

children, intended to remedy the lack of a comprehensive legal and policy framework to address such abuses, remained under consideration by the expert committee to which it was referred in December 2013.

Women were inadequately protected against sexual violence, and consensual sex outside marriage remained a crime.

## RIGHT TO PRIVACY

In May, September and December, courts in Fqih Ben Salah, Marrakech and Al Hoceima convicted eight men on charges that included engaging in homosexual acts and imposed prison terms of up to three years. Consensual same-sex acts remained a crime.

## REFUGEES, ASYLUM-SEEKERS AND MIGRANTS

Authorities continued to collaborate with Spanish officials in unlawfully expelling migrants, mostly from sub-Saharan Africa, who entered Spain irregularly by crossing the border fence between Morocco and the Spanish enclaves of Melilla and Ceuta. Moroccan authorities co-operated in the readmission to Morocco of some of these migrants, including possible asylum-seekers, amid reports that both Spanish and Moroccan border police used unnecessary and excessive force. The authorities failed to investigate these deaths and injuries, and other incidents of racial violence against sub-Saharan migrants in August and September in Tangiers and Nador.

## DEATH PENALTY

Courts imposed at least nine death sentences; there were no executions. The government maintained a de facto moratorium on executions in place since 1993. No death row prisoners had their sentences commuted to prison terms.

In December, Morocco abstained on a UN General Assembly resolution calling for a worldwide moratorium on executions.

## POLISARIO CAMPS

The Tindouf camps in Algeria's Mhiriz region that accommodate Sahrawis who fled Western Sahara at the time of its annexation by Morocco continued to lack regular independent human rights monitoring. The Polisario Front took no measures to end impunity for those accused of committing human rights abuses in the camps during the 1970s and 1980s.

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1. Morocco: Stop using 'terrorism' as a pretext to imprison journalists (Press release)  
[www.amnesty.org/en/for-media/press-releases/morocco-stop-using-terrorism-pretext-imprison-journalists-2014-05-20](http://www.amnesty.org/en/for-media/press-releases/morocco-stop-using-terrorism-pretext-imprison-journalists-2014-05-20)
  2. Morocco: Activists jailed for reporting torture must be released immediately (Press release)  
[www.amnesty.org/en/for-media/press-releases/morocco-activists-jailed-reporting-torture-must-be-released-immediately-2014-05-20](http://www.amnesty.org/en/for-media/press-releases/morocco-activists-jailed-reporting-torture-must-be-released-immediately-2014-05-20)
  3. Morocco/Western Sahara: Lift restrictions on associations (Public statement)
  4. Amnesty International deplores the Moroccan authorities' decision to ban youth camp (MDE 29/006/2014)  
[www.amnesty.org/en/library/info/MDE29/006/2014/en](http://www.amnesty.org/en/library/info/MDE29/006/2014/en)
  5. Morocco: Sahrawis on hunger strike against torture (MDE 29/007/2014)  
[www.amnesty.org/en/library/info/MDE29/007/2014/en](http://www.amnesty.org/en/library/info/MDE29/007/2014/en)

## MOZAMBIQUE

### Republic of Mozambique

Head of state and government: **Filipe Jacinto Nyussi** (replaced Armando Guebuza in October)

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**Police used unlawful force and firearms resulting in some deaths. Criticism of President Guebuza on Facebook led to criminal charges against one person. Draft laws impacting on the rights of women and girls were approved by Parliament, but still had to be passed into law.**

## BACKGROUND

On 23 May, Afonso Dhlakama, leader of the Mozambique National Resistance, declared that he would stand for Presidential elections. In September he returned to the capital, Maputo, and publicly signed a peace deal with President Armando Guebuza. Afonso Dhlakama had been in hiding since October 2013 when Mozambique armed forces invaded his base in Satunjira, Sofala province. The peace deal signed in September ended the two year-long clashes between Renamo fighters and the Forças Armadas de Defesa de Moçambique (FADM), as well as the attacks by Renamo fighters on buses and cars on the main highway. The clashes resulted in the deaths of scores of people, including civilians.

On 15 October Mozambique held its fifth Presidential elections since independence in 1975. The ruling party, Front for the Liberation of Mozambique, maintained power and the former Minister of Defence, Filipe Jacinto Nyussi, became Mozambique's third democratically elected President.

Mozambique's human rights record was assessed at the 55th Ordinary Session of the African Commission on Human and Peoples' Rights hosted by Angola in Luanda from 28 April to 12 May.<sup>1</sup>

## UNLAWFUL KILLINGS

Police reportedly made unlawful use of firearms in Maputo, Gaza and Nampula provinces resulting in at least four deaths. No investigations appear to have been carried out into these cases to determine the lawfulness of the use of firearms by the police.

In January, police shot and killed 26-year-old Ribeiro João Nhassengo and another person. A police spokesperson claimed that police responded to an anonymous call regarding cars outside a shop in the Triunfo neighbourhood of Maputo in the early hours around 29 January and found men in two cars with an alleged kidnapping victim. The police spokesperson stated that the suspects let the victim go, but a shoot-out ensued. Ribeiro João Nhassengo and

another unnamed individual were reportedly shot in the crossfire. However, footage of the incident showed that Ribeiro João Nhassengo had been shot and killed while inside a car with closed windows. No investigation has been carried out into the circumstances surrounding the deaths to determine the lawfulness of the use of firearms by police.

## EXCESSIVE USE OF FORCE

There were reports of police using excessive force against alleged criminal suspects, those they suspected of being Renamo fighters, as well as unarmed civilians.

On 21 June, an armed police officer in the central neighbourhood of Maputo shot at a vehicle after an altercation regarding an illegal traffic manoeuvre. The officer from the Mozambique Republic Police reportedly stopped the driver around 8pm and questioned him about the illegal manoeuvre. When the driver requested a traffic officer be called to provide him with a traffic fine, the police officer reportedly threatened to kill him. An altercation ensued and the police officer reportedly shot at the car three times.

## FREEDOM OF EXPRESSION

In August, parliament provisionally approved the Access to Information Bill, which had been in discussion since 2005. It still required further approval by parliament and signing into law by the President at the end of the year. Despite this step forward, the right to freedom of expression was suppressed.

In May, economist Carlos Nuno Castelo-Branco was called before the Public Prosecutor's office in Maputo to answer questions related to charges against him for defamation against the Head of State, which constitutes a crime against the security of the state. The charges emanated from an open letter Carlos Nuno Castelo-Branco had posted on his Facebook page in November 2013, questioning the governance of the country by President Guebuza. The open letter was subsequently published by some newspapers

in the country. No further proceedings were reported by the end of the year.

## WOMEN'S AND GIRLS' RIGHTS

In July, parliament approved the draft Criminal Code without a controversial article that would have enabled rapists to escape prosecution by marrying their victim. Human rights activists had campaigned against this article.<sup>2</sup>

The draft approved by Parliament further did not require an official complaint from relevant individuals in the case of sexual offences against those under 16 years of age before starting a criminal proceeding. It still required an official complaint to be made by all other victims of sexual offences before a criminal proceeding could be instituted. However, an article remained on the rape of minors, which referred to minors as those under 12 years of age. The draft law was waiting to be signed by the President before becoming law at the end of the year.

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1. Statement on prison conditions to the African Commission on Human and Peoples' Rights  
[www.amnesty.org/en/library/info/AFR01/008/2014/en](http://www.amnesty.org/en/library/info/AFR01/008/2014/en)Mozambique Submission to the African Commission on Human and Peoples' Rights: 54th Ordinary Session of the African Commission on Human and Peoples' Rights  
[www.amnesty.org/en/library/info/AFR41/007/2013/en](http://www.amnesty.org/en/library/info/AFR41/007/2013/en)
  2. Mozambique: New Criminal Code puts women's rights at risk (AFR 41/001/2014)  
[www.amnesty.org/en/library/asset/AFR41/001/2014/pt/f5d3b8a2-45e5-460d-bab0-e1d4582158aa/af410012014en.html](http://www.amnesty.org/en/library/asset/AFR41/001/2014/pt/f5d3b8a2-45e5-460d-bab0-e1d4582158aa/af410012014en.html)

# MYANMAR

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## Republic of the Union of Myanmar

Head of state and government: **Thein Sein**

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**Despite ongoing political, legal and economic reforms, progress on human**

**rights stalled, with some backward steps in key areas. The situation of the Rohingya deteriorated, with ongoing discrimination in law and practice exacerbated by a dire humanitarian situation. Anti-Muslim violence persisted, with the authorities failing to hold suspected perpetrators to account. Reports of abuses of international human rights and humanitarian law in areas of armed conflict persisted. Freedoms of expression and peaceful assembly remained severely restricted, with scores of human rights defenders, journalists and political activists arrested and imprisoned. Impunity persisted for past crimes.**

## BACKGROUND

Myanmar assumed the chair of the Association of Southeast Asian Nations (ASEAN) in January. In March, the government announced parliamentary by-elections for the end of the year, later cancelled, and general elections in 2015. Despite a national campaign to amend the 2008 Constitution, led by the opposition National League for Democracy (NLD) and its leader Aung San Suu Kyi, by the end of the year she was still constitutionally barred from running for the presidency, and the military still held a veto power on any future constitutional changes.

## DISCRIMINATION

The situation of the Rohingya worsened during the year. Individuals suffered persistent discrimination in law and policy, exacerbated by a deepening humanitarian crisis, ongoing eruptions of religious and anti-Muslim violence, and government failures to investigate attacks on Rohingya and other Muslims. The authorities also failed to address incitement to violence based on national, racial and religious hatred.

In January, reports emerged of clashes between security forces, Buddhist Rakhine and Muslim Rohingya in Du Chee Yar Tan village, Rakhine state. Two investigations – one by the government and one by