

legal status, expired in July 2013. About 12,000 of the 25,671 “erased” had had their status restored by this date. In December 2013, legislation was adopted creating a compensation scheme for those whose status had been regulated. The scheme provided €50 for each month spent without legal status.

On 12 March 2014 the European Court of Human Rights, in *Kurić and Others v. Slovenia*, ordered Slovenia to pay the applicants between €30,000 and €70,000 for pecuniary damages. The judgment followed a ruling by the Grand Chamber in 2012, which established that the right to respect for private and family life, the right to effective legal remedy and the right to be free from discrimination had been violated, and ordered the payment of non-pecuniary damages also. These sums were far greater than the sums payable to recipients of compensation under the December 2013 scheme.

## DISCRIMINATION - ROMA

Despite a number of initiatives in recent years to improve the situation of the approximately 10,000 Roma in Slovenia, the majority continued to face discrimination and social exclusion. Most lived in isolated, segregated settlements, lacking security of tenure and access to basic services such as water, electricity, sanitation and public transport. Widespread discrimination prevented Roma families from buying or renting housing outside of mainly Roma-populated areas, and they continued to face obstacles, including prejudice, in accessing social housing. Discrimination against Roma in the labour market remained commonplace and unemployment levels among Roma were extremely high.

State institutions created to combat and consider complaints of discrimination, such as the Human Rights Ombudsman and the Advocate of the Principle of Equality, had weak mandates and remained poorly resourced. The office of the Advocate of the

Principle of Equality had just one employee: the Advocate himself.

Throughout the year approximately 250 Roma living in the Škocjan-Dobruška vas settlement remained at risk of forced eviction. The settlement, part of which was designated for the development of an industrial zone in 2013, had been home to the Roma families for many years. Following public pressure and the intervention of the national authorities and Roma civil society, the municipality agreed in August 2014 to relocate two Roma families at imminent risk of forced eviction as development work commenced. However, no further plans were consulted with residents who remained at risk of losing their homes.

## FREEDOM OF EXPRESSION

The trial of journalist Anuška Delić for publishing classified information began in October and was ongoing by the end of the year. The charges related to articles she published alleging links between members of the Slovenian Democratic Party and the far-right group Blood and Honour. The Slovenian Intelligence and Security Agency (SOVA) claimed subsequently that some of the information in her reports had been leaked from its files. The Slovenian criminal code does not provide for a public interest defence.

# SOMALIA

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## Federal Republic of Somalia

Head of state: **Hassan Sheikh Mohamud**

Head of government: **Abdiweli Sheikh Ahmed**

Head of Somaliland Republic: **Ahmed Mohamed Mahamoud Silyano**

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**Armed conflict continued between pro-government forces, the African Union Mission in Somalia (AMISOM) and the Islamist armed group al-Shabaab in southern and central Somalia. Pro-**

**government forces continued an offensive to take control of key towns. Over a hundred thousand civilians were killed, injured or displaced by armed conflict and generalized violence during the year. All parties to the conflict were responsible for serious violations of human rights and humanitarian law, including AMISOM. Armed groups continued to forcibly recruit people, including children, and to abduct, torture and unlawfully kill people; rape and other forms of sexual violence were widespread. Aid agencies' access remained constrained by fighting, insecurity and restrictions imposed by parties to the conflict. Journalists and media workers were attacked and harassed. One journalist was killed. Perpetrators of serious human rights abuses continued to enjoy impunity.**

## **BACKGROUND**

The Somali Federal Government (SFG) and AMISOM remained in control of the capital, Mogadishu. A joint offensive by the Somali National Armed Forces (SNAF) and AMISOM sought to flush out al-Shabaab operatives from areas of south and central Somalia with some success. However, al-Shabaab maintained control of much of south and central Somalia. Armed clashes and al-Shabaab attacks against civilians increased, particularly in contested areas. Increased abuses of international law were witnessed throughout the course of the offensive, allegedly caused by all parties to the conflict.

The partial lifting of the arms embargo on Somalia in 2013 appeared to contribute to abuses against civilians into 2014. In February, the UN Monitoring Group highlighted continuous violations of Somalia's arms embargoes, reporting the diversion of arms intended for use by non-government armed forces, including al-Shabaab. International support for government security forces, allied militias and AMISOM continued, despite lack of accountability for ongoing, serious human rights abuses.

Somalia's humanitarian situation deteriorated rapidly due to the ongoing conflict, drought and reduced humanitarian access with conditions as bad or worse than before the 2011 famine. As of September, about 42% of the population were in crisis or needed assistance.

Somalia faced political crisis, too. Prime Minister Abdi Farah Shirdon Saaid resigned in December 2013 following a parliamentary vote of no confidence. In January a new, larger Cabinet was appointed consisting of 25 ministers, with two council members retained from the previous administration. In May, MPs called for President Mohamud to resign. In November, following clashes between President Hassan and the incoming Prime Minister, a proposal for a second parliamentary vote of no confidence against the Prime Minister was put on hold due to the possibility of violence between opposing members of parliament. Plans for revising and implementing the constitution and the proposed federalization plan remained pending, leading to increases in clan-based conflict and abuses.

In June 2013, the UN Assistance Mission in Somalia (UNSOM) was established, which included a human rights monitoring and reporting mandate.

In September, a US drone strike killed Ahmed Abdi Godane, the leader of al-Shabaab. Internal divisions within al-Shabaab during 2013 had resulted in scores of deaths and the execution of key leaders of the movement, allowing Godane to consolidate his power. A new leader and known hardliner, 'Abu Ubaidah', was quickly announced. Retaliatory attacks took place, including a suicide attack a week after Godane's death, which killed at least 12 people, including four Americans.

## **ABUSES BY ARMED GROUPS**

### **Indiscriminate attacks**

Civilians continued to be killed and wounded indiscriminately in crossfire during armed clashes; in suicide attacks and in attacks

involving improvised explosive devices (IEDs) and grenades. 2014 saw an increase in such attacks as well as on high profile targets. Al-Shabaab retained the ability to stage lethal attacks in the most heavily guarded parts of Mogadishu, killing or injuring hundreds of civilians. Two deadly attacks took place at Villa Somalia during the year, following a number of such attacks in 2013. In August, a complex attack was carried out on a national security detention facility, killing two civilians. At least 10 people were killed in an attack on parliament in May. Government and AMISOM offensives led to increases in abuses by all parties to the conflict. Air strikes continued to be carried out.

### **Direct targeting of civilians**

Civilians remained at risk of targeted attacks and killings in Mogadishu. During Ramadan in July, recorded assassination attempts reached their highest level since al-Shabaab lost control of most parts of Mogadishu in 2010. On 27 July, a businessman was shot and killed by unknown armed men in his shop in Bakara market. On 23 September, a woman was shot and killed in Heliwa district. She had worked as a cook for SNAF forces in Mogadishu.

Al-Shabaab factions continued to torture and unlawfully kill people they accused of spying or not conforming to their strict interpretation of Islamic law. They killed people in public, including by stoning, and carried out amputations and floggings. They continued to impose restrictive behavioural codes on women and men. On 27 September, a woman was allegedly stoned to death in Barawe, a town in Lower Shabelle, on suspicion of marrying more than one husband. She was reportedly buried up to her neck and stoned to death by hooded men in front of a crowd. On 2 June, according to reports, al-Shabaab executed three men accused of being spies for the SFG and the Kenyan and US governments. The men were executed by firing squad in a park in Barawe in front of a gathering of several hundred people.<sup>1</sup>

Unlawful killings, extortion, arbitrary arrests and rape continued to be carried out by government forces and aligned militia, in part as a result of poor discipline and lack of command control. On 25 August, an SNAF soldier reportedly shot and killed a minibus driver in Afar-Irdood area, Xamar Weyne District, after the driver refused to pay extortion money.

### **CHILD SOLDIERS**

Children continued to suffer grave abuses by all parties to the armed conflict. Al-Shabaab continued to target children for recruitment and forced marriage, and attacked schools. Government-affiliated militias were again accused of recruiting and using child soldiers. Implementation of the two action plans signed by the government in 2012 to end and prevent the recruitment and use of child soldiers, as well as the killing and maiming of children, was outstanding and children remained in the armed forces. The Minister of Defence and Minister of National Security signed standard operating procedures for handling children formerly associated with armed groups.

The SFG had not ratified the Convention on the Rights of the Child and its Optional Protocols by the end of the year, despite its commitments to ratify the conventions.

### **INTERNALLY DISPLACED PEOPLE, ASYLUM-SEEKERS AND REFUGEES**

Over 1 million people in Somalia were in crisis and an additional 2.1 million people were in need of assistance. For the first time since the 2011 famine, food security began deteriorating rapidly. Insecurity and fighting reportedly caused over 60% of new displacement in 2014. Trade routes were heavily disrupted due to the SNAF and AMISOM military offensives; al-Shabaab blocked supply routes, causing major disruption to the work of humanitarian organizations trying to access towns. This led to sharp increases in food prices. These

issues combined placed Somalia at significant risk of sliding back into a state of emergency.

In Mogadishu, tens of thousands of people were forcibly evicted from government and private property. Many of them moved to the outskirts of Mogadishu, including the Afgooye corridor, where there was little security provision or access to services. There were reports of increases in rape and other forms of sexual violence against women and girls in these areas. An IDP policy framework drafted in April was not adopted.

There were over 900,000 Somali refugees in the region, particularly in Ethiopia and Kenya. Plans by the Kenyan authorities to return Somalis continued despite serious human rights violations, including the forced return of 359 people and forcible encampment of thousands of others. Other states hosting Somali asylum-seekers and refugees, including some EU states, began attempts to return failed Somali asylum-seekers to Mogadishu on the grounds that they no longer needed protection due to an apparent improvement in security there.

## **FREEDOM OF EXPRESSION - JOURNALISTS**

Somali journalists and media workers continued to be attacked, harassed and intimidated. On 21 June, Yusuf Ahmed Abukar was killed on his way to work when a bomb attached to his car exploded. Yusuf reported for the privately owned Mustaqbal radio station, in Mogadishu and a Nairobi-based radio station, Ergo. The Prime Minister stated that the attack was being investigated, however Amnesty International was not aware of any progress in the case by year's end.

Media freedom continued to be curtailed, journalists were arrested and media houses closed down. In August, broadcasters Radio Shabelle and Sky FM were closed down and 19 of their journalists and media workers arrested, including Abdimaalik Yusuf Mohamoud, the owner of Radio Shabelle, and Mohamud Mohamed Dahir, the director of Sky FM. On 21 October, Abdimaalik Yusuf

Mohamoud and Shabelle newscaster Ahmed Abdia Hassan were brought before the court on two charges relating to incitement to disturbance of public order and to commit offences. Both rejected the charges and were released on bail, while Shabelle's Editor Mohamed Bashir Hashi and Mohamud Mohamed Dahir were not brought to the hearing. In June, a restrictive media bill was submitted to Cabinet proposing to curtail media rights. In September, the National Intelligence and Security Agency (NISA) issued a ban on national media coverage of all al-Shabaab activities. Al-Shabaab imposed severe restrictions on media freedom and banned the internet in areas under its control. Little progress was made in addressing impunity for the murder of journalists, despite a government taskforce established for that purpose in 2012. People suspected of killing journalists continued to enjoy impunity. Of more than twenty journalists murdered since 2005, only two prosecutions had resulted in convictions by the end of the year. In March 2013, a military court convicted Adan Sheikh Abdi Sheikh Hussein for the murder of Hassan Yusuf Absuge in 2012, and sentenced him to death in a trial that did not meet due process standards. A firing squad executed Adan in August 2013.

## **DEATH PENALTY**

Somalia continued to use the death penalty despite its support for the 2012 UN General Assembly resolution on the moratorium of the death penalty. Many executions were carried out by the military court, often involving members of Somali armed opposition groups such as al-Shabaab, government soldiers and people convicted of murder.

Executions were often carried out rapidly, after proceedings falling short of international fair trial standards, while there was an apparent spike in executions throughout the year. On 3 April, a man was executed by firing squad in Kismayo nine days after he allegedly murdered an elder. It was unclear which, if any, court found had him guilty. On

30 July, Somalia's military court sentenced three men to death for alleged membership of al-Shabaab. Four days later, pictures were circulated on twitter allegedly showing their bodies. On 30 August, Somalia's military court found alleged al-Shabaab members Ali Bashir Osman and Abdulahi Sharif Osman guilty of killing the journalist Timacade in 2013 and sentenced them to death. The two men were executed on 26 October by public firing squad.

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1. Forced returns to south and central Somalia, including to al-Shabaab areas: A blatant violation of international law (AFR 52/005/2014)  
[www.amnesty.org/en/library/info/AFR52/005/2014/en](http://www.amnesty.org/en/library/info/AFR52/005/2014/en)

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## SOUTH AFRICA

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### Republic of South Africa

Head of state and government: **Jacob G. Zuma**

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**Judicial commissions of inquiry highlighted police use of excessive force, including unlawful killings, and failures in delivery of services to poor communities. Incidents of property destruction and displacement of refugees and asylum-seekers continued to occur. Access to treatment for people living with HIV continued to expand and HIV treatment interventions for pregnant women contributed to a decline in maternal deaths. However, key discriminatory barriers continued to delay women and girls' access to antenatal care. Progress was made in addressing hate crimes based on the victims' sexual orientation or gender identity. Human rights defenders faced intimidation and threats.**

### BACKGROUND

Following the general elections in May the ruling African National Congress (ANC) party was returned to power in eight out of the

nine provinces, but with a reduced national majority of 62.15%. A new political party, the Economic Freedom Fighters, gained 6.35% of the vote and with the established opposition Democratic Alliance increased pressure on the ANC government in the national parliament for greater transparency and accountability.

Access to anti-retroviral treatment for people living with HIV continued to expand, with 2.5 million South Africans on treatment according to official figures at July 2014. As a result, life expectancy in South Africa increased.

### EXCESSIVE USE OF FORCE

The Marikana Commission of Inquiry into the fatal police shootings of 34 striking platinum mine workers at Marikana in August 2012 ended its public hearings on 14 November. Closing arguments were heard from legal parties representing the police, mining unions, LONMIN plc, the families of the 34 striking mine workers killed by police and the families of seven other people - three non-striking workers, two police officers and two LONMIN security guards - who were killed during the developing conflict. The Commissioners were due to report their conclusions and recommendations to President Zuma in 2015.

There were indications that the police attempted to conceal and destroy evidence and to fabricate a version of events intended to mislead the official inquiry from the start. A crucial meeting held by police officials on the evening of 15 August 2012 endorsed the decision to forcibly disarm, disperse and arrest the striking mine workers by the end of the following day. Senior police officials, most particularly the National Commissioner of Police, persistently failed to co-operate with the Commission's inquiries about the meeting. The decision to disarm the striking miners was taken despite the anticipation of loss of life and injury. It led to the deployment of "tactical units" armed with lethal force, the firing of over 600 rounds of live ammunition