year. Journalists were also threatened, harassed, intimidated, beaten and arbitrarily arrested and prosecuted by the police, military and other government officials throughout south-central Somalia and Puntland.[2] The authorities restricted access to information by occasionally denying journalists access to government buildings, major events and scenes of incidents such as Al-Shabaab attack scenes. Journalists were also denied interviews with senior government officials. Authorities also failed to effectively investigate reports of attacks against journalists.

In February, Abdiwali Ali Hassan, a freelance journalist, was shot several times by unknown assailants suspected to be Al-Shabaab members, near his home in Afgooye, Lower Shabelle region. He died on his way to hospital. In May, Said Yusuf Ali, a Kalsan TV journalist, was stabbed to death in Mogadishu by a lone attacker. Media reports suggested the killing was linked to his coverage of Al-Shabaab activities.

In March, Mohamed Abdiwahab Nur (known as Abuja), an editor for Radio Hiigsi, was arbitrarily arrested for the second time in eight days. He was detained incommunicado by the National Intelligence and Security Agency (NISA) without access to his lawyers or family for almost three months. His lawyers, other journalists and his family believed he was held for criticizing the security forces' conduct in Mogadishu. On 7 June he was secretly taken to a military court, which ordered his transfer to Mogadishu Central Prison where he was finally allowed to see one of his lawyers the following day. He remained there for a further two months. The authorities said he was detained while they investigated his alleged Al-Shabaab membership and involvement in a murder. In August he was acquitted by a military court of all charges.[3]

On 2 April, the NISA used Twitter to intimidate and harass Harun Maruf, a Washington DC-based Somali journalist with the Voice of America. The Twitter posts threatened him with legal action for having "links that threatened national security" and for "engaging with actions outside the media code of conduct." On 23 April, the NISA announced it had concluded its investigations against the journalist and forwarded his case to the Attorney General.

In April police arrested Abdiaziz Ahmed Gurbiye, editor and deputy director of the

independent Goobjoog Media. He was arrested for alleging on Facebook that the government had mismanaged its response to the COVID-19 pandemic, and that the President had taken a ventilator which had been donated to a local hospital. On 29 July, he was sentenced to six months in prison by the Banadir Regional Court in Mogadishu, but released the same day after paying a fine.

In May, the President said he was committed to "decriminalizing journalism and reviewing the Penal Code", under which journalists frequently faced prosecution, and to respecting the right to freedom of expression. However, journalists continued to be prosecuted.

In August, the President approved amendments to the 2016 Media Law. Although it contained provisions on protection and promotion of the right to freedom of expression – including media freedom – and journalists' right to safety and security and access to information, other provisions threatened these rights. For example, it criminalized the reporting of a wide range of issues and gave the authorities broad and sweeping powers to regulate and monitor the media.

In September, the Attorney General established a Special Prosecutor to address crimes against journalists.

VIOLENCE AGAINST WOMEN AND GIRLS

Sexual violence against women and girls was widespread in south-central Somalia and in Puntland. Attacks often went unreported due to the climate of impunity, as well as the stigma and fear associated with the crime, which prevented many survivors from seeking justice.

The UN documented 45 incidents of conflict-related sexual violence against four women and 41 girls between May and August, mostly by unidentified armed men.

In April, two girls, aged three and four, were raped near Afgooye and left in a nearby field with serious injuries. In September, a public outcry followed the alleged gang rape and murder of 19-year-old Hamdi Mohamed Farah in Mogadishu. Her attackers then allegedly threw her to her death from a building. The authorities said that during the month of September they had arrested at least 11 suspects in relation to the case.

In August, despite the authorities' pledge to strengthen laws to protect women and girls from sexual violence, the Federal Parliament introduced the Sexual Intercourse Related Crimes Bill which contained provisions that breached international law and regional standards regarding rape and other forms of sexual violence. It also contained flawed definitions of offences, and failed to provide survivors of rape and other forms of sexual violence with adequate protection.

INTERNALLY DISPLACED PEOPLE

The prolonged conflict, droughts, floods and a locust invasion worsened the humanitarian crisis and resulted in the displacement of over 1.2 million people by November, in addition to the nearly 2.6 million already displaced in the country.

Internally displaced people (IPDs) were disproportionately affected by the COVID-19 pandemic, and were forced to live in severely overcrowded conditions. Many of them earned an income from the informal economy, but COVID-19-related restrictions prevented them from earning a living and meeting basic needs, like water, food and sanitary items.[4]

Security forces and private landowners continued to evict IDPs, despite the pandemic. According to the UN Office for the Coordination of Humanitarian Affairs, over 100,000 IDPs had been evicted from their homes by September, most of them forcibly and with no alternative accommodation offered. They faced difficulty finding housing, and some lived in the open where they were exposed to additional health risks during the pandemic.

FREEDOM OF EXPRESSION IN SOMALILAND

Censorship, harassment and prosecution of government critics and journalists, and attacks on media houses continued. In June,

the Somaliland authorities arbitrarily closed the independent Universal TV and Star TV stations. The Minister of Information ordered local television cable providers to remove the two stations from their receivers and revoke their licences. Universal TV was targeted for allegedly failing to broadcast Independence Day celebrations and events as demanded by the authorities, and Star TV owners said they were targeted for airing reports and analysis on the condition of a detained former air force pilot, Fouad Youssouf Ali, in neighbouring Djibouti. In August, the Information Ministry issued arbitrary fines of SOS127,500,000 (US$15,000) and SOS42,500,000 (US$5,000) on Universal TV and Star TV respectively. Star TV paid the fine and resumed operations, but Universal TV remained closed as of mid-December.

In June, Abdimalik Muse Oldon, a journalist, was released from Hargeisa Central Prison after spending over a year in prison for criticizing the President on Facebook. He had been arrested and sentenced to three-and-a-half years in prison in 2019 and charged with "spreading anti-national propaganda" and "disseminating false news". He was released following a presidential pardon.

1. Somalia: Zero accountability as civilian deaths mount from US air strikes (Press release, 1 April)
2. "We live in perpetual fear": Violations and abuses of freedom of expression in Somalia (AFR 52/1442/2020)
3. Somalia: Authorities must immediately release journalist Mohamed Abdiwahab Nur (Abuja) (AFR 52/2649/2020)
4. Somalia: Internally displaced people surviving by "the grace of God" amidst COVID-19 (Press release, 21 July)

SOUTH AFRICA

Republic of South Africa
Head of state and government: **Matamela Cyril Ramaphosa**

The use by security forces of excessive and lethal force increased during the COVID-19 lockdown. At least 115 people died in police custody. Incidents of gender-based violence soared. The asylum system failed those most in need; immigrants and other non-nationals were subjected to xenophobic social media campaigns. COVID-19 put health workers at particular risk of infection due to the lack of PPE, while women's access to sexual and reproductive health services was restricted. Children faced significant inequalities and hardship in the public education system. Millions of people did not have access to safe drinking water; and lockdown placed an additional burden on women having to walk long distances for water.

BACKGROUND

The President continued to take a lead in national and regional efforts to resolve political instability and address the need for human rights reforms in Lesotho and Zimbabwe.

The Commission of Enquiry into State Capture continued to hear testimonies in relation to allegations of corruption and other abuses of power known as "state capture", during former President Zuma's rule. Jacob Zuma was removed from office in 2018 by the African National Congress (ANC).

On 15 March the President declared a National State of Disaster in response to the COVID-19 pandemic which, in turn, invoked the Disaster Management Act (2002). A national lockdown was imposed on 27 March which threatened to undermine rights to freedom of movement and association, and was eased in August.

The President established a ministerial team to investigate allegations of corruption connected to COVID-19-related procurements, including PPE and food aid, which was allegedly distributed by ANC-aligned politicians in a way that favoured certain communities.

The pandemic forced several media houses to close, cut down on staff or cut salaries due to the pandemic's effect on advertising revenue.

EXCESSIVE USE OF FORCE

In March, during lockdown, the authorities deployed around 76,000 officers of the South African National Defence Force (SANDF) and police officers onto the streets to enforce lockdown restrictions. Widespread reports of their use of excessive, and sometimes unnecessary, lethal force against the population quickly emerged.

The Independent Police Investigative Directorate (IPID), an official oversight body, received 828 complaints of police misconduct between 25 March and 5 May. They included 16 deaths in police custody; 32 deaths as a result of police action; eight incidents of rape by police officers; 25 reports of torture in custody; and 589 assaults.

On 7 April, South African Police Service (SAPS) officers fired rubber bullets at homeless people living in a camp at the Strandfontein sports grounds in Cape Town when they protested against their poor living conditions, including lack of food.[1]

In August, police fired rubber bullets and stun grenades at protesters who had gathered peacefully outside Parliament in Cape Town to mark the first anniversary of student Uyinene Mrwetyana's murder and to protest the soaring levels of gender-based violence. Eighteen protesters were arrested. Uyinene Mrwetyana had been raped and killed in Cape Town by a male post office employee.

Unlawful killings

Elma Robyn Montsumi, a 39-year-old sex worker, died in suspicious circumstances in custody in Mowbray police station in Cape Town, four days after being arrested on 9 April on suspicion of possessing drugs. The police claimed she had committed suicide and the IPID said they were looking into the circumstances of her case. No one had been arrested in connection with the case by the end of the year.

Collins Khosa died on 10 April in Alexandra, a township north of Johannesburg city, after he was assaulted and brutally beaten by members of the SANDF and the Johannesburg Metropolitan Police Department. Collins Khosa's attackers claimed he had violated lockdown rules when they found a half-consumed glass of beer in his yard. The authorities had banned alcohol during lockdown.[2] On 19 August, the Military Ombudsman found that SANDF officers implicated in the killing had acted "improperly".

Between 29 August and 1 September, the IPID arrested three police officers and charged them with the murder of Nathaniel Julies, a 16-year-old disabled boy, on 26 August in Eldorado Park, south of Johannesburg. He was allegedly shot by police officers after he refused to answer their questions.

GENDER-BASED VIOLENCE

Gender-based violence continued to soar and the rate was nearly five times higher than the global average. The President described the increase as "a war" against women. Reports of rape and sexual assault increased by 1.7% in the first quarter of the year, with more than 42,000 rapes reported in 2019-2020 and almost 144 sexual offences committed every day. Such violence increased during the lockdown period and within the first week, police had received over 2,300 complaints. Twenty-one women were reportedly killed in June alone, including Tshegofatso Pule, a 28-year-old pregnant woman from Roodepoort town, west of Johannesburg, who was found hanging from a tree with multiple stab wounds. A man was charged with her murder and he was awaiting trial at the end of the year.

SEXUAL AND REPRODUCTIVE RIGHTS

During lockdown, medical and civil society organizations documented complaints relating to the lack of availability of, or access to, sexual and reproductive health services, including safe abortion.

REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

The asylum system failed those who needed it most and left asylum-seekers and migrants in limbo without legal status. The Refugees Amendment Act came into force in January; many argued that it severely undermined the legal and human rights framework for refugees, as well as South Africa's international obligations to protect refugees.

During lockdown, the authorities' failure to abide by their constitutional and international legal obligations towards refugees, asylum-seekers and undocumented migrants was particularly marked. The government's COVID-19 aid programmes and social relief arrangements were only available to people with national identity documents. A legal challenge brought by the Scalabrini Centre, a civil society organization, led to some asylum-seekers and special-permit holders receiving a six-month COVID-19 Social Relief of Distress grant in June. Refugees, asylum-seekers and migrants were unable – like citizens – to work in the informal economy which had previously sustained them. Only spaza shops owned by nationals were allowed to operate during the period when lockdown was most strictly enforced. In August, the President announced his support for a 2019 initiative from the Department of Small Business Development to develop legislation to restrict foreigners from working in some sections of the economy.

A malicious Twitter campaign, #PutSouthAfricaFirst, evoked a dangerous xenophobic narrative in the COVID-19 context, and targeted African migrants, accusing them of stealing jobs and draining public health resources. The media reported that nationals damaged or looted 124 spaza shops owned by foreigners, and other businesses in Thokoza township, south of Johannesburg, in September.

RIGHT TO TRUTH, JUSTICE AND REPARATION

At the end of the year, the families of 34 mine workers, and 10 others unlawfully killed by SAPS officers in 2012 in Marikana, a mining town in North West Province, were still waiting for justice and reparation including adequate compensation for their loss. The police had responded, using unnecessary lethal force, to a strike at the Marikana mine, owned by Lonmin Mine plc, near Rustenburg city in the North West province. More than 70 people sustained serious injuries after the shooting, including permanent disability, causing some of them to lose their jobs.

RIGHT TO HEALTH

By early August, at least 240 health workers had died after contracting COVID-19.[3] On 3 September, the National Education, Health and Allied Workers' Union protested outside Parliament against the authorities' failure to meet their demands for adequate PPE, and for fair pay to reflect the health risks arising from their exposure at work to COVID-19. Their situation was compounded when they were denied an annual salary increase as a result of the weak economy and the bloated civil service wage bill. In July, there was a surge in COVID-19-related deaths among the population as a whole, and there were more than half a million confirmed cases nationwide. The surge in COVID-19 cases and deaths accelerated in late December during the holiday period.

RIGHT TO EDUCATION

The public education system, one of the most unequal in the world, continued to be characterized by decaying and dangerous infrastructure, overcrowded classrooms and poor educational outcomes that perpetuated inequality, particularly among those living in poverty. More than 75% of nine-year-olds could not read properly; 50 to 60% got as far as high school, and of those, only around 40 to 50% passed their matriculation, while just 14% went to university.[4]

Students attending underfunded schools were forced to study in inadequate conditions; hygiene levels were poor and children had to use pit latrines which contravened health and safety legislation.[5]

Educational inequality was further exacerbated when the pandemic led to school closures and students in poorer communities did not have access to remote learning. Meanwhile, the government paused its national school feeding programme that over 9 million learners had benefitted from. The authorities failed to use the school closures as an opportunity to improve school infrastructure. Children and staff who returned to school in August did not have adequate water, sanitation or PPE, and teaching/learning conditions prevented them from practising physical distancing. Meanwhile, the government diverted funding which had been promised for the improvement of infrastructure in around 2,000 schools to COVID-19-related projects.

RIGHT TO WATER

According to the government's National Water and Sanitation Master Plan, around 5.5 million households did not have access to safe and reliable drinking water as a result of poor infrastructure management and a lack of investment in water services. The COVID-19 pandemic compounded problems accessing water and the associated health risks arising from poor hygiene. For example, people, particularly women, had longer distances to walk to find safe drinking water. Women from QwaQwa region in the Free State province, in the central eastern part of the country, said their health suffered from carrying heavy buckets of water over long distances. Others relied on rainfall to get water and some were forced to break lockdown regulations to get to neighbouring villages, risking fines or arrest, only to find the water was unfit for consumption.

According to official information between March and August, the Department of Water and Sanitation delivered 18,678 water tanks to 158 municipalities and districts, and 407,665 households.

1. South Africa: Use of excessive force against protesters worrying (Press release 9 April)
2. South Africa: Call for independent investigation into Collins Khosa's death (Press release 11 June)
3. Global: Amnesty analysis reveals over 7,000 health workers have died from COVID-19 (Press release 3 September)
4. South Africa: Broken and unequal education perpetuating poverty and inequality (Press release 11 February)
5. Broken and unequal: The state of education in South Africa (AFR 53/1705/2020)

SOUTH KOREA

Republic of Korea
Head of state and government: **Moon Jae-in**

Women were subjected to violence and abuse online and by public officials. LGBTI people faced discrimination in media reporting on the COVID-19 pandemic, in the military and in education. Logistics companies did not provide adequate protection for delivery workers who faced elevated health risks during the pandemic.

BACKGROUND

National Assembly elections took place as planned on 15 April, despite an earlier wave of COVID-19 infections, with the Democratic Party winning the majority of seats. Inter-Korean relations deteriorated, as North Korea blamed the South Korean government for failing to stop civil society groups formed by North Koreans who had moved to the South from sending politically themed leaflets into North Korea using balloons or drones.

VIOLENCE AGAINST WOMEN AND GIRLS

Pervasive online violence and abuse against women and girls was revealed when the police arrested the main operators of the so-called "Nth Room", which involved the distribution of sexually exploitative videos through chatrooms in the Telegram messaging app. The operators and other perpetrators of similar "digital sex crimes" had blackmailed 1,000 women and girls, mostly after luring them into providing sexually exploitative photos or videos.

The government passed laws directed at the better protection of women and children against sexual exploitation and abuse. In April, the National Assembly passed law

revisions which increased punishment for digital sex crimes. The age of consent for sexual activity was raised from 13 to 16 without discrimination. A wider range of behaviours involving the possession or use of illegally produced sexually exploitative content was criminalized. The revisions removed the statute of limitations for crimes involving the sexual exploitation of children.

Multiple elected public officials were involved in cases of alleged abuse of authority and sexual misconduct. In April, Oh Keo-don resigned as Mayor of the city of Busan after admitting to sexually harassing a woman staff member. In July, Park Won-soon, Mayor of the capital, Seoul, was accused of sexually abusing a former secretary, but the police investigation of the case ended due to his subsequent death. The National Human Rights Commission of Korea (NHRCK) then launched an independent investigation into the abuse case. In September, two government officials were indicted on charges of sexually assaulting a woman originally from North Korea.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

In May, a COVID-19 cluster outbreak among club visitors in Itaewon, a nightlife district in Seoul, generated media reports that suggested unfounded links between infections and sexual orientation. Some reports included personal information, such as the age, residence, workplace, occupation and commuting patterns of individuals, impacting on their privacy. The discriminatory reports caused stigma against LGBTI people, many of whom subsequently avoided COVID-19 testing for fear of being "outed". Civil society called on the government to offer anonymous testing, and such tests were expanded to become nationally available. The authorities also revised their practice in publicizing personal information, so that third parties could not use information such as location history to identify individuals.

In June, the Justice Party and five members of the National Assembly from other parties co-sponsored a bill towards a comprehensive anti-discrimination law, which among other things prohibited discrimination based on sexual orientation and gender identity.[1] The bill was pending under the relevant committee of the National Assembly at year's end. The NHRCK also made a submission to the National Assembly, urging it to adopt comprehensive anti-discrimination legislation, as long recommended by the international community.

Transgender people continued to face institutionalized and other discrimination. In January, the military authorities dismissed a transgender soldier after she underwent gender reassignment surgery. She filed an administrative suit with the court in August, after the military authorities had dismissed her appeal. Another transgender woman withdrew from a women-only university after her admission, due to the pressure of students opposing her enrolment.

A case on the constitutionality of Article 92-6 of the Military Criminal Act, which criminalizes consensual same-sex sexual activity in the military, remained pending at the Constitutional Court.

RIGHT TO HEALTH

With physical distancing measures in place during the COVID-19 pandemic, the demand for delivery services soared. At least 16 delivery workers died from overwork during the year according to a coalition of civil society organizations, while there were ongoing concerns over the lack of timely health and safety measures for workers in the industry. More than 150 people were infected with COVID-19 in outbreak clusters linked to a major logistics centre near Seoul. According to media reports, the company failed to provide necessary hygiene guidelines, clean uniforms and adequate personal protective equipment to workers.

Inmates and staff of correctional facilities were at greater risk of COVID-19 infection, as the pre-existing problem of overcrowding persisted. In December, at least 772 people,

more than one-third of the inmates at the Seoul Eastern Detention Centre, were infected. The authorities also neglected specific health needs of detainees. In May, a man suffering from a psychosocial disorder died in the Busan Detention Centre after being constrained and placed in solitary confinement overnight, while waiting for a COVID-19 test. His family later filed a complaint of ill-treatment with the NHRCK.

Abortion ceased to be criminalized as the year ended, following the order of a Constitutional Court decision in 2019, but regulatory frameworks to ensure safe access to abortion services were not yet developed.

REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

The arrival of nearly 500 asylum-seekers on Jeju Island in 2018 had sparked a trend of increasingly strict immigration and refugee policies. The Ministry of Justice subsequently changed the interpretation of procedures provided for in the Refugee Act, thereby excluding transit passengers from applying for asylum at Incheon International Airport. The Incheon District Court ruled in June that this exclusion was unlawful, but the ministry appealed, and asylum-seekers could be held at the airport until a final court decision was reached.

Reports that individuals were held at the airport transit zone for months during the COVID-19 pandemic raised concerns among domestic legal experts. They noted that such extended confinement was often without valid reasons and may have constituted arbitrary detention, as it grossly exceeded the necessary time — up to seven days according to the Refugee Act — for examining the admissibility of asylum applications.

FREEDOM OF ASSEMBLY

The National Assembly passed an amendment to the Assembly and Demonstration Act in May. The revision did not fully abolish the automatic bans on assemblies contained in Article 11, which had been ruled unconstitutional by the Constitutional Court, and continued to provide significant space for arbitrary police decisions. Under many circumstances, outdoor assemblies within sight and sound of key venues, including the National Assembly building, the official residence of the Prime Minister and all levels of courts, remained illegal.

CONSCIENTIOUS OBJECTORS

From 30 June, people objecting to compulsory military service could apply for alternative service for the first time. The newly created Commission for Examination of Alternative Service operating under the purview of the Ministry of National Defense received 1,959 applications. At year's end, the commission reviewed only those applications made on religious grounds and accepted 730 of them. In October, the first batch of alternative service personnel started their 36-month duty, which was much longer than the average military service and was limited only to working in prisons or other detention facilities.

DEATH PENALTY

On 16 December, the government voted in favour of the resolution on a moratorium on the use of the death penalty adopted by the UN General Assembly (UNGA). South Korea had previously abstained from all seven UNGA moratorium resolutions.

1. South Korea: New anti-discrimination bill offers hope and safety to many (News story, 16 July)

SOUTH SUDAN

Republic of South Sudan
Head of state and government: **Salva Kiir Mayardit**

Thousands of people fled fighting and sought refuge in neighbouring countries. Fighting between ethnic groups, clans and sub-clans surged across the country and sporadic clashes between parties to the armed conflict continued, mainly in the south. All parties to the conflict perpetrated

serious violations of international human rights and humanitarian law, including the killing of civilians, the recruitment and use of children and acts of sexual violence. Impunity for human rights violations remained the norm. The security forces continued to arbitrarily arrest and detain actual and perceived government opponents and other critics. The government continued to fail in its obligation to respect and protect the right to health.

BACKGROUND

By the end of the year, parties to the 2018 revitalized peace agreement had not established the new Parliament, leading to delays in the passing of critical legislation. They had also failed to amend crucial laws like the 2014 National Security Service Act. Efforts to reform the security sector were not successful, partly because the National Security Service (NSS) – the best-equipped security force in the country and a key agent of repression – was left out of the process. In February, parties began to form the Revitalized Transitional Government of National Unity; however, they did not ensure that the new executive included a 35% quota of women, in accordance with provisions in the agreement.

In March, the government imposed an overnight curfew and travel restrictions, banned social gatherings and closed educational institutions as neighbouring countries confirmed COVID-19 cases.

In April, evidence emerged of new small arms and ammunition imports, violating the UN Security Council's 2018 arms embargo which was renewed for another year in May.

In September, the UN peacekeeping mission (UNMISS) started withdrawing from three of its Protection of Civilian sites, which accommodate over 40,000 people displaced since the conflict began in 2013.

In October, the government and armed groups not party to the 2018 peace agreement resumed peace negotiations which had been paused, in part by the pandemic.

RIGHTS OF REFUGEES AND ASYLUM-SEEKERS

According to the UN, the armed conflict displaced over 38,100 civilians during the year, of whom at least 17,000 fled to Ethiopia, Sudan and Uganda. Hundreds of people trying to seek refuge in Uganda were stranded in makeshift structures near the border and lacked food, adequate shelter, medical care and clean water after a COVID-19 outbreak led Uganda to close its borders between 20 March and 1 October (see Uganda entry).[1] According to the UN, nearly 110,000 refugees returned to South Sudan.

CONFLICT AND ARMED VIOLENCE

Fighting, including cattle raiding, between ethnic groups, clans and sub-clans surged across the country, with the alleged involvement of members of armed groups and government forces. According to the UN Commission on Human Rights in South Sudan, weapons were supplied by state actors.

Reports from the UN Secretary-General said that clashes resulted in the killing of at least 600 people, while around 450 were injured and hundreds of thousands were displaced without access to adequate shelter, food, water or health care. In June the President appointed a high-level committee to investigate the security situation in Jonglei state and the Greater Pibor Administrative Area, focusing on containing the violence.

UNLAWFUL KILLINGS

Fighting between parties to the conflict continued, particularly in the south. Soldiers committed serious violations and abuses, including war crimes. They killed civilians, committed acts of sexual violence, looted civilians' belongings, burned villages and destroyed property and buildings. Consequently, many villages were made uninhabitable, and those internally displaced by the fighting were unable to return to their homes.[2]

CHILDREN'S RIGHTS

In March, the government closed schools to control the spread of COVID-19 and only started reopening them in October. Due to the closures, over 2 million children were denied access to education and the school-run feeding and health programmes. The UN said this was in addition to the estimated 2.4 million children out of school before the pandemic.

Between December 2019 and December 2020, the UN Country Task Force on Monitoring and Reporting on Children and Armed Conflict documented 133 grave violations committed against children by armed groups and government security forces, including the forced recruitment of children and their use in combat and supportive roles like porters, cooks and spies. The Task Force also reported killings, maiming, abductions and rapes of children. At least 28 children died and two were maimed as a result of explosive remnants of war. During fighting between ethnic groups in Jonglei state, the UN recorded that at least 16 children had been killed, about nine injured, and at least 194 abducted.

Child soldiers

Throughout the year, child soldiers were identified among the members of armed opposition groups and the Presidential Guard[3]. In February, the government signed an action plan with the UN to end and prevent all grave violations against children; several opposition groups committed to achieving this goal. Between February and May, the UN Task Force supported the release of 57 children from armed groups and government security forces.

GENDER-BASED VIOLENCE

Between December 2019 and December 2020, UNMISS documented 79 incidents of conflict-related sexual violence, including gang rape, rape, sexual slavery and forced nudity, by government forces, armed groups and community militias.

Inter-communal violence in Jonglei state resulted in at least 74 women being killed, around nine injured, and some 224 abducted, according to UN figures. In Western Equatoria state, the main opposition group released 47 women and 26 children, including 12 girls, in January.

There was also a high incidence of gender-based violence outside conflict situations. In May, Eye Radio reported that in the capital, Juba, three men took an eight-year-old girl from her home after holding her mother at gunpoint, gang raped her and dumped her unconscious body outside her house. Save the Children said that after the schools were closed in March, there was an increase in violence against girls, and teenage pregnancies. In July, a media outlet said that in Cueibet county, in the Lakes state, two girls, one of whom was 15 years old, were beaten to death by male relatives in relation to pregnancies their families disapproved of. The case of the 15-year-old girl was submitted to the High Court and four suspects remained on remand in prison.

Early and forced marriages were commonplace and had detrimental effects on women and girls' sexual and reproductive health. In July, the media reported that a government soldier killed a 19-year-old woman in Aweil because she had refused to marry him. In September, a High Court in Aweil sentenced him to death, and he was transferred to Wau Central Prison. According to the UN Population Fund, almost half of 18-year-old women were married.

In March, the police established a national committee to oversee the implementation of its action plan to combat sexual violence.

IMPUNITY

Despite several trials related to sexual violence, impunity for crimes under international law remained the norm and victims lacked access to redress, and medical and psychosocial services.

In June, the President appointed a former opposition commander suspected by the UN of widespread conflict-related sexual violence, as governor of Western Equatoria

state. Also in June, according to the UN, civilian courts in the towns of Kuacjok and Wau convicted a soldier and a police officer "of conflict-related sexual violence against children." They were given prison sentences of between five and 10 years and ordered to pay damages to the families. In September, a special court martial established by the army convicted soldiers of nine rapes and two gang rapes involving 11 survivors, despite the fact that military courts were not competent to deal with the case.

According to the UN Development Programme, between October 2019 and October 2020 a court established to hear sexual and gender-based violence cases and juvenile cases, concluded 13 out of 369 registered cases, resulting in one dismissal and 12 convictions. These included three rape cases against government soldiers and one rape case against an NSS officer, all unrelated to the conflict.

The government took no discernible action to establish the Commission for Truth, Reconciliation and Healing, the Compensation and Reparation Authority and the Hybrid Court for South Sudan (HCSS), provided for in the 2015 and 2018 peace agreements. The HCSS is an envisaged AU-backed tribunal with a mandate to investigate and prosecute crimes under international law and other serious violations committed since December 2013.

ARBITRARY ARRESTS AND DETENTIONS

The NSS and the Military Intelligence Directorate continued to arbitrarily arrest actual and perceived government opponents and other critics, including journalists and civil society members, and to hold them in prolonged arbitrary detention in harsh conditions without charge or prospect of trial. Detainees were denied the right to have their detention reviewed by a court[4]. Those suspected of criminal responsibility for these violations acted with impunity.

On 29 May, Kanybil Noon, a civil society representative on the Strategic Defense and Security Review Board, a body created under the 2018 peace agreement, was arbitrarily arrested and detained in the NSS' main detention facility in Juba, known as Blue House. In June he accessed a lawyer who filed an application to the High Court in Juba, at the end of the month, for him to be unconditionally released or brought before a court. He suffered poor health and was denied medical care until he was released without charge on 22 September.

On 1 May, a journalist was briefly detained while covering a story about motorcyclists who stormed a police station after alleged police harassment on the roads during the enforcement of COVID-19 restrictions.

EXCESSIVE USE OF FORCE

On 3 June, security forces shot at unarmed protesters in Juba's Shirkat neighbourhood, injuring at least two people. The protests were sparked by the unlawful killing by soldiers of four people, including a pregnant woman and an older man, following a physical confrontation over a land dispute involving a relative of the President who succumbed to his injuries later that night. At least 14 demonstrators were arrested, and illegally detained in Juba Central Prison. They were released in November but charged with offences against public order and public nuisance.

DEATH PENALTY

Death sentences continued to be handed down and executions were carried out. On 14 July, the Court of Appeal quashed the death sentence against Magai Matiop Ngong on grounds that he was a child at the time of his crime in 2017, and ordered that his case be sent back to the High Court to rule on an appropriate sentence. He was removed from death row on 29 July and remained on remand in Juba Central Prison pending appeal before the Supreme Court by the family of the man he killed.

RIGHT TO HEALTH

The right to health remained under serious threat. Public health facilities were under-resourced, and according to the UN, 56% of the population did not have access to primary

health care services. The public health sector was underfunded and received only 2.8% of the national budget (around US$14 million). Medical equipment for COVID-19 treatment, such as ventilators, and personal protective equipment for health workers was lacking. Media outlets reported that at the onset of the pandemic in South Sudan in April, the country only had four ventilators for an estimated 11 million people.

Post-traumatic stress disorder was widespread in the population, but access to mental health and psychosocial support services remained extremely limited. As a result, people with mental health conditions were routinely housed in prisons.

Health workers

The government failed to protect the rights of health workers during the COVID-19 pandemic. They had insufficient access to PPE and suffered under huge workloads. Doctors on the government payroll were not paid between February and May and did not receive welfare packages or medical cover. In May, doctors held a one-day strike, after which the government offered them SSP10,000 (US$40) as a lump sum to cover part of the salary arrears. Some doctors who refused to accept the offer were threatened with dismissal.[5]

DENIAL OF HUMANITARIAN ACCESS

The humanitarian crisis was compounded by inter-communal violence, the COVID-19 pandemic and floods, which affected about half the country. Up to 1.7 million people remained internally displaced, and an estimated 6 million people, over half the population, were acutely food insecure. Millions of people had limited or no access to safe water and sanitation, adequate health care and related services.

The crisis was exacerbated by attacks on aid workers between January and November of whom nine were killed. Humanitarian organizations reported that there were 459 incidents which impeded humanitarian access. Aid workers were frequently robbed and attacked on main roads.

1. East Africa: People seeking safety are trapped at borders due to COVID-19 measures (Press release, 22 June)
2. South Sudan: UN arms embargo must be maintained after surge in violence against civilians in 2020 (Press release, 30 November)
3. Systematic harassment of civil society, journalists, private sector and critics by South Sudan's intelligence agency (AFR 65/2727/2020)
4. Accountability critical to ending grave human rights violations in South Sudan (AFR 65/3105/2020)
5. Exposed, silenced, attacked: Failures to protect health and essential workers during the COVID-19 pandemic (POL 40/2572/2020)

SPAIN

Kingdom of Spain
Head of state: **Felipe VI**
Head of government: **Pedro Sánchez**

Health care workers lacked adequate personal protective equipment at the beginning of the pandemic. COVID-19 deaths among older people were disproportionate. Police officers issued more than one million fines and subjected some individuals to arbitrary punishments for COVID-19 lockdown breaches. Allegations of excessive use of force by law enforcement officers policing protests continued. There was a significant rise in calls to helplines by women at risk of gender-based violence. Lack of affordable housing and homelessness remained a major concern. Migrants and refugees were confined to overcrowded facilities in Melilla during lockdown.

BACKGROUND

In January, a new coalition government was sworn in comprising the socialist party (PSOE) and the left-wing Unidas Podemos. On 14 March, three days after the World Health Organization declared the COVID-19 outbreak a global pandemic, the government approved a Royal Decree establishing a state of emergency. The decree granted emergency powers to enforce lockdown regulations and was extended on six occasions until 21 June. In October, an

additional state of emergency was adopted for six months.

In June, Parliament adopted the Minimum Subsistence Income, a benefit intended for people living in severe poverty.

Spain accepted most of the recommendations made under the UN Universal Periodic Review, including those referring to freedoms of expression and peaceful assembly, as well as those relating to past human rights violations.[1]

Assistance to victims of gender-based violence was considered essential and a Specific Contingency Plan was approved to ensure that such services remained available during the lockdown.

In March, the government announced a draft law on sexual violence that included a new legal definition of rape to comply with international human rights law.

RIGHT TO HEALTH

By the end of the year, at least 93,000 health workers had contracted COVID-19, accounting for 5.1% of cases; 89 died as a result. Over 78% of infected health care workers were women.

During the first weeks of the pandemic, there was a shortage of quality personal protective equipment (PPE). As a result, health care workers were frequently forced to resort to inadequate PPE or to reuse items designed for single use. Health care workers in settings outside hospitals, such as primary care medical centres and care homes, received PPE later than staff in hospitals.

Additionally, during the first three months of the pandemic, health care workers only had limited access to COVID-19 tests.

Rights of older people

As of November, around 20,000 older people had died from COVID-19 in care homes; they comprised approximately 50% of all COVID-19 deaths reported until that period. It was estimated that around half of the deaths of older people in care homes occurred in the capital, Madrid, and in Catalonia. There were concerns that referral protocols in both regions which recommended treating sick older people in the care homes rather than transferring them to hospitals were discriminatory and violated the right to health.

At the height of the pandemic some older people living in care homes were confined to their rooms, with little or no contact with their families, for an indefinite period and without effective supervision by the national and regional authorities, resulting in violations of their human rights. Throughout this time, health care workers' associations expressed concerns about persistent staff shortages and the failure to provide sufficient quality PPE to staff, as well as the inadequate provision of medical care to people living in care homes in the first months of the pandemic.[2]

WOMEN'S RIGHTS

During the lockdown, there was a 60% increase in women calling the support helplines against gender-based violence run by the Ministry of Equality, compared to the same period the previous year. Online consultations with women seeking safety during the lockdown increased by 586%. Forty-five women were killed by their partners or former partners.

RIGHT TO HOUSING

Many people, especially in low-income areas, continued to face challenges in accessing adequate housing. Royal Decree Law 8/2020 and Royal Decree Law 11/2020, both adopted in March, established a three-month moratorium on mortgage payments for particularly vulnerable people and a six-month moratorium on rental payments respectively. The decrees also suspended eviction procedures for vulnerable households without alternative housing. Royal Decree Law 30/2020 adopted in September extended this suspension until January 2021.

In April, the UN Special Rapporteur on extreme poverty and human rights recommended that Spain introduce new legislation to guarantee the right to housing. The Rapporteur also recommended greatly increased investment in public housing and fiscal disincentives for leaving housing

vacant, as well as increased rent-control arrangements in key cities.

EXCESSIVE USE OF FORCE

The 2015 Law on Public Security, which limits freedoms of expression, assembly and information, continued to be enforced, adding to the coercive powers of security forces.

During the state of emergency, and until 23 May, law enforcement officials issued over one million fines and arrested 8,547 people for breaches of lockdown. There were reports of excessive and disproportionate use of force by law enforcement officials to ensure compliance with lockdown rules. Law enforcement officials lacked clear criteria to use their powers and applied them arbitrarily, for example by imposing fines on journalists who were carrying out their job and against people who were homeless or experienced other specific marginalization.[3]

In June, the government revealed that four internal investigations into the National Police were ongoing and that 41 Civil Guards had been sanctioned for their actions during the state of emergency.

In October, the European Court of Human Rights found that Spain had violated the right to freedom of assembly and association in the case of a woman who had been left permanently injured after police forcefully dispersed a spontaneous peaceful protest against austerity measures and unemployment in 2014.

Investigations into allegations of excessive use of force by law enforcement officials during the October 2017 protests in Catalonia remained open at the end of the year.

FREEDOMS OF EXPRESSION AND ASSEMBLY

At the end of the year, Jordi Sánchez and Jordi Cuixart, presidents of two pro-independence organizations in Catalonia, remained in prison after being convicted for sedition in connection with protests and the referendum on independence in 2017.

In November, the Constitutional Court found that offences foreseen in the Law on Public Security, criminalizing some legitimate forms of protests, were in line with the Constitution, but found that the requirement of prior authorization in the use of video recordings of the police limited the right to freedom of information.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Following the declaration of the state of emergency, eight migration detention centres were closed, and irregular migrants were released to help prevent the spread of COVID-19. Alternative accommodation was provided. However, in June, the government announced the progressive re-opening of detention centres due to the increase of arrivals by sea.

While the total number of people arriving irregularly in Spain grew by 29%, in comparison to 2019, irregular arrivals in the Canary Islands increased by 756.8%. Between June and November, lack of adequate and sufficient accommodation resulted in many refugees and migrants spending several days outdoors on the docks in unsafe conditions.

The number of asylum applications dropped significantly due to restrictions of movement and border closures. From January to November, 84,705 people submitted asylum applications; 39,839 of those were women and 15,206 were minors, compared to more than 117,000 people in 2019. Concerns remained about the backlog of asylum applications, with 99,105 cases pending in November. Lockdown restrictions compounded disruptions to asylum interviews and renewal of documents. Asylum-seekers encountered difficulties in obtaining an appointment to formalize their asylum application.

Asylum-seekers and migrants continued to live in overcrowded reception conditions and without adequate protection from COVID-19. The Centre for Temporary Stay of Immigrants in Melilla remained at overcapacity during the pandemic, accommodating up to 1,600 people, including minors and lesbian, gay, bisexual, transgender and intersex people.

Despite the health risks, transfers of people from Melilla to mainland Spain were limited.

In July, the Spanish Supreme Court reiterated that asylum-seekers had a right to freely move across Spanish territory and access the mainland from Ceuta and Melilla, upholding 22 lower court decisions. However, the government continued its containment policy in both Ceuta and Melilla at the end of the year.

In February, the European Court of Human Rights found that Spain had not breached the European Convention on Human Rights when it summarily expelled two men from Melilla to Morocco in 2014.

In November, the Constitutional Court upheld the constitutionality of the provision allowing for border rejections of people attempting to enter the Spanish enclaves of Ceuta and Melilla, provided that it applies to individualized entries, border rejections are subjected to judicial review and carried out in compliance with international law.

1. The authorities must fulfil their commitments and take measures to guarantee the right to freedom of expression and peaceful assembly - Human Rights Council adopts Universal Periodic Review outcome on Spain (EUR 41/2732/2020)
2. Spain: Older people in care homes abandoned during COVID19 pandemic (Press release, 3 December)
3. Human rights violations during the state of emergency (in Spanish only, Violaciones de derechos humanos durante el estado de alarma, June)

SRI LANKA

Democratic Socialist Republic of Sri Lanka
Head of state and government: **Gotabaya Rajapaksa**

There was continued impunity for violations committed during the internal armed conflict, and the government failed to uphold commitments to the UN Human Rights Council around justice and reconciliation. As such, justice stalled and impunity prevailed, including in cases of killings and other violations allegedly linked to the ruling Rajapaksa family. Human rights defenders, journalists, lawyers and criminal investigators were increasingly intimidated and harassed. There were reports of deaths in custody and extrajudicial executions. Violence against women remained widespread. Minority Malayaha Tamil labourers suffered disproportionately from loss of wages during the COVID-19 pandemic and their efforts to secure better pay were halted.

BACKGROUND

The election results of 2019 sparked concerns among human rights defenders in light of allegations of gross human rights violations under Mahinda Rajapaksa during his 2005-2015 presidency. His brother, President Gotabaya Rajapaksa, had served as the Secretary to the Minister of Defence during the last phase of the internal armed conflict, which ended in 2009. Both parties to the conflict – the Sri Lankan armed forces and the Liberation Tigers of Tamil Eelam (LTTE) – were accused of war crimes and other serious violations and abuses of international human rights law.

Soon after the elections, the new government announced its intention to withdraw support for UN Human Rights Council resolution 40/1 and all linked resolutions promoting post-war reconciliation, accountability and human rights in Sri Lanka. In October, the Constitution was amended, with serious implications for independent institutions including the national Human Rights Commission and the Police Commission, as well as the independence of the domestic judiciary and the police.

ENFORCED DISAPPEARANCES

The government announced its intention to review the Act establishing the Office on Missing Persons (OMP), the permanent body established during the previous government in line with commitments to the UN Human Rights Council with a mandate to investigate the fate of "the missing" in the country. In January, the practice of issuing interim relief to families of the disappeared, as recommended by the OMP and carried out during the previous administration, was

discontinued, putting these families under further financial strain.

Lawyers involved in cases of enforced disappearance, especially the so-called Navy 11 case and the Navatkuli case, faced intimidation and attacks on social media. In both cases, members of the Sri Lankan armed forces were suspected perpetrators. The cases saw little progress during the year. After months of delays, the court case for the disappearance of journalist Prageeth Eknaligoda began at the Permanent High Court Trial-at-Bar. During the trial, witnesses appeared before the President-appointed Commission of Inquiry on "political victimization", leading to concerns that the parallel inquiry would interfere with the ongoing court case. In December, the President appointed the Chairman of the Commission as the new Chairperson to the OMP, raising further fears around the future, commitment and independence of domestic mechanisms.

IMPUNITY

Little or no progress was made towards accountability for violations and abuses committed during the armed conflict and in the post-conflict period. Sri Lanka failed to establish a judicial mechanism with special counsel to investigate allegations of violations of human rights and international humanitarian law as promised at the UN Human Rights Council. There was no notable progress in the investigations of the killings of journalist Lasantha Wickrematunge in 2009 and sportsman Wasim Thajudeen in 2012.

In March, President Gotabaya Rajapaksa pardoned Sergeant Sunil Rathnayaka, who was convicted and sentenced to death by a Sri Lankan high court in 2015 for the December 2000 murder of eight Tamil civilians, including three children, in the village of Mirusuvil, Jaffna. The pardon was in line with the President's campaign pledge to acquit and release those who he called "war heroes" being held on "baseless" charges.

In June, Vinayagamoorthi Muralitharan (known as Karuna), former deputy leader of the LTTE and current supporter of the ruling party, boasted of killing some 2,000 to 3,000 Sri Lankan Army personnel in one night during the armed conflict. Although the police began investigations into the statement, they did not investigate war crimes he allegedly committed. The investigation had not produced an outcome by the end of the year. Vinayagamoorthi Muralitharan was later given a position in Prime Minister Mahinda Rajapaksa's personal staff. Several military officers who, according to the findings of various UN investigations, could be responsible for crimes under international law were also promoted during the year and appointed to powerful positions within the administration.

During the year there was a further crackdown on law enforcement officers pursuing accountability for human rights violations. Immediately after the presidential election, more than 700 criminal investigators were banned from leaving the country. Shani Abeysekara, former Director of the Criminal Investigations Department (CID), was arrested in July over allegations of concealing evidence. A sub-inspector who made the allegation later confessed to a magistrate that he was pressured into framing Shani Abeysekara. During his time at the CID, Shani Abeysekara pursued many criminal cases involving human rights violations, some allegedly linked to the Rajapaksa ruling family. While in custody, Shani Abeysekara tested positive for COVID-19, but was withheld prompt access to medical care at a hospital for days.

FREEDOMS OF EXPRESSION AND ASSOCIATION

Human rights defenders, journalists, lawyers and criminal investigators came under increased intimidation and harassment during the year. Law enforcement officials paid unannounced visits to human rights organizations and enquired about their work and funders. At least 18 such visits were recorded in the north, east and west of Sri Lanka during the year and 13 incidents of intimidation of journalists. Dharisha Bastians, former editor of a state-owned newspaper

and *New York Times* correspondent, was under investigation for reporting on various cases and human rights issues.

In April in the context of the COVID-19 pandemic, the police announced that they would take legal action against those who publish posts on social media criticizing government officials and obstructing their duties. Several social media commentators were arrested following the announcement. Ramzy Razeek was arrested and detained after peacefully expressing himself in a Facebook post. His health deteriorating, he was granted bail five months later. The investigation against him was continuing at the end of the year. The 2019 case against short story writer Shakthika Sathkumara also remained pending. Hejaaz Hizbullah, a prominent lawyer, was arrested in April on suspicion of offences under Sri Lanka's draconian Prevention of Terrorism Act (PTA). He continued to be arbitrarily detained at the end of the year without any evidence of wrongdoing produced in court. Muslim poet Ahnaf Jazeem was arrested under the PTA for a collection of poems he published. He continued to be held in custody without legal representation at the end of the year. The PTA remained in use despite the previous government's pledges to repeal and replace the law, which was used arbitrarily against the minority Muslim population following bombings on 21 April 2019.

Thousands of people were arrested for violating the COVID-19 curfew, despite it having no legal basis. Police also used excessive force to arrest activists peacefully carrying out a Black Lives Matter solidarity protest in strict observance of COVID-19 guidelines, without first giving the protesters the opportunity to disperse voluntarily.

The pandemic also led to an increase in anti-Muslim rhetoric in social and mainstream media, in some instances by senior government members. The authorities carried out forced cremations (forbidden by the Muslim faith) of Muslims who died from COVID-19, despite domestic directives at the time allowing for burials. WHO guidelines allowed for either burials or cremations for the safe management of a corpse in the context of COVID-19.

EXCESSIVE USE OF FORCE AND EXTRAJUDICIAL EXECUTIONS

Incidents of police brutality were recorded in many parts of the country. In one incident in the south, the victim was a Muslim child with disabilities. In the north, Tamil ethnic minorities were targeted.

At least 14 prisoners died and more than 100 were injured when the authorities used lethal force to control protests against the spread of COVID-19 inside several prisons. Detainees in police custody too were shot dead, allegedly while trying to escape. People allegedly involved in drug-related crimes were extrajudicially executed, reportedly during "crossfire" with the police.

VIOLENCE AGAINST WOMEN AND CHILDREN

There was continued impunity for sexual and gender-based violence, despite repeated assurances by consecutive governments to tackle the issue. A total of 142 rapes and 42 cases of "serious sexual abuse" against children were reported to the police in just the first 15 days of the year.

DISCRIMINATION

Malayaha Tamil estate labourers and their families continued to suffer marginalization and poverty. They were particularly affected by the lack of income during the COVID-19 pandemic. Many relied on loans or were forced to pawn jewellery to cover basic living expenses. Many young people from the community lost their daily wage jobs in towns and cities. Children in plantation estates were deprived access to online education during the pandemic because of a lack of computers and internet access in their homes. In spite of record profits for Sri Lanka's tea exporters of LKR353 billion (US$1.9 billion) in 2019, the call by Tamil labourers for an increase from LKR700 (US$3.8) to LKR1,000 (US$5.4) a day was rejected. The tea companies blamed the pandemic for stalling talks with the

government over workers' pay, despite President Rajapaksa's promise to secure a wage increase.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Sections of the Penal Code that prohibit "carnal intercourse against the order of nature" and "gross indecency between persons" continued to be used to persecute, harass and discriminate against LGBTI people. Rights organizations reported in October that at least seven LGBTI people had been subjected to forced anal and vaginal examinations by the police and Judicial Medical Officers since 2017 in an attempt to prove allegations of same-sex sexual relations.

DEATH PENALTY

In 2019, former President Maithripala Sirisena signed death warrants for four death row prisoners who had been convicted of drug-related crimes. The Supreme Court granted a temporary reprieve while cases challenging the order were heard in court. The case was ongoing at the end of 2020 and the stay of executions was extended. Sri Lanka has not carried out any executions since 1976.

SUDAN

Republic of the Sudan
Head of state: **Abdel Fattah al-Burhan**
Head of government: **Abdalla Hamdok**

Positive legal reforms were instituted, including abolition of some forms of corporal punishment, and criminalization of female genital mutilation (FGM). Security forces used excessive, and sometimes lethal, force against protesters. Opposition activists and officials of the deposed former government of Omar al-Bashir were subjected to prolonged arbitrary detention. COVID-19 lockdown measures left millions in need of relief assistance. The authorities failed to adequately protect civilians in Darfur, South Kordofan and eastern Sudan from serious human rights abuses arising from armed attacks by militias.

BACKGROUND

A year after the 2019 overthrow of President Omar al-Bashir, the transitional government continued to struggle to address the former government's legacy of corruption, economic crisis, past human rights violations, and lack of justice and accountability.

In March, the government declared a national health emergency in response to the COVID-19 pandemic, introducing measures including an overnight curfew, movement restrictions and border closures.

In August, a peace agreement was signed between the government and the Sudan Revolutionary Front, an alliance of nine armed political groups based throughout the country, including in the conflict-torn areas of Blue Nile, Darfur and South Kordofan. Some armed groups did not sign the agreement. The Sudan Liberation Movement/Army-Abdul Wahid Nur in Darfur refused to participate in any peace talks. Also, no agreement was reached with the Sudan People's Liberation Movement-North which controlled parts of South Kordofan and Blue Nile.

RIGHTS OF WOMEN AND GIRLS

The government took steps to improve the protection of women's and girls' rights. In June, it adopted a National Action Plan for the Implementation of UN Security Council Resolution 1325 on women, peace, and security, which provides guidance on preventing gender-based violence in armed conflict and increasing women's participation in the peace processes.

In July, the government introduced legislation criminalizing the practice of FGM.

EXCESSIVE USE OF FORCE

In September, police used live ammunition to disperse demonstrators in the town of Nertiti in Central Darfur, killing two protesters and injuring four others. The demonstrators were protesting against the government's failure to

protect civilians after unknown assailants attacked their community, killing a 14-year-old girl and a 24-year-old man, earlier that day. The Central Darfur State Security Committee promised to investigate the two incidents. There was no further information on the investigation at the end of the year.

RIGHT TO TRUTH, JUSTICE AND REPARATION

The National Committee of Inquiry, established to investigate the killing and injuring of protesters on 3 June 2019, had not concluded its work by the end of the year. On that day, members of the Rapid Support Forces and other security forces fired live ammunition at peaceful protesters outside the military headquarters in Khartoum, killing at least 100 and injuring 700 others. Many survivors and relatives of those killed were not optimistic that the Committee would provide them with justice and reparation.

In February, the government announced that former President Omar al-Bashir should appear before the ICC on charges related to war crimes, crimes against humanity and genocide carried out in Darfur. The ICC issued arrest warrants for Omar al-Bashir in 2009 and 2010. It also issued arrest warrants for two other officials in Omar al-Bashir's former ruling National Congress Party (NCP) — Ahmad Harun in 2007 and Abdel Raheem Muhammad Hussein in 2012. However, the transitional government continued to fail to meet its obligation to surrender them to the Hague court, and still had not ratified the Rome Statute of the ICC.

In June, Ali Muhammad Ali Abd-Al-Rahman (also known as Ali Kushayb), a former senior commander of the Janjaweed militia, surrendered to the ICC to answer charges of war crimes and crimes against humanity allegedly committed in Darfur.

TORTURE AND OTHER ILL-TREATMENT

Despite the widespread practice of torture during the past 30 years, the government had not ratified the UN Convention against Torture.

In July, the government introduced legal reforms to protect certain rights. It abolished some provisions in the 1991 Criminal Act, including the use of flogging and some forms of corporal punishment as penalties for various crimes, and introduced legislation to decriminalize apostasy.

ARBITRARY DETENTION

At least 40 people remain arbitrarily detained, including opposition activists and members of the former government.

On 2 June, Muammar Musa Mohammed Elgarari, an opposition activist and leader of the Future Movement Group, was arrested in Khartoum for allegedly harassing members of the Committee for Removal of Empowerment. The Committee had been established to dissolve the NCP and confiscate its property. He remained in detention without charge in a police station in Khartoum North at the end of the year.

At least 40 NCP senior party leaders and members, who had been detained without charge for 14 months, were finally charged and brought before a special criminal court in July. They had been arrested following the 2019 military coup, after which they were held in Kober prison. In June 2020, the Attorney General announced that at least five cases would be submitted to the courts over the following weeks, including those involving suspects accused of serious human rights violations committed during the years under Omar al-Bashir. The first trial began on 21 July and related to the 1989 military coup that brought Omar al-Bashir to power. It was ongoing at the end of the year.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Doctors and other health workers were physically and verbally attacked by patients or their relatives who blamed them for the government's mishandling of the COVID-19 pandemic.[1] In May, the Central Committee of Sudanese Doctors reported 28 attacks on health workers nationwide between March and May. In June, the government passed legislation to protect health workers, and

deployed dedicated security forces to prevent further attacks.

Between 18 April and early June, the authorities imposed a 24-hour lockdown in Khartoum, although people were still allowed to leave their homes to buy essentials. Thousands who worked in the informal economy struggled to earn a living when movement between states was restricted. The measures put human rights at risk, particularly the rights to food, health, water and sanitation, of groups facing marginalization and discrimination like internally displaced people, refugees, migrants, women and children. In September, the UN Independent Expert on the Situation of Human Rights in Sudan said that 9.3 million people needed humanitarian assistance, an increase from 5.2 million in 2015.

RIGHT TO HEALTH

The COVID-19 pandemic exposed the extent of under-investment in the public health system. Hospitals were found lacking key equipment for PPE and ventilators.

UNLAWFUL KILLINGS

The violence in Darfur, South Kordofan and eastern Sudan continued. Inter-communal violence resulted in unlawful killings, sexual violence, torture and other ill-treatment, destruction of property and burning and looting of villages. At least 20 incidents were reported by the end of the year. The security forces and the government repeatedly failed to provide protection for civilians or to intervene in a timely manner to prevent the escalation of fighting and human rights abuses.

On 21 April, residents of the village of Tamar Bol-Jimeil, north-east of Zalingei in Central Darfur, were attacked by members of a militia from the neighbouring nomadic Rizeigat Arab ethnic group. Some of the attackers were said to have been wearing military uniforms. Two people were killed and 14 injured. At least 18 houses were burnt down and more than 400 families reportedly temporarily displaced.[2]

On 13 July, 10 protesters were killed in Fata Borno camp for internally displaced people in North Darfur, and at least 17 people injured, during an attack by an armed militia group, thought to be affiliated with government security forces. The attack took place as protesters staged a peaceful eight-day sit-in to demand, among other things, better security, protection for their crops from militia and other armed group attacks, and the dismissal of officials affiliated with the former government.[3]

On 25 July, at least 60 people from the Massalit ethnic group were killed and more than 54 wounded in a reprisal attack by an armed group in and around the village of Masterei in West Darfur. The Sudanese authorities failed to intervene or to prevent the attack, which lasted several hours. Although the authorities announced they would investigate the attack, no findings were made public by the end of the year.

1. Exposed, silenced, attacked: Failures to protect health and essential workers during the COVID-19 pandemic (POL 40/2572/2020)
2. Sudan: UN and AU must prioritize protection of civilians in Darfur (AFR 54/2351/2020)
3. Sudan: Promptly investigate protester killings at Fata Borno (Press release, 14 July)

SWEDEN

Kingdom of Sweden
Head of state: **Carl XVI Gustaf**
Head of government: **Stefan Löfven**

COVID-19 deaths occurred disproportionately among older people and in immigrant communities. Despite the pandemic, authorities carried out hundreds of evictions.

DISCRIMINATION

In June, "Black Lives Matter" protests took place in several cities. The Minister for Gender Equality publicly acknowledged that people of African descent and ethnic minorities faced discrimination in accessing

employment, housing, education and health care.

Right to health

At year's end, 7,389 people aged over had 70 died from COVID-19, out of a total of 8,154 deaths. Almost 6,000 of them were care home residents or had received care at home. The Health and Social Care Inspectorate and the National Corona Commission identified failures in carrying out individual medical assessments in care homes and shortages of personal protective equipment for staff as contributing factors.

In June, public health research indicated that the number of older people in some immigrant communities dying from COVID-19 was disproportionately high. Initial studies suspected a link between higher mortality risk and the crowded living conditions experienced by some immigrant communities, combined with the exposure risk of employment in the service sector.

Right to housing and forced evictions

During 2020, despite the COVID-19 pandemic, the authorities carried out 2,106 evictions. The police forcibly evicted EU nationals living in informal settlements in the capital Stockholm, many of whom were Roma. The authorities failed to offer alternative accommodation.

Sami Indigenous People

In January, the Supreme Court ruled that the Sami village of Girjas had the exclusive right to manage fishing and hunting licences for their traditional lands. Following the ruling, hate speech on social media against Sami people was reported.

GENDER-BASED VIOLENCE

In June, a review of Sweden's 2018 consent-based rape legislation was published showing a significant increase in the number of prosecutions and convictions for rape since the law's introduction.

RIGHT TO SEEK ASYLUM

Authorities continued to forcibly return to Afghanistan people whose asylum applications were rejected, in risk of violating the principle of *non-refoulement* (forcible return of individuals to a country where they risked serious human rights violations).

TORTURE AND OTHER ILL-TREATMENT

In its October review, the UN Committee Against Torture repeated its long-standing criticism of Sweden for failing to define or criminalize torture in domestic law.

CORPORATE ACCOUNTABILITY

In June, the Swedish Prosecutor confirmed the completion of an investigation into two representatives of oil company Lundin Energy (formerly Lundin Petroleum) for alleged complicity in serious violations of international law in what is now South Sudan.

SWITZERLAND

Swiss Confederation
Head of state and government: **Simonetta Sommaruga**

Parliament adopted draconian anti-terrorism laws. The government's COVID-19 response disproportionately limited the right to freedom of expression. Parliament began reviewing the criminal law relating to sexual offences; Swiss citizens voted to include sexual orientation in hate-speech legislation. The government refused to resettle more refugees from the Greek islands, and temporarily suspended asylum applications at borders due to COVID-19. A landmark referendum calling for mandatory human rights due diligence for multinational companies was held.

BACKGROUND

Between March and June, the government ruled by emergency powers in response to the COVID-19 pandemic, impacting a range of rights such as freedom of assembly and

movement. Despite pressure by numerous organizations and associations, by year's end, no comprehensive, independent study had been commissioned to determine measures to provide maximum protection to health workers in Switzerland.[1] The Senate (2nd Chamber) accepted a government proposal to create an independent national human rights institution; the proposal was expected to go to the other Chamber in 2021. In September, Parliament decided to reduce greenhouse gas emissions by 50% below 1990 levels by 2030.

UNFAIR TRIALS

In May, the Council of Europe Human Rights Commissioner and UN experts criticized proposals for "draconian" new anti-terrorism laws.[2] In September, Parliament adopted the laws which pre-emptively restrict a person's liberty without charge or trial, and included a vague and overly broad definition of "terrorism".

FREEDOM OF ASSEMBLY

At the start of the pandemic, the police lacked clear guidelines to implement emergency measures and disproportionately limited protesters' right to freedom of peaceful assembly by imposing blanket bans on demonstrations in public and handing out fines in certain cantons. [3]

GENDER-BASED VIOLENCE

In January, a parliamentary committee reviewed the criminal law relating to sexual offences.[4] It instructed the government to submit a proposal to redefine sexual acts committed against a person's will. The current definition of rape required a female victim and the use of coercion or force.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Parliament voted in favour of introducing same-sex marriage. Same-sex couples will now have the same rights with the exception of certain restrictions in the area of sperm donation.

In July, hate speech legislation was extended to criminalize advocacy of hatred and discrimination based on sexual orientation, following a referendum in favour of the change.

RIGHTS OF REFUGEES AND ASYLUM-SEEKERS

There were allegations of disproportionate use of force by security staff at federal asylum-seeker reception centres.[5] By December, no independent investigations had been announced or conducted. During the closure of the border with Italy from mid-March to mid-May, asylum applications at the borders were suspended, except for vulnerable people, as part of COVID-19 emergency measures.

In March, a parliamentary initiative calling for the introduction of a humanitarian clause in the legislation which penalizes "Encouraging unlawful entry, exit or an unlawful period of stay" was rejected. In July, the Federal Court upheld the convictions for "facilitation of unlawful entry" of human rights defenders Anni Lanz and Lisa Bosia Mirra, who had helped asylum-seekers in need to enter Switzerland.

The government refused to accept more refugees from the Greek islands, although several major cities offered relocation places. Exceptions included 54 unaccompanied minors with family ties to Switzerland who were relocated. After the destruction of Moria refugee camp in Lesbos, Greece, in September, (see Greece entry) the government accepted another 38 minors, intended to be resettled by the end of the year.

CORPORATE ACCOUNTABILITY

On 29 November, the referendum on the Responsible Business Initiative, calling for mandatory human rights and environmental due diligence for multinational companies doing business abroad, was held and voted down. Although the initiative was rejected by the cantons it won the majority of the people's vote. This was the first time that the

voters of any country had said yes to this kind of mandatory due diligence.[6]

IMPUNITY

In June, the European Court of Human Rights ruled Switzerland had violated the right to life after failing to take adequate measures to protect a man who committed suicide in police custody in 2014. Swiss authorities had also neglected to conduct an effective investigation.

1. Garantir les droits des professionnel-le-s de la santé (in French only), (Press release, 18 August)
2. Les lois antiterroristes sapent l'état de droit! (in French only), (Press release, 24 September)
3. COVID-19: Des directives claires pour l'expression de l'opinion dans les lieux publics (in French only), (Press release, 5 May)
4. Projet distinct de révision du droit pénal sexuel (in French only), (Press release, 18 January)
5. Un régime rigide dans les centres fédéraux et des délais très courts (in French only), (Press release, 28 February)
6. Multinationals seem too big for accountability. Switzerland may change that (News story, 27 November)

SYRIA

Syrian Arab Republic
Head of state: **Bashar al-Assad**
Head of government: **Hussein Arnous (replaced Imad Khamis in June)**

Parties to the conflict in Syria continued to commit with impunity serious violations of international humanitarian law, including war crimes and crimes against humanity, and gross human rights abuses. Syrian and Russian government forces carried out direct attacks on civilians and civilian objects, including hospitals and schools, through aerial bombing of cities in the governorates of Idlib, Hama and Aleppo, displacing close to 1 million people. Government forces continued to impede access to humanitarian aid to civilians. Security forces arbitrarily detained peaceful protesters as well as civilians who had reconciled with the government, and continued to arbitrarily detain tens of thousands of people, including peaceful activists, humanitarian workers, lawyers and journalists, subjecting many to enforced disappearance. The self-styled Syrian National Army, supported by Turkey, subjected civilians in the northern cities of Afrin and Ras al-Ayn, which are under effective control of Turkey, to a wide range of abuses, including looting and confiscation of property, arbitrary detention and abduction. In the north-west, the armed opposition group Hay'at Tahrir al-Sham arbitrarily detained and attacked media activists, journalists, medical and humanitarian workers, and others. In the north-east, the Autonomous Administration led by the Democratic Union Party (PYD) arbitrarily detained individuals and continued holding tens of thousands of people suspected of affiliation to the armed group Islamic State (IS) in inhumane conditions. The Syrian government failed to adequately protect its health workers from COVID-19 and lacked a robust national response, which endangered thousands of lives. Tens of thousands of internally displaced people were at risk of contracting COVID-19 due to dire living conditions.

BACKGROUND

The conflict continued between the government and its allies, and armed opposition groups in Idlib, Hama, Aleppo and Daraa. In January, hostilities between the government, supported by Russia, and Hay'at Tahrir al-Sham significantly escalated in north-west Syria. By 2 March, the government had recovered control of the Damascus-Aleppo highway as well as key towns and cities in the southern Idlib governorate and in the western part of the Aleppo governorate. On 5 March, Russia and Turkey agreed to a ceasefire and to carry out joint military patrols of the Aleppo-Latakia highway (also known as the M4 highway).

Between January and April, unidentified armed groups shelled and detonated car bombs in Afrin, a city in northern Syria under the control of pro-Turkey armed groups, killing and injuring many civilians and

damaging civilian infrastructure such as homes and markets. Between March and July in Daraa governorate in the south-west, tensions escalated between armed opposition groups and government forces following clashes, shelling and targeted killings by both sides.

In April, the Board of Inquiry established in 2019 by the UN Secretary-General to investigate "incidents" that destroyed or damaged "facilities on the de-confliction list and UN-supported facilities" in north-west Syria published a summary of its findings. The Board's conclusions included that it was "highly probable" that "the Government of Syria and/or its allies" carried out three air attacks and that a ground rocket attack it investigated was carried out by "armed opposition groups or by Hayat Tahrir al-Sham". In October, the Organization for the Prohibition of Chemical Weapons published two reports into two alleged chemical weapon attacks on Idlib and Aleppo on 1 August 2016 and 24 November 2018, respectively. Neither established whether or not chemicals were used as weapons.

Israel continued air attacks targeting the Syrian government and Iranian and Hizbullah forces in Syria.

In June, the USA adopted the Caesar Syrian Civilian Protection Act imposing sanctions on Syrian government officials, military officials and business people.

UNLAWFUL ATTACKS

Direct attacks on civilians and civilian objects by the Syrian government and Russia

Civilians in north-west Syria, including Idlib, northern Hama and western Aleppo governorates, continued to face air and ground attacks, combined with dire humanitarian conditions. Between January and March, the Syrian government, backed by Russia, subjected civilians to unlawful attacks targeting residential areas and civilian infrastructure, including medical facilities and schools.[1]

Residents, medical workers and teachers described how they endured relentless attacks on their homes, hospitals and schools. A doctor said that in January, three air strikes in the vicinity of the hospital he worked at in Idlib flattened at least two nearby residential buildings and killed 11 civilians, including one of his colleagues. Evidence showed that Russia was responsible for the attack.

Denial of humanitarian access

The barrage of attacks on civilians and civilian infrastructure in north-west Syria between December 2019 and March 2020, when a ceasefire was reached, pushed close to one million people to seek refuge in already overstretched displacement camps close to the Turkish border or in unfinished buildings, farms and schools, or on the streets. The displaced people lived in intolerable conditions, with limited access to adequate shelter, food and medication.

The spread of COVID-19 in north-west Syria further exacerbated the conditions and challenged humanitarian organizations, already struggling to meet needs. On 10 January, the UN Security Council extended until July the authorization of the mechanism that allowed the UN to deliver humanitarian aid to Syria across the border with Turkey. The resolution reduced the geographic scope of the mechanism from four to two crossings, Bab al-Hawa and Bab al-Salam. After several failed attempts, the UN Security Council on 11 July adopted resolution 2533 extending the UN-facilitated delivery of aid from only Bab al-Hawa for 12 months.

Government forces continued to impede access to UN humanitarian aid agencies and Damascus-based international humanitarian organizations across Syria. A report published by Oxfam and the Norwegian Refugee Council in July described the challenges and obstacles imposed by government forces on the delivery of humanitarian aid, including bureaucratic impediments, interference in humanitarian activities, and restricting partnerships with Syrian NGOs and local communities.

ARBITRARY DETENTION AND ENFORCED DISAPPEARANCES

The Syrian government continued to subject tens of thousands of people, including journalists, human rights defenders, lawyers and political activists, to enforced disappearance.

It continued to resort to arbitrary detention to suppress peaceful protest and curb human rights and humanitarian activities. On 7 June, rare anti-government protests erupted in Sweida city in the southwest calling for "regime change" and better living conditions after rising unemployment and food prices, amongst other issues, ensued from the economic crisis. Between 9 and 16 June, security forces arbitrarily arrested at least 11 men for participating in the protests and denied them access to lawyers and their families.[2] They were released in July following pressure by community leaders.

In Daraa and Damascus Countryside governorates, government forces continued to arbitrarily detain former humanitarian workers, doctors, former civil defence members, political activists and local committee leaders even though they had gone through the so-called reconciliation agreement and received security clearance.

ABUSES BY ARMED GROUPS

Syrian National Army

The Syrian National Army (SNA), a pro-Turkey armed group, perpetrated a wide range of human rights abuses against civilians in Afrin and Ras al-Ayn, including looting, confiscation of property, arbitrary detention, abduction, and torture and other ill-treatment.

The looting and property confiscation particularly affected Syrian Kurds, who had left the area during hostilities in 2018 and 2019. In some incidents, fighters confiscated homes of remaining civilians after subjecting them to extortion, harassment, abduction and torture to force them to leave. They also threatened and arbitrarily detained people who filed complaints, forcing them to pay money for their release, according to the Independent International Commission of Inquiry on the Syrian Arab Republic (UN Commission of Inquiry).

The SNA arbitrarily detained and abducted civilians in Afrin and then tortured and otherwise ill-treated them for various reasons, including for criticizing SNA members and for formerly belonging to the PYD-led Autonomous Administration and its security and military branch. For example, in August armed group members took a 70-year-old Kurdish man from his home in Afrin and held him for two months after he had verbally condemned the beating of a young man by SNA fighters. They denied him access to his family who had to pay "intermediaries" a significant sum of money for his release. In addition, the armed group confiscated his car.

The SNA detained, raped and otherwise sexually assaulted women and girls, according to the UN Commission of Inquiry.

Hay'at Tahrir al-Sham

Hay'at Tahrir al-Sham, which controlled parts of north-west Syria, arbitrarily detained individuals who opposed their rule or ideology, including media activists, journalists, medical and humanitarian workers, and others. On 20 August, Hay'at Tahrir al-Sham fighters arbitrarily detained a doctor, who was also the director of a medical school, for displaying drawings in an art exhibition deemed to violate Shari'a (Islamic law).

On several occasions between April and June, Hay'at Tahrir al-Sham violently dispersed protests by shooting, beating and detaining protesters. Protests centred on the opening of commercial crossings between Idlib and Aleppo into government-controlled areas. On 10 June, according to the Syrian Network for Human Rights, Hay'at Tahrir al-Sham beat and verbally abused 13 journalists filming a joint Russian-Turkish patrol on the M4 highway.

ABUSES BY THE PYD-LED AUTONOMOUS ADMINISTRATION

The PYD-led Autonomous Administration continued to control some of the predominantly Kurdish north-east region of Syria, including Raqqa and Qamishli. It arbitrarily detained humanitarian workers, political activists and Arabs.

The Syrian Democratic Forces, the military branch of the Autonomous Administration, continued to hold tens of thousands of people suspected of affiliation to IS in al-Hol camp in squalid conditions without access to legal recourse.

RIGHT TO HEALTH

The Syrian government failed to adequately protect health workers from COVID-19, or to provide a robust response to the spread of the disease and refused to provide transparent and consistent information about the country's outbreak.[3]

Thousands of lives continued to be at risk with no transparent and effective information or testing. Relatives of COVID-19 patients, medical professionals and humanitarian workers said that public hospitals had been forced to turn patients away due to a lack of beds, oxygen tanks and ventilators. In desperation, some residents were forced to rent oxygen tanks and ventilators at exorbitant fees.

The Syrian government's inadequate distribution of PPE endangered the lives of health workers. The Ministry of Health did not publish information about the impact of COVID-19 on health workers; the only available information is that which the Ministry reported to the UN. Syria's doctors' union reported that at least 61 health workers had died of the disease as of August, while official sources reported 15 deaths.

REFUGEES AND INTERNALLY DISPLACED PEOPLE

By the end of the year, the number of people internally displaced in Syria since 2011 had reached 6.7 million, while 5.5 million people had sought refuge outside the country. Due to limited resettlement places provided by western countries, the number of resettlement submissions by the most vulnerable Syrian refugees fell to 10,056 compared to 29,562 in 2019, according to UNHCR, the UN refugee agency.

Worsening humanitarian conditions in countries neighbouring Syria, with rising unemployment as well as administrative and financial obstacles to obtaining or renewing residency permits, continued to drive refugees to return to Syria. Between January and July, according to UNHCR, 21,618 Syrian refugees organized their own return from Egypt, Iraq, Jordan, Lebanon and Turkey.

Displaced people across Syria continued to live in overcrowded makeshift camps, schools and mosques that did not provide an adequate standard of living. They had limited access to aid, basic services, clean water, hygiene, food, health care, education and livelihood opportunities; and were at increased risk of contracting COVID-19.

Between January and March, the military offensive in north-west Syria led to nearly one million people fleeing to other parts of the country, according to the UN Office for the Coordination of Humanitarian Affairs. Between January and June, 204,000 people had returned to their homes. Thousands continued to be internally displaced in north-east Syria as a result of the military offensive launched by Turkey in 2019.

Al-Hol camp in al-Hasake governorate hosted the largest number of displaced people where around 65,000 individuals, the majority of them women and children, lived in dire conditions. Because of limited access to medical care in al-Hol, eight children under the age of five died between 6 and 10 August due to malnutrition-related complications, dehydration, heart failure, internal bleeding and other causes, according to UNICEF. Between January and August, the water supply from the Alouk water station in areas under the control of pro-Turkey armed groups was disrupted 13 times, cutting supply to residents and internally displaced people in al-Hasake city

as well as in Tel Tamer and surrounding areas, including in al-Hol and other camps.

RIGHT TO TRUTH, JUSTICE AND REPARATION

In April, the trial of two former officials of the Syrian government's security services charged with crimes against humanity started at the Higher Regional Court in Koblenz, Germany. On 18 September, the Netherlands invoked Syria's responsibility for gross human rights violations, particularly for torture under the UN Convention against Torture. Under the Convention, unless Syria and the Netherlands reach an agreement within six months, either party may refer the dispute to the International Court of Justice.

DEATH PENALTY

The death penalty remained in force for many offences. The authorities disclosed little information about death sentences passed, and provided no information on executions.

1. "Nowhere is safe for us": Unlawful attacks and mass displacement in north-west Syria (MDE 24/2089/2020)
2. Syria: Peaceful protesters detained in Sweida must be released immediately (Press release, 24 June)
3. Syria: Lack of adequate COVID-19 response puts thousands of lives at risk (Press release, 12 November)

TAIWAN

Taiwan
Head of state: **Tsai Ing-wen**
Head of government: **Su Tseng-chang (replaced William Lai Ching-te in January)**

The government took several measures to control the spread of the COVID-19 virus, some of which threatened the right to privacy. Amendments to the Prison Act failed to address concerns about rights of people on death row with psychosocial or intellectual disabilities. In August, a National Human Rights Commission was established. In October, the International Review Committee received reports from international organizations ahead of its review of Taiwan's implementation of the ICCPR and the ICESCR.

MASS SURVEILLANCE

In January, the government introduced a series of measures aimed at preventing the spread of COVID-19, some of which threatened the right to privacy. The government established a digital framework of mass surveillance and connected government databases, such as travel and health insurance records, for the purposes of tracking and tracing. Over 35 government departments were able to constantly monitor people's movement and other activities, including the purchase of surgical masks, through this platform. The government provided few details about its use of the platform, nor specified when the data collection measures would end.[1]

DEATH PENALTY

Amendments to the Prison Act in January resulted in changes to the Regulations for the Execution of the Death Penalty in July. The amended regulations still allowed death sentences for individuals with psychosocial or intellectual disabilities.[2] The authorities made no progress towards abolition during the year and continued to carry out executions.[3]

RIGHT TO TRUTH, JUSTICE AND REPARATION

The National Human Rights Commission established as part of the Control Yuan (the government supervisory agency regulated by the Constitution) began work in August. The commission is composed of members appointed to act independently and mandated to investigate complaints of human rights violations, including discrimination, as well as drafting and publishing a national human rights report and advising government agencies.[4]

REFUGEES AND ASYLUM-SEEKERS

Refugees and asylum-seekers received only limited assistance.[5] Over 200 people from Hong Kong arrived in Taiwan seeking asylum after the enactment of a national security law

in late June. This highlighted the inadequacy of Taiwan's present legal framework regarding refugees, asylum-seekers and others in need of international protection (such as *non-refoulement*) and led to renewed calls for the adoption of a Refugee Act.

INTERNATIONAL SCRUTINY

On 29 June, the government announced it was inviting national and international experts to review its implementation of the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).[6] This International Review Committee is expected to gather for its third review from 18 to 22 October 2021.

1. Taiwan: Submission to the International Review Committee on the domestic implementation of the ICCPR and ICESCR: 3rd reports, (ASA 38/3212/2020)
2. Taiwan: Amendment to the regulations for the execution of the death penalty: General Comment No. 36 of ICCPR should be included (Statement, 20 July, Chinese only)
3. Taiwan: Second execution under President Tsai (Statement, 2 April, English and Chinese)
4. Taiwan: Establishment of National Human Rights Commission (Press statement, 19 June, Chinese only)
5. Taiwan: World Refugee Day (Press statement, 19 June, Chinese only)
6. Taiwan: Submission to the International Review Committee on the domestic implementation of the ICCPR and ICESCR (Press release 23 October 2020, in both English and Chinese)

TAJIKISTAN

Republic of Tajikistan
Head of state: **Emomali Rahmon**
Head of government: **Qokhir Rasulzoda**

The authorities tightly controlled news and information around the COVID-19 pandemic and restricted freedom of expression, blaming media and civil society for spreading "false" information. The courts used counter-terrorism legislation to block access to some independent media outlets based abroad. A journalist was imprisoned for "inciting religious discord". Personal protective equipment received by health care workers in hospitals, care homes and detention facilities was inadequate, as was protection given to survivors of domestic and gender-based violence.

BACKGROUND

The authorities long denied the advent and scope of COVID-19 infections, but imposed restrictions, including shutting the borders and closing all detention facilities to visitors. Remittances (previously comprising a third of gross domestic product), fell by over 50% prompting fears of food shortages. In September, the International Monetary Fund reported that Tajikistan was experiencing "severe effects" from the pandemic. President Emomali Rahmon, effectively uncontested, was re-elected in October.

FREEDOM OF EXPRESSION

Blocking internet-based information resources and, intermittently, internet access remained popular tools in the authorities' campaign against critical voices. The President signed a new Law on Counteracting Extremism in January, granting the authorities wide-ranging powers to restrict freedom of expression. Thirteen government agencies were authorized to request the Communication Service to block websites without judicial review.

In February, the Supreme Court concluded that the foreign-based independent news website Akhbor offered a platform to "terrorists and extremists" and ruled to block it. This effectively made journalists working for Akhbor members of a banned "extremist" organization and so liable to prosecution. In November, Akhbor's editor-in-chief stated that he was forced to close down the website due to security risks to all those associated with it, including its readers.

The authorities continued to use charges of "incitement to discord" and "terrorism and extremism" against journalists and bloggers who published critical material on politically sensitive topics.

In April, a court in the capital Dushanbe found independent journalist Daler Sharipov guilty of "inciting religious discord" for

publishing and disseminating unofficially his dissertation on Islam and sentenced him to one year in prison. The prosecutor argued that he had published "extremist" articles and had links to an extremist organization. Daler Sharipov rejected the charges but admitted that he might have "made mistakes" in the dissertation; he did not appeal his sentence.[1]

Media restrictions during the pandemic

The authorities tightly controlled the narrative and messaging around the COVID-19 pandemic and introduced new legislation against "false" information about coronavirus infections.

In June, Parliament adopted changes to the Administrative Code to punish, with substantial fines, journalists, bloggers, and others for distributing "inaccurate" and "untruthful" information about the pandemic through mass media or social networks.

The amendments exposed users of mobile messenger apps to prosecution for sharing "unreliable" information and gave the security services powers to monitor private correspondence. Those wishing to share their experiences of COVID-19 on social media had to obtain an official certificate confirming their diagnosis, or risk prosecution for distributing "false" information.

Prisoners of conscience

In April, the health of human rights lawyer Buzurgmekhr Yorov sharply deteriorated, with COVID-19-consistent symptoms. It improved but anonymous sources reported some months later that his health continued to be fragile and that he was facing punishment from prison authorities for interacting with fellow prisoners and giving them legal advice.

RIGHT TO HEALTH

According to UN agencies in Tajikistan, as of 8 June, 1,701 health care workers (36% of all those infected in the country) had contracted COVID-19, including 619 doctors and 548 nurses, while Radio Ozodi published an official list of 10 medical personnel who died in Khatlon Region. The lack of adequate PPE was the main reason, as confirmed by health care workers anonymously on social media, who also complained that authorities had forbidden them from sharing any information about COVID-19. Nonetheless, the authorities insisted in July that not a single medical doctor had died from COVID-19.

Anonymous sources also reported a lack of PPE for health care workers in the military, the penitentiary system, children's homes and care homes for older people. COVID-19 was of particular concern in detention centres, criticized by the UN Human Rights Committee in 2019 for chronic overcrowding, poor sanitary facilities and lack of adequate medical care. These conditions, which did not improve in 2020, facilitated the spread of infectious diseases among prisoners.

After the borders were closed, thousands of migrant labourers found themselves stranded in airports, cars or makeshift camps at the borders, or in quarantine facilities without access to adequate sanitary and medical facilities.

GENDER-BASED VIOLENCE

The government failed to combat domestic violence effectively and ensure adequate protection to survivors.

Crisis centres reported an alarming increase in cases of domestic and gender-based violence during the pandemic. The Gulrukhsor Women's Centre in Khudjand, northern Tajikistan, received 142 applications in May alone, a threefold increase from the previous month.

In October, a court in Dushanbe found a young fashion designer guilty of defamation. She had accused her former employer of physical violence and verbal threats of rape. The newspaper that had published her story was also found guilty of defamation. Both were sentenced to pay financial compensation. The authorities failed to investigate the allegations despite compelling evidence.

Lesbian, gay, bisexual, transgender and intersex (LGBTI) people

Without access to already very scarce community resources and support structures, LGBTI people, in particular young people, similarly could not leave their homes and were forced into cohabitation with unsupportive, often abusive, families.

1. Tajikistan: Independent journalist imprisoned for a year (EUR 60/2206/2020)

TANZANIA

United Republic of Tanzania
Head of state and government: **John Pombe Magufuli**

The government restricted the rights to freedom of expression, association and peaceful assembly in the run-up to the October elections. The President declared Tanzania to be COVID-19-free in June. The authorities severely restricted media freedom, claiming they were curbing the "spread of false news" on the pandemic. Media outlets were shut down for reporting on political events. Pregnant schoolgirls were banned from mainstream schools and segregated in alternative education centres.

BACKGROUND

On 28 October, Tanzania held its sixth general election since the reintroduction of the multi-party system in 1992. In November, the President began his second term in office following a controversial election. In the run-up to, during and after elections, opposition politicians and hundreds of their supporters were arbitrarily arrested and beaten by the police, and others were killed. Several politicians, including Tundu Lissu, the presidential candidate for Chadema, the main opposition party, and opposition politicians, Lazaro Nyalandu and Godbless Lema and his family fled the country after the elections, fearing persecution.

RIGHT TO HEALTH

The government withheld information relating to COVID-19 and disregarded WHO guidance about how governments, health professionals and the general public should respond to the pandemic. There was no reliable or prompt system of accurate information on the pandemic at the end of the year. On 29 April, the government stopped publishing information on infection rates. On 5 June, the President announced that the country was free of COVID-19, making it harder for Tanzanians to take adequate steps to protect themselves from infection.

Prison conditions

In April, the President pardoned 3,717 prisoners in line with WHO recommendations to decongest prisons to limit the spread of COVID-19. However, prisons remained overcrowded, putting prisoners' health at risk. There were 32,438 prisoners, of which 17,974 were on remand; the prison population was 9% over capacity.

DISCRIMINATION – WOMEN AND GIRLS

Pregnant girls and young mothers were discriminated against in the education sector. The government continued to ban them from schools and used a World Bank loan – intended for the improvement of girls' secondary school education – to maintain their segregation in alternative learning centres, where the four-year lower secondary school curriculum was compressed into two years.

REPRESSION OF DISSENT

The authorities used legislation to silence peaceful dissent and severely restricted the right to freedom of expression and media freedom, particularly in the run-up to the elections.

In April, the Tanzania Communication Regulatory Authority (TCRA) fined Star Media Tanzania Limited, Multichoice Tanzania Limited and Azam Digital Broadcast Limited TZS5 million (US$2,150), and ordered them to apologize for "spreading false and

misleading information" on the government's handling of the COVID-19 pandemic, an offence contrary to the Tanzania Communications Regulatory Authority Act. Later that month, the TCRA suspended *Mwananchi*, an online newspaper, for six months and fined it TZS5 million (US$2,150) for publishing a photo of the President in which he appeared to breach physical distancing guidelines. The authorities said that *Mwananchi* had violated the 2018 Electronic and Postal (Online Content) Regulations.

The government penalized newspapers and broadcasting stations, particularly between June and October, for reporting on political events related to the elections. The *Tanzania Daima* newspaper was given an indefinite ban on all print runs and distribution; the online television network, Kwanza TV, was suspended for 11 months, and Clouds TV and Clouds FM Radio were suspended for seven days.

In August, the TCRA amended the Electronic and Postal Communications (Radio and Television Broadcast) Regulations to limit international media coverage of the elections. Local broadcasters were obliged to obtain the regulator's permission to air content produced by, or in collaboration with, foreign media. The amendments also required that foreign journalists be accompanied by government officials while on assignments.

HUMAN RIGHTS DEFENDERS

The authorities subjected human rights defenders to intimidation, harassment, threats, arbitrary arrests and detention, and prosecution. Human rights organizations faced closure or suspension if they did not meet excessive requirements imposed by legislation and various regulations.

Human rights lawyer Tito Elia Magoti and Theodory Giyani remained in detention following their arbitrary arrests in December 2019. They were held in connection with their social media activities and charged under various laws, including the Cybercrimes Act, of "possessing a computer programme designed for the purpose of committing an offence", as well as with "leading organized crime, and money laundering". Their cases were adjourned more than 10 times by a court in Dar es Salaam after the prosecution repeatedly asked for more time to complete their investigations.

In July, police arrested Sheikh Issa Ponda, an Islamic cleric, in Ilala, a district of Dar es Salaam. They held him for 10 days for circulating an article which they alleged amounted to incitement and a breach of the peace during the run-up to an election. In his article, he had highlighted the need for an independent electoral body and had claimed that Muslims faced discrimination, especially in recruitment to government jobs. After his release, people he believed to be police officers threatened to re-arrest him and in August he went into hiding, where he remained at the end of the year.

FREEDOM OF ASSOCIATION

The government increasingly controlled and prevented the work of NGOs, severely restricting the right to freedom of association.

On 24 June, the Registrar of NGOs suspended the activities of Inclusive Development for Citizens – Tanzania, an organization which promoted good governance. It was accused of failing to provide details of its 2019 activities, a list of its members and agreements with donors, among other things, in violation of the Non-Governmental Organizations Act and NGO regulations.

On the same day, the Registrar issued notices to the Tanzania Human Rights Defenders Coalition (THRDC) and the Legal and Human Rights Centre (LHRC), demanding that they explain within seven days why legal measures, including deregistration for flouting NGO laws, should not be taken against them. The Registrar also ordered the LHRC to suspend any election-related activities. Following this, the National Electoral Commission (NEC) refused both NGOs' applications to observe the general elections.

In August, the THRDC, which comprised more than 160 individuals and organizations, announced the temporary suspension of its operations after police ordered the freezing of its accounts for not complying with the Non-Governmental Organizations Act. The THRDC was accused of entering agreements with donors without consulting the Office of the Treasury Registrar and the Office of the Registrar of NGOs.

ARBITRARY ARRESTS AND DETENTIONS

In June, in the Kilwa region, police arrested Zitto Kabwe, leader of the ACT-Wazalendo opposition party, along with seven other party members. The party said the men were accused of "endangering the peace" while attending a party meeting which the police said was illegal. They were released on bail the following day and were not given any details of their alleged offences.

In July, police arrested Nusrat Hanje, Secretary General of Chadema's youth wing, and five other party members, in the Singida region west of Dodoma city, after they had hoisted the party's flag while singing the national anthem. Charges against them included "illegal assembly, ridiculing the national flag and the national anthem, and conduct likely to cause a breach of the peace." They were denied bail and detained at Singida prison on 10 July where they remained for 133 days, despite the High Court in Dodoma allowing their appeal against refusal of bail on 26 August. The Director of Public Prosecution dropped the charges against the six on 23 November.

In August, police arrested Joseph Mbilinyi, who was running as a parliamentary candidate for the Mbeya Urban constituency and accused him of holding an unauthorized demonstration. He was arrested on his way to collect nomination forms from the regional NEC offices. He was released the same day without charge.

In November police arrested and charged Freeman Mbowe, the chairman of Chadema and three party members with "terrorism offences" for calling for countrywide protests against the conduct of the October elections. Tundu Lissu (see above, Background) was arrested the following day. They were all released on bail.

UNFAIR TRIALS

In February, the Resident Magistrate Court of Dar es Salaam at Kisutu released investigative journalist Erick Kabendera from prison after he entered a plea bargain agreement with the prosecution. He had been abducted by unidentified men in July 2019. Twenty-four hours later, the police confirmed he was in their custody. He was later charged with money laundering and involvement in organized crime.

Erick Kabendera was subjected to a prolonged court trial which was adjourned 16 times. He said he was tortured in Segerea prison in Dar es Salaam. He also suffered repeated bouts of illness and was refused permission to visit his sick mother who died while he was in prison. The court ordered him to pay the Director of Public Prosecution over TZS273 million (US$116,000) to cover, among other things, alleged tax evasion debts and a fine. He was required to pay within six months or be re-arrested.

In May, police arrested comedian Idris Sultan, and released him 10 days later, on bail of TZS15 million (US$6,550). He was held in connection with a video he distributed on social media in which he allegedly mocked the President. He was charged with "failure to register a SIM card previously owned by another person," and "failure to report change of ownership of a SIM card." His case was adjourned by the Resident Magistrate Court of Dar es Salaam at Kisutu at least nine times and remained pending at the end of the year.

RIGHT TO TRUTH, JUSTICE AND REPARATION

In June, Parliament passed the Written Laws (Miscellaneous Amendments) Act No. 3 of 2020 which, among other things, required claimants, under the Basic Rights and Duties Enforcement Act, to submit affidavits showing that violations had affected them directly. It therefore undermined public interest lawsuits

and government accountability for human rights violations.

THAILAND

Kingdom of Thailand
Head of state: **Maha Vajiralongkorn**
Head of government: **Prayut Chan-O-Cha**

Authorities repressed peaceful protesters, and detained and launched criminal proceedings against human rights defenders, opposition politicians and other critics for joining peaceful assemblies and expressing critical views of the government, the Constitution, and the monarchy. A series of demonstrations took place in Bangkok and other cities. Official measures to control the COVID-19 pandemic left refugees at heightened risk of *refoulement*. The courts handed down death sentences, including for murder; a number of death sentences were commuted by royal pardon to life imprisonment.

BACKGROUND

Under the Organic Law on Political Parties, the Constitutional Court ruled in February to dissolve the Future Forward party, a new opposition party that had won 81 seats in the 2019 elections. The move was widely seen as politically motivated.[1] The dissolution triggered public criticism of the government and calls for constitutional reform. Authorities announced criminal proceedings against the party leader and other executives, 16 of whom were prohibited from competing in elections for 10 years.

Prime Minister Prayut Chan-O-Cha issued an Emergency Decree in March which gave government agencies authority to enforce specific actions meant to curb the spread of COVID-19. The government also issued a list of prohibitions accompanying the Emergency Decree, which included vague and overly broad restrictions on the right to freedom of expression.

The Emergency Decree was initially set to expire after 30 April, but the government extended it until the end of December. The extensive powers granted to authorities under the Emergency Decree were used to repress dissent and prosecute students and activists who led and took part in peaceful assemblies. In October, authorities declared a "severe" state of emergency, granting more powers to police, before revoking the order the following week. In November, the government convened an extraordinary parliamentary session to discuss cross-party solutions to ongoing protest gatherings amid talks of constitutional reform.

ENFORCED DISAPPEARANCES

In January, the State Prosecutor, citing lack of evidence, dropped the charges of premeditated murder and illegal detention against Kaeng Krachan National Park officials who had been accused of the enforced disappearance of environmental activist Pholachi "Billy" Rakchongcharoen in 2014.[2]

In June, unknown individuals abducted Wanchalearm Satsaksit, a Thai blogger who was exiled in Cambodia.[3] Thai authorities did not reveal whether they had worked with the Cambodian government to investigate his enforced disappearance, nor did they announce whether they took any initiatives to ascertain his fate and whereabouts. At least eight other Thai activists who had sought exile in neighbouring countries were abducted or disappeared between 2016 and 2019.

TORTURE AND OTHER ILL-TREATMENT

In March, Amnesty International reported a pattern of torture and other ill-treatment, including sexual violence, against military conscripts at the hands of their commanding officers.[4] No investigations were known to have been conducted by the military's command structure into such allegations.

The Council of State finalized its latest review of legislation criminalizing torture and enforced disappearance in September. The bill was not tabled by the cabinet for parliamentary discussion.

People detained in the three southern provinces of Pattani, Yala and Narathiwat,

where martial law and the Emergency Decree remained in force, reported the use of torture and other ill-treatment amid an ongoing insurgency against the central government.

REPRESSION OF DISSENT

In July, students led protests in the capital, Bangkok, and across the country to demand the resignation of the Prime Minister, the revision of the Constitution, and reform of the monarchy so that it would be subject to legal, political and fiscal oversight. The government responded by enforcing restrictive laws and using its extensive powers under the Emergency Decree to unduly restrict peaceful assemblies.

In October, the government announced additional emergency measures to address what it called "illegal public assemblies" and the alleged obstruction by protesters of the royal motorcade. An estimated 220 individuals who had participated in the protests, including children, were detained or faced criminal proceedings, including for alleged sedition, lèse majesté, computer crimes and breaching emergency measures.[5] Five activists faced life imprisonment for charges under Article 110 of the Criminal Code for "intending to cause harm to the Queen's liberty"; they remained free on bail.

The demonstrations were overwhelmingly peaceful, but there were instances when police used excessive and unnecessary force to disperse the protesters. In October and November, police used water cannons laced with a chemical irritant and threw tear gas canisters towards peaceful protesters.

Children attending demonstrations reported receiving threats of expulsion from school and other forms of pressure and harassment from teachers and school executives to prevent them from joining the protests. Some reported school authorities hitting them, confiscating their belongings and requiring their attendance at meetings with authorities.

FREEDOM OF EXPRESSION

At the beginning of the year, courts acquitted 14 human rights defenders and online commentators in four separate cases after years of criminal proceedings initiated by authorities and corporations against them for alleged online defamation.[6] The courts confirmed that their social media posts on alleged labour abuses or political comment were lawful criticisms made in the public interest.

The authorities continued to charge dozens of individuals under the broad and vaguely-worded provisions of the Computer Crime Act for opinions posted online.[7] Among these, authorities targeted an artist for his Facebook post about airport screening for COVID-19, and a social media user for his tweets about the royal motorcade.

In August, Facebook announced that they had complied with a request from the authorities to restrict access to the Royalist Marketplace, an anti-monarchist Facebook group, despite deeming that the order "contravene[s] international human rights law".[8] Authorities also sought to censor the media, including by requesting court permission to shut down five online media outlets in relation to their coverage of peaceful demonstrations.

HUMAN RIGHTS DEFENDERS

In July, the civil court granted class action status to a lawsuit brought by more than 700 Cambodian families who sued Thai sugar company Mitr Phol after being forcibly evicted from their homes in north-western Cambodia from 2008 to 2009.[9]

Community-based human rights groups reported experiencing harassment and threats of criminal proceedings from authorities for planning or taking part in peaceful protests.

Despite the adoption of a National Action Plan on Business and Human Rights, the government failed to prevent Strategic Litigation Against Public Participation (SLAPP) lawsuits filed by corporations and other business entities to silence human rights defenders. While courts dismissed some of these SLAPP lawsuits against human rights defenders, corporations filed new ones.

REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Authorities delayed the implementation of a National Screening Mechanism for refugees and asylum-seekers that came into force in June.

Migrants and refugees were subjected to indefinite arbitrary detention and overcrowding in detention facilities, increasing their risk of COVID-19 infection. Fifty Uyghur men remained indefinitely detained in poor conditions in immigration detention facilities, pending proof of their nationality from Turkey or China.

During the year boats with hundreds of Rohingya refugees were stranded at sea for months with inadequate food, water and health care. Thai authorities put lives at risk by preventing disembarkation and by reportedly pushing boats back to sea.

1. Thailand: Authorities must reverse dissolution of opposition Future Forward Party (News story, 21 February)
2. Thailand: Six years after Billy disappeared, authorities must provide justice and protect his community's rights (ASA 39/2155/2020)
3. Cambodia: Investigate whereabouts of missing Thai dissident (News story, 5 June)
4. "We were just toys to them": Physical, mental and sexual abuse of conscripts in Thailand's military (ASA 39/1995/2020)
5. Thailand: Drop unjustified charges and release peaceful protesters (News story, 24 October)
6. Thailand: Oppose defamation charges against human rights defenders for exposing labour abuses (ASA 39/1846/2020)
7. They are always watching": Restricting freedom of expression online in Thailand (ASA 39/2157/2020)
8. Thailand: Facebook caves to abusive censorship requests (News story, 25 August)
9. Amicus curiae in the case of Hoy Mai & Others vs. Mitr Phol Co. Ltd (ASA 39/2753/2020)

TOGO

Togolese Republic
Head of state: **Faure Gnassingbé**
Head of government: **Victoire Tomegah Dogbe (replaced Komi Sélom Klassou in September)**

The rights to freedom of expression and peaceful assembly were restricted. The police used excessive force, notably while enforcing COVID-19 restrictions. Health workers protested against the lack of PPE and poor conditions, while prisoners were at risk of COVID-19. Violence against women persisted.

BACKGROUND

In February, the President was re-elected for a fourth term while the opposition denounced alleged electoral fraud and irregularities. The presidential contender, Agbéyomé Kodjo, declared himself President. He was charged with "disturbing public order" and "undermining internal state security" after he called on the army to mobilize against the government. His parliamentary immunity was lifted and, in April, he was detained for three days. Upon release, he was placed under judicial supervision. His supporters also faced arrest and prosecution.

The government implemented measures which restricted the rights to freedom of movement and peaceful assembly, and released 1,048 prisoners in response to the COVID-19 pandemic.

ARBITRARY ARRESTS AND DETENTIONS

Brigitte Kafui Adjamagbo and Gérard Yaovi Djossou, members of a coalition of opposition parties and civil society organizations, were arrested by police in November and charged with "criminal conspiracy" and "undermining the internal security of the state" in connection with protests against the presidential election results and harassment of opponents. They were released conditionally after around three weeks in detention.

TORTURE AND OTHER ILL-TREATMENT

The use of torture continued in police detention. On 23 April, police arrested Kokou Langueh. He said that while he was held at the Central Directorate of Judicial Police headquarters in Lomé, police beat him on his back and buttocks for several hours to extract a "confession" about his connections with

Agbéyomé Kodjo. He was released on 30 April without charge.

FREEDOM OF EXPRESSION

The authorities continued to restrict the right to freedom of expression. In January, the new Press and Communication Code allowed for journalists to be punished with hefty fines for insulting the President, MPs, and government members.

In February, the internet was shut down on polling day. Meanwhile, the electronic communications of human rights defenders, activists and others were put under surveillance.

In March, the High Authority of Audiovisual Communication ordered the suspension of the *Liberté* and *L'Alternative* newspapers for 15 days and two months respectively because they had published "serious, unfounded, and derogatory" accusations against the French ambassador. After the *Fraternité* newspaper published an article criticizing the suspensions, it was also suspended for two months.

In April, François Doudji and Béni Okouto of the Collective of Associations against Impunity in Togo, and a journalist, Teko-Ahatefou Aristo, were arrested while they were monitoring a police intervention at Agbéyomé Kodjo's house. They were interrogated at the Central Intelligence and Criminal Investigation Service and released the same day.

In November, *L'Alternative* newspaper and its publications director were each fined XOF2 million (US$3,702) for defamation and ordered to compensate financially the complainant in relation to a story about misappropriation of funds.

FREEDOM OF ASSEMBLY

The police prevented the Mandela Consciousness Movement from holding its official organizational launch in July, without providing a reason.

The authorities banned peaceful protests and meetings, including protests related to the disputed election results, particularly between August and October.

EXCESSIVE USE OF FORCE

The security forces used excessive force while enforcing COVID-19 measures or dispersing peaceful protesters.

In March, Émile Bousse was shot dead by a soldier in Agoègan on the Togo/Benin border. He had refused to comply with orders when he was arrested for crossing the border which was closed because of the COVID-19 pandemic. The Security Ministry said the soldier was arrested.

In April, Gueli Kodjossé died from his injuries in the Avedji district in Lomé, the capital. The Minister of Security said that he died as a result of his epilepsy. However, his family said he was not epileptic, but was beaten to death by security forces during the curfew. Dodji Koutouatsi was beaten to death in April by security forces when he went out during the curfew.

In the same month, the authorities opened investigations into the killings of people at the hands of law enforcement agents policing the COVID-19 curfew.

In May, Agbendé Kpessou was shot dead in Avedji by a police officer for disobeying an order during an altercation with two soldiers. The authorities launched an investigation but there was no further information about its progress at the end of the year.

Security forces killed one person and injured several others when they used tear gas canisters to disperse a traditional celebration in the Prefecture of Doufelgou in September.

RIGHT TO HEALTH

Health workers

Health workers lacked adequate PPE and denounced the lack of an incentive bonus. In August, staff at Lomé University Hospital Centre threatened to go on strike and demonstrated at the hospital premises calling for PPE and better sanitary conditions. In September, the authorities provided all medical staff with health care insurance. In November, the government announced a one-off XOF50,000 (around US$92) bonus for all health workers.

Prisoners

After 6% of 283 prisoners tested positive for COVID-19 at Lomé prison, a group of inmates started a riot demanding their release or relocation to safer detention facilities. Guards quelled the protest with tear gas.

VIOLENCE AGAINST WOMEN AND GIRLS

The UN Population Fund recorded 839 cases of gender-based violence, including 13 rapes, between January and June. Women and girls were increasingly at risk of domestic violence when COVID-19 measures restricted their movement.

TRINIDAD AND TOBAGO

Republic of Trinidad and Tobago
Head of state: **Paula-Mae Weekes**
Head of government: **Keith Christopher Rowley**

The authorities continued to forcibly return Venezuelans seeking international protection, in violation of international human rights law. The government passed amendments to the law on domestic violence but failed to extend those protections to people in same-sex relationships.

BACKGROUND

In March, in an attempt to curb the spread of COVID-19, the authorities closed the borders to all international travellers, including nationals, many of whom were stranded overseas. Those who returned were required to quarantine.

Trinidad and Tobago failed to sign the UN Convention against Torture or the International Convention for the Protection of All Persons from Enforced Disappearance.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

The authorities continued to fail to implement national refugee legislation or to provide other ways for Venezuelans in need of international protection to regularize their status in the country.

Authorities denied calls for migrants and asylum-seekers held in immigration detention solely for irregular entry or while waiting for their asylum claims to be heard to be released as a measure to protect them from COVID-19.[1]

In July, the Minister of National Security claimed that "illegal immigrants" and business people who "trafficked" Venezuelans into the country presented a potential health risk due to COVID-19. He issued a hotline number for reporting suspected cases and said that Venezuelans who had registered and were given legal residency and the right to work under a government registration process in 2019 and who were found to be "harbouring" irregular migrants could have their residency revoked and face deportation.

During the year, a group of approximately 25 human rights organizations sent two Open Letters to the Prime Minister urging him to consider re-opening the registration process and stop sending people back to danger. Nevertheless, throughout the year authorities continued to forcibly return Venezuelans. In July, the authorities deported approximately 165 Venezuelans, in violation of international human rights law.[2]

In September, just days after a UN-appointed Independent International Fact-Finding Mission on Venezuela found reasonable grounds to believe that the authorities there had committed grave human rights violations that could amount to crimes against humanity, the authorities of Trinidad and Tobago sent another 93 Venezuelans back to the human rights and humanitarian situation they were fleeing, violating their obligations of *non-refoulement*.[3]

Similarly, in November, authorities deported at least 16 children and an estimated 12 adults to Venezuela, who were later returned to Trinidad following an outcry.[4] The Inter-American Commission on Human Rights subsequently granted some of the children precautionary measures. In December, according to UNHCR between 14 and 21 children and adults died or were missing after a boat was shipwrecked reportedly on its way to Trinidad from Venezuela.[5]

GENDER-BASED VIOLENCE

Throughout the year, civil society organizations and women's human rights defenders protested about widespread gender-based violence.

In January, the Police Service established a Gender-based Violence Unit as a response to the ongoing problem of domestic violence.

In June, for the first time in 21 years, the government passed amendments to the Domestic Violence Act.

In August, civil society widely condemned a brutal attack on a Venezuelan teenager and reiterated calls for the authorities to take steps to stop all types of gender-based violence and discrimination.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

The government continued to appeal against a landmark High Court judgement in 2018 (*Jason Jones v. Attorney General of Trinidad and Tobago*) that decriminalized sexual activity between consenting adults of the same sex. The government indicated that it intended to have this case heard by the country's highest appellate court, the Judicial Committee of the Privy Council in the UK.

In amending the Domestic Violence Act, the government failed to extend protections to same-sex couples, despite proposals from a Senator and civil society to do so. The Attorney General, on the floor of Parliament during a Senate debate on the bill, indicated that the government was awaiting the outcome of the appeal of the ruling in the Jason Jones case before taking a position on providing protections for LGBTI people in other areas of law.

DEATH PENALTY

Trinidad and Tobago continued to punish murder with the mandatory death penalty.

1. Americas: Governments must halt dangerous and discriminatory detention of migrants and asylum seekers (Press release, 2 April)
2. Trinidad and Tobago: Deportation of 165 Venezuelans violates international law (Press release, 6 August)
3. Open letter to the Prime Minister of Trinidad and Tobago (AMR 49/3188/2020)
4. Trinidad & Tobago: Return of deported children gives government second chance to do the right thing (Press release, 25 November)
5. Trinidad and Tobago and Venezuela: Policies from both governments put lives at risk (Op ed, 16 December)

TUNISIA

Republic of Tunisia
Head of state: **Kaïs Saïed**
Head of government: **Hichem Mechichi (replaced Elyes Fakhfakh in September, who replaced Youssef Chahed in February)**

Bloggers and social media users were investigated or prosecuted for the peaceful online expression of their views, including for criticizing the government's approach to dealing with COVID-19. Protests were staged against insufficient government aid and protection of health workers during the pandemic. Refugees and asylum-seekers were detained for irregular entry into Tunisia. Arbitrary detention of undocumented migrants in reception centres continued. Lesbian, gay, bisexual, transgender and intersex (LGBTI) people were arrested and detained for consensual same-sex sexual relations. The government published in the official gazette the final report of the Truth and Dignity Commission, and trials continued before specialized criminal chambers of people accused of human rights violations committed between 1956 and 2013.

BACKGROUND

After legislative and presidential elections in October 2019, a new coalition government headed by Elyes Fakhfakh took office on 27 February. Following allegations of corruption, Elyes Fakhfakh resigned on 15 July. President Kaïs Saïed tasked former Minister of Interior Hichem Mechichi to form a new government, which took office on 2 September.

The country was put under a general lockdown from 22 March to 4 May to control the spread of COVID-19. The government allocated TND450 million (US$155 million) in aid for poor families and people who had lost their income due to the pandemic, and adopted other measures to support businesses and low-income workers.

Protests continued over the lack of employment opportunities, poor living conditions and water shortages, particularly in marginalized and underdeveloped regions. People financially impacted by the COVID-19 crisis protested in several governorates, accusing local authorities of corruption and demanding a more transparent distribution of government aid.

The Constitutional Court, which was due to be set up in 2015, was still not established as Parliament once again failed to elect the first third of the Court's members.

The authorities renewed four times the nationwide state of emergency in place since November 2015.

FREEDOM OF EXPRESSION

At least nine bloggers and social media users were investigated or faced criminal prosecutions for publishing online posts critical of local authorities, the police or other state officials under restrictive Penal Code and Telecommunications Code provisions that criminalize "insult". In five of these cases the people were detained for periods ranging between a few hours and two weeks. Police unions openly threatened to press charges against people for legitimate criticism of police conduct.[1]

In April, police arrested two bloggers, Anis Mabrouki and Hajer Awadi, after they criticized on Facebook local authorities' distribution of aid during lockdown. On 13 April, the prosecution of the Court of First Instance of El-Kef city charged Hajer Awadi with "insulting a civil servant" under Article 125 of the Penal Code and "causing noises and disturbances to the public" under Article 316, in reference to an altercation that took place between her and a police officer who tried to stop her from filming live on the street.[2] She was detained until 20 April when the court sentenced her to a suspended 75-day prison term. On 15 April, Anis Mabrouki was charged with "causing noises and disturbances to the public" and "accusing public officials of crimes related to their jobs without furnishing proof of guilt." He was detained until the Court of First Instance in Manouba city acquitted him on 30 April.

In July, the Court of First Instance of Tunis sentenced blogger Emna Chargui to six months in prison after convicting her on charges relating to a satirical social media post she shared that was deemed "offensive to Islam". The charges were "inciting hatred between religions through hostile means or violence" and "offending authorized religions" under Articles 52 and 53 of the Press Code, respectively.[3] On 8 October 2020, Myriam Bribri, an anti-impunity activist, appeared before the Court of First Instance in Sfax after being charged the same day under Article 86 of the Telecommunications Code following a complaint from the Secretary General of a security forces union in Sfax, accusing her of "insulting the police".

FREEDOM OF ASSEMBLY

In June, police used unnecessary and excessive force when dispersing a peaceful three-week protest known as the El-Kamour sit-in in the southern governorate of Tataouine. The sit-in blocked all roads to the El-Kamour oil pump station which stopped all work at the station. Overnight on 20/21 June, police fired tear gas recklessly in densely populated residential areas with some

canisters landing inside homes and near to a hospital. Patients, health workers, hospital staff and soldiers guarding the hospital were exposed to tear gas which caused them breathing difficulties. At least 11 protesters who were arbitrarily arrested during the dispersal said they were insulted, kicked, dragged along the ground, beaten with batons or firearm butts, even when they did not resist. Injured protesters were left in police stations for hours before being taken to hospital to receive urgent medical care.[4]

WOMEN'S RIGHTS

On 15 March, the Supreme Judicial Council postponed all civil case hearings, including family law cases, on the grounds that all but "emergency or necessary" court proceedings were suspended. This hindered women's access to justice because "emergency" cases as specified by the Ministry of Justice and the Supreme Judicial Council did not take into account the situation of women as they excluded matters relating to domestic abuse, custody of children, alimony and protective measures dealt with by a family judge.

According to the UN Entity for Gender Equality and the Empowerment of Women, helplines and shelters for survivors of violence reported a sharp increase in calls for help and requests for emergency shelter during the pandemic. Between 23 March and 31 May, 9,800 calls were recorded on the Ministry of Family's toll-free numbers, nine times more than usual. Of these, 2,700 concerned cases involving violence. According to women's rights organizations, police failed in many cases to provide the necessary response to women at risk of domestic violence during lockdown.

RIGHT TO TRUTH, JUSTICE AND REPARATION

On 24 June, and after a delay of a year, the government finally published in the official gazette the report of the Truth and Dignity Commission, the entity that looked into human rights violations perpetrated between 1956 and 2013. The report exposed the multi-layered and intricate system of oppression and corruption prevalent in Tunisia for 60 years and made recommendations for reform.

Trials of people accused of human rights violations perpetrated between 1956 and 2013, referred by the Commission, continued before specialized criminal chambers, albeit at a slow pace with frequent adjournments.

Victims, and relatives of victims who had died, continued to await implementation of the reparation programme set up by the Truth and Dignity Commission. The government established a reparations fund in June that was activated on 24 December. The reparations included financial compensation, rehabilitation, professional integration or education, the restitution of rights and official apologies.

The first hearing in the trial of customs officials accused of killing Aymen Othmani in 2018 was held on 21 January at the Tunis II Court of First Instance. The two officials charged with manslaughter and three others charged with failure to provide assistance were not present at the hearing. Aymen Othmani died in Sidi Hassine neighbourhood of Tunis, the capital, after customs officials fired live bullets during a raid on a contraband warehouse. According to the forensic report, Aymen Othmani was shot in the back and upper leg.

RIGHT TO HEALTH

Between March and September, health workers in hospitals in Kasserine, Sfax, Tunis and other governorates staged protests against the authorities' failure to protect them against COVID-19 at work. The Health Workers Union protested against the lack of sufficient personal protective equipment (PPE) in health facilities and criticized the government for failing to address their needs. In response to this, in September, the union and the Ministry of Health reached an agreement that included a commitment from the government to provide PPE for health workers, consider COVID-19 an occupational disease and give health workers priority in COVID-19 testing procedures.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Authorities continued to arrest and detain, without legal grounds, undocumented migrants and asylum-seekers. At least 50 migrants from sub-Saharan countries were detained arbitrarily between March and September in the Ouardia Reception and Orientation Centre in Tunis. In June, a group of 22 migrants detained in the Centre filed an urgent complaint before the Tunis Administrative Court challenging their arbitrary detention. On 10 July, the Court issued an order to suspend the detention of the migrants. The Ministry of Interior gradually released the detainees between July and September. The Ouardia Centre continued to receive migrants and asylum-seekers, and remained overcrowded with at least 50 detainees sharing five rooms, two bathrooms and a communal eating area. These conditions made it impossible to prevent the spread of COVID-19, posing a grave risk to the health of all those who worked and stayed there.[5]

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

LGBTI people continued to be arrested and prosecuted under laws that criminalize consensual same-sex sexual relations, "indecency" and acts deemed "offensive to public morals". According to DAMJ, the Tunisian Association for Justice and Equality, between January and October, courts convicted at least 15 men and one woman under Article 230 of the Penal Code, which criminalizes "sodomy".

Transgender people faced police harassment and continued to live with the risk of arrest under vague "public decency" articles of the Penal Code, including Article 226bis.

On 5 August, a police officer verbally abused Rania Amdouni, a feminist LGBTI rights activist and President of the association Chouf Minorities, in the centre of downtown Tunis. This led to a verbal altercation between the police officer and Rania Amdouni which attracted attention from passers-by who then attacked her and three of her friends. The police stood by, failing to intervene to stop the attack and inciting the violence by using homophobic and transphobic insults. The four pressed charges and an investigation was opened. Although the identity of the police officers involved was known, they were not suspended or arrested following the investigation.

DEATH PENALTY

Death sentences were handed down; there were no executions.

In September, President Saïed said he was in favour of resuming executions during a National Security Council meeting.

1. Tunisia: Freedom of expression at risk as prosecutions rise (Press release, 9 November)
2. Tunisia: End prosecution of bloggers for criticizing government's response to COVID-19 (Press Release, 21 April)
3. Tunisia: Blogger Emna Chargui sentenced to six months in prison for social media post (Press release, 15 July)
4. Tunisia: Authorities must investigate excessive use of force in Tataouine (MDE 30/2747/2020)
5. Tunisia: Release immigration detainees amid COVID-19 pandemic (Press release, 29 April)

TURKEY

Republic of Turkey
Head of state and government: **Recep Tayyip Erdoğan**

The judiciary disregarded fair trial guarantees and due process and continued to apply broadly defined anti-terrorism laws to punish acts protected under international human rights law. Some members of the judiciary and legal profession were subjected to sanctions for the legitimate exercise of their professional duties. The judicial harassment of individuals such as journalists, politicians, activists, social media users and human rights defenders for their real or perceived dissent continued. Four human rights defenders, including Taner Kılıç, were convicted in the baseless

Büyükada trial. Despite his acquittal in the Gezi trial and a European Court of Human Rights (ECtHR) ruling for his release, Osman Kavala remained in prison. Comments by a senior state official against LGBTI people were endorsed by some government officials, including President Erdoğan. The ruling party threatened to withdraw from the Istanbul Convention. Legal amendments introduced in the context of COVID-19 excluded from early release individuals who had been unjustly convicted under anti-terrorism laws and those held in pre-trial detention. Credible reports of torture and other ill-treatment continued to be made.

BACKGROUND

In February, Turkey launched a military operation (Spring Shield) against Syrian forces after Syrian air strikes killed 33 Turkish soldiers in Idlib, Syria (see Syria entry). Concurrently, Turkey declared its borders with the EU open, and encouraged and facilitated the transportation of thousands of asylum-seekers and migrants to Greece's land borders. Greek forces responded with violent pushbacks, resulting in at least three deaths. In April, the government used the COVID-19 crisis to further crack down on the opposition, banning several opposition-run municipal donation campaigns and launching investigations into pandemic fundraising efforts by the mayors of Istanbul and Ankara.

In March and again in October, due to the COVID-19 pandemic, the Ministry of Health prohibited health workers from resigning. The measure was initially foreseen for a three-month period but was later extended until further notice.

In November and December, social media companies, including Facebook, Twitter and Instagram, were fined 40 million Turkish liras (more than €4 million) each for failing to appoint a legal representative in Turkey as required by the amended law on social media. Companies failing to meet legal obligations will face further sanctions, including reduced bandwidth, making their services unavailable in Turkey. In December, YouTube announced it was setting up a legal entity in the country.

STATE OVERREACH

Judiciary and lawyers

A disciplinary investigation initiated by the Council of Judges and Prosecutors against the three judges who on 18 February acquitted the Gezi trial defendants, including civil society leader Osman Kavala, was ongoing at the end of the year. The investigation followed the President's public criticism of the acquittal decision.

In July, Parliament passed a law changing the structure of bar associations. Thousands of lawyers protested and 78 out of 80 bar associations signed a statement opposing the reform. The new law weakens the associations' authority and independence.

Criminal investigations targeting lawyers for representing clients accused of "terrorism-related offences" continued.

In September, police detained 47 lawyers on suspicion of "membership of a terrorist organization", based solely on their work. At least 15 lawyers were remanded in pre-trial detention. Also in September, the Court of Cassation upheld the prison sentences of 14 lawyers from the Progressive Lawyers Association, prosecuted under terrorism-related legislation.

REPRESSION OF DISSENT

Criminal investigations and prosecutions under anti-terrorism laws and punitive pre-trial detention continued to be used, in the absence of evidence of criminal wrongdoing, to silence dissent.

Under the guise of combating "fake news", "incitement" or "spreading fear and panic", the authorities used criminal law to target those discussing the COVID-19 pandemic online. The Cyber Crimes Unit of the Interior Ministry alleged that 1,105 social media users had made "propaganda for a terrorist organization", including by "sharing provocative COVID-19 posts" between 11 March and 21 May; reportedly 510 were detained for questioning.

In October, the President targeted the Turkish Medical Association (TTB) and called its new chair "a terrorist" after the TTB repeatedly criticized the government's response to COVID-19.

In April, as COVID-19 spread in the country, the government amended the law on the execution of sentences, enabling the early release of up to 90,000 prisoners. Specifically excluded were prisoners in pre-trial detention and those convicted under terrorism laws.

Abusive investigations and prosecutions targeting former parliamentarians and members of opposition parties continued. In June, an Istanbul Appeals Court upheld the conviction of Canan Kaftancıoğlu, Istanbul Provincial Chairperson of the opposition Republican People's Party (CHP). She was sentenced to nine years and eight months in prison for "insulting the President" and "insulting a public official", "inciting enmity and hatred" and "making propaganda for a terrorist organization". The sentence referred to tweets she had shared seven years earlier. The case was pending before the Court of Cassation at year's end.

In October, 20 former and current members of the pro-Kurdish Peoples' Democracy Party (HDP), including the Mayor of Kars city, Ayhan Bilgen, were remanded in pre-trial detention for their alleged role in violent protests in October 2014. The accusations were largely based on social media posts from the official HDP twitter account at the time. Following the remand in pre-trial detention of Ayhan Bilgen, the Ministry of Interior on 2 October appointed the Kars Governor as trustee to Kars Municipality. Former co-chairs Selahattin Demirtaş and Figen Yüksekdağ remained in pre-trial detention as part of the same investigation since September 2019. A new indictment was pending at the first instance court at the end of the year, days after the ECtHR's Grand Chamber called for the immediate release of Selahattin Demirtaş, finding that his rights to freedom of expression, liberty and security, free elections and not to be subjected to the misuse of limitations on rights had been violated.

In December, Parliament passed a new law ostensibly to prevent the financing of the proliferation of weapons of mass destruction, with severe consequences for civil society organizations. The law included allowing the removal of individuals facing prosecution under anti-terrorism laws from boards of NGOs to be replaced with government-appointed trustees.

FREEDOM OF EXPRESSION

Journalists and other media workers remained in pre-trial detention or served custodial sentences. Some prosecuted under anti-terrorism laws were convicted and sentenced to years of imprisonment, their legitimate work presented as evidence of criminal offences.

In March, police detained at least 12 journalists for their reporting of the COVID-19 pandemic, including journalist and human rights defender Nurcan Baysal, who was accused of "inciting the public to enmity and hatred" for her social media posts. Six journalists were imprisoned for their reporting on the funeral of two alleged intelligence officers from the Turkish National Intelligence Agency (MIT) killed in Libya. In May, the six detained and one other journalist were indicted for "revealing the identities of intelligence officers". In September, five of them received prison sentences for "publishing intelligence information".

Journalists Alptekin Dursunoğlu and Rawin Sterk Yıldız, detained for their social media posts in March, were released at their first hearing in March and September respectively. Their cases continued at the end of the year.

HUMAN RIGHTS DEFENDERS

Dozens of human rights defenders faced criminal investigations and prosecutions for their human rights work.

In July, the Büyükada trial of 11 human rights defenders concluded with the court convicting Taner Kılıç of "membership of the Fethullah Gülen Terrorist Organization

(FETÖ)", sentencing him to six years and three months' imprisonment; İdil Eser, Günal Kurşun and Özlem Dalkıran were sentenced to "one year and 13 months" for "knowingly and willingly supporting FETÖ". The remaining seven defendants were acquitted. On 1 December, a regional appeals court upheld the convictions of the four defenders, who appealed to the Court of Cassation.

In February, Osman Kavala and eight other civil society figures were acquitted of all charges including "attempting to overthrow the government" and allegedly "directing" the 2013 Gezi Park protests. However, Osman Kavala was detained on new charges just hours after his release. In May, the Grand Chamber of the ECtHR confirmed its December 2019 decision calling for his immediate release, having found his prolonged pre-trial detention to be unlawful and serving an "ulterior purpose". In its examinations of the case in September and October and its interim resolution in December, the Council of Europe's Committee of Ministers urged Turkey to comply with the ECtHR's ruling.

In October, an Istanbul court accepted a new indictment against Osman Kavala and US academic Henri Barkey, charging them with "attempting to overthrow the constitutional order" and "espionage", despite lack of evidence. In December, the General Assembly of the Constitutional Court found no violation in relation to his ongoing pre-trial detention. Osman Kavala remained in prison at the end of the year.

In January, the Istanbul prosecutor requested the conviction of human rights lawyer Eren Keskin in the main Özgür Gündem trial, along with others who had participated in a solidarity campaign. In February, in an interim ruling, her co-defendants Necmiye Alpay and Aslı Erdoğan were acquitted. The prosecution against Eren Keskin and three other defendants continued.

In March, Raci Bilici, former chair of the Diyarbakır branch of the NGO Human Rights Association (IHD), was sentenced to six years and three months' imprisonment for "membership of a terrorist organization", based on his human rights work. An appeal was pending at the end of the year.

In October, following a 2019 report by the research group Forensic Architecture, the trial of three police officers and an alleged member of the armed Kurdistan Workers Party (PKK) accused of killing human rights lawyer Tahir Elçi began almost five years after his death in Diyarbakır. The officers faced charges of "causing death by culpable negligence".

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

In April, a senior state official at the Religious Affairs Directorate (Diyanet) blamed homosexuality and people in extra-marital relationships for the spread of HIV/AIDS. He urged followers to combat this "evil" in a Friday sermon focusing on the COVID-19 pandemic, a call supported by the President. Bar associations criticizing the statements faced criminal investigation under Article 216/3 of the Penal Code that criminalizes "insulting religious values".

RIGHTS OF WOMEN AND GIRLS

In July, the brutal murder of 27-year-old student Pınar Gültekin led to country-wide protests. The trial of two men accused of her murder continued at the end of the year.

In August, suggestions by some politicians in the ruling Justice and Development Party (AKP) to withdraw from the Istanbul Convention sparked country-wide demonstrations. Women's rights organizations criticized the lack of implementation of the Convention, including an adequate response to rising domestic violence during COVID-19 restrictions. The Ministry of Interior announced that 266 women had died as a result of gender-based violence in 2020, though the figures provided by women's organizations were much higher.

FREEDOM OF ASSEMBLY

In March, for the second year running, the authorities banned the International Women's

Day march in Istanbul. Police used tear gas and plastic bullets to disperse peaceful protesters who had defied the ban.

The prosecution of six women accused of "failure to disperse" under Article 32 of the Law on Meetings and Demonstrations began in November. The charges related to their participation in the peaceful December 2019 Las Tesis protest to end femicide.

In June, an Ankara administrative court ruled that banning the Pride march by students on campus was unlawful. On 10 December, the trial of 18 students and one academic of the Middle East Technical University in Ankara for attending a campus-based Pride march in May 2019 was postponed to April 2021.

TORTURE AND OTHER ILL-TREATMENT

In September, Osman Şiban and Servet Turgut suffered severe injuries after being detained and allegedly beaten by a large group of soldiers in Van province, according to Osman Şiban's testimony. Servet Turgut died in hospital on 30 September. Statements by the Van Governor's Office and the Minister of Interior contradicted eye-witnesses' and Osman Şiban's statements. A criminal investigation into the allegations of torture opened by the Van Prosecutor was subjected to a secrecy order. In October, four journalists who covered the case were arrested in Van for being "members of a terrorist organization" on the grounds of the news agencies they worked for and of making news on "public incidents in line with PKK/KCK's [Kurdistan Communities Union] perspective and orders to the detriment of the state".

In December, a prisoner on pre-trial detention at Diyarbakır prison, Mehmet Sıddık Meşe, was denied access to urgent medical care and to examination by medical forensic staff after he was allegedly subjected to severe beating by prison guards. The prosecuting authorities had not launched an independent investigation into the allegations by year's end.

ENFORCED DISAPPEARANCES

In February, Gökhan Türkmen, one of seven men accused of links with the Fethullah Gülen movement who went missing in 2019, recounted in court the torture and other ill-treatment he had been subjected to during the 271 days of his enforced disappearance. The court requested a criminal investigation to be launched into his allegations.

The whereabouts of Yusuf Bilge Tunç, disappeared in August 2019, remained unknown at the end of the year.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Turkey continued to host the largest refugee population in the world: around 4 million people, including 3.6 million Syrians. The 2016 EU-Turkey deal, which provides European financial assistance to support refugees in Turkey in exchange for its co-operation on migration control and returns, continued to operate.

After announcing the opening of the EU borders on 27 February, Turkey recklessly encouraged and facilitated the movement of asylum-seekers and migrants to the Greek land border, where violent pushbacks led to deaths and injuries (see Greece entry). At the end of March, Turkish authorities removed people from the border area.

According to an NGO report published in October, Turkey deported more than 16,000 Syrians to Syria during the year. A group of Syrians reported in May they were forcibly returned to Syria and had been pressured into signing documents stating that they wanted to return.[1]

As of September, according to UN numbers, Turkey deported around 6,000 people to Afghanistan, although the situation in the country still did not allow safe and dignified returns.

1. Turkey: Halt illegal deportation of people to Syria and ensure their safety (EUR 44/2429/2020)

TURKMENISTAN

Turkmenistan
Head of state and government: **Gurbanguly Berdymukhamedov**

The regime in Turkmenistan remained deeply authoritarian. Serious human rights violations were routine. The right to health was violated in the context of the outbreak of the COVID-19 pandemic in the country. The authorities continued to deny that there were any cases of COVID-19 despite evidence to the contrary. The right to freedom of expression was severely restricted. Consensual sex between men remained a criminal offence. Conscientious objectors to military service risked being imprisoned. The fate and whereabouts of at least 120 prisoners subjected to enforced disappearance remained unknown.

BACKGROUND

Turkmenistan remained effectively closed to human rights and other international monitors. The media operated under firm state control, leading to self-censorship and an inability to report events regarded by the authorities as negative, including the spread of COVID-19. The standard of living continued to fall and shortages of food as well as cash persisted, with often exceptionally long queues at the limited number of bank machines. The extent of the economic problems was masked by an official exchange rate which overvalued the local currency.

RIGHT TO HEALTH

The authorities continued to deny the occurrence of any COVID-19 cases. They delayed the introduction of WHO-recommended measures such as physical distancing and masks until July, while holding mass events requiring mandatory participation to mark the traditional *Novruz* spring holiday in March and World Bicycle Day in June. In April, Radio Free Europe reported that those wearing a mask would be fined. The advice changed in July after the Ministry of Health recommended mask wearing owing to "increased levels of dust in the air".

A WHO mission, following a visit in July, noted the recent measures to prevent COVID-19 transmission and called for the country to further activate critical public health measures such as test and trace. The delegation noted that the hospitals they visited were well equipped without high bed occupancy rates or a significant number of patients with respiratory diseases. According to Radio Free Europe, however, the hospitals had stopped receiving patients days before the arrival of the WHO mission, and those with respiratory diseases had been moved to other wards not visited by the delegation. Despite continuing official denial of deaths from COVID-19, the NGO Analytical Centre for Central Asia analysed Google Maps to track the digging of graves in the town of Balkanabad. They estimated that between 25 March and 16 April alone, 317 new graves were dug, as opposed to 524 for the entire period from 31 May 2018 to 25 March 2020.

REPRESSION OF DISSENT

The authorities continued to stifle peaceful expression of dissent or criticism. One of the most sustained protests followed repeated hurricanes and heavy rains in the eastern part of the country in April and May, which destroyed houses and caused dozens of fatalities. Residents left for weeks in flooded houses with no electricity blamed the inaction of the authorities and there were protests by people at home and abroad. The authorities attempted to stop the protests abroad by putting pressure on the demonstrators and their relatives in Turkmenistan. Turkmenistani students in Turkey reported being visited by Turkmenistani secret police who threatened to have them forcibly returned if they had taken part in demonstrations. A friend of the organizer of the protest action in Istanbul, who was living in Turkmenistan, was reportedly repeatedly summoned to the local branch of the Ministry of National Security where he was beaten and asked to tell the

organizer not to participate in the protest movement. Several dozen people were also detained in Turkmenistan on accusations of sharing photos and video clips of the hurricane damage with relatives and other contacts abroad. One, Pygambergeldy Allaberdyev, was sentenced in September to six years' imprisonment on fabricated charges of hooliganism and bodily harm for his links to activists abroad.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Consensual sexual relations between men remained a criminal offence punishable by up to two years' imprisonment. In May, a well-known entertainer was sentenced to two years' imprisonment for consensual same-sex sexual relations. An unknown number of other men from the entertainment industry were also reportedly sentenced.

Widespread societal homophobia and transphobia left LGBTI people, or those perceived to be, highly vulnerable to torture and other ill-treatment, sexual abuse, and extortion at the hands of the police and others. They also came under severe pressure from their families who sought "to protect the family honour" including by imposing forced marriages.

FREEDOM OF RELIGION AND BELIEF

Conscientious objectors faced criminal prosecution. Two Jehovah's Witnesses, brothers Eldor and Sanjarbek Saburov, were sentenced to two years' imprisonment in August after a previous administrative sentence for refusing to perform military service. Myrat Orazgeldiyev was also given a two-year prison sentence in September. The NGO Forum 18 reported that four other Jehovah's Witnesses were imprisoned as conscientious objectors during the year, and that six others sentenced in 2018 and 2019 continued to serve jail terms at the end of the year.

ENFORCED DISAPPEARANCES

The fate and whereabouts of at least 120 prisoners subjected to enforced disappearance remained unknown. Some were imprisoned after an alleged assassination attempt on then President Saparmurat Niyazov in November 2002. One, Yazgeldy Gundogdyev, died in detention in December; he had been serving his sentence incommunicado.

UGANDA

Republic of Uganda
Head of state and government: **Yoweri Kaguta Museveni**

The authorities continued to restrict the rights to freedom of expression, peaceful assembly and association. Security forces used excessive and unnecessary lethal force and killed at least 66 people. Courts made several rulings which promised to protect human rights. The authorities continued to carry out forced evictions, including against Indigenous Peoples. Refugees and asylum-seekers were left stranded and in need of humanitarian aid when borders were closed in March to contain the spread of COVID-19.

BACKGROUND

On 22 March, President Yoweri Museveni issued directives which included lockdown measures to halt the spread of COVID-19. In July, after 34 years as President, he confirmed he would stand for re-election in the January 2021 general elections.

EXCESSIVE USE OF FORCE

Security forces, including police, military and members of the armed civilian defence force – the Local Defence Unit (LDU) – used excessive, unnecessary, and in some cases lethal force while enforcing physical distancing and other measures introduced to contain the spread of COVID-19.

On 30 March, the Chief of Defence Forces publicly apologized to a group of women who were subjected to excessive force by security agents – mostly LDU members – and said the military would hold those responsible to account but did not specify how. Several videos had emerged showing security agents beating the women who were selling fruit in Kampala, for allegedly violating the COVID-19 measures.

UNLAWFUL KILLINGS

Security forces unlawfully killed at least 66 people in the period from March onwards, at least 12 of whom were killed for violating lockdown measures.

Since electoral campaigns began on 9 November, dozens of people were killed in the context of riots or protests, most of them shot dead by police and other security forces, including armed individuals in plain clothes. On 18 and 19 November, 54 people were killed in protests that followed the arrest of opposition presidential candidate and popular musician, Robert Kyagulanyi (also known as Bobi Wine) while campaigning in eastern Uganda.

TORTURE AND OTHER ILL-TREATMENT

Kakwenza Rukirabashaija, an activist from the eastern town of Iganga, said he had been tortured in Mbuya Military Barracks, Kampala, in April. He was arrested in April and again in September by military police. On the first occasion, he was held for 23 days on trumped-up charges of defamation and cyber-related crimes before being charged with "committing negligent acts likely to spread infectious diseases" and released on police bond. In September, he was released on bond after three days, after being charged with inciting violence and promoting sectarianism. Both arrests were connected to books he had written which criticized the President and his family and the authorities.

On 19 April, the authorities arrested Francis Zaake, an opposition MP. On 29 April, he was released on police bond after being charged with disobeying the COVID-19 presidential directives, when he distributed food to needy families during lockdown. On 4 May, he appeared with his face swollen in a video from Lubaga Hospital in Kampala. He said he had been tortured over several days in various detention facilities.

FREEDOMS OF EXPRESSION, ASSEMBLY AND ASSOCIATION

Political opposition members and activists, journalists and others were arrested, detained and faced prosecution for exercising their rights to freedom of peaceful assembly, expression and association.

In January, police arrested and charged five protesters, including Robert Kyagulanyi for violating the Public Order Management Act (POMA) during a political rally to protest the introduction, in 2018, of a social media tax. They were all released on police bond the same day. During the arrests, police fired tear gas to disperse the demonstrators. On 10 September, the Buganda Road Chief Magistrate Court in Kampala suspended proceedings against the five protesters, stating that the Court lacked powers to interpret such a case and deferred it to the Constitutional Court. In March, the Constitutional Court cancelled the provisions under the POMA which gave police excessive powers to prohibit public gatherings and protests.

In February, the Kampala High Court ordered the release of Stella Nyanzi, an activist and academic, on the basis that she had been wrongfully convicted of harassing the President online, and that her human rights had been violated. She was released on 20 February, just days before she was due to complete the 18-month prison sentence she had been handed following her conviction. By the end of the year, she had been arrested and released at least three more times for organizing peaceful assemblies in protest at the government's COVID-19 restrictions.

In June, the Electoral Commission of Uganda launched a revised COVID-19 election road map for the 2021 general elections, requiring that all political campaigning be conducted exclusively

online, thereby banning public political gatherings. These regulations were applied more stringently against opposition candidates. In September, the Uganda Communications Commission ordered all online data communication and broadcast service providers to obtain licences before posting information on the internet.

On 27 July, police arrested Bwaddene Basajjamivule, a broadcast journalist and charged him with promoting violence and sectarianism. The charges were connected to comments he made in a video posted on Facebook in which he alleged that people from ethnic groups in western Uganda were favoured in appointments to the military and the government. He was released on police bond on 29 July.

On 10 December, the Media Council of Uganda cancelled the accreditation of all foreign journalists. All media outlets and media workers in Uganda were forced to apply afresh for accreditation before 31 December.

On 26 December, the Electoral Commission of Uganda suspended political gatherings in more than 10 districts citing COVID–19 prevention but without providing sufficient details to justify why these localities should be subject to restrictions.

FORCED EVICTIONS

Between February and August, the authorities forcibly evicted over 35,000 Maragoli Indigenous people from their homes in Kiryandongo district in the west to pave way for industrial farming.

The authorities failed to establish adequate procedures to protect the rights of those being evicted, despite a High Court order in 2019 which ruled that the state should urgently develop and implement protection guidelines. The Court noted that even when evictions are inevitable, they must comply with human rights standards. In at least two cases, the authorities failed to comply with the requirements to seek the free, prior and informed consent of Indigenous Peoples regarding projects that led to their evictions from their ancestral lands.

In August, the Permanent Secretary in the Ministry of Lands, Housing and Urban Development announced that the cabinet had directed the Ministry to allocate 82.5km^2 of land in the Mount Elgon National Park in the east of the country to the Indigenous Benet people. Since 1983, the Benet have suffered multiple forced evictions by various authorities, including the National Forestry Authority and the Uganda Wildlife Authority. These evictions, along with other housing rights violations over a 12-year period, have left at least 178 families living in internally displaced people's camps.

HUMAN RIGHTS DEFENDERS

On 11 June, the High Court in Kampala ordered Makerere University to pay damages of UGX120 million (US$32,600) to Stella Nyanzi for her wrongful dismissal from her research post in 2018 and ordered that she be reinstated.

On 30 June, anti-riot police arrested lawyers Kaijuka Aaron, Marunga Christine, Balyerali Joan, Tuwayenga Brian, Bajole Eric, Muhindo Morgan and Nafula Elizabeth in Kiryandongo district as they were preparing submissions for a hearing on the forced eviction of the Maragoli Indigenous people (see above, Forced evictions). They were charged with "negligent acts likely to spread infectious diseases" and released on police bond on 1 July.

On 4 September, police arrested eight human rights defenders in Kiryandongo district, held them for three days and charged them with threatening violence and malicious damage to property before releasing them on police bond on 8 September. One of them, Pamela Mulongo, was brutally beaten during her arrest and detention. The eight were arrested after they had asked a company – accused of seizing community land in the area – to return livestock confiscated for allegedly trespassing on company property.

On 22 December, the authorities arrested Nicholas Opiyo, the Executive Director of Chapter Four Uganda, a human rights organization, along with four others he was

meeting and placed them in incommunicado detention overnight at the Special Investigations Unit of the police in Kireka, Kampala. On 23 December, the authorities released all the men except Nicholas Opiyo on police bond. Nicholas Opiyo was held on fabricated charges of money laundering until the High Court released him on bail of UGX15 million (around US$4,050) on 30 December.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

Security forces used directives for the control of COVID-19 infection as a pretext to arbitrarily arrest and detain dozens of LGBTI people. On 23 March, 23 young LGBTI people living in a shelter were arrested. Four were released on medical grounds during the first three days after their arrest; the remaining 19 were charged with "negligent acts likely to spread infectious diseases" and "disobeying legal orders" and were detained without access to their lawyers or to medical treatment. Some were denied access to anti-retroviral medications. They were released on 18 May, and in June the High Court awarded each of them compensation of UGX5 million (US$1,360) for being arbitrarily detained by the police for 50 days.

REFUGEES AND ASYLUM-SEEKERS

Uganda was host to around 1,430,000 refugees and asylum-seekers at the end of the year.

On 20 March, the government closed country borders in response to the COVID-19 pandemic, as conflict in eastern Democratic Republic of the Congo (DRC) drove over 10,000 refugees seeking entry to Uganda to camp near the border. On 1 July, Uganda temporarily opened the border in Zombo district in the north, to allow refugees from the DRC to enter.

The border with South Sudan remained closed, leaving hundreds of people displaced by conflict between government forces and armed groups in South Sudan's Central Equatoria state without access to humanitarian aid or protection. They lived in makeshift camps and were in urgent need of adequate shelter, food, medical care and clean water.

UKRAINE

Ukraine
Head of state: **Volodymyr Zelensky**
Head of government: **Denys Shmyhal (replaced Oleksiy Honcharuk in March)**

The right to health was compromised by a significant shortage of PPE during the COVID-19 pandemic; families of health workers who died faced bureaucratic obstacles to compensation. Allegations of torture and other ill-treatment, particularly in police custody, continued. Security service officials responsible for secret detention and torture in eastern Ukraine from 2014 to 2016 continued to enjoy complete impunity. Attacks by groups advocating discrimination against activists and marginalized minorities continued, often with total impunity. Intimidation and violence against journalists were regularly reported. Domestic violence remained widespread; access to support services was negatively affected by strict COVID-19 measures. Both sides in the conflict in eastern Ukraine imposed travel restrictions, impacting the socioeconomic rights of local people. In occupied Crimea, the crackdown on dissent and human rights defenders continued.

BACKGROUND

COVID-19 restrictions were introduced in March but failed to effectively prevent its spread. This was exacerbated by a lack of PPE and sufficient testing, which in turn put strain on the health care system.

Local elections in October, marked by low turnout, showed falling ratings for mainstream parties in favour of local parties and political activists. Voting did not take place in many locations in eastern Ukraine,

including some under government control, ostensibly due to security concerns.

A major reform of the Prosecutor General's Office began, with 55% of prosecutors dismissed following reappraisals, but stalled after its head was sacked. His replacement left another key agency in the criminal justice system, the State Investigations Bureau which she had headed, without permanent leadership.

In September, the government made human rights a compulsory element in the school curriculum for pupils aged 11 to 15, effective from 2022.

The ceasefire between government forces and Russia-backed armed groups in eastern Ukraine largely held, bar minor flare-ups in March and May. The territory of Crimea remained under Russian occupation.

RIGHT TO HEALTH

A significant shortage of PPE for medical workers, which continued until the end of the year, and insufficient testing for COVID-19 was reported by the Health Ministry. By mid-December, over 51,731 medical workers were reported to be infected with COVID-19, out of a total of 1,055,047 confirmed and a further 1,214,362 "suspected cases". According to the Minister of Social Policy, over 300 medical workers had died by 19 December but only 53 deaths were recognized as work-related by a special commission. Their families had been promised state compensation but according to media reports, by 12 November, only 21 had received full and 22 partial compensation, due to onerous bureaucracy and the necessity of proving that the deceased contracted COVID-19 at work.

TORTURE AND OTHER ILL-TREATMENT

Allegations of torture and other ill-treatment, particularly of detainees in police custody, were regularly reported. The final figures for 2020 published by the Prosecutor General's Office indicated that it registered 129 alleged torture cases, pressed charges in 59 cases and closed proceedings in 52 cases.

On 23 May, a man was taken to Kaharlyk District police station in Kyiv region as a criminal suspect along with his wife as a witness. Their allegations that they were tortured and the woman repeatedly raped, were widely reported in the media. In May, two police officers from Kaharlyk were detained by the State Investigation Bureau and remanded as criminal suspects. Other alleged survivors of torture in Kaharlyk came forward. Five police officers from Kaharlyk were subsequently charged with unlawful deprivation of liberty and torture. The Minister of the Interior refused to resign, but promised additional measures for torture prevention, including better registration and monitoring systems.

IMPUNITY

No justice, truth or reparation was attained for any of the victims of enforced disappearance, secret detention and torture and other ill-treatment of civilians by the Security Service of Ukraine (SBU) from 2014 to 2016, and not a single suspected perpetrator was prosecuted. The new head of the SBU noted in June that the agency currently had no secret prisons, but said nothing of such practices in the past, and denied torture. The four-year-old investigation into this practice was handed over by the Military Prosecutor's Office to the State Investigation Bureau in December 2019, but by year's end, had yielded no tangible results.

DISCRIMINATION

Members of groups advocating discrimination (commonly described in Ukraine as far-right groups) continued to target civil society activists, political opponents, journalists and members of marginalized groups with harassment, intimidation and violence – often with total impunity.

On 12 June, members of the Feminist Workshop NGO attempted to take down posters with discriminatory messages in the capital Kyiv and were attacked by some 15 men from a far-right group. The assailants pushed and verbally demeaned the activists,

hit one of them in the face and threatened further violence. An eyewitness called the police, but none arrived within 45 minutes. The activists filed a report with the police and an investigation was launched, but no progress was reported by the end of the year.

On 30 August, LGBTI activists in Odessa were unable to form a human chain of solidarity at their intended location because it was occupied by counter-demonstrators. The police insisted that LGBTI activists move to another location, but reportedly offered no protection when the counter-protesters followed and attacked them. Activists were pelted with eggs, sprayed with tear gas, and assaulted; several sustained burns and other injuries. Police arrested 16 alleged assailants.

Roma

Discrimination against Roma persisted. The pandemic further affected their livelihoods as the informal economy, on which many of them rely, contracted. Those lacking official identification could not access social benefits, pensions, or health care.

No progress was reported in the investigation into the violent attack against an informal Roma settlement in Lysa Hora park in Kyiv in April 2018, despite the public nature of the attack and early identification of the alleged perpetrators from publicly available video footage of the incident.

A Roma family camping in the Lysa Hora vicinity described how they were violently attacked on 29 April by two men who entered their makeshift tent in the early hours of the morning. They pepper-sprayed inside the tent and beat the young Roma man with a wooden board. When his wife asked them to stop and told them that she was pregnant they verbally abused her and shouted, "Someone like you should only be raped". The tent was burnt, together with the family's possessions and documents. On 2 May, police opened a criminal investigation, but no outcome had been reported by year's end.

FREEDOM OF EXPRESSION

Media remained pluralistic and largely free, although harassment of outlets in connection with their editorial policies, and intimidation and violence against journalists, were regularly reported.

In July, journalist Katerina Sergatskova, the co-founder of the web-based media outlet Zaborona, was targeted in a smear campaign by a popular blogger, who criticized her work and published details of her personal life along with a photo of her young son. Comments by his readers also contained Katerina Sergatskova's home address and further photos; she also received death threats and abusive messages. Katerina Sergatskova reported these to the police, but no action was taken until she won a court case complaining about police inaction. In the meantime, she had left Kyiv for her personal safety.

The trial of a man and two women suspected of direct involvement in the killing of journalist Pavel Sheremet in July 2016 began in September with all three claiming their innocence. Meanwhile, an investigation into who ordered the killing was ongoing in separate proceedings, with no outcome reported by year's end.

GENDER-BASED VIOLENCE

Domestic violence

Domestic violence remained widespread, under-reported, and often ineffectively addressed. Legal and institutional initiatives of recent years intended to address domestic violence were often poorly implemented, if at all. Police were reluctant to issue emergency protective orders, and unwilling or unable to enforce them. Military personnel and police officers remained among those exempt from provisions under the Administrative Code which punish domestic violence. In practice, this can mean that they also avoid prosecution for domestic violence as a criminal offence, as the law is often interpreted as requiring two previous convictions under the Administrative Code to meet the threshold of "systematic" abuse needed for a criminal prosecution.

The conflict in eastern Ukraine continued to amplify such systemic flaws and erode the institutional response to systems of

protection.[1] A woman from Donetsk region reported to police in 2019 at least five instances of violence by her husband, a military serviceman, but the police were unable to apply any administrative measures. In 2020, criminal proceedings were started against the man and a restraining order issued, but no disciplinary or other measures were taken by his senior officers while the investigation was ongoing.

In May, a petition signed by 25,000 people was delivered to President Volodymyr Zelensky calling for ratification of the Istanbul Convention, an international treaty against violence against women and domestic violence. In September, the President signed a decree, "on urgent measures for prevention and combating domestic violence", which obliged the government to develop a state programme lasting until 2025, including measures to improve inter-agency co-ordination, further legislative amendments, and the adoption of rehabilitation programmes for offenders. However, the decree made no mention of the Istanbul Convention, and no steps towards its ratification were taken during the year.

Access to support services for survivors of domestic violence was affected by strict COVID-19 quarantine measures. The government-funded free legal aid offices switched to providing only remote consultations for survivors. This precluded help to survivors who remained in premises with their abuser and could not discuss their situation. Access to shelters was further complicated as it was conditional on the survivor first undergoing a medical examination. Survivors from locations with no shelters could not travel elsewhere when all public transport, including buses and trains, was cancelled from March to May.

Impunity

Progress was manifestly stalled in the investigation into the allegations by Lieutenant Valeria Sikal, the first Ukrainian ex-servicewoman who reported sexual harassment by a commanding officer in the Armed Forces in 2018. The Military Prosecutor of Rivne Garrison repeatedly returned the case file to the investigation to rectify purported irregularities, including for investigative activities that had already been undertaken. The case did not reach court by the year's end, nor was the officer indicted.

Lesbian, gay, bisexual, transgender and intersex (LGBTI) people

On 30 April, a 19-year-old transgender person from Zhytomyr was badly beaten, sexually assaulted and robbed by a group of youths who then tried to take them hostage and demanded money from their father before police were called. A criminal investigation was opened but the transphobic hate motive of the crime was ignored by the police. Meanwhile, no restraining measures were applied against the suspects.

In May, three alternative draft laws were tabled in Parliament to introduce sexual orientation and gender identity as specific hate crime grounds in the Criminal Code. These initiatives provoked criticism from religious and other groups, and none were put to a vote.

LGBTI people subjected to hate crimes were reluctant to report them, lacking confidence in the police and for fear of further reprisals. Where reported, such crimes were seldom if ever effectively investigated or qualified as such, with the perpetrators facing minor or no charges.

DONBAS

Territories in eastern Ukraine controlled by Russia-backed separatists remained beyond the reach of many civil society and humanitarian actors. Suppression of all forms of dissent persisted, including through arrest, interrogation and torture and other ill-treatment by the de facto authorities, and imprisonment in often inhumane conditions. Independent information from these territories was increasingly sparse, its scarcity exacerbated by severe pandemic-related travel restrictions.

Freedom of movement

Both sides in the conflict imposed restrictions on travel across the contact line, often appearing as reciprocal measures. The UN Human Rights Monitoring Mission in Ukraine reported that the number of crossings in both directions dropped from a monthly average of one million to tens of thousands by October. Families were separated and numerous livelihoods affected. Older people who should receive pensions from areas of Ukraine under government control, those in need of substantive health care including HIV-positive people, and other marginalized groups, were most affected by the lack of access to government-controlled territories.

Travel restrictions were somewhat eased in June. Restrictions applied by the de facto authorities in Donetsk appeared arbitrary. They restricted travel to certain days without explanation and travel was subject to advance application for permission, which in numerous reported cases was rejected, also without explanation.

CRIMEA

A severe crackdown on human rights work and all dissent continued, as did restrictions on the media. Enforced disappearances from 2014, at the start of Russian occupation of the territory, were not investigated.

The occupying Russian authorities continued to target human rights defenders, including members of Crimean Solidarity, a grassroots self-help group of ethnic Crimean Tatars. Dozens of its members faced politically motivated criminal proceedings, mostly on allegations of purported membership of Hizb-ut-Tahrir, an Islamist movement banned as "terrorist" in Russia but legal in Ukraine. Arbitrary intrusive house searches, unofficial interrogation by Russian security forces, and intimidation were also widely used as reprisals against ethnic Crimean Tatars.

In March, members of Russian law enforcement agencies visited the homes of several Crimean Solidarity members, including its current co-ordinator Mustafa Seydaliyev, and human rights defender Abdureshit Dzhepparov, and served them with an official written warning against taking part in future "unsanctioned actions" (any protest or commemorative events). The previous co-ordinator of Crimean Solidarity, prisoner of conscience Server Mustafayev, was convicted on 16 September under terrorism-related charges alongside his seven co-defendants and sentenced to 14 years in prison by a military court in Rostov-on-Don, in Russia.

Persecution of religious minorities continued. Two Jehovah's Witnesses from Crimea, Serhii Filatov and Artem Herasymov, were convicted in separate trials for exercising their right to freedom of thought, conscience and religion. They were each sentenced to six years' imprisonment, in March and June respectively.

1. Ukraine: Not a private matter: Domestic and sexual violence against women in eastern Ukraine (EUR 50/3255/2020)

UNITED ARAB EMIRATES

United Arab Emirates
Head of state: **Khalifa bin Zayed Al Nahyan**
Head of government: **Mohammed bin Rashed Al Maktoum**

Over two dozen prisoners of conscience, including well-known human rights defender Ahmed Mansoor, continued to be detained in the United Arab Emirates (UAE). The state continued to restrict freedom of expression, taking measures to silence citizens and residents who expressed critical opinions on COVID-19 and other social and political issues. A number of detainees remained in prison past the completion of their sentences without legal justification. A UK court found that head of government Mohammed bin Rashed Al Maktoum had abducted and detained two of his daughters.

BACKGROUND

Emirati authorities continued to ban political opposition and to detain prisoners for such opposition. Scores of Emiratis continued to serve prison sentences in the UAE-94 case, a mass trial of 94 defendants that concluded in 2013 with 69 convicted on charges of seeking to change the system of government.

In February 2020, the UAE announced the completion of its "phased military withdrawal" from Yemen after five years of co-leading the coalition in the armed conflict. It continued, however, to illicitly divert weapons and military equipment to militias in Yemen (see Yemen entry). In Libya, the Emirati government provided arms to the self-proclaimed Libyan National Army, in violation of a UN embargo, and operated military drones in Libyan airspace, in some cases leading to the killing of people not directly participating in hostilities (see Libya entry).

ARBITRARY DETENTION

At least 10 people continued to be arbitrarily detained after completing their prison sentences. Articles 40 and 48 of the counter-terrorism law (Federal Act No. 7 of 2014) stated that those "adopting extremist or terrorist thought" may be held indefinitely in prison for "counselling". Most such prisoners were held at al-Razin prison in the desert south-east of Abu Dhabi city. They included Omran Ali al-Harithi, a defendant in the UAE-94 trial, who should have been released in July 2019; and Abdullah Ebrahim al-Helu, convicted in June 2016 of belonging to the charitable arm of al-Islah, the formerly legal Emirati branch of the Muslim Brotherhood, who was due for release in May 2017. The authorities released some prisoners after they appeared in videos posted to pro-government social media channels in which they "confessed" that al-Islah was a "terrorist" organization and repudiated their affiliation with it.

In March, the UK High Court of Justice (Family Division) made public a fact-finding judgement reached the previous December that concluded that the head of government had arranged for his daughter Shamsa's enforced removal from the UK in 2000 and the "capture" and detention of another daughter, Latifa, in a maritime assault launched when she attempted to escape the royal family in 2018.

FREEDOM OF EXPRESSION

More than 25 prisoners of conscience remained in jail on account of their peaceful political criticism. They included attorneys Mohamed al-Roken and Mohammed al-Mansoori, former heads of the UAE Jurists Association (which the government took over in 2011 after the Association called for free national elections), who were convicted in the UAE-94 trial; Nasser bin Ghaith, a lecturer in economics at Sorbonne University's Abu Dhabi branch, detained since 2015; and human rights defender Ahmed Mansoor.

Government agencies in Dubai and Ajman warned that they would prosecute individuals who spread information about COVID-19 deemed misleading by authorities, later announcing they had initiated several such prosecutions.

UNFAIR TRIALS

Emiratis and foreign national residents continued to face imprisonment following unfair trials. On 17 February, the State Security Chamber of the Federal Supreme Court upheld the conviction and sentencing of five Lebanese men on charges of planning violent acts in the UAE. They had faced unfair trial procedures, including incommunicado detention for months, denial of access to lawyers, and use of coerced "confessions" as evidence.[1] In May, Abdallah Awadh al-Shamsi – an Omani national born to an Emirati mother and an Omani father resident in the UAE – was sentenced to life in prison after proceedings marred by a similar pattern of violations.

ARBITRARY DEPRIVATION OF NATIONALITY

The estimated 20,000-100,000 stateless people born in the UAE continued to be deprived of equal access to rights covered for

Emirati citizens at state expense, such as state-subsidized health care, housing and higher education, or jobs in the public sector. Access was dependent on proof of citizenship and stateless people were denied recognition as citizens, despite most of them having roots in the UAE going back generations.

Stateless Emiratis given Comorian passports under a 2008 deal between Comoros and the UAE found it difficult or impossible to get these passports renewed, leaving many of them, once again, lacking basic identity documents.

WOMEN'S RIGHTS

Women remained unequal with men under Emirati law. Married women were obliged "to look after the house" as a "right" held by husbands under Article 56.1 of the Law on Personal Status. The Article was amended in late 2019 to remove a line stating that a husband has the right to "courteous obedience" from his wife.

Article 72 continued to allow judges to determine whether a married woman was permitted to leave the house and to work.

In the past two years Amnesty International had reported that Article 53.1 of the Penal Code, recognizing "a husband's discipline of his wife" as "an exercise of rights," was still in effect, but in 2020 the organization learned that this clause was removed in late 2016.

Transmission of nationality continued to be granted on a gender-preferential basis, meaning that children of Emirati mothers did not automatically receive nationality and were recognized as nationals only at the discretion of the federal cabinet.

In September, the UAE annulled Article 334 of the Penal Code, which had made "honour" killings punishable by as little as one month in jail.

SEXUAL AND REPRODUCTIVE RIGHTS

Consensual sexual behaviour continued to be prosecuted under Article 356 of the Penal Code, authorizing a minimum of one year in prison for "consensual violation of honour", a clause that could be used to punish both same-sex sexual activity and extramarital sex. The provision was, in some cases, used to prosecute migrant labourers who had given birth out of wedlock, requiring such mothers to serve prison sentences before being allowed to leave the country.

MIGRANTS' RIGHTS

The sponsorship (*kafala*) system for employing migrant workers in the UAE – alongside unsanitary living conditions in overcrowded accommodations, scarce legal protection and limited access to preventive health care and treatment – put these workers in an even more vulnerable position and at risk of infection during the COVID-19 pandemic.[2]

DEATH PENALTY

Courts continued to issue new death sentences, primarily against foreign nationals for violent crimes. No executions were reported.

1. UAE: Supreme Court confirms verdict in an unfair trial (MDE 25/2000/2020)
2. UAE: Ensure protection of migrant workers in COVID-19 response (MDE 25/2169/2020)

UNITED KINGDOM

United Kingdom of Great Britain and Northern Ireland
Head of state: **Elizabeth II**
Head of government: **Boris Johnson**

The government response to COVID-19 raised human rights concerns, including in relation to health, immigration policies, domestic abuse and housing. Instances of racial discrimination and excessive force against protesters by the police were documented. Northern Ireland made progress on same-sex marriage and abortion, but full accountability for past violations remained unrealized. New licences for military exports to Saudi Arabia resumed. Bills on counter-terrorism and

overseas military operations endangered human rights. Extradition proceedings against Julian Assange threatened the right to freedom of expression.

BACKGROUND

On 31 January, the UK left the European Union and began an 11-month transition period.

In response to the COVID-19 pandemic, parliament granted far-reaching emergency powers to the UK and devolved governments for up to two years, subject to parliamentary renewal every six months. Lockdowns implemented to slow the spread of the virus severely restricted freedom of movement, freedom of peaceful assembly and the right to privacy and family life.

At least 74,570 people died in the UK as a result of COVID-19 in 2020. The economic impact of the pandemic caused widespread hardship, particularly for those in insecure employment and people subject to immigration controls.

In May and June, Black Lives Matter protests drew attention to systemic racism and discrimination against Black people.

RIGHT TO HEALTH

The UK death toll due to COVID-19 represented one of the highest death rates from the virus in Europe. Health and other essential workers reported shortages of adequate personal protective equipment (PPE) to minimize their risk of contracting COVID-19. By 25 May, 540 deaths involving COVID-19 had been registered among social care and health workers.[1] The authorities violated the right to health and right to life of older people resident in care homes, including by failing to provide adequate PPE and regular testing, discharging infected or possibly infected patients from hospitals to care homes and suspending regular oversight procedures.[2]

In June, an official investigation found that people of Black and Asian ethnicity were disproportionately impacted by COVID-19. In particular, Black and Asian health workers were significantly over-represented among COVID-19 related deaths of health workers.

The government resisted calls from over 70 organizations to immediately launch an independent public inquiry into its handling of the COVID-19 pandemic, stating that an inquiry would take place at an unspecified time in the future.

DISCRIMINATION

In March, a review of the so-called "Windrush scandal" was published. The review identified serious failings in the government's treatment of the Windrush generation, who settled in the UK as British nationals from the Caribbean and other Commonwealth countries before 1973 but who, along with some of their descendants, were later treated as if they had no permission to be in the UK. Although the government promised to act on the far-reaching recommendations of the review, the proposed changes failed to address the root causes of the scandal, including the racism embedded in nationality and immigration laws and policies.

Discrimination in the exercise of police powers continued to be a concern. Data on fines issued for non-compliance with the COVID-19 related lockdown revealed that Black and Asian people were disproportionately fined. In May, during the first national lockdown, police in London conducted a record number of stop and searches: 43,644, of which 10,000 targeted young Black men. Racial disproportionality specifically against Black people continued to feature heavily across various policing issues, including the use of force and of Taser. Police figures published in 2020 showed that Black people were up to eight times more likely to have Taser used against them than White people in 2018/19. High-profile cases of Taser use against Black people in London and Manchester, including one case in the presence of a child, highlighted this issue.

FREEDOM OF ASSEMBLY

In June, police used excessive force against Black Lives Matter protesters in London,

including the confinement of people to a narrow space ("kettling") and the use of horses to disperse crowds. Police issued approximately 70 infringements of COVID-19 restrictions to peaceful protesters at Black Lives Matter demonstrations in Belfast and Derry-Londonderry and initiated criminal investigations against the organizers, relying on COVID-19 related enforcement powers that came into force on the eve of the protest. In December, the Northern Ireland Policing Board found policing of the protests to have been "potentially unlawful", while the Police Ombudsman for Northern Ireland found it to have been "unfair" and "discriminatory".

REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

During the COVID-19 pandemic, the government failed to adequately modify immigration policies and practices to safeguard public health. People continued to be held in immigration detention for the purposes of removal from the UK, despite the heightened risk of infection in detention and obstacles to effecting removal. Asylum claims were required to be made in person.

Statutory exclusions or restrictions on access to employment, welfare, accommodation and health care for people subject to immigration control undermined their ability to protect themselves from the virus and maintain an adequate standard of living. The government resisted widespread calls to suspend the "no recourse to public funds" policy, which restricts access to benefits for many migrants, during the pandemic.

Parliament passed a new immigration law in November which granted exceptionally broad legislative powers to the Home Secretary and ended free movement rights under EU law. Children entitled to British citizenship continued to be prevented by government policy and practice from registering their entitlement. Children of EU nationals became particularly at risk because of their loss of free movement rights in the UK.

RIGHT TO HOUSING

In response to the COVID-19 pandemic, the government introduced some measures, albeit only short-term, to protect the right to housing. It suspended court proceedings for evictions in England and Wales from 27 March until 20 September and temporarily increased the minimum notice period prior to eviction for most tenants.

By September, 29,000 rough sleepers and other vulnerable people had been supported into accommodation during the pandemic, according to official figures. Homelessness charities reported a sharp increase in demand for their services since the start of the COVID-19 pandemic.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

In February, the first same-sex marriages took place in Northern Ireland after the success in 2019 of a long-running campaign for marriage equality. Religious same-sex marriages were permitted from September, and the conversion of existing civil partnerships was allowed from December.

Amid growing transphobic rhetoric and fear-mongering in the media, the government's proposed amendments to the outdated Gender Recognition Act in England and Wales fell short of human rights standards. A second consultation to reform gender recognition law in Scotland ended in March.

WOMEN'S RIGHTS

There was an increase in reported cases of domestic violence during the COVID-19 pandemic. The government lacked a fully coordinated plan to tackle the foreseeable risk of domestic violence during the pandemic and failed to provide sufficient and timely emergency funding for frontline services. None of the additional funding was ring-fenced for specialist services for ethnic minority women, despite an increase in referrals to these services. Migrant women whose immigration status excludes them

from most government benefits faced compounded challenges in obtaining support for domestic violence.

The Domestic Abuse Bill lacked provisions to ensure safety and access to justice for migrant women. The bill did not meet the government's stated intention of bringing domestic legislation in line with the Istanbul Convention, which the UK had yet to ratify.

The criminalization of sex work and denial of sex workers' labour rights meant that they were particularly affected by the COVID-19 pandemic and related measures. The government maintained a five-week waiting period for social security payments, despite previously acknowledging that it was a factor in some women resorting to sex work.

SEXUAL AND REPRODUCTIVE RIGHTS

After the decriminalization of abortion in 2019, regulations governing the provision of abortion services in Northern Ireland took effect on 31 March.

The government allowed both abortion pills to be taken at home during the COVID-19 pandemic in all regions of the UK except Northern Ireland, where a local temporary service providing early medical abortions began in April, allowing one abortion pill to be taken on health and social care premises, and the second one at home.

Whilst abortion services in Northern Ireland were legal and running to varying degrees, by year's end the authorities had yet to formally commission abortion services that were adequately resourced, sustainable and fully accessible to all who need them.

NORTHERN IRELAND – LEGACY ISSUES

In March, the government issued proposals to address the legacy of the conflict in Northern Ireland which were not compatible with human rights standards and departed from commitments made in the 2014 Stormont House Agreement and subsequent government statements and agreements. The proposals would limit prosecutions of those suspected of criminal responsibility for crimes under international law and human rights violations and abuses during the decades-long conflict.

The government refused to launch a public inquiry into the murder of Patrick Finucane, a Belfast lawyer killed in 1989, despite a 2019 Supreme Court ruling, which found that his murder was not effectively investigated in line with human rights standards.

IRRESPONSIBLE ARMS TRANSFERS

The UK resumed issuing licences for military exports to Saudi Arabia in July, after a court ruling in June 2019 required the government to suspend new licensing of military equipment to Saudi Arabia (see Yemen entry).

In response to the excessive use of force against US Black Lives Matter protesters, members of parliament and several organizations, including Amnesty International, called on the UK to suspend exports of crowd control equipment, such as tear gas and rubber bullets, to US law enforcement agencies. In September, the government stated that it had re-assessed export licences of such equipment to the USA in response to these events and concluded there was "no clear risk" of misuse.

STATE OVERREACH

The Counter-Terrorism and Sentencing Bill proposed a major overhaul of the sentencing regime for counter-terrorism offences, including the removal of some key safeguards on the use of already concerning administrative control measures known as Terrorism Prevention and Investigation Measures (TPIMs). The proposed changes included lowering the standard of proof for the imposition of a TPIM.

IMPUNITY

In March, the government proposed a new law which would seriously restrict prosecutions for offences committed by British soldiers overseas, including torture and other ill-treatment as well as other crimes under international law. The proposed law

would create a "presumption against prosecution" after five years.

FREEDOM OF EXPRESSION

Hearings to consider a US extradition request for Julian Assange began in February and resumed in September. Assange remained detained at Belmarsh prison and faced prosecution in the USA for the publication of disclosed documents as part of his work with Wikileaks. Amnesty International called on the USA to drop the charges and on the UK to halt his extradition to the USA where he would face a real risk of serious human rights violations.

1. Exposed, silenced, attacked: Failures to protect health and essential workers during the COVID-19 pandemic (POL 40/2572/2020)
2. UK: As if expendable: The UK Government's failure to protect older people in care homes during the Covid-19 pandemic (EUR 45/3152/2020)

UNITED STATES OF AMERICA

United States of America
Head of state and government: **Donald Trump**

The Trump administration's broadly dismal human rights record, both at home and abroad, deteriorated further during 2020. The USA experienced massive demonstrations across the country with the backdrop of the COVID-19 pandemic, contested 2020 general elections and a widespread racist backlash against the Black Lives Matter movement. In response to thousands of public demonstrations against institutional racism and police violence, law enforcement authorities routinely used excessive force against protesters and human rights defenders and failed to constrain violent counter-protests against primarily peaceful assemblies. The administration also sought to undermine international human rights protections for women; lesbian, gay, bisexual, transgender and intersex (LGBTI) people; and victims of war crimes, among others. It also exploited the COVID-19 pandemic to target migrants and asylum-seekers for further abuses. Joe Biden was declared the winner of the November presidential election.

BACKGROUND

Despite confirmation by the Electoral College that Joe Biden had won the November presidential election, President Trump continued to challenge the result, making repeated unsubstantiated claims of electoral irregularities. These continued allegations sparked a number of pro-Trump protests and raised concerns about the peaceful transfer of power in January.

DISCRIMINATION

The COVID-19 pandemic exacerbated long-standing inequalities in the USA. Inadequate and uneven government responses to the pandemic had a disproportionate and discriminatory impact on many people based on their race, socioeconomic situations and other characteristics. Systemic disparities dictated who served as frontline workers and who had employment and economic security and access to housing and health care.[1]

Incarcerated people were particularly at risk due to insanitary conditions in prisons and detention where they were unable to adequately physically distance and had inadequate access to hygienic supplies as facilities became hotspots for infection.

Additionally, racially discriminatory political speech and violence risked increasing the number of hate crimes.

RIGHT TO HEALTH

Workers in health care, law enforcement, transportation and other "essential" sectors faced enormous challenges as the US government failed to adequately protect them during the pandemic. Shortages in personal protective equipment (PPE) meant that health and other essential workers often had to perform their jobs without adequate protection and in unsafe environments. In April, the National Nurses Union held a

physically distanced protest in front of the White House against the lack of PPE for health workers. From March to December 2020, more than 2,900 health care workers died amidst the COVID-19 pandemic. The US Centres for Disease Control and Prevention (CDC) acknowledged that available figures were likely underestimates.

Some health and other essential workers in the public and private sectors also faced reprisals, including harassment, disciplinary procedures and unfair dismissal, if they spoke out about the inadequate protective measures.

EXCESSIVE USE OF FORCE

At least 1,000 people were reportedly killed by police using firearms. The limited public data available suggests that Black people are disproportionately impacted by police use of lethal force. The US government's programme to track how many such deaths occur annually was not fully implemented. No state laws governing the use of lethal force by police – where such laws exist – comply with international law and standards regarding the use of lethal force by law enforcement officials.[2]

FREEDOM OF ASSEMBLY

Law enforcement across the USA committed widespread and egregious human rights violations against people protesting about the unlawful killings of Black people and calling for police reform. Amnesty International documented 125 separate incidents of unlawful police violence against protesters in 40 states and Washington, D.C., between 26 May and 5 June alone.[3] Thousands more protests took place in the remainder of the year.

Violations were committed by law enforcement personnel at the municipal, county, state and federal levels, including by National Guard troops who were deployed by the federal government in some cities. The violence included beatings with batons or other devices, the misuse of tear gas and pepper spray, and the inappropriate and indiscriminate firing of "less lethal" projectiles.

In numerous incidents, human rights defenders – including protest organizers, media representatives, legal observers and street medics – were specifically targeted with chemical irritants and kinetic impact projectiles, arrested and detained, seemingly on account of their work documenting and remedying law enforcement agencies' human rights abuses.

RIGHT TO LIFE AND SECURITY OF THE PERSON

The government's ongoing failure to protect individuals from persistent gun violence continued to violate their human rights, including the right to life, security of the person and freedom from discrimination, among others. Unfettered access to firearms, 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 continued to perpetuate this violence.

In 2018, the most recent year for which data was available, some 39,740 individuals died from gunshot injuries while tens of thousands more are estimated to have sustained gunshot injuries and survived. In the midst of the COVID-19 pandemic, with increased gun sales and shootings, the USA failed in its obligation to prevent deaths from gun violence, which could have been done through a range of urgent measures, including de-listing gun stores as essential businesses.

As of 2020, expansive "Stand Your Ground" and "Castle Doctrine" laws, both of which provide for private individuals to use lethal force in self-defence against others when in their homes or feeling threatened, existed in 34 US states. These laws appeared to escalate gun violence and the risk of avoidable deaths or serious injuries, resulting in violations of the right to life.

As protesters against the killing of Black people took to the streets in cities across the USA, there were instances where armed

civilians in states where the open carrying of firearms is permitted engaged protesters, causing at least four deaths.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Despite a serious outbreak of COVID-19 in civil immigration detention facilities, US Immigration and Customs Enforcement (ICE) refused to release tens of thousands of migrants and asylum-seekers, over 8,000 of whom contracted the virus in detention.

Contrary to guidance from the CDC, ICE failed to adequately provide soap and sanitizer or introduce physical distancing, and continued to transfer thousands of people unnecessarily between immigration detention facilities.[4] This included approximately 100 families held in detention centres that a US federal judge deemed "on fire" because of confirmed COVID-19 cases and inadequate protection. Instead of releasing families together, ICE asked parents in May if they would agree to release their children without them, while the parents remained detained.

Simultaneously, the US government exploited the COVID-19 crisis to halt all processing of asylum-seekers on the US-Mexico border and to deny access to asylum procedures to those who crossed into the USA irregularly. Instead, the authorities unlawfully detained and "expelled" over 330,000 migrants and asylum-seekers between March and November – including over 13,000 unaccompanied children – without consideration of their protection needs or the risks of persecution, death, torture or other ill-treatment that they faced upon *refoulement* to their countries of origin.[5] In hundreds of documented cases, these returnees had contracted COVID-19 in US custody due to the negligence of authorities and contributed to the regional outbreak of the pandemic throughout the Americas.

The resettlement of refugees in the USA plummeted further. Refugee admissions for the fiscal year 2020 were set at 18,000, the lowest in the programme's history, while approximately half that number were actually resettled during 2020.

HUMAN RIGHTS DEFENDERS

The authorities failed to adopt any accountability measures to remedy misuse of the law to harass migrant human rights defenders in 2018 and 2019. In a step backward, in June the US Supreme Court vacated a 2018 federal appellate court decision that found unconstitutional a key criminal statute that the government had used to target migrant human rights defenders for unlawful surveillance, instead remanding the decision to be reconsidered at the appellate level.

WOMEN'S RIGHTS

Indigenous women continued to experience disproportionately high levels of rape and sexual violence and lacked access to basic post-rape care. In 2019, President Trump issued an Executive Order forming the Task Force on Missing and Murdered American Indians and Alaska Natives. As of December, the Task Force had opened seven cold case offices to investigate cases, but the exact number of victims remained unknown as the US government did not collect data or adequately coordinate with Tribal governments.

The COVID-19 pandemic and ensuing lockdowns significantly impacted domestic and intimate partner violence across the country, in some cases leading to increases in reported incidents or the severity of injuries.

The exponential increase in purchases of firearms during the pandemic increased the risks of gun violence for children and domestic violence survivors as more unsecured firearms were located in homes where people were forced to quarantine with their abusers.[6]

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI) PEOPLE

According to official data released in 2020, incidents of hate crimes based on sexual

orientation or gender identity remained high in 2019 for a fifth consecutive year. Trans women of colour were especially targeted for violent hate crimes and killings.

The administration sought through policy and the courts to continue to dismantle protections against discrimination based on sexual orientation and gender identity in education, the military, employment and other areas of federal government.

SEXUAL AND REPRODUCTIVE RIGHTS

Federal and state governments intensified efforts to curtail sexual and reproductive rights by seeking to criminalize abortion and limit access to reproductive health services.[7] The administration also sought to amend US foreign policy and development policy to end support for the protection of sexual and reproductive rights at the international level.

TORTURE AND OTHER ILL-TREATMENT

A decade after dozens of detainees were held in a CIA-operated secret detention programme – authorized from 2001 to 2009 – during which systematic human rights violations were committed, including enforced disappearance, torture and other ill-treatment, no person suspected of criminal responsibility had been brought to justice for these crimes. The limited investigations conducted into those crimes were closed without charges being brought against anyone.

DEATH PENALTY

In March, Colorado became the 22nd US state to abolish the death penalty.

Six people were exonerated from death row, bringing the total of such exonerations since 1977 to 173. Among those released was Curtis Flowers, who endured six trials and 23 years on death row in Mississippi. The state dropped all charges in September, after the US Supreme Court concluded in June 2019 that the district attorney violated Curtis Flowers' constitutional rights by intentionally removing African-Americans from the jury at the sixth trial in 2010.

The federal government ended a 17-year hiatus and carried out 10 executions between July and December. The relentless pursuit of the executions showed contempt by the Trump administration for safeguards and restrictions established under international law and standards to protect the rights of those facing the death penalty, including the prohibition of executions while appeals are pending and of people with mental (psychosocial) disabilities.

The federal government carried out more than three times the number of executions in 2020 than it had between 1977 and 2019 combined. State executions, however, slowed down, largely due to the COVID-19 pandemic. Since judicial killing resumed in the USA under revised statutes in 1977, a total of 1,529 people have been executed.

ARBITRARY DETENTION

Forty men remained arbitrarily and indefinitely detained by the US military in the detention facility at the US Naval Base in Guantánamo Bay, Cuba, in violation of international law. Only one person had been transferred out of the facility since January 2017. Five prisoners cleared for transfer from Guantánamo since at least 2016 remained there at the end of 2020 and the Trump administration eliminated the system previously created to arrange for their transfer.

None of the 40 men had access to adequate medical treatment and those who survived torture and other ill-treatment by US agents were not given adequate rehabilitative services. Seven of them face charges in the military commission system, in breach of international law and standards, and could face the death penalty if convicted. The use of capital punishment in these cases, after proceedings that did not meet international standards for a fair trial, would constitute arbitrary deprivation of life. The trials of those accused of crimes related to the 11 September 2001 attacks were scheduled to begin on 11 January 2021, but were delayed in 2020 as pre-trial hearings in all cases were suspended.

UNLAWFUL KILLINGS OF CIVILIANS

Under its flawed "global war" doctrine, the USA repeatedly resorted to lethal force in countries around the world, including using armed drones, in violation of its obligations under international human rights law and, where applicable, international humanitarian law. NGOs, UN experts and the news media documented how such strikes inside and outside of zones of active armed conflict arbitrarily deprived protected individuals, including civilians, of their right to life and may have resulted in unlawful killings and injuries, in some cases constituting war crimes.

The weakening by the US government of protections for civilians during lethal operations increased the likelihood of unlawful killings, impeded the assessment of the legality of strikes and prevented accountability and access to justice and effective remedies for victims of unlawful killings and civilian harm.[8]

Despite calls by UN human rights experts and others for clarifications of the legal and policy standards and criteria the USA applies when using lethal force outside of the USA, the government continued to be neither transparent nor forthcoming.

INTERNATIONAL HUMAN RIGHTS MECHANISMS AND TREATIES

In November, the UN Human Rights Council conducted the third UPR of the USA's human rights record.

Since January 2018, the USA has not responded to communications from Special Procedures or accepted their requests for invitations to carry out official visits.[9]

Following announcements that the ICC would investigate violations of international humanitarian law and crimes against humanity committed on the territory of Afghanistan since 1 May 2003, the Trump administration issued an Executive Order on 11 June which declared a "national emergency" and authorized asset freezes and family entry bans against certain ICC officials. The action undermined redress for potential war crimes and crimes against humanity committed by US civilian and military officials in connection with the armed conflict in Afghanistan, which the US authorities have failed to investigate, prosecute or punish.

In July, the US Department of State released a report by its advisory panel called the "Commission on Unalienable Rights". The report appeared to unilaterally redefine what human rights mean, rejecting the interpretive authority of UN and other international human rights bodies, and specifically undermining the human rights framework by re-evaluating protections from discrimination for women, LGBTI people and others.[10]

In July, as it struggled to contain and address millions of cases of COVID-19, the USA initiated its withdrawal from the WHO, which was due to enter into force in July 2021. Under President Trump, the USA has also withdrawn from the UN Human Rights Council, the UN cultural agency (UNESCO) and the global Paris Agreement to tackle climate change.

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1. USA: Letter to Governors calling for the implementation of Equity Task Forces (Open letter by Amnesty International USA, 6 May)
2. USA: The World Is Watching: Mass violations by US police of Black Lives Matter protesters' rights (AMR 51/2807/2020)
3. USA: Amnesty International documents widespread police violence against protesters for Black Lives, (Map, launched by Amnesty International USA in June)
4. USA: 'We are adrift, about to sink': The looming COVID-19 disaster in US immigration detention facilities (AMR 51/2095/2020)
5. Explainer on US deportations and expulsions during the COVID-19 pandemic (Explainer, 21 May)
6. COVID-19 And gun violence: Top ten ways the pandemic intersects with the crisis of gun violence in the US (Article by Amnesty International USA, May)
7. USA: Joint submission on reproductive health, rights, and justice to third Universal Periodic Review of United States (Joint submission, June)
8. USA: Defense department undercounts civilian casualties in new reporting (Article by Amnesty International USA, 6 May)
9. USA: Rolling back of human rights obligations: Amnesty International Submission for the UN Universal Periodic Review, 36th session of the UPR Working Group, November 2020 (Updated August 2020) (AMR 51/1407/2019)

10. USA: State department's flawed 'unalienable rights' report undermines international law (Press release, 16 July)

URUGUAY

Eastern Republic of Uruguay
Head of state and government: **Luis Alberto Lacalle Pou (replaced Tabaré Vázquez in March)**

The crisis caused by COVID-19 deepened structural inequalities, especially impacting the rights of those historically marginalized. The Urgent Consideration Act (LUC) threatened the rights to peaceful protest and freedom of expression. Inadequate prison conditions continued to worsen. Violence against women increased. Impunity remained a concern and evidence emerged indicating key information about past human rights violations had been withheld.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The COVID-19 response had an adverse impact on the access to economic and social rights of people in marginalized communities. Confinement measures affected economic activity, which deepened pre-existing structural inequalities. The University of the Republic reported that in April more than 100,000 people fell below the poverty line, a 35% increase compared to December 2019. Media reported that in August, more than 40,000 people were reliant on food banks. Access to housing was difficult for sex workers, domestic workers, migrants and refugees.

FREEDOM OF EXPRESSION AND ASSEMBLY

Approved in July, the LUC included broadly worded provisions that restrict freedom of expression and assembly and could outlaw demonstrations and social protests.

DUE PROCESS GUARANTEES AND DETENTION

Concerns about the LUC included issues relating to the principle of the presumption of innocence for police officers and provisions that allow increased use of pre-trial detention. The LUC also removed some fair trial guarantees and introduced longer prison terms for certain crimes. These measures risked increasing the prison population in a prison system where overcrowding and insanitary conditions were rife. According to the Public Prosecutor's Office, in November there were 13,077 incarcerated adults, of whom almost 20% were awaiting trial. Uruguay's rate of incarceration of 370 per 100,000 inhabitants was one of the highest in the region.

IMPUNITY

The government expressed its intention to search for those who disappeared during the civil-military regime (1973-1985). In February, the Public Prosecutor's Office started criminal proceedings against four retired military personnel on charges of torture for acts committed in 1972. On 24 May, the Inter-American Commission on Human Rights referred the case of three girls subjected to enforced disappearance in 1974 and two other cases to the Inter-American Court of Human Rights.

In August, the notes of a 2006 Military Tribunal of Honour were published, showing that the army tortured and executed Uruguayan detainees in Argentina during the 1970s and confirming that evidence had been concealed.

VIOLENCE AGAINST WOMEN AND GIRLS

COVID-19 confinement measures led to an increase in cases of domestic violence against women and girls. According to the Ministry of the Interior, 33,004 complaints were registered between January and October, 203 more than in the same period in 2019. The response to the COVID-19 pandemic did not include proper

mechanisms to prevent violence against women.

SEXUAL AND REPRODUCTIVE RIGHTS

Despite the lack of official data on child pregnancy for 2020, it remains a low visibility-problem in Uruguay. Girls giving birth under the age of 15 are mostly a consequence of situations of sexual abuse and exploitation. According to the National Committee for the Eradication of Sexual Exploitation of Children and Adolescents, in 2020 there was a 41% increase in reports of commercial sexual exploitation of children and adolescents.

Difficulties in accessing sexual and reproductive health services increased during COVID-19 confinement measures, especially access to abortion, which is legal in the country but difficult to access due to health professionals' refusal to perform this service on religious grounds and a lack of access to health centres in rural areas.

UZBEKISTAN

Republic of Uzbekistan
Head of state: **Shavkat Mirziyoev**
Head of government: **Abdulla Aripov**

Renewed efforts to improve the country's image saw the President prioritize a reform agenda. However, freedoms of association, expression and peaceful assembly remained tightly regulated. Human rights defenders continued to face targeted surveillance. Progress in the eradication of forced labour in the cotton sector was marred by harassment of independent monitors. A significant increase in domestic and gender-based violence during the COVID-19 pandemic was exacerbated by the closure of virtually all crisis centres during lockdown. Consensual sexual relations between men remained a criminal offence. A draft bill was introduced on an independent torture complaints mechanism, although reports of torture and other ill-treatment, including deaths in custody, continued.

BACKGROUND

The President's reform agenda included setting up a National Council on International Ratings to undertake a systematic review of reforms, and a National Human Rights Strategy setting out monitoring mechanisms including on the prevention of torture.

HUMAN RIGHTS DEFENDERS

In March, for the first time since 2003, the authorities granted registration to Huquqiy Tayanch (Legal Support), an independent NGO. However, they continued to reject or obstruct the applications of other independent human rights organizations.

Human rights defenders and journalists, including those in exile, continued to be under secret surveillance and were the target of sophisticated phishing and spyware attacks. The legal framework for such surveillance provided insufficient safeguards against abuse. The security services were able to bypass some security tools that activists use to protect themselves against surveillance and carried out a campaign of malicious emails using fake websites, along with spyware embedded in legitimate software.[1]

FREEDOM OF ASSEMBLY

Draft legislation on public meetings, published in August, severely restricted the right to freedom of peaceful assembly. It barred NGOs without official registration from organizing or holding public meetings, required organizers to apply for permission 15 days in advance, limited the duration of any public meeting to two hours during daytime, and proscribed meetings from taking place within 300m of various premises. A public meeting would include flash mobs and single person protests, making it virtually impossible for anyone to exercise their right to freedom of peaceful assembly.

FREEDOM OF EXPRESSION

In response to the COVID-19 pandemic, the Prosecutor General's Office set up an inter-

agency working group to monitor social media for "fake news" or misleading information on the spread of the virus. Amendments to the Criminal Code at the end of March introduced stricter punishment for the dissemination of false information on the spread of the virus, increasing sentences from five to a maximum of 10 years in prison.

In May, a young blogger from Margilan was briefly detained by police for allegedly not wearing a face mask in public after he had posted a comment on his Facebook account endorsing an article critical of the local authorities' handling of the pandemic.[2]

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Significant progress in the eradication of forced labour in the cotton sector was marred by continued harassment of human rights defenders monitoring the implementation of ILO reforms during the cotton harvest. Police in Namangan detained and beat four independent monitors in June as they were recording adolescents working in the cotton fields. Police confiscated cameras, mobile phones and notes, forcibly tested the activists for COVID-19 and placed them under supervised quarantine. In April, the authorities had cited economic hardship caused by the COVID-19 pandemic to put pressure on the Cotton Campaign to endorse lifting the boycott of Uzbekistani cotton.

DISCRIMINATION

Rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people

Consensual sexual relations between men remained a criminal offence despite promises by the authorities to revise the criminal code. A member of the Uzbekistani UN delegation stated in September that non-heterosexual relations were contrary to "traditional" values and that the public was not ready to endorse decriminalization. Programmes on national television stigmatized LGBTI people and declared them a "dangerous foreign influence".

LGBTI people faced increased discrimination in accessing health care during the COVID-19 pandemic. LGBTI youth were at particular risk of domestic and gender-based violence during lockdown; they were without access to community resources and support structures since they could not leave their homes and were forced into cohabitation with unsupportive and/or abusive families.

Women's rights

Domestic and gender-based violence increased significantly during the pandemic and human rights activists said that the problem was exacerbated by the fact that only five out of the 197 national crisis shelters were able to operate during lockdowns and other restrictive measures.

In July, a group of young female activists faced a backlash on social media, including online abuse and threats of violence, when they organized a flash mob action to protest gender-based violence and discrimination following a highly publicized assault on a 17-year-old girl. In August, a programme on national television denounced their protest action as dangerous and criticized them for not respecting "traditional" values.

TORTURE AND OTHER ILL-TREATMENT

In May, the authorities signalled their intention to set up independent mechanisms to investigate complaints of torture; provide effective redress and compensation to victims and their families; and monitor places of detention to prevent torture and other ill-treatment. The announcement followed a Presidential Resolution on additional measures to improve the prevention of torture.

Reports of torture, however, continued. In July, the authorities launched investigations into the deaths in January, June and July of three men in prison and police custody and charged the alleged perpetrators with torture. In September, five police officers were found guilty and sentenced to up to nine years in prison for the torture of Yusuf Abdurakhmanov in January. A forensic investigation found blood that matched Yusuf Abdurakhmanov's on the inside of a

gas mask. In November Andijan Regional Court sentenced five police officers to 10 years in prison for the torture of Alijon Abdukarimov.

Impunity

In March, in a retrial, a court in Kashkadaria acquitted human rights defender and torture survivor Chuyan Mamatkulov of all charges and quashed his sentence. In October, the Supreme Court granted him financial compensation. Other human rights activists, however, have not been granted the right to challenge their convictions, despite compelling evidence that the charges against them were fabricated and that they were tortured to "confess".

1. Targeted surveillance attacks in Uzbekistan: An old threat with new techniques (Blog, 12 March)
2. Blogging in Uzbekistan: welcoming tourism, silencing criticism (Blog, 25 June)

VENEZUELA

Bolivarian Republic of Venezuela
Head of state and government: **Nicolás Maduro Moros**

The continuing human rights crisis in Venezuela saw further reports of extrajudicial executions, excessive use of force and unlawful killings by the security forces during the year. People expressing criticism of government policies – including political activists, journalists and health workers – were subjected to repressive measures including criminalization, unfair trials and arbitrary detention. There were reports of torture and other ill-treatment and enforced disappearance of those arbitrarily detained. Human rights defenders were stigmatized and faced obstacles in carrying out their work. The humanitarian crisis worsened with widespread shortages of services and high levels of extreme poverty. These and the ongoing undermining of health service infrastructure were exacerbated by the COVID-19 pandemic. People returning to the country were held in state-run quarantine centres in conditions and for lengths of time that may have constituted arbitrary detention and ill-treatment. The UN Fact-Finding Mission (FFM) on Venezuela established there were reasonable grounds to believe that crimes against humanity have been committed in Venezuela since 2014 and that President Maduro and senior military and ministerial figures ordered or contributed to the crimes documented in its report.

EXTRAJUDICIAL EXECUTIONS

Reports of extrajudicial executions by the Special Action Forces of the Bolivarian National Police (FAES) and the Criminal Investigative Police (CICPC) continued. According to the OHCHR at least 2,000 people were reportedly killed in the country in the context of security operations between 1 January and September. As of June, the Zulia state Human Rights Committee had recorded 377 deaths, allegedly resulting from violence by these police forces in Zulia state. Those targeted were primarily young men living in low-income neighbourhoods who were arbitrarily detained in circumstances which the authorities claimed involved clashes with police.

ARBITRARY DETENTION

Arbitrary detentions continued to be used as part of the policy of repression targeting dissidents.

The Venezuelan human rights organization Penal Forum reported that, as of October, there had been 413 arbitrary, politically motivated arrests; these increased following the declaration of a state of emergency in response to the COVID-19 pandemic in March.

In addition to political activists, 12 health workers who made critical public statements about the government's response to the pandemic faced short-term detention and subsequent restrictions.

The COVID-19 pandemic was used to restrict notification of arrests, obliging

relatives to rely on unofficial information about the whereabouts of detainees. This uncertainty and the vulnerability of detainees was exacerbated by the suspension of activities by the courts and the Public Prosecutor's Office as part of the measures to contain the pandemic.

Enforced disappearances, periods of incommunicado detention and isolation during the early stages of detention continued, increasing the risk of torture and other cruel, inhuman or degrading treatment of detainees.

Congressmen Renzo Prieto and Gilber Caro, detained in March 2020 and December 2019 respectively by the FAES, were subjected to long periods of isolation and incommunicado detention. Both were held in police stations that did not meet minimum standards for the treatment of prisoners.

Maury Carrero, an accountant, was arbitrarily detained in April, allegedly over links to an adviser to the President of the National Assembly, Juan Guaidó. She was charged by a court dealing with "terrorism" cases and transferred to the National Institute for Women's Guidance and held incommunicado for five months, during which time no official information was provided about her.

On 31 August, 110 people who had been criminalized were pardoned by President Nicolás Maduro. Renzo Prieto, Gilber Caro and Maury Carrero were among those pardoned. Further arbitrary arrests took place within days and during the rest of the year. Among those detained was Roland Carreño, a journalist and member of the Popular Will party, who was arrested in October.

TORTURE AND OTHER ILL-TREATMENT

Reports of the use of torture to extract confessions or incriminating testimony continued. The OHCHR documented 16 cases, reporting the use of methods including beatings, electric shocks, asphyxiation and sexual violence. The UN Fact-Finding Mission (FFM) on Venezuela reported the use of increasingly violent methods of torture by the Bolivarian National Intelligence Service (SEBIN) and Military Counter-Intelligence General Directorate (DGCIM) and the use of clandestine facilities by the DGCIM.

Reports of torture and other ill-treatment were not investigated by the authorities and went unpunished.

EXCESSIVE USE OF FORCE

Excessive and illegal use of force by the police, military and armed groups against demonstrators remained widespread. The authorities did not take any meaningful steps to prevent this.

There were numerous reports of the indiscriminate use of force during law enforcement operations. During May in Petare, a low-income neighbourhood in Caracas, an armed confrontation between alleged criminal gangs led to a joint police and military operation that lasted over a week, during which there were several reports of sustained bouts of indiscriminate shootings and allegations of extrajudicial executions.

IMPUNITY

Impunity for human rights violations and crimes under international law remained the norm.

An OHCHR report on judicial independence and access to justice, published in July, found that victims of human rights violations could not access justice because of structural obstacles, including lack of judicial independence.

In September, the Public Prosecutor's Office announced that 565 law enforcement officials had been charged for human rights violations committed since August 2017.

In September, new evidence emerged regarding the arbitrary detention, enforced disappearance, torture and death of Rafael Acosta Arévalo in June 2019 by the DGCIM. Contradictions and gaps in the criminal investigation highlighted the need for this and similar cases to be investigated independently.[1] The Public Prosecutor's Office reopened the case.

UNFAIR TRIALS

Unfair trials continued to be used to criminalize those with opinions that differed from those of the Maduro government. The use of military jurisdiction to prosecute civilians or retired military personnel continued.

Rubén González, a prisoner of conscience and trade union leader detained in 2018 serving a sentence imposed following an unfair trial by a military court, was released as part of the 31 August pardon.

The OHCHR highlighted major shortcomings in the justice system, courts and the Public Prosecutor's Office, emphasizing cases of lack of independence and interference by other public authorities.

From 15 March onwards, most judicial circuits suspended their activities due to COVID-19 restrictions; only those courts with *in flagrante* jurisdiction continued functioning.

INTERNATIONAL SCRUTINY

Despite efforts by Nicolás Maduro's government to elude scrutiny by the Inter-American human rights system, the Inter-American Commission issued seven precautionary measures during the year in favour of individuals in Venezuela.

Monitoring of the situation in the country continued through the Special Follow-Up Mechanism for Venezuela (MESEVE) created by the Inter-American Commission.

The OHCHR maintained a team of two officers on the ground and in September announced the strengthening of its presence in the country and committed to the visit of three Special Procedures to Venezuela in 2021.

The FFM on Venezuela issued its first report in September. This stated that since 2014, the Venezuelan authorities and security forces had planned and carried out serious human rights violations, some of which – including arbitrary killings and the systematic use of torture – amounted to crimes against humanity, with reasonable grounds to believe that President Maduro and ministers in his government ordered or contributed to the crimes documented in the report.

REPRESSION OF DISSENT

The policy of repression to silence dissent and control the population continued and intensified during the COVID-19 pandemic and in the run-up to parliamentary elections in December.

Members of the National Assembly were subjected to a pattern of repression including arbitrary detention, misuse of the justice system and smear campaigns.

Prisoners of conscience remained subject to severe restrictions and prosecution.

The justice system continued to be politically instrumentalized against dissent, including ruling against political parties critical of the government.

FREEDOM OF ASSEMBLY

Restrictions on freedom of peaceful assembly and association remained common.

According to the NGO Venezuelan Observatory of Social Conflict, by November there had been more than 9,000 protests. These were sparked by a variety of issues, such as lack of health care during the COVID-19 pandemic, low wages, high food prices, delays in the distribution of food aid funds and lack of basic services, including fuel. Some 402 of these protests were attacked by the police, military or pro-government armed groups, resulting in the deaths of six protesters and the injury of 149 others.

FREEDOM OF EXPRESSION

The civil society organization Public Space reported that between January and August there were more than 747 attacks on the press and journalists, including intimidation, digital attacks, censorship, arbitrary detentions and physical assaults. Many of these attacks took place after the state of emergency was declared in March in response to the COVID-19 pandemic.

On 21 August, journalists Andrés Eloy Nieves Zacarías and Víctor Torres were killed

in an FAES security operation in Zulia state. The Public Prosecutor's Office launched an investigation into their possible extrajudicial execution and an arrest warrant was issued for six FAES officers.

Darvinson Rojas, a journalist and prisoner of conscience, was arbitrarily detained for disseminating information about COVID-19. He was released after 12 days but remained subject to restrictions and criminal proceedings.

Journalist and prisoner of conscience Luis Carlos Díaz also remained subject to severe restrictions and prosecution.

HUMAN RIGHTS DEFENDERS

Women human rights defenders continued to face threats and stigmatization when carrying out their work. The Centre for Defenders and Justice reported that as of June, there had been more than 100 attacks against women human rights defenders, including criminalization, harassment, digital attacks and arbitrary detention.

In August, the humanitarian organization Solidarity Action was raided by FAES officials and eight people were detained for several hours.

In October, Vannesa Rosales, a human rights defender in Merida state, was arbitrary detained for providing a 13-year-old girl who was pregnant as a result of rape with information on procedures for the termination of the pregnancy.

Health workers and journalists reporting on the COVID-19 pandemic were harassed and threatened. Some were charged with inciting hatred.

RIGHTS OF REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

The number of Venezuelan refugees and migrants fleeing to other countries seeking international protection continued to increase, reaching 5.4 million by the end of the year.

The authorities restricted entry to Venezuela during the COVID-19 pandemic to a maximum of 100-300 people per day, limiting the entry and departure of Venezuelan nationals; many of those seeking to return had been excluded from care measures during the pandemic in host countries. People who sought to enter Venezuela through informal channels were criminalized and stigmatized.

Mandatory quarantine in state custody was one example of the repressive response to COVID-19. Officially, 90,000 people were reported to have passed through the state-run centres known as Comprehensive Social Service Points (PASI) by August in order to comply with the mandatory quarantine on their return to Venezuela. However, the centres adopted arbitrary and militarized procedures that resulted in punitive and repressive measures and failed to prioritize health care and infection prevention. The conditions in the PASI were precarious and, in many cases, ignored WHO protocols. For example, lack of clean water, adequate food and access to medical care were reported. The length of time for which people were held was in many cases arbitrary and not based on objective criteria. This, combined with inadequate conditions in state-run quarantine centres, may have constituted ill-treatment and arbitrary detention.

HUMANITARIAN EMERGENCY

The humanitarian emergency continued and deepened. Prevailing conditions, including the continued shortage of basic services such as water, electricity and fuel; a weakened health infrastructure; and difficulty in accessing medicines and food, were aggravated by COVID-19 and seriously hampered people's ability to cope with the containment measures imposed to curb the pandemic.

In July, the UN Humanitarian Response Plan noted that US$762.5 million was needed to provide humanitarian assistance to 4.5 million people.

Solidarity Action estimated that 10 million people did not receive medical care for conditions and diseases such as hypertension, diabetes, Parkinson's, cancer and malaria, among others.

Despite the recommendation of the OHCHR and the insistence of civil society, the UN World Food Programme (WFP) was not allowed access to the country.

Economic measures, such as the limited increase in minimum wages to US$1.71 a month, deepened the pressing economic situation and hyper-inflation was rampant at the end of the year.

Over-compliance with sanctions imposed by the USA led to obstacles in accessing goods and services in Venezuela.

WOMEN'S RIGHTS

According to a coalition of NGOs in Venezuela, existing gender gaps, already aggravated by the complex humanitarian emergency, were further exacerbated by COVID-19. The OHCHR and the Inter-American Commission on Human Rights highlighted impacts on women, including lack of access to maternal and sexual and reproductive health services and health services in general.

Although no official information on femicide rates has been issued since 2013, NGOs reported a steady increase in violence against women in the country. NGOs also reported that no shelter for women survivors of violence was operational during 2020.

The FFM on Venezuela documented gender-based crimes against humanity, including torture and sexual violence against women detained by the DGCIM and SEBIN and in the context of protests.

RIGHT TO HEALTH

Health services continued to deteriorate. Shortages of basic medicines, which were unaffordable for most people, intensified. Lack of access to adequate health services seriously impacted the state's response to COVID-19.

Medical and health personnel were not provided with personal protective equipment (PPE) or adequate protection measures against COVID-19. Many of those who voiced concerns about this were arrested and criminalized. There were also concerns about the lack of transparency on the part of the authorities regarding testing, rates of infection and deaths due to COVID-19.

There were reports that pregnant women suspected of having COVID-19 were denied adequate care by public health services.

RIGHT TO FOOD

In May, the Centre for Documentation and Social Analysis of the Venezuelan Federation of Teachers (CENDAS-FVM) reported that the basic monthly family food basket – a list of basic foodstuffs deemed necessary for an average family in Venezuela – cost US$513.77. In August CENDAS-FVM reported that it would require an income 184 times the minimum wage to purchase a basic monthly basket.

In July, the National Survey of Living Conditions (ENCOVI) reported that 96% of households in Venezuela were in income poverty and 79% in extreme income poverty and unable to purchase the basic food basket.

In February, the WFP reported that 7.9% of the Venezuelan population was severely food insecure, 24% (7 million people) were moderately food insecure and one in three people were food insecure and needed assistance, classifying the situation as one of the 10 worst food crises globally.

Food distribution systems, such as the Local Supply and Production Committees (CLAPs), continued to fail to meet nutritional needs and operated according to politically discriminatory criteria.

RIGHT TO WATER

Problems with the supply of drinking water and sanitation continued and deepened, adversely affecting living conditions and heightening the risk of COVID-19 infection.

ENCOVI stated that only one in four households had running water every day, while the majority had access to running water in their homes only on certain days of the week (59%) or several days a month (15%). The most vulnerable sectors of the population continued to be forced to look for sources of water supply from water trucks, wells and springs.

PRISON CONDITIONS

Deaths in custody and the lack of investigations into them persisted. The NGO Window to Freedom reported 118 deaths in custody between January and June.

Serious overcrowding and insalubrious conditions in prisons put detainees at heightened risk of COVID-19 infection.

The Venezuelan Prison Observatory reported in May that 46 detainees died in violence in the Los Llanos Penitentiary Centre (CEPELLA) in the city of Guanare, Portuguesa state. An investigation was opened by the Public Prosecutor's Office, but no progress had been reported in the investigation by the end of the year.

INDIGENOUS PEOPLES' RIGHTS

In the Orinoco Mining Arc and other parts of the country, illegal mining continued to seriously affect the rights of Indigenous Peoples. The OHCHR reported that levels of labour exploitation, trafficking and violence were high because of corruption and bribery by criminal groups who controlled the mines and operated a system of bribes to military commanders.

According to Penal Forum, 13 Pemón Indigenous men were held in pre-trial detention over 1,200km from their community, without adequate measures being taken to protect their cultural identity or ensure a fair trial.

In April, the Indigenous Wayuu community in Zulia state held a protest to demand basic conditions, including access to clean water, a long-standing issue that acquired even greater urgency with the need to combat COVID-19. Military officials responded with excessive use of force, injuring a Wayuu woman.

1. Venezuela: Dying before a judge: The arbitrary detention, enforced disappearance, torture and death of Rafael Acosta Arévalo (AMR 53/2909/2020)

VIET NAM

Socialist Republic of Viet Nam
Head of state: **Nguyễn Phú Trọng**
Head of government: **Nguyễn Xuân Phúc**

Arbitrary arrests and prosecutions of human rights defenders significantly increased, with a record number of prisoners of conscience documented. Individuals who expressed themselves online were particularly targeted. Pro-democracy activists, independent journalists, authors and publishers faced sustained harassment, physical assault, arbitrary prosecution and torture and other ill-treatment in police custody. Authorities issued death sentences and executions were carried out. Violence against women remained a persistent and widespread concern. Viet Nam won praise for its COVID-19 response, effectively containing the spread of the virus. However, the authorities' punishment for distributing "disinformation" on the pandemic often amounted to arbitrary restrictions on the right to freedom of expression.

BACKGROUND

Ahead of the 13th National Congress of the Communist Party of Viet Nam (CPV), scheduled for January 2021, the government initiated a major crackdown on all forms of dissent as rival politicians and factions within the CPV competed for positions of power. Viet Nam ratified the EU-Viet Nam Free Trade Agreement in June, which included obligations to abide by international human rights and labour standards.

FREEDOM OF EXPRESSION

The authorities engaged in a wide-ranging crackdown on freedom of expression, particularly targeting individuals who expressed themselves online. There was a major increase in censorship of online speech, in addition to a significant rise in arbitrary arrests, detentions and prosecutions of individuals in connection with their right to exercise freedom of expression both online

and offline. Journalists and authors were also targeted, with a string of arrests and prosecutions targeting the Liberal Publishing House and the Viet Nam Independent Journalists Association. Two members of the Liberal Publishing House — a local independent publisher selling books considered sensitive by the government — were tortured by police in detention in Ho Chi Minh City.[1]

In April, Facebook announced its decision to significantly increase its compliance with the authorities' demands for the censorship of so-called "anti-state" content on its platform, which often amounted to censorship of legitimate expression in violation of international human rights law.[2] Facebook's decision reportedly came after the authorities pressured the company by slowing down its services in the country.

Human rights defenders and other activists raised alarm at the content restrictions they faced from both Facebook and YouTube at the behest of the authorities, including widespread geo-blocking of sensitive content, profile blocking and account suspensions. These measures marked a significant deterioration in the space for freedom of expression in the country.[3]

On 3 February, the authorities introduced Decree 15/2020/ND-CP on penalties for administrative violations against regulations on postal services, telecommunications, radio frequencies, information technology and electronic transactions ("Decree 15"), further adding to a legal framework that severely undermined the right to freedom of expression. Decree 15 provides for a wide range of administrative offences for both internet users and internet service providers and contains a range of severe penalties which threaten freedom of expression and access to information. Technology companies that violate the decree can have their operating licences suspended for up to two years. Decree 15 also introduced penalties for users who post or share "fake news" on social networks, which can be imposed in addition to any civil or criminal punishments.

Government-sponsored "cyber-troops" and "public opinion shapers" targeted government critics with online abuse, harassment, trolling and mass reporting campaigns, often leading to restrictions on the accounts and content of human rights defenders. Human rights defenders also faced physical attacks and other forms of offline threats and violence in relation to their online activism.

PRISONERS OF CONSCIENCE

As of December, at least 173 known prisoners of conscience were imprisoned in Viet Nam, the highest recorded number since Amnesty International began publishing these figures in 1996. Among those, 72 were held for expressing their opinions online, a marked increase on previous years. Of the 30 prisoners of conscience newly detained during the year, 24 (80%) were detained for online expression. Most were held under either Article 331 of the Criminal Code, which prohibits "abusing democratic freedoms to infringe the interests of the State", carrying penalties of up to seven years' imprisonment, or Article 117, which criminalizes "making, storing or spreading information, materials or items for the purpose of opposing the State of the Socialist Republic of Viet Nam" and carries a sentence of up to 20 years' imprisonment.

Prison conditions remained generally harsh, but prisoners of conscience in particular were subjected to discrimination, harassment and ill-treatment. Family members reported incidents of prisoners of conscience being subjected to torture or other ill-treatment in detention, including Nguyen Van Hoa, Nguyen Van Tuc, Huynh Truong Ca, Nguyen Ngoc Anh and Le Dinh Luong.

DEATH PENALTY

The courts continued to impose death sentences and executions were carried out during the year. The government continued the policy of classifying information related to the death penalty as a state secret. Details about those sentenced to death remained

unavailable, including their gender, age, ethnicity or the types of crime for which they were sentenced. In December, Viet Nam abstained in a vote at the UN General Assembly calling for a moratorium on the use of the death penalty.

WOMEN'S RIGHTS

Violence against women remained a widespread and persistent problem. A joint study by the government and the UN revealed that nearly two in three married women experienced physical, sexual, emotional or economic violence and controlling behaviours by their husbands in their lifetime, and almost one-third reported such treatment in the preceding 12 months. Reporting of domestic violence or mistreatment remained extremely low, with very few women seeking support from the authorities or service providers.

Women human rights defenders continued to face harassment, discrimination and gender-based violence. Pham Doan Trang, a celebrated author and human rights defender, was arbitrarily arrested on 6 October and charged under Article 117 of the Criminal Code. Amnesty International recognizes her as a prisoner of conscience.[4] If convicted, she could be imprisoned for up to 20 years.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

According to government statistics, the percentage of households living in poverty had dropped to 2.75% in 2020, a significant decrease from 9.88% in 2015, reflecting a trend whereby growing numbers of the population realized their right to an adequate standard of living. However, rising economic inequality threatened the country's sustainable development.

Right to health

Viet Nam reported its first COVID-19 case on 23 January and the authorities applied strict measures to contain the spread of the virus. They reported a total of 1,465 cases of COVID-19 and 35 deaths at year's end. While some virus suppression measures were largely successful at protecting the right to health, there were multiple instances when the authorities repressed the right to freedom of expression as part of their response. At least two women — Dinh Thi Thu Thuy and Ma Phung Ngoc Phu – were arbitrarily arrested and charged for expressing their views on the government's COVID-19 response, and hundreds more people were fined for expressing their opinion on the COVID-19 response on social media.

1. Viet Nam: Independent booksellers tortured by police (ASA 41/2325/2020)
2. Viet Nam: Facebook must cease complicity with government censorship (News story, 22 April)
3. Viet Nam: Let us breathe! Censorship and criminalization of online expression in Viet Nam (ASA 41/3243/2020)
4. Viet Nam: Human rights champion arrested, at grave risk of torture (News story, 7 October)

YEMEN

Republic of Yemen
Head of state: **Abd Rabbu Mansour Hadi**
Head of government: **Maeen Abdulmalik Saeed**

All parties to the conflict in Yemen continued to commit violations of international humanitarian law and human rights abuses with impunity. The Saudi Arabia-led coalition, supporting the internationally recognized Yemeni government, and Huthi forces continued to carry out attacks that unlawfully killed and injured civilians and destroyed civilian objects. All parties to the conflict carried out arbitrary detentions, enforced disappearances, harassment, torture and other ill-treatment, and unfair trials of individuals, targeted solely for their political, religious or professional affiliations, or for their peaceful activism. The parties to the conflict impeded the flow of life-saving goods, including food, medicine and fuel, and Huthi forces continued to impose arbitrary restrictions on humanitarian aid agencies. The outbreak of

the COVID-19 pandemic put further pressure on an already depleted health care system, which had only 50% of its hospitals and health care facilities still operating, as compared to 2016. Additionally, a 50% drop in the humanitarian response fund compared to 2019 further compounded the effects of the pandemic on what was left of the health system, increased food insecurity and limited access to clean water, sanitation and public health. People with disabilities and migrant workers were impacted disproportionately by the combined effects of the conflict and the pandemic. Death sentences were handed down for a wide range of crimes, and executions were carried out.

BACKGROUND

In December, the internationally recognized Yemeni government reported that the number of COVID-19 cases had reached 2,078, namely in Hadramawt, Aden, Ta'iz, Lahij, Abyan, Almahra, Aldal'a, Ma'arib and Shabwa governorates. Meanwhile, the Huthi de facto authorities reported only a handful of cases in northern Yemen. The UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator estimated in June that there were possibly up to 1 million people affected by the virus in the country, with a fatality rate as high as 25%, five times the global average. According to the UN, health workers, including those working on the front line responding to COVID-19, were significantly impacted by the almost 50% reduction in aid. The UN estimated that this would result in: the closure of water and sanitation programmes serving 4 million people; 5 million children going without routine vaccinations; and the closure of malnutrition programmes and other wider health programmes serving 19 million people.

The armed conflict continued throughout 2020, with attacks by parties to the conflict escalating, including in Ma'arib, al-Jawf, al-Bayda, Dahle', Hodeidah, Abyan and Shabwa governorates.

The UN Secretary-General's call in March for an immediate global and humanitarian ceasefire to end hostilities and counter COVID-19 was welcomed by all parties to the conflict except the Huthi forces, who refused to participate. The UN Special Envoy for Yemen pursued negotiations with parties to the conflict, and in September a draft joint declaration was submitted, including guidelines for a nationwide ceasefire, humanitarian measures and engagement in the political process.

In April, the Southern Transitional Council (STC), backed by the United Arab Emirates (UAE), declared "self-rule" in areas under its control in the south of the country, after withdrawing from the Saudi-brokered peace deal reached in 2019 between the STC and the internationally recognized Yemeni government. Talks subsequently resumed, during which the STC abandoned its declaration of self-administration. On 18 December, a new power-sharing cabinet was formed as part of the Riyadh agreement headed by Maeen Abdulmalik Saeed.

The UAE announced the completion of its phased military withdrawal from Yemen. However, it continued to illicitly divert weapons and military equipment to militias in Yemen and carried out air strikes.

UNLAWFUL ATTACKS AND KILLINGS

All parties to the conflict continued to commit serious violations of international humanitarian law with impunity, including indiscriminate attacks which killed and injured civilians and destroyed and damaged civilian objects.

Huthi forces used imprecise weapons in populated areas, placed internationally banned anti-personnel mines in farmland, wells and villages, and shelled indiscriminately, causing hundreds of civilian casualties. In March, indiscriminate attacks by Huthi forces hit al-Thawra hospital, the largest public hospital in Ta'iz city and in April, the Central Prison in Ta'iz, killing five women and a child, and injuring at least 11 civilians.

On 30 December, Aden's airport was attacked shortly after members of the new government from Riyadh arrived in the city of Aden. The attack killed 26 individuals, including aid workers, and injured 50 others but there were no casualties among cabinet members. The Huthi de facto authority did not claim responsibility.

The Saudi-led coalition carried out multiple air strikes in the north, killing at least 49 civilians, including six children, between June and August. The UN Group of Eminent International and Regional Experts on Yemen determined that these incidents warranted further investigation, noting that the high number of civilian casualties raised questions around the proportionality of the attacks and whether the Saudi Arabia-led coalition took all necessary measures to protect civilians and minimize casualties. In August, an air strike hit a community college used by Huthi forces as a detention facility and killed 134 detainees and injured 40 others.

In July, the UK government resumed issuing licences for arms sales to Saudi Arabia, reversing a 2019 decision, saying "there is not a clear risk that the export of arms and military equipment to Saudi Arabia might be used in the commission of a serious violation of international humanitarian law."

FREEDOMS OF EXPRESSION AND ASSOCIATION

All parties to the conflict continued to suppress freedom of expression and association through arbitrary detention, enforced disappearance, harassment, torture and other ill-treatment, and unfair trials. In October the UN Special Envoy for Yemen reported the release of 1,000 prisoners, a very low number given the scale and pattern of enforced disappearance and detention cases in the country.

In March, Mahdi al-Mashat, head of the Sana'a-based Supreme Political Council of Yemen, the executive body set up by the Huthis, announced the release of all Baha'i political prisoners.[1] Four months later, six people of the Baha'i faith, including Hamid Haydara, who had been detained since 2013, were released.

In April, the Huthi-run Specialized Criminal Court sentenced four journalists to death after a deeply flawed trial based on trumped-up charges. The same month, the Court announced the release of six other journalists, including Salah al-Qaedi, who had been sentenced to three years of house arrest. The 10 journalists had been detained for five years without charge or trial.[2]

CRUEL, INHUMAN OR DEGRADING PUNISHMENT

Conditions in prisons and detention centres, including overcrowding, lack of access to health care and poor sanitation and hygiene, combined with the spread of COVID-19, exposed detainees to substantial health risks. The Yemeni authorities failed to take measures to protect detainees and curb the spread of the virus in prisons and detention centres by providing masks or other hygiene products.

Tawfiq al-Mansouri remained on death row as one of four journalists sentenced to death in 2020. He suffers from chronic illness including diabetes, kidney failure, heart problems, prostate inflammation and asthma, and in June he contracted COVID-19. The Huthi de facto authorities continued to deny him life-saving medical treatment despite his critical health condition.[3]

All parties to the conflict continued to detain and torture hundreds of individuals targeted solely for their political, religious or professional affiliations or for their peaceful activism. Parties to the conflict also targeted journalists and human rights defenders, many since 2016. Detainees were held in unofficial detention centres and in dangerous conditions. For example, in Aden, the UAE-backed STC held detainees in a tin building and an underground cellar in Al Jala camp. According to the organization Mwatana for Human Rights, at least 13 people were arbitrarily detained in Al Jala camp and 17 were tortured between May 2016 and April 2020.

According to the Group of Eminent International and Regional Experts on Yemen, the internationally recognized Yemeni government was responsible for ill-treatment, sometimes amounting to torture, of detainees in Ma'rib political security prison, including beatings, electric shocks and burning of genitals, threats of sterilization, and forcing detainees to crawl on broken glass.

DENIAL OF HUMANITARIAN ACCESS

The COVID-19 pandemic in Yemen challenged an already fragile health care system. Compounded by a funding shortage, a blockade, obstruction of aid and a fuel crisis, hospitals lacked the means to respond to the COVID-19 outbreak leading to the resignation of health workers, hospital closures and the wide spread of the disease among the population. The UN Office for the Coordination of Humanitarian Affairs warned that the response to the pandemic and other diseases would cease in several governorates, affecting 18 million people, including 6 million children.

All parties to the conflict impeded access to humanitarian aid. According to the UN, in 2020 approximately 80% of the population were in need of humanitarian aid and protection – with limited access to health care or clean water – and 20 million people were food insecure.

Parties to the conflict increased bureaucratic restrictions and interfered in aid projects, including blocking needs assessments. The escalation of fighting further restricted freedom of movement, impeding the delivery of aid.

In March, the United States Agency for International Development (USAID), suspended US$73 million of the US$85 million pledged to NGOs who were delivering aid to Huthi-controlled areas.

In May, Huthi forces blocked containers belonging to the WHO and shipments of personal protective equipment (PPE) for the COVID-19 response.

In September, the UN Special Envoy for Yemen warned that FSO Safer, an oil tanker moored near the port of Hodeidah, could explode or spill more than 1 million barrels of oil into the Red Sea, threatening an environmental, economic and humanitarian catastrophe. An agreement was reached in November between the Huthi de facto authorities and UN. The de facto authorities allowed access to UN experts to assess the oil tanker and the UN mission team was expected to arrive on site by mid-February 2021.

DISCRIMINATION

people with disabilities

People with disabilities continued to face exclusion, inequality and violence, largely arising from the systematic failure of the Yemeni authorities, humanitarian organizations and donor states to guarantee their rights and respond to their needs.

The conflict further impoverished people with disabilities, and resulted in the complete loss of the limited social security support they once received. People with disabilities also lacked access to information on the prevention of and protection from COVID-19, but no data specific to people with disabilities was gathered to determine the scale.

Migrants

The COVID-19 pandemic worsened the already precarious situation of migrants in Yemen, who faced ongoing discrimination, stigmatization, forcible expulsion and abuse, including sexual violence.

Huthi forces detained migrants in poor conditions and denied them access to protection and asylum processes. When the pandemic spread, the Huthi authorities expelled thousands of migrants to Saudi Arabia, where they were detained in life-threatening conditions pending their repatriation.[4]

DEATH PENALTY

The death penalty remained in force for many offences, and the authorities continued to use it as a way to silence dissent. Executions were carried out by all parties to the conflict. The Huthi-run Specialized

Criminal Court sentenced individuals to death in their absence for treason.

1. Yemen: Huthi authorities' decision to release Baha'i prisoners is 'positive signal' (Press release, 26 March)
2. Yemen: Huthis must end use of judicial system to silence dissent (Public statement, 25 March)
3. Yemen: Journalist on death row denied medical treatment (Press release 7 December)
4. Saudi Arabia: 'This is worse than COVID-19': Ethiopians abandoned and abused in Saudi prisons (MDE 23/3125/2020)

ZAMBIA

Republic of Zambia
Head of state and government: **Edgar Chagwa Lungu**

The authorities repressed the rights to freedom of expression, assembly and association. Journalists, media workers and lawyers were harassed. The police used intimidation to enforce COVID-19 movement restrictions. Children were denied their right to information about reproductive and sexual health and rights.

BACKGROUND

The national debt reached over ZMK228 billion (US$11 billion) and was expected to increase as a result of the COVID-19 pandemic. Zambia defaulted on its debt after failing to pay a US$42.5 million coupon on one of its Eurobonds in November.

In August, the Health Minister was acquitted of corruption charges in relation to the misuse of public funds which had been allocated to COVID-19 health care.

Tensions between the ruling Patriotic Front (PF) party and the opposition United Party for National Development (UPND) were heightened in advance of the 2021 general elections.

The authorities took steps to amend the 2016 Constitution with the introduction of Amendment Bill 10, which failed to pass with the required two-thirds threshold of 111 votes. Both civil society organizations and individual citizens had challenged the amendments on grounds that they would undermine the democratic process.

FREEDOM OF EXPRESSION

Police continued to use the Public Order Act, and other provisions, as well as threats and intimidation to clamp down on freedom of expression.

In March, police officers in the Central Province arrested and charged a 15-year-old boy with defaming the President under Penal Code provisions after he allegedly mocked him on social media.

Chella Tukuta, a photographer, was arrested by police in June after he spoke publicly about official corruption. He was charged with criminal libel for allegedly making derogatory remarks about the Minister of Information and other government officials, and detained in various police stations in Lusaka, the capital, and Ndola over a 10-day period.

Human rights defenders

Fumba Chama, Laura Miti and Bornwell Mwewa were acquitted in a trial before the Livingstone Magistrates Court in September on charges under the Public Order Act. Fumba Chama was charged with unlawful assembly after he hosted a youth forum on good governance. Laura Miti and Bornwell Mwewa were charged, in connection with the same event, with disorderly conduct and assaulting a police officer. The three had been arrested in December 2019 and held at Livingstone Central Police Station before being released on bail.

Journalists

Authorities continued to hinder journalists in their work and to clamp down on the independent media.

Jubilee Malambo, a journalist for Prime Television, was prevented from doing his job on 21 March in Samfya when PF cadres threatened to break his camera if he took photographs of people whose homes had been destroyed in heavy rainfall.

On 9 April, the Independent Broadcasting Authority (IBA) cancelled Prime Television's

licence "in the interests of public safety, security, peace, welfare or good order". The same day, police went to Prime Television's office in Lusaka and forced staff from the building. The incident followed the media outlet's having run stories about COVID-19 and Bill 10.

The authorities also tried to restrict online broadcasting. Having said publicly that it did not regulate broadcast content online, in July the IBA forced Spring TV to obtain an operating licence before broadcasting on the internet.

PF members used violence to prevent the media from airing programmes which featured opposition leaders. In May, they fired tear gas into the Isoka Community Radio and Muchinga FM stations to prevent them from broadcasting interviews with Hakainde Hichilema, the UPND leader.

Lawyers

Lawyers continued to be subjected to intimidation and violent attacks by the authorities. In March, the Acting Chief Registrar barred constitutional lawyer John Sangwa from appearing before courts after he criticized Bill 10 which could, among other things, give the President excessive powers, and the Constitutional Court's failure to allow a petition to challenge Bill 10.

In February, participants at a Law Association of Zambia public meeting about Bill 10, which took place at the Intercontinental Hotel in Lusaka, were physically assaulted and had their belongings stolen by a mob, thought to be members of PF cadres.

FREEDOM OF ASSEMBLY

Legislation, intimidation and harassment were used by the authorities to repress the right to freedom of assembly. In June, the President issued threats against members of civil society organizations and anyone else who planned to protest against infringements of their right to freedom of expression. He called on the Minister of Home Affairs to "deal with these boys" whom he said promoted "anarchy". On 30 September, the Inspector-General of Police said civil society members and traditional leadership were "inciting anarchy".

Meanwhile, the ruling party deployed cadres, made up of its supporters, to carry out acts of violence and other intimidatory tactics against UPND supporters and others as a means of preventing and disrupting peaceful assemblies, beating them and destroying their property.

In July, they attacked mourners at a UPND supporter's funeral in Mutumbi Cemetery in Lusaka.

While, generally speaking, the perpetrators of such attacks enjoyed impunity, one cadre was sentenced in August to two years' imprisonment for assaulting the Justice Minister at Kabwata Market in 2019.

EXCESSIVE USE OF FORCE

The police employed tactics of intimidation, harassment and arbitrary detention to enforce movement restrictions under COVID-19 regulations and, on some occasions, to prevent peaceful protests. In April, a police spokesperson announced on national television that they had adopted a strategy to "whip" and "detain" anyone found on the streets.

In December, police killed two protesters when they opened fire on UPND activists who had gathered in central Lusaka in support of Hakainde Hichilema, who had been summoned to the police headquarters.

RIGHT TO HEALTH

The authorities failed to provide adequate public health protection from COVID-19 infection. PPE was available within Zambia but did not reach the places where it was most needed. Some health workers in high risk regions that did not receive PPE contracted the virus.

In May, a laboratory technician was delegated to transport COVID-19 samples for testing using public transport. After the bus he was travelling on crashed, the Health Minister claimed that this mode of transport did not pose a threat to other passengers and that it was a method normally used for

transporting samples. Road traffic accidents are the third main cause of death in Zambia, claiming about 2,000 lives annually and risks of accidents are higher when using public vehicles.

SEXUAL AND REPRODUCTIVE RIGHTS

In October, the National Assembly suspended the Comprehensive Sexuality Education (CSE) programme, following a review by a working group under the Minister of National Guidance and Religious Affairs, on the basis that it was "graphic, inappropriate and offensive to cultural, religious and family values". The CSE was introduced into the school curriculum in 2013 for primary and secondary school learners. The African Charter on the Rights and Welfare of the Child Articles 11 and 27 protect young people from exploitation and provide for their right to education and information. Suspension of CSE would be regressive to the realization of these articles.

DISCRIMINATION - PEOPLE WITH ALBINISM

People with albinism continued to be subjected to violent attacks. On 24 March, Emmanuel Phiri's dismembered body was found in a field a few kilometres from his home in Chipata in the Eastern Province. His eyes, tongue and arms had been removed in what appeared to be a ritual killing. In April, the body of Josephat Mutenda was exhumed from his grave and his body parts stolen from the Likolwa burial site in the Kankomba area.

FORCED EVICTIONS

On 30 April, the High Court of Zambia ruled that the forced eviction of Serenje rural communities from their ancestral land in the Central Province violated their rights to life, freedom of movement and association, dignity and equal protection under the law; and that the conversion of their customary land was illegal. The communities had been forcibly evicted in 2013 to make way for commercial farming projects, since when they had lived in makeshift tents in a forest reserve. The Serenje community was not consulted about the seizure of their traditional land or compensated for the destruction of their properties and assets.

ZIMBABWE

Republic of Zimbabwe
Head of state and government: **Emmerson Dambudzo Mnangagwa**

The authorities used COVID-19 regulations to justify severe restrictions on the rights to freedom of expression and peaceful assembly. They deployed security forces to abduct, assault and torture perceived critics, and opposition members and leaders. Police and security agents killed at least 10 people. Women were denied access to essential maternal health care, and violence against women and girls was widespread.

BACKGROUND

In January, a constitutional amendment was published in the official gazette giving the President powers to hand-pick judges to higher courts and weakening Parliament's oversight of financial agreements entered into by the government.

On 30 March, the government introduced measures to prevent the spread of COVID-19, imposing punitive movement restrictions, initially for three weeks but periodically extending throughout the year. Information about lockdown rules was unclear, and their implementation appeared to be arbitrary. On 21 July, a national curfew between 6pm and 6am was imposed.

The pandemic exacerbated the economic crisis and the authorities were unable to provide social security to vulnerable people. According to the UN, 7 million people were in need of humanitarian assistance and 4.3 million people were severely food insecure.

In July, opposition members called on people to participate in the nationwide "July 31" protests against alleged state corruption, economic hardship, and to demand the President's resignation. The country

remained in political turmoil: in August, the South African government appointed two special envoys to visit Zimbabwe and identify possible resolutions to ongoing violence by security forces against the population.

EXCESSIVE USE OF FORCE

Security forces frequently used excessive force to prevent or crackdown on peaceful protests and to impose lockdown restrictions, killing at least 10 people. Security forces also arbitrarily arrested and detained protesters and others in the context of enforcing COVID-19 measures. In the first four months of lockdown, 116,000 people were arrested for violating COVID-19 regulations. Many were subjected to violence, including a significant number of women. Two sisters, Nokuthula and Ntombizodwa Mpofu, were severely beaten by police on 16 April in Bulawayo when they went out during curfew to buy food for their children.

A joint team comprised of agents of the police, military, the Central Intelligence Organisation, and the Office of the President, known as the "Ferret Team", terrorized government critics, opposition leaders and activists, and their family members. Many, including several members of the main opposition party, Movement for Democratic Change-Alliance (MDC-A), were abducted from police custody, tortured and dumped far from their homes.

In May, Joana Mamombe, a politician, Cecilia Chimbiri and Netsai Marova were arrested at a police roadblock in the capital, Harare, while they were leading a demonstration against inadequate protection for the poor. They were abducted the same day from Harare Central Police Station by a group of men believed to be from the Ferret Team, who physically and sexually assaulted them and dumped them 87km from their homes in Harare three days later. In June, the State charged the women with faking their abductions and "tarnishing the country's image". On 31 July, they were re-arrested at a checkpoint. While they were being held, a soldier whipped Cecilia Chimbiri for allegedly insulting him. In December, in the case relating to the charges connected to their abduction in May, the Harare Regional Magistrate ordered that Joana Mamombe be tried separately from Cecilia Chimbiri and Netsai Marova on grounds that she had been declared unfit to stand trial. An application by their lawyers for this order to be reviewed was pending at the end of the year.

In the days running up to the July 31 protests, security forces raided the homes of those suspected of supporting the initiative, in some cases vandalizing property.

On 30 July, Tawanda Muchehiwa was arrested by police in a shop in Bulawayo. On the way to the police station, the officers handed him over to the Ferret Team, who tortured him to reveal the whereabouts of his uncle, Mduduzi Mathuthu, the editor of online newspaper ZimLive.com. They released him far from his home four days later.

The same day, security forces raided Mduduzi Mathuthu's home, and, when they failed to find him, took away his sister and two of his nephews who were later released after the Media Institute of Southern Africa intervened.

The violence continued after July, and on 7 August, four unidentified men abducted Noxolo Maphosa in the street. She was sexually assaulted to force her to reveal the whereabouts of her uncle, Josphat Ngulube, an MDC-A member who had been accused of distributing face masks bearing the slogan "#ZANUPFMustGo" (referring to the ruling party).

On 12 August, Tamuka Denhere, another member of the MDC-A, was taken from his home in Gweru city by unidentified men and tortured over several hours. They then handed him over to Harare Central Police Station. Police also arrested his wife after she reported his abduction.

Unlawful killings

Police and state security agents unlawfully killed at least 10 people. No meaningful investigations were carried out into these crimes.

On 15 March, police went to the home of Bhekani Moyo in Silobela village, in connection with assault allegations, and shot him dead. On 30 March, Levison Moyo was beaten by police in Bulawayo for allegedly violating lockdown restrictions and died four days later from a brain haemorrhage. In May, police, travelling in an unmarked vehicle, shot and killed Paul Munakopa in Hillside, Bulawayo.

At least two opposition activists were unlawfully killed. In July, Mazwi Ndlovu, from Bulilima, was killed by agents suspected to be affiliated with ZANU-PF after he raised concerns about the way food was distributed to those in need. A man suspected of killing him was later arrested but released without appearing in court or applying for bail. Also in July, state security agents in Hurungwe abducted, murdered and dumped the naked body of Lavender Chiwaya, an MDC-A councillor, near his home.

FREEDOM OF EXPRESSION

The authorities used COVID-19 restrictions as a pretext to limit civic space and restrict human rights. Section 14 of Statutory Instrument 83 of 2020 on Public Health (COVID-19 Prevention, Containment and Treatment) Regulations, 2020 criminalized the "spreading of false news" about COVID-19 and imposed a 20-year prison sentence and/or a hefty fine. Lovemore Zvokusekwa, from Chitungwiza, a town on the outskirts of Harare, was arrested in April, and accused of circulating a fabricated press statement purporting to be from the President, announcing a lockdown extension. Later that month, the President said he should receive a 20-year prison sentence as an "example" to others. On 30 April, he was released from detention on remand although he faced trial pending possible further investigations by the prosecution. The authorities used further provisions which criminalized people solely for peacefully exercising their right to freedom of expression, including "undermining the authority of the President" or "insulting" him, to discourage criticism on social media.

In March, the Commander of the Zimbabwe National Army said that social media was proving a threat to national security and that the military would put private electronic communications under surveillance to "guard against subversion". Christian Rambu was arrested in Chipinge town in April for distributing a WhatsApp message accusing the President of incompetence. Rujeko Hither Mpambwa, from Kariba, was arrested in August for criticizing on social media the President's address to the nation.

Journalists

Police and military officers used the COVID-19 restrictions as a pretext to justify the harassment and intimidation of journalists and other media workers, at least 25 of whom were assaulted and arbitrarily arrested and detained while working, or on their way to and from work. They were accused of violating lockdown restrictions, disorderly conduct or using expired accreditation documents which, under the COVID-19 regulations, should have been considered valid during lockdown. Journalists were frequently ordered to delete their videos or photographs without a valid reason.

FREEDOM OF ASSEMBLY

The authorities used Section 14 of Statutory Instrument 83 of 2020 on Public Health to prohibit demonstrations during lockdown.

Between March and August, security forces locked down roads to Harare's central business district to prevent protests in support of prominent activists facing trial.

In townships in Harare, officers robbed some people at gunpoint, demanded bribes or severely beat them for breaking lockdown regulations.

Dozens of people were arrested for organizing or participating in peaceful demonstrations, including activists Namatai Kwekweza and Vongai Zimudzi, arrested in June for demonstrating against constitutional amendments.

In July, at least 17 nurses were prosecuted for violating lockdown regulations after they

protested against low wages and poor working conditions at the Sally Mugabe Central Hospital in Harare. They were acquitted of all charges.

In the same month, the authorities launched a brutal crackdown on opposition leaders involved in organizing the July 31 protests (see above, Excessive use of force) and on trade unionists who had called for strike action. Throughout July, security forces arrested at least 60 people.

On 12 July, unidentified men tried to abduct the brother and nephew of Peter Mutasa – the leader of the Zimbabwe Congress of Trade Unions – from his home. On 16 July, a group of men broke into the house of Obert Masaraure, President of the Amalgamated Rural Teachers Union of Zimbabwe (ARTUZ), in the early hours, taking his wife into custody for several hours to try to force her to reveal his whereabouts. Three days earlier ARTUZ had organized a demonstration to protest about low wages.

An overnight curfew was imposed on 21 July, ostensibly to prevent the spread of COVID-19 infection, but which critics interpreted as a clampdown on protests. On 27 July, a ZANU-PF spokesperson called on supporters to use all necessary means to defend themselves ahead of the nationwide July 31 demonstrations. When the protests went ahead, police arrested at least 20 people, who were charged with various offences including "public nuisance", "intention to incite public violence", and breaking COVID-19 regulations. They were later released on bail. On 4 August, the President said the protest supporters were "bad apples" who would be "flushed out".

RIGHT TO TRUTH, JUSTICE AND REPARATION

Opposition and civil society members, activists and lawyers accused the authorities of using the judicial system to harass and penalize opponents or perceived critics of the government.

Statutory instruments were used to suspend constitutional rights. For example, COVID-19 restrictions led to courts closing early, ostensibly to allow staff to get home before the curfew. Consequently, hearings were repeatedly adjourned, and critics and activists were unable to get bail and were kept in prolonged pre-trial detention. Jacob Ngarivhume, a politician, who was arrested in connection with the July 31 protests, and Hopewell Chin'ono, a journalist who was arrested for exposing allegations of corruption among government officials, spent around six weeks in pre-trial detention, having been denied bail three times. Godfrey Kurauone, an MDC-A councillor in Masvingo, spent over five weeks in jail for "insulting" the President.

At least 10 lawyers were harassed in connection with cases they represented, some of them facing prosecution on trumped-up charges. In June, Thabani Mpofu was arrested and bailed, on allegations of obstructing justice by filing an affidavit from a fictitious person in a case which challenged the appointment of the Prosecutor General. The author of the affidavit later presented himself to the police, but the case against the Thabani Mpofu continued at the end of the year.

In July, the Chief Justice directed that all court judgements be "approved" by the head of the court or division before being handed down. The directive was withdrawn following strong objections from lawyers and civil society activists.

In August, a magistrate barred Beatrice Mtetwa, a human rights lawyer, from representing her client and recommended that her licence be revoked after she was falsely accused of running a Facebook page which criticized the justice system.

RIGHT TO HEALTH

Between March and June, a total of 106 maternal deaths were recorded, largely as a result of movement restrictions which prevented many pregnant women from accessing services. In July, a woman from Chitungwiza was forced to pay a bribe to get through a police roadblock to reach hospital when she was in labour.

The government did not release information on the number of health workers

who had tested positive for COVID-19 until August, when they announced there were more than 480 cases. In September, the UN Office for the Coordination of Humanitarian Affairs reported a decrease in access to essential health care facilities as a consequence of COVID-19 infection among health workers and a lack of PPE, among other things. Calls from front-line health workers for adequate PPE and essential drugs went unheeded, and in April the Zimbabwe Association of Doctors for Human Rights took a case to the High Court which ordered the government to, among other things, provide PPE to front-line health workers.

VIOLENCE AGAINST WOMEN AND GIRLS

Within the first 11 days of lockdown, 764 cases of violence against women and girls were recorded, rising to 2,768 by mid-June. The authorities failed to prioritize services to protect women and girls from such attacks. Meanwhile, victims were denied prompt access to justice.

AMNESTY INTERNATIONAL REPORT 2020/21

THE STATE OF THE WORLD'S HUMAN RIGHTS

The *Amnesty International Report 2020/21* documents the human rights situation in 149 countries in 2020, as well as providing global and regional analysis. It presents Amnesty International's concerns and calls for action to governments and others. It is essential reading for policy makers, advocates, activists, and anyone with an interest in human rights.

During 2020, the world was rocked by COVID-19. The pandemic and measures taken to tackle it impacted everyone, but also threw into stark relief, and sometimes aggravated, existing inequalities and patterns of abuse. Lockdowns and quarantines disproportionately affected marginalized groups, such as older people and those living in poverty. While the trend towards criminalizing gender-based violence in domestic laws continued, reports of violence against women increased. Many governments repressed dissent, sometimes employing COVID-19 control measures as a pretext. They used excessive force to put down protests against police brutality and discrimination. They stifled criticism by human rights defenders and opponents with new curbs on freedom of expression and surveillance.

The global system of governance strained at the seams, exacerbated by powerful governments' attacks on multilateral institutions. However, by grounding recovery measures and international co-operation in human rights, world leaders have an opportunity to fashion a more just post-pandemic future.

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