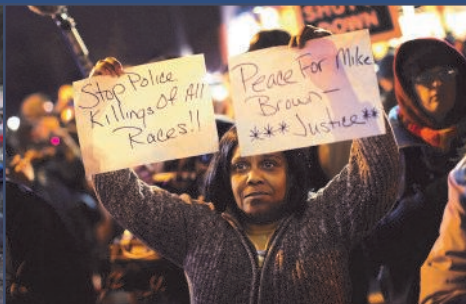


The Most Resonant Human Rights Violations in Certain Countries



2014

INDEX

Austria	4	Lithuania	46
Belgium	6	Netherlands	49
Bulgaria	11	Norway	52
Canada	14	Poland	54
Czech Republic	18	Portugal	58
Estonia	20	Romania	60
Finland	22	Slovakia	63
France	24	Spain	65
Germany	28	Switzerland	68
Greece	33	Sweden	70
Hungary	35	United Kingdom	73
Italy	38	United States of America	79
Latvia	44		

LIST OF ACRONYMS OF INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

ICCPR—International Covenant on Civil and Political Rights

ICESCR—International Covenant on Economic, Social and Cultural Rights

ICERD — International Convention on the Elimination of All Forms of Racial Discrimination

CEDAW—Convention on the Elimination of All Forms of Discrimination against Women

CRC— Convention on the Rights of the Child

CRPD – Convention on the Rights of Persons with Disabilities

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

OPSC – Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

FOREWORD

When we look at the results of universal periodic review in the UN Human Rights Council of some countries that claim to be most «advanced democracies», it becomes obvious that all governments without exception face accusations of human rights violations. Moreover, such accusations tend to be similar in nature regardless of a specific country's geographic location.

This, in turn, enable us to say that the conflict between the interests of an individual and society, which the state law enforcement machine regulates, is perpetual depending neither on a political system nor on the level of social and economic development of a given society. What can be different is the methods that policymakers and government entities use, and hence, the scope of relevant ramifications.

Any government acts on the basis of national interests as formulated by its own home-grown political elite. Any government applies force if activities by certain persons or groups jeopardize citizens' security and sustained development of its society.

What remains open is the question of how so-called human rights defenders or foreign countries that unilaterally assume the messianic mantle of promoting human rights abroad interpret similar enforcement policies in different countries. If idealism and best intentions of the «defenders» can somehow be justified, the actions of the countries cannot be considered in any way other than hypocrisy, double standards and ideological imperialism. After all, they interpret the same police actions or other government's enforcement policies in their own domestic realms as benign, whereas in other countries they view them as nothing but evil. Many examples presented on the pages of this Report vividly testify to the point.

So far the fundamental principles of the UN Charter that affirm a nation's and its elected government's absolute sovereignty over internal affairs within its territory have not been revoked. I am convinced that none but people living and working in a given country, as well as their elected leaders, know better their own needs and aspirations. To be sure, no one is going to deny that billions of people today live in countries, where Western-style political democracy has never existed before. I am profoundly convinced that progress in realizing the ideals of human rights concept (liberty, equality, fraternity) must take place only in a specific national context. What is more, constructive international cooperation predicated on mutual respect and partnership is a key factor in ensuring that any nation makes headway in this area. Unfortunately, the last few years have been replete with tragic examples when such attitudes were ignored, and nations were forced to make a quantum leap in their political development.

I avail myself of this opportunity to appeal once again for understanding that the diversity of ways towards progressive development is an indispensable value of human civilization, it is actually a prerequisite for peace and stability.

Vladimir Makei
Minister of Foreign Affairs
Republic of Belarus

AUSTRIA

Austria managed to smooth out the tensions in **immigration and refugee reception policies** that existed in 2012 – 2013. In March *Johanna Mikl-Leitner, Austria's Minister of the Interior* reported about simplification of the refugee reception procedures and pointed out that the the priority will be given to women, children and Christians persecuted in Muslim countries.

At the same time, the «soft» policy in this field has revealed the problem of **racial discrimination** which has been pressing for Austria for many years. Thus, two anonymous letters were addressed to J.Mikl-Leitner and 50 other politicians with insults and death threats for extremely liberal refugee policy.

According to the findings of the opinion poll on the situation of **national minorities** in Austria, conducted in *Graz, Linz, Salzburg and Innsbruck* by the Austrian public organization «*Medien-Servicestelle Neue Österreicher/innen*» in August 2014, 52 percent out of 717 black respondents report that over the last 12 months they were subjects to racial discrimination in public transport, 13 percent were subjects to violence on the same basis, 30 percent were disrespected by representatives of state authorities, first of all, the police.

Following international commitments have been violated:

ICCPR:

art. 7 (no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment)

art. 9 (right to liberty and security of person; no one shall be subjected to arbitrary arrest or detention)

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 20 (any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law)

ICERD:

art. 2 (commitment to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation)

CAT:

art. 2 (commitment to take effective measures to prevent acts of torture)

art. 4 (commitment to ensure that all acts of torture are offences under its criminal law)

Right to Freedom of Expression, Right to Seek, Receive and Impart information

January 24, 2014, Vienna: under the guise of «protection against a violent crowd» police applied force against the journalists covering the protest against an annual ball in *Hofburg Palace* held by the right-wing *Austrian Freedom Party*. About 6.000 participants of the demonstration chanted slogans «*Nazis, go out of the parliament!*».

January 27, 2014 Dunja Mijatović, the OSCE Representative on Freedom of the Media, expressed regret over the obstacle to the work of journalists in the public interest.

Austrian Journalists' Union, the board of editors of Austrian broadcaster ORF and the international organization «*Reporters Without Borders*» condemned the temporary restrictions on the work of journalists and described them as violation of freedom of the media.

Right to be Protected from Racial Discrimination

According to the *Report on Racism* of the Austrian organization «*Zara*» published in March 2014 more than 700 cases of racial discrimination were registered in Austria in 2013.

The report draws attention to the following problems: discrimination by police, including racial profiling when an individual is suspected or suffers from prejudice based only on skin color of a person; extremely lenient sentences and even acquittals given to the accused of racism.

As an example there was mentioned a fact about a woman who was pushed onto the subway track after a fight caused by racism in January 2013. The person convicted of intentionally committing aggravated assault was sentenced to probation; the criminal's racist motives were not taken into account by court.

There also was a case when a person was denied medical service as the result of racial discrimination.

In March 2014, Josefstadt's District Court in Vienna fined two state doctors who refused to assist the refugee I.Zelihman imprisoned for violating the rules of residence in Austria before his forced deportation to Chechnya (Russia). In spite of numerous requests, the refugee was denied emergency health care and as a result died of a heart attack.

Claudia Schäfer, the head of «Zara» organization, paid special attention to the cases of racism against children and youth, police brutality against black community and «extremely lenient» reaction of Austrian judiciary and law enforcement authorities to this kind of incidents.

Karl-Heinz Grundbek, the representative of the interior Ministry of Austria, rejected the accusations and noted that police officers are trained that racism is categorically inadmissible in their daily work.

Propaganda of Neo-Nazism, Right to Freedom and Security of Person, Right to be Protected from Torture

May 17, 2014, Vienna: around 100 people participated in a Neo-Nazi march in the center of Vienna.



Disperse of neo-Nazi march. The police used pepper spray, truncheons, dogs. (Vienna, May 17, 2014). Photo: Martin Juen

According to the information of anti-fascist movement leaders, far-right extremists from Hungary, Italy and France took part in the march.

The police used rubber batons, tear gas, dogs to disperse the protestants. At least 37 activists of anti-fascist movement were arrested.

BELGIUM

Participation in the majority of international human rights treaties doesn't protect Belgium from systemic human rights problems.

Over the past few years the following issues have remained relevant: excessive use of force by law enforcement agencies, arbitrary arrest and detention; overcrowding and unacceptably high mortality rates in these institutions; terrible detention conditions of asylum seekers, migrants and members of their families in detention facilities; lack of equal opportunities for descendants from developing countries, racial intolerance; discrimination on gender basis, violence against women.

According to the study of *the Belgian Institute for Equality of Women and Men*, 36 per cent of the female population aged 15 and above are victims of sexual violence, with 25 per cent of them being the victims of spousal violence.

The legal framework to regulate issues related to combating discrimination based on linguistic grounds as well as discrimination against minorities and religious groups hasn't been created yet.

The rise of right-wing attitudes and intolerance on religious grounds has become a new negative tendency in Belgian society.

Despite the fact that denial, belittling, justification or approval of the genocide committed by the German National Socialist Regime during the Second World War is prohibited by Belgian law, the statements which sound like **public rehabilitation of Nazism** occasionally appear in Belgian parapolitical circles.

In 2014, there were registered cases of **anti-Semitic slurs**, denials to provide medical help and services in shops to representatives of Jewish nationality, as well as armed attacks on them with the infliction of physical damage.

Following international commitments have been violated:

ICCP:R:

art. 2 (right to an effective remedy)

art. 7 (no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment)

art. 9 (right to liberty and security of person; no one shall be subjected to arbitrary arrest or detention)

art. 10 (right of those deprived of liberty to be treated with humanity and with respect for the inherent dignity of the human person)

art. 18 (right to freedom of thought, conscience and religion)

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 20 (any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law)

art. 21 (right to peaceful assembly)

art. 25 (right to take part in the conduct of public affairs, to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors)

Right to be Protected from Racial Discrimination

March 22, 2014 several days before the president of the USA arrived in Belgium the Belgian newspaper «*DeMorgen*» published a cartoon of Barack and Michelle Obama looking like apes. On March 24, the newspaper apologized for the publication.

This case proves the findings of the report conducted by *European Commission against Racism and Intolerance* and published by the Council of Europe on February 25, 2014 which noted the considerable increase of racist hate speech on the Internet, particularly on the websites disseminating hate speech against migrants and their descendants, primarily against people of Moroccan, Turkish origin, dark-skinned people, people of Jewish ethnicity.

Housing discrimination based on race is also a topical issue. According to the study published by *Belgian Centre for Equal Opportunities and Opposition to Racism* on February 20, 2014, the analysis of received complaints proves that people of foreign origin, people with low incomes, the blind and visually impaired are most susceptible to discrimination in the private housing market.

ICESCR:

art. 6 (right to work)

art. 7 (right of everyone to the enjoyment of just and favorable conditions of work, including right to remuneration)

art. 11 (right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions)

ICERD:

art. 2 (commitment to take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination)

art. 3 (right to be prohibited from racial segregation)

art. 5 (right of everyone without distinction to equality before the law, including the right to housing, the right to social protection)

CAT:

art. 2 (commitment to take effective measures to prevent acts of torture)

art. 3 (commitment not to expel, return («refouler») or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture)

art. 4 (commitment to ensure that all acts of torture are offences under its criminal law)

Realtors and tenants demand additional documentation on the degree of «social integration» from the given category of population, often deny deals due to additional costs or high deposits.

Since the beginning of the year, several far-right activities have been held, including the meeting of the far-right Flemish movement «*Vlaams Belang*» on premises of the theatre «*Vaudeville*» (April 4, 2014, Brussels), the conference of «*European Congress of Dissence*» (May 4, 2014, Brussels), which was organized by the infamous Belgian deputy *Laurent Louis*, who is the leader of the populist and nationalist movement «*Belgians, Rise up!*».

In its concluding observations following the consideration of the 16th – 19th periodic reports of Belgium in February 2014, *Committee on the Elimination of Racial Discrimination* expressed its concern about failure to ban activities of organizations which promote and encourage racial discrimination; the ongoing anti-Semitic and Islamophobic manifestations, including the ban on wearing religious symbols in schools of the Flemish Community; reports of acts of police violence and brutality against migrants on the grounds of racial discrimination, as well as the low rate of investigation of such actions; reports on acts of police violence

during the expulsion of foreign nationals and lack of an effective monitoring and filing complaints mechanism; refusal to provide emergency medical care to undocumented immigrants, as well as in medical centers of Antwerp, Ghent and Brussels, in order to make them leave the country.

Propaganda of Racial Discrimination

Belgian politics, ministers of the right-wing party «*The new Flemish Alliance*» – *Jan Jambon*, *Deputy Prime Minister and Minister of the Interior*, and *Theo Francken*, *Secretary of State for Asylum and Migration*, - in October 2014, made statements which whitewash Nazism and, in fact, promote racial discrimination.

Thus, on October 13, 2014 in the interview for «*La Libre Belgique*» *J. Jambon* approved of collaboration with the Nazi during the World War II and said: «*The people who collaborated with the Germans had their reasons*». *T. Francken* was accused of xenophobic statements against immigrants (he questioned the «added value» that immigrants from Morocco, Congo and Algeria can bring to the Belgian economy) and visiting an event in October 2014, which was organized by a neo-nazist party.

October 15, 2014: Charles Michel, *Prime Minister of Belgium*, in response to the public wave of indignation, condemned collaboration of the Belgian political forces with the Nazis during the World War II on behalf of the government coalition.

Anti-Semitism, Right to be Protected from Racial Discrimination, Right to Freedom of Thought, Conscience and Religion

May 24, 2014 Brussels: an unknown person opened fire at the *Jewish Museum of Belgium* in the center of Brussels, as a result, three died at the scene and one more person died of the injuries in the hospital.

In connection with the July events in the Middle East caused by the Israeli–Palestinian conflict there has been an anti-Semitic wave in Belgium. The Belgian media described cases when the sellers refused service to Jews, anti-Semitic signs were placed at the entrance of public places (for instance, one of café’s owner in *Liege* placed a sign «*Dogs are allowed in this establishment but Zionists are not under any circumstances!*» at the entrance of his café.



Sign at the entrance of the cafe: «Dogs are allowed in this establishment but Zionists are not under any circumstances» (Liege, July 23, 2014). Photo: JTA

One of the most egregious acts of racial discrimination was the refusal to provide medical care to *Bertha Klein*, a 90-year old Jewish woman from Antwerp. In response to a call for help the doctor hung up, and after the second call with a request to explain the reason of the refusal, the doctor said: «*Send her to Gaza for a few hours, then she'll get rid of the pain.*»

November 15, 2014, Antwerp: there was an attack on a Hasidic rabbi who was stabbed and hospitalized.

Moshe Kantor, the president of the *European Jewish Congress*, called on the governments of European countries to take immediate actions to

ensure the safety of Jewish communities: «*We need to stop the ongoing incitement against Jews on the internet and on the streets. The Jews are the full citizens of Europe and both political and human rights authorities must protect their safety.*»

Right to an Effective Remedy, Right to be Protected from Torture

March 15, 2014, Brussels: around 500 people took part in a protest rally, which marked the *International Day against police brutality*. The protesters noticed that 80 per cent of complaints about police misconduct filed to *The Committee P* (the department of internal police investigation) are ignored and only 3 per cent reach the court. The participants appealed to the politicians «to create truly independent bodies to protect the citizens and their civil rights according to the recommendations of the UN Committee against Torture».

Right to be Treated with Humanity and with Respect for the Inherent Dignity of the Human Person, Right to be Protected from Torture

According to the annual statistical report published on April 25, 2014 and carried out by the Council of Europe in the penal sphere, also known as *SPACE (Statistiques Pénales Annuelles du Conseil de l'Europe)*, 43 percent of all prisoners in Belgian jails are foreigners. The report reveals that the number of prison escapes remains high. In 2012 it reached 23,7 per 10.000 inmates, which is almost three times higher than average European figures. Moreover, Belgium has one of the biggest figures in the number of prisoners serving a sentence of 20 years in prison and more - 6.4 per cent, which is three times higher than the European average. According to the statistical data as of January 1, 2014 in terms of prison overcrowding Belgium is among the top 5 countries among Council of Europe members (118,8 prisoners per 100 places).

Annemie Turtleboom, Minister of Justice, called the date provided by the Council of Europe exaggerated: «In terms of the execution of prison sentences, Belgium has made a tremendous progress for the last two years. Due to the innovations of electronic bracelets, the supervision of prisoners on a short term of imprisonment has improved».

According to the data published on December 14, 2014 by *Flemish League for Human Rights*, annually about 50 people die in the Belgian prisons, with a quarter of cases being suicides which are usually committed by convicts at the initial stage of serving the sentence. *Flemish League for Human Rights* calls for urgent funding for the medical care of prisoners and those who survived suicide attempts.

Economic and Social Rights, Right to be Protected from Torture, Right for Peaceful Assembly, Right to Freedom of Expression

April 4, 2014, Brussels: according to various sources of information from 25 to 40 thousand people took part in *Eurodemonstration*, organized by the trade unions of Brussels and other cities of the country against the high levels of unemployment, especially among young people (in February 2014 the EU unemployment rate rose to 10.6 percent, it was 22.9 percent for people under the age of 25), and the austerity measures imposed by European governments. The protest started peacefully, but ended with riots. The police used tear gas and water canons to disperse the protesters.

May 15, 2014, Brussels: 240 people were arrested in the course of a peaceful protest rally against the austerity policies and signing up the trade agreement between the EU and the USA, organized by trade unions and civic groups near the venue of the European Business Summit.

According to the trade unions, the free trade area between the EU and the United States will destroy jobs, social protection and environmental rights, especially in the South, the East and for the poor areas in Europe.

Felipe Van Keirsbilck, the secretary general of the Belgian trade union for employees, accused politicians of «falling into line with business interests of multinational companies».

November 6, 2014, Brussels: more than 100 thousand people took part in a protest rally against the Belgium government's austerity measures, which would result in tax increases, raising the retirement age in order to reduce the country's budget deficit. The police used tear gas and water canons against the protesters, with metallurgists, stevedores, teachers being among them. The same day the law enforcement authorities used surveillance cameras records, video footage and photographs to find out the instigators of the riots. As a result, police arrested 13 people, one of them was taken into custody.

December 15, 2014, Brussels: The police used tear gas to disperse more than 200 participants of the rally against the government's austerity measures. The protesters wore jackets with the symbols of the Railway Workers' Union and threw eggs at the office of the Flemish nationalist party *The New Flemish Alliance (N-VA)* and shouted «*N-VA, Piss off! You don't own Belgium!*».

Right to Take Part in the Conduct of Public Affairs, to Vote and to be Elected at Genuine Periodic Elections which shall be by Universal and Equal Suffrage

Following national elections held on *May 25, 2014*, Belgian mass media attracted public attention to cases that indicate elections did not conform to generally accepted democratic standards for free elections.

In Ghent after the votes were counted, some used ballots were found in the garbage cans. Later the city administration filed a complaint against an employee who, instead of organizing processed ballots, threw them into trash around the corner of the building.



The police used tear gas, rubber bullets and water cannons to disperse the participants of «Eurodemonstration» (Brussels, April 4, 2014). Photo: Belga/Reporters

Because of a computer failure on the voting day, the *Electoral Commission* didn't receive data from 20 per cent of polling stations in the southern part of Belgium - *Wallonia* - and almost half of the polling stations in *Brussels*.

Right to be Protected from Torture, Right to be Protected from being Expelled, Right to Freedom of Expression

The Afghan community condemned the forced exile of an Afghan refugee by Belgian authorities on May 10, 2014. The Afghan man ran from

Ngayair (recognized as high-risk zone by *Commissioner General for Refugees and Stateless Persons*) after the murder of his family by militants and lived in Belgium for 7 years. He was arrested in September 2013 at a mass arrest of Afghans who came to the demonstration on *Rue de la Loi*. Then, for more than eight months, the young man was held in the deportation centers.

The community appealed to Belgium to return all deported Afghans, release those who are held in closed detention and provide them with a Belgian residence permit.

Situation of Migrants

In the interim report published in the beginning of November 2014, the OSCE criticized Belgium for the deteriorating situation in the labor market for foreign residents: high unemployment, temporary employment, low wages, high unemployment rate for female population.

The organization called on Belgium to take effective measures to eliminate the problems leading to discrimination: segregation in schools; concentration of immigrants in the metropolitan area; employment discrimination; language incompetence (the offered language courses are usually optional); disproportion in immigration policy (52.7 per cent of immigrants arrive in Belgium for family reunification and only 10 per cent for employment); a small number of immigrants in the public service.

BULGARIA

The most acute are the problems of providing adequate residence conditions for refugees, restriction of the right to freedom of speech through self-censorship and media control by big business and political parties related to it.

The **refugee** situation deteriorated in the end 2013 – the beginning of 2014, when the flow of refugees coming from the region of the Syrian conflict significantly increased. The adopted measures to reduce the negative impact of a big immigration flow on the country's economy **increased social tensions**.

Construction of temporary refugee detention centers has become a reason for protests of Bulgaria's population many times. According to the opinion polls conducted in the end of August 2014, 76 percent of Bulgaria's population oppose refugee reception.

Some cases of protests among asylum-seekers who demand speeding up refugee status determination procedures, as well as improving refugee detention conditions were reported.

In 2014, Bulgaria was criticized for limitations on **freedom of expression** by human rights organizations. Within a year proprietors replaced chief editors of several media. Occasionally, in connection with the publications of certain articles prosecutors check newspapers. According to journalists, these are attempts of censorship, which spark protests in the journalistic community.

The results of another sociological survey conducted by «*Media democracy*» foundation and commissioned by *Konrad Adenauer Foundation* showed that only 14 per cent of Bulgaria's population and only 7 per cent of the capital's residents believe in independence of Bulgarian mass media.

Another topical issue, which was first touched upon after presidential elections in 2011, is the problem of **national minorities' languages**. OSCE observer mission sent, among others, the recommendation to provide by law the rights for national minorities to conduct election campaigns in their mother tongues in the region of their compact residence. The recommendation wasn't carried out. As a result of parliamentary elections in October 2014, the party «*Movement for rights and freedoms*» representing the interests of Turkish residents (9 per cent of Bulgarian population) was penalized 4 times for campaigning in a foreign language.

Following international commitments have been violated:

ICCPR:

art. 7 (no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment)

art. 9 (right to liberty and security of person; no one shall be subjected to arbitrary arrest or detention)

art. 18 (right to freedom of thought, conscience and religion)

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 20 (any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law)

Religious Intolerance, Right to be Protected from Racial Discrimination, Right to be Protected from Torture

January 14, 2014, Plovdiv: Clashes with the police erupted (the police used rubber batons) after the rally against the decision of the Regional Court to transfer one of the regional mosques from the community's property to the ownership of Bulgaria's Chief Mufti. More than 120 people were detained, two people were hospitalized. In addition, there was an attack on the religious sites of the Muslim community.

Propaganda of Age discrimination, Right of Everyone without Any Distinction to Equality before the Law

January 2, 2014 Ilian Todorov, deputy of the party «*Ataka*», offered the Parliamentary Commission to pay child benefit only to adult mothers, explaining

his proposal with that «part of the Roma turned childbirth into business».

art. 24 (right of the child to such measures of protection as are required by his status as a minor, on the part of his family, society and the State)

ICESCR:

art. 11 (right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions)

ICERD:

art. 5 (right of everyone without distinction to equality before the law)

CRC:

art. 27 (right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development, including commitment to take appropriate measures to assist parents and others responsible for the child)

CAT:

art. 2 (commitment to take effective measures to prevent acts of torture)

art. 4 (commitment to ensure that all acts of torture are offences under its criminal law)

Convention Relating to the Status of Refugees:

art. 25 (commitment to afford administrative assistance)

According to the number of children born from mothers under 18, Bulgaria is one of the top countries in the EU. Only in Sofia's «Mother's house» alone, every week at least one pregnant 7-8-year-school girl comes for a medical check.

Rights of Refugees, Right to be Protected from Racial Discrimination

April 26, 2014, Rozovo: three Syrian refugee families who lived in a village under the labor agreement signed between them and a local entrepreneur were forced to leave the house, following protests by locals.

March 3, 2014 and March 25, 2014, Harmanli: a protest in a refugee camp was organized against the long-term consideration of applications to grant refugee status, as well as non-payment of promised funds for accommodation. The reason for the protest on March 25, 2014 was a rumor that the government intended to hold them in the camp without granting a refugee status for another 4 years.

The day before the protest the refugee camp in Harmanli was visited by *Cecilia Malmström, EU Commissioner for Home Affairs*, and *Tsvetlin Iovchev, Minister for Internal Affairs of Bulgaria*. During the visit, C.Malstrom expressed satisfaction about the condition of the camp, and noted that

Bulgaria «has recently done a lot to improve the situation of refugees». In addition, the EU Commissioner expressed the need to develop a plan of integration of refugees in Bulgaria.

March 3, 2014, Harmanli: a protest rally against problems related to a big number of refugees residing in a city was held by local people. The rally was supported by a woman branch of the party *Bulgaria Without Censorship*, movement «EuroMothers» and the far-right party *BNM*.

The international organization *Human Rights Watch* accused Bulgaria of the systematic and purposeful activity to ban asylum-seekers from entering the country, or to prevent them from getting international protection.



Ruined Roma site (Stara Zagora, July 21, 2014). Photo: Sofia News Agency

September 15, 2014, Kovachevci community: residents of a village organized a protest rally against Somalia and Afghanistan children refugees attending a local school under the guise that the children can be a source of infection.

National Minorities' Rights, Right to Housing, Right to an Adequate Standard of Living

July 21, 2014, Stara Zagora: After 55 houses previously occupied by Roma families were demolished in the Lozenets district, hundreds of people became homeless. The police reportedly used rubber batons to evict people. The Bulgarian Helsinki Committee in its press release appealed to the city officials to stop the demolition of buildings and offer people alternative accommodation.

The committee also pointed out that with the rise of anti-Roma sentiment in the society the demonstrative destruction of houses is used as a way to obtain political dividends and is, in fact, a form of legalized racial violence. *Zhivko Todorov, the Mayor of the city* said that the demolition was carried out in accordance with the legislation requirements and by court order.

CANADA

The ongoing cases of various rights violations of indigenous people, women, refugees, ignorance of anti-Semitism, disproportionate use of force by law enforcement officials indicate the systematic problems in these spheres.

Indigenous peoples' rights violations by Canadian authorities and mining companies supported by Parliament have been subjects to criticism by national and international human rights organizations. The reaction of the Canadian authorities is contradictory. On the one hand, to demonstrate a commitment to the protection of the indigenous population, its traditions, culture, protection of traditional territories; indigenous communities are granted the right to participate in commissions on environmental impact assessment of industrial activities carried out on their territories. On the other hand, Parliament of Canada passes laws to implement natural resources extraction projects, regardless of the results of environmental impact assessments or even without them. Such manifestation of «double standards» causes regular protests of indigenous people in the areas of oil pipelines running through Indian reserves territories.

According to the findings of the *Special Rapporteur on the rights of indigenous peoples of the UN Human Rights Council* following the visit to Canada in October 2013, Canada faces a crisis when it comes to the situation of indigenous peoples' rights to housing and to an adequate standard of living. The risk to become victims of violence for indigenous women remains high. There appear to be high levels of distrust among indigenous peoples toward public authorities at both the federal and provincial levels. Despite the fact that indigenous population is only 4 per cent of the general population of Canada, they represent 25 per cent of prison population and 33 per cent of women inmates.

According to the research of *the Council of Canadian Academies* published in March 35 per cent of indigenous population in *Nunavut* is starving, 76 per cent of preschoolers eat irregularly and almost 60 per cent can spend the whole day without food.

Another aspect is the vulnerable **situation of indigenous women**. According to the results of the investigation conducted by *the Royal Canadian Mounted Police*, they are at high risk of becoming victims of violence (they make 16 per cent of all women murder cases, as well as 12 per cent of all missing women cases). Large numbers of indigenous women go missing. However, the Government ignores calls from the UN and human rights organizations and refuses to conduct large-scale investigations into the cases of murdered and missing indigenous women.

The **refugees' rights** violations are also of systematic nature. According to the statistics published in February, 48 per cent of asylum seekers in Canada are held not in special temporary detention centers, but in prisons. The situation is the most terrible in the province of *British Columbia* where 62 per cent of asylum seekers are held in jails, in the province of *Ontario* the number reaches 48 per cent and in *Quebec* – 19 per cent. The recommendations to improve this situation were proposed by *the Office of the High Commissioner on Refugees* in 2011, but according to the statistics, the Canadian authorities didn't take any measures to remedy the situation.

The **racial discrimination** problem, anti-Semitism in particular, remains a topical issue for Canada. According to the Canadian department of the Jewish organization *B'nai B'rith International*, more than a thousand of anti-Semitic incidents are documented every year. There has been an alarming increase in vandalism and violence, as well as the reluctance of law enforcement agencies to investigate such complaints.

Excessive use of force by the police to disperse demonstrations makes another relevant problem. Closed investigation of such cases by special police units with no public access is constantly being criticized by human rights organizations.

Government's intention to expand the security services' powers and to toughen anti-terrorism legislation is also a matter of concern on the part of the Canadian community and human rights activists due to the fact that the planned measures will grant broad powers to massive violations of human rights under the pretext of national security.

Following international commitments have been violated:

ICCPR:

art. 6 (right to life)

art. 7 (no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment)

art. 9 (right to liberty and security of person; no one shall be subjected to arbitrary arrest or detention)

art. 10 (right of those deprived of liberty to be treated with humanity and with respect for the inherent dignity of the human person)

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 21 (right to peaceful assembly)

art. 26 (right to be entitled without any discrimination to the equal protection of the law)

ICERD:

art. 5 (right of everyone without distinction to equality before the law, including the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution)

CEDAW:

art. 6 (commitment to take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women)

CAT:

art. 2 (commitment to take effective measures to prevent acts of torture)

art. 4 (commitment to ensure that all acts of torture are offences under its criminal law)

Indigenous People's Rights, Right of Everyone without Distinction to Equality before the Law, Right to be Protected from Torture

August 17, 2014, Winnipeg: the murder case of an indigenous teenager, *Tina Fontaine*, whose body was found in a bag in *the Red River*, prompted again to call on the authorities to investigate multiple cases of missing and murdered indigenous women in Canada (1200 cases have been reported in the last 30 years).

The Canadian Association of Indigenous Women and the Canadian Commission on Human Rights along with other human rights organizations demanded an investigation.

The demand to conduct a nationwide investigation of the cases of missing and murdered indigenous women was rejected by *Prime Minister of Canada Stephen Harper*. Harper said: «*We should not view this as sociological phenomenon. We should view it as crime*».

According to human rights organizations, the police do not protect properly indigenous Canadian women and girls who often become victims of physical and sexual abuse, including by the police.

On *October 1, 2014 Amnesty International* publicly addressed the Canadian Government and asked to work out a national plan and to take measures to protect the female indigenous population of Canada from the cases of violence.

The representatives of the *Special Committee on Violence Against Indigenous Women of the House of Commons of*

Canadian Parliament agreed with the arguments of the human rights organizations. On *March 7, 2014* they presented a report «*INVISIBLE WOMEN: A CALL TO ACTION. A Report on Missing and Murdered Indigenous Women in Canada*».

The report recognized the fact that indigenous women in Canada are at a bigger risk to become victims of violence than other Canadian women. Indigenous women are three times more likely to become victims of domestic violence, domestic homicides; twice as likely to commit a suicide, more likely to become victims of sexual exploitation and trafficking (at least 42 cases among indigenous women were reported in the last 4 years). The report also indicates that indigenous women more often go missing and get murdered with half of such cases remaining

uninvestigated. Despite the findings of the Commission's report, parliamentarians didn't consider it necessary to create a national action plan to investigate cases of indigenous women's rights violations.

Rights to be Protected from Racial Discrimination

November 10, 2014, Quebec: mosques were desecrated with anti-Islamic slogans: mosque in *Limoilou*, Islamic cultural centre of *Quebec City in Sainte-Foy*, main mosque of *Quebec City*. The posters with the slogan «Islam out of my country» were placed on the buildings. Furthermore, in *St-Jean-sur-Richelieu* the windows of the Centre Culturel Al-Imane were broken.

Rights to Personal Integrity, Rights to be Protected from Torture, Arbitrary Arrest or Detention, Rights to Freedom of Expression, Rights to Peaceful Assembly



March 15, 2014, Montreal: during the 18th rally «Against police brutality», 288 people were detained, five of them were arrested.

The mounted police were involved, batons and nightsticks were used to disperse the protesters. One person was taken to hospital.

July 21, 2014, Manitoba province: the policeman of *Royal Canadian Mounted Police* fired 4 shots into the weaponless 20-year-old *Evan Cromarty* during an arrest within the sight of 300 witnesses, with children among them, in an Indian community *Norway House Cree Nation*. The incident happened during the

A policeman is ready to use weapon with rubber bullets against participants of the rally «Against police brutality» (Montreal, 15.03.2014). Photo: montreal.mediacoop.ca

baseball match between children. According to the witnesses' evidence *Cromarty* kept his hands up and didn't threaten the police.

October 31, 2014, Winnipeg: in the night of Halloween the policemen broke into *Lana Sinclair's* house and beat her within the sight of her 8-year-old son. Her neighbours had called the police because they heard somebody screaming in the house.

The citizens took part in the demonstration to support the victim calling to stop the cases of police violence. The complaint against the policeman's actions was made to the *Law Enforcement Review Agency (LERA)*.

Right to Life

February 3, 2014 Montreal: 41-year-old *Alain Magloire* was shot during arrest. The man suffered from mental disorder. It was reported that *Magloire* threatened the staff and guests with a hammer in the hotel. The police remained unpunished.

September 25, 2014, Brampton: 33-year-old *Jermaine Anthony Carby* was killed by a Traffic Police Officer under unclear circumstances. *Special Investigations Unit* that sits on the conflicts between the police and civilians specializes in studying the grounds for fire-arms usage. However, the public believes that the investigation has lasted for too long. The society filed the petition calling to investigate thoroughly the incident and provide proper justice.

Right to be Treated with Humanity, Respect of Dignity, Right to be protected from Torture

For more than five years a paraplegic *Udhbirprasad (Joe) Bhikram* was trying to make the police of Toronto provide the video recording of his interrogation at the



Lana Sinclair injured by the police (Winnipeg, 31.10.2014).
Photo: CBC News

municipal police station after he was detained in 2009 on charges that were dropped later. According to the Bhikram's words he was jeered and humiliated. Many times Bhikram demanded to provide a copy of the video with the process of his interrogation to prove the fact of humiliation, but the police of Toronto insisted that the video recording was not preserved. When the Court of the province of Ontario interfered, the police of Toronto provided the video recording, however it was cut short

and soundless. The Court of Ontario made a request concerning the reasons of the previous refusals.

On December 10, 2014 the Canadian department of the Amnesty International gave a written request to *Prime Minister Harper* to support the world community in its efforts to fight torture. The request was connected with the publishing of the US Senate's report about the methods used by the CIA after the terroristic attack on September 11.

Jean-Christophe de Le Rue, spokesman for Public Safety Ministry of Canada, said that Canada didn't use or encourage torture, but would act on «a tip from any source» if Canadians' lives were in danger.

CZECH REPUBLIC

National minorities' rights, in particular Roma minority's rights remain a pressing and unsolved problem. The situation of the vast majority of the Roma people is particularly difficult: people don't have stable jobs, live mainly on welfare. In many parts of the Czech Republic they live in isolated communities that are very poor and highly criminalized.

The trend of **segregation of Roma children** has continued. Disproportionately large groups of children are placed in special institutions. The authorities try to adopt measures to improve the situation; however, in practice these measures can't solve the problem.

The problem of discrimination of the Roma people has been in the spotlight both of national and international human rights organizations. At the same time, despite their criticism the authorities do not take any active measures to resolve the situation.

Racial discrimination remains an acute problem. According to the statistical data published in 2014 by organization *In iustitia* that provides help to victims of national prejudice, the number of hate crimes based on race, religion and nationality has been growing in the Czech Republic. Thus, 211 hate crimes have been recorded in 2013. In most cases, the Roma minorities become victims of crimes. Cases of victims being discriminated on the base of religion are quite common too. The statistics reveal that in most cases crimes take form of assault, as well as blackmail, intimidation or harassment on the Internet.

According to the report conducted by the *The Czech Jewish Community*, **Anti-Semitism** is on the rise on the Internet in the Czech Republic (while in 2008, 28 radical websites were discovered, in 2013 this number reached 156). Generally, it's «classic anti-Semitism»: «Jewish conspiracy», seizure of bank and other structures by Jews, anti-Israeli statements. Besides, the number of people who put the blame of their private failures and poor life on the Jews is rising too. *Amnesty International* organization counted a three-fold increase in anti-Semitic occurrences since 2012.

According to the results of the poll conducted by the research agency *STEM*, a number of people in the Czech Republic considering discrimination a problem for the whole country has increased. 74 percent of the respondents share this idea. Half of the respondents think the discrimination situation in the country is deteriorating.

The sphere of **social and economic rights** also encounters some problems. According to the *Center for Social and Economic Strategies*, around one million of people in the Czech Republic keep struggling with poverty. The experts called several main reasons that led to the current situation, which are, above all, unemployment and low wages for unskilled labor. This causes lack of funds of poor layers of society to maintain an adequate standard of living.

Modern slavery is another problematic issue. The Czech Republic is ranked 2nd in the assessment of modern slavery risk in the countries of the European Union. Forced labor, human trafficking, including trafficking of children, child labor continue to threaten the countries' population.

Following international commitments have been violated:

ICCPR:

art. 10 (right of those deprived of liberty to be treated with humanity and with respect for the inherent dignity of the human person)

National minorities' rights, Right to be protected from racial discrimination

April 8, 2014 to mark The International Romani Day *Amnesty International* organization published a report entitled «*We Ask for Justice*» on the violation of rights of the Roma in the European states.

art. 24 (right of the child to such measures of protection as are required by his status as a minor, on the part of his family, society and the State)

art. 26 (right to be entitled without any discrimination to the equal protection of the law)

ICESCR:

art. 6 (right to work)

art. 9 (right to social security)

art. 11 (right of everyone to an adequate standard of living for himself and his family)

ICERD:

art. 2 (commitment to condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms)

art. 3 (right to be prohibited from racial segregation)

art. 5 (right of everyone without distinction to equality before the law, including the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution)

CRC:

art. 2 (right of the child to be protected against all forms of discrimination)

art. 28 (right of the child to education on the basis of equal opportunity)

First of all, the Czech Republic is criticized due to extreme leniency on violent hate crime by Czech police. Roma, Muslims, immigrants from countries outside the EU, and ethnic minority women continue to face employment discrimination. This is the conclusion reached by the authors of the report of *the European Network Against Racism*. In particular, the report indicates that discrimination against minorities and immigrants deteriorated during economic crisis, which deepened the employment differences between ethnic minorities (immigrants and the ethnic Roma) and most of the population. Discrimination often takes place when people seek for employment: the probability of getting a job by candidates with Czech names is several times higher than by foreigners. The most widespread forms of discrimination in employment are low wages, failure to change hard working conditions, harassment and unlawful dismissal, which are regularly recorded by non-governmental organizations.

In its concluding observations following the consideration of the 2nd periodic report of the Czech Republic in May 2014, *the Committee on Economic, Social and Cultural rights* expressed its concern about the widespread discrimination against Roma, in particular in employment, education, health and housing spheres. The

Committee is also deeply concerned about the facts that disproportionately large groups of Roma students study in «special institutions», and the drop-out rate among Roma children at various stages of education remains high.

At the end of September 2014 the European Commission started legal proceedings against the Czech Republic's dereliction of duty to provide education for Roma children, which in the end can be filed to *the European Court of Human Rights*.

Right to Social Security, Right to Work

People with a criminal record are, in fact, unable to get and maintain employment, even unskilled jobs. Employers are not interested in the nature of crime and punishment. *Rubicon Centre* notes this situation has a negative impact on the society in general, as it pushes former convicts to go back to illegal and criminal ways of making money.

Right to be Treated with Humanity

Mental Disability Advocacy organization visited 8 Czech psychiatry hospitals and made conclusions that the patients are subjects to extremely cruel and humiliating methods of cure. In particular, around 120 cage beds are still used as a punishment for patients. The organization pointed out that the use of cage beds violates international human rights law that protects psychiatric patients from tyranny and abuse. Indeed, the UN human rights bodies and the Council of Europe have demanded the Czech Republic to prohibit the use of cage beds since 2004.

«Traditional» for Estonia the **glorification of Nazism**, the issue of statelessness which leads to partial restriction of non-citizens' political and civil rights (public service, membership in political parties, participation in local and national government, other) remain the most acute human rights problems in the country.

Human rights defenders continue to state the facts of **national minorities' discrimination**, primarily the Russian-speaking population. The government has made efforts to prevent incitement to ethnic hatred, but sometimes those efforts are not enough.

Moreover, the human rights defenders often indicate problems of equal access to employment, national minorities' restricted access to justice, the use of native language by national minorities.

The recent increase in persecution of political, social and cultural dissenters represent the cases of violation of **the right to freedom of expression**.

Following international commitments have been violated:

ICCPR:

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 20 (any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law)

ICERD:

art. 2 (commitment to condemn racial discrimination and not to sponsor, defend or support racial discrimination by any persons or organizations; commitment to take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination)

art. 4 (commitment to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, racial discrimination; commitment to declare illegal and prohibit organizations, which promote and incite racial discrimination)

Propaganda of Neo-Nazism, Perpetuation of Racial Discrimination

January 10, 2014, Tori: Knight's Cross of the Iron Cross recipient, former SS soldier *Harald Nugiseks* (died on January 2 at the age of 92) was buried at the Estonian Soldiers Memorial Church which is considered «a home church» for 20th Waffen Grenadier Division of the SS. The ceremony was attended by members of the *Estonian Defense League*, high-ranking military officers and local officials.

After Estonia gained its independence, H.Nugiseks was made retired Captain of the Estonian Army. He was awarded with medals and honorary signs by a number of organizations, until recently, he was the last Estonian Knight's Cross of the Iron Cross Recipient alive.

Estonian Legion veterans groups, The Association of Former Juvenile Prisoners of Fascism, the Kivioli organization of World War II veterans, «Night Watch» organization, Sillamäe Union of Russian citizens have sent an open letter to the President, the Prime Minister of Estonia,

members of Parliament and the people of Estonia. They expressed their condemnation for granting the 'state' status to the burial of the Estonian recipient of Nazi Germany's Knight's Cross *H.Nugiseks*.

Right to Freedom of Expression, Right to Seek, Receive and Impart Information

Taavi Rõivas, Prime Minister of Estonia, refused to give an interview and any comments to *Tallinn TV – TTV* and the Russian-language newspaper «*Stolica*» published on the Tallinn's city budget.

T. Rõivas also banned reporters from attending government press conferences and accused the channel of biased data provided by Russian-language media, which «provide propaganda for the Centre Party by wasting taxpayers' money».

At the beginning of June 2014 the journalists of the channel were not allowed to attend the weekly press conference of the Government for the first time, explained

by the fact that the channel doesn't have required accreditation (to get the accreditation, an application should be sent in advance, which was done).

Representatives of the *National Broadcasting Corporation*, *Union of Journalists of Estonia*, a number of Estonian media expressed negative evaluation of current Prime Minister's move.

Only when *Tallinn TV* had joined the *Press Council* in July 2014 the State Chancellery of the Republic of Estonia was forced to lift the ban on the admission of the channel to Government Press conferences.

Despite the ongoing efforts in the field of human rights, Finland still faces a number of significant challenges including the growing number of children removed from their families; discrimination against ethnic and linguistic minorities; gender discrimination; high level of domestic violence against women and inadequate judicial mechanisms for their protection.

The practice of **children's removals from their parents** under domestic law remains a serious problem. According to official statistics, the number of children raised outside their family is more than 17 thousand and this number keeps on growing every year. The current system is a «dangerous juvenile transfer» which offers no alternative to a family in crisis situations. In most cases, this measure applies to children from ethnic minorities families or children from mixed marriages.

Statistics indicate that **racist and xenophobic moods** in Finnish society are quite common. The *European Commission against Racism and Intolerance* classifies the Russian-speaking minority, the second largest in Finland (more than 51 thousand speakers) to a special category of population which deals with «multiple discrimination». Russian-speaking residents living in Finland often face prejudice and negative attitudes in daily life. In this context it is important to pay attention to the new tendency when Russian-speaking residents are refused banking services on account of the assumptions based on their involvement in money laundering.

Although the general situation of **gender equality** in Finland is positive, there are some cases of gender discrimination in the sphere of remuneration of labour. Frequent limitations and refusals to renew employment contracts as well as arbitrary dismissals owing to pregnancy or childbirth are not rare in Finland.

In concluding observations following the consideration of the 7th periodic report of Finland in February 2014, the *Committee on the Elimination of All Forms of Discrimination against Women* expressed serious concern about the increasing number of aggressive attacks on women and girls on the Internet, especially on women belonging to ethnic minorities; the remaining gender gaps and stereotypes in the studying curriculum; high unemployment and low wages among migrant women, Roma women, single mothers, older women as well as women with disabilities; limited access of migrant women to employment and health services.

The Government doesn't pay enough attention to the obvious sentencing disparities for various types of crimes, which makes the realization of the **right to a fair trial** questionable. Finnish courts tend to assign real prison terms and many-thousand euros fines for crimes against property, while the criminals get suspended sentences and small fines for crimes against the person. Human rights activists have repeatedly provided the examples of cases where the accused was sentenced to 2 years of probation and community service or 5 thousand euros fine for repeated sexual abuse of minors, while the accused of illegal fishing of 7 taimens was assessed a fine of 13 thousand euros or imprisonment.

The human rights problems regarding the indigenous people (mainly in relation to economic activity) and excessively lengthy proceedings are often subjects of criticism.

Following international commitments have been violated:

ICCPR:

art. 23 (right of the family to protection by society and the State)

art. 24 (right of the child to such measures of protection as are required by his status as a

Right of the Child not to be Separated from their Parents without a Court Decision, Right of the Family to Protection by the State

The case of an arbitrary removal of a 10-year old girl who didn't come back home became public on *November 7, 2014*. A few days later the girl was transferred to a Finnish foster family.

minor, on the part of his family, society and the State)

art. 26 (right to be entitled without any discrimination to the equal protection of the law)

CRC:

art. 9 (right of the child not to be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child)

art. 19 (right of the child to be protected from all forms of physical or mental violence)

The Finnish human rights activist *Johan Beckman* says the family doesn't face any problems, the Russian woman divorced the Finnish man, they have maintained good relations.

Finnish authorities don't have to report about the reason of children's removal, however, there is an assumption that the girl complained to her classmates that her mother had refused to get herself a dog.

According to the *Children's Rights Ombudsman of the Russian Federation P.Astakhov*, only in 2013, more than 50 Russian mothers affected by the actions of the child welfare authorities appealed to the Finnish government.

FRANCE

The situation in the sphere of human rights in France continues to be subject of criticism from human right defenders, international organizations in such fields as social-economic, interfaith and interethnic relationship.

Violation of **national minorities' rights**, primarily Roma, remains a most acute problem. Deportation of Roma from France continues (up to 20 thousand people a year) Roma families are forcefully evicted from settlements. According to human rights organizations and the international community, the Government did not take necessary measures to fight **racial discrimination** and violence against Roma.

There is a surge of **anti-Semitism** in the country. At the end of 2014 France has become a world leader in the number of Jews who had emigrated from the country. Cases of vandalism to Jewish ceremonial buildings are not rare.

Incitements to war, hatred, and intolerance by dissemination of Nazi symbols, literature, which till the present moment the Government managed to stop, continue.

The situation in the field of realization of the **right to treatment with humanity** remains problematic due to overcrowded prisons. To solve this problem in July a law was passed, which allowed the courts to apply probation to convicts for minor offences with less than 5 years of imprisonment.

Following international commitments have been violated:

ICCPR:

art. 6 (right to life)

art. 7 (no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment)

art. 9 (right to liberty and security of person; no one shall be subjected to arbitrary arrest or detention)

art. 12 (right to liberty of movement and freedom to choose his residence)

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 20 (any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law)

art. 21 (right to peaceful assembly)

art. 26 (right to be entitled without any discrimination to the equal protection of the law)

ICESCR:

art. 9 (right to social security)

art. 11 (right of everyone to an adequate standard of living for himself and his family)

ICERD:

art. 2 (commitment to prohibit and bring to an end, by all appropriate means, racial discrimination by any persons, group or organization)

National Minorities' Rights (Roma), Right to be Protected against Racial Discrimination, Including the Right to be Protected from Violence, the Right to Adequate Standard of Living, the Right to Housing, the Right to Social Security

According to the report «*Forced evictions of migrant Roma in France*» by Human Rights League and European Roma Rights Centre published on January 5, 2014, in 2013 the French government deported by force more than 20 thousand representatives of Roma nationality, which is twice as much than it had been before.

In 2013, 165 Roma settlements were eliminated: 118 by the court order, 34 by order of the local authorities, in 13 cases people left settlements because of threats of eviction. Only in 74 cases alternative housing was offered. Social assistance was not offered in any of eviction cases.

In 2014, forced evictions of Roma continued.

Only for the first 3 months of 2014 2904 people were left homeless, forcibly evicted as a result of 27 police raids. Only in 22 cases the evictions were initiated by court rulings.

May 12, 2014, August 21, 2014, October 21, 2014, Paris: as a result of elimination of 3 settlements in Paris suburbs *Bobigny* of *Seine-Saint-Denis Department* more than 1000 people, including women and children, became homeless.

art. 4 (commitment to adopt measures designed to eradicate all incitement to, or acts of, racial discrimination, to declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts)

art. 5 (right of everyone without distinction to equality before the law, including the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution, right to freedom of movement and residence within the border of the State, right to housing)

CAT:

art. 2 (commitment to take effective measures to prevent acts of torture)

art. 4 (commitment to ensure that all acts of torture are offences under its criminal law)

The formal reasons for the decision of local authorities on the elimination were violations of sanitary norms, a threat to public safety.

The *French association of Roma children education* protested against the actions of local authorities and police.

July 11, 2014, Lyon: according to the court ruling 250 Roma people were evicted. According to representatives of *Lyon prefecture* and *Lyon children support association*, families with children were offered to move to another place beforehand. Other families were left without a roof over their heads.

July 24, 2014, Bondoufle, Essonne: about 50 people were forcefully evicted from two settlements. According to representatives of the *Essonne Association for Solidarity with Roma Families* «local authorities do

not provide people with temporary housing during the eviction».

Besides, for a long time the city hall didn't take any actions to stabilize the situation with the Roma community.

Local authorities explain the reason for eviction of settlements by a risk to security in connection with the bike ride *Tour de France*.

On *April 8, 2014* on the International Romani Day *Amnesty International* published a report «*We Ask for Justice*» about violations of Roma rights in European countries. According to the conclusions made by the authors of the report, France has one of the most stringent discriminatory policies against Roma. People of Roma nationality face persecution and become victims of police violence.

Amnesty International's representatives reported about the absence, at both national and European level, of necessary measures to fight discrimination and violence against Roma.

A shocking case of attack on the ground of racism happened in Paris.

May 17, 2014, Paris: in the suburbs of *Paris – Pierrefitte-sur-Seine* a group of unknown people severely beat a Roma teenager. According to his family and lawyer, a group of unknown entered Roma settlements, grabbed the teenager, who was then locked in the basement and severely beaten. The boy was found unconscious in a supermarket trolley. The boy was hospitalized, his condition was critical.

The President of France François Hollande condemned the attack, claiming that such actions cannot be justified and acts of violence contradict all the principles on which the French Republic was founded.

The European Organization «*Romeurope*» stated that «the incident is the result of inefficient public policy of France».

Apart from violence Roma children face discrimination when being enrolled in schools.

So, according to data published on *July 28, 2014* by *the European Roma Rights Centre*, mayors of some French cities refuse to enroll Roma children in schools. Consequently, Roma children have limited access to primary education.

European Roma Rights Centre: «Failure to enroll children in schools is a direct violation of national and international commitments of France. It also threatens their future, diminishes their possibilities to find a job and increases their risks to be excluded from society». The organization calls on the French authorities to investigate all such cases of refusal and take appropriate actions.

Cruel case of discrimination took place in *Champlan*.

The Mayor of *Champlan* denied to bury 2 months old girl of Roma family at a local cemetery. The mayor explained his decision that there were no places at the cemetery and priority is given to «those, who pay local taxes». The girl was buried on 01.05.2015 at the cemetery of neighbour town of *Corbeil*, where the hospital in which the girl died locates. The event caused negative reaction in social and political circles of France.

French Prime Minister Manuel Vals called the incident «an insult to France». The mayor lately claimed that he was misunderstood. The intention to bring the mayor to account for discrimination was not reported.

Rights to Freedom of Expression, Peaceful Assembly, Rights to be Protected from Torture, Arbitrary Arrest or Detention, Right to Life

January 26, 2014, Paris: Several thousand people took part in demonstrations «*Day of Rage*» against the policy of the French President F.Hollande. To disperse the protesters the police used rubber batons and tear gas. 250 people were arrested.

February 22, 2014, Nantes: there was a protest against airport construction in the town of *Notre-Dame-des-Landes*. About 20 thousand people took part in the demonstration, including environmental organizations and farmers associations' representatives. To disperse the protesters, the police used stun grenades, water cannons and tear gas.

October 25, 2014 in the South-West of France in *Tarn department* more than 450 people, mostly representatives of environmental organizations, took part in a protest against the construction of *the Sivens dam*. To disperse the protesters the police used tear gas, stun grenades and batons.

During the clashes one of the representatives of French «green» parties *Rémi Fraisse* was killed by a stun grenade (according to the investigators' version), which are used by the gendarmerie.



Injured participant of a peaceful protest (Nantes, 02.11.2014). Photo: AFP/Getty Images

Representatives of human rights organizations, environmental movements criticized the unjustified violence of the police.

French president François Hollande called everybody to calm down and take every remark with responsibility. *The Minister of Interior of France Bernard Cazeneuve* condemned the «unacceptable violence» in which a peaceful demonstration developed. Besides, head of the Ministry announced a stop to the use of stun grenades by the police, which supposedly led to the demonstrator's death.

October 31, 2014 – November 8, 2014 in Bordeaux, Lille, Marseille, Nantes, Paris and Toulouse representatives of leftist movements and environmental organizations in France held protests in memory of the deceased R.Fraisse.

In *Paris, Toulouse and Nantes* the demonstrations ended up in clashes with the police, as a result several dozens people were arrested. To disperse the protesters, the police used tear gas and batons.

The representatives of human rights organizations and environmental movements in France pointed to the excessive use of force against the protesters.

Right to be Protected against Incitement to War, Racial Discrimination

April 26, 2014, Paris: after the interference of *Minister of Culture Aurélie Filippetti* the auction house *Vermot de Pas* cancelled the planned sale of Nazi war decorations, books, tableware, manuscripts, albums, swastika coins, belonging to *A.Hitler* and *H.Göring*. Plans to hold the auction caused outrage among Jewish communities of Paris.

In July 2014, during the preparation to the 70th anniversary of landing of allied forces in Normandy the French police officers in *Sainte-Mère-Église* took away from a range of historical associations CD-discs with Nazi songs, posters, advocating fascism and Nazi leaders, armbands of division «*Das Reich*» and medals with swastika.

Right to be Protected against Racial Discrimination, Interethnic and Interfaith Relations

As a result of another conflict between Palestine and Israel there is interethnic and interfaith confrontation in France.

July 12, 2014, Paris: unidentified people threw a Molotov cocktail at the synagogue, located in the suburbs of Paris - *Seine-Saint-Denis*.

July 13, 2014, Paris: about 7 thousand people took part in an anti-Semite protest, which took place near 2 Paris synagogues. The demonstration ended in clashes with the police. To disperse the protesters the police used batons and tear gas.

In total from *January 1 to July 31, the Jewish Community Protection Service* recorded 527 anti-Semitic incidents, of which 158 included violence.

President of the Representative Council of French Jewish Institutions R.Cukierman during his interview to «*Le Figaro*» explained such a situation by «the increased feeling of insecurity among French Jews», caused by intensification of anti-Semitic attitudes in the society and called the present situation a «French defeat».

September 15, 2014, Saint-Mandé, Department of Val-de-Marne: A group of young Jews attacked two Arab teenagers. During the attack the teenagers received heavy injuries. A series of French Muslim organizations pointed to manifestations of violent acts of Islamophobia in France.

GERMANY

Despite active position in the sphere of human rights, constant attention, sometimes against the government's will, to the given theme of political guidance of the country, the problem of **far-right and neo-Nazi organizations** remain one of the most critical. Mass protests of right-wing organizations against «too soft» migration policy of the Federal Government, holding street processions and memory marches and their suppression by the security forces in 2014 raised debates in the Bundestag and in the public.

During the year the ultra-right organizations, including *the National Democratic Party of Germany*, held traditional marches on dates of carpet bombings of German cities by the allied air forces.

In addition to the activities of right-wing organizations, there is a so-called **hidden racism** among the general population.

For example, a survey of the *Friedrich Ebert Foundation* in 2012 showed that 25 percent of people admit xenophobic and nearly 10 percent - anti-Semitic remarks. According to *University of Bielefeld research*, 16 per cent of people questioned said, that «white people rightly rule the world».

According to the official statistics, approximately 10 thousand **offences with far-right motivation** are made during the year. There is an increase in the number of attacks on refugee centers, as well as more frequent use of cold weapons during neo-Nazi attacks .

The official data is proved by findings of public associations which help victims of far-right and racist attacks. There is a rapid increase in the number of calls for help (18 per cent during the year) recorded in *Saxony, followed by Berlin(185 cases), Saxony-Anhalt (116 cases), Brandenburg (85 cases), Mecklenburg - Western Pomerania (83 cases), Thuringia (45 cases)*. In 64 per cent of incidents the victims were injured, in 7 incidents it was murderous assault, in 27 per cent of incidents it was merely threats of violence, maim, murder.

The problem of **disproportionate use of force** by the police officers against peaceful protesters remains urgent. According to the statistics, provided by Parliament any request of «*The Pirates*» (in German – *PIRATEN*) fraction of Berlin legislative assembly in 2013 there were 499 cases of tear gas usage by Berlin police. Human rights organizations, including Amnesty International, state that tear gas may be hazardous to health and call for its ban.

Among the relatively new trends one should mention the tightening of legal conditions for foreigners, increase in the number of offenses against refugees from representatives of government agencies and law enforcement bodies.

Following international commitments have been violated:

ICCPR:

art. 7 (no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment)

art. 9 (right to liberty and security of person; no one shall be subjected to arbitrary arrest or detention)

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 20 (any advocacy of national, racial or religious hatred that constitutes incitement

Racial Discrimination Perpetuation, Right to be Protected from Torture

January 18, 2014, Magdeburg: about 1000 people participated in annual demonstration of the ultra-right and neo-Nazi groupings. The event was sanctioned by local authorities and dedicated to commemorate the victims of a massive bombing of the city by the Allied air Forces in 1945.

The leftist and anti-fascist organizations mobilized several thousands activists to hold protest acts (not all of them were sanctioned) and disrupt demonstration of the far-right.

to discrimination, hostility or violence shall be prohibited by law)

art. 21 (right to peaceful assembly)

ICESCR:

art. 7 (right to the enjoyment of just and favorable conditions of work)

ICERD:

art. 2 (commitment not to sponsor, defend or support racial discrimination by any persons or organizations, commitment to prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization)

art. 4 (commitment to adopt measures designed to eradicate all incitement to, or acts of, racial discrimination, to declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts)

art. 5 (right of everyone without distinction to equality before the law, including the right to security of person and protection by the State against violence)

CAT:

art. 2 (commitment to take effective measures to prevent acts of torture)

art. 4 (commitment to ensure that all acts of torture are offences under its criminal law)

The police «escorted» the ultra-right march and, using batons and tear gas, stopped attempts of the leftist representatives to block the march route. Several people were injured.

Protests in *Cottbus (February 15, 2014)*, *Weimar (February 8, 2014)*, *Dresden (February 12, 2014)* were accompanied by numerous protest rallies of leftist and anti-fascist organizations, blocking the neo-Nazi routes. Dresden City authorities banned the far-right procession in the city centre, that's why the event was held uptown.

March 8, 2014, Dessau: about 200 people participated in two processions of ultra-right and neo-Nazi organizations. German left-wing public associations protested and organized counter-protests, which were attended by up to 3 thousand people. Initially, the police decided to ban the ultra-right procession, which was later lifted by the court referring to the freedom of assembly.

November 9, 2014, Bautzen, Plauen, Berlin: neo-Nazi organizations made an attempt to hold a march dedicated to the 76th anniversary of Kristallnacht (a series of coordinated attacks against Jews throughout Nazi Germany and parts of Austria on November 9-10, 1938) which coincided with the anniversary celebrations

marking the 25th anniversary of the Berlin Wall fall. *Sebastian Schmidtke*, head of the *National Democratic Party's* Berlin branch, took part in the radical march in Berlin.

Refugees' Rights, Right to be Protected from Racial Discrimination, Rights to Freedom of Expression, Peaceful Assembly, Right to be Protected from Torture, Right to Security of Person

January 25, 2014, Schneeberg, Borne, Chemnitz: the ultra-right groupings organized torchlight processions against refugee settlements (the actions were sanctioned by authorities). From 150 to 250 people participated in each event.

June 5, 2014, Hamburg: about 500 Libyan refugees, all members of the organization for equal rights of refugees «*Lampedusa in Hamburg*», gathered in front of the municipal administration building with the requirements to be granted the right to live and work. The police broke up the protest, with the activists severely beaten and arrested. At least seven people were injured with different degrees of severity.

C.Schneider, press-secretary of *Die Linke party*, said in her official statement to mass media that the police actions were unreasonably cruel.

On September 28, 2014 mass media received videos and photos of two officers of a private security firm *SKI*, working as security guards at one of the refugees' centers in *Burbach*, standing in front of the beaten Algerian refugee, lying on the floor: one of the security guards putting his leg on the victim's neck, the other snapping the

handcuffs behind his back. During the raid on the center the police found cans of pepper gas, batons and knuckle dusters.

The security guards, involved in this crime, previously were held liable for fraud and drug trafficking. The police does not see the racist motives in the incident.

September 24, 2014, Berlin: more than 1500 people participated in a protest against deportation and discrimination of refugees and displaced people. The reason for the action was the Senate of the City decision on forced eviction and destruction of natural refugee settlements in the municipal district of *Kreuzberg*, leaving more than 100 people homeless.

December 6, 2014, Köln, Freiburg: about 6 thousand people participated in leftist public and political associations demonstrations against the German government's politics relating to refugees and also for lifting the ban on *The Kurdistan Workers' Party* activities and its exclusion from the list of extremist organizations. Despite the fact that the demonstrations were peaceful, the police used tear gas and batons.

The Bundestag deputy from the Die Linke party Sevim Dagdelen strongly criticized the forces of law and order and personally *the chief officer of the Köln police Wolfgang Albers*.

From October to December 2014 activists of right-wing organizations held weekly protests in *Berlin* under the motto «*Patriotic Europeans Against the Islamization of the West*» (PEGIDA) against the construction of a new temporary accommodation center for refugees. The rally initiators positioned the event as «a silent protest of patriotic citizens», acting against the islamization of the country. A key requirement of protesters was tightening immigration policy, revision of the current legislation, regulating the procedure for granting residence permits and working conditions of migrant workers from Muslim countries.



Refugee's center (Burbach, 28.09.2014). Photo: DPA/Focus.de

Neo-Nazism, Right to be Protected against Incitement to War, Racial Discrimination

April 5, 2014, Wittenberg: about 200 supporters of right-wing and neo-Nazi organizations attempted to hold a march and a rally. This event was practically broken by the counter-protests of leftist and antifascist organizations, in which about 600 people participated. The police is reported to have used tear gas and batons against leftist demonstrators .

April 26, 2014, Berlin-Kreuzberg: about 100 advocates of right-wing *National Democratic Party of Germany* attempted to hold a rally and a procession. The event was completely torn down by left and anti-fascist organizations. More than 2 thousand supporters blocked the planned route of the procession. The police used tear gas and batons against leftist demonstrators. One of the NPD protesters was arrested for statements aimed at inciting ethnic hatred, about 20 people were arrested for public order disturbance.

German leftist public associations protested and organized counter-protest with more than 2000 participants.

May 1, 2014, Dortmund, Duisburg, Plauen, Rostok, Kaiserslautern: more than 1.5 thousand supporters of far-right organizations and parties, including *Die Rechte*

party, *National Democratic Party of Germany*, participated in rallies and marches. In order to prevent collisions, the police used batons, tear gas and police dogs. Several people were arrested. In some cases excessively severe police actions against leftist demonstrators were criticized.

May 8, 2014, *Demmin*: the far right organizations have organized a torchlight procession, which was attended by about 170 people. German left-wing public associations (about 500 people) organized a counter-rally. In order to prevent riots the police applied force, special means and police dogs. There have been several cases of arrests and injuries. German left-wing public associations protested and organized a counter-rally. In some cases excessively severe police actions against leftist demonstrators were criticized.

June 26, 2014, *Nienhagen*: more than 250 citizens held a protest against the authorities decision to authorize a rock concert with the participants of more than 1800 representatives of right-wing organizations, including the banned neo-Nazi organization «*Blood and Honour*». The Minister of Interior of Saxony-Anhalt *Holger Stahlknecht*, members of parliament from *Die Linke* party, the *NDP* and *Bündnis 90/ Die Grünen* made an official statement against the event.

In some cases, the authorities turned a blind eye to the crimes committed by right-wing extremists. For example:

June 25, 2014, *Dortmund*: at the evening of the elections to the local council by members of the right-wing party *Die Rechte*, headed by the elected member of the city council *Siegfried Borchardt*, there was an attempt to enter the election headquarters of the democratic parties.



March of far-right activists (*Rostok*, 01.05.2014).
Photo: Sean Gallup/Getty Images Europe

Democrats, who resigned, including *Daniela Schneckenburger*, land MP from *Die Grünen* Party, were beaten. Police officers were not able to respond to the violence in time and tried to hush up the situation. They claimed, that it was a conflict between people under intoxication. *Die Grünen* party, the *NDP*, *Die Linke* and «*PIRATEN*» made an official statement to the Ministry of Interior of North Rhine-Westphalia.

August 7, 2014, *Weimar*: under request of the *National Democratic Party of Germany*, the Administrative Court authorized rock concert in *Sondershausen* that had been previously banned due to the fact that one of the organizers of the concert was the banned neo-Nazi association «*Blood and Honour*». On August 11, 2014 more than 200 activists of anti-fascist organizations protested against the event.

In early September, the buildings of two regional offices of newspapers «*Lausitzer Rundschau*» in *Spremberg* and *Lübbenau* were covered with graffiti containing threats, as well as with anti-Semitic and fascist symbols.

September 12, 2014 *Dunja Mijatović*, the *OSCE Representative on Freedom of the Media*, said that such threats and vandalism were unacceptable and must be stopped.

According to the report of the *European Commission against Racism and Intolerance of the Council of Europe* published on February 25, 2014, the main source of racial discrimination is the activity of extreme right-wing organizations,

particularly the *National Democratic Party*. So far unsuccessful attempts to outlaw the party were welcomed in the report. While support for the far-right movement in western Germany is gradually reduced, it grows rapidly in the East of the country.

In addition, loyalty to the use of hate speech in public debates is underlined. The authors of the report point out, that with respect to the freedom of speech one must not forget the key principle of equality and non-discrimination.

Right to Security of Person and to be Protected from Arbitrary Arrest or Detention, Right to be Protected from Torture, Rights to Freedom of Expression, Peaceful Assembly

March 22, 2014, Berlin during the so-called «*Day Against Repression*» representatives of several far-left organizations and refugees associations held a march, which was attended by up to 1,300 people. An hour after the beginning of the event several dozens of activists were detained by the police, after that the march was stopped. The march organizers protested against «aggressive» actions of the police, for which there was «no apparent reason». According to law enforcement agencies, people were detained because they violated the law on mass events (hidden faces of the participants) and because of acts of hooliganism.

April 10, 2014, Göttingen: about 50 people took part in a protest against the police operation to arrest and expel of refugees from Somalia. To disperse the protesters the police used batons, tear gas, and also police dogs. As a result, 10 protesters were injured, two of them were severely beaten which resulted in unconsciousness. Local human rights organizations and *Die Grünen* party protested against aggressive police actions and demanded disbandment of the relevant special police group. Law enforcement agencies claim that special means were used after protesters attacked law enforcement officers.

On *May 1, 2014* traditional rallies and demonstrations, celebrating the international labour day, took place in Germany. *In Berlin* the police used tear gas at a metro station aimed at a group of citizens running away from the rally. Many participants were injured. At the end of May events 68 people were arrested in Berlin; in Hamburg one of the rally groups was dispersed with batons, tear gas and water cannons, 55 people were injured, 8 of them were hospitalized.

Local leftist public associations and human rights organizations said that the police actions were disproportionate, aggressive and posing a threat to the protesters' life.

The prosecutor's office of *Koblenz* (federal land of *Rhineland - Palatinate*) refused to initiate criminal proceedings against two officers of patrol police of *Noyvid* city due to death by negligence. In May 2014 while detaining *Jörg Henriksen* a deaf and disabled 50 year-old man the police beat the man using legs and batons until he lost consciousness. He died five days later in



Arrest of antifascist activist (Berlin, 01.05.2014). Photo: PM Cheung

hospital without regaining consciousness. Although the autopsy did not reveal a causal link between the death (of a stroke) and the fact of beating the detainee, the death was caused by the vertebral artery thrombosis, which was most likely caused by damage to the vessel wall as a result of the beating.

Disproportionate use of force by police, use of special means (tear gas, stun grenades) to disperse peaceful protesters remain topical issues in Greece.

Another topic for human rights related critics of Greece both by international community and human rights organizations is Coast Guard's actions that deliberately do not let boats with **asylum seekers** enter territorial waters of the country. In some cases, this led the boats to capsize and people to fall into the water, which is a deadly threat to life in winter.

According to the Ministry of Internal Affairs of Greece, in 2014 around 29,000 officially registered migrants arrived in the country during the period of 10 months. The number of migrants entering the country illegally, mostly by sea, can't be estimated. Similar volumes of migration flows aggravate social tension in Greece, which in its turn **increases nationalist sentiment**.

Greek residents has repeatedly held demonstrations against immigrant's employment (mostly by agricultural sector enterprises) with a demand to give workplaces to native population.

In 2014 murder cases of migrants and violence against persons held in temporary detention centers for refugees were repeatedly recorded.

The activity of Neo-Nazi organizations, including the Parliament party «*Golden Dawn*», is subject to particular criticism by the international community. Party members have been instigators of violent attacks against migrants for several times. After one of the senior members of the party was accused of killing a man in Athens in 2013, in October 2014 Attorney General of Greece initiated a criminal case with all 16 members of Parliament from the party «*Golden Dawn*» being the suspects. MPs are suspected of murder, weapon possession crimes, multiple attacks on migrants and left-wing activists in the last 30 years.

Following international commitments have been violated:

ICCPR:

art. 6 (right to life)

art. 7 (no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment)

art. 9 (right to liberty and security of person; no one shall be subjected to arbitrary arrest or detention)

art. 10 (right of those deprived of liberty to be treated with humanity and with respect for the inherent dignity of the human person)

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 21 (right to peaceful assembly)

art. 26 (right to be entitled without any discrimination to the equal protection of the law)

ICESCR:

art. 12 (right of everyone to the enjoyment of the highest attainable standard of physical and mental health)

Refugees' Rights, Right to Life, Right to be Treated with Humanity, Right to receive administrative assistance

January 20, 2014, the island of Farmakonisi: the Coast Guard's actions caused a boat with illegal migrants, mostly women and children, from Afghanistan and Syria, to capsize. 16 people were rescued and 12 are still missing. In his speech to parliament, head of the Coast Guard apologized to the families of the victims for the actions of his subordinates.

The Ministry of Merchant Marine ordered to verify the facts of the incident and give them a legal assessment.

Office of the UN High Commissioner for Refugees expressed regret over the incident and called on the Greek authorities to investigate thoroughly all the facts of the case. Cecilia Malmström, European Commissioner on Home Affairs, called the incident «a terrible loss of life» and expressed willingness to learn the results of the independent investigation.

ICERD:

cr. 5 (right of everyone without distinction to equality before the law, including the right to security of person and protection by the State against violence)

CAT:

art. 2 (commitment to take effective measures to prevent acts of torture)

art. 4 (commitment to ensure that all acts of torture are offences under its criminal law)

Convention Relating to the Status of Refugees:

art. 25 (commitment to afford administrative assistance)

January 30, 2014, Athens: more than 20 students were detained while trying to organize a sit-in protest near the office of the *Minister of Merchant Marine* against the actions of the Coast Guard, which led to the loss of life near the island of *Farmakonissi*.

In spring of 2014, a draft of the Migration Code was introduced for its discussion in Greek Parliament. At the suggestion of Yannis Michelakis, the Interior Minister, it included a paragraph about immediate deportation of immigrants, who falsely accused the law enforcement officials of abuse of power. According to the Interior Ministry, this paragraph will protect police and coast guard from unfounded

complaints. The paragraph was excluded from the project several times on the insistence of the opposition parties and the leader of the Socialists. However, on March 21, 2014 *Takis Baltakos, Government's General Secretary*, said that the controversial paragraph of the drafted Migration Code would be discussed in Parliament again despite the objections.

On *March 27, 2014 Nils Muiznieks, Human Rights Commissioner of the Council of Europe*, expressed deep concern about the amendment and urged the Athenian authorities not to include this paragraph into the draft of the Migration Code.

Human Rights Watch and *Greece's Racist Violence Recording Network* stated that the presence of this standard in the Code would become a barrier for the victims to file a complaint because they would be afraid of being removed in case they cannot prove their arguments or in case of dismissal of their appeal by the judge.

«Instead of encouraging victims to come forward, the changes would have a chilling effect and increase existing obstacles for justice», - said *Eva Cosse, HRW's Greece specialist*.

The Racist Violence Recording Network called this disputable paragraph «a shield of protection for all perjuring government officials who are involved in incidents of racist violence».

On *June 9, 2014* the refugees in the *Corinth temporary detention center* for more than 18 months launched a hunger strike against an indeterminable period of their custody. The rioters noted in their open letter of protest that the period of detention was constantly extended from one year to one and a half, and then it was marked as indeterminable.

November 18, 2014, Amygdaleza: the refugees in the local detention center went on hunger strike as a protest against the inaction of the center authorities that led to the death of a citizen of Pakistan *Mohamed Asfak*.

According to *the Movement United Against Racism and the Fascist Threat (KEERFA)*, M.Asfak died from the blows received in the Corinth detention centre. For several months M.Asfak suffered from serious respiratory problems. However, he was hospitalized only when his health condition was a threat to his life.

Right to be protected from torture, Right to Peaceful Assembly, Right to Freedom of Expression, Right to Seek, Receive and Impart Information

April 2, 2014, Athens: the police used tear gas against the demonstrators protesting against austerity measures when they tried to break through the police cordon and enter the building where the meeting of the EU finance ministers took place.

April 13, 2014, Athens: the police used pepper gas to break down the protest against the decision of the local authorities to increase the length of a working day on Sundays at the enterprises located along the main shopping street of the city.

September 18, 2014, Athens: more than 5 thousand people took part in the demonstration to commemorate the anti-fascist movement activist, who was killed a year ago by a member of the neo-Nazi party «Golden Dawn». The police used tear gas and stun grenades to disperse the protesters. About 60 people were detained.

November 13, 2014, Athens: the police used tear gas against the participants of a student protest who marched the streets of the city against police brutality, police infiltration of universities, the abolition of the legislative ban for law enforcement officials to enter universities, as well as the introduction of private security in educational institutions.

November 17, 2014, Athens: the police used tear gas and stun grenades to disperse the protesters of the level-wing party and trade unions' march dedicated to the 41th anniversary of the student uprising in Athens Polytechnic Institute brutally suppressed by fascist Colonels' junta on November 17, 1993.



Disperse of the participants of the rally against austerity measures (Athens, 02.04.2014). Photo: www.novinite.bg

In the report published on *November 21, 2014 Amnesty International* called for stopping illegal police brutality during protest rallies and bringing the perpetrators to account. In particular, the organization expressed deep concern about the messages of excessive use of force and abuse of special means against the protesters, abuse of passers-by and attacks on journalists and photojournalists by riot police during and after the Athens demonstrations on 13 and 17 of November 2014.

Right to be Treated with Humanity and with Respect for the Inherent Dignity of the Human Person, Right to be Protected from Torture and Racial Discrimination

According to the report published in *October 2014* by *European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)* following the visit to Greece in April 2013, Greece faces the following serious problems: abuse (physical, psychological violence, including racial and religious abuse) of persons deprived of their liberty, including asylum seekers and illegal migrants; low effectiveness of investigation of ill-treatment complaints; failure to provide detainees with free access to health care; placement of minors in temporary police holding facilities; unsanitary detention conditions; placement of women together with men; prison and temporary detention overcrowding; violence among prisoners, others.

In July 2014, one ill-treatment case on the ground of hatred became public. According to the media reports, police officers took the liberty of saying anti-Islamic statements and insults aimed at three Pakistanis at the police station when they made the evening prayer. The information about the incident was forwarded to the department of internal police investigations by the Pakistani Society in Greece.

Hungary continues to be criticized by human rights organizations for restriction of media freedom, reluctance to adopt effective measures to combat anti-Semitism and anti-Roma sentiment.

There is a growing trend to increase pressure on civil society and restrict **freedom of expression**. Concerning representatives of civil society with a critical attitude, NGOs and mass media, the following economic measures and measures of «point pressure» are used: introduction of an additional tax on advertising in the media, the use of tight fiscal and control measures regarding foreign funds, attempts to impose a tax on the Internet.

In recent years, there also have been a significant increase in the **radical sentiment**, the growing influence of the far-right party «*Jobbik*» (*the Movement for a Better Hungary*), which demonstrates hostility to Roma and Jews. There were cases when **racial discrimination** rhetoric and policies came from officials, including MPs, heads of local government.

According to the results of a survey conducted by *Szonda-Ipsos* institute, almost one third of all Hungarians (29 per cent) consider the use of force against Roma acceptable. 16 per cent of respondents consider the use of force against Jews acceptable.

Hungary is being often criticized for violations of the **right to be treated with humanity** due to deficiencies in the criminal law (for instance, denial of life-term prisoners' right to be released on parole), the imprisonment conditions and order in penitentiaries.

Following international commitments have been violated:

ICCPR:

art. 2 (right to an effective remedy)

art. 7 (no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment)

art.8 (right to be protected from slavery and the slave-trade in all their forms, forced or compulsory labour)

art. 9 (right to liberty and security of person; no one shall be subjected to arbitrary arrest or detention)

art. 10 (right of those deprived of liberty to be treated with humanity and with respect for the inherent dignity of the human person)

art. 20 (any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law)

ICERD:

art. 2 (commitment to prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization)

art. 4 (commitment to adopt measures designed to eradicate all incitement to, or acts of, racial discrimination, to declare an offence punishable by law all dissemination

Right to be Treated with Humanity and with Respect for the Inherent Dignity of the Human Person, Right to be Protected from Torture

According to the report published on April 3, 2014 by the *European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment* following the visit to Hungary in April 2013, the following problems remain unsolved in Hungarian prisons: overcrowding, inhumane treatment of prisoners, including juveniles, excessive use of force during the arrest, negligent investigation into complaints related to inhumane treatment by prison staff.

The report indicates that most of the prisoners complaining about inhumane treatment linked it with discrimination on grounds of nationality.

Right to Security of Person, Rights to be Protected from Arbitrary Arrest and Detention

According to the report published in June 2014 by the *Working Group on Arbitrary Detention of the UN Human Rights Council* following the visit to Hungary in September – October 2013, almost 30 percent of all detainees are prisoners awaiting trial and not found guilty by any court for any crime.

of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts)

CAT:

art. 2 (commitment to take effective measures to prevent acts of torture)

art. 4 (commitment to ensure that all acts of torture are offences under its criminal law)

Therefore, the Working Group concluded that the courts meet the prosecutor's application for pretrial detention almost automatically, without taking into account personal characteristics of detainees and other circumstances. The report also pointed out that the pre-trial detention lasts from several months to several years.

Moreover, the Working Group is very concerned about the common practice of

long-term (over 20 months) pre-trial detention of juveniles, including juveniles under 16, the concern was also expressed about their detention not in educational institutions of a closed type, but in prisons.

Anti-Semitism, Propaganda of Racial Discrimination

August 2, 2014, Erpatak: Zoltán Mihály Orosz, mayor of the city of Erpatak organized a public hanging of puppets of Israeli Prime Minister B. Netanyahu and former president Sh. Peres.

The demonstrative execution was arranged on the main square of the town and was accompanied by reading the verdict, as well as tearing apart the Israeli flag.

In his speech, the mayor accused the «Heads of the Masonic State of terror» of cruel genocide of the Gaza Strip population and the «upcoming arrival of the Antichrist».



Incitement to hatred performed by the city mayor (Erpatak, 02.08.2014). Photo: www.444.hu

October 21, 2014, Kecel: Hungarian media published information about an audio record with anti-Semitic statements by *Ferenc Haszilló*, member of the ruling party *Fidesz* and mayor of *Kecel*. It was supposedly recorded at the end of 2012 – beginning 2013.

Despite the Italian efforts to fulfill key international obligations in the sphere of human rights, the problems faced at the country have systematic character.

Italy consistently comes second in the ranking of *the European Court of Human Rights* by the number of adopted decisions. In a number of areas Italy has also traditionally been the object of sharp criticism from the UN, Council of Europe bodies, human rights organizations.

Refugees' rights cause great concerns. In particular, non-observance by Italy of international norms during deportation, living conditions of migrants and asylum-seekers in the migrant-reception centers, the problem of their integration in the Italian society are criticized. Since the beginning of the year more than 154 thousand people arrived in Italy by sea. More than 61 thousand refugees have been placed in special centers in Italy.

Failure of the authorities to cope with the increasing flow of refugees leads to an increase of intolerance in the society. There are cases of intolerance and racism against refugees, especially from far-right parties, **neo-Nazi and radical organizations** acting in Italy, among which is the organization «*Loyalty and Action*», far-right movement «*New Force*».

According to official data, since the beginning of 2014 more than 12 thousand unaccompanied refugee minors came to Italy. About 3 thousand of them are missing of present. The authorities believe that their disappearance is related to **sexual and labour exploitation**. Because of impossibility to place all the refugees in the migrant-reception centers, refugee minors are often kidnapped by criminal groups in order to get ransom or involve them in prostitution and drug-trafficking.

Italian **penitentiary system** is recognized as violating the rights to the treatment with humanity as a result of overcrowded prisons (48 thousand seats for 60 thousand prisoners), to a fair trial (on March 31, 2014 36 per cent of prisoners were held in custody awaiting court decisions), as well as to be protected from torture.

Social prejudices and discrimination acts of local authorities against **national minorities' rights**, in particular, Roma, which hinders their integration in the society, access to free education, medical treatment, other social services remain urgent.

Despite the efforts of the Italian Government, situation in the field of **economic and social rights** in the country continue to deteriorate. The level of unemployment hit historic records and makes more than 13 per cent. Youth unemployment has reached an unprecedented level of more than 40 per cent.

According to *Eurobarometer*, 97 per cent of respondents consider **corruption** to be a widespread phenomenon in the Italian society, 92 per cent of legal entities claim that corruption in Italy hinders the development of free competition. According to official estimates the annual corruption turnover in Italy exceeds 60 billion euro.

Following international commitments have been violated:

ICCPR:

art. 7 (no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment)

art. 9 (right to liberty and security of person; no one shall be subjected to arbitrary arrest or detention)

Refugees' rights, Rights to be Protected against Racial Discrimination, including Right to Security of Person and Right to be Protected from Violence

November 10-12, 2014, Rome, Tor Sapienza quarter: a few local citizens supported by radical and neo-fascist movements in Italy (about 200 people) carried out a series of attacks on the migrants' reception center. At that time there were 36 minor and about 30 adult refugees.

art. 10 (right of those deprived of liberty to be treated with humanity and with respect for the inherent dignity of the human person)

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 20 (any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law)

art. 21 (right to peaceful assembly)

ICESCR:

art. 6 (right to work)

art. 11 (right of everyone to an adequate standard of living for himself and his family)

art. 12 (right of everyone to the enjoyment of the highest attainable standard of physical and mental health)

ICERD:

art. 2 (commitment to prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization)

art. 3 (right to be prohibited from racial segregation)

art. 4 (commitment to adopt measures designed to eradicate all incitement to, or acts of, racial discrimination, to declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts)

art. 5 (right of everyone without distinction to equality before the law, including the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution, right to freedom of movement and residence within the border of the State)

CRC:

art. 19 (right of the child to be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse)

art. 22 (commitment to ensure that a child who is seeking refugee status or who is considered a refugee shall, whether unaccompanied or accompanied, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights)

art. 28 (right of the child to education)

Attackers threw stones, bottles and firecrackers at the center and the police, defending it, they also used sticks and batons, burned at least 10 containers of garbage and several vehicles, including the police cars.

Many attackers were wearing masks and cried such slogans as: «*Take away the immigrants or we'll do it ourselves*», «*Glory to Duce*», «*Let's burn the immigrants*».

On *November 13, 2014* the authorities transferred refugee minors to other migrant-reception centers.

None of the attackers was arrested. Moreover, statements of certain political forces and mass media that followed the abovementioned events are considered to be an incitement to hatred. For example, leader of the party «*Lega Nord*» («*North League*») *M.Salvini* immediately claimed, that he will arrive at the place to support the quarter's citizens.

November 21, 2014, Rome, Infernetto area: in front of the migrant-reception center where part of the minors from the center of Tor Sapienza moved, members of Italian right-wing movement «*New Force*» hung several rag mannequins and a banner signed «*An Italian is hanged, a migrant is protected*».

Thereby the radicals advocated the next day's planned sit-in protest against the placement of refugees in the area.

An Italian Member of European Parliament, member of «*Lega Nord*» *Orazio Vecchi*, participated in the strike.

Such obvious demonstrations of neo-Nazism arouse sharp, but generally verbal condemnations from the Rome mayor, and from a range of political forces' representatives. «*Hanging mannequins against refugee minors – is not a manifestation, but demonstration of unacceptable violence and a provocation that I strongly condemn*» – wrote mayor of Rome *I.Marino*.

The UN High Commissioner for Refugees condemned the violence, saying refugees and unaccompanied minors fleeing war and conflict deserve protection, respect and help in integration, not «unacceptable» acts of violence and intolerance:

CAT:

art. 2 (commitment to take effective measures to prevent acts of torture)

art. 4 (commitment to ensure that all acts of torture are offences under its criminal law)

«Deliberate feeding of the wrong perception of the situation, as though refugees enjoy their privileges and pointing to them as a reason for inconveniences to citizens is dangerous, because it distorts reality and rouses hardly manageable social tension».

The problems with poor sanitation and overcrowded centers of temporary stay do not stop.

November 28, 2014, Crotona Province: in a largest Italian migrant -reception center, besides scab and tuberculosis, was a meningitis outbreak, as a result of which at least one person died, and several were taken to resuscitation. There are from 1.500 to 2.000 refugees in the center. According to an autonomous union of police forces, the situation with the sanitation in the center, as well as absence of adequate medical preventive protocols is dangerous not only for the police officers in the center, but also for the local people. The risks increase significantly in such overpopulated conditions, but necessary measures are practically not taken.

Reacting to serious problems in Italy in the sphere of refugees' rights, providing for their safety and protection against violence, on *November 4, 2014 the European Court of Human Rights* blocked for the first time the transfer of an Afghan family from Switzerland to Italy due to serious concerns, that a family of Afghans will become subject to degrading and inhuman attitude on the territory of Italy.

According to the Court, the Italian system of international protection and the system of keeping of asylum-seekers is «completely fragmented and do not correspond to the real needs of protection and reception of people arriving in the country». The *European Court of Human Rights* believes that such a situation raises serious doubts in the actual opportunities of Italian system of refugees' acceptance. «The possibility that a significant number of asylum seekers may be left without accommodation or accommodated in overcrowded facilities without any privacy, or even in insalubrious or violent conditions cannot be dismissed as unfounded», the Court said.



A series of attacks were carried out on the migrants' reception center under the slogans: «Glory to Duce», «Let's burn the immigrants» (Rome, 13.11.2014). Photo: AP

Neo-Nazism, Right to be Protected against Racial Discrimination

January 17, 2014, Milan: a neo-Nazi organization «Loyalty and action» organized a protest in the building of a Polytechnic Institute. As a result of clashes between the police and anti-fascist youth, who protested against neo-Nazi demonstration, one person was arrested.

Right to Liberty, Right to Be Protected from Arbitrary Arrest or Detention, Right to be Protected from Torture, Right to Freedom of Expression, to Peaceful Assembly

January 19, 2014, Florence: the police and carabinieri blocked an attempt of the local homeless to squat in an empty building in the historical center of the city. A number of the protesters had concussions, one of the protesters got his arm broken.

March 11, 2014, Padua: a young activist of social center «*Del Pedro*» *Zeno Rocca* was arrested and beaten by a mobile police group, and then conveyed to the local squad. According to the results of medical survey rib fracture and multiple bruises were ascertained. The incident caused protests among the youth.

October 18, 2014, Palermo: students of the lyceum «*Regina Margherita*», who protested against the Italian Minister of Education visit to the lyceum, were severely beaten by the police with rubber batons. Two students were seriously injured as a result of blows in the heads. One underage was arrested.

Economic and Social Rights, Right to Work, Right to Peaceful Assembly, Right to Freedom of Expression

January 20, 2014 and January 23, 2014, Bologna: while dispersing the picket of porters against the violations of rights of the «*Granarolo*» company's employees, the police used batons and tear gas. At least 5 people were detained, including the reporter who recorded the facts of tear gas usage by the police. The police made the reporter to delete all the photos of the protest. Two people were arrested.

April 12, 2014, Rome: more than 10 thousand people took part in the demonstrations against the policy of economy, started by the Italian *Prime-minister Matteo Renzi*, against the order of social housing distribution, and also against a new law on labour, providing changes in labour contracts, which caused critics from the trade unions. According to various sources, at least 12 demonstrators were delivered to the hospital with injuries of various severity. About 20 people were arrested.

October 2, 2014, Naples: to disperse the protest against poverty, EU politics (according to the protesters, the austerity measures, imposed by EU financiers, lead to an increase in unemployment rate and a fall in the level of life) and the European Central Bank, the meeting of Board of Governors of which was held on this day in the city, the police used tear gas and water cannons.

Several thousand people, primarily students and the unemployed, participated in a march, which started before the beginning of the European Central Bank meeting and was peaceful till the police applied force.

According to the data published on *January 15, 2014* by the association «*Centre for Monitoring repression*», there are about 17 thousand people involved in criminal cases, started as a result of actions of social protest.

November 29, 2014, Rome: the police violently dispersed the protesters, the workers of Terni city steel plant, who gathered on a peaceful demonstration in front of the German Embassy in Roma against the plans to reconstruct the corporation «*ThyssenKrupp*». Several hundred workers headed from the Embassy building to the Ministry of Economic Development, which hosted a meeting between the Minister and the German corporation. The chairman of Federation of the Organizations Metallurgy Workers said that the police attacked them «without any reasons. They tried to punch in the head, 4 of the workers were injured, 3 were taken to hospital with head injuries». In this regard, he asked the Government to explain the reasons why the police used force unnecessarily and treated the workers as criminals.

The police forces representatives claimed that there was no attack from their side – it was an «act of detention» due to the demonstrators' attempts to pass the police cordon.

Segregation of Roma, Right to Housing, Adequate Standard of Living, Right to be Protected from Racial Discrimination, Right to Education

Mass evictions of Roma families from their settlements continue in *Milan*. They begun in *November 2013* in the region of *Montefeltro Brunetti*, where 700 people, including 200 children, were left homeless.

According to *the European Roma Rights Centre*, the Milan authorities at least once a month spend significant sums of money and resources on liquidation of settlements, moving the same people from one area of the city to another, often with short breaks for Roma in expensive unacceptable living conditions of the centers of temporary stay (shelters). Roma are still denied access to social government housing.

March 6, 2014, Milan: 60 people were thrown to the streets as a result of the elimination of Roma settlements near *Forlanini*. According to the local organization *NAGA* and the *European Roma Rights Centre – ERRC*, 40 people were soon offered an alternative housing.



The police used tear gas and water cannons to disperse the participants of the rally against poverty (Naples, 02.10.2014). Photo: Reuters

March 13, 2014, Milan: the police and carabinieri destroyed two Roma settlements. Forced evictions are reported to be made without the relevant court decisions and preliminary consultations with Roma families. Alternative accommodation was not offered to people.

March 11-12, 2014, Naples: having accused the «nomads» in sexual harassment of a girl-teenager, the unknown, armed with Molotov cocktails, attacked Roma settlement in the *Santa Maria del Riposo* region, destroyed people's belongings. The police did not intervene in the incident.

Today the majority of Roma live in isolated camps in Italy. For instance, about 650 people live in the *La Barbuta* camp near Roma airport *Ciampino*; more than 1.000 people in 198 houses in *Via Salone* camp, which is surrounded by metal fence, furnished with 30 security cameras, situated 10 kilometers from the nearest hospital, 3 kilometers from the nearest grocery store.

Unacceptable living conditions, lack of infrastructure lead to the fact that not all the Roma children can attend school and they remain illiterate.

In its statement published on *July 9, 2014* the international organization *Amnesty International* noted, that demolitions of illegal constructions are breaking the existing law procedures, and are made without preliminary consultations and warnings. The evicted people are not offered any acceptable options of housing.

Taking part in the conference «*Learning from the mistakes of the past: inclusive education for all*» (April 2014, Prague), former Minister of Interior *Gianni Lombroso* said: «*Roma have to work on themselves. Only 37 per cent of young Roma get higher education and it is not in Roma culture to appreciate education*». These statements soon became the reason for his resignation.

Women's Rights, Right to the Highest Attainable Standard of Health

Despite the legally guaranteed opportunity, in reality abortion is not possible in many areas of Italy. In a range of regions more than 90 per cent of obstetrician-gynaecologists refused to carry out such operations for moral reasons. Women are forced to move from province to province in search for clinics or resort to clandestine doctors.

European Committee of Social Rights of the Council of Europe admitted this situation as a violation of Italian women's rights to health, because they often are deprived of adequate medical help.

Right to be Treated with Humanity and with Respect for the Inherent Dignity of the Human Person, Right to be Protected from Torture

On *March 6, 2014* The *Committee of Ministers of the Council of Europe* strongly criticized the situation with penitentiary institutions in Italy, estimating previously adopted by Italian authorities measures to establish order in prisons as unsatisfactory.

Today there are 47.000 places for 64.000 prisoners. Previously on *January 8, 2013* the *Council of Ministers* condemned Italian inhumane treatment towards prisoners in the cities of *Busto Arsizio* and *Piacenza*, where they were detained in cells sized less than 3 meters per person.

According to a report published on *April 29, 2014* by *the Council of Europe* on condition of penitentiary systems in European countries, one of the worst situations is still noted in Italy, where 100 seats in prisons need to accommodate in average 145 prisoners. According to the report, the official authorities consecutively declared that the necessary efforts to change the situation were taken, but in reality the prisoners' condition is only getting worse.

During the year, the *European Court of Human Rights* has also made a number of decisions on violations committed by Italy in this field. In particular, the decisions addressed cases including violent treatment, violence towards the prisoner of *San-Sebastiano* (*Sassari* city), and also police violence during detention.

Human rights defenders note **remaining difference between Latvian citizens and non-citizens rights**, attributing it however to peculiarities of the institute of non-citizenship's development in Latvia.

According to the *Council of Europe Commissioner for Human Rights N. Muižnieks*, the questions of noncitizenship in Latvia have rather political than human rights character. At the same time, thousands of children in Latvia remain non-citizens.

Latvian Centre for Human Rights admits positive changes in the attitude of parents-noncitizens to acquirement of their children Latvian citizenship. Positive changes are also noted by the *Office of Citizenship and Migration Affairs at the Latvian Ministry of Interior*. At the same time, the process of naturalization moves very slowly.

The problem of violation of the **right to a fair trial** and the **right to be treated with humanity** is also typical in Latvia. *The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment* states problems in Latvian judicial system, pointing to poor life conditions of prisoners, protracted judicial trials, errors of judges, who poorly interpret laws and international standards.

The situation in the field of **economic and social rights** remains alarming. According to European statistical service *Eurostat*, 35 per cent of Latvian citizens face risk of poverty and social exclusion.

Following international commitments have been violated:

ICCPR:

art. 23 (right of the family to protection by society and the State)

art. 24 (right of the child to such measures of protection as are required by his status as a minor, on the part of his family, society and the State)

art. 26 (right to be entitled without any discrimination to the equal protection of the law)

CRC:

art. 2 (right to be protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions)

art. 7 (right of the child to acquire a nationality)

ICERD:

art. 2 (commitment to take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination)

art. 5 (right of everyone without distinction to equality before the law)

Right to be Protected against Racial Discrimination, Right to Nationality

Advisory Committee on the Framework Convention for the Protection of National Minorities noted that the new edition of Law of Nationality creates special conditions for obtaining Latvian or double citizenship to people, belonging to the «state nation», i.e. ethnic Latvians and Livs, which is unacceptable and creates antagonism in the society. Particularly, according to the Law, the right to be registered as a Latvian citizen is guaranteed to people belonging to the state nation (Latvians) and autochthons (Livs).

According to the statement of Saeima deputy from the «Consent Center» *Valery Ageshin*, new edition of the law of nationality points to a dangerous tendency – transition from the concept of the civil nation to the concept of ethnic nation.

According to his opinion, changes to the Law are aimed at «segregating people in Latvia and deeper split of society».

In its concluding recommendations following the consideration of the 3rd periodic report of Latvia (March, 2014) *Human Rights Committee* expressed its concern with the situation of «noncitizens»

in the country and also about national minorities situation.

In particular, it is concerned about the impact of the State language policy on the enjoyment of the rights in the Covenant, without any discrimination, by members of linguistic minorities, including the right to choose and change one's own name and the right to an effective remedy. The Committee is further concerned at the discriminatory effects of the language proficiency requirement on the employment and work of minority groups.

LITHUANIA

Limiting the right to freedom of expression, the rights of national minorities remain the most problematic topics in the sphere of human rights in Lithuania.

According to human rights defenders, the tendency of **strengthening control over the media and access to the Internet** is gaining momentum in Lithuania. The new law on cyber security contains the provision that states that any resident of Lithuania can be disconnected from the Internet up to 48 hours without legal proceedings if his IP-address or equipment is involved in criminal activity. Now the police are able to identify the user, his postal address, to find his geographical location, phone number or other access information, his accounts and payments information.

The pressure on the Russian-language media has increased. The Department of State Security accused the newspapers «*Lithuanian Courier*», «*Review*», «*Express-Week*» and the *First Baltic Channel* in lobbying for the Moscow's interests. Several Lithuanian politicians supported the suppression of the Russian media. The audit of the channels *RTR-Planeta*, *NTV Mir Lithuania* and the retransmitting channel *Ren TV Baltic (Lietuva)* was initiated. These channels were suspected of violating the journalistic ethics, which is fraught with stopping the broadcasting on the territory of Lithuania. During this year the broadcasting of the TV channels *RTR-Planeta* and *NTV Mir Lithuania* has been stopped for 3 months.

The pressure on Lithuanian publications that criticize the Government has increased. «*Lietuvos rytas*» and «*Respublika*» were recognized as «unethical» thus they were deprived of 9 per cent VAT rate on preferential terms.

During the prejudicial inquiry on the disclosure of state secrets it became known about wiretapping of 17 current and former employees of the *BNS* news agency .

The lack of clear regulations of the **national minorities' rights** lead to violations of the right of national communities who live in Lithuania. For example, the Polish community considers it discriminatory to prohibit the usage of the Polish language as an auxiliary one in *Vilnius* and *Šalčininkai* where Poles make 60 per cent and 80 per cent of the population correspondently.

The *European Foundation of Human Rights* on July 24, 2014 in Vilnius presented a thematic report «*Respect for human rights in Lithuania in 2012 – 2013 (Rights of national minorities in Lithuania)*», where it analyses the situation of protection of the national minorities' rights in Lithuania, including rights to education, spelling of names and surnames, use of minority languages in the public sphere. The report notes more regress than progress in the sphere of human rights, in particular, the termination of the *Act of national minorities*,



The police force the participant of the march take off *Waffen SS* pin (Vilnius, 11.03.2014). Photo: defendinghistory.com

the existence of regulations containing discrimination provisions (for example the *Education Act*, particularly concerning the usage of the minority languages, absence of benefits for the members of national minorities during the final examination in the Lithuanian language).

Following international commitments have been violated:

ICCPR:

art. 17 (right to the protection of the law against arbitrary or unlawful interference with his privacy, family, home or correspondence, unlawful attacks on his honour and reputation)

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 20 (any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law)

art. 27 (right of national minorities to use their own language)

ICERD:

art. 3 (right to be prohibited from racial segregation)

art. 4 (commitment to adopt measures designed to eradicate all incitement to, or acts of, racial discrimination)

art. 5 (right of everyone without distinction to equality before the law, including the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution)

Rights of National Minorities, Right to be Protected from Racial Discrimination, Right to Security of Person, Right to be Protected from Torture, Right to be Protected from Arbitrary Interference to Privacy and Home

February 16, 2014, Kaunas: about 1.000 people took part in a march organized by the *Lithuanian National Youth Union* on the Day of Restoration of the State of Lithuania.

The march participants chanted slogans «*Lithuania for Lithuanians!*», «*Neither for the West, nor for the East!*», «*Lithuania for Lithuanian children!*», «*Brothers, we are white!*», «*Lithuania for Lithuanians, Lithuanians for Lithuania!*». The march was sanctioned by the authorities.

By the end of the event some participants of the march beat a Pakistani man.

The head of the Jerusalem office of the *Simon Wiesenthal E.Zuroff*: «*It's like the Nazis march. These people do not like Lithuania. We are not against the patriots, however, the people's attitude is distorted*».

March 11, 2014, Vilnius: the traditional nationalist march took place on Lithuania's Independence Day. At the beginning of the march the police insisted that participants

remove Waffen SS badges and armbands with swastika from their clothes to reduce international criticism towards such activities. Due to the taken measures the march passed quietly. According to witnesses, there were no fascist or anti-Semitic slogans.

March 11, 2014, Šalčininkai District Municipality, administrative center Yashunay: the signs in Polish were torn off from private houses by unknown on the *Day of Restoration of Independence of Lithuania* in the area where up to 80 per cent of the population are Poles.

The *European Foundation of Human Rights* condemned the incident and expressed concern, that the lack of clear regulation of minority rights in Lithuania causes unacceptable violations of human rights. «*Everyone has the right to protection of property, and freedom of speech. Moreover, it should be remembered that racial discrimination can be punished by law*», – said EFHR in its statement.

Right to Freedom of Expression, Freedom to Seek, Receive and Impart Information

One of the oldest Lithuanian national newspapers «*Respublika*» fell into crisis because of the financial sanctions from the authorities – its Russian version was closed. Late in April 2014, the *Commission on the Ethics of Lithuanian Journalists and Publishers* deprived the periodical of 9 per cent discount VAT rate and the opportunity to participate in the competition for the government contractual work,

after accusing the newspaper of violating of professional ethics. Its representatives believe that the sanctions were caused mainly by the publications revealing the shady activities of the administrators of the failed bank «*Snoras*».

A 3-month ban on the broadcasting the programs of Russian TV channel *RTR Planeta*, produced outside the EU, came into force on July 4, 2014. The reason was a news program «*News of the Week*» shown on March 2 about the events in the Crimea, where, in the opinion of *Lithuania's Commission for Radio and Television*, ethnic dissension and military climate was instigated. Previously the broadcasting of the channel *NTV Mir* was terminated after its screening a documentary film «*The Condemned*». A similar 3-month ban was imposed in October 2013 against the *First Baltic Channel*.

Displeased residents of *Visaginas* began collecting signatures against the termination of the Russian TV channels. The decision of the *State Commission on Broadcasting* was called undemocratic and interpreted as an attempt to assimilate the Russian-speaking population.

Vygaudas Ušackas, *Head of the EU Delegation to the Russian Federation*, criticized the sanctions: «*The ban does not solve the problem, but it undermines the maturity of civil society and freedom of expression*».

Dunja Mijatović, *the OSCE Representative on Freedom of the Media*, has previously expressed the opinion that such sanctions violate media pluralism and have a negative impact on freedom of the media and expression.

NETHERLANDS

The problem of human trafficking, the right of a child to be protected from violence and exploitation remains a most urgent issue in the sphere of human rights in the Netherlands. According to *the Dutch Awareness Centre*, the Netherlands is a leader in Europe in the **dissemination of child pornography** via the Internet. Thus, according to the conclusions, made by the *UN Children's Fund* and a Dutch charitable institution *Defence for Children*, there is a sharp increase in cases of child pornography on the Internet in the Netherlands (from 1.200 cases in 2010 to 10.500 cases in 2013). The number of victims of exploitation increased by 17 per cent and reached 260 people, 94 children arrived from abroad. Most of the victims are Dutch underages who became victims of sexual exploitation.

The situation of **refugees and immigrants** remains disadvantaged. According to the report published in October 2014 by *the Commissioner for Human Rights of the Council of Europe N. Muižnieks* the Netherlands fail to fully comply with international commitments in the area of providing social and economic rights to the asylum seekers and migrants. For example, it is noted in the report that migrants face numerous problems when they need to get medical assistance. Apart from that, the Commissioner also expressed concerns with the fact that asylum-seekers, including children, often for long periods are detained in prisons instead of migrant-reception centers. People, who were not given residence permit and waited for deportation, are thrown in the streets and have to squat. Horrible living conditions and absence of any material assistance often lead to tragedies.

There is also **strengthening of racist and xenophobic moods** among society, racial discrimination towards people from developing countries and Eastern Europe, including from local authorities. *Netherlands Institute of Human Rights* urged to recognize the existence of racism in the Netherlands, referring to numerous facts of discrimination against persons of Turkish and Antillean origin, who are often seen in the Netherlands as citizens of «second class». Mentioning the existence of racism in the country is under a secret taboo.

The **employment discrimination** remains actual. According to the report «*Perceived discrimination in the Netherlands*» published on *January 24, 2014* by *The Netherlands Institute for Social Research* up to 40 per cent of foreigners while searching for a job face ethnic discrimination; 10 per cent of the respondents were subject to age discrimination, people who lose job because of age are between 45 and 54 years; 25 per cent of respondents faced discrimination of a different kind during the last 12 months.

The situation with human rights in the Caribbean part of the Kingdom, primarily the **right to be treated with humanity** remains serious. In May 2014, the delegation of *the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of the Council of Europe* visited *Aruba, Curacao and St. Maarten* to verify the compliance with the recommendations made in 2002 and 2007. The preliminary observations are disappointing – the conditions of prisoners in places of detention, patients of mental health clinics, illegal migrants in places of preliminary detention still have a number of sufficient violations, including overcrowded cells, absence of ventilation, medical assistance of low quality.

Following international commitments have been violated:

ICCPR:

art. 24 (right of the child to such measures of protection as are required by his status as a minor, on the part of his family, society and the State)

Trafficking in Human Beings, Right to be Protected from Violence and Exploitation

According to the «*Summary Report. Trafficking in Human Beings. Visible and Invisible II*» published on *December 1, 2014* by *the National Rapporteur on Trafficking in Human Beings and Sexual Violence against Children*, the police,

art. 26 (right to be entitled without any discrimination to the equal protection of the law)

ICESCR:

art. 9 (right to social security)

art. 11 (right of everyone to an adequate standard of living for himself and his family)

ICERD:

art. 5 (right of everyone without distinction to equality before the law)

CEDAW:

art. 6 (commitment to take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women)

CRC:

art. 19 (right of the child to be protected from all forms of physical or mental violence)

OPSC:

art. 3 (commitment to ensure that sexual exploitation of the child is fully covered under criminal or penal law)

migration forces, employment inspectors don't make sufficient efforts to reveal human trafficking cases. Control over financial flows is exercised only in 3 percent of cases during the investigation of crimes in the sphere of human trafficking.

According to the conclusions, made by the authors of the report, in 45 per cent of the human trafficking cases the traffickers are usually 32 year-old Dutch citizens. Women aged about 25 years, mostly from Central and Eastern Europe (18 percent from Bulgaria, 13 percent from Hungary, 8 percent from Romania) become victims of sexual exploitation in 88 per cent of cases, every fourth victim – citizen of the Netherlands.

National Minorities' Rights, Right to be Protected from Racial Discrimination

According to the results of the sociological research carried out in February 2014 in *Rotterdam*, 75 per cent of the respondents stand for sharp reduce of the migration flow coming on permanent residence to Rotterdam from Eastern Europe.

The poll was made at the initiative of anti-immigration party *Leefbaar Rotterdam*,

calling for establishing a quota for new immigrants from Central and Eastern Europe by 1.000 people a year. According to *Joost Eerdmans*, leader of anti-immigrational campaign, increase in the number of immigrants will lead to problems and loss of jobs by native Dutch.

In November 2014, it was revealed of the resignation of the two members of Dutch Parliament of Turkish origin, who protested against migration policy of the Netherlands (parliamentarians present one of the largest Turkish communities, consisting of 400 thousand people – 2 per cent of the Dutch population).

In July 2014, *Verene Shepherd*, member of the *Working Group of Experts on People of African Descent of the UN Council on Human Rights*, visited the Netherlands to discuss the problems of discrimination towards people of African descent in the Netherlands. In particular, the UN official called the tradition of celebrating Christmas in the Netherlands to be racist, which provoked outrage among the public.

Migrants and Refugees' Rights, Right to an Adequate Standard of Living, including the Right to Housing and Social Assistance

About 120 refugees who were denied residence permit in the Netherlands, in view of the failure by the authorities to offer places for temporary stay, were forced to squat in one of the abandoned buildings of Amsterdam for a few months.

The authorities cannot deport the refugees due to the absence of sufficient documents. Unsanitary conditions, a large number of people deprived of their means of existence cause growing tensions among the people. In 2014, a refugee from Somalia died in a fight and a refugee from Côte d'Ivoire was heavily injured.

In early 2014, *the European Committee of Social Rights of the Council of Europe* decided to force the Netherlands to take an obligation to provide housing for illegal immigrants, but the Government didn't allocate funds to municipalities for the opening of the respective shelters. The representatives of the *Dutch institute on human rights* according to the results of attending the refugees settlements, called to take urgent measures to provide for safety and worthy living conditions of refugees.

Norway's social and family policy and, in particular, a practice of taking children from parents, is facing growing criticism both from human rights organizations and international community, as it violates the **right of the child not to be separate from his/her parents against their will**.

According to the existing system, biological parents are not given priority in upbringing of their own children. In fact, parents' rights in Norway are divided into two categories – the right to be called «biological producers» of their child and the right to live with a child, and they do not always coincide. Currently, about 53 thousand children are registered in «*Barnevern*», the *Child Welfare Service*. All children have a serial number, which, according to human rights defenders, is associated with a concentration camp. According to the policies established by the *Norwegian Ministry of Family, Children and Social Affairs*, under support of psychologist *Magne Raundalen* and professor *Tore Willy Mørck*, the number of children taken from their parents should be increased by control and children removal at the stage of pregnancy. According to experts, the new «prenatal» direction of Norwegian anti-family policy was caused by the growing line of adoptive parents who want to adopt a newborn.

Such a policy has the most detrimental impact on **national minorities' situation**. According to the information of the *Organization for migrants and refugees*, the number of victims deprived of parental rights among Roma families is increasingly growing, in some cases, parents are not only deprived of the right to raise their children, but also the right to communicate with them. There are cases where the right to visit the child is saved, but children and their parents are forbidden to talk to each other in Romani. Roma children living in foster homes are denied the right to learn the culture and language of their nationality. Many young Roma women are afraid to get pregnant and give birth to children in Norway for fear that child welfare services will take away their children.

Racial discrimination remains an urgent problem in Norway. *Norwegian Centre for Human Rights* notes an increase in incidences of hate speech and other forms of intolerance, including by representatives of political parties. According to the center, more than half of the migrants face discrimination in one or more areas: labor market, housing, education as well as health care. *European Commission against Racism and Intolerance of the Council of Europe* also notes that the practice of «racial profiling» during detentions and security checks by the police, customs and immigration services remains in Norway.

Human rights organizations, including the *Norwegian Council for Children and Youth Affairs*, the *Norwegian NGO Forum for Human Rights*, also note failure of the legal aid system and **lack of citizens' access to justice and fair trials** in cases involving civil matters because many people are excluded from the legal aid system, even for cases involving housing, discrimination, debt, social security, claims for unpaid wages, prison law, and most areas of immigration law.

The Group of Experts on Action against Trafficking in Human Beings of the Council of Europe also notes gaps in Norwegian legislation in the sphere of **combating human trafficking**. In particular, in the Criminal Code the definition of human trafficking does not include slavery or practices similar to slavery and forced labor.

In practice, this leads to the fact that unaccompanied juvenile migrants and asylum seekers living in asylum centers of immigration authorities are vulnerable to exploitation and trafficking. There are also frequent cases of disappearances of children in these centers.

Following international commitments have been violated:

ICCPR:

art. 23 (right of the family to protection by society and the State)

art. 24 (right of the child to such measures of protection as are required by his status as a minor, on the part of his family, society and the State)

CRC:

art. 9 (right of the child not to be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child)

art. 19 (right of the child to be protected from all forms of physical or mental violence)

Right of the Child not to be Separated from Parents without a Court Decision, Right of the Family to be Protected by the State

On *April 4, 2014* it became known of the case of extrajudicial taking of three daughters from the family of *Tatiana Bendikene* and *Robertas Bendikas*. Decision to remove girls with Russian citizenship was based on the statement of two school girls and the school principal. The Russian girls were transferred to the Norwegian foster family, parents are allowed to see the kids once a week on neutral territory under the child welfare authorities' supervision.

October 8, 2014, Tromsø: Norwegian social services took 5-year-old *Oscar S.* from the family of Russian citizens who temporarily worked in the city of *Tromsø*. The boy did not return from the school and was almost immediately transferred to a Norwegian

foster family.

The reason for removal was a child's story to his classmates about his mother's help to pull out a deciduous tooth.

Moreover, according to the parents, the police began to inquire about their 3-year-old girl just as parents went to the police. As a result, Oscar's parents decided to leave Norway urgently and fight for their son from the territory of the Russian Federation.

According to the *Children's Rights Ombudsman of the Russian Federation P.Astakhov*, the police's report says that the mother «knocked out a child's tooth».

Despite mother's explanations that the tooth fell out, when she helped her son to take off a jersey, on *October 22, 2014* Court of *Tromsø* reached a verdict to keep the child in the Norwegian foster family.

On *October 31, 2014* Norwegian Child Welfare Services took a 6-year-old girl from her Russian family. On *November 1, 2014* the child was returned to the family, but she will be under the Norwegian social services' supervision.

On *November 6, 2014* Norwegian authorities took two boys from a family of a Norwegian wife and a Russian husband, the third child was also under the threat of removal. The boys' uncle addressed to the organization *Russian Mothers*, and reported that the Norway Child Welfare Services took the children from the family of his brother who lives in Norway. The reason to remove children was an incident at school when a Norwegian boy was injured by one of the removed children during a football match. Despite the fact that the parents tried to resolve the situation, school officials sent a complaint to *Barnevern*. In a while the parents received a letter that they could not cope with raising children and needed help. Removed boys were placed in foster families. Parents are allowed to see them for two hours twice a year.

POLAND

The most notorious event of the 2014 was the disclosure of the facts followed by the forced confession of the Polish authorities about subjecting people to tortures in a secret CIA prison in Poland over the last few years. The existence of the prison was denied for a long time.



Territory of the military base near Stare Kiejkuty, which was used as a CIA interrogation center till the end of 2003. Photo: Reuters/Kacper Pempel

The investigation was hushed up in 2008, and according to the official data the evidence of the CIA prisons in Poland was not found.

At the same time in July 2014, the *European Court of Human Rights* found Poland guilty of torture, outrageous treatment as well as violation of the rights to liberty and security, the right to life after consideration of the complaints of the citizens of Saudi Arabia (*Abd Rahim Nashiri*) and Pakistan (*Abu Zubaydah*).

Head of the Press Office of the Chancellery of the President of the

Republic of Poland, Joanna Trzaska-Vechorek considered the ECHR decision as a serious detriment to the Polish political image. She noted that the incumbent Polish authorities have done everything possible to protect the country during this process, and the responsibility for the acts should be put on those who were in power before.

The problem of **racial discrimination** has a systematic nature, which is confirmed by frequent assaults and acts of racism against ethnic minorities, widespread of anti-Semitism, fierce manifestations in sport, aggressive statements on the Internet, the activities of the right-wing organizations. Nazi rhetoric can also be found in the statements of Polish politicians.

More frequently racial discrimination appears in numerous cases of vandalism against religious buildings and military graves. Over the past three years, at least 57 historical monuments and military cemeteries of the Second World War time were defaced and violated with Nazi symbolics. In most cases, the perpetrators were not found. Moreover, local authorities initiated the demolition of monuments under the pretext of lack of funds for their preservation.

Excessive use of force by the police against demonstrators, police brutality during arrests as well as outrage against suspects during questioning remain an urgent issues.

Moreover cases of violation of the right to **freedom of expression**, in particular assaults against journalists, attempts of arbitrary interference with their privacy and correspondence become more frequent.

Following international commitments have been violated:

ICCP:R:

art. 7 (no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment)

art. 9 (right to liberty and security of person; no one shall be subjected to arbitrary arrest or detention)

Right to Security of Person, to be Protected from Arbitrary Arrest or Detention, Rights to Freedom of Expression, Peaceful Assembly, Right to be Protected from Torture

In January 2014, new details about the CIA prison in Poland came to light. It was reported that a villa near the village of *Stare Kiejkuty* was rented by the USA for 15 million US dollars.

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 20 (any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law)

art. 21 (right to peaceful assembly)

art. 25 (right to take part in the conduct of public affairs, to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors)

ICERD:

art. 2 (commitment to condemn racial discrimination and not to sponsor, defend or support racial discrimination by any persons or organizations; commitment to take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination)

art. 4 (commitment to adopt measures designed to eradicate all incitement to, or acts of, racial discrimination, to declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts)

art. 5 (right of everyone without distinction to equality before the law, including the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution)

CAT:

art. 2 (commitment to take effective measures to prevent acts of torture)

art. 4 (commitment to ensure that all acts of torture are offences under its criminal law)

Besides, the procedure of money transference was also reported in mass media: «On a cold day in early 2003, two senior CIA officers arrived at the US Embassy in Warsaw to pick up a pair of large cardboard boxes. Inside were bundles of cash totaling \$15 million that had been flown from Germany via diplomatic pouch. The men put the boxes in a van and weaved through the Polish capital until coming to the headquarters of Polish intelligence. They were met by Col. *Andrzej Derlatka*, deputy chief of the intelligence service, and his two associates».

Minister of Foreign Affairs of Poland Radosław Sikorski refused to comment on the topic and offered the journalists to address the former head of the Government *Leszek Miller*, who is currently a leader of the Polish parliamentary party «*Democratic Left Alliance*». L. Miller also denied the existence of CIA prisons and stated that he hadn't signed any papers authorizing such prisons in Poland.

On *January 10, 2014* after the publication of the report of the US Senate about torture in the CIA prisons, *former President of Poland Aleksander Kwaśniewski* admitted that he gave permission for the placement of a CIA secret interrogation center in Poland. But he denied the fact of being aware about subjecting tortures. A. Kwaśniewski confirmed that a military base near the town *Stare Kiejkuty*, codenamed «*Quartz*», was used as an interrogation center.

According to A. Kwaśniewski, the Polish side proposed to the US Government to sign an agreement to ensure that people detained in the CIA interrogation center should be

treated in accordance with the Polish laws and humanitarian norms. The memorandum, however, was not signed by the American side. The secrecy around the CIA activities caused concern among Polish politicians and in its turn made A. Kwasnevski ask the United States to close the center by the end of 2003.

April 12, 2014, Warsaw: during the demonstration organized by the «*National Movement*» against the reconstruction of the art installation «*Rainbow*» in Saviour square, that is perceived as publicity of sexual minorities, 25 people were arrested, two of them were detained.

October 19, 2014, Szczecinka: the city police officers beat a young man inside the police car and used pepper gas during his arbitrary arrest because didn't have the identification document. After been beaten the young man was released.

According to the report of the *Council of Europe's Committee for the Prevention of Torture* published in *June 2014* and followed by the visit of the Council to Poland

in June 2013, the following serious problems take place in Poland: absence of access to a lawyer during the preliminary inquiry (Polish laws do not provide free service of a lawyer); limited access to health care; interrogation of minors without a lawyer and others legal representatives.

Propaganda of Racial Discrimination, Vandalism, Right to be Protected from Racial Discrimination

January 31, 2014, Pieniężno: the city authorities voted for the demolition of the monument to General I.Chernyahovsky under the pretext of the lack of sufficient funds. Burgormaster *Kazimierz Cado* explained this decision by the fact that after taking Vilnius I.Chernyahovsky participated in the liquidation of the *Home Army* forces.

The monument had been repeatedly defaced. On February 19, 2014 the monument was blocked with a swastika shield. On the night of May 3, 2014 the memorial plaque was destroyed and a *Home Army* symbol – an anchor «Fighting Poland» – as well as slogans «Killers», «Get out with the Commune» were marked.

June 29, 2014, the village of Kruszyniany: the oldest Tatar mosque in Poland was brutally vandalized. The building of the mosque as well as the buildings of the neighbour cemetery were defiled in red



Monument to General I.Chernyahovsky blocked with the shield with painted swastika (Pieniężno, 19.02.2014). Photo: Езе-ния Бекиша

painting, the images resembling a pig and a skull with crossbones were depicted. There were also several images of a crosshair on the front door and «Fighting Poland» - on the outside walls. Late in June, 2014 the monument of gratitude to the Red Army was demolished in Limanowa. The decision was made by the City Council in 2012, after which it was also reconciled by the Polish Council for the Protection of the Memory of Struggle and Martyrdom, the Voevodsk administration for the cultural heritage protection in Krakow and the Povet starostvo in Limanowa.

August 10, 2014, Lyubava: a monument to Soviet soldiers was desecrated in the military cemetery. Unidentified assailants torn off the red star from the obelisk and overturned concrete posts that fenced the tombs.

December 2, 2014, Bialystok: it became known about the desecration of the graves in the military cemetery of the killed Soviet soldiers in the battles for the liberation of Poland. Vandals pulled out 26 tombstones with the red star.

In its concluding observations following the consideration of the 20th and 21th periodic reports of Poland (February 2014) the *Committee of the Elimination of All Forms of Racial Discrimination* expressed serious concern about racist attacks against Roma, Jews and people of African and Asian descent; the widespread of anti-Semitism, the continuing discrimination against Roma, persistence of racism and hate speech in sport and on the Internet, as well as still functioning of the website promoting racial discrimination, despite its prohibition by the Court of Wroclaw; activity of at least 4 far-right organizations, despite the court decision of 2009.

Right to Freedom of Expression, Freedom to Seek, Receive and Impart Information

June 18, 2014 Warsaw: the Internal Security Agency officers, police officers and state prosecutors in civilian clothes broke into the editors office of the journal «Wprost» and tried to search and confiscate the materials connected with the publication of wiretapped materials of Polish high-ranking officials.

On June 19, 2014 the OSCE Representative on Freedom of Media, Dunja Mijatović, expressed concern about the events that took place in the editors office «Wprost», saying that the investigation methods were «unacceptable» and called the Polish authorities to respect freedom of speech.

Warsaw branch of the Helsinki Committee of Poland made a statement that «any governmental action to limit the rights to journalistic secret should be appropriate, proportionate, reasonable in details, subjected to strict control and used only then when less invasive methods have failed».

Right to Participate in Public Affairs, to Vote and to be Elected

May 25, 2014, Warsaw: as it became known serious inadvertence in counting the votes during the elections to the European Parliament in Poland was made. According to the video which found Antoni Macierewicz, member of the Sejm, deputy chairman of the political party «Law and Justice», the members of one of the election committees in Mokotów district of Warsaw left the voting place with bags full of the ballot papers without publishing the protocol with the voting results, thus violating the Electoral Code of Poland and democratic election standards.

PORTUGAL

The human rights situation in Portugal is characterized with the continued deterioration of economic and social situation of population and national minorities' situation.

Almost one third of Portuguese children (28,6 per cent) were at risk of poverty when in 2011 the country received 78 billion euros of foreign financial assistance under strict conditions. Since then, after three years of economic crisis, in order to fulfill the creditors' conditions, the Government was forced to take austerity measures that involved civil servants' payment, pensions and social benefits reduction, which sparks mass protest rallies in the country, strikes of thousands of social workers. The **economic and social situation** has dramatically deteriorated. Due to austerity measures, 500 thousand parents lost their child benefits and about 120 thousand people need to get for food benefits in order not to starve.

Madalena Marçal Grilo, Executive Director of the Portuguese branch of the UN Children's Fund – UNICEF commented on the situation: «An extremely important factor that has a big impact on children is unemployment. It is a factor of huge importance because, firstly, it leads to material deprivation for the families due to less income available and, secondly, because parents are less available to raise their children, feeling anxious and trying to get money by alternative ways, by any activities that can bring some income. The impact of being poor and of lacking opportunities will reflect on the children's future in terms of the quality of their formal education, in their skills to live in society and, later on, in their work productivity».

Economic difficulties particularly strongly affect vulnerable groups of population. The situation of **national minorities**, in particular Roma: in addition to the problem of segregation and lack of access to social housing, living standards for Roma are deteriorating.

Deterioration of the socio-economic conditions of the population has led to an crimes' increase, including **violence against women**. Thus, in 2014 the number of domestic violence cases accounted for more than 90 thousand cases, which is 30 per cent more than in 2000.

Following international commitments have been violated:

ICESCR:

art. 7 (right to the enjoyment of just and favorable conditions of work)

art. 9 (right to social security)

art. 11 (right of everyone to an adequate standard of living for himself and his family)

ICERD:

art. 2 (commitment to condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms)

art. 5 (right of everyone without distinction to equality before the law, including the right to security of person and protection by the State against violence or bodily harm, right to housing, right to social assistance)

National Minorities' Rights, Right to an Adequate Standard of Living, Including Right to Housing

July 17, 2014 Vidigueira: 15 Romani families including children and pregnant women were evicted from their homes where they had been living for around 30 years. Their homes and belongings were destroyed.

The families did not receive any prior notification of the eviction, and were not even warned to remove their belongings. Some of the evicted families found a shelter in relatives' houses and in tents.

The request of the evicted families for a meeting with municipal authorities was refused. Human rights organizations express deep concern regarding human rights violations of Roma in Portugal, particularly the housing rights.

On *April 25, 2014* several organizations, including the *European Roma Rights Centre* filed a collective complaint about Portugal's

violations of the rights enshrined in the European Social Charter. Human rights activists demand to protect Roma against segregation, systematic violations of housing rights, and to ensure access of Roma to social housing, basic infrastructure.

On July 7, 2014 *European Roma Rights Centre* sent a report on the situation of Roma women in various European countries to the *Committee on the Elimination of All Forms of Discrimination against Women*. The report indicates that among the EU countries Portugal has the biggest gap between literacy rate of Roma women (55 percent can read and write) and Roma men (77 percent are literate).

Economic and Social Rights, Right to Social Security, Right to an adequate standard of living, Right to favorable working conditions

March 6, 2014, Lisbon: Thousands of Portuguese police officers have staged a protest against the government's cuts to their pay, pensions and welfare benefits as part of government austerity measures.

July 10, 2014, Lisbon: *The General Confederation of the Portuguese Workers* organized a demonstration against austerity measures and proposals to amend the Labour Code of the country.

The demonstrators also demanded the resignation of *Prime Minister Pedro Passos Coelho* and resignation of the government.

November 14, 2014, Lisbon: Public sector workers staged another strike against government's belt-tightening measures. Transport workers and nurses participated in the strike.

ROMANIA

International community, regional monitoring bodies and human rights organizations continue to criticize the Romanian authorities over the situation with human rights, pointing to a range of violations.

First of all, attention is drawn to the unsatisfactory condition in the observance of **national minorities rights**, primarily Roma, especially in terms of their access to the labor market, health care services and the creation of conditions for normal education. According to European experts, among more than 2.5 mln Roma lived in Romania 45 per cent don't have permanent job, the majority live in the extreme poverty. The level of intolerance towards Roma in Romanian society is still high, discriminatory stereotypes are prevailing. Journalists and politicians make insulting remarks towards Roma. In the course of public events (especially sporting) posters, slogans and discriminatory songs are often used.

Romanian and international human rights organizations continue to mark serious violations of the **rights of the child**. About 40 thousand children in Romania live in poverty without access to health care. Children labour exploitation continues, especially in the countryside.

The problem of violation of the **right to fair trial** is also systematic. Romanians demonstrate one of the lowest in the EU level of confidence in the judicial system, and this level sinks from year to year.

Human rights organizations also express concern with regard to violations of the **rights of those deprived of their liberty**, including underages, **to be treated with humanity and to be protected from torture** exercised by law enforcement officials and in the penitentiary system. It is estimated that only one-third of the existing Romanian prisons comply with the minimum standards in this area, in some prisons inmates do not have access to safe drinking water. Apart from unsanitary conditions and overcrowding, there is almost no access to medical care services.

Following international commitments have been violated:

ICCPR:

art. 6 (right to life)

art. 7 (right to the enjoyment of just and favorable conditions of work)

art. 9 (right to social security)

art. 10 (right of those deprived of liberty to be treated with humanity and with respect for the inherent dignity of the human person)

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 26 (right to be entitled without any discrimination to the equal protection of the law)

ICESCR:

art. 11 (right of everyone to an adequate standard of living for himself and his family)

ICERD:

art. 2 (commitment to condemn racial discrimination and not to sponsor, defend or

Right to Life

March 4, 2014, Bucharest: a 26-year-old man of Roma nationality H.-D. Dumitrache, who was arrested by the police, died at the city police station №10 of internal bleeding caused by splenic laceration. The family of the man accused the police of murder.

Association for the Defense of Human Rights in Romania – the Helsinki Committee demanded to carry out a «quick, thorough and open investigation».

March 8, 2014, Piatra Neamt: a girl-teenager was beaten by the chief of the municipal police Cesare Philip at the police station. The incident was fixed by security cameras. The video shows, that the girl was beaten, kicked and pulled by the hair.

According to the Association for the Defense of Human Rights in Romania – the Helsinki Committee, from the beginning of 2000 till the present moment at least 32 people died at Romanian police stations. Apart from that, a lot of cases of violent treatment and battering are reported.

support racial discrimination by any persons or organizations)

art. 5 (right of everyone without distinction to equality before the law, including the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution, right to social assistance)

CAT:

art. 2 (commitment to take effective measures to prevent acts of torture)

art. 4 (commitment to ensure that all acts of torture are offences under its criminal law)

Right to Freedom of Expression, Freedom to Seek, Receive and Impart Information, Right to Liberty, to be Protected from Arbitrary Arrest, Right to be Protected from Torture

On February 13, 2014 B1TV channel was fined by the *National Audiovisual Council of Romania* due to the fact that the journalist *R.Turcescu* while hosting at two TV shows «*Under issue*» on December 13 and 25, 2013, called the amendment to the Criminal Code «a severe blow to the rule of law» and said that «legislators almost made a coup d'état cutting the Criminal Code and putting themselves above the law».

The amendment to the Criminal code was taken on December 12, 2013 without any consultations and was aimed at exempting the criminal liabilities of politicians charged with corruption and conflict of interests. This event was called a «black Tuesday» of Romanian democracy.

November 12, 2014, Bucharest: *Stefan Mako*, a journalist of the periodical *The Journalists' House*, who deals with journalistic investigations, was arrested by the police while he was recording on a mobile phone a process of an arrest of a young man (according to the journalist, after he didn't show any document of identification, the police knocked him down on the pavement, beat him down and then handcuffed him). Then S.Mako was taken to the police station, where he was beaten in course of interrogation. After that the journalist was released.

According to the report of *ActiveWatch* organization published on May 5, 2014 about violations of right to freedom of expression in Romania, there are numerous cases of pressure, blackmail, social and financial deterioration, disproportionate use of force by the police in respect of journalists.

In a press release dated November 13, 2014 the *OSCE Representative on Freedom of the Media Dunja Mijatović* said that attacks on journalists by law enforcement officials cause a particular concern, as they contribute to the formation of an atmosphere of fear and endanger the freedom of the media.

National Minorities' Rights, Right to an Adequate Standard of Living, Right to Housing, Right to be Protected Against Racial Discrimination

July 16, 2014, Eforie: 10 Roma families of about 50 people, including children, were forcibly evicted from an abandoned school, where they were settled by the authorities after the eviction of their settlement in September 2013. 7 families were moved to container houses, which do not correspond to elementary housing standards: there's no electricity, water supply, also there is no sewage.

Containers Houses are only 20 square meters in size, that is not sufficient to normal life for all family members. «The houses» are situated far from infrastructure near a deep ravine, which is not safe for children. 3 families, including 14 children, were left without a roof over their heads.

Organizations *European Roma Rights Centre* and *Romani Criss* expressed their deep concern in relation to forced eviction of people, refusal to provide them with an adequate social housing and expressed their readiness to defend evicted Roma families' rights in court.

European Roma Rights Centre in its press release dated November 25, 2014 expressed serious concern over hate speech by the Romanian delegation during the presentation of the periodic report of Romania before the *Committee on Economic,*

Social and Cultural Rights. In particular, it is noted that while answering the questions of the Committee experts on Roma inclusion the Romanian Ambassador called Roma as «nomads by nature», noting that nomadism makes inclusion particularly difficult. The Ambassador also said that women in Romania, even when highly educated, do not have the «necessary skills to work in a tough political sphere».



Ten families of about 50 people offered to settle in container houses located in the middle of nowhere far from any infrastructure (Eforie, 16.07.2014). Photo: Antonin Kratochvil/ VII for The Wall Street Journal

The organization notes, that the majority of Roma in Romania have sedentary lifestyle over several generations, and such statements represent discriminatory and unacceptable prejudices.

In its concluding observations following consideration of the 3rd - 5th periodic reports of Romania (November 2014), *the Committee on Economic, Social and Cultural Rights* expressed concern over the fact that Roma continue to face massive discrimination in housing, education, health, labor issues. Besides, the Committee notes, that Roma are often undocumented, that deprives them of access to social insurance, health care and aggravates their discrimination.

SLOVAKIA

The realization of **minorities' rights** remains one of the most complicated and pressing problems in Slovakia for several years.

International human rights organizations and Slovakian non-governmental organizations express serious concern about the insignificant progress of Slovakia in combating systemic discrimination against Roma in education, employment, health care, providing adequate living conditions. Roma children continue facing segregation in schools. Above all, Roma people in Slovakia living in segregated settlements are more likely to become victims of human trafficking.

Slovakia frequently becomes a target for criticism for the increasing number of **racism, ethnic intolerance and xenophobia incidents**.

The number of intolerance incidents, use of hate speech, discriminatory rhetoric against ethnic minorities in the Slovakian public politics, Internet, media has become more frequent. It happens more often during sport events, particularly during football and hockey matches. According to the *European Commission against Racism and Intolerance*, it happens due to the activity of Nazi groups with at least 500 hundred active members and several thousands of people supporting them.

Over a number of years the human rights situation in Slovakia regarding **the right to a fair trial** remains unsatisfactory; in particular, there are excessive delays in judicial proceedings.

According to the report published by the *European Commission for the Efficiency of Justice* in March 2014, on average it takes Slovak courts of first instance about 400 days to consider a civil or commercial cases. At the same time, Slovakia also has the lowest rate in public perception of independence of the judiciary, and this figure is getting worse.

Serious economic problems, including high unemployment, have a negative impact on the economic and social rights situation of the Slovak population, in particular **the right to an adequate standard of living**.

According to a study by Eurostat and released in July 2014, about 13 percent of the population in Slovakia are exposed to the risk of poverty; the numbers reach 44 per cent for the unemployed, 30 per cent for families with three or more children, 20 per cent for children under the age of 18.

More than half of Slovak pensioners with pensions granted before 2004, get it at a rate below the poverty line. At the same time, out of more than 400 thousand pensioners receiving pensions of this amount about 300 thousand are women. More than 100 thousand pensioners receive a pension equal to the minimum subsistence budget.

Following international commitments have been violated:

ICESCR:

art. 10 (right of those deprived of liberty to be treated with humanity and with respect for the inherent dignity of the human person)

art. 14 (right to a fair and public hearing by a competent, independent and impartial tribunal)

art. 26 (right to be entitled without any discrimination to the equal protection of the law)

Right to Fair Trial, Right to be Tried without Undue Delay

For a 6 months period there were identified 29 cases of violation of the right be tried within a reasonable time period by the General Jurisdiction Courts, when the legal proceeding exceeds 13 years. Among them there are 10 «recurrent» cases that have already been violated according to the Constitutional Court's decision.

In accordance with the Constitutional Court of Slovakia the current situation is mostly stipulated by the wrong activity management, inefficiency of legal

ICESCR:

art. 2 (right to exercise social, economic and cultural rights without discrimination of any kind)

art. 6 (right to work)

art. 11 (right of everyone to an adequate standard of living for himself and his family)

art. 12 (right of everyone to the enjoyment of the highest attainable standard of physical and mental health)

art. 13 (right to education)

ICERD:

art. 2 (commitment to condemn racial discrimination and not to sponsor, defend or support racial discrimination by any persons or organizations)

art. 3 (right to be prohibited from racial segregation)

art. 5 (right of everyone without distinction to equality before the law, including the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution, right to social assistance, right to housing, right to education, medical care)

CRC:

art. 27 (right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development, including commitment to take appropriate measures to assist parents and others responsible for the child)

proceedings and judges' unprofessional performance, and according to the Slovakian Ombudsman – by the lack of adequate funding the judicial system by the state.

At the end of January 2014, the then President of Slovakia I. Gasparovic stated that «*Slovakian justice functions well, although negative instances become public and it doesn't promote positive image of the country*».

The statement was strongly criticized by a number of Slovakian human rights organizations, which also referred to the violation of citizens' rights to be tried within a reasonable time.

In support of the criticism, in 2014 the European Court of Human Rights adopted a number of decisions on Slovakia's violations of the right to a fair trial, in particular, regarding the suit of Slovak citizens spouses Maksiany in connection with the consideration of their civil case on property issues by the regional and district courts for 3 years and 9 months. Earlier the spouses appealed to the Constitutional Court, which found no violation of their rights regarding the proceedings carried out by the district court.

National Minorities' Rights, Right to be Protected from Racial Discrimination, Right to an Adequate Standard of Living, Right to Social Security, Right to the Highest Attainable Standard of Physical

and Mental Health, Right to Education

According to the report on the living conditions of the Roma minority published by the *Ministry of Labour, Social Affairs and Family of Slovakia* in 2014, the standard of living of the Roma is significantly lower than of the other population. 53 per cent of all Roma population (around 400 thousand people) live in segregated settlements on the cities' outskirts, outside the cities or in ghettos. 90 per cent of Roma residents in segregated settlements have only primary education, 50 per cent don't have access to running water, and 20 per cent – to electricity.

58 per cent of Roma settlements have lack of therapeutic care services, 70 per cent – pediatric and dentist care services, 82 per cent – gynecologic care services. Pharmacies are absent in 66 per cent of Roma communities. Lack of adequate access to medical care leads to high levels of morbidity and mortality.

According to the results of the research and practice survey on Roma population living conditions in segregated settlements conducted in June 2014, 12,5 per cent of population suffer from hepatitis B, 53 per cent of residents of Roma communities in eastern Slovakia have had it, which is the same as the figures for the countries with the lowest standard of living. In segregated settlements the life expectancy for men is 7,5 years and for women 6,6 years less than for the general population.

The authors of the survey think that the reason for it is the low living standard and unsatisfactory living conditions and medical care, as well as the low level of medical literacy of Roma communities' residents.

The Commissioner of the Government of Slovakia for the Roma population P. Pollak said that the results of the study indicate the need for radical actions to improve poor living conditions in Roma communities.

In December 2014 the Slovak public organization «Romano Kher - Rómsky dom» together with the agency «Newton Media» conducted a study to shed more light on the Roma situation in the Slovak media. For this purpose, they analyzed more than 900 publications and materials issued by leading publications and Internet portals in Slovakia. According to the study, currently the majority of the Slovak media keeps treating the Roma population as an isolated group, not as a part of Slovak society. Journalists often cultivate existing stereotypes and prejudices in respect to the national minority in their materials, and publications, as a rule, cover criminal events involving Roma minorities and describe asocial lifestyle in segregated settlements. About 4 percent of the materials, according to the researchers, can be qualified as inciting hatred based on ethnicity. At the same time, 40 percent of the materials didn't give an opportunity to representatives of the Roma to speak directly on issues relating to them.

According to the report entitled «*Report on Racism and discrimination in employment in Europe*» published in 2014 by *International non-governmental organization European Network Against Racism*, in conditions of high unemployment (more than 14 percent) in Slovakia employment discrimination is quite widespread, especially on the grounds of age (for people older than 55 years) and ethnicity. Roma minorities are the most frequent victims of discrimination. The unemployment rate among the Roma living in segregated communities reaches 70 percent, and the rest are engaged in unqualified jobs with a comparatively low payment and legal protection.

The authors of the report say that despite the good legislative framework in the field of combating employment discrimination in Slovakia, there are serious drawbacks in its implementation, as well as the widespread stereotypes about Roma as the ones who are not able and do not want to work.

Right to be Treated with Humanity, Right to be Free from Hunger, Right of the Child to a Standard of Living Adequate for Physical, Mental, Spiritual, Moral and Social Development of the Child

According to the report published in May 2014 by *Ombudsman of Slovakia Ya. Dubovtsova*, children in Slovak educational and juvenile correctional facilities are malnourished and frequently report on constant feeling of hunger. According to the report, the main reason for this situation is a low budget allocation to children's meals. The report also draws attention to the extremely low level of education that children receive in such institutions. The current system of teaching virtually eliminates the possibility to pass exams successfully for graduates and to continue their education at a higher educational level.

Addressing critics the *President of Slovak Republic Andrej Kiska* visited one of educational and juvenile correctional facilities. As the result, the then *Minister of Education, Science, Research and Sport Peter Pellegrini* stated about the increase of budget allocation to children's meals up to 20 per cent starting from September 2014.

Budgetary and financial measures taken in Spain to overcome the crisis had a significant impact on the **economic and social rights** of the population. Austerity measures have affected public expenditures on welfare, education and housing.

Budget cuts, labor and health reforms, mortgage foreclosure, deprivation of property against credit as well as a significant increase in unemployment resulted in mass protests.

The police continued to **use special means and excessive force** to disperse the participants of the peaceful protests. In addition, journalists repeatedly became the victims of attacks by the police while reporting on protests.

Violence and intimidation against journalists, preventing from reporting on the riots are considered to be clear violation of the **right to freedom of expression**. In order to empower law enforcement officials in suppressing the protests the law on public security, known among the media as «gag law», was adopted in 2014. The law is criticized by numerous human rights organizations and journalists.

In accordance with the law the **refugees** who illegally arrive in Spain are denied to apply for political asylum and are allowed to be expelled them from the country immediately. This measure is primarily aimed against the mass migration flow on the border between Spain and Morocco in the Spanish enclaves of Melilla and Ceuta.

In July 2014, in his report on the visit to Spain, the *Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence of the UN Human Rights Council* noted that the Government's efforts to solve the problems, associated with the Spanish Civil War heritage and dictatorship, are characterized with fragmentarity almost in all major areas. Excessive formalism and the restrictive interpretation of the Amnesty Law and the principle of legality do not only deprive people of the **access to justice**, but also complicate any investigations.

A new trend is the worsening **situation of women**. The decisions of the Spanish Government made as a result of the economic crisis, weaken the earlier efforts to integrate women into social, political and economic life and to eradicate domestic violence.

Following international commitments have been violated:

ICCPR:

art. 7 (no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment)

art. 9 (right to liberty and security of person; no one shall be subjected to arbitrary arrest or detention)

art. 14 (right to a fair and public hearing by a competent, independent and impartial tribunal)

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 21 (right to peaceful assembly)

ICESCR:

art. 6 (right to work)

Right to Freedom of Expression, Peaceful Assembly, Right to Security of Person, to be Protected from Arbitrary Detention, Right to be Protected from Torture

March 22, 2014, Madrid: more than 60 thousands of people, representatives of various social groups, public organizations, Spanish trade unions, participated in the protest movement against austerity measures pursued by the Spanish Government.

To disperse the participants of the protest the police used tear gas, rubber bullets and batons. 24 people were detained and about 100 people suffered minor injuries.

March 29, 2014, Barcelona: about 4 thousand people took part in the protest movement under the slogan «*Disobedience 2014*» against the abortion law, the reforms reducing the expenses on social

art. 11 (right of everyone to an adequate standard of living for himself and his family)

CEDAW:

art. 11 (commitment to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women)

CAT:

art. 2 (commitment to take effective measures to prevent acts of torture)

art. 4 (commitment to ensure that all acts of torture are offences under its criminal law)

needs of the population, changes in the criminal code and the civil security law. The peaceful protest turned into violent clashes with the police who beat the protesters with batons.

March 29, 2014, Madrid: the final part of the protest «*March of Dignity*» took place in the Columbus square in Madrid – a rally of thousands against unemployment and austerity measures. The march started on March 9, 2014 when six columns of protesters marched from Andalusia, Valencia, Galicia and other regions of the country to Madrid. In Madrid there were clashes with the police which resulted in more than 100 injuries. The police also

attacked the journalists.

On April 1, 2014 Dunja Mijatović, the OSCE Representative on Freedom of the Media, expressed deep concern about violence and intimidation against journalists, stating that any of such attempts are a clear violation of the rights to freedom of media and they shouldn't be tolerated. D.Mijatović called on the Spanish authorities to ensure the safety of journalists in a proper way.

Thus according to a number of journalists associations, the police attacked the journalists preventing them from taking photos and videos from the place.

June 27, 2014 Madrid: the Spanish federation of feminist organizations held manifestation near the building of the Ministry of Justice against the draft bill that limited abortions. After the event when the participants had already started to disperse, the police provoked clashes with the protesters.

Status of Women, Right to be Protected from Discrimination in Employment, Right to be Protected from Violence

Working Group on discrimination against women in law and in practice of the UN Human Rights Council, who visited Spain in December 2014, expressed concern about the worse of women.

The women in Spain make about 70 per cent of part-time workers and nearly 60 per cent of them say they couldn't find a full-time job. Many autonomous communities shut down their offices and services though they are important for balancing work and personal life, which limits women's opportunities and makes them return to traditional home roles.

The level of gender-based violence remains worrying in Spain. It was reported about 125 thousand cases of violence against women by their partners last year.



The police beat the protesters (Barcelona, 29.03.2014). Photo: AFP Photo/Quique Garcia

SWITZERLAND

Despite the recognized achievements of Switzerland in human rights promotion and protection, **racial discrimination** remains an urgent problem in Swiss society, especially in respect to foreign residents, as well as to arriving asylum-seekers.

Swiss authorities prefer to deny the existing problem by interpretation of both national antidiscrimination legislation and international standards in this area. Endeavors to tighten immigration legislation is seen by the human rights activists as an attempt to get rid of the growing racist attitudes in society. The referendum supporting these ideas was successfully conducted in February 2014.



According to the Federal Supreme Court of Switzerland demonstration of the Nazi-salute in public place is not necessary should be cannot be considered as incitement to racial discrimination. Photo: lematin.ch

The UN experts evaluating the achievements of Switzerland in the implementation of *the International Convention on the Elimination of All Forms of Racial Discrimination* in February 2014 expressed deep concern at racist stereotypes promoted by the members of right-wing populist parties and sections of the media, in particular against people from Africa and south-eastern Europe, Muslims, Travellers, Yenish, Roma, asylum seekers and immigrants.

The *Committee on the Elimination of All Forms of Racial Discrimination* has also expressed concern at the display of political posters with racist and/or xenophobic content and with racist symbols, as well as at racist behaviour and at the lack of prosecution in such cases.

Moreover, the UN experts also paid attention to xenophobic tone of popular initiatives targeting noncitizens, such as the initiative «*against the construction of minarets*», adopted in November 2009, the initiative on the «*expulsion of foreign criminals*», adopted in November 2010, and the initiative «*against mass immigration*», adopted in February 2014. According to the Committee such initiatives have led to a sense of unease among the affected communities and in Swiss society in general.

Following international commitments have been violated:

ICCPR:

art. 20 (any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law)

art. 26 (right to be entitled without any discrimination to the equal protection of the law)

ICERD:

art. 2 (commitment to condemn racial discrimination and undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in

Right to be Protected from Racial Discrimination

On *February 21, 2014* the Federal Court acquitted the police officer who during the arrest of the Algerian citizen on suspicion of theft at the Basel Fair in 2007 in the presence of numerous witnesses called the suspect «foreign pig» and «dirty refugee».

The Court declared that the usage the words «pig» and «dirty» doesn't violate the antidiscrimination legislation as they were not aimed at a specific ethnic group or religion. The Court also didn't consider discriminative the usage of these words along with mentioning of the nationality .

all its forms; to prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization)

art. 4 (commitment to adopt measures designed to eradicate all incitement to, or acts of, racial discrimination, to declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts)

art. 5 (right of everyone without distinction to equality before the law)

Deputy President of the Federal Commission against Racism, Sabina Simkovic-Dreyfus expressed concern about such decision and called it a «trivialization» of the law and racist statements.

Right to be Protected from Incitement to Racial Discrimination, War, Hatred and Intolerance

May 22, 2015 Losanna: Federal Supreme Court of Switzerland declared that the demonstration of the Nazi salute «*Sieg Heil*» in a public place can't be considered as a criminal offense if it's not «an ideology propaganda», but «an expression of

personal belief». Thus, the court reconsidered the lower court's verdict that a year ago had found a man guilty on charges of demonstration the Nazi salute during the mass event in 2010.

SWEDEN

Despite ongoing efforts to comply with the international obligations in the field of human rights there are still problems in the country, some of which are systematic in nature.

During several years human rights activists, international community express concerns about **racial discrimination** cases in Sweden. In 2014 the activity of right-wing organizations, including neo-Nazi orientation organizations, increased dramatically.

The positions of ultra-right «*Party of the Swedes*» strengthened, which marks a successful establishment of an integrated organizational structure by neo-Nazis, staking on elections. Another party – «*The Swedish Resistance Movement*» is, according to the *Swedish Security Police (Säpo)*, merely a neo-Nazi organization. Fighters of this structure repeatedly participated in attacks on peaceful antifascist demonstrations. At the same time, the party activity is not banned and the work of the police is limited only to the suppression of overt violence.

A new element of neo-Nazi activity is revitalization of their work «from below» – on a municipal level in cities and counties. The activity is very high in small municipalities, in contrast to the capital region. For example, the «*Party of the Swedes*» is most active in *Värmland* county, strong cells are created in *Karlstad*, *Forshaga*, *Grums* and *Hammar*. The movement also operates in the *Skåne* county, in *Stockholm*, the regions of *Gothenburg* and *Dalarna*.

According to the outcomes of the sociological research conducted by *the SOM Institute of Gothenburg university*, published in June 2014, 78 per cent of respondents were worried about the growth of racist moods in the Swedish society.

The UN Working Group of Experts on the People of African Descent, which visited Sweden in December 2014, made the same conclusions. According to the experts, Swedes of African descent and Africans constantly face different forms of discrimination based on colour, race, religion and gender. Racial discrimination is also evident in the lack of equal access to justice, racial profiling and the inability to effectively investigate, prosecute and deter «afrofobic» hate crimes. This leads to the increase of distrust to the law-enforcement agencies in the communities and blocks access to help, when they themselves become victims in crimes or violations of rights.

UN experts say that for a country with long traditions of tolerance and openness, relative inactivity due to increased racism and racial discrimination is astonishing and disturbing.

The problem of **refugees' situation** remains urgent. Although Sweden is the leader in the EU in the number of refugees received, the practice of forced repatriation of certain nationalities, primarily Roma, to countries where they face discrimination and degrading treatment is growing. This happens due to the reasons that according to the Swedish law on the right of asylum, discrimination is not seen as a reason for providing asylum, which was repeatedly criticized by human rights organizations, *the UN High Commissioner for Refugees* and UN treaty bodies.

Many asylum-seekers, waiting for their application for asylum to be considered, cannot find a job in Sweden. According to the current procedure, in case the application for political asylum is considered for more than four months, the refugee is given a work permit. At the same time, the employer demands to open a bank account for wages transfer. An asylum seeker is not able to fulfill this requirement because banks demand to show the passport. Migration agency refuses to give passport even for several hours, even for showing in the bank.

There is growth in convictions of law enforcement officers in **excessive use of force** and abuse of power during detention, and also against demonstrators.

Following international commitments have been violated:

ICCPR:

art. 7 (no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment)

art. 9 (right to liberty and security of person; no one shall be subjected to arbitrary arrest or detention)

art. 12 (right to the freedom of movement)

art. 14 (right to a fair and public hearing by a competent, independent and impartial tribunal)

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 21 (right to peaceful assembly)

art. 25 (right to take part in the conduct of public affairs)

CEDAW:

art. 6 (commitment to take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women)

CAT:

art. 2 (commitment to take effective measures to prevent acts of torture)

art. 4 (commitment to ensure that all acts of torture are offences under its criminal law)

Right to a Fair and Public Hearing by a Competent, Independent and Impartial Tribunal, Right to Freedom of Movement

On *November 20, 2014* the Swedish Appeal Court refused to revoke the European arrest warrant on the founder of *Wikileaks J.Assange*, issued in 2010. The judges found, that «charges filed against him are too serious», and J.Assange may try to run away from justice, if the warrant will be revoked.

The Swedish prosecutor's office seeks his extradition for questioning on suspicion of rape. J.Assange claims not guilty, considers persecution to be politically motivated and fears his extradition from Sweden to the USA, where he can be capitally punished. The US authorities accused the Australian in the disclosure of confidential data that have been published in 2010 on the *WikiLeaks* site.

The Australian didn't leave the Embassy of Ecuador in London, where he got asylum, for 2 years.

Despite the current European arrest warrant formal charges haven't still been filed, since according to Swedish law, first of all the suspect should be questioned as part of the preliminary investigation. Assange's advocates demand to revoke the

arrest warrant, relying on Swedish criminal code regulations, where the public prosecutor's office is said to investigate the case as soon as possible at minimum costs and reputational, financial and other losses should be reduced to minimum. Defenders also insist that Assange's right to freedom of movement was violated, since he doesn't have an opportunity to move to Ecuador, where he was given political asylum, because of the arrest warrant.

Right to Nationality, Right to Freedom of Movement, Right to Take Part in the Conduct of Public Affairs

On *April 23, 2014* the Supreme Court of Sweden decided that deprivation of citizenship of a 17-year-old Swedish resident *Blake Petterson* violates the Constitution. B.Petterson, who was born in a mixed marriage of a Swede and an Englishwoman, became a citizen of Sweden by birth, but was deprived of it by Swedish Tax Agency more than 4 years ago, due to the fact that his father, a Swedish citizen, was not his biological father. Petersson was not even informed in time that he was deprived of citizenship. Tax administration eliminated not only his Swedish passport, but also his surname. Thus, the young man was deprived of the right to the freedom of movement, to vote at parliamentary elections and to participate in a referendum on Sweden entry into the European monetary community.

After five years of appeals and proceedings the Supreme Administrative court recognized that deprivation of B.Petterson from Swedish citizenship contradicted the Constitution. He was received his Swedish citizenship and Swedish passport.

According to experts of *Centrum för Rättvisa*, an independent law firm in the field of human rights, the Swedish state violated human rights, illegally deprived its resident of citizenship, and the Swedish constitution is obviously «lagging behind» the international human rights requirements.

Right to be Protected from Torture, Rights to Freedom of Expression, Peaceful Assembly, Right to Personal Security and to be Protected from Arbitrary Detention

August 23, 2014, Malmö: Mounted police violently dispersed an anti-fascist protest participants who gathered in the square Limhamn to express their outrage over the election campaign of neo-Nazi «*Party of the Swedes*».

To disperse the protesters the police galloped into the crowd of 300-400 people. Several people fell under the horses hooves.

At least 10 people were hospitalized. One man was run down by the police car. 6 people were arrested.

The representative of a network organization «*Skåne against racism*» *Matilda Renkvist* says that «we have witnessed the manifestation of great cruelty and unmotivated violence». She thinks, that this was an unmotivated attack on demonstrators, who came to show their disgust at Neo-Nazi party and its attempts to become part of political establishment.



Disperse of a rally (Malmö, 23.08.2014). Photo: Associated Press

Trafficking in Human Beings, Right to be Protected from Violence and Exploitation

According to the report of the *Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA)* published on *May 27, 2014* the efforts of Sweden to combat human trafficking are insufficient. According to the experts, the majority of modern «slaves» come to Sweden from Eastern European countries, in particular Bulgaria and Romania. They are involved in labour exploitation (the report contains examples of exploitation of berry pickers from Bulgaria, who were obliged to work for extreme low wages in poor conditions; there are also cases of compulsion to begging and criminal activity). GRETA experts also criticize Sweden for paucity of convictions on the cases of human trafficking.

UNITED KINGDOM

While the UK Government seeks to retain the image of the leader in the field of human rights protection, according to the authoritative human rights organizations, in 2014 there were numerous cases of human rights violations with the British authorities being responsible for them. The rights of both British citizens and foreigners were violated.

Serious problems arise in the field of **economic and social rights**, particularly among most vulnerable groups of society. Dramatically changed social support system negatively affected the living standards of the unemployed, single-parent families, as well as non-working persons with disabilities.

Despite the comparatively low general unemployment rate, the unemployment rate among youth remain high – around 20 per cent. According to the survey conducted by the British charity organization *Prince's Trust*, more than half of a million of young British people are threatened with a long-term unemployment, in regard to that around 750 thousand young people thinking they «have nothing to live for».

Disability News Service has reported about the initiation of the UN investigation into serious and systematic violations of human rights of **persons with disabilities** by the United Kingdom. It was caused by numerous complaints about the serious deterioration of the economic conditions of disabled persons in connection with the policy of reducing government spending on social needs and tightening of the procedures for obtaining disabilities related benefits.

Due to the increasing number of **human trafficking** cases, human rights organizations repeatedly accused the British government of failing to adequately respond to these challenges.

Violation of the **right of the child to be protected from abuse and exploitation** remains an urgent problem. Once again the report on sexual abuse against children remains virtually ignored by authorities. Legislation gaps in the sphere of combating pedophilia are not eliminating. Mass media and the opposition raised the question of missing police documents about a secret pedophile organization active in the United Kingdom in the 1980s, which consisted of representatives of the high-ranked officials.

Moreover, international community is outraged by suspension of the investigation into allegations of British intelligence service and army involvement in illegal kidnapping, suspects transfer, extraterritorial **use of torture** during the so-called «war on terror». In January 2014, the *European Center for Constitutional and Human Rights* and the British law company *Public Interest Lawyers* filed the documents to the International Criminal Court in the Hague about the facts of systematic violations of prisoners' rights by the British military during the war in Iraq.

The UK immediately lost its position in the world ranking of freedom of the media after tough government actions against journalists and periodical, which published the information provided by *Edward Snowden* on the *Government Communications Headquarters'* activities and establishment of a new regulatory body to supervise over printed media.

Human Rights Watch organization convicted the United Kingdom of «inconsistencies regarding human rights treatment» in the world and accused the UK of double standards in dealing with the same violations in different countries: 'softer' approaches are done to the countries that have special political and economic relations with London.

Peculiarities of the British legal system, where international agreements do not have primacy over the national legislation, don't let persons seeking protection of their rights to refer to the human rights instruments (with the exception of the *European Convention on Human Rights and Fundamental Freedoms*). The UK has not ratified a number of treaties important for human rights protection.

Moreover, within the year the Prime Minister and several members of the Cabinet have repeatedly called to cancel the *Human Rights Act 1998*, which consolidates the international principles of the European Convention on Human Rights into British law.

Following international commitments have been violated:

ICCPR:

art. 2 (right to an effective remedy)

art. 6 (right to life)

art. 7 (no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment)

art. 9 (right to liberty and security of person; no one shall be subjected to arbitrary arrest or detention)

art. 10 (right of those deprived of liberty to be treated with humanity and with respect for the inherent dignity of the human person)

art. 14 (right to a fair and public hearing by a competent, independent and impartial tribunal)

art. 17 (right to the protection of the law against arbitrary or unlawful interference with his privacy, family, home or correspondence, unlawful attacks on his honour and reputation)

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 24 (right of the child to such measures of protection as are required by his status as a minor, on the part of his family, society and the State)

ICESCR:

art. 2 (right to exercise social, economic and cultural rights without discrimination of any kind)

art. 6 (right to work)

art. 9 (right to social security)

art. 11 (right of everyone to an adequate standard of living for himself and his family)

art. 12 (right of everyone to the enjoyment of the highest attainable standard of physical and mental health)

CEDAW:

art. 6 (commitment to take all appropriate measures, including legislation, to suppress

Right to Life, Right to be Treated with Humanity, Right to be Protected from Torture, Right to be Protected from Arbitrary Arrest or Detention

A report «*The Responsibility of UK Officials for War Crimes in Iraq from 2003-2008*» by human rights organization the *European Center for Constitutional and Human Rights* and the British law company *Public Interest Lawyers* was presented in London in the end of *January 2014*. The documents included in the report refers to facts of systematic violations of human rights in Iraq, were submitted to the *International Criminal Court* in the Hague on *January 10, 2014*.

According to the report, British military personnel humiliated, abused, tortured and even killed prisoners during the Iraqi campaign. The 250-page dossier presents factual and legal analysis, which is going to be the base for the first in history official investigation against London by the International Criminal Court.

Data collected by European NGOs is an evidence of more than a thousand of alleged cases of torture and 200 murders of Iraqis committed by British military personnel in violation of international principles of military actions.

More than 400 citizens of Iraq filed statements about tortures that included cases of «electric shock, burning, cultural and religious humiliation, threats of rape and mock executions».

Responding to the report, *British Foreign Secretary William Hague* said: «The British armed forces uphold high standards» and requested not to file the allegations to the International Criminal Court. The Defense Ministry also called transfer of documents as excessive, referring to the initiated investigations.

all forms of traffic in women and exploitation of prostitution of women)

CRC:

art. 19 (right of the child to be protected from all forms of physical or mental violence, including sexual abuse)

CAT:

art. 2 (commitment to take effective measures to prevent acts of torture)

art. 4 (commitment to ensure that all acts of torture are offences under its criminal law)

OPSC:

art. 3 (commitment to ensure that sexual exploitation of the child is fully covered under criminal or penal law)

At the same time, human rights organizations express doubts about the objectiveness of the governmental «independent» investigation commission, which consists of former military personnel. Moreover, the commission's conclusions will be made only in 2016 when the statute of limitations of many cases may expire. In addition, the Commission only investigates into 151 cases out of 200.

A sort of confirmation of the British military's desire to conceal their own crimes were the interim results of the «*al-Sweady inquiry*» (named after a 19-year-old Iraqi allegedly killed by British troops) in connection with the charges of murder of 20 Iraqi prisoners of war and tortures of 5 people in May 2004 at a military base

«*Camp Abu Naji*». According to *The Guardian* of March 2014, the trial was suspended «due to lack of evidence».

Right to be Protected from Arbitrary or Unlawful Interference with Privacy, Family, Home or Correspondence

On July 10, 2014 the bill on access to phone connection and internet communication data of the United Kingdom residents was approved at a special governmental meeting. According to *Prime Minister David Cameron*, the bill known as «*the Data Retention and Investigatory Powers bill (DRIP)*» is a necessity to combat «criminals and terrorists». The bill gives access to communication data related to who and when was engaged into a telephone or internet conversation. According to the Government, this kind of data is used in 95 percent of all serious cases related to organized crime and considered by *the Crown Prosecution Service*.

The decision on the draft law was adopted after in April 2014 *the European Court of Human Rights* declared the EU Directive illegal and decided to cancel it. The Directive required telecommunication companies to store for 12 months the information about who and when their users called, sent SMS and emails.

The human rights organization *Open Rights Group* accused the Government of using the threat of terrorism as a pretext to announce emergency legislation that do not have any legal basis. *Jim Killock*, *Executive Director of the organization* said: «*Proposed legislation not only will the infringe our right to privacy, but also set a dangerous precedent where the government simply re-legislates every time it disagrees with a decision of the European Court of Justice. Blanket surveillance needs to end. That is what the court has said*».

Right to Freedom of Expression

In August 2014, it was alleged that in order to identify the source of the leaked information about the incident between the police and the leader of the Conservative Party A. Mitchell happened in September 2012, the police seized the phone records of *The Sun* political editor, *Tom Newton Dunn*.

On March 9, 2014 *the OSCE Representative on Freedom of the Media Dunja Mijatović* in her press release said it was unacceptable to access the journalist's phone records without his consent and the court decision. She described the incident as a deliberate disregard of the law, protecting journalists.

According to the organization *Freedom House*, the following incidents led to a significant reduction of the position of the United Kingdom in the world ranking of



British soldiers torture Iraqi prisoner. Photo from the report sent to the International Criminal Court.

prosecution; E.Snowden's disclosure of the Government Communications Headquarters responsible for the global electronic surveillance; The Guardian journalist G.Grinvall's detention under the pretext of «law against terrorism» (the journalist published E.Snowden's revelations); the raid in the Guardian's office to destroy hard drives by intelligent agencies; establishment of a new regulatory body to oversee print media.

Human Trafficking, Right to be Protected from Violence and Exploitation

According to official data published in 2014, the number of victims of forced labor and sexual exploitation

people, including women forced into prostitution, victims of domestic incarceration, people got into debt, as well as those who were forced to work in factories, in the field or on fishing boats. According to the *Ministry of the Interior*, the victims of human trafficking are citizens of more than 100 countries, mainly from Albania, Nigeria, Vietnam and Romania, as well as adults and children born in Great Britain.

According to the *National Crime Agency*, the most common objectives of human trafficking in the country are sexual exploitation, slave labor and unpaid domestic workers. At the end of July 2014, 34 per cent of 566 victims of exploitation were identified as victims of human trafficking, the remaining 66 per cent of the potential victims await the final decision of the authorities.

Right of the Child to be Protected from All Forms of Physical or Mental Violence, Injury or Abuse

According to the report by professor *Alexis Jay*, the former *Chief Social Work Adviser to the Scottish Government*, during the period from 1997 to 2013 in *Rotherham, South Yorkshire County (Northern England)* around 1.400 minors were subjects to sexual assault. In some cases, gang rapes of girls took place, including rapes of 11-year-olds. Some victims were doused with gasoline and threatened to be burned alive, threatened at gunpoint. Their friends were raped in front of them.

According to the report, during the last 12 years, the information about rape reached local police, guardianship authorities, and members of the City Council. At the same time, the victims experienced neglect at the police station.

The reports on the problem of pedophilia in *Rotherham* prepared earlier were heavily criticized or ignored. No effective measures to eliminate violence against children were taken.

In its final recommendations following the consideration of the initial report of the United Kingdom in May 2014 in connection with joining *Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography*, the *Committee on the Rights of the Child* expressed serious concern about the fact that current sexual assault legislation in England and Wales only protects children under the age of 13, while children over 13 are not protected by the state.

Right to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health, Right to Work

According to the British charity organization *Prince's Trust*, about 750 thousand young people between 16 and 25 years old in the UK believe that they have nothing to live for. These conclusions were made on the basis of a sociological research, attended by more than 2 thousand people. 21 percent of young people not working, not enrolled in educational institutions, not being professionally trained (the so-called *Neet* category) said that they had no reason to live. One in three people (32 per cent) thought about a suicide, and one in four (24 per cent) self-inflicted injury.

According to the survey, 40 per cent of young unemployed people suffered from symptoms of mental illnesses, including suicidal thoughts, feelings of self-loathing and panic attacks, and it was a direct consequence of unemployment. The study proved that those who do not work for a long time, are prescribed antidepressants two times more often than their peers.

Also, according to the *Prince's Trust's* information, over 440 thousand of young people face long-term unemployment.

Situation of Persons with Disabilities, Right to Social Security, Right to an Adequate Standard of Living

A recent report by the charity organization *Oxfam and The New Policy Institute* notes that the cuts of social assistance in the UK has led to the situation that almost 2 million of the poorest British population have even worse living conditions, face financial difficulties when buying products and paying bills. During the last 3 years 1.75 millions of British people faced absolute income reduction. The sharp change of social assistance had a negative impact on the living conditions of the unemployed, single-parent households, as well as non-working persons with disabilities.

The report was published amid the information that over the past year the number of UK residents seeking help in free food banks has increased by 163 per cent.

According to the survey by *the British Heart Foundation*, more than a third of British adults can not afford buying healthy food due to high food prices. 39 per cent of the 2.400 respondents refuse to buy healthier products, primarily paying attention to the price. 25 per cent of Britons said they did not buy any fruit or vegetable last week. Two-thirds of respondents say that they want to eat healthy, but cannot afford it because of the high costs.

Government's policy to reduce social expenditure and tighten procedures for obtaining disability benefits have led to a sharp deterioration of living standards of persons with disabilities.

Thus, according to the recent changes in the British legislation for persons between 16 and 64 years old, «disability daily allowance», relief for the disabled for the daily life and movement - are replaced by «personal independence payment». The possibility of receiving the new forms of payments is linked to the health assessment and evaluation of living conditions of the disabled person to do the daily household chores (washing, cooking, etc.) independently by inspector of social services. Based on these data the amount of payments is determined. Assessments are conducted on a regular basis and the amount of benefits is constantly adjusted. Statistics record the reduction of payments to the disabled.

If in 2012 the number of disability daily allowance recipients was more than 3 million people, by 2018, under the new scheme, the number of applicants for a «personal independence payment» (PIP) should be reduced by 600 thousand people.

The Government also introduced a procedure for disability assessment for persons applying for disability benefits, significantly reduced work-ability and surcharges due to illness and disability. In this regard, more than 2 million people were examined by physicians for their ability to perform certain types of work. Persons identified as disabled are transferred to a new category of recipients of disability benefits, and the amount of the allowance is established individually by more rigid inspection. According to experts, this procedure is aimed at «forcing people with disabilities to seek additional income».

According to «*Disability News Service*», the *Committee on the Rights of Persons with Disabilities* has initiated a formal investigation into the serious and systematic violations by the UK of the rights of people with disabilities. The Committee Secretariat did not officially confirm the investigation, noting that «under the Optional Protocol to the UN Convention on the Rights of Persons with Disabilities, the inquiry procedures are confidential».

Julie Newman, acting chair of the UK Disabled People's Council, said the inquiry would provide «some form of legitimate challenge» to government attacks on disabled people's rights and would eventually force the government to «backtrack» and stop the «irresponsible policy». She thinks, that «For a government to be so implacable in insisting on its course of action without any resort to due care and attention is appalling». She also stated a significant increase in the number of suicides among people with disabilities as a result of violations of their rights and expressed the hope that the investigation of the Committee will make the Government feel the international criticism, as it does not listen to the criticism within the country.

Several members of Parliament from the ruling Conservative Party, as well as representatives of the Government called the investigation «politically motivated», saying that the British care system for people with disabilities is «one of the best in the world».

Migrants' Rights, Right to Social Security, Right to an Adequate Standard of Living

Starting from January 2014 British Government limited the EU migrants' access to social benefits: the right to receive unemployment benefits is only granted after 3 month of permanent residence in the United Kingdom.

Additional limitations have been introduced since April 2014: immigrants from the EU receiving unemployment benefits are not subjects to housing benefits; unemployment benefit is paid during the 6-month period if a migrant can't prove that he or she has the real chance to get employment in the nearest future.

Moreover, the migrants' access to social benefits is limited by means of publishing brochures with information about Social Welfare in English only and by new practice of no longer providing free interpreters for migrants who want to be on welfare.

According to the British media, the government also plans to approve package of measures for cutting tax benefits for the EU immigrants who do low-paid jobs.

The Polish Ambassador to the United Kingdom, Witold Sobków criticized the planned measures. He stated that the British Government's decision to cut benefits for thousands of immigrants from the EU who do low-paid work is discriminatory. In his opinion, these measures will violate the EU immigrants' rights who pay the same taxes as the British citizens and have the same right to receive the same benefits. Sobków emphasized that the restriction of privileges received by EU taxpayers in Great Britain violates EU legislation and will be banned by European authorities.

UNITED STATES OF AMERICA

In 2014, one of the most acute human rights issues in the U.S. was the problem of **racial discrimination**. The murder of a black unarmed teenager Michael Brown by a white policeman Darren Wilson sparked a wave of mass protests thus revealing profound problems of the American justice system and racial contradictions that have not yet been eradicated. The fact that Mr. Wilson did not face criminal prosecution aggravated the situation even further.

A failed attempt of the Missouri Governor to impose the state of emergency and a curfew entailed mass clashes of protectors with police and *National Guard* units which rushed to the city.

Excessive use of force by the police resulted in a barrage of criticism aimed at U.S. President for militarization of police departments. The criticisms triggered the review of federal programs under which municipal police departments received military equipment – military aircraft, grenade launchers, armed tactical vehicles – for the total of over half a billion dollars. That equipment was thus intended for the use by American police against its own people.

Against the background of these events, *United Nations High Commissioner for Human Rights Zeid Ra'ad Al Hussein* on November 25, 2014 expressed his concern at the disproportionate number of African-Americans who die in encounters with police officers in the U.S. He also voiced his concern at the disproportionate number of African-Americans who die in U.S. prisons and at the excessive number of African Americans on death row.

Human rights activists continue to blame the Obama Administration for using national security interests and fight against terrorism as an excuse for human rights violations, for failure to live up to previous promises to close *Guantanamo Bay* detention facility, and for **failure to prosecute** the persons who tortured detainees of the *Central Intelligence Agency* prisons.

Problems of extraterritorial violation of the **right to life** by way of using drone aircraft, **interference with the right to privacy** through development of electronic surveillance programs by security services, discrimination of Muslims, spread of the climate of fear in Muslim communities by the use of surveillance and informers, and violation of the **right to humane treatment** of detainees still persist.

The problem of deportation of **migrants** has remained unresolved for many years. «Fast-track» deportations of incoming migrants prevent them from an opportunity to duly apply for refugee status, deprive them of the right to have the application considered as part of relevant administrative procedures. Deported migrants are forced to return home, in some cases risking their life.

Migrant children and asylum seekers are subject to mass **arbitrary detentions** for indefinite period of time in the conditions of degrading treatment and lack of access to a lawyer.



The facts in the report of Senator Feinstein testify to an unprecedented level of cruelty of CIA officers (Iraq, Abu-Ghraib prison). Photo: AP

Following international commitments have been violated:

ICCPR:

art. 6 (right to life)

art. 7 (no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment)

art. 9 (right to liberty and security of person; no one shall be subjected to arbitrary arrest or detention)

art. 10 (right of those deprived of liberty to be treated with humanity and with respect for the inherent dignity of the human person)

art. 14 (right to a fair and public hearing by a competent, independent and impartial tribunal)

art. 19 (right to freedom of expression, including freedom to seek, receive and impart information)

art. 21 (right to peaceful assembly)

ICERD:

art. 2 (commitment to condemn racial discrimination and not to sponsor, defend or support racial discrimination by any persons or organizations; commitment to take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination)

art. 5 (right of everyone without distinction to equality before the law, including the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual group or institution)

CAT:

art. 2 (commitment to take effective measures to prevent acts of torture)

art. 3 (commitment no to expel, return («refouler») or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture)

art. 4 (commitment to ensure that all acts of torture are offences under its criminal law)

Right to be Treated with Humanity, Right to be Protected from Torture, Degrading Treatment, Right to Life, Right to a Fair Trial

On December 9, 2014 Senate Select Committee on Intelligence issued a report on interrogations of terrorism suspects conducted by the Central Intelligence Agency. In particular, the report reads that following 9/11 a comprehensive program was launched to search for terrorists through the so-called «enhanced interrogations» of the suspects.

The facts in the report attest to unprecedented levels of cruelty by CIA officers toward detainees. For example, to extort information from prisoners sophisticated torture and mockeries were used which in some cases resulted in death: waterboarding, rectal rehydration, rectal feeding, prolonged sleep deprivation, walling, prolonged stress positions, placing in confinement boxes, forced nudity, exposure to cold.

The report of Dianne Feinstein, Chair of the U.S. Senate Select Committee on Intelligence, also confirms the existence of CIA secret prisons in different countries of the world.

In his comments on the report, U.S. President Barak Obama indicated that cruel methods used by CIA do not correspond to American values, and also hamper U.S. efforts to fight terrorism and protect national security.

While welcoming the recognition of torture and existence of CIA secret prisons, the public and human rights activists criticized the Obama Administration for its refusal to take measures to investigate the cases of use of torture and prosecute the perpetrators.

In its concluding observations on the fourth Periodic Report of the U.S. in March 2014, the Committee on Human Rights expressed

its deep concern at the non-conviction of persons for unlawful killings, the use of torture or cruel treatment, unlawful detention or enforced disappearances; the practice of targeted killings in extraterritorial counter-terrorism operations using unmanned aerial vehicles (the so-called drones); the lack of access of detainees of Guantanamo Bay detention facility to fair trial; widely used interference with the right to privacy or correspondence; de facto disenfranchisement of large numbers of voters; racial profiling in New York City; racial disparities in sentencing, including capital punishment; ineffective protection of the right to life and circumventing the limits of legitimate self-defense; excessive use of force by law enforcement officials.

Right to Life, Right to be Protected from Racial Discrimination, Right to be Protected from Torture, Cruel Treatment, Arbitrary Detention or Imprisonment, Right to Free Expression of Opinion, Peaceful Assembly

August 9, 2014, Ferguson, Missouri: a wave of mass protests was triggered by the murder of a black unarmed teenager *Michael Brown* by a white policeman *Darren Wilson*. Mr. Wilson shot at point-blank range *Michael Brown* for failure to comply with the order to move to the pavement from the street.

Heavy military machines, shotguns, M-4 machine guns, grenades, tear gas, flash grenades, rubber coated metal bullets, special equipment were used against demonstrators. The police are reported to have used in Ferguson remotely triggered crowd control equipment that generates targeted sound waves painful for human ear. Hundreds were arrested.

U.S. President Barack Obama condemned the disturbances and reassured the public that the killing of the teenager would be thoroughly investigated.

In connection with the events in Ferguson, a U.S. newspaper *The Washington Post* published a secret directive *Number 3025.18 «Defense Support of Civil Authorities»* adopted late 2010. The Directive authorized U.S. Army to use military force against Americans in case of mass unrest and protests.

U.S. human rights organizations declared their intention to insist on *Obama's* adopting comprehensive reforms to eradicate racial profiling of law enforcement authorities and profiling to stop police militarization at grassroots level.

On *November 25, 2014* riots and clashes started in Ferguson again after the grand jury declined to find officer *Wilson* guilty of murder. Besides, TV channel ABC News showed interview with Mr. *Wilson* where he noted that he acted by the book and shot to kill. Police used tear gas to disperse protesters. During the day at least 60 people were detained.

Influential U.S. media in their comments on the situation in Ferguson noted that the consequences of the death of *M.Brown* «not a whit less bitter» than the fact of his murder. *The New York Times:* «Months of anger and frustration, in the end, led only to more anger and frustration».

Missouri State Senator from the District of St.Louis in an interview to *MSNBC* called the events in Ferguson a «racial war».

The family of *Michael Brown* expressed «deep disappointment that the killer of their child will not be responsible for what he did».

U.S. President Barack Obama called on those who disagree with the decision of the jury to protest peacefully, called on the police to demonstrate restraint.

Mass demonstrations against the verdict of the jury also took place in *New York, Chicago, Los Angeles, Washington, Atlanta*. In New York City during protests about 200 people were arrested. About 3 thousand demonstrators on the steps of the National Museum in Washington DC sang the words of the famous speech of *Martin Luther King* «*We Shall Overcome*». Protests took place in 38 U.S. states altogether.

According to the U.S. edition *The Daily Beast*, after the death of *Michael Brown* police officers shot and killed another 14 teenagers.

In December 2014, a jury in New York has also refused to convict police officer *Daniel Pantaleo*, whose actions made in July 2014 resulted in the death of 43-year-old African American *Eric Garner*. Mr.Pantaleo used a chokehold while arresting Mr.Garner thus causing his death.

December 2, 2014, Phoenix: A policeman shot dead 34-year-old African American *Rumain Brisbon*, having taken him for a drug dealer threatening the officer by mistake.

Hundreds of African Americans went to the streets in Phoenix to protest against the tyranny of the police. They demanded to disclose the name of the officer who shot Mr. Brisbon and bring him to justice.

Human Rights Watch in its report *The Illusion of Justice* published on July 21, 2014, stated that the *U.S. Department of Justice* and the *Federal Bureau of Investigation* under the pretext of fighting terrorism implanted a climate of fear in the Muslim community through the use of surveillance and informants.

It is reported that since September 2001 more than 500 people have been convicted by federal courts on charges of terrorist activity or crimes related to terrorism. As of October 2013, there were 475 people serving sentences in U.S. prisons for such crimes. At the same time detainees are often held in poor conditions such as a long stay in solitary cell and strict restrictions on communication with family and friends.

In its concluding observations following consideration in August 2014 of 7th - 9th periodic reports of the U.S., the *Committee on the Elimination of Racial Discrimination* expressed grave concern over racial profiling; high number of gun-related deaths and injuries which disproportionately affect members of racial and ethnic minorities, particularly African Americans; the lack of prohibition of racist hate speech; actual deprivation of individuals belonging to racial and ethnic minorities and indigenous peoples to effectively exercise their right to vote; discrimination and segregation in housing; brutality and excessive use of force by law enforcement officials against members of racial and ethnic minorities, including against unarmed individuals, which has a disparate impact on African Americans and on undocumented migrants crossing the United States - Mexico border.

Right to Freedom of Expression, Freedom to Seek, Receive and Impart Information, Right to Security of Person, Freedom from Arbitrary Arrest or Detention

August 13, 2014 Ferguson: The Washington Post reporter *Wealey Lowery* and *The Huffington Post* reporter *Ryan Reilly* were both arrested by the police while reporting on riots caused by a murder of a local resident by the police officer. The journalists were eventually released without being charged.

The OSCE Representative on Freedom of the Media Dunja Mijatović in a press release dated August 14, 2014 stated that the arrest of two journalists covering the massive protests was unacceptable and constituted a clear violation of the rights to media coverage. Ms.Mijatović called the incident as a dangerous precedent, which should not be justified. She underlined that journalists have a right to report on mass demonstrations without being intimidated by the police.

August 18, 2014 Ferguson. Getty Images photographer *Scott Olson* and *German journalists Angsar Graw* and *Frank Herrmann* were arrested by the police while reporting on the riots in Ferguson. All three were later released.



Heavy military machines were widely used against demonstrators in Ferguson, Missouri. Photo: Scott Olson / Getty Images

The OSCE Representative on Freedom of the Media Dunja Mijatović in a press release dated August 19, 2014 urged law enforcement agencies in the U.S. to respect the right of media to cover public events without undue restrictions. She called on the authorities to thoroughly investigate these incidents and to ensure that journalists covering events in Ferguson could work freely and safely.

Right to Security of Person, Freedom from Arbitrary Detention, Rights to Freedom of Expression, Peaceful Assembly

February 17, 2014, Washington DC. More than 20 participants of a peaceful protest against the deportation of illegal immigrants from the U.S. and excessively rigid policy of Obama Administration in the field of migration were arrested. The police explained arrests by the fact that the demonstrators failed to comply with the order to disperse.

Among the arrested were religious and public leaders, leaders of human rights organizations which support the reform of immigration laws. The event was peaceful. As the event was organized by the United Methodist Church, the protesters prayed and sang religious songs.

Situation of Migrants, Right to be Protected from Expulsion, Return or Extradition, Right to be Treated with Humanity

According to the report of *Human Rights Watch* published in October 2014 titled «*You Have no Rights Here*», current legal regulations of the U.S. allow the immigration authorities to conduct at their discretion a «fast-track» inspection of migrants arriving into the country and deport them immediately.

The indignation of *Human Rights Watch* caused the U.S. government's decision to open in 2014 two migrant detention centers to allocate detained migrants in the states of *New Mexico* and *Texas*, as well as to announce building of a new center in *Texas*.