

scope of corporal punishments that amount or could amount to torture (including death by stoning - see above).

A wide range of offences including theft were punishable by whipping or amputation. Judicial caning remained a common punishment for crimes including possession of drugs and immigration offences. At least three caning sentences were known to have been carried out in 2014. Under existing law, children could be sentenced to whipping; under the revised Penal Code children could also be sentenced to amputations. The Penal Code also introduced laws discriminating against women, including punishing abortion with public flogging.

## FREEDOM OF EXPRESSION

Journalists continued to be censored. In February, the Sultan ordered a halt to criticism of the new Penal Code.

## FREEDOM OF RELIGION

The Constitution protects non-Muslims' right to practise their religion, but laws and policies restricted this right for Muslims and non-Muslims alike. The revised Penal Code criminalized exposing Muslim children to the beliefs and practices of any religion other than Islam.

## COUNTER-TERROR AND SECURITY

The Internal Security Act (ISA) permitted detention without trial for indefinitely renewable two-year periods, and was used to detain anti-government activists. An Indonesian detained without trial under the ISA since February was initially refused visits by his embassy for two months.

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1. Brunei Darussalam: Authorities must immediately revoke new Penal Code (ASA 15/001/2014)  
[www.amnesty.org/en/library/info/ASA15/001/2014/en](http://www.amnesty.org/en/library/info/ASA15/001/2014/en)

# BULGARIA

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## Republic of Bulgaria

Head of state: **Rosen Plevneliev**

Head of government: **Boyko Borisov (replaced Georgi Bliznashki in November)**

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**The reception conditions for asylum-seekers entering Bulgaria partially improved but concerns remained over access to Bulgarian territory and the integration of refugees. Prevention and investigation of hate crimes by the authorities was inadequate.**

## BACKGROUND

In July, the government coalition headed by the Bulgarian Socialist Party resigned following heavy losses in the European Parliament elections. Its year in power had been plagued by protests against government corruption and backroom dealing sparked by the controversial appointment of Delyan Peevski, a prominent media mogul and MP, as head of the Bulgarian Security Agency. New parliamentary elections were set for October 2014, less than 18 months after the previous round, which was also prompted by the resignation of the government. Following the elections, a new government under Prime Minister Boyko Borisov from the GERB party was appointed in November.

## REFUGEES AND ASYLUM-SEEKERS

In August 2013, Bulgaria experienced a large increase in the number of refugees, asylum-seekers and migrants entering the country irregularly. By the end of 2013 over 11,000 people, many of them refugees from Syria, had crossed the border, compared to a total of 1,700 in 2012.

The Bulgarian authorities initially struggled to respond adequately. Hundreds of people in need of international protection ended up living for months in substandard conditions without access to asylum procedures. In January 2014, UNHCR, the UN refugee

agency, stated that asylum-seekers in Bulgaria faced a real risk of inhuman and degrading treatment due to systemic deficiencies in the Bulgarian asylum and reception system. It called on the EU Member States to suspend transfers of asylum-seekers back to Bulgaria.<sup>1</sup> The reception conditions for new arrivals improved, thanks in large measure to EU and bilateral assistance. In April, UNHCR reviewed the situation in Bulgaria and found that despite progress made by the authorities, serious shortcomings remained. It lifted its call for the general suspension of transfers with the exception of certain groups, especially those with special needs.

The number of refugees and migrants dropped dramatically in 2014, to 3,966 by October as a result of a government policy adopted in November 2013 that aimed to decrease the number of people irregularly entering Bulgaria. A number of NGOs, including Amnesty International, documented violations including unlawful expulsions of people back to Turkey (push-backs) without giving them a chance to seek asylum, which the authorities strenuously denied. An official investigation was initiated only in one such case.

### **Integration of refugees**

Recognized refugees faced problems in accessing education, housing, health care and other public services. In August, the government rejected a plan prepared by the State Agency for Refugees and the Ministry of Labour for the implementation of the National Integration Strategy adopted earlier in the year.

According to the State Agency for Refugees, in September only 98 out of 520 registered refugee children were enrolled in school. This was due to the Schools Act which requires any new pupil to pass an exam in the Bulgarian language and in other subjects. A draft Law on Asylum and Refugees, which was intended to ensure unhindered access to primary education for refugee children, was not adopted due to the fall of the government.

## **HUMAN RIGHTS DEFENDERS**

A prominent human rights NGO, the Bulgarian Helsinki Committee (BHC), faced a tax inspection as well as harassment by far right groups. These were seen as intimidatory since the BHC is known for its criticism of the government's human rights record, in particular the treatment of asylum-seekers and the failure to prevent and address hate crimes. In January, prompted by a request by VMRO-BND, an ultra-nationalist political party, the National Revenue Agency carried out a large-scale audit of the BHC's finances for the period 2007-2012. The audit did not establish any breach.

On 12 September, a far right political party, the Bulgarian National Union, organized a rally under the slogan "Let's ban BHC!" The rally concluded outside the offices of the BHC, where participants verbally abused staff and visitors. They reportedly also called for the banning of all NGOs in Bulgaria. The police officers present at the rally did not intervene to prevent or stop the harassment and verbal assaults. In November, in communication with Amnesty International, the Ministry of Interior denied any harassment or intimidation of BHC staff or visitors during the protest.

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

Concerns remained regarding the effectiveness and independence of investigations into allegations of police ill-treatment. Investigations into several allegations of the excessive use of force by police during the protests in the capital, Sofia, in June 2013 were still ongoing by the end of 2014.<sup>2</sup>

## **HATE CRIMES AGAINST ETHNIC MINORITIES AND MIGRANTS**

In the second half of 2013, many violent attacks targeting ethnic and religious minorities, including migrants, refugees and asylum-seekers, were reported by the media and NGOs, exposing shortcomings in the prevention and investigation of such hate

crimes.<sup>3</sup> In March, the European Court of Human Rights found in *Abdu v. Bulgaria* that authorities had failed to thoroughly investigate the racist motive associated with the physical assault of a Sudanese national in 2003.

Between July and September, Amnesty International researched 16 cases of alleged hate crimes against individuals and properties. The hate motive was investigated only in one of them.

Legislative gaps regarding hate crimes on other protected grounds, such as sexual orientation, gender identity or disability, persisted. In January, the government proposed a draft new Criminal Code closing some of these gaps, but it had not been adopted by the end of the year.

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1. Bulgaria: Refugees continue to endure bad conditions (EUR 15/001/2014)  
[www.amnesty.org/en/library/info/EUR15/001/2014/en](http://www.amnesty.org/en/library/info/EUR15/001/2014/en)
  2. Bulgaria: Investigations into alleged excessive use of force during Sofia protests must be prompt and thorough (EUR 15/001/2013)  
[www.amnesty.org/en/library/info/EUR15/001/2013/en](http://www.amnesty.org/en/library/info/EUR15/001/2013/en)
  3. Because of who I am: Homophobia, transphobia and hate crimes in Europe (EUR 01/014/2013)  
[www.amnesty.org/en/library/info/EUR01/014/2013/en](http://www.amnesty.org/en/library/info/EUR01/014/2013/en)

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## BURKINA FASO

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### Burkina Faso

Head of state: **Michel Kafando (replaced Blaise Compaoré in November)**

Head of government: **Yacouba Isaac Zida (replaced Luc Adolphe Tiao in November)**

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**Concerns remained over the use of torture and other ill-treatment and excessive force by police and other security personnel. High levels of maternal mortality persisted.**

## BACKGROUND

President Compaoré resigned at the end of October following widespread protests against a bill proposing constitutional amendments that would allow him to run for re-election in 2015. Following the bill's withdrawal, a transitional government led by interim President Michel Kafando was sworn in in November to steer the country towards legislative and presidential elections.

## TORTURE AND OTHER ILL-TREATMENT

In October, following a riot at MACO prison in Ouagadougou, at least 11 prisoners were repeatedly beaten and otherwise ill-treated by prison guards and accused of organizing an escape attempt. Two prisoners died following the riot, reportedly as a result of dehydration and lack of ventilation in their cell during a lockdown.

More than 30 prisoners alleged that they had been tortured and otherwise ill-treated at the time of arrest, and while being held in gendarmerie (military police) detention centres and police stations around the country in 2013 and 2014. One detainee described being tortured for a period of 17 days at the central Ouagadougou police station; his hands were handcuffed to his ankles, an iron bar was put underneath his knees and he was suspended in a squatting position between two tables. Other detainees also said they were beaten and forced to sign statements without knowledge of their content.

## EXCESSIVE USE OF FORCE

During protests in October and November, security forces used excessive, sometimes lethal, force against peaceful protesters, resulting in at least 10 deaths with hundreds more injured.

On 30 and 31 October, prison guards and gendarmes used excessive and lethal force to repress a prison riot and attempted escape at the MACO prison in Ouagadougou. Three prisoners were shot dead.