

**Ministry of Foreign Affairs
Republic of Belarus**



The Most Resonant Human Rights Violations in Certain Countries of the world

2023

INDEX

Austria	4	Norway	31
Belgium	6	Poland	33
Bulgaria	9	Romania	37
United Kingdom	12	Slovakia	39
Germany	14	Slovenia	40
Greece	17	USA	42
Spain	19	Finland	46
Italy	22	France	49
Latvia	23	Czech Republic	51
Lithuania	26	Switzerland	53
Netherlands	28	Sweden	58
		Estonia	63

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

CRC - Convention on the Rights of the Child

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

CEDAW - Convention on the Elimination of Discrimination against Women

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

CRPD - Convention on the Rights of Persons with Disabilities

CSF - Convention relating to the Status of Refugees

Opening statement

The report on the human rights situation in certain states of the world, prepared by the Ministry of Foreign Affairs of the Republic of Belarus, is a logical continuation of the established practice of the Foreign Ministry's extensive coverage of the entrenched systemic problems experienced by Western societies in the field of human rights.

This paper is not intended to judge any country on the basis of its human rights record. No state is perfect in this regard. It would be naive to assume that the social patterns of some countries can be a universal yardstick for other states with different histories, cultures, and lifestyles. Equally absurd would be an attempt to pass a verdict or give a grade to someone, which, incidentally, is often a sin of the Western countries themselves.

The information contained in the report is based, in addition to media reports, on information from the universal periodic review reports of the United Nations Human Rights Council (HRC), conclusions of the special procedures of the HRC and international human rights bodies and reports of regional and national NGOs.

The report demonstrates a common configuration of problems, typical for all Western countries: systemic discrimination in society, almost daily dispersals of peaceful protesters advocating improved socio-economic rights, violations of the rights of refugees and migrants, blocking access to media that broadcast an alternative governmental point of view. All of this is vividly illustrated in the report by specific cases that openly demonstrate the double standards of Western countries with regard to respect for human rights at home and in other states.

Ensuring human rights is, first and foremost, an internal affair of every state, as it constitutes an important part of the daily work of all organs of the state machinery. And Western countries are no exception.

Each country is unique in its diversity and there is no single recipe that can be applied to all societies. Unfortunately, this understanding is woefully lacking in many people today.

No one in today's world doubts the importance of human rights. But everyone needs to get rid of the false belief that there is a universal consensus on some ideal or acceptable international standard of implementation of the concept of human rights.

Mutual respectful dialogue and consideration of the national peculiarities of the development of each particular country must be decisive in inter-State relations, including on human rights, as Belarus had always called for.

Sergei Aleinik,
Minister of Foreign Affairs
of the Republic of Belarus

AUSTRIA

The following international obligations have been violated:

ICCPR:

Article 6 (right to life)

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

Article 19 (right to freedom of expression)

Article 21 (right to peaceful assembly) art.

Article 26 (right to effective protection against discrimination on any ground such as race, color, sex, language, religion, political or other opinion)

ICESCR:

Article 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)

CSB:

Article 32, 33 (right to protection against refoulement or forcible return to countries where their life or freedom would be threatened)

CRC:

Article 27 (right of the child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development)

CAT:

Article 3 (right to protection from expulsion to countries where there is a risk of torture)

In Austria in 2022, there was severe pressure put on the media by the federal authorities.

At several protests in Vienna, the police prevented journalists from observing and reporting on the protests or failed to adequately protect them from attacks by protesters. When evicting people from the protest camp in April, the police created a separate press area for journalists at such a distance from the camp that it was impossible to adequately observe what was happening.

The use of legal procedures, including lawsuits, to pressure newsrooms and journalists to report on government corruption using information from so-called whistleblowers has increased.

In March 2022, a whistleblower who played a key role in obtaining videos of high-level federal government corruption was sentenced to more than 3.5 years in prison.

Non-state media, politicians, and public activists sharply criticized the draft of the new federal law on the public television and radio corporation ORF. The government is proposing a new "ORF tax" for all households, including those without registered signal receiving devices. Since it is not a subscription to a media product, but a mandatory tax, failure to pay would incur a fine of more than 2,000 euros or a prison sentence.

Independent media, suffering from a sharp decline in subscription revenues as a result of the pandemic, criticized the draft law because of discrimination in favor of the ORF, which would gain an unfair, privileged market position while depending on the influence of the parties that form the government and promote the law through the parliament. Individuals affiliated with these parties have already been appointed to the leadership and supervisory board of the ORF in 2022. The law is being passed against the backdrop of the de facto bankruptcy of the world's oldest newspaper, Wiener Zeitung, which is owned by the federal government but does not receive the necessary funding, including, according to some reports, because of independent editorial policies critical of the government.

The situation of migrant children is particularly acute.



Photo: [Die Presse/Esther Reiserer](#)

Although 90,000 Ukrainian refugees received temporary protection in Austria during 2022 under the EU's Temporary Protection Directive, the Austrian Interior Ministry reported in September that 5,100 unaccompanied asylum-seeking children disappeared in seven months. Many NGOs and activists have demanded the immediate appointment of a legal guardian for all unaccompanied minors upon their arrival, not just after the asylum procedure, which can take several months. Human rights organizations note that law enforcement authorities in Austria have continued to use facial recognition technology without a clear legal basis, despite potentially discriminatory effects on national minorities, as well as violations of the rights to privacy, freedom of expression and peaceful assembly.

Allegations of excessive use of force by the police during the May 1, 2021 demonstration are not investigated. There is no independent investigative body, which the government announced back in 2020. Police officers are still not required to wear identification badges, further impeding their accountability.

Serious problems persist in providing social housing and other vital social services and ensuring social standards, especially for the most vulnerable affected by the economic impact of the pandemic. Lack of information, high levels of bureaucracy, language barriers and legal requirements that deliberately exclude Austrian and non-Austrian citizens have left many applicants without access to appropriate services and assistance from the state. There are serious problems with the prevention of domestic and gender violence. During 2022 there were 28 cases of gender-related killing of women, including due to a lack of space in temporary shelters for victims of domestic violence.

BELGIUM

The following international obligations have been violated:

ICCPR:

Article 6 (right to life)

Article 19 (right to freedom of expression)

Article 26 (right to effective protection against discrimination on any ground such as race, color, sex, language, religion, political or other opinion)

ICESCR:

Article 7: (right to favorable conditions of work)

Article 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)

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

CEDAW:

Article 11 (right to equal remuneration, including benefits, to equal treatment in respect of work of equal value, and to equal treatment in the evaluation of the quality of work)

Article 12 (right to non-discrimination in health care, to access to health care, and to appropriate care during pregnancy, childbirth, and the postpartum period, providing free services when necessary, as well as appropriate nutrition during pregnancy and lactation)

ICERD:

Article 2d (obligation to prohibit racial discrimination by any persons, groups, organizations)

Article 4 (obligation to take measures to eradicate all incitement to racial hatred, discrimination)

Article 5 (right to equality before the law, without discrimination, including the right to security of person and protection by the state against violence)

CRSR:

Article Art. 32,33 (right to protection from expulsion or refoulement of refugees to countries where their lives or freedom would be threatened)

Article 31 (obligation of States not to hamper unnecessarily the freedom of movement of refugees unlawfully present in their territory)

CRC:

Article 5 (right of the child to a standard of living adequate for the child's physical, mental and social development)

CAT:

Article 2 (prevention of acts of torture)



Photo: <https://scd.infomigrants.net/>

There are certain systematic problems in the field of human rights in Belgium, they are well known and the so-called human rights organizations pay continued attention to those issues. Belgium's "chronic" problems in the field of human rights include: issues of migrants and refugees, prison overcrowding, racial discrimination and other forms of discrimination, police violence, etc.

In 2022 and early 2023, there was an acute shortage of refugee shelters in Belgium.

Refugees seeking protection in the Kingdom,

including families with children, were forced to spend nights on the streets in front of reception centres in cold weather conditions.

In the autumn-winter period of 2022-2023, one could witness a grow of number of tents on the streets of Brussels in which the seekers of protection were forced to spend their days and nights. The numbers varied from a few dozens to hundreds. Many were forced to live in inadequate conditions for months.

There have been cases of denial of medical services to asylum seekers, including obstetric care. In January 2023, it was reported that UZ Jette hospital in Brussels denied care to a pregnant woman seeking asylum in Belgium as she did not have health insurance. She had to look for another hospital to give birth.

It was reported that at the end of 2022, more than 3 thousand people were waiting for reception places. Some of them continued to live in unsanitary conditions in squatted premises, where cases of tuberculosis, scabies and cutaneous diphtheria were identified.

In February 2023, one of such premises was evicted by the authorities, displacing hundreds of refugees from their temporary shelter. Although the government provided some accommodation, many were left on the streets.

In November 2022, the European Court of Human Rights (ECHR) has strongly condemned Belgium for failing to provide refugees with shelter while awaiting consideration of asylum applications.

The court ruled in favour of 148 people. All of them has previously filed complaints with the Brussels Court, which in each case ordered the federal authorities to house the applicants in a reception center or other suitable facility and to ensure their reception in accordance with the law.

However, these orders were not implemented. The ECHR demanded the Belgian state to provide these plaintiffs with "accommodation and material assistance to meet their basic needs for the duration of the proceedings before the court".

A well-known problem in Belgium is prison conditions, which Amnesty International experts call "inhumane," in particular due to lack of access to sanitary facilities and medical care. In June 2022, the Committee of Ministers of the Council of Europe expressed "deep concern" about structural overcrowding and the deteriorating situation in Belgian prisons and called on the authorities to promptly take decisions to improve detention conditions.

On November 1, 2022, the UN Committee on the Elimination of Discrimination against Women (CEDAW) distributed the concluding observations on the eighth periodic report on Belgium's compliance with the Convention on the Elimination of All Forms of Discrimination against Women.

The Committee noted that the process of gaining access to legal aid had become more complex, despite the amendments to the Belgian Judicial Code.

The Committee recommended to ensure that the procedure to access the legal aid and public defence services is accessible, sustainable and responsive to the needs of women.

The Committee noted with concern that despite existing legislation and measures taken, there are still harmful practices against women and girls, such as child and/or forced marriage, forced sterilization of women and girls with disabilities, and invasive and irreversible medical interventions to assign a sex of children with intersex variations at birth.

CEDAW recommended Belgium to provide capacity-building to law enforcement officials on the strict application of legislation prohibiting child and/or forced marriages and raise awareness of their criminal nature.

Despite certain improvements, a gender gap in the labor market persists in Belgium. According to a study by the High Council for Employment (HRW), Belgium has fewer employed women than men (67% versus 75%), with women earning 8.5% less and doing more unpaid housework.

Work-life balance is a particular challenge for women in the country. Women get higher scores in higher education but lose this advantage with the birth of the first child.

Research by the Inter-Federal Center for Equal Opportunities UNIA, published in 2022, revealed structural discrimination against people of African descent in access to housing and persistent structural and direct discrimination against non-citizens in the labor market.

In February 2023 UNIA published data on more than 50 facts of discrimination against Russians and Ukrainians, 40 of which concerned the Russian community. It is indicated that against the background of



Photo: <https://scd.infomigrants.net/>

the Russian-Ukrainian conflict there has been an increase in discriminatory manifestations directed against the Russian and Ukrainian communities in Belgium.



Photo: <https://www.politico.eu/>

The non-governmental organization Ligue des Droits Humains reported that foreign citizens or persons with dual citizenship are more likely to be subjected to acts of violence in the course of arrest or detention than Belgian citizens.

In 2022-early 2023, further to increasing inflation, decrease in purchasing power, increase in the workload in certain sectors, new agricultural regulations, etc., a series of manifestation with socio-economic demands took place in Belgium. The government did not take substantive steps to respond to the demands of the citizens.

As evidence of the gravity of the situation, in April 2023, the Belgian consumer protection organization Test Aankoop called for a price freeze on 100 basic foodstuffs for three months. Testa Aankoop calculated that in March 2023, products in Belgian supermarkets became 20% more expensive than a year earlier. It was proposed to introduce the “anti-inflation basket” containing basic food products: bread, milk, fruits and vegetables. . Such measures were taken in a number of countries, but the Belgian authorities did not rush to support this initiative. At the same time, the Belgian government announced plans to increase the defense budget to 1.57% of GDP by 2030 (75% more than five years ago) and to 2% by 2035.

In 2022 and early 2023, Belgium was particularly concerned over the intensification of the criminal activities of drug cartels, the so-called “narco-terrorism”. The criminal situation in Antwerp has deteriorated. Given certain developments, one may note that the authorities do not always cope with ensuring the proper level of security of citizens and their property. Continuing the series of criminal incidents in Belgium, Central Antwerp was rocked by a powerful explosion at the beginning of April 2023: about 20 houses and five cars were damaged, one person was injured. The police suspect the involvement of drug traffickers.



Photo: <https://www.politico.eu/>

In September 2022, the Brussels Court of Appeal ordered the Belgian government to pay EUR 100,000 compensation to Nizar Trabelsi for damages he suffered while being extradited to the US, and to request his return to Belgium from the U.S. Trabelsi is a former Tunisian footballer who was convicted in Belgium in 2003 for planning an attack on an air base where U.S. military staff are based. He was sentenced to 10 years in prison, which he served, and then Belgium extradited him to the U.S., despite the European Court of Human Rights ruling that he should not be sent to the United States, where prison conditions can be regarded as inhuman and degrading dignity appeal.

In October 2022, Belgian citizens sued the government over human rights issues related to air pollution in violation of the EU Ambient Air Quality Directive. The pollution thresholds in Belgian law reflect outdated scientific approaches that allow pollution concentrations four times higher than what is allowed under the WHO recommendations.

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BULGARIA

The following international obligations have been violated:

ICCPR:

Article 7 (protection from torture or cruel, inhuman or degrading treatment)

Article 19 (the right to freedom of expression)

Article 21 (the right of peaceful assembly)

Article 26 (the right to effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion)

ICESCR:

Article 11 (the 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)

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

CRSR:

Article 31 (commitment of states not to apply unnecessarily restrictions to the movements of refugees who illegally present on their territory)

Article 32,33 (the right to protection against expulsion of refugees or their forcible return to the countries where their life or freedom would be threatened)

CAT:

Article 2 (prevention of acts of torture)

Article 3 (the principle of non-refoulement)

ICERD:

Article 2d (commitment to prohibit racial discrimination by any persons, group or organization)

Article 4 (commitment to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, racial discrimination)

Article 5 (the right to equal treatment before the law, without any discrimination, including the right to security of person and protection by the State against violence)

Non-governmental organizations, including Human Rights Watch in its annual human rights report 2023, note that Bulgaria, along with other EU member states, continues to engage in unlawful pushbacks and violence at its borders against asylum seekers and migrants.

On 5 December 2022, Lighthouse Reports published a joint investigation conducted in cooperation with several Western media outlets and containing visual evidence of use of live ammunition on the Bulgarian-



Photo: www.lighthousereports.nl

Turkish border against asylum seekers.

The incident occurred on 3 October 2022, when a group of disgruntled migrants, who had been previously pushed back by the Bulgarian border forces to Türkiye, started throwing stones in protest towards the Bulgarian border fence.

The moment of shot has been captured on the released video on the Internet which shows one of the refugees (later turned out to be 19-year-old Abdullah El Rustum Mohammed from Syria) falling to the ground after a bullet goes through his hand and into his chest. According to media reports, the Syrian teenager has undergone three operations, and his left arm remains paralyzed. In an interview given some time after the incident, Abdullah El Rustum Mohammed claimed that he had been wounded by a bullet fired by one of the Bulgarian border guard. The outcomes of the investigation also prove this fact.

The forensic analysis of the footage and collection of eyewitness

accounts identified that the shot was fired from the exact spot where the Bulgarian border guards located. According to Human Rights Watch report published on 26 May 2022, the Bulgarian authorities regularly beat and rob migrants and asylum seekers and then push them back to Türkiye without any formal interview or asylum procedure. The report is based on the interviews with 15 Afghan refugees being victims of 19 pushbacks by the Bulgarian authorities to Türkiye between summer 2021 and April 2022. The Bulgarian police beat the migrants either when they were detained on the Bulgarian territory or in the course of forcibly returning them to Türkiye. In most cases, their belongings and clothes were taken away, in some cases, they

were left without shoes, only in underwear and t-shirts in freezing temperatures. Police dogs were set on the migrants and some of them suffered bites.

On 27 July 2022, the Bulgarian Helsinki Committee reported on its website that Mr. A.H., an Afghan national with a humanitarian status granted by the Bulgarian authorities, became a victim of forcibly returning from Bulgaria to Türkiye. In particular, on 27 and 28 April 2022, following a police check, during which his Bulgarian identity card was confiscated unlawfully and without due procedure, Mr. A.H. was forcibly removed to the territory of Türkiye three times, bypassing the established checkpoints. The Afghan national was repeatedly beaten by the Bulgarian police officers, he was stripped of his clothes, shoes, money and telephone and was left in his underwear in a helpless and humiliated state.

On 4 October 2022, the European Court of Human Rights (ECtHR) ruled that the Bulgarian authorities had violated the rights to private and family life and to non-discrimination regarding Roma who were forced to leave their homes in the village of Voyvodinovo (Plovdiv region) in January 2019.

The incident between two Roma and a 33-year-old serviceman, as a result of which the latter was hospitalized, caused protests supported by radical racist groups, with participants shouting anti-Roma slogans and threatening physical violence. Police forces arrived at the scene in order to maintain public order. The mayor of Voyvodinovo supported the protesters and told the Roma to leave the village. Fearing for their safety, about a hundred Roma, including pregnant women, children and elderly people, left Voyvodinovo without delay and had to stay temporarily with relatives, friends, in shacks and abandoned buildings. Subsequently, some of the Roma buildings in Voyvodinovo were declared illegal by the authorities and demolished, while access to others was prohibited due to a lack of necessary documentation, making it impossible for people to return to their homes.

The ECtHR found that the cumulative effect from the inaction of the Bulgarian competent authorities (mayor, police and prosecutor's office) led to the situation, in which all the applicants had been expelled from their homes, and this inaction was not sanctioned in the national proceedings. The Court ordered Bulgaria to pay the applicants a total of 109,000 euros in respect of non-pecuniary damage.

On 18 October 2022, The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) published report on its October 2021 periodic visit to Bulgaria, which finds the absence of any real progress in the application of fundamental safeguards against ill-treatment of persons in custody (including the right to notify one's detention to a third party and the right of access to a lawyer and to a doctor; in most cases these safeguards were not applied during the initial 24-hour police custody). The report states extremely poor and, in some cases, unacceptable material conditions found in penitentiary establishments, in particular, at Sofia Prison and in most of the premises at Kremikovtsi Prison Hostel (with regard to the latter it is recommended to take measures to close it and to transfer the prisoners to other prison hostels). It is also noted that inter-prisoner violence is a widespread phenomenon in prisons. The report mentions a shocking case when the staff at Sofia Prison encouraged inmates to gang rape another inmate detained on charges of sexually abusing minors.

Regarding treatment, conditions and legal safeguards afforded to patients with mental disorders and residents of social care homes, the CPT notes a persistent failure by the Bulgarian authorities to address most of the fundamental shortcomings and to implement the specific recommendations repeatedly made by the Committee for many years.

The U.S. State Department's Country Report released in April 2022 also notes serious human rights problems in Bulgaria. They include abuse of power by law enforcement agencies, arbitrary detentions, including during mass protests, restrictions on freedom of expression, corruption in government, intolerance and discrimination against Roma, as well as violence against children and sexual minorities. Ensuring the independence of the judicial system remains a significant problem, with public trust in it remaining low because of the perception that magistrates are susceptible to political pressure and render unequal justice. With regard to media, it is highlighted that independent media outlets were subject to open attacks from politicians at all levels, as well as administrative and judicial pressure. Journalists reported editorial prohibitions on covering specific persons and topics and the imposition of political points of view by the management of corporations associated with government.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

The following international obligations have been violated:

ICCPR:

Article 19 (right to freedom of expression)

Article 26 (right to effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion)

ICESCR:

Article 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)

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

ICERD:

Article 4 (obligation to adopt measures designed to eradicate all incitement to racial hatred, discrimination)

Article 5 (right to equality before the law without any discrimination, including the right to security of person and protection by the State against violence)

CSR:

Article 32,33 (right to protection against the expulsion of refugees or their forcible return to countries where their life or freedom are threatened)

CRC:

Article 5 (right of the child to a standard of living adequate for the child's physical, mental, and social development)

CAT:

Article 2 (prevention of acts of torture)

Article 3 (right to protection from extradition to countries where there is a threat of being subjected to torture)

Public outrage over imprisonment of the whistleblower journalist and WikiLeaks founder Julian Assange continues unabated in the United Kingdom. On 11 February 2023, about 2 000 supporters of the journalist



held a rally in central London demanding his release. Former Labour Party leader Jeremy Corbyn was among the speakers at the rally.

J. Assange has been incarcerated in Belmarsh Prison in London since the British police arrested him on 11 April 2019. Former Home Secretary Priti Patel approved an order in June 2022 to extradite J. Assange to the US, where he faces a 175-year sentence for the publication of classified documents exposing war crimes in Iraq and Afghanistan.

According to Human Rights Watch Report 2023, restrictive social security policies continued to negatively impact the right to an adequate standard of living, to food, and to housing for families with children and other recipients of social security support, including many people in paid employment. In November 2022, thousands of people joined a demonstration in London, calling for general elections amid the worsening cost-of-living crisis in the United Kingdom.



Photo: <https://morningstaronline.co.uk>

According to Human Rights Watch Report 2023, in July 2022, the UK ratified the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence, but did so with reservations that exclude from protection migrant women who depend on their abuser – leaving them without access to crucial support and a pathway to escape violence – and limit the possibilities of prosecution for violence committed outside UK territory. Throughout the year, UN officials expressed numerous concerns over human rights situation in the United Kingdom.

Since 2019, Professor C. Harvey, former Commissioner of the Northern Ireland Human Rights Commission,



Photo: <https://www.aljazeera.com>

has been the subject of a vicious online campaign, in connection with his work as Professor of Law at Queens University Belfast. He received hundreds of smears and threats from politicians, journalists and other social media users. His personal security has also been threatened. Much of C. Harvey's recent work focuses on the constitutional future of Northern Ireland, following the UK's withdrawal from the European Union. On 24 March 2022, UN experts said that "an ongoing smear campaign against human rights lawyer Colin Harvey threatened academic freedom in Northern Ireland and had the potential to spark physical

violence.

On 17 June 2022, the UN Special Rapporteur on trafficking in persons, especially women and children S. Mullally urged the United Kingdom to halt transferring asylum seekers to Rwanda and expressed serious concern that the country's asylum partnership arrangement violates international law, and risks causing irreparable harm to people seeking international protection.

At the session of the UN Human Rights Council's Universal Periodic Review Working Group (7-18 November 2022) states voiced criticism in connection with UK's selective approach to accepting migrants from other, mainly African, countries, neo-Nazi manifestations, discrimination on the basis of race and ethnicity, increasing anti-Semitic incidents, including violence, attacks, threats, insults, desecration of property. The Northern Ireland Troubles (Legacy and Reconciliation) Bill, which amnesties serious human rights violations during the conflict in Northern Ireland and deprives victims of legal protection, was also criticised. On 19 January 2023, UN High Commissioner for Human Rights V. Türk said that proposed amendments to the Northern Ireland Troubles (Legacy and Reconciliation) Bill should adequately ensure respect for the rights of victims, survivors and their families.

According to V. Türk, "the draft legislation as it stands appears to be incompatible with the UK's international human rights obligations". He noted that, the Bill foresees the provision of conditional immunity from investigation and prosecution for those accused of having committed serious human rights violations and other international crimes, which would be at variance with the UK's obligations to prosecute and punish those found responsible for serious human rights violations.

On 27 January 2023, the UN Working Group of Experts on People of African Descent following its country visit to the United Kingdom said that racism in the UK "is structural, institutional and systemic".



Photo: <https://www.infomigrants.net/en/post/>



Photo: <https://socialistworker.co.uk/news/>

According to the group, people of African descent continue to encounter racial discrimination and erosion of their fundamental rights. The experts said that they had serious concerns about the impunity and failure to address racial disparities in the criminal justice system, including in connection with deaths in police custody. The working group stated that a decade of austerity measures in the UK had exacerbated racism, racial discrimination and other intolerance people of African descent encounter “Austerity to the peril of fundamental rights is a costly undertaking for the UK”, said Catherine Namakula, Chair of the Working Group. The experts pointed out that for people of African descent, their experience with state and public institutions, the private sector and society was that it perpetuated racial hierarchies. These people “are victimised and have no assurance of effective redress from authorities or the justice system

On 19 January 2023, a British Jewish charity “Community Security Trust” (CST) published its report “Campus Antisemitism in Britain 2020 – 2022”.

The CST recorded a total of 150 university-related antisemitic incidents in the last two academic years: 95 incidents in 2020/2021 and 55 incidents in 2021/2022. The total number of incidents marks a 22 percent increase from the total of 123 university incidents recorded in 2018 – 2020.

The 150 incidents recorded by the CST took place across 30 cities. The Guardian newspaper confirms “numerous instances” of anti-Semitism in the student community over the past decade and reports that the National Union of Students (NUS) has failed to protect Jewish members and activists from hostile attacks within the organisation. The independent

investigation found multiple examples of Jewish students having been subjected to antisemitic bullying and ostracisation within the NUS because of their faith and their views on Israel, and that the NUS’s internal procedures had been inadequate or repeatedly ignored in dealing with their complaints.



Photo: <https://www.lbc.co.uk/news/>

GERMANY

The following international obligations have been violated:

ICCPR:

Article 6 (right to life)

Article 19 (right to freedom of opinion)

Article 21 (right to freedom of assembly)

Article 26 (right to effective protection against discrimination on any ground such as race, colour, language, religion, political or other opinion)

ICERD:

Article 5 (right of everyone, without any distinction to equality before the law, including right to personal safety and protection by the State against violence)

CRC:

Article 2 (right of each child to protection by the State against discrimination of any kind)

Article 28 (right of the child to education)

CAT:

Article 2 (prevention of acts of torture)

CEDAW:

Article 2 (right of women to non-discrimination))

According to international human rights organizations and to a number of European structures involved in rule of law work, in Germany in 2022 occurred violations of human rights and relevant international obligations. In particular, cases of violence against children, discrimination against certain categories of citizens and violations of rights to freedom of expression and of peaceful assembly became more frequent.

On September 29th, 2022, the Committee on the Rights of the Child published its conclusions on Germany, which noted the prevalence of violence against children, including sexual exploitation and violence online, and therefore recommended that the authorities strengthen measures to ensure that child victims or witnesses of violence have prompt access to support, and develop a comprehensive national strategy to prevent and to combat all forms of violence against children.

The Committee also expressed concern at a prolonged stay of some asylum-seeking and refugee children in reception centers and collective residences. The Committee urged Germany to give priority to an immediate transfer of such children from these reception centers and to guarantee a rapid access to education and a necessary support.

In October 2022, the Council of Europe's Group of Experts on Action against Violence against Women and Domestic Violence (Grevio) in its report on Germany identified serious shortcomings in the protection of women and girls from gender-based violence in Germany, including abuses using technology, such as cyberstalking or unauthorized photographing of body parts.

According to the report, women's shelters and counseling centers are very unevenly distributed in Germany. Germany still lacks a National Action Plan, which is stipulated in the Council of Europe Convention on preventing and combating violence against women and domestic violence.

The counseling center for victims of right-wing extremist, racist and anti-Semitic violence "Reachout" in Berlin has filed charges of "excessive violence" against Berlin police officers who caused the death of a 64-year-old black man on September 14th, 2022.

By court order, the above-mentioned man had to be transferred from a nursing house for mentally ill to a psychiatric hospital. According to the version of eyewitnesses, "the man did not resist. He simply closed the door of his room because he panicked when he saw uniformed officers. The latter fixed him on the floor, one of them pressed him on the neck with his knee. The man was bleeding and at the end stopped breathing". As police officers attempted to transport the man, he lost consciousness and was taken to the intensive care unit, where he slipped into a coma and later died.

The non-governmental human rights organization "Reachout" described the police actions as "racist".

Against the background of the aftermath of the pandemic, increasing environmental activism, deteriorating economic situation as well as in the context of the military conflict in Ukraine, street protests in Germany in



Photo: <https://www.mdr.de/>

2022 acquired a massive character. In the course of these protests, which were often accompanied by clashes between demonstrators and law enforcement authorities, the police used various kinds of special means. Hundreds of administrative and criminal cases were initiated against participants in demonstrations. One of the epicenters of the protests was the city of Leipzig (Saxony).

On October 22nd, 2022 in Leipzig during a right-wing populist rally of representatives of the "Pax Europa" movement clashes between demonstrators and counter-demonstrators took place, where special means were used by law-enforcement officers.

According to the police, more than a dozen criminal cases were opened, including on body injuries, damage to property,

resistance to law enforcement officers and suspicion of incitement to hatred.

On November 14th, 2022 in Leipzig more than two thousand people took to the streets as part of an anti-government demonstration. Clashes between protesters and police were recorded. In a number of cases there was a resistance to law enforcement officers, in connection with which the law enforcement entities used special means and about a dozen criminal cases were initiated.

On November 26th, 2022 about 900 people took part in an anti-American demonstration in Leipzig. According to the local law enforcement authorities, the demonstration under the slogan "Ami go home!" took place in front of the USA Consulate and the Federal Administrative Court building. At the same time, left-wing activists held a counter-demonstration, where, according to the police, sit-ins took place, firecrackers exploded and riots broke out. As a result, dozens of activists were detained and charged with resisting and assaulting law enforcement officers, insulting and using illegal signs, inflicting body injuries, robbery, coercion and violating the law on assemblies.

Protests against the coal extraction activities of the German energy concern RWE in Lützerath (North Rhine-Westphalia) also resonated widely. In January 2023, environmental activists from the movements "Lützerath lives" and "Last Generation" blocked roads leading to the village, barricaded themselves in empty houses, prevented the demolition of buildings and set fire to barriers.

On January 14th, 2023, during a protest in Lützerath with the participation of 35 thousand people, law-enforcement bodies responded to the use of pyrotechnics by activists against police officers with special means.

According to the police, more than 70 policemen sustained various degrees of injuries during the clashes. At least 20 activists were taken to hospital for treatment. About 150 criminal cases were opened on charges of resisting police officers, causing physical harm and disturbing public order. The activists, in turn, accused the police of violating their rights and using batons, pepper spray, water cannons, dogs and horses against them.

Clashes of protesters with police and use of special means against them by the law-enforcement bodies also took place during protest actions on February 20th, 2023 in Hamburg and on March 4th, 2023 in Offenburg (Baden-Württemberg).



Photo: <https://twitter.com/>



Photo: <https://twitter.com/>

In Offenburg, in particular, demonstrators threw bottles, stones and bags with paint at law enforcement officers during riots that broke out after the officially permitted demonstration. The police reacted with using special means (truncheons, pepper spray). As a result, 53 law enforcement officers were injured. More than 20 cases were initiated on suspicion of disorderly conduct, resistance to representatives of law enforcement agencies and causing physical harm to them.

At the beginning of 2023, German law enforcement authorities carried out massive raids across the country, including searches and detentions, against right-wing and left-wing elements, in particular so-called "Reichsbürgers" and environmental activists

from the "Last Generation" movement. The charges include an attempt to organize a coup to seize power and the creation of extremist/criminal groupings. There have been calls in German political and public circles for the prohibition of the party "Alternative for Germany" and the environmental group "Last Generation".

GREECE

The following international obligations have been violated:

ICCPR:

Article 6 (right to life)

Article 19 (the right to freedom of expression)

Article 26 (the right to effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion)

ICERD:

Article 2d (commitment to prohibit racial discrimination by any persons, group or organization)

CRSR:

Article 31 (commitment of states not to apply unnecessarily restrictions to the movements of refugees who illegally present on their territory)

Article 32,33 (the right to protection against expulsion of refugees or their forcible return to the countries where their life or freedom would be threatened)

CAT:

Article 2 (prevention of acts of torture)

Human Rights Watch in its annual human rights review World Report 2023 notes that Greece welcomed tens of thousands of Ukrainian refugees but failed to protect the rights of other asylum seekers and migrants, including by pushing them back to Türkiye. In March 2022, the Minister of Migration and Asylum of Greece, Notis Mitarachi, stated that Ukrainians are «real refugees», while those arriving from Syria or Afghanistan are «irregular migrants». According to his information, released in September 2022, over 150,000 migrants have been prevented from entering the country. In February 2022, the UN High Commissioner for Refugees, Filippo Grandi, emphasized that the UNHCR is alarmed by persistent reports from Greece's land and sea borders with Türkiye, where almost 540 reported incidents of informal returns of refugees by the Greek authorities have been recorded since the beginning of 2020. The European Commissioner for Home Affairs, Ylva Johansson, has spoken against violent and illegal deportation.



Photo: [@g_christides/Twitter](#)

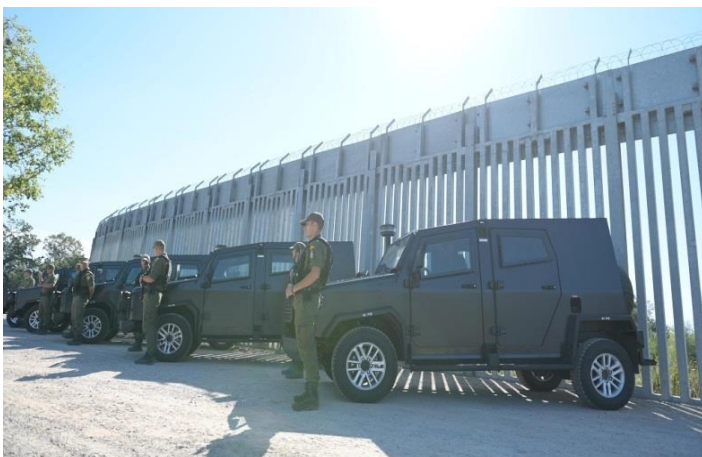


Photo: [www.ertnews.gr](#)

Greece regularly ignores an increased number of emergency orders issued by the ECtHR regarding asylum seekers stranded at the border with Türkiye, and at imminent risk of expulsion.

In this context, it is telling that on 7 July 2022 the European Court of Human Rights ruled that Greece had violated the European Convention on Human Rights (right to life and prohibition of inhuman and degrading treatment) in connection with the sinking of a migrant boat on 20 January 2014 in the Aegean Sea. The incident resulted in the death of 11 people.. According to the testimonies of the refugees survived, their boat sank while being towed by a vessel of the Greek Coast Guard at high speed towards

Türkiye. The ECtHR found that the Greek authorities had not carried out a thorough and effective investigation of the incident. The Court also found that they had failed to take adequate measures to ensure safety and protection of the migrants and 12 applicants who had survived after the sinking of the boat had been subjected to degrading treatment on account of the body searches in front of other migrants on arriving in the Greek island of Farmakonisi. The Court ordered Greece to pay the applicants and relatives of the victims 330,000 euros in compensation.

According to non-governmental organization «The Greek Council for Refugees» (GCR), more than 100 interventions have been sent in 2022 to the Greek authorities requesting the search and rescue of more than

700 refugees from Syria, Türkiye, Iraq and Afghanistan, including children. However, the Greek authorities responded positively in only roughly half of these cases, while in other cases they either did not reply at all or stated that they failed to locate the refugees. In numerous cases, the refugees later contacted GCR and stated that they had been forcibly returned to Türkiye. The Greek government continues to fortify the Evros border region by extending the border fence, recruiting additional staff and acquiring more vehicles for the border police. Senior political figures and members of the government continue their campaign of fearmongering and xenophobic communication around migration, announcing that access to the Greek territory will be denied to migrants and refugees arriving from Türkiye.

The crackdown on nongovernmental groups working with migrants and asylum seekers continues in Greece. Curbs on media freedom and a surveillance scandal in respect of independent journalists and an opposition leader raise concerns about the state of rule of law in the country. Law enforcement abuse remains widespread. The authorities failed adequately to respond to hate crimes, and in some cases law enforcement officials were complicit in them.

The Amnesty International report highlights excessive use of force by law enforcement officials, including during mass protests. In particular, it is reported that in May 2022, a student at the University of Thessaloniki (Yiannis Dousakis) sustained serious injuries to his mouth and jaw after police used stun grenades to disperse the students peacefully protesting outside the university. In December, Kostas Frangoulis, a 16-year-old Roma teenager, was shot in the head during a police chase and died in hospital eight days later (the police officer was charged with homicide with possible intent and illegally firing his weapon and was released on conditional bail). On 22 June 2022, following her visit to Greece, the UN Special Rapporteur on the situation of human rights defenders, Mary Lawlor, noted that activists seeking the rights of refugees, asylum seekers and migrants experience intense pressure from the authorities, migrants themselves also face heightened risks. Acts of solidarity with migrants are reinterpreted as criminal activity and smear campaigns create a negative image of human rights defenders. According to M. Lawlor, such policy has a «suffocating effect» on civil society in Greece. The climate of fear and insecurity created by this policy was reinforced by elements of the legal framework and statements from high-ranking government representatives openly condemning and undermining the work of human rights NGOs.

In November 2022, a European Parliament committee that investigates spyware use soundly criticized the Greek government's response to revelations it surveilled independent journalists and an opposition leader. Human Rights Watch emphasizes that state surveillance of journalists raises serious privacy and free expression concerns. It interferes with media freedom and violates the confidentiality of journalistic sources, protected under the European Convention on Human Rights and EU Charter of Fundamental Rights.

In September 2022, the Greek parliament opened inquiry into the case, but the ruling New Democracy party blocked dozens of witnesses proposed by opposition parties, including the head of the National Intelligence Service and the prime minister, as well as journalists whose phones had been wiretapped. In addition, the ruling party-controlled committee conducting the inquiry decided that all meetings would be held behind closed doors and the final report would be confidential, raising concerns about the transparency of the process. On 24 January 2023, the mentioned European Parliament committee called on Greece to urgently restore and strengthen institutional and legal safeguards in order to ensure a free and unfettered investigation into all allegations of spyware.

According to Human Rights Watch, the surveillance scandal is part of a pattern of the Greek government curbing media freedom. Greece fell 38 positions within a year in Reporters Without Borders' 2022 Press Freedom Index and ranks 108th (the lowest-ranked EU country).

In the 2022 Rule of Law Report, the European Commission also notes deterioration of the professional environment for journalists in Greece (physical attacks, threats, arbitrary detentions, criminal lawsuits, surveillance).

SPAIN

The following international obligations have been violated:

CEDAW:

Article 12 (right to non-discrimination against women in the field of health care, access to health care services as well as to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation)

ICERD:

Article 4 (obligation to take measures in order to eradicate all incitements to, or acts of racial discrimination)

Article 5 (right to equal treatment before the tribunals and all other organs administering justice including security of person and protection by the State against violence)

CRSR:

Articles 32, 33 (right to protection on expulsion or return ("refoulement") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened)

Article 31 (obligation of the States for non-applying restrictions to the movements of refugees illegally entered or presented, other than those which are necessary)

UNCAT:

Article 2 (prevention of any acts of torture)

On August 31st, 2022 the UN Human Rights Committee published the views where it has found that Spain violated the political rights of former Catalan Government and Parliament members by suspending them from public duties prior to a conviction following the independence referendum in 2017. The views were published after reviewing a complaint filed by Oriol Junqueras i Vies, former Vice-President of Catalonia, and three former ministers, Raül Romeva i Rueda, Josep Rull i Andreu and Jordi Turull i Negre. In July 2018, they were suspended from their functions as Members of Parliament in accordance with the Criminal Procedure Act, which only allows the suspension of officials when they are charged with rebellion. But in October 2019, the four of them were convicted of sedition, a crime that does not include the element of violence, as opposed to rebellion, and their suspensions were lifted. For reference: In September 2017, the Parliament of Catalonia passed a law authorising a referendum on Catalonia's independence. Despite the Constitutional Court's suspension order and police intervention, the referendum was held on 1 October. In mid-October, the Constitutional Court ruled that both the law and the referendum were unconstitutional, null and void. Nevertheless, the Catalanian Parliament declared independence and was thus immediately dissolved by the Government of Spain. Several Catalanian officials were arrested and sentenced by the Spanish courts (some of the persons were later pardoned). The Committee considered that "the decision to charge them with the crime of rebellion, which led to their automatic suspension prior to a conviction, was not foreseeable and therefore not based on reasonable and objective grounds provided for by law". Moreover, on February 2nd, 2023 the UN experts said that Spanish authorities must thoroughly investigate reports that Pegasus and Candiru spyware was used to target Catalan public figures and activists in Spain following the independence bid in 2017.

The experts noted that between 2017-2020, the devices of at least 65 Catalan minority politicians and activists were reportedly targeted by a complex and sophisticated spying programme, whose victims included Catalan minority leaders, Members of the European Parliament, legislators, jurists, and members of civil society organizations.

According to the experts, many victims were targeted using SMS-based attacks. The attacks had involved operators sending text messages containing malicious links designed to trick targets into clicking on them. Victims had also been targeted using highly personalized official notifications from Spanish government entities, including tax and social security authorities, the experts noted.

The UN experts also said they are particularly concerned by the extent and sophistication of the reported spying programme, over a long period of time and against minority leaders and activists who did not engage in any violent activities. They recalled that minorities are specifically protected by international and European human rights standards, and a targeted spying programme against a minority group may constitute a serious violation of these standards.

In a letter dated 24 October 2022 the experts contacted the Government of Spain about the issue. On 22 December 2022, the Government replied informing that investigations were ongoing, and that it was not possible to pronounce on cases which were pending judicial investigation.

The experts called the Spanish authorities to conduct a full, fair, and effective investigation into these allegations, publish the findings and stop any unlawful interference into the fundamental rights of the Catalan minority activists in Spain.

On July 14th, 2022 the UN Committee on the Elimination of Discrimination against Women has found that a Spanish national, N.A.E., was subjected to obstetric violence by premature labour induction and a caesarean section without her consent. As a result, she has been suffering lasting physical and mental trauma.

The Committee considered that N.A.E was a victim of obstetric violence, a particular type of violence against women during facility-based childbirth, which has been shown to be widespread, systematic in nature and ingrained in health systems.

The Committee urged Spain to provide N.A.E. with appropriate reparation for the damage that she has suffered to her physical and psychological health. The Committee also requested that Spain respect women's autonomy and ability to make informed decisions about their reproductive health by providing them with complete information at every stage of childbirth and by requiring that their free, prior and informed consent be obtained for any invasive treatment during childbirth.

The experts on women's rights also requested that Spain provide obstetricians and other health workers with adequate professional training on women's reproductive health rights. In addition, Spain was also asked to provide specific training for judicial and law enforcement officials, as well as to develop, publicise and implement a charter of patients' rights.



Photo: [Javier Bernardo/AP Photo](#)

In December 2022 the Amnesty International published the report on investigation of the evidence of crimes under international law by Spain at the Melilla border on June 24th, 2022, when at least 37 people (by the official data of Moroccan side – 23) died and at least 77 people from various African countries, which were trying to seek asylum in Spain. The AI assessed that the security forces of both countries used unlawful force and committed acts that could amount to breaches of the right to be free from torture and other ill-treatment in order to forcefully stop people trying to cross the border. The testimonies, videos and other information collected indicate that both Spanish and Moroccan police and border guards used batons, rubber bullets and rubber balls and conducted actions such as beating and kicking people who were already restrained or unresponsive due to injury, and repeatedly used tear gas against people who had no way of escape and were in a confined space. Both Moroccan and Spanish police subsequently failed to ensure the provision of emergency medical care to people injured and in need of assistance. Dozens of injured people were left unattended in the full glare of the sun for up to eight hours without even basic first aid being provided. The Spanish police did not permit the Red Cross to access the area and there was no public health response at the scene attending to injured people neither during the attempted border crossing and police operation, nor in their aftermath. Spanish authorities did not assist in any way the injured people who were left on the ground in Spanish territory after the police operation ended, violating their rights in multiple ways including their right to prompt and adequate health care and to be free from torture and other ill-treatment.

The AI experts concluded that the failure to provide emergency assistance not only manifested cruelty: it also placed Spain and Morocco in breach of their obligations to protect the right to life. Spanish police also violated the ban on collective expulsions and committed refoulement by forcing people – according to the Spanish Ombudsperson at least 470 individuals – back into the hands of Moroccan security forces. And, according to the Amnesty the Spanish security officials forced injured people back across the border to Morocco even though they were “bleeding or with open wounds.”

As of end of the year 2022 Morocco and Spain did not provide information to the families of people killed, injured or held by the security forces and did not recognize the offenses committed.

The authorities also did not investigate properly the breaches of human rights, including concerns of racism and discrimination. Amnesty International has repeatedly recorded human rights violations in the border

areas of Ceuta and Melilla. UN expert's express concerns to Spain about discriminatory and harmful treatment of sub-Saharan African people on border for over a decade. The Spanish authorities have frequently asserted that official channels to apply for asylum are a realistic option for people seeking international protection. This claim has been shown to be unfounded at the border between Morocco and the Spanish enclaves of Ceuta and Melilla, exposing the fact that avenues to enter Spain in a safe and regular manner to seek asylum are blocked at every turn. In reality, there is no meaningful possibility for people from sub-Saharan Africa to get access to Spanish officials to ask to be let in and seek asylum at the Beni Enzar border post.

On November 2022 the Council of Europe Commissioner for Human Rights Dunja Mijatović during the visits to Madrid and Melilla has criticized Spain for the tragical events to be occurred during attempt the massive jump of the Melilla fence on June 24th, 2022.

In the report published on May 10th, 2023, the Commissioner urged the Spanish authorities to make sure that those in need of protection can access the territory through legal and safe ways. According to the data-driven documentary "Death on the Border" produced by the BBC reporters, the Spanish police did not take measures to prevent the tragedy. The journalists, on the basis of the information collected, prove that the number of victims may be much higher than stated. According to them, there is evidence of how people who did not show signs of life were taken out by the Moroccan police from the territory controlled by the Spanish side. It is alleged, by various sources, that police officers fired a group of migrants by rubber bullets on the Spanish side of the border crossing. In this context, the Spanish Ministry of Interior is accused of hiding evidence from CCTV cameras, which are crucial for official investigations.

ITALY

The following international obligations have been violated:

ICCPR:

Article 7 (protection from torture or cruel, inhuman or degrading treatment)

Article 19 (right to freedom of expression)

Article 21 (right to peaceful assembly)

Article 26 (right to effective protection against discrimination on any grounds, such as race, color, sex, language, religion, political or other opinion)

CAT:

Article 2 (prevention of acts of torture)

CRC:

Article 2 (the right of the child to be protected by the state against all forms of discrimination)

Since the beginning of 2023, in Italy the activity of the anarchist groups has increased due to the deterioration of the condition of the convicted anarchist Alfredo Cospito, who went on a hunger strike in the Sassari prison. On January 28-29, 2023, anarchist processions took place in many Italian cities, which led to riots and clashes with the police. During the demonstration in the Italian capital on January 28, 2023, police used force against the protesters, 41 people were detained. A. Cospito started hunger strike to protest the harsh imprisonment, he is subjected to in the prison of Sassari, where he is serving his sentence for shooting



Photo: www.ilmessaggero.it/

at a company manager "Ansaldo Nucleare" R. Adinofi in 2012 and for the murder in 2006 at the Carabinieri School in Fossano. It was reported that A. Cospito lost 40 kilograms, in the photographs it is noticeable that his nose is broken. On February 18, 2023, in front of the Michelangiolo high school in Florence, six students of the far-right movement "Azione studentesca" attacked two local students. On the day of the incident, some right-wing activists were posting leaflets near the school when they came into contact with the Michelangelo School United Student Collective group. Subsequently, an argument ensued, which escalated into a fight and beating of school students. The Italian government and the Prime Minister did not comment on this incident, for which they were criticized by the left forces, who reproached the country's leadership for hushing up the problem of "the revival of aggressive fascism in Italy". At the end of February 2023, "Rete l'Abuso" published a report covering 13 years of activity of the association, during which the organization recorded more than 400 cases of sexual abuse committed by representatives of the Catholic Church against minors.

The report was sent to the Italian prosecutor's office with a request about the immediate intervention of the competent authorities. According to the latest experts in Italy, there may be up to a million victims of violence by priests.

So far, the Italian authorities have not commented on the resonant report of the organization "Rete l'Abuso".

LATVIA

The following international obligations have been violated:

ICCPR:

Article 6 (right to life)

Article 7 (protection from torture or cruel, inhuman or degrading treatment)

Article 9 (right to freedom, protection from arbitrary arrest)

Article 14 (right to a fair trial)

Article 19 (right to freedom of expression)

Article 26 (right to effective protection against discrimination on any grounds, such as race, skin color, sex, language, religion, political or other beliefs)

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

CAT:

Article 2 (prevention of acts of torture)

Article 3 (principle of non-refoulement)

ICESCR:

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

Article 12 (right to enjoyment of the highest attainable standard of physical and mental health, including medical care)

CRC:

Article 19 (right of the child to protection from all forms of physical or mental violence)

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

ICERD:

Article 7 (obligation to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups)

According to Central Statistical Bureau of Latvia, a significant part of the Latvian population (22.5%) lives near the poverty line. The purchasing power and real disposable income of the population decreased in 2022, inflation (17.3%) was the highest over the past 25 years. The fastest population decline among the EU countries was noted in Latvia during 2001 – 2021. Due to significant increase in the cost of production and decrease in the product competitiveness, some Latvian manufacturers (in particular, food products manufacturers) reduce the quality of their products. Great public response caused news about the lack of medicines, primarily antibiotics and antipyretics for children, and the lack of school teachers.

Against the backdrop of social and economic problems, the Latvian authorities shift the attention of the population to other issues: the need to strengthen the country's defense capability and creation of the "Iron Curtain" on the borders with its eastern neighbors, struggle against the "internal public enemy"



Photo: www.rigaspieminekli.lv, www.delfi.lv

represented by the Russian-speaking population of Latvia, as well as a widespread demolition of monuments.

In particular, the process of demolition of the monument in honor of the liberators of Latvia and the city of Riga from the Nazi invaders (the main monument of the Great Patriotic War) was broadcast live for three days in detail covering for the population and the international community the stages of the monument destruction.

Recommendations of the UN Human Rights Committee to suspend the demolition of the monument and preserve the dismantled sculptures were not taken into account by the Latvian side. The Ministry of Foreign Affairs of Latvia has officially stated that the Committee is not a court and therefore its opinion is not legally binding for Latvia.

In October 2022 the international human rights organization "Amnesty International" published a report with recorded cases of disappearances and deaths of refugees on the Latvian territory. This organization has accused the Latvian government of mistreating migrants. The international organization "Doctors without Borders" called for abandoning the practice of pushing migrants to Belarus.

In the border area on the Latvian territory "state of emergency" regime is extended every three months and has been observing for almost two years, which is an obvious "cover" for the corresponding actions of security forces in relation to defenseless asylum seekers in Europe, the attempt to hide the real picture from the public. Cases of criminal prosecution of journalists, representatives of non-profit organizations and volunteers for rescuing refugees were noted.

In 2022, Western society recognized for the first time the problems with respect for human rights in Latvia according to research by the United States Department of State. The related US report noted: "Serious human rights problems included credible reports that security forces mistreated migrants from third countries when they tried to enter the country illegally from Belarus." Noted that migrants were threatened with physical violence.

The European Committee for the Prevention of Torture documented the complaints of asylum seekers from third countries while working in the pre-trial detention center in Daugavpils (located near the Latvian-Belarusian border). The migrants noted that they could not contest their detention and that they fear retribution in case they complain about the conditions or the actions of officials.

The US report specifically mentions the high level of domestic violence in Latvia.

Non-observance of fair compensation for overtime work of retail workers, firefighters and police officers was noted in Latvia. It is reported about the increase in the number of cases of labor exploitation in Latvia, especially among the migrants from Central Asia.

Inefficient application of the provisions of the law on corruption in Latvia is noted: civil servants are rarely held accountable during investigation of corruption cases and judicial proceedings take a long time in such cases. In June 2022, the criminal case on extortion and bribery was opened on charges of high-ranking officials from tax and customs services.

The Office of the United Nations High Commissioner for Human Rights reported about the ongoing discrimination in Latvia of 195 thousand people who have not received Latvian citizenship despite permanently residing in Latvia after the collapse of the Soviet Union. Although Latvia got independence in 1991, only those who lived in the territory of Latvia before 1940 and their descendants were able to obtain Latvian citizenship. Another part of the population with a USSR passport received the status of Latvian non-citizen. Non-citizens still face massive restrictions: the Latvian Human Rights Committee counts more than 80 differences between the rights of Latvian citizens and non-citizens. The European Committee of Social Rights has reported on rights restrictions in health, social protection and social support.

Hate speech concerning national minorities living in the territory of Latvia has become the norm for high-level Latvian politicians. Public insults and humiliation incite discord and discrimination in society. Despite the presence of significant Russian-speaking population, the Latvian government requires the widespread use of the Latvian language. In connection with the company of Russophobia, the Russian-speaking population is forced to leave the country, for non-fulfillment of certain conditions residents of Latvia are threatened with deportation from the country. In particular, it is necessary to learn in a short time the Latvian language and to documentary confirm the level of its proficiency.

The Constitutional Court of Latvia accepted several lawsuits on amendments to the immigration law for violating the Constitution. The Commissioner for Human Rights in Latvia Juris Jansons warned the Latvian

government by the open letter that the amendments to the immigration law adopted in 2022 violate the principle of legal certainty as a basic norm of a democratic constitutional state (Latvian actions directly and immediately affected recipients of rights that existed in the past), Article 91 of the Constitution (unequal treatment), EU Council Directive 2003/109/EU about the status of third-country nationals who are permanent residents of EU Member State (according to the decisions of the European Court of Human Rights, permanent residents have better protection against deportation). In addition, amendments to the immigration law create unfeasible conditions for socially vulnerable old people: they must have a high level of digital literacy to pass the exam in the information system, however the government does not provide such support as well as does not provide a sufficient period of time to improve the level of digital literacy. The right to freedom of expression and the right to freedom of assembly are suppressed by forceful methods in Latvia. It is legally prohibited to express one's opinion on issues that may challenge "independence, sovereignty, territorial value or authority". The interpretation of "threat to national security" is very broad and in this regard a resident of Latvia can be subjected to criminal or administrative punishment for almost any action or statement. In particular, the period of being a part of the USSR is officially recognized as occupation and in this regard it is forbidden to "deny the crimes against Latvia committed by the Soviet Union". Member of the Latvian Parliament Glorija Grevcova was subjected to criminal prosecution for her opinion about the Museum of the Occupation of Latvia, in which the nationalist-minded part of society did not hear the fact of recognition of the occupation of Latvia in 1940 – 1991.

Show trials were launched in Latvia against well-known Russian-speaking journalists (14 people). Latvian citizen and journalist Marat Kasem, editor of the Sputnik media in Lithuania, is behind the bars due to charges of spying.

Authoritative international and Latvian organizations note problems with media freedom in Latvia. By decision of national regulator, the broadcasting of most Russian-language channels and resources on the Internet is prohibited, censorship of local media has been strengthened. In December 2022, for reasons of national security the broadcasting of the Russian channel "Dozhd" in Latvia was stopped (previously, Latvia announced support of media freedom for Russian-language media in connection with the broadcasting of the Russian media "Dozhd" from Riga). In May 2023 the international organization for protection of journalist's rights "Reporters Without Borders", Latvian media and organizations protecting freedom of mass media condemned the decision of the national regulator to impose a fine of 8.5 thousand euros on the Internet media "Tvnet Grupa" for incorrect (according to the local regulator) use of the word "deportation" during the interview about the imminent expulsion of Russian-speaking residents of Latvia in case of failure to comply with the new requirements of the law on immigration. However, many people noted that this media was punished not for interpreting a certain word, but for inviting to interview the opposition faction leader, whose opinion does not coincide with the position of the ruling coalition of parliament.

Constitution and Law provide freedom for peaceful assembly. However, the State Police in cooperation with State Security Service and Rapid Reaction Forces prevented mass gatherings near the monuments in May 2022 and suppressed manifestations of protest activity in connection with the demolition of the main monuments built in honor of those who died during the liberation of Latvia from the Nazi invaders in period of the Great Patriotic War. More than fifty people were detained in Riga and Daugavpils, including Member of the European Parliament Tatjana Zdanoka and her colleagues. The attempt of Daugavpils self-government to challenge in the Constitutional Court the Parliament's decision on forced demolition of monuments failed. All local governments in Latvia were forced to find funds for the demolition of the monuments. Some streets were renamed, Soviet bas-reliefs and commemorative plaques were dismantled from architectural structures and facades of buildings including those, which are recognized as objects of cultural heritage.

In connection with the holding of electoral parliamentary campaign, the efforts of the ruling parties in 2022 were focused on establishing control over all the significant political opponents, depriving them of sources of income and access to the media space. The most prominent critics of the current government (politicians, journalists who form public opinion) were subjected to criminal prosecution, some of them left the country on the eve or immediately after the parliamentary elections.

LITHUANIA

The following international obligations have been violated:

ICCPR:

Article 19 (the right to freedom of expression)

Article 26 (right to effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion)

ICERD:

Article 2d (the obligation to prohibit racial discrimination by any persons, groups, or organizations)

Article 4 (Commitment to take measures aimed at eradicating all incitement to racial hatred, discrimination)

Article 5 (the right to equality before the law, without discrimination of any kind, including the right to security of person and protection by the state against violence)

Article 7 (the obligation of the State to take immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnic groups)

CRSR:

Article 31 (the obligation of states not to hinder the freedom of movement of refugees who are unlawfully present on their territory unnecessarily)

CAT:

Article 2 (prevention of acts of torture)

Lithuanian authorities continue their policy of destroying the historical memory of Soviet soldiers who gave their lives to liberate Europe from Nazism during the World War II.

Monuments to Soviet soldiers are demolished all over Lithuania: in Jurbarski district, in Gargždai, in Kaišiadori district, in Klaipėda and other places. The Vilnius city council decided to hand over six steles depicting Soviet soldiers to the exhibition center of Soviet-era monuments near Druskininkai.

The Memorial to Soviet Soldiers at the Antakalnis Cemetery in Vilnius, Lithuania's largest memorial commemorating the victory in World War II, was dismantled in early December 2022.

The Vilnius District Court Chamber decided to liquidate the public organization "International Neighborhood Forum", created by A.Paleckis convicted of espionage and his accomplices, stating that the purpose of this organization was to work against Lithuania. The court ruled to liquidate the association on February 20, 2023. Some of the rules for the creation of public associations were also violated. Law enforcement authorities drew attention to the International Neighborhood Forum after its representatives visited Moscow, where they held a press conference questioning the legality of the election of the current Lithuanian government, accusing it of causing economic damage and intimidating its citizens with a possible Russian invasion. According to Judge Enrika Yanushonene, the association publicly supported Russia when it launched a war against Ukraine.

The prosecutor's office is also conducting two investigations related to this organization. One of them is initiated under the article of the Criminal Code of the Republic of Lithuania, which provides for responsibility for assisting another state in committing acts against Lithuania, and the other is related to the signature of A.Paleckis on the founding documents of the aforementioned organization. They were signed by A.Paleckis when he was already serving a sentence for espionage in an investigative isolator.

Since November 22, 2022 citizens of Russia and Belarus over 18 years old who apply for a national visa or a residence permit in Lithuania must fill out a special questionnaire with questions about their views on the war in Ukraine. The content of the questionnaire is determined by the Department of Migration at the Ministry of Interior of Lithuania.

In the questionnaire, foreigners must provide information about their education, employment, service in the armed forces, and contacts with government agencies of non-NATO

NATO and EU countries. They will also be required to state their position on the issue of Russian military aggression in Ukraine.



Photo: clck.ru/344YRf

Examples of questions:

"Do you support the military actions carried out by the Russian Federation on the territory of Ukraine?" "In your opinion, who does Crimea belong to?"

The questionnaire cannot be filled out online. The applicant receives it only at a personal visit to the office and must fill it out strictly individually. If the questionnaire is not filled out, the application for a residence permit may be refused. If the applicant hides any data, it will be a ground for revocation of a residence permit or visa. The Migration Department assumes that a foreigner who wants to live in Lithuania must show that he is willing to cooperate with his host country, and filling out a special questionnaire plays a decisive role in deciding whether to allow a foreigner to live in Lithuania. Thus, persons who do not share the political views of the Lithuanian leadership, formulated by the Department of Migration at the Ministry of Interior, are denied the right to reside in its territory.

On March 10, 2022, the Seimas of the Republic of Lithuania extended the state of emergency, imposed in the country on February 24, 2022 in connection with the start of a special Russian military operation in Ukraine.

Important components of the state of emergency regime were:

- 1) a ban on the broadcasting and distribution on the Internet on the territory of Lithuania of radio, television and other programs produced, directly or indirectly controlled, controlled or financed by the Russian Federation or the Republic of Belarus, unless the Lithuanian Radio and Television Commission authorizes or rebroadcasts such programs from European Union member states or states that have ratified the European Convention on Transfrontier Television;
- 2) a ban on organizing and participating in gatherings to support, in any form or amount, the actions of the Russian Federation and/or the Republic of Belarus that led to the state of emergency (i.e. related to a special military operation);
- 3) tightening visa regime for foreigners. In particular, the acceptance of applications for visas from citizens of Russia and Belarus, as well as the decision-making on these applications by visa authorities of the Republic of Lithuania abroad are suspended.

Through these actions, Lithuania deprives its citizens of access to objective information representing different points of view, restricts freedom of assembly on issues that do not coincide with the official position of the authorities, and restricts freedom of movement of Belarusian and Russian citizens solely on the principle of citizenship.

The Lithuanian parliament has approved a controversial new law allowing volunteers from all over Europe to join the country's national border forces and giving them the right to use violence against asylum seekers as well as migrants crossing the border from Belarus.

Human rights activists and experts also drew attention to the provisions of the bill, which allow patrolmen to force people to return to Belarus.

"In fact, they legalize displacement at the border," said M. Guliakaite-Danisaviciene of the non-governmental organization Lithuanian Center for Human Rights.

Amnesty International made similar comments earlier this week, calling the Lithuanian bill a "green light" for torture.

In 2022, the European Court ruled against Lithuania for not allowing illegal migrants to apply for asylum and allowing mass detentions during the state of emergency.

At the same time, the Lithuanian Ministry of the Interior argues that the bill is necessary to ensure control over the state border and more effective management of asylum issues. Advisor of the Ministry D. Dauksha stated that they want to limit the entry into the territory of Lithuania for foreigners who violate the procedure of crossing the state border, but only during the introduction of an emergency situation. The Lithuanian Red Cross report states that people are actually restricted in their ability to apply for asylum at Lithuanian border checkpoints and diplomatic missions. The European Commission said it could not yet comment on the bill.

THE NETHERLANDS

The following international obligations have been violated:

ICCPR:

Article 7 (protection against torture or cruel, inhuman or degrading treatment)

Article 19 (right to freedom of expression)

Article 26 (right to effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion)

The "Torture Convention":

Article 2 (prevention of acts of torture)

ICESCR:

Article 3 (equal right of men and women to the enjoyment of all economic, social and cultural rights)

Article 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)

CRC:

Article 27 (right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development)

The situation in 2022 revealed problems with the general lack of sufficient number of places in the Netherlands to accommodate refugees from various countries of the world, as well as discrimination of refugees from other countries compared to Ukrainians. The Reception Center for Asylum Seekers in Ter Apel and temporary shelters around the country received more than 37,000 asylum seekers, among them 15 000 Ukrainians. Ter Apel was overcrowded and had a shortage of camp beds. Asylum seekers from Syria, Afghanistan and Iraq, among others, spend their first nights there on a chair or on the floor.

For instance, the mayor of Westerwolde J.Velema, where the application center of Ter Apel is located, said: "Municipalities in the Netherlands use double standards when it comes to the reception of refugees. It is great that my colleagues from other municipalities are lining up to receive tens of thousands of refugees from Ukraine, but it is shameful that no municipality has volunteered to receive refugees from other countries. "

The mayor of Groningen K.Schuiling said: "It is understandable that there is a lot of enthusiasm to receive Ukrainians, but people from other war zones such as Syria and Afghanistan have equal rights. The situation in Ter Apel is untenable and inhumane".

In a letter addressed to the Dutch Minister for Migration Eric van der Burg of 26 August 2022, Commissioner for Human Rights of the Council of Europe D.Mijatović expressed her concern about asylum reception conditions in the Netherlands. The Commissioner's letter followed further worsening of the situation, especially at the Ter Apel registration center, endangering the right to health of the people. The conditions appear to fall short even the minimum standards under Article 3 of the European Convention on Human Rights.

The Commissioner urged the Dutch government to take all the necessary measures to ensure access to adequate shelter, food, clean drinking water and sanitary facilities. She also noted the recent death of a three-month old baby in a sports center used as emergency accommodation. The Commissioner for Human Rights expressed her concern about the stark differences in the treatment accorded to Ukrainians and to those of other nationalities, and joined the call of others, including the Netherlands Institute for Human Rights, to prevent discriminatory treatment in access to reception and other services.

Finally, the Commissioner noted that recent proposals by the Dutch political parties to tackle the current challenge could impact on the right to seek asylum or the enjoyment of the right to family life, including through restrictions on family reunification. In this respect, she stressed that any steps must be fully in line with the Netherlands' international obligations.

The Office of the UN High Commissioner for Refugees and the Red Cross criticized the situation in Dutch reception centers for the living conditions of refugees, who do not have enough water and food. Also at the request of UNICEF and Defence for Children, a study of the detention of underage refugees noted that children face food shortages, lack of educational opportunities and are held in poor conditions.

Against the background of the ongoing refugee crisis, the Dutch Immigration and Naturalisation Service has stated that it is severely understaffed, which often prevents its representatives from participating in asylum court hearings. This leads to delays in the processing of cases.

Police violence, especially excessive police violence, against peaceful protesters is a serious problem in the Netherlands. Harsh actions of the Dutch law enforcement officers during the crackdown on peaceful protests drew criticism on the Netherlands on behalf of N.Melzer, the UN Human Rights Council's Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, who strongly condemned the cruelty of the police. On 3 January 2022, he shared two posts in social networks with the videos about police violence during the protests against anti-COVID-19 measures in the country. He called the recorded incidents "one of the most disgusting scenes of police brutality since George Floyd". His conclusions that police violence is disruptive to the Dutch society are also evident from his report dated 29 March 2022.

The same problem of police violence, with respect to the recent farmers' protest in the Netherlands, was raised in the declaration of Nakad-Weststrate, human rights advocate and former Amsterdam judge, dated 11 July 2022 and addressed to the Chief Public Prosecutor of the Netherlands J.J.A.Lucas. The copies of that declaration were sent to the Office of the United Nations High Commissioner for Human Rights (OHCHR), Committee on the Rights of the Child/UNICEF, International Criminal Court, European Commission, European Parliament, Council of Europe, European Public Prosecutor's Office, Eurojust and a number of NGOs.

In her declaration, the human rights advocate emphasizes that multiple recordings have captured pictures of life threatening situations when police officers used drawn guns aimed at the heads of peaceful demonstrators. There are several images of police officers with head mask on, waiting in vans at nearby locations. In view of all the facts and circumstances mentioned above, including the government's interest in "breaking the strike", Mrs. Nakad-Weststrate believes that the investigation against police violence should also include the instructions for use of force and other preparations.

Nevertheless, instead of investigation, the situation is distorted, even reversed, with victims being falsely accused. This false narrative is defended not only by police and the government, but also by the "democratic and independent" Dutch mass media.

According to the human rights advocate's declaration, the reason why police violence in the Netherlands is normally not punished lies in the country's legislation. The legal position of police officers has become comparable to that of members of the parliament and ministers. This means that they are immune from criminal prosecution. Thus, Mrs. Nakad-Weststrate emphasizes that the increasing and gradually institutionalized police violence in the Netherlands against the civilian population in recent years, without any form of punishment whatsoever, shows that the violence is structural and intentional.

The human rights advocate concludes that the image of the Netherlands as a democratic constitutional state is no longer in line with the police and media violence and the lawlessness that has befallen the Dutch families. No one in the Netherlands is safe as long as child robbery, land grabbing and government violence can continue to take place with impunity, or even rewarded.

A critical report by a group of researchers from Leiden University, dated September 7, 2022, declares fundamental problems in the Dutch youth protection system. The researches openly question the legitimacy of government interference in parenting. They believe that the youth protection system in the Netherlands fails to guide parents and children (by the end of 2021, 32,000 children were under youth protection) with serious problems towards a better and healthier home situation. The researchers conclude that the legal position of parents and children is weak: they do not know their rights and obligations, legal matters are very complicated, they cannot defend themselves against decisions by various institutions and the juvenile court. They also question the role of the Child Protection Board, which assesses the decisions of youth protection workers.

The Child Protection Board, in its turn, emphasizes that a bigger problem is that since 2015 municipalities have been responsible for youth care. It refers to the decentralization of the Child and Youth Act 2015, which turned out disastrous: the demand for care grew against all odds, the costs got out of hand. As a result, the availability of help for children deteriorated.

To save the youth protection system, in July 2022 the Dutch FNV trade union sent Minister F.Weerwind (Legal Protection, D66) an ultimatum demanding a 400 million euro extra for youth protection. That ultimatum expired on 19 August. Since the Minister failed to give a timely and substantive response, in mid-September the Health and Youth Care Inspectorate and the Inspectorate of Justice and Security have urged the Minister F.Weerwind and State Secretary M. van Ooijen (Health, Welfare and Sport) to immediately

start approaching youth protection as a crisis situation. “The government is failing in its duty to protect vulnerable children”, Inspectorates stressed in their appeal to the government of the Netherlands.

Numerous investigations into the childcare benefit scandal in the Netherlands revealed that people with ethnic minority roots had been discriminated by the Dutch Tax and Customs Authority between 2014 and 2018. Parents with foreign roots were twice as likely to be refused automatic payments as the native Dutch when making a request and eight more times likely to be selected for further check-ups than people of the Dutch descent. Parents with a foreign background were also seven times more likely to be classified as intentionally or grossly negligent, a label which prevents them from taking part in debt repayment schemes and more likely to face fines and sequestration orders.

It was revealed that the Dutch tax office had elaborated a list of 270.000 suspected tax fraudsters, based on risk factors including nationality. By now, there is enough evidence that the parents concerned were actually discriminated against on the basis of ethnicity. According to Statistics Netherlands, Surinamese and Caribbean parents were the most frequent victims of the benefits scandal, followed by Moroccans, Turkish and Indonesian parents.

The Netherlands are introducing a «national consultative office» where universities and scholars can turn to with the issues of “academic freedom and espionage”. Officially the office will be providing consultations on the issues of international cooperation”, but will “focus attention on cooperation partners from not free countries”. Apparently, it is meant to officially introduce in the Netherlands the obligatory censorship for all the universities, their heads, academic councils and lecturers in the sphere of international cooperation with the partners from “not free” countries, as the office understand it. The national list of high-risk research areas and programs of cooperation will be introduced in 2023-2024, for which it will be necessary to submit the reports to the office and to check the partners.

In Curaçao, with the direct involvement of the Dutch government, human rights are being violated and refugees from Venezuela are being treated unacceptably. Human rights activists have identified at least eight cases of underage children who were detained separately from their mothers and fathers and unlawfully deported without parental guidance or consent.

There are also records of tortures in the detention center in Koraal Specht. In one of the uprisings in the barracks the Venezuelans who had participated were called one by one out of sight of the cameras into a bathroom and beaten.

On the background of the Dutch official propaganda with respect to special privileges for Ukrainian refugees, the Dutch media revealed the information based on reports by Fairwork (anti-slavery organization) that the rights of the 173 Ukrainian refugees have been violated in 2022.

Among the violations were registered: not being paid, long working hours and low rates.

«There are unfortunately employers who abuse vulnerable people who don't speak our language or understand our culture», - said FairWork's Francien Winsemius.

The scandal over errors in the payment of government benefits that have put 5,000 families under the poverty line is escalating in the Netherlands.

The problem is related to families receiving extra cash to top up their salary or long-term unemployment or sickness benefits to a 'living' level. These payments are later assessed as taxable income by the Dutch tax office and the families are required to (partially) repay other benefits. This pushes them below the legal poverty line again.

The clash – which the government has been aware of since 2016 – has gone as far as the highest court of appeal. In September 2022, the Central Board of Appeal ruled that Arnhem council needed to compensate a couple who had benefits clawed back, bringing them below the official minimum income needed to 'subsist'.

Although the government has accepted the problem since 2016, the issue has not yet been settled.

NORWAY

The following international obligations have been violated:

ICCPR:

Article 7 (protection from torture or cruel, inhuman or degrading treatment)

Article. 19 (right to freedom of expression)

Article 24 (rights of the child)

Article 27 (minorities' right to culture)

CRSR:

Article 31 (obligation of states not to restrict unnecessarily the freedom of movement of refugees who are unlawfully present in their territory)

Article 32,33 (right to protection against expulsion or refoulement of refugees to countries where their lives or freedom are threatened)

CAT:

Article 2 (prevention of acts of torture)

Article 3 (right to protection from expulsion to countries where there is a risk of torture)

ICERD:

Article 2d (obligation to prohibit racial discrimination by any persons, groups, organisations)

Article 4 (obligation to undertake measures aimed at eliminating all incitement to racial hatred, discrimination)

Article 5 (right to equality before the law, without discrimination, including the right to personal security and protection by the state against violence)

The report draws particular attention to significant problems in the treatment of women inmates in correctional institutions. It is observed that women make up a small proportion of the total number of inmates, and there is a general policy that inmates should serve their sentences close to their place of residence. This may result in women serving their sentences in a unit where the vast majority of inmates are men.

In November 2022, the Norwegian press gave wide coverage to the UN Human Rights Committee's condemnation of Norway for violating Article 24 of the International Covenant on Civil and Political Rights, in particular, the right of the child to security regardless of origin.

In 2014, a family of foreign nationals was deported to Afghanistan after their application for asylum in Norway was rejected. However, the Afghan authorities refused to accept these persons after they claimed to originate from Pakistan. Therefore, they were returned to Norway and placed in a detention centre in Trandum.

Neither the district court nor the social authorities considered the detention of the minor disproportionate. In total, the family and the child were kept in custody for 76 days before being deported from the country.

In January 2023, the Norwegian National Human Rights Institution submitted a report to the UN Committee on the Elimination of Discrimination Against Women. The paper raises concern about the lack of regularly updated data on the prevalence of violence against Sami women nationally and their access to public services.

It is noted that the approach to Sami statistics in Norway does not enable adequate human rights monitoring. Furthermore, the authorities do not collect administrative data on the number of Sami who reports incidents of violence to the police, health and other support services and how these cases are followed-up. That makes it difficult to develop evidence-based measures to prevent violence against the Sami and to monitor their effectiveness over time.



Photo: [Heiko Junge / NTB](#)



Photo: NTB/Javad Parsa via REUTERS

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Ensuring security in practice leads to women serving their sentences with more restrictions than necessary, and being excluded from some activities and opportunities for social interaction. Women, therefore, are exposed to a greater risk of isolation and coercion in Norwegian prisons. Similar assessments have been made by the Norwegian Parliamentary Ombudsman.

In January 2023, international media and human rights organisations drew attention to protests by Sami in central Oslo, calling for the removal of wind turbines that had been installed in violation of indigenous peoples' rights. During the demonstrations, Norwegian police detained a number of activists, including Greta Thunberg.

In October 2021, the Norwegian Supreme Court ruled that the wind turbines and other infrastructure were taking up half of Fosen's important reindeer herding winter pastures, violating the cultural rights of the Sami people. However, more than 500 days later, the court decision continued to be ignored by the Norwegian Government. Amnesty International has therefore started collecting signatures for a petition calling on the authorities to respect the court decision and the cultural rights of indigenous people.

POLAND

The following international obligations have been violated:

ICCPR:

Article 7 (protection against torture or cruel, inhuman or degrading treatment)

Article 9 (right to liberty, protection from arbitrary arrest)

Article 19 (right to freedom of expression)

Article 20 (right to protection from propaganda of national racial and religious hatred)

Article 21 (right to peaceful assembly)

Article 26 (right to effective protection against discrimination on any ground such as race, color, sex, language, religion, political or other opinion)

CRSR:

Article 31 (obligation of States not to obstruct the freedom of movement of refugees who are unlawfully present on their territory unnecessarily)

CAT:

Article 2 (prevention of acts of torture)

ICERD:

Article 2d (obligation to prohibit racial discrimination by any persons, groups, organizations)

Article 4 (obligation to adopt measures aimed at eradicating all incitement to racial hatred, discrimination)

Article 5 (right to equality before the law, without discrimination, including the right to security of person and protection by the state against violence)

Article 7 (obligation of the State to take immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnic groups)

According to information posted on the Polish ombudsman's official website, in August 2022 there was an increasing number of complaints from Polish citizens about the increased blocking of websites in the Polish segment of the Internet, which poses direct risks to freedom of expression and access to information. Internet sites are blocked without informing their owners in advance for an indefinite period. The Ombudsman addressed Polish Prime Minister M.Morawiecki expressing the need to regulate the blocking of websites by law. In his appeal, the Polish ombudsman cited the ECHR's view that blocking an entire website or IP-address is a measure of last resort and cannot be used arbitrarily by the authorities. In turn, the lack of information and justification on the part of the Polish services blocking a particular website limits the possibilities and procedural tools for owners affected by the blocking of websites to verify the legality of the blocking.

In this context, a telling example of a "cleansing" of the information field and the Internet space from the resources of political rivals is YouTube's removal on 20 August 2022 of a resource of the opposition party "Confederation of Freedom and Independence", accused by the ruling party of promoting pro-Russian interests in the Polish domestic political space.

Reacting to the abovementioned steps, "Confederation" party representatives G.Brown and R.Winnicki, their lawyer J.Wilk, as well as media representatives, including M.Rola, editor-in-chief of the website "wRealu24.pl", accused the Polish authorities of violating Article 52 of the Constitution of the Republic of Poland and creating preventive censorship in the Polish media space by blocking the party resource, probably by decision of the Internal Security Agency. It is also noted that the party's Facebook account with over 670,000 followers was deleted on January 5, 2022. The party created a new profile, which this time was affiliated to the "Confederation" parliamentary faction, but it was also deleted. The next account was named "The Party Whose Name Must Not Be Spoken", which quickly regained the number of subscribers but was also deleted a few days later. In May 2022, the websites "wRealu24.pl" and "wRealu24.tv" were also blocked. The "Confederation" politicians released a statement saying that they had never been approached by the portal's administration about the content published or the nature of their profile. They also announced a lawsuit against Facebook and introduced a bill to protect democratic public debate on the Internet, the essence of which is to counter the appearance of censorship online. According "Wyborcza Białystok" internet-media, on August 13, 2022, human rights organization "Border Emergency Collective" (in cooperation with the Helsinki Foundation for Human Rights, the Polish Hospitality Foundation, the

Multicultural Society Integration Association NOMADA and "Grupa Granica") prepared and published a video report "Zone of hidden violence" on human rights violations at the Belarusian-Polish border. The report says that since autumn 2021, about 4,000 confirmed illegal push-backs and human rights abuses by Polish border and other services (including examples of violence against migrant women) have been recorded. Human rights defenders note that as a result of policies pursued by the Polish authorities, in many cases the wishes of migrants, including women, to seek international protection were ignored. The staff of the various services not only fail to introduce themselves, but also fail to provide information about the entity being represented by them in order to avoid providing the assistance required by law to persons belonging to vulnerable groups, including unaccompanied minors, persons with disabilities or victims of human trafficking. On June 20, 2022, World Refugee Day, Polish Ombudsman M. Wiącek and the National Mechanism for the Prevention of Torture in his office presented a report titled "Situation of Foreigners in Protected Centres during the Polish-Belarusian Border Crisis". The document is based on the results of 15 unannounced inspections in 8 detention centres between August 30, 2021 and April 2022: in Białystok, Krosno Odrzańskie, Biała Podlaska, Wędrzyn, Lesznowola, Przemyśl, Czerwony Bor and Kętrzyn, during which serious violations of refugees' rights in Poland were revealed.

During the presentation of the report M. Wiącek pointed out what he considered to be the three most important examples of human rights violations that occurred most frequently in the centres visited: detention of persons by courts without clear reason (whereas this should be a last resort); violation of the right to information (those locked up in the centres do not know what is happening to them, what they are entitled to, what procedures are carried out for them and if and when they will leave the centre); overcrowding in most centres visited (the minimum space per foreigner in the centres, reduced to 2 m² by the Ministry of Interior and Administration of Poland, does not meet international standards and is lower than for prisoners).

According to the Polish TV-channel TVN24 and several other media, on June 26, 2022 in Inowrocław (Kujawsko-Pomorskie Voivodeship), police officers unjustifiably used tear gas on a group of demonstrators who were trying to voice their discontent against the leader of the ruling "Law and Justice" party, J. Kaczyński, who was meeting with his supporters in the city on that day. The detained civilians were immobilised with physical force and handcuffs and placed in a police van. According to one of them, police officers "strangled" him, "stepped on his back", and threatened to hit him with a stun gun. Another detainee was kicked in the head and had his arms twisted. According to P. Kładoczny, a representative of the Helsinki Committee for Human Rights, the use of such a measure "was not only unnecessary, but served no purpose at all other than to escalate the conflict" between the protesters and the police. The police, for their part, claim that "the persons against whom the intervention was made used vulgar language towards the officers, disobeyed orders given by them and, despite repeated warnings to use gas, did not move away from the police".

According to the "Oko.press" portal, on July 10, 2022, police officers in Warsaw used physical force to prevent a legal mass event of a group of civic activists near the monument to the victims of the so-called "Smolensk Catastrophe" from taking place when the chairman of the ruling Law and Justice party Jarosław Kaczyński (the brother of former Polish President Lech Kaczyński, who died in a plane crash) was present. The police blocked the activists' access to the venue. In addition, referring to the third terrorist threat level imposed in Poland, they searched the demonstrators' personal belongings and temporarily confiscated



Photo: <https://oko.press/>

loudspeakers, the use of which was not prohibited by the local authorities during the event. As they attempted to approach the venue, some protesters were stopped with physical force and were thrown to the ground. The activists were also repeatedly robbed of their megaphones and their attempts to "shout" to J.Kaczynski were drowned out by the artificial noise of police vehicles.

According to the materials of the human rights website "Press.pl", in August 2020, the journalist of "Polityka" Joanna Siedlecka filed a lawsuit in the Warsaw District Court on the violation of her personal non-property rights by the management of the Central Anti-Corruption Bureau, the Internal Security Agency and the Ministry of Interior and Administration of Poland, which consisted in not providing information about the confirmation or denial of the fact of secret investigative measures against her in the period from 2012 to 2016.

The occasion was a statement of the Minister of Interior and Administration of Poland M.Kaminski, who told the Parliament in 2015 that Polish intelligence services had followed many journalists between 2007 and 2015. Ombudsman M.Wiącek spoke jointly with J.Siedlecka on the case. In the ombudsman's opinion, contrary to EU law on the protection of personal data, Polish law does not provide for a rule obliging authorised state institutions to provide information about previous investigative measures proceedings against citizens, even if this information can no longer harm the course of legal proceedings. Therefore, he asked the Polish Court of Justice to request a preliminary opinion from the EU Court of Justice. However, on August 5, 2022, the Warsaw District Court ruled against the application because, in its view, in the light of existing case law, the interpretation of the relevant provisions was not in doubt.

According to the Polish Ombudsman's portal, on September 15, 2022 the Voivodeship Administrative Court in Białystok (Podlaskie Voivodeship) upheld the complaints filed by the Ombudsman and a representative of an Iraqi family of seven people against the deportation of foreigners to the state border ("pushback"). The court ruled that the deportation of foreign nationals violated national, including the Polish Constitution, and international law.

The detention and deportation of foreigners took place on September 27, 2021. Officers of the border guard post in Michałowo (Podlaskie Voivodeship) took part in illegal actions against the Iraqi family and were guided by § 3(2b) of the Regulation of the Ministry of the Interior and Administration of Poland of 13.03.2020 on temporary suspension or restriction of border traffic at certain border crossings (the so-called "Border Regulation"), which was added to the regulation in August 2021 by an amendment. According to it, a foreigner who crossed the border of the Republic of Poland illegally and is in Poland without a residence permit may be taken by the Border Guard back to the state border and de facto forced to cross it without any administrative procedure. After the regulation came into force, the Ombudsman pointed out in his appeals, in particular to the General Directorate of the Border Guard Service and the Minister of Interior and Administration of Poland, that it was incompatible with national and international law. He made similar arguments in a complaint to the Voivodeship Administrative Court in Białystok. When considering the complaints, the Białystok court took into account the arguments presented by the Ombudsman and the Iraqi family representative, stating that by introducing a procedure for returning foreigners to the border line, the Ministry of Interior and Administration of Poland exceeded its statutory powers since the State Border Protection Act, specified as the legal basis for the Border Regulation, only authorises the Minister to issue orders for temporary suspension or restriction of traffic at border crossings. However, the Act does not authorise the power to establish any procedure for the return or expulsion of foreigners from the territory of the Republic of Poland. The Court also stressed that the Border Guard procedure in respect of foreigners crossing the border illegally and staying in Poland without a residence permit was and remains regulated in detail by provisions of law, i.e. the Aliens Act and the Act on Granting Protection to Aliens on Polish Territory (in the case of persons declaring their intention to apply for international protection in Poland). In the court's opinion, it is these provisions, as higher in the hierarchy of sources of law than the Border Regulation, which should be applied by the Border Guard Service in respect of detained foreigners. Considering the above, the Provincial Administrative Court in Białystok ruled the Border Regulation unconstitutional because it dealt with matters already regulated in laws and had been issued in excess of statutory powers. The Court also shared the Ombudsman's position that the application of the procedure for returning foreigners to the border, regulated by the Border Regulation, violates the right of foreigners to apply in Poland for international protection (refugee status) and therefore violates Article 56 § 2 of the Constitution of the Republic of Poland and Article 18 of the Charter of

Fundamental Rights of the European Union. According to the court, the return procedure is also contrary to the 1951 Geneva Convention relating to the Status of Refugees, whose provisions prohibit the expulsion and return of refugees to the border of territories where their life or freedom would be threatened. Following the arguments of the Border Guard Service, the court also noted that the procedure regulated in the Border Regulation did not give the foreigners any opportunity to present any explanations concerning their situation and deprived them of the right to appeal against the act of "pushback" itself. In the court's view, the authority which carried out the "pushback" in this case had no information about the circumstances and reasons for the foreigners' arrival in Poland, and the foreigners had no opportunity to present their position.

According to the "Oko.press" portal, at the closed-type migration centre in Lesznovola (Mazowieckie Voivodeship) the administration and staff of the institution use repressive measures against foreign citizens staying there. In October 2022, a group of 33 migrants staying at the Centre went on strike, informing the management of the institution of their protest and demands. On October 10, 2022, they handed over a list of 13 points to human rights activists for publication in the media. The protesters' main demands were "an end to the pointless extension of detention" and "an end to the 'copy-cat' decisions on the extension of detention". According to Polish human rights activists, the centre's administration continued to exert pressure on the migrant protesters and the most active members of the group were removed to other closed centres in the country. It is also known that one of the protesters physically injured himself by sewing up his mouth in protest. Under pressure from centre staff, most of the protesters were forced to call off the strike. According to the "Oko.press", photojournalist Katarzyna Pierzchała, who cooperates with the Internet media, was prosecuted by the Polish police for photo documentation of the action on October 8, 2022 by members of the "Flying Brigade of the Opposition" to place an inscription addressed to the head of the ruling "Law and Justice" party, J.Kaczyński, on a fence near the monument to the victims of the 2010 Smolensk plane crash in central Warsaw. In particular, in December 2022 documents were sent to the District Court of the Central District of Warsaw by representatives of the police, in which the journalist is unreasonably listed as a direct participant in this action and is therefore liable to administrative punishment for defacing private property.

According to K. Pierzchała's statements, despite the availability of a publicly available video recording of the event, which does not clearly show that she is not involved in the inscription on the 9 spans of the fence, this material has not been studied by the police and the actions of law enforcement officers are an attempt to persecute her in connection with her journalistic activities.

On January 23, 2023, the Ombudsman of Poland, M.Wiącek, speaking in the programme "Gość Wydarzeń" of the TV channel "Polsat" among other topics drew attention to the growing problem of abuse of power by Polish law enforcement officers, manifested by their increasingly frequent use of identification procedures against citizens taking part in protests and events, including sanctioned ones. He pointed out that, according to the Polish law in force, a police officer cannot take any action against a citizen, including identification, without a reason justified by the specific situation. He stressed that this procedure is permissible only in strictly defined cases: identification of suspects and witnesses of an incident/crime, search for missing persons or fugitives, and identification of persons in the vicinity of protected objects.

As a follow-up to this topic, the "Oko.press" portal published an article "Ombudsman: Police practice of identifying protesters is illegal, but organised" on January 24 2023, which gives the "background" of the Polish police's practice of "identifying" citizens since autumn 2017, i.e. since the end of the first mass protests in the country in defence of the judiciary. The article notes that at a certain stage, protesters ceased to obey police instructions to show identity documents and, as a result, the police switched to the practice of "creating pots", i.e. surrounding groups of protesters and then detaining activists and taking them to police stations/commissariats for "identification". Attention is also drawn to the systematic use of Article 65a of the Polish Code of Offences by police officers against protesters, according to which "Anyone who deliberately, disobeying the orders of police or border guards issued on the basis of law, hinders or significantly impedes the performance of official activities shall be liable to arrest, restriction of freedom or a fine".

ROMANIA

The following international obligations have been violated:

ICCPR:

Article 19 (right to freedom of expression)

Article 21 (right to peaceful assembly)

Article 26 (right to effective protection against discrimination on any ground such as race, color, sex, language, religion, political or other opinion)

ICESCR:

Article 7 (right to favorable conditions of work)

Article 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)

Article 13 (right to education)

CEDAW:

Article 6 (suppression of all forms of exploitation of prostitution)

Article 7 (rights of women on equal terms with men to non-discrimination in participation in the political and public life of the country).

ICERD:

Article 4 (obligation to take steps to eradicate all incitement to racial hatred and discrimination)

Article 5 (right to equality before the law, without any discrimination, including the right to security of person and protection by the State against violence)

On July 12, 2022, the trade union of the Romanian National Institute of Statistics held a rally to draw attention to wage discrimination both within this public institution and in relation to other categories of civil servants. Protest actions were organized by the employees of the institute over the last 7 months.

On August 25, 2022, representatives of Romanian railway workers' trade unions held a protest in Bucharest. They demanded a 10-year direct contract for public state services in the passenger rail system be signed by November 2022, the acquisition of new trains, and the cancellation of the decision to lay off 1,000 workers.

On October 20, 2022, the National Confederation of Trade Unions, "Cartel Alpha", organized a rally in downtown Bucharest to "stop the impoverishment of the population". The main demands were price controls, super-profits taxation, and an increase in wages and pensions.

Nationwide protests will continue because "abnormal energy costs and rising prices of food and basic necessities are forcing millions of workers to make painful choices, and pushing many into poverty.

On November 17, 2022, representatives of the Romanian police and penitentiary system trade unions continued a series of protests in front of the Ministry of Labor and Social Solidarity. The main demands were recognition of the complexity of work involving special, insufficiently compensated risks; the provision of statutory wage premiums stipulated by law; and the indexation of state military pensions.

On January 12, 2023, the Federation of Forestry Workers Trade Unions held a rally in front of the Government building. The goal was to save 3.1 million hectares of state forests (1 billion cubic meters of timber worth more than 100 billion euros) from being transferred to private control.

On February 6-7, 2023, trade union activists held a two-day protest over discontent with the law on wages and underfunding of health and welfare institutions in Romania.

On February 16, 2023, the European Commission called on Romania (and 11 other EU member states) to implement all the requirements of the Directive on combating the sexual abuse and sexual exploitation of children (2011/93/EU). The directive requires the introduction of minimum rules for the definition of offenses and sanctions for sexual abuse and sexual exploitation of children and child pornography. The Directive also introduces provisions to ensure better prevention of these crimes and better protection of victims.

On February 28, 2023, Corina Crețu, a member of the European Parliament, stated that the Romanian political system was becoming more and more discriminatory towards women: there are only two



Photo: <https://www.agerpres.ro/>

women ministers, the total absence of women at the executive level for many years, the situation at the local level is completely disastrous.

On April 26, 2023, Vera Jourova, vice president of the European Commission for Values and Transparency, said that "the situation of the press in Romania is not very encouraging, improvements are needed and the country must show progress in this regard". The European Commission's 2022 report on the rule of law notes that the media in Romania faces problems such as incomplete transparency with regard to media owners and a worsening situation of threats, harassment and violence against journalists

On May 22, 2023, trade unions in education launched the largest general and indefinite strike in 10 years (involving more than 200,000 people nationwide) over low wages for employees in the system.

SLOVAKIA

The following international obligations have been violated:

ICCPR:

Article 26 (the right to effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion)

ICESCR:

Article 11 (the 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)

Article 6 (right to education)

Amnesty International draws attention that in Slovakia there is no protection of housing rights. According to the organization, the grossest violation of the human right to housing is indifference to the homeless.

Lack of affordable housing, support services, and lack of necessary targeted support leave people homeless. The homeless face extreme social exclusion. Besides the homeless, this also affects vulnerable population groups, especially the young and the elderly, as well as those with middle and low incomes. In Slovakia the responsibility for providing affordable housing for people at risk of poverty, homelessness or loss of housing lies primarily with the authorities in charge of urban and social rental housing. However, affordable housing is not enough in almost all cities and towns in Slovakia. Amnesty International notes that the activities of municipalities are limited by legislation, financing mechanisms and a lack of political will at the national level.

According to Amnesty International, Roma children in Slovakia are systematically denied the right to education and protection from discrimination in education.

Most of these children study in Roma schools (classes) and are doomed to low-quality segregated education.

The European Commission is pursuing cases against Slovakia for violating the directive on racial equality due to the illegal exclusion of Roma children from general and special education.

Amnesty International calls on the members of the National Council of Slovakia to amend the Education Act in order to:

- ensuring the equal right to education for all Roma children, preventing and eliminating segregation;

- the gradual abolition of the special education program for the possible enrollment of Roma children in schools and classes for children with mild mental retardation.



Photo: www.amnesty.sk/pravo-na-byvanie-ie-ludske-pravo/



Photo: <https://www.instagram.com/>

SLOVENIA

The following international obligations have been violated:

ICCPR:

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

Article 19 (right to freedom of expression)

Article 21 (right to peaceful assembly) art.

Article 24 (rights of the child)

Article 26 (right to effective protection against discrimination on any ground such as race, color, sex, language, religion, political or other opinion)

ICESCR:

Article 13 (right to education)

CRC:

Article 3 (best interests of the child)

Article 28 (right to education on the basis of equal opportunity)

CAT:

Article 3 (right to protection from expulsion to countries where there is a risk of torture)

The right to freedom of peaceful assembly continues to be systematically violated in Slovenia. Serious problems also persist in the area of media freedom and the right to freedom of expression.

On May 25, 2022, the Council of Europe Commissioner for Human Rights Dunja Mijatović called on the Slovenian authorities to repeal the legal provisions providing for lawsuits and fines against peaceful demonstrators.

In a published statement, Dunja Mijatović said that requiring peaceful demonstrators to reimburse the costs of guarding unregistered public assemblies is clearly incompatible both with Slovenia's international human rights obligations and with the Law on Public Assembly, which makes a clear distinction in this regard between organized events and public assemblies.

The CoE Commissioner for Human Rights drew attention to the administrative offence proceedings against the activist Jaša Jenull, against whom the public prosecutor, at the request of the Slovenian Interior Ministry, had filed a third lawsuit seeking compensation for police expenses that had been caused by anti-government demonstrations over the past two years.

Dunja Mijatović recalled her June 2021 memorandum on the situation in Slovenia, in which she had already expressed serious concerns about official attempts to intimidate civil society activists, harassment of the rights to freedom of expression, and disproportionate restrictions of freedom of peaceful assembly in the country.

State-owned enterprises own stakes in several media outlets, leaving them vulnerable to government interference. The ownership of a number of media outlets is opaque and local publications are used as propaganda tools in favour of incumbent heads of municipalities. Journalists are subject to pressure from powerful business interests and are often persecuted for their coverage.

Central media, funded by public dues, face constant interference from political appointees. Radio-Television Slovenia (RTV SLO) has been constantly subjected to political interference, affecting its ability to broadcast unbiased programming.

In March 2022, the general director of RTV SLO (Central Radio and Television), Andrej Grah Whatmough, a political appointee of Janez Janša, began a campaign of purges of politically disloyal executive staff and company employees. The coalition against so-called strategic lawsuits against public participation in Europe has said that Slovenia is one of the worst offenders in the EU in using lawsuits to silence journalists and activists.

In September 2022, a group of RTV SLO employees claimed that executives were exerting partisan pressure on them, including through disciplinary action.

In July 2022, the new Slovenian government amended the RTV SLO law in an attempt to protect its independence, but in December, the outgoing management of the broadcaster challenged the law in the Constitutional Court, delaying a quick resolution of the crisis.

Defamation (dissemination of defamatory information) remains a criminal offense.

In December 2021, the European Parliament passed a resolution on the situation of fundamental rights and the rule of law in Slovenia. Despite some positive developments, the resolution noted serious threats to democracy and media freedom, including manipulation of public funding of the media (the

problem of transparent budgeting of the Slovenian News Agency), online harassment, lawsuits and threats against those who criticize politics and government activities, the spread of illiberal political movements and corruption.

Violations of the rights of certain categories of citizens and residents of Slovenia are widespread.

Roma in Slovenia face widespread poverty, are exposed to hate speech, are socially marginalized and lack access to primary and secondary education, legal housing and basic utilities.

Students with disabilities have difficulty accessing educational services. In July 2022, advocates reported that only a quarter of the country's high schools were fully accessible to people with disabilities.

Foreign workers are at risk of exploitation in Slovenia. Migrant workers lack an effective protection system, and civil society warns that there are no official statistics on the situation of migrant workers. In June 2022, prosecutors filed charges against the owners of a fish processing plant who were accused of exploiting their workers. In August, Slovenian television reported that Indian workers working at a car wash in Ljubljana were paid less than minimum wage and had their passports confiscated.

Unions have criticized the treatment and pay of workers on temporary contracts. In July 2022, unions called on parliament to better protect their rights through legislation.

In July 2022, the new government delayed until January 2024 implementation of the 2021 Long-Term Care for the Elderly Act. The law, which was supposed to solve the problem of the lack of care services for the growing elderly population, was to come into force in January 2023.

More than 13,000 residents of Slovenia have been unable to regain their civil rights since they were unconstitutionally removed from the official register of permanent residents in 1992, effectively stripping them of their Slovenian citizenship. Despite an official apology from Slovenia's president in the summer of 2022, the so-called erased residents have not regained their status or been compensated by the state.

The number of refugees and migrants entering Slovenia via the so-called Balkan route has increased significantly since 2021. Authorities have recorded more than 27,000 illegal entries. Since February, tens of thousands of people fleeing the conflict in Ukraine have entered Slovenia, most of them heading to other EU countries. About 7,500 refugees were granted temporary protection status, guaranteeing them access to education, emergency medical care and the labour market.

However, local organizations reported numerous problems with integration, including limited access to health care; lack of integration activities such as language services; and difficulties for Ukrainian children attending Slovenian language classes.

Problems persist with undue government influence over law enforcement and anti-corruption bodies. In December 2022, Interior Minister Tatjana Bobnar resigned, accusing Prime Minister Robert Golob of improper interference in police personnel appointments.

In February 2023, the UN Committee on the Elimination of Discrimination against Women (CEDAW) issued an opinion on Slovenia. The Committee noted with concern the persistence of hate speech and harassment against women politicians, activists and journalists. The Committee recommended that Slovenia adopt legislation to prevent harassment and threats against women in political and public life, for example by holding social media companies responsible for discriminatory content created by users. The Committee was also concerned that no civil society organizations from Slovenia had engaged with the Committee in preparing the country review. Slovenia was encouraged to provide an enabling environment for civil society and women's human rights defenders to advocate for women's rights.

Concern was also expressed that girls from the Romanian community in Slovenia had low levels of achievement in subjects related to science, technology, engineering and mathematics.

USA

The following international obligations have been violated:

ICCPR:

Article 6 (right to life)

Article 7 (protection from cruel, inhuman or degrading treatment or punishment)

Article 10 (right to be treated with humanity and with respect for the dignity)

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

Article 19 (right to freedom of expression)

Article 26 (right to effective protection against discrimination on any ground such as race, color, sex, language, religion, political or other opinion)

CRSR:

Article 31 (undertaking by states not to not apply restrictions, other than those which are necessary, to the freedom of movement of refugees who are present in their territory illegally)

CAT:

Article 2 (preventing acts of torture)

ICERD:

Article 2d (obligation to prohibit racial discrimination by any persons, group or organization)

Article 4 (obligation to take measures designed to eradicate all incitement to racial hatred and discrimination)

Article 5 (right of equality before the law, without any discrimination, including the right to security of person right to security of person and protection by the State against violence)

Civilians shot and killed by police.

The Washington Post reports a record high number of people shot and killed by U.S. law enforcement in 2022. The number of victims has risen steadily every year since 2017, reaching 1,096. There were only 15 days in 2022 when U.S. police officers did not kill or shoot people.

One factor in the rising death toll is the increase in gun sales to the general population across the country. Other causes include the slow pace of reforming approaches to justifying the use of force and the problem of prosecuting police officers accused of excessive use of force. Some states, such as Colorado, have been found to have racist motivations and excessive use of force by police.

Since the U.S. has no official statistics on police casualties at the national level, The Washington Post has taken the initiative to record fatal incidents: the Fatal Force Database has been maintained since 2015. The number of homicides in the database since 2015 exceeds 8,200.

Analysis of the database shows that in 2022, the percentage of African-Americans shot by police officers (half of the total) is two and a half times their share of the nation's population (14 percent). The proportion of Hispanic Americans shot and killed by police is also disproportionately high.

According to The Epoch Times, twenty attorneys general sent a letter to U.S. Attorney General Merrick Garland on February 8, 2023 with the following demands: "The Federal Bureau of Investigation must immediately and unequivocally order its personnel to stop harassing Americans on the basis of their religious beliefs and practices. We also demand that the FBI release to the public all materials related to the memo and its preparation."

The scandal erupted after an internal FBI memo was leaked that described Catholics as "racially or ethnically motivated violent extremists. The document particularly highlights the category of "radical traditionalist Catholics" who demonstrate "an enduring commitment to anti-Semitic, anti-immigrant, anti-LGBT and white supremacy ideologies."

According to the reporters, there is widespread intolerance at FBI for Catholics, who because of their religious aspirations are seen as potential terrorists. The memorandum recommends that FBI agents infiltrate Catholic communities and attend worship services to identify potential extremists.

The House of Representatives in January 2023 formed a Select Subcommittee within its Judiciary committee "on the Weaponization of the Federal Government" for political combat to oversee investigations of the federal government for possible wrongdoing.

Speaking at the special subcommittee hearing on February 9, 2023, former U.S. Congresswoman from Hawaii Tulsi Gabbard said: "Unfortunately, we live in a culture of fear where many Americans are afraid

to speak freely, express themselves, have open dialogue and debate. Afraid of losing their job, being canceled, or accused of a crime". This fear is engendered by individuals in the government, working through their arms in the mainstream media and big tech, appointing themselves as the sole authority, "backed by the most lethal force on earth with the power to target anyone they deem a threat..., to decide what is true and what is false, what is information and what is mis/disinformation."

To back up her words, Tulsi Gabbard said that Meta CEO Mark Zuckerberg acknowledged that "Facebook limited the exposure of the New York Post's Hunter Biden laptop story only after talking with the FBI. Twitter did the same, and recently apologized for doing so, recognizing it was wrong. The cozy relationship between White House officials, the FBI, and big tech is well documented and results in private companies not restricted by the First Amendment, doing the dirty censorship work that those in government are not legally allowed to do themselves".

Tulsi Gabbard also said that the 644 Twitter accounts, including her own, that FBI and CIA officials believed were allegedly linked to "Russian influence activities online" were in fact anti-establishment American voices from the political spectrum.

Violation of migrants' rights

The Washington Post reports that on February 21, 2023, "The Biden administration on Tuesday issued its most restrictive border control measure to date, announcing plans for a temporary rule that will penalize asylum seekers who cross the border illegally or do not apply for protection in other nations they pass through on their way to the United States. Under U.S. immigration law, migrants fleeing persecution can request asylum regardless of how they arrive on U.S. soil. Biden's rule, slated to take effect in May and expire after two years, would presume asylum ineligibility for those who enter illegally. The penalty would make it easier for the government to deport border-crossers who express a fear of harm, potentially reducing the number who are allowed into the United States pending a hearing in swamped U.S. immigration courts."

According to experts, restricting asylum seekers' entry into the U.S. is politically motivated: In the run-up to the 2024 presidential election, Biden wants to shore up a potential vulnerability associated with the failure of his immigration policy. After taking



Photo: <https://www.washingtonpost.com/>

office, Biden eliminated many of the Trump administration's immigration restrictions, as a result of which the U.S. has faced unprecedented and uncontrolled influx of migrants. Compounding the situation is the expiration of covid restrictions imposed by the White House on May 11, 2022, which allowed U.S. authorities to expel 2 million migrants, including asylum seekers, from the country.

The new border control measure has drawn a barrage of criticism from lawyers and human rights activists who advocate for migrant rights. Lee Gelernt, an American Civil Liberties Union attorney, said his organization would seek to block a decision similar to earlier decisions by the Trump administration restricting migrant rights: "The proposed asylum ban has the legal flaws of the Trump bans... We successfully sued to stop those bans, and will do so again if the Biden administration enacts these bans and follows the lead of the Trump administration."

5. Cruel beating by police of Tyre Nichols.

On January 27, 2023, police officers in Memphis, Tennessee, brutally beat a local African-American man, Tyre Nichols, and it was recorded. Video footage released by police showed two and then three more officers punching, kicking and stun gunning the man, who was lying on the pavement, and using other restraints. As a result of the severe injuries inflicted upon him, Tyre Nichols died. Mass protests were held in Memphis in connection with the death of T. Nichols.



Photo: [MLive.com](https://www.mlive.com)

On January 27, 2023, Human Rights Watch in a publication titled "Killing of Tyre Nichols Shows Structural Problems in US Policing" concluded: "The

fatal beating reminds us of the fundamental changes to policing that are still needed and what is required to foster safety in the US, particularly in Black communities, whose members are three times more likely to be killed by police than white people."

Human Rights Watch notes that while some killings get extensive media coverage, police across the US use force and engage in harmful and pervasive abuse, especially toward Black people, on a daily basis. Studies show that police use force on Black people at vastly higher rates than on white people, including electroshock weapons such as Tasers, dog bites, batons, and beatings. These are often



Photo: <https://news.ru/usa/>

misapplied in situations involving problematic substance use, homelessness, mental health conditions, and poverty. Police traffic stops are not only more frequent in predominately Black and low-income areas but they also last longer and take place with a greater likelihood of removal from the vehicle, search, questioning, and arrest. Data shows that police in the US have killed nearly 600 people in traffic stops since 2017. Accountability for police abuse remains rare in the US.

6. Amnesty International report on the U.S.

The overview of the United States section of Amnesty International's 2021/2022 annual report, published on March 29, 2022, reads that "The Biden administration stated its intention to restore the US human rights record, but the results in policy and practice were mixed. While it re-engaged with UN international human rights institutions and multilateral efforts to combat climate change, the administration failed to adopt human rights-respecting immigration and asylum policies on the USA-Mexico border or realize its human rights-related agenda on the domestic level. Domestic politics continued to hinder effective government action to address climate change, discriminatory attacks on voting rights, or unlawful state-level restrictions on rights, including the right to freedom of peaceful assembly and reproductive rights".

- Indigenous women continued to experience disproportionately high levels of rape and sexual violence and lacked access to basic post-rape care; continued to experience high rates of disappearance and murder;
- authorities continued to drastically limit access to asylum at the USA-Mexico border, border control officials carried out unnecessary and unlawful pushbacks of nearly 1.5 million refugees and migrants at the USA-Mexico border, returnees were summarily expelled without access to asylum procedures;

- thirty-nine Muslim men remained arbitrarily and indefinitely detained by the US military in the detention facility at the US Naval Base in Guantánamo Bay, Cuba, in violation of international law; the authorities made little progress in closing the facility, despite the Biden administration's stated intention to do so.

Authorities failed to adopt and implement significant police oversight and accountability measures promised by the Biden administration in response to nationwide protests against police violence in 2020;

- lawmakers in at least 36 states and at the federal level introduced more than 80 pieces of draft legislation limiting freedom of assembly, with nine states enacting 10 such bills into law in 2021; proposed legal restrictions on freedom of assembly included increased penalties for acts of civil disobedience relating to infrastructure projects such as pipelines, obstructing roads and defacing monuments;

- Black people were disproportionately impacted by police use of lethal force; the federal government's programme to track how many such deaths occur annually remained unimplemented;

- no one had been brought to justice for the systematic human rights violations committed in a CIA-operated secret detention system, including enforced disappearance, torture and other ill treatment;

- the US Congress did not pass any regulations on access to firearms in 2021; the government's failure to protect people from persistent gun violence continued to violate their human rights, including the rights to life, security of the person and freedom from discrimination;

- at least 44,000 people were estimated to have been killed by gun violence in 2020; during the Covid-19 pandemic in 2020 and 2021 some state government authorities exacerbated gun violence by designating gun stores as "essential businesses";

- the US government repeatedly used lethal force in countries around the world, including with armed drones, in violation of its obligations under international human rights law and, where applicable, international humanitarian law; NGOs, UN experts and the news media documented how such strikes inside and outside zones of active armed conflict resulted in injuries or arbitrarily deprived protected individuals, including many civilians, of their right to life, in some cases constituting war crimes;

- the US government weakened protections for civilians during lethal operations, which increased the likelihood of unlawful killings; impeded the assessment of the legality of strikes; and prevented accountability and access to justice and effective remedies for victims of unlawful killings;

- the government continued to withhold information regarding the legal and policy standards and criteria applied by US forces when using lethal force, despite calls by UN human rights experts to clarify such points;

- authorities failed to provide reparations for civilian killings.

FINLAND

The following international obligations have been violated:

ICCPR:

Article 7 (protection from torture or cruel, inhuman or degrading treatment)

Article 8 (freedom from slavery and servitude)

Article 19 (right to freedom of expression)

Article 26 (right to effective protection against discrimination on any grounds, such as race, skin color, sex, language, religion, political or other beliefs)

ICESCR:

Article 7: (right to favorable conditions of work)

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

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

CEDAW:

Article 6 (suppression of all forms of traffic in women and exploitation of prostitution of women)

Article 10 (the obligation of the State to take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education)

ICERD:

Article 2d (commitment to prohibit racial discrimination by any persons, groups, organizations)

Article 4 (commitment to adopt measures aimed at eradicating any incitement to racial hatred, discrimination)

Article 5 (the right to equality before the law, without any discrimination, including the right to personal security and protection from violence by the State)

CRC:

Article 5 (the right of child to a standard of living adequate for the child's physical, mental and social development)

Article 6 (right to life)

Article 37 (prohibition of torture)

CAT:

Article 2 (prevention of acts of torture)



Photo: <https://yle.fi/novosti/3-12656726>

The most common form of human trafficking in Finland is forced labor. During the period from January 1 to June 30, 2022, the System of Assistance for Victims of Human Trafficking has received 185 applications. This is more than ever before (in 2021 – 147 applications).

At the beginning of 2022, 139 people applied to the Assistance System, of which 26 were minors. It is estimated that many of them have been victims of human trafficking or other forms of exploitation related to forced labor in Finland. In Finland, the victims were more exposed to forced labor, sexual abuse and forced marriage. The most common victims of exploitation were citizens of Afghanistan, Vietnam, Iraq, Morocco, Russia, Thailand,

Philippines and Finland. To a greater extent, conditions indicative of human trafficking prevailed in the restaurant industry, cleaning companies, beauty industry, work in greenhouses and car washes.

Finland violated the rights of the child by failing to return Finnish children from the Syrian Al-Hol camp to their homeland. On September 12, 2022, the United Nations Committee on the Rights of the Child issued a decision on the appeal case against Finland, which concerns Finnish children who were in the Al-Hol camp in northeastern of Syria. The decision became public on October 12, 2022. The complaint was filed by relatives of some of the children who were in the Al-Hol camp. In its decision, the Committee considers that Finland violated an article 6, paragraph 1 (right to life) and article 37, subparagraph a (prohibition of torture and cruel, inhuman or degrading treatment or punishment) of the Convention on the Rights of the Child. The committee's decision concerns six Finnish children trapped in the Al-Hol camp in Syria. Three of them were able to return to Finland with their mothers. Three children aged 5-6 years are still in the camp in conditions comparable to a war zone. Relatives of

Finnish children in the Al-Hol camp in Syria are figuring out the possibility of claiming compensation from the Finnish state. The children entered the camp after the fall of the IS terrorist organization's «caliphate» in the spring of 2019, when tens of thousands of people living in IS territory were taken to Al-Hol camp. Among them were Finnish women and children. Initially there were about forty Finnish citizens.

Some places of detention in Finland are constantly overcrowded. Thus, the detention center in Vantaa (satellite city of Helsinki) is one of the largest prisons in the country, which receives from 10 to 30 new prisoners every week. Warden Tommy Saarinen said that the prison has been overcrowded since the beginning of construction (2002), which, according to T.Saarinen, creates problems, including ensuring the safety of prisoners. From the point of view of the warden, in order to improve the situation, it is necessary to abandon the common cells. The consequence of overcrowding are crimes among prisoners. Thus, the media reports that in the above-mentioned detention center in Vantaa, two men raped and killed a 20-year-old cellmate. According to police suspicions, the murder was committed intentionally, the suspects deliberately wanted to take the victim's life.

The University of Helsinki has received many requests to deprive the well-known public figure of Finland Johan Beckman of the title of associate professor. J.Beckman is an associate professor of legal sociology and criminology at the University of Helsinki, traditionally takes the opposition side against the current leadership and is positioned as a rather «provocative» public figure. As indicated by some media, J.Beckman's active speeches in support of Russian policy probably «provoked» a bill according to which the Finnish Security and Intelligence Service (Supo) proposes to criminalize intentional information influence and the spread of disinformation in favor of a foreign state. This proposal was submitted to the Parliamentary Committee on Communications and Transport in April 2022. According to Deputy Head of the Security Police T.Turunen, it is necessary to clearly define the boundaries of punishable actions: «Of course, in a state governed by the rule of law, we must adhere to the principles of freedom of speech. The punishment would be possible in situations when a person himself understands that he is acting in the interests of a foreign state and continues to spread fake news and false information despite police warnings». In Finland, the three journalists have been brought to justice due to the publication of an article about intelligence. According to investigators, the journalists violated the secrecy of secret information by publishing in December 2017 an article about the center for military intelligence of the Defense Forces. The prosecutor demands that the correspondents be sentenced to imprisonment for a year and a half on probation. The journalists deny all allegations.

The Finnish forest industry company (UPM) has violated workers' rights. The company tried to break the trade union movement and the right of employees to collective bargaining, which is part of the basic rights of employees. The company was stated that the working conditions would be determined on the basis of legislation, the company's previous practice and personal employment contracts, that is, in practice, the employer would dictate the working conditions. In particular is recorded a dismissal of one of the managers and the announcement that the company is no longer negotiating collective agreements. The situation in Finland is mentioned in the annual report of the World Federation of Trade Unions.



Photo: <https://yle.fi>

Ethnic minorities face discrimination at universities twice as often as Finns. A research conducted by the Ministry of Education and Culture of Finland concluded that higher education institutions have a lot to do to ensure equality among teaching and research staff. One of the key findings of the report was the fact that ethnic minorities face discrimination in higher education almost twice as often as Finns. The same goes when taking up higher career levels at universities, which is often due to the opacity of the recruitment criteria.

The compilers of the report also identified the problem of career growth among women. The representatives of female sex are much more likely face discrimination in higher education. In particular, at universities, there are more female representatives at the bachelor's level than men, while a significant number of males prevail in leadership positions.



The dozens of Sami (a small Finno-Ugric ethnic group) took part in the demonstration in video format, taping their mouths. The purpose of the action is for the Government to finally take measures to reform the Law on the Sami Parliament, which will put an end to human rights violations. «We feel like we're not being heard, we don't have a voice and our views don't matter». In the action took part about fifty saami. Finland has been criticized for the current Saami Parliament Act, which according to the UN Committee on the Elimination of Racial Discrimination and Human Rights Committee violates international treaties and human rights regarding the right of the Saami people to self-determination. The Finnish Builders' Union (Rakennusliitto) has recorded cases of «harsh exploitation» of Ukrainian workers at one of the major construction sites in Tampere. Citizens of Ukraine worked 10 hours on weekdays and 6 hours on Saturdays, they were paid too little. According to the trade union, Ukrainians received twice less than usually pay for such work. Therefore, the salary of many employees who were attracted to work as private entrepreneurs was formed from an hourly wage of 14 euro. After all the mandatory payments, even skilled workers received about 10 euro. In January, they received money only for November. The violations were revealed during the inspection of the Sulkavuori wastewater treatment plant. The administration of the construction site reported that the foreigners were brought to Finland by a «Latvian charity organization». The trade union believes that a Latvian recruiting company is behind it. Vice-Chairman of the trade union K.Palonen called the case «egregious». «The exploitation of foreign labor, in such case Ukrainian refugees, which disguises itself as charity, crosses all borders. We are talking about the shadow economy and exploitation», – said K.Palonen. The Builders' Union has already intervened in the situation of Ukrainian workers at seven construction sites.

Photo: <https://yle.fi>

FRANCE

The following international obligations have been violated:

ICCPR:

Article 7 (protection against torture and other cruel, inhuman or degrading treatment)

Article 19 (right to freedom of expression)

Article 21 (right to peaceful assembly)

Article 26 (right to effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion)

ICESCR:

Article 7: (right of everyone to the enjoyment of just and favourable conditions of work)

Article 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)

Article 13 (right of everyone to education)

ICERD:

Article 4 (obligation to take measures aimed at eradicating any incitement to racial hatred, discrimination)

Article 5 (right to equality before the law, without any discrimination, including the right to security of person and protection by the State against violence)

According to the publication of Le Monde based on data from the Ministry of justice of France, in 2022 the number of prisoners in France approached 73 000, which is an absolute record in the history.

In 2022, the number of prisoners increased by nearly 3 000 people. Of these, about 3.5 per cent are women and 0.8 per cent are minors. There are currently 72 800 people in prison, which is 120 per cent of the maximum capacity of prisons (in 2021 the figure was 115.4 per cent). Moreover, 56 French prisons are overcrowded by 150 per cent and in 3 French prisons the number of prisoners is twice that of the official capacity of prisons. Due to the prison's lack of capacity, some 2 200 people are forced to sleep on mattresses on the floor. At the same time, almost a quarter of those who are in prison, are on trial and, therefore, are presumed innocent and shall be treated as such. The previous record in France was set in March 2020, when there were around 72,500 people in prison. On a European scale France is on a level with Ukraine and Greece in terms of the number of prisoners per 100,000 inhabitants.

In September-October 2022 the strikes by oil refineries and fuel depots workers at Total Energies and Esso-ExxonMobil took place in France. Around 30 per cent of petrol stations in the country either stopped selling motor fuel altogether or severely limited its assortment. The strikers demanded higher wages, citing prices rising amid inflation on the one hand and increased profits for the energy companies on the other.

The French government has used a compulsory recruitment mechanism to summon the staff required for the functioning of companies, despite the fact that such a measure is only provided for by law in cases of natural disasters and war. The General Confederation of Labour, the largest French trade union association, called this decision of the authorities an attack on the constitutional right to strike.

On 18 October 2022, during clashes between high school students and French police near the Lycée Joliot-Curie in the Parisian suburb of Nanterre the law enforcement officers used tear gas against



Photo: <https://www.youtube.com/>



Photo: <https://amnestyfr.cdn.prismic.io/>

protesters. Fourteen minors were detained and taken into custody, one lyceum student was hospitalized with injuries. The demonstrations were held in protest against the suspension from work of the mathematics teacher and trade unionist Mr. Kai Terada, against the termination of the homework assistance programme and changes in the internal rules of the lyceum (restrictions on the wearing of the abaya, which is a traditional dress worn by Muslim women).

In July and October 2022, in the framework of the enforcement of the European Court of Human Rights decision France was forced to repatriate 31 women and 75 minors held in jihadist prison camps in northeastern Syria. Until this time, French authorities had refused to comply with the requirement to automatically repatriate all jihadist children and their mothers, insisting that each case should be considered separately. Earlier, the UN Committee against Torture condemned France for refusing to automatically repatriate of French nationals from prison camps in northeastern Syria. The Committee found France to be in violation of articles 2 and 16 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. France has particularly insisted on the absence of country's obligation under the Convention to protect its nationals on the territory under foreign jurisdiction. On 19 November 2022, during a demonstration in Paris dedicated to the anniversary of the



Photo: <https://www.youtube.com/watch>

"yellow vests" movement, police used tear gas and batons to break up the peaceful protest. 153 people were hospitalized with injuries of varying severity. Protesters once again clamoured for more social justice and tax fairness. Due to the high inflation they demand an increase in salaries and pensions, the urgent need for an emergency budget plan for municipal health facilities.

On 24 December 2022, French police used tear gas to disperse protesters who had taken to the streets of Paris after three people were killed in an attack on a Kurdish cultural center. The protesters started throwing

bottles and stones at the police officers who responded by spraying tear gas and apprehending some of the instigators. Eleven people were detained for participating in the riots, another 30 were injured. The protests were sparked by the death of three Kurds in a shooting near a Kurdish cultural centre in Paris on December 23, 2022. A 69-year-old gunman opened fire at a Kurdish cultural centre and a hairdressing salon in Paris, killing three Kurdish people and injuring three others. The gunman was detained by the police and taken into custody. According to preliminary information, the attacker acted alone and had pathological hatred of foreigners.

CZECH REPUBLIC

The following international obligations have been violated:

ICCPR:

Article 19 (the right to freedom of expression)

Article 26 (right to effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion)

ICERD:

Article 2d (obligation to prohibit racial discrimination by any person, group, organization)

Article 4 (obligation to take measures aimed at eradicating any incitement to racial hatred, discrimination)

Article 5 (the right to equal treatment before the law, without any discrimination, including the right to personal security and protection from violence by the state)

Article 7 (obligation of the state to adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination, promoting understanding, tolerance and friendship among nations and racial or ethnic groups).

In the Czech Republic, human rights violations have continued for many years among members of the Roma national minority.

In particular, in February 2023, the Commissioner for Human Rights of the Council of Europe, Dunja Mijatović, following a five-day visit to the Czech Republic, stated that the Czech authorities needed to make efforts to address the long-standing problem of exclusion of the Roma so that they could live in conditions of equality and dignity.

The Commissioner noted that Roma currently had been facing discrimination in almost all areas of life, including housing, employment, and interaction with the police.

One of the main violations, Roma have faced, is the acquisition of the right to education. It is noted that the Czech authorities violate the rights of Roma children in schools almost throughout the country. They are taught in isolation from the main body of students in separate classes for Roma. Classes may take place in separate buildings and schools, and there are cases when Roma children are placed in classes for students with “minor mental disabilities”. Often, Roma studying in general schools face aggression and attacks on ethnic grounds.

In total, about 262 thousand representatives of the above mentioned national minority live in the Czech Republic. The largest group (75-85%) is represented by the Slovak Gypsies who had moved to the territory of the Czech Republic and Moravia after the Second World War, during which a significant part of the original Czech Gypsies was exterminated.

Along with that, citizens of the Czech Republic in 2022-2023 faced violations of their rights to freedom of speech.

In particular, during the indicated period, Czech law enforcement agencies initiated criminal and administrative cases against citizens expressing support for Russia in the implementation of the special military operation on social networks or in any other public way.

From March 2022 to the present, Czech courts have issued 9 final verdicts in connection with the approval by Czech citizens of the actions of the Russian Federation in Ukraine. A total of 58 charges were filed. A total of about 200 similar cases are currently pending before the police.

As a measure of punishment, Czech courts apply various sanctions, from fines to the imprisonment of allegedly guilty citizens in prison.

Thus, on October 26, 2022, a court in Kladno sentenced two defendants to imprisonment for hate speech against Ukrainians in a video posted on social media. According to the verdict, Tomáš Čermák received 6 months in prison and Patrik Tušl – 10 months. According to Judge Vít Sochovský, they



Photo: <https://www.seznamzprav.cz/>

committed acts aimed at inciting hatred and slandering the nation. Prosecutor Ondřej Hula said he had considered the actions of the defendants extremely socially dangerous.

On December 21, 2022, the Regional Court of Appeal in Prague upheld Tušl's conviction passed by the court of first instance. In the case of Čermák, the court partially satisfied the appeal – he was sentenced to probation for 10 months with a 2-year delay. Tušl said in court that, in his opinion, “Ukrainians had been given preference over citizens of the Czech Republic,” and that he had perceived the accusation as an attempt to hush up his activities. He called himself “one hundred percent political prisoner.” Judge Kateřina Hykešová specifically noted: “the right to freedom of speech is not unlimited, it must be sanctioned if it violates the rights of others.” In the media, Tomáš Čermák and Patrik Tušl were called disinformers, the facts of their personal lives, which characterize them negatively, had been made public. Both face further prosecution: Tušl – for threatening the president of the Czech Medical Chamber, Milan Kubek, in connection with his support of anti-COVID restrictions and vaccination, and Čermák is suspected of supporting and promoting terrorism due to calls to attack members of parliament.

Additionally, it should be noted that the Czech Republic in June 2022 adopted Law No. 175/2022 Sb., on the basis of which the issuance of visas for citizens of the Republic of Belarus and the Russian Federation was limited.

In accordance with the specified normative act, restrictive measures were established in connection with the armed conflict on the territory of Ukraine caused by the invasion of the troops of the Russian Federation.

The said visa decision adopted by the government of the Czech Republic is selective and restricts the freedom of movement of citizens of Belarus and Russia solely on the principle of citizenship.

At the same time, a number of Czech educational institutions have limited the possibility of studying Belarusian and Russian students in a number of faculties for security reasons. Thus, on the basis of citizenship, the right to education is limited.

SWITZERLAND

The following international obligations have been violated:

ICCPR:

Article 7 (protection from torture or cruel, inhuman or degrading treatment)

Article 19 (right to freedom of expression)

Article 26 (the right to effective protection against discrimination on any grounds, such as race, skin color, sex, language, religion, political or other beliefs)

ICESCR:

Article 7 (the right of everyone to the enjoyment of just and favourable conditions of work)

Article 11 (the 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)

Article 13 (the right of everyone to education)

CEDAW:

Article 6 (suppress all forms of exploitation of prostitution of women)

CRPD:

Article 19 (right to living independently and being included in the community)

UNCAT:

Article 2 (prevention of acts of torture)

ICERD:

Article 4 (commitment to adopt measures designed to eradicate all incitement to racial hatred and discrimination)

Article 5 (the right to equality before the law, without discrimination, including the right to security of person and protection by the State against violence)

On 30 and 31 May 2022, a massive law enforcement intervention was required in the centre of Bern, where representatives of two rival biker clubs gathered in front of the courthouse to support their comrades during a trial for attempted premeditated murder and possible grievous bodily harm. Despite the metal barriers, the police had to use an array of riot gear, including water cannons, rubber bullets and tear gas to disperse the aggressive bikers. Traffic in the area around the scene was suspended for several hours.

According to the Swiss media, on 18 June 2022 a meeting of more than 50 neo-Nazis – citizens of Switzerland, Germany and a number of other countries – was held in Rütli, where songs with anti-Semitic and racist content were sung, relevant slogans were heard, Nazi salutes were used, etc. As experts note, similar events held by German neo-Nazi structures are quite popular in Switzerland because, unlike in Germany, there is no legal ban on the activities of right-wing extremist organisations and Nazi symbols. According to Pascal Pernet, head of the Swiss Foundation against Racism and Anti-Semitism, "Swiss criminal provisions on racism are much more liberal than in other countries. Nazi symbols, for example, are still allowed. This should be changed immediately. There is no reason to allow such symbols".

On 17 September 2022, the "March for Life", a demonstration against abortion in Zurich, which had been agreed with the authorities, took place. In order to avoid clashes between opposing groups, the police were forced to use special means: tear gas and rubber bullets. During the day, 150 participants in the "counter-demonstration" were policed and escorted out of the area of the "March for Life" and eight others were detained.

On 4 October 2022, the report of the Working Group of Experts on People of African Descent, under the auspices of the UN Human Rights Council, on its country visit to Switzerland in January 2022, was made public. The report expresses concern about "the prevalence of racial discrimination and the human rights situation of people of African descent in Switzerland" and recognises a "systemic problem" in this regard.

The authors of the report highlight the following aspects:

- the influence of Switzerland's historical links to colonialism and the slave trade on contemporary manifestations of racial discrimination;
- the racist treatment even of people of African descent born in Switzerland and holding Swiss nationality;
- ineffectiveness of the existing legal framework for combating racist acts/omissions ("for many people, the courts do not offer effective remedies");
- lack of racially disaggregated data collection practices, which "makes it difficult to analyse policy decisions, legislation and practices in terms of their impact on racial discrimination or human rights violations based on race";
- persistent obstacles in accessing justice for "victims of police brutality and their families";
- significant difficulties encountered by people of African descent in obtaining housing on the private market, given the "unwillingness or inability of the Government to address racial discrimination by private landlords";
- the deliberately unfavourable conditions of temporary stay for many rejected asylum seekers, calculated to encourage them to leave Swiss territory as soon as possible.



Photo: <https://www.tagesanzeiger.ch>

On 15 November 2022 the first report of the Council of Europe's Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) on legislative and other measures to implement the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) in Switzerland was published. The document contains, among other things, a critical assessment of the situation in Switzerland. In particular, in the opinion of experts, there is a lack of funding for policies, programmes and measures to prevent and combat all forms of violence against women. There is a lack of specialised support services for women who are victims of such forms of violence as rape, sexual harassment, forced marriage, forced sterilisation, etc. Significant differences have been found between cantons in approach, legislation and the scope of measures taken to combat violence against women. The lack of harmonisation of law enforcement practices and sometimes of inter-cantonal cooperation in general can lead to differences in the level of protection for women victims of violence depending on where they live.



Photo: <https://bajour.ch>

The persistence of gender stereotypes in the judicial system, the incompatibility the definition of rape in Swiss law with the requirements of Article 36 of the Istanbul Convention, the

dependence of residence permits for migrant women on their marital status, etc., are noted as serious problems.

The report contains a total of 59 recommendations addressed to the Swiss authorities.

According to the Swiss Federal Statistical Office, 19,300 domestic crimes were recorded by the police in 2021, with women accounting for more than 70% of victims. On 25 November 2022 an unauthorised demonstration was held in Basel on the occasion of the International Day for the Elimination of

Violence against Women. Around 200 people took part and tried to march through the city centre with banners and torches.

After repeated verbal warnings, the police used special means: rubber bullets and tear gas. Some of the protesters reportedly sustained injuries, two of them sought medical treatment. Three activists were temporarily detained and taken to the police station.

The police leadership and a number of members of the cantonal parliament said that unauthorised mass actions were unacceptable. At the same time, the left-wing Basta party asked the government of the canton of Basel-City about the proportionality of the use of means of restraint and criticised the "violent actions" of the law enforcement agencies..

In December 2022, a number of Swiss media published a short amateur video made earlier this month in Bern. It shows an unidentified man being detained by several police officers. The journalists were particularly indignant when a policeman hit the detainee in the head, while he was already lying on the ground. In addition, the police officers attempted to obstruct the video recording. In their commentary the police clarified what had happened and justified the proportionality of their actions. However, individual legal experts criticised the recorded methods of influence, which are only permissible in a situation of necessary self-defence. In December 2022, the website of the Swiss Centre of Expertise in Human Rights published the report "The Right to Assistance in Emergency Situations. An assessment of implementation in the canton of Basel City". It notes, in particular, that the current conditions of social assistance for foreigners in need (only for food and a return ticket) and its amount (12 Swiss francs per day) do not allow for the full implementation of the "right to assistance in emergencies" enshrined in Article 12 of the Swiss Constitution, including meeting "minimum needs for food, hygiene, clothing, etc. in the free market".

On 11 February 2023 about 400 people in Basel clashed with police officers who tried to prevent the protesters from entering the crowded town centre on the pretext of a march for climate protection. After firecrackers and other munitions were thrown at the policemen, the order enforcing officers resorted to the use of rubber bullets and tear gas. Politicians in Basel condemned the behaviour of the protesters, but some commentators, on the contrary, criticised the police's use of riot gear in crowded areas.

On 18 February 2023 in Zurich more than 1000 demonstrators against the lack of affordable housing caused serious damage along the way – they left graffiti on the walls of buildings, smashed shop windows, burned bins, damaged cars and transport infrastructure, and threw stones at police officers. Four people were detained during the action. Due to a lack of personnel, the police only made their presence known, but chose not to intervene.

Commenting on the outcome of Switzerland's Universal Periodic Review (UPR) of the UN HRC in Geneva on 27 January 2023, a representative of the Swiss Platform for Human Rights NGOs said that "the recommendations by individual states paint a realistic picture: there are still gaps in the protection of human rights in Switzerland". Human rights organisations expect Switzerland to accept these recommendations and to establish effective coordination mechanisms for their implementation at federal and cantonal level.

In particular, priority advances are needed in the following areas:

- providing the national human rights institution, to be established in 2023, with sufficient resources and a broader mandate;
- the adoption of a comprehensive general law to protect against discrimination;
- establishing independent bodies to address complaints of police violence;
- addressing critical gaps in gender equality, (wage levels, childcare, protection from sexual violence);
- full rights for people with disabilities, including in the area of inclusive education,
- strengthening the fight against racism;
- strengthening the systemic rights of migrants, asylum seekers and refugees, especially blacks and Muslims;
- strengthening the fight against climate change, including for human rights reasons;

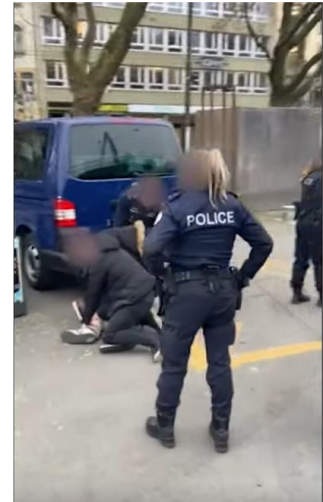


Photo : <https://www.20min.ch>

- strengthening the rights to freedom of expression, peaceful assembly and association;
- ratification of the additional protocols to the UN Human Rights Covenants which allow for individual complaints;
- the inclusion of the crime of torture in Swiss criminal law.

On 8 March 2023 unauthorised "queerfeminist" demonstrations took place in Basel, Bern and Winterthur on the occasion of International Women's Day.

In Basel, the police used rubber bullets, pepper spray and fired one warning shot. More than 200 people were subjected to identification procedures.

In Winterthur the police used pepper spray when demonstrators attempted to breach the police fence. Amnesty International. The human rights organisation Amnesty International has expressed grave concern about "the attitude of the police towards unauthorised demonstrations". According to the organisation, "under international law, assemblies should not need a permit because they represent the realisation of fundamental rights. Moreover, the lack of authorisation does not justify the dispersal of a peaceful demonstration and does not absolve the authorities from their obligation to facilitate the demonstration and protect the participants".



Photo: <https://www.amnesty.ch/>

According to Amnesty International's website, video footage of a demonstration in Basel shows "police running towards the demonstrators, snatching a banner from their hands and firing into the crowd from several metres away". One of the demonstrators said that 'she had bruises and others were badly bruised'. She saw at least one person hit in the head by a rubber bullet.

"Amnesty International called for an "independent and effective" investigation into the Basel incidents and a total ban on the use of multi-shot weapons by the police, reminded Swiss law enforcement agencies of their duty "to respect the right to freedom of expression and assembly and to protect unauthorised peaceful demonstrations" and stated that "police are not entitled to disperse peaceful demonstrations for lack of authorisation or to surround demonstrators for identification". The organisation also published 25 rules to prevent human rights violations caused by the misuse of rubber bullets.

On 1 April 2023, an unauthorised mass action took place in Zurich that escalated into clashes with the police. Several hundred left-wing extremists attacked law enforcement officers with iron rods, stones, pyrotechnics and Molotov cocktails. The participants in the demonstration caused considerable material damage.



Photo: <https://www.srf.ch/>

The police responded with rubber bullets, tear gas and water cannons. Some 60 people were checked as part of document control, 17 of whom were detained, and three were handed over to the prosecutor's office on charges of violence and threats against officials.

Seven members of the Zurich Metropolitan Police were injured and one member of staff had to be taken to hospital for examination.

Zurich Cantonal Council member from the Swiss People's Party (SVP) Nina Fehr Düsel condemned the violence against law enforcement and stated that "Zurich should no longer be a home for left-wing extremists". At the same time, representatives of the left-wing parties pointed out that it was not within the competence of the cantonal council to interfere in the affairs of the municipal autonomy.

In April 2023, Amnesty International published its 2022/23 report, which identifies human rights problems in Switzerland along the following main lines:

- violation of freedom of assembly and association (complaint by the Geneva Trade Union Association to the European Court of Human Rights on restrictions by the state during the COVID-19 pandemic);
- discrimination (racism, infringement of the rights of persons with disabilities);
- gender-based violence;
- violation of sexual and reproductive rights;
- failure to combat climate change (the Swiss NGO KlimaSeniorinnen has filed a complaint against Switzerland in the European Court of Human Rights);
- violation of the rights of refugees and migrants;
- violation of the right to privacy.



Photo: <https://www.blick.ch/>

SWEDEN

The following international obligations have been violated:

ICCPR:

Article 6 (right to life)

Article 7 (protection from torture or cruel, inhuman or degrading treatment)

Article 19 (right to freedom of expression)

Article 24 (rights of the child)

Article 26 (the right to effective protection against discrimination on any grounds, such as race, skin colour, sex, language, religion, political or other beliefs)

ICESCR:

Article 11 (the 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)

CCRPD:

Article 24 (right to education)

CAT:

Article 2 (prevention of acts of torture)

ICERD:

Article 4 (obligation to undertake measures aimed at eliminating all incitement to racial hatred, discrimination)

Article 5 (right to equality before the law, without discrimination, including the right to personal security and protection by the state against violence)

CRC:

Article 34, 35 (right of the child to protection from all forms of exploitation)

In June 2022, the Swedish Radio reported that in autumn 2021 Mai-Britt Ericsson went to Uppsala University Hospital as she had severe bleeding from an operation scar on her back. However, Mai-Britt Ericsson was left to walk bloodstained for 18 hours in the emergency room because the hospital did not have enough beds.

Uppsala University Hospital has been severely criticised by the Health and Social Care Inspectorate (IVO). In its report, the IVO stated, among other things, that patients died in solitude. The Uppsala region risks a penalty of

SEK 20 million if it fails to ensure that 612 beds are available.

On July 12, 2022, the TT news agency reported that the Swedish National Council for Crime Prevention (Brå) has analysed convictions linked to police investigations into sex purchase offences against children. It is noted that prison sentences are rare when perpetrators are convicted of sex crimes against children between 15 and 17 years.



Photo: [Gorm Kallestad/TT](#)

The report has examined some 20 convictions. In these cases, convicted offenders were not sentenced to prison but to probation and fines or community service. This is despite the fact that in several cases, there have been aggravating circumstances where the victims have been particularly vulnerable, which could have justified a stricter sentence, according to the Brå.

In July, the Swedish newspaper Aftonbladet published an article reporting that pensioners living abroad will no longer receive a guaranteed pension.

The decision that pensioners living abroad will no longer receive a guaranteed pension from January 1, 2023, was made by the Riksdag in June 2022. The drastic change in terms of pension payments affected more than 47,000 Swedish pensioners and drew criticism.

This affects those most vulnerable in the group of Swedes who, for some reason, live abroad. These are people who are entitled to this money if they were to live in Sweden. We are talking about pulling the rug out of those who have made a plan for their old age and who are already twisting and turning the pennies, says Cecilia Borglin, Secretary General of Swedes Worldwide.

On August 22, 2022, the Swedish newspaper Dagens Nyheter published an article reporting that children have been for a long time subjected to repeated insults because of their Jewish background. They have been called "Jew bastards" and greeted with Hitler salutes. According to the parents, who reported the incidents to the schools, school staff were allegedly present on several occasions. In one of the email replies that the parents received from the deputy headmaster, it was written that their son should "become aware that he also bears responsibility for what happens" because he, in turn, had called other students "Nazis".

According to the Education Act, a school is obliged to report all allegations of abuse to the local authority so that the municipality can investigate what has happened as quickly as possible. However, the father of one of the children discovered that not a single one of the family's reports had been passed on to the supervisor, despite its serious nature.

In August, the Dagens Nyheter published an article reporting that the IVO had presented an interim report on special homes for the elderly based on more than 50 000 file reviews and interviews with residents, relatives and staff. It is noted that it has long been known that care for the elderly does not meet the requirements. During the COVID-19 pandemic, patients with severe respiratory distress and anxiety were not given sedative medication due to a lack of nurses. Palliative care was initiated in case of a simpler illness without an individual medical assessment.

Long-term skills and staff shortages were noticeable in everyday nursing – alarms were automatically switched off, and diapers were not changed for up to 17 hours



Photo: [Tim Aro/TT](#)

According to the IVO's assessment, this is not isolated accidents at work but fundamental and long-term deficiencies in the municipalities' ability to ensure acceptable quality and safety in health care. The United Nations International Independent Expert Mechanism to advance racial justice in the Context of Law Enforcement (the Mechanism) visited Sweden in November 2022.

For five days, the expert group gathered information about Swedish legislation, met with government representatives and civil society, and conducted interviews to assess Sweden's work to combat racism and discrimination.

SVT published an article following the Mechanism's visit, noting that "Sweden should intensify efforts to combat systematic racism and restore trust between the police and minority groups".

The Mechanism also visited police detention and pre-trial detention centres in Stockholm and Malmö, where Juan Méndez, a Mechanism expert, expressed concerns about "an excessive recourse to solitary confinement".

Mr. Mendez called on Sweden to "fully comply with the Nelson Mandela Rules – formerly the UN Standard Minimum Rules for the Treatment of Prisoners – and to privilege alternatives to detention". On October 31, the Swedish Radio published an investigation reporting that the Swedish State Penitentiary and Probation Service held juvenile detainees in solitary confinement longer than legally permitted in 1400 cases during 2022.

It is noted that the time spent in isolation corresponds to one-third of all the days that 15-17-year-olds were detained, excluding those days when the adolescents had circumstances that prevented the lifting of isolation.

On November 23, 2022, the TT news agency released a publication reporting the results of an audit conducted by the Swedish Discrimination Ombudsman at 18 higher education institutions in the country. None of the higher education establishments inspected met the requirements of the Discrimination Act, the audit said. The violations include cases where a student with a hearing disability was denied assistance with a teleloop, another was denied a prayer break during an exam and a third was sexually harassed by a teacher.

Shortcomings identified also include a lack of understanding who is responsible for the measures to be taken, a lack of priorities, insufficient knowledge and, in some cases, difficulty in assessing the requirements of the law.

Concerns and disapproval from Swedish media and civil society groups have been raised by Riksdag-approved changes to the Swedish constitution in November 2022 that lead to serious consequences for journalistic scrutiny of Sweden's involvement in international cooperation.

Swedish media publications note that the proposed changes "deal with foreign espionage, but risk having a chilling effect on whistleblowers and other important sources of information for investigative journalists. The journalists and the press they work for may also feel compelled to refrain from publishing information important to the public".

The acting Minister for Employment and Integration and leader of the Liberal Party, Johan Pehrson, criticised the law during the first reading: "I believe that the Government's proposal does not have the clarity and predictability necessary to prevent individuals from refraining to exercise their constitutionally protected freedom of expression and information".

On December 11, the Swedish newspaper Dagens Nyheter reported that "a ten-year-old girl with support needs is deported to Nicaragua even though her parents work in Sweden. The reason is that the girl's – but not her parents' – residence permit has expired".

The Swedish Migration Agency considered the late submission of the application as sufficient grounds for refusing to exchange the child's residence permit. The parents justified the failure of the application deadline by the long time it took to exchange the minor's passport through the Nicaraguan Embassy in Germany (7 months).

The minor's representative, Juan Fonseca, believes that the decision did not take into account the Convention on the Rights of the Child, the principle of the best interests of the child in the Aliens Act and the right to privacy in the European Convention on Human Rights.

On December 21, the Dagens Nyheter published an article reporting that the Swedish Inspectorate for Health and Welfare, in its examination of the Paediatric Department of Karolinska University Hospital in Solna, had concluded that "children are exposed to serious health damage, and their care needs are not being met".

The evidence gathered by journalists throughout the year shows "inadequate staffing, young inexperienced nurses being given too much responsibility. And above all, that the lack of care places throughout Stockholm is affecting the children who seek care".

The situation during the latest viral disease outbreak was reportedly so extreme that the unions asked the Swedish Work Environment Authority to intervene.

On January 22, 2023, the United Nations Alliance of Civilizations published a statement by the organisation's High Representative, Miguel Moratinos. In it expressed unequivocal condemnation of the act of burning of the Koran outside the Turkish Embassy in Stockholm by the far-right politician Rasmus Paludan, which was organised with the approval from the Swedish police.

The importance of protecting freedom of expression as a fundamental human right was noted. At the same time, the High Representative stressed that the act of Quran-burning amounts to an expression of hatred towards Muslims. Concern has been expressed about the overall rise in instances of discrimination, intolerance and violence, regardless of the actors, directed against members of many religious and other communities in various parts of the world, including cases motivated by Islamophobia, antisemitism and Christianophobia and prejudices against persons of other religions or beliefs.

On January 11, 2023, the Swedish Radio and the TT news agency reported that children in youth detention centres are exposed to violence and abuse.

IVO found that staff had abused and isolated children and adolescents for longer than permitted by law. Among other things, staff had used disproportionate violence against young people.

According to the Inspectorate, there were serious security and safety deficiencies in all 12 state-run institutions where underage girls were placed. In 14 of the 21 centres, staff had acted in violation of existing legislation.

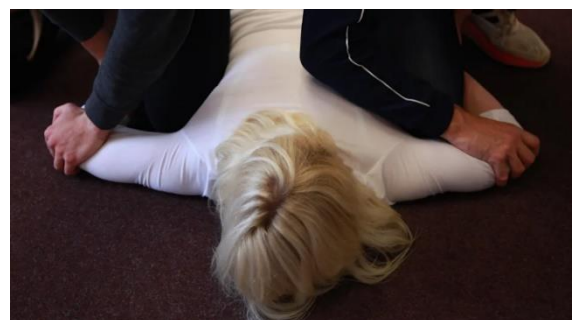


Photo: [Sven Blume/TT](#)

In January, a number of Swedish media outlets also reported that Chile established a Truth and Reparation Commission for internationally adopted and indigenous families who had been affected by adoption violations from the 1950s to the beginning of the new millennium

A criminal investigation in Chile into suspected illegal adoptions has also been ongoing since 2018, with more than 640 cases involving adoptions in Sweden.

Adopted children in Sweden and their relatives have previously informed the Dagens Nyheter about false allegations of death after childbirth, abductions from temporary day-care centres and removal from families.



Photo: [Alexander Mahmoud/DN.se](#)

On February 9, the UN Committee on the Rights of the Child (CRC) published its conclusions in relation to Sweden. The Committee remains concerned about persistent discrimination, including through expressions of racism, racist attacks and bullying, against children in disadvantaged situations. It also noted disparities, including in access to quality healthcare services, social services and education, and in relation to the justice system.

The Committee recommended that Sweden strengthen its efforts to combat racist and xenophobic activities among children; eliminate discrimination against disadvantaged children; address disparities between municipalities to ensure equal access to quality education, adequate housing and protection from violence and discrimination, etc.

The children's rights organisations World Childhood Foundation (Childhood) and Barnrättsbyrån have investigated reports of sexual violence and abuse in state-run residential homes administered by the National Board of Institutional Care (SiS), where children and young people under the age of 21 with psychosocial problems or those convicted of serious offences are placed.

Childhood and Barnrättsbyrån base their report on research by Maria Andersson Vogel, who carefully reviewed official documents and convictions from January 2019 to May 2022. The report lists 209 documented incidents, notifications or complaints in 20 of the 21 residential institutions during this period. It is noted that five former employees were convicted of raping young people in SiS institutions during 2017-2022. Thus, on average, about five incident reports are received from different SiS institutions every month. According to the study, when children and adolescents report sexual violence or abuse, this information often remains in the SiS, despite the fact that by law it must be transferred to the Health and Social Care Inspectorate.

The CRC, in its concluding observations on the combined sixth and seventh periodic reports of Sweden, expressed deep concern about the high level of violence against children, including sexual exploitation, gender-based violence and online violence, as well as low rates of reporting, prosecution and conviction in cases of child sexual exploitation and abuse, and light penalties, such as fines or short prison sentences, for perpetrators.

The UN Committee also raised concerns about the prescription of psychiatric drugs, such as antidepressants, to children in Sweden. The Committee calls on Sweden to ensure that medication is used only when strictly medically indicated and after an individualised assessment of the best interests of the child, and that medical practitioners, children and their parents are properly informed about non-medical alternatives to and the possible side effects associated with such drugs.



Photo: [Adam Ihse/TT](#)

The Swedish Radio previously reported that a record number of children and adolescents – 33,000 – were prescribed antidepressants in Sweden in 2021 – three times as common as fifteen years ago.

In March, the SVT reported that the Parliamentary Ombudsmen had meddled in an incident last year involving police action against the TV channel's staff. SVT reporter Kovan Alshawish arrived at the police station in Rinkeby with his colleague to shoot footage for a report. However, police officers approached him and prevented him from filming. Alshawish showed his press card and pointed to the car with the SVT logo where his colleague was sitting and explained that they were going to take some footage for a story. Despite the explanations, the police officers grabbed his wrists, took away his camera and demanded to examine its contents. "At first, I thought it was a misunderstanding. But there was no misunderstanding. They knew that I was a journalist," Alshawish said. The Ombudsmen believes that there was no legal basis for interfering in the journalists' activities and that freedom of information was violated. Criticism was also raised against the police for not documenting the incident.



Photo: [Fredrik Sandberg/TT](#)

ESTONIA

The following international obligations have been violated:

ICCPR:

Article 18 (the right to freedom of thought, conscience and religion)

Article 19 (the right to hold opinions without interference, to freedom of expression)

Article 20 (the right to protection from incitement to discrimination, hostility or violence)

Article 21 (the right of peaceful assembly)

Article 26 (the right to effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion)

ICESCR:

Article 2 (the right to the enjoyment of social, economic, and cultural rights with no discrimination)

CRC:

Article 2 (the right of the child to state protection against all forms of discrimination)

Article 19 (the right of the child to protection from all forms of physical or mental violence)

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

The competent Estonian authorities systematically under the pretext of a "security threat" cancel (refuse to extend) residence permits and expel from the country (impose a ban on entry into the country) Russian citizens and stateless persons permanently residing in Estonia for their public position, participation in events dedicated to the Great Patriotic War, journalistic activities. Имеются сведения о применении подобной практики в период с июня по декабрь 2022 года в отношении пяти граждан России There is information about the implementation of such practices from June till December 2022 in relation to five Russian citizens (R.Usmanov, a member of the South Estonian Union of Afghan War Veterans and the Union of Russian Citizens in Tartu; S.Neprimerov, organizer of the events dedicated to the Victory Day and the Day of the Narva Liberation from the German troops occupation (from the age of eight years he lived permanently in Estonia); A.Kornilov, head of the "Baltija" portal and a journalist; A.Sushev, an activist who permanently lived in Estonia).

On February 2023, the Estonian Police and Border Guard Board invalidated the residence permit of Sergei Chaulin, a stateless person who was forced to leave to Russia because of his active social position and support of freedom of speech, assembly and expression.

Attention should be paid, that a stateless person does not have a specific state willing to accept him. S.Chaulin has a family in Tallinn, including a spouse in need of care.

Human rights activists have a serious questions about the sentence pronounced on September 22, 2022 against the Estonian lawyer and public activist S.Seredenko for "anti-state activity" (he was found guilty and sentenced to 5 years and 6 months imprisonment).

In the court, the public activist and his lawyer emphasized that the crimes charged against him contradicted the Estonian Constitution, in particular the right to disseminate information and express opinions.

The Estonian authorities continue to repress individual citizens for so-called "support of Russia's aggression against Ukraine," which in 2022 was legally equated with a crime in Estonia.

In particular, on July 2022, the Harju County Court found three men guilty of this crime, determining that they had purchased drones for the Russian army and subsequently attempted to export them to the Russian Federation. The accused are sentenced to different terms of imprisonment (up to 1 year - real and suspended), they will also be charged with the costs of proceedings.

Another manifestation of pronounced discrimination on the basis of nationality:

the Estonian government issued an order temporarily restricting entry into Estonia from September 19, 2022 for citizens of the Russian Federation with a valid short-term Schengen visa;

увольнение в сентябре 2022 г. режиссера Русского театра Ф.Лося за публикацию в его аккаунте в социальной сети резонансного заявления, в котором содержалась критика местных властей за преследования русскоязычного населения (он сравнил положение граждан России в Эстонии с положением евреев во время Второй мировой войны).

on September 2022 the Art Director of the Russian Theater in Tallinn F.Los was fired. The reason was a post in social networks, where director F.Los criticized local authorities for persecution of russian-speaking residents (he compared the situation of russian-speaking residents of the republic to the fate of the Jews during the Holocaust).

Discrimination on the basis of nationality continues. The Estonian authorities decided to deprive foreigners living in the country, primarily citizens of Russia and Belarus, of the right to own firearms. The Riigikogu adopted a law on February 22, 2023 according to which in the future weapons permits in Estonia will only be issued to citizens of European Union and NATO member states who have residence permits in Estonia. For other foreigners, gun permits will be invalidated and the issuance of new ones will be terminated. It is estimated that about 1.3 thousand citizens of Russia and Belarus, as well as stateless persons have firearms permits in Estonia.

The large-scale campaign to demolish Soviet military monuments, launched by the Estonian authorities as part of their "russophobic" course, directly violates the basic rights and freedoms of a significant part of the residents of this country (freedom of opinion, the right to free expression, etc.).

Cynical and demonstratively humiliating the russian-speaking population actions of Estonian authorities on August 16, 2022, to dismantle military monuments in Narva and its vicinity, including T-34 tank, against the will of the overwhelming majority of local residents, stand out in this context.



Photo: err.ee

Thorough preparations by the Estonian security forces, including a total "cleansing " and closure of nearby areas, the pulling in of additional security units, and the intimidation of the local population, including threats of deportation, left no chance for the locals to obstruct the actions of the central authorities. According to the police, a total of 11 of the most active protesters were detained in Narva on August 16-17.

In general, as stated in August 2022 Prime Minister K.Kallas, all Soviet war memorials will be removed from the public space in Estonia (according to calculations,

from 200 to 400 objects).

Estonia continues to be one of the few European countries where all prisoners are automatically barred from voting in elections. At the same time, based on the decision of the European Court of Human Rights, the restriction of the right to vote for persons serving sentences of imprisonment must be justified and take into account the nature and severity of the crimes. At the parliamentary elections in Estonia in March 2023 about 1.2 thousand imprisoned Estonian citizens had no right to vote.

On December 2022, the Estonian Parliament adopted a new law that will be the basis for the complete "estonization" of Russian kindergartens and schools beginning from 2024. By this action, the government confirmed its plan to forcibly assimilate Russian children in Estonia, which violates the rights of a national minority, including the right to preserve national identity. Moreover, the new legislation even violates the Estonian Constitution, which states that "The language of teaching in national minority educational institutions is chosen by the educational institution" (not by the government or parliament).