

Human Rights Centre “Vyasna”, against the blocking of the NGO’s website, with no right of appeal. The NGO’s registration applications had been repeatedly rejected. In 2011 the Prosecutor General’s Office restricted access to the website under Article 193.1.

In November, the authorities nullified the residence permit of Russian citizen and human rights defender Elena Tonkacheva who was given one month to leave the country. Her appeal was pending at the end the year. The permit was due to expire in 2017. Elena Tonkacheva is head of the human rights organization Centre for Legal Transformation and has been living in Belarus for 30 years. The authorities claimed that the decision was linked to her violating public traffic regulations by driving over the speed limit. It was widely believed that she had been targeted for her legitimate human rights activities.

## BELGIUM

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Kingdom of Belgium

Head of state: **King Philippe**

Head of government: **Charles Michel (replaced Elío Di Rupo in October)**

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**Detention conditions remained poor and offenders with mental health issues continued to be detained in inadequate structures with limited access to appropriate health services. In October, the newly appointed government committed to creating a National Human Rights Institution. Transgender people could not obtain legal gender recognition without complying with compulsory medical treatment such as sterilization.**

### PRISON CONDITIONS

Overcrowding continued to have a detrimental impact on detention conditions. In March,

according to official statistics, the inmate population exceeded the prisons’ maximum capacity by more than 22%. In January, the UN Committee against Torture raised concerns about poor prison conditions and recommended greater use of non-custodial measures.

The Committee also highlighted that offenders with mental health issues continued to be detained in psychiatric wards within regular prisons with very limited access to adequate health care. In January, the European Court of Human Rights found in *Lankester v. Belgium* that the detention of an offender in the psychiatric ward of a regular prison constituted degrading treatment.

### DEATHS IN CUSTODY

In 2013, an investigation was launched into the death of Jonathan Jacob, who died in 2010 after being physically assaulted by police while in custody. The results of the investigation and the decision regarding its follow-up, due in October 2014, were still pending at the end of the year.

### DISCRIMINATION

In March, the UN Committee on the Elimination of Racial Discrimination raised concerns about allegations of racially motivated violence and ill-treatment by police against migrants, and recommended the strengthening of police complaints mechanisms.

In February, the European Committee against Racism and Intolerance highlighted that Muslims, and especially Muslim women wearing headscarves, continued to be discriminated against in access to employment and goods and services.

In 2013, the Board of Education of the Flemish Community (GO!) confirmed the general ban on religious symbols and dress in all its schools in the Flemish-speaking part of the country. On 14 October 2014, the Council of State found that the general ban violated the right to freedom of religion of a Sikh pupil

who was forbidden to wear the turban in a secondary school.

## **RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE**

In January 2013, the government adopted a comprehensive roadmap to combat discrimination on grounds of sexual orientation and gender identity. In May, a new law prohibiting discrimination on grounds of gender identity and expression was introduced.

While the roadmap included the commitment to amend the 2007 law on legal recognition of gender, plans regarding its amendments remained unclear at the end of the year. Transgender people were required to comply with criteria that violated their human rights in order to obtain legal recognition of their gender. These included psychiatric diagnosis and sterilization, as well as other compulsory medical treatments.

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

In January the Committee against Torture expressed concerns about the planned extradition and *refoulement* of third-country nationals to countries that provided diplomatic assurances. The Committee reiterated that such assurances did not mitigate the risk of torture or other ill-treatment.

In September, the European Court of Human Rights found that the extradition of Nizar Trabelsi, a Tunisian national, to the USA in October 2013 amounted to a violation of Articles 3 and 34 of the European Convention on Human Rights. Belgian authorities had ignored the interim measure issued by the Court on the extradition.

## **VIOLENCE AGAINST WOMEN AND GIRLS**

In February 2014, a country-wide survey undertaken by Amnesty International found that a quarter of women in Belgium had allegedly experienced sexual violence at the hands of their partners and that 13% had been raped by someone other than their partners. A coordinated and comprehensive

approach to combat these forms of violence was still lacking at the end of the year.

# **BENIN**

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## **Republic of Benin**

Head of state and government: **Thomas Boni Yayi**

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**Municipal elections initially planned for April 2013 had not been held by the end of 2014. In June 2013, the government resubmitted a bill for the revision of the Constitution. In November 2014 the Constitutional Court ruled against any revision of the Constitution that could prolong the term of office of the President. The Constitutional Court had previously ruled in 2011 that parts of the Constitution relating to the Presidential term could not be submitted to referendum.**

## **POLITICAL PRISONERS**

In May, President Boni Yayi pardoned Patrice Talon and his associate Olivier Bocco, both living in France, as well as six other people, including one woman, who had been detained in Benin since 2012 and 2013. In the first case, Patrice Talon, Olivier Bocco and four others were accused of attempting to poison the President in October 2012. In the second case, two men were accused of crimes against the security of the state following a suspected coup attempt in May 2013.

## **FREEDOMS OF EXPRESSION AND ASSEMBLY**

A demonstration against police violence was held in March in Cotonou in response to the break-up by security forces of a peaceful demonstration by union members in December 2013, in which over 20 people, including six women, were injured.