HUMAN RIGHTS WATCH

JANUARY 2014 COUNTRY SUMMARY

European Union

Amid economic crisis and much contested austerity measures in many member states, discrimination, racism, and homophobia remained serious problems in European Union member states. Roma, migrants, and asylum seekers are particularly marginalized.

The Council of the European Union acknowledged for the first time that more is needed to ensure human rights violations within EU borders are adequately addressed, with an ongoing policy debate focused on improving responses to rule of law crises. Meanwhile, abusive practices around the EU continued without adequate action by EU institutions and member states.

EU Migration and Asylum Policy

The EU took final steps toward the creation of a Common European Asylum System with the adoption by the European Parliament (EP) in June of an asylum package, including recast versions of the Dublin regulation, the Asylum Procedures Directive, and the Reception Conditions Directive. While the package contains certain improvements, it provides broad grounds for detention of asylum seekers, does not obligate member states to provide free legal assistance at first instance, and fails to exempt especially vulnerable asylum seekers, including torture survivors and unaccompanied children, from accelerated procedures.

The Dublin III regulation, in force as of July, leaves intact the general rule that the first EU country of entry is responsible for asylum claims while improving safeguards, including the right to information, a personal interview, and an appeal against a transfer decision. States must now assess the risk of inhuman or degrading treatment before transfer to another EU country. The European Union Court of Justice (CJEU) ruled in June that member states must examine asylum claims by unaccompanied children present in their territory even if they have previously applied elsewhere.

In November, the CJEU ruled that sexual orientation is grounds for seeking asylum in the EU if the applicant comes from a country where laws criminalizing same-sex activity are enforced, and that no one should be expected to conceal his or her sexual orientation. EU member states adopted widely divergent approaches to Syrian asylum seekers. For example Sweden said it would grant permanent residence to Syrians to whom it previously granted temporary protection, whereas Greece tried to return them to Turkey. Germany and Austria pledged to resettle 5,000 and 500 Syrian refugees respectively, but few other EU countries made more than token resettlement offers.

In June, the European Commission (EC) and the EU high representative for foreign affairs jointly called for a comprehensive approach to the Syrian crisis, focusing on humanitarian assistance for refugees in neighboring countries, while acknowledging the need for greater convergence in member states' approach.

Boat migration to Europe increased, with over 35,000 migrants and asylum seekers arriving by the end of October. An estimated 500 people had died at sea by mid-October, including over 360 in a single boat tragedy in October. In July, the European Court of Human Rights (ECtHR) blocked Malta's proposed summary return to Libya of a group of Somalis.

At time of writing, negotiations continued on proposed new regulations for the EU Border Agency (Frontex). The EC Proposal would clarify Frontex's role in search and rescue operations at sea, as well as matters relating to disembarkation, but would also allow for returns to third countries of those intercepted on the high seas following a cursory assessment of protection needs and the situation in the country of return. The then-European ombudsman concluded his inquiry into Frontex in April with recommendations to Frontex to clarify the legal framework for its operations as well as the agency's responsibilities for rights violations.

In September, the EP called for strategic guidelines to better protect unaccompanied migrant children beyond the EC's Action Plan, and Council of Europe (CoE) Commissioner for Human Rights Nils Muižnieks reminded states of the primacy of the best interests of the child in implementation of migration policies.

UN Special Rapporteur on Migrants Rights François Crépeau criticized the EU's securitized approach to migration, with its focus on strengthening external borders, detention, and removals. In his April report, Crépeau recommended increased safeguards, including ensuring alternatives to detention and human rights provisions in migration cooperation agreements with non-EU countries, and called on the EC to initiate infringement procedures against EU countries for violating migrants' rights.

Discrimination and Intolerance

Xenophobic sentiment and violence sparked concern among EU institutions and the CoE. In March, an EP resolution called for adequate recording, investigation, and prosecution of hate crimes, as well as assistance, protection, and compensation for victims. In June, the council of the EU called for more efforts to counter extreme forms of intolerance, such as racism, anti-Semitism, xenophobia, and homophobia. In May, CoE Commissioner Muižnieks called for systematic, continuous training for police, prosecutors, and judges, and effective measures to address bias within law enforcement agencies.

Repeated racial slurs against a black minister in Italy prompted seventeen EU ministers to sign a declaration in September condemning intolerance and extremism.
Politicians in the UK and the authorities in Catalonia, Spain, proposed banning the full-face Muslim veil, and voters in Ticino, Switzerland (not an EU country) approved a ban in a September referendum. In November, the ECtHR heard the case of a woman against the French ban on concealment of one's face in public on the grounds it allegedly violates her rights to private and family life and to freedom of religion and expression.

A Fundamental Rights Agency (FRA) survey published in May found that 47 percent of LGBT respondents reported experiencing discrimination or harassment in the previous twelve months, while 25 percent said they had been attacked or threatened with violence in the previous five years. A FRA survey reported in November that 21 percent of Jewish respondents had experienced anti-Semitic insults or harassment in the 12 months preceding the survey, while 2 percent reported a physical attack during the same period.

Roma experience discrimination and destitution across the EU. In June, the EC made recommendations to guide member states in effectively implementing their Roma

integration strategies. In September, France's interior minister stated that most Roma have no wish to integrate, while news emerged that Swedish police kept unlawful Roma registries. In October, allegations that proved unfounded of blonde-haired, blue-eyed children being abducted by Roma families in Greece and Ireland prompted CoE Commissioner Muižnieks to warn against irresponsible reporting.

In February, Portugal became the first EU country to ratify the CoE Convention on preventing and combating violence against women and domestic violence, followed by Italy in September.

In November, the ECtHR found that the exclusion of same-sex couples from civil unions in Greece violated anti-discrimination norms and the right to private and family life.

Counterterrorism

In its first ruling on European complicity in CIA renditions, in December 2012 the ECtHR found Macedonia had violated the torture prohibition and German citizen Khaled el-Masri's rights to liberty and security, an effective remedy, and private and family life by illegally detaining him in 2003 and transferring him to US custody, and for the failure of Macedonian authorities to effectively investigate his allegations of ill-treatment.

The similar cases of Guantánamo detainees Abu Zubaydah, against Poland and Lithuania, and Abd al-Rahim al-Nashiri, against Poland and Romania, were pending before the ECtHR at time of writing. CoE Commissioner Muižnieks and the European Parliament in September and October respectively reiterated calls for accountability for European complicity and for US cooperation in investigations.

In September, the EP opened an inquiry into the impact of the US National Security Agency's surveillance program on EU citizens' privacy. The EP is expected to adopt conclusions and recommendations on the matter in January 2014.

EU Foreign Policy

Although there were some positive initiatives undertaken during the course of 2013, such as the establishment of the European Endowment for Democracy and two new sets of

European Union (EU) guidelines on LGBTI rights and freedom of religion and belief, EU members states and institutions lacked the vitality and united efforts on human rights that existed in the run up to the adoption by EU foreign ministers of the EU Strategic Framework on Human Rights and Democracy in June 2012.

The EU's 28 member states and institutions have yet to utilize their combined leverage and unite behind a common message and approach to strategic partners such as Russia and China on human rights, despite calls from the European Parliament to do so. While the EU high representative did express some concerns in statements, a principled and collective EU response that would enable the EU's human rights concerns to be placed firmly at the highest levels of policy dialogues and public discussions with Russia and China was still missing.

The EU as a whole remained the largest humanitarian donor for the Syrian crisis. However, despite the EU's stated commitment to both the International Criminal Court (ICC) and to justice for serious crimes, the EU high representative failed to ensure strong collective EU voice and strategy that would advance the chances of bringing the crimes in Syria before the ICC. Twenty-seven EU member states—all but Sweden—joined a Swiss-led initiative calling on the United Nations Security Council to refer the situation in Syria to the ICC.

In reaction to the occupation of Northern Mali by Islamist armed groups, France took the lead in responding to the request for military assistance issued by the president of Mali by launching Operation Serval in January. Later in January, the EU established a mission to train and advise the Malian security forces, including a specific component on human rights and international humanitarian law.

The year 2013 marked a new era for EU-Burma relations. In April, the EU lifted all targeted sanctions on Burmese army and government individuals and entities, except its export ban on arms. A Comprehensive Framework for the EU's policy and support to Burma was subsequently endorsed by EU foreign ministers in July. Also in July, the European Parliament adopted a resolution condemning the "grave violations of human rights and the violence perpetrated against Rohingya Muslims in Burma/Myanmar." The EC allocated €14.5 million to Burma in humanitarian assistance in addition to € 5.5 million it allocated in December 2012. The priority for the humanitarian aid remained Rakhine and Kachin

states and the eastern border areas. The EU continued to sponsor critical Burma resolutions in the UN's Human Rights Council and General Assembly.

In June, human rights appeared to have been left on the margins of the EU-Gulf Cooperation Council Ministerial meeting that took place in Bahrain. The EU high representative and EU member states failed to use their collective weight to actively and publically press for the immediate and unconditional release of imprisoned Bahraini activists, three of whom are dual nationals of Bahrain and EU member state, despite repeated calls from the EP and civil society to do so.

During the course of 2013, the EU appeared to lack any policy to secure improvements in countries with systematic rights repression such as Ethiopia, Uzbekistan, Turkmenistan, UAE, and Saudi Arabia.

The EU deployed different, sometimes inconsistent approaches to human rights concerns in Central Asia, the Caucasus, and non-EU states in Eastern Europe. In 2013, the EU suspended a long-standing visa ban against the Belarusian foreign minister, imposed in 2011, enabling him to travel to Brussels in July for the first high-level visit of a Belarusian official since 2010. At the same time, throughout the year the EU reiterated the need for Belarus to meet EU human rights benchmarks, including immediate release of political prisoners, as a condition for reopening dialogue.

Human Rights Concerns in Select EU Member States

Croatia joined the EU in July amid continuing human rights concerns. The EC called in March for improving the efficiency of the judiciary, domestic war crimes prosecution, and protection of minorities.

Domestic and international war crimes prosecution continued. In January, a local court ordered the state to compensate the children of Serb victims for the attack on Varivode during "Operation Storm" in 1995.

Voluntary returns to Croatia increased, with 358 returns in the first five months compared to 132 in all of 2012. Reintegration of members of the Serb minority remains problematic, with continued discrimination and hostility in some regions of the country and obstacles in relation to the right to housing. In November, the Vukovar city council halted the implementation of bilingualism after protests against Cyrillic street signs.

Roma, particularly stateless Roma, face difficulties accessing basic state services, including health care, social assistance, and education.

Few applied for asylum in Croatia—928 people by mid-October—with Syrians forming the third largest national group, yet reception centers are overcrowded, and there were reports of some asylum seekers being placed in closed detention facilities. Protection for unaccompanied children remains problematic, with poorly trained guardians usually far from centers where children are placed, often in unsuitable accommodation.

Voting rights for people with mental or intellectual disabilities were restored in December 2012. Proposals to lift full legal guardianship from thousands of people would still allow courts to vastly restrict legal capacity. Implementation of a 2011 deinstitutionalization plan for those with mental or intellectual disabilities progressed slowly, with two projects targeting around 400 individuals launched in May, while almost 9,000 remain institutionalized.

Following a December 2012 Supreme Court ruling, Turkish journalist Vicdan Özerdem was released immediately from detention and returned to Germany where she has political asylum. Özerdem was detained in mid-2012 for extradition to Turkey where she is wanted on terrorism charges, sparking widespread international criticism.

The European Roma Rights Centre and the Human Rights League reported that over 13,400 Roma were evicted from informal settlements between January and September, compared to 9,400 in all of 2012. In August, France's National Consultative Council for Human Rights called the mass distribution of removal orders to Roma "administrative harassment" and

urged the government to halt evictions from slums and squats without offering adequate alternative housing and to respect EU free movement rules.

In October, the ECtHR ruled that France breached the right to private and family life of a group of French Travelers by ordering their eviction from land they had occupied for many years.

At its Universal Periodic Review in June, France accepted recommendations to end ethnic profiling, and announced amendments to the police and gendarmerie code of ethics. No further action was taken to stop discriminatory identity checks. In October, a Paris court ruled against plaintiffs alleging ethnic profiling, arguing anti-discrimination norms did not apply.

In May, the UN Committee on Enforced Disappearances expressed concern that the lack of a suspensive appeal in the fast-track asylum procedure creates a risk of return to enforced disappearance, and too frequent use of police custody in France.

Riots erupted in the Paris suburb of Trappes in July after police stopped a woman wearing a full-face veil. A 14-year-old lost an eye by what appeared to be a flashball fired by police. Rights groups reported a rise in attacks against Muslims, particularly women.

In April, the Defender of Rights raised concerns about an estimated 3,000 unaccompanied migrant children in the overseas French department of Mayotte, hundreds of whom are left to fend for themselves.

In July, the parliament abrogated the criminal offense of insulting the president of the republic following a March ECtHR ruling that it violated freedom of expression.

Parliament legalized same-sex marriage in April. SOS Homophobie, a non-profit association aimed at countering homophobic discrimination and violence, recorded testimonies of 3,200 homophobic incidents as of November, compared to 2,000 in all of 2012. In May, the government pledged to begin publishing statistics on homophobic violence in 2014.

In August, a new law introduced a crime of "reduction to slavery" into the penal code, also criminalizing forced labor, reduction to servitude and exploitation of people reduced to slavery.

In two separate cases, the ECtHR ruled in September and November that France's return of a failed Tamil asylum-seeker to Sri Lanka and of a Congolese national to the Democratic Republic of Congo would breach the torture prohibition.

Amid reports of mass data interception by US and British intelligence agencies, Prime Minister Ayrault denied allegations in a July *Le Monde* article that French intelligence services were systematically collecting data on communications in France. At time of writing, parliament was examining a bill to increase moderately oversight of intelligence agencies.

Asylum seekers and refugees launched protests and hunger strikes against conditions in reception centers and restrictions on freedom of movement and access to the labor market throughout 2013.

The trial of an alleged member of a neo-Nazi cell accused of murdering nine immigrants and a policewoman, and four alleged accomplices, began in May. A federal commission of inquiry made recommendations in August towards improving German police practices, including increased attention to hate crimes, more diversity among the police, and a greater emphasis on human rights in police training. Parliament rejected bills to enhance penalties for racially-motivated crimes as well as a bill to introduce hate crimes as a specific category.

In April, Baden-Württemberg issued a decree requiring individual risk assessments before returning Roma, Ashkali, and Egyptians to Kosovo, but deported 127 people in April and 90 to Serbia and Macedonia in July. At least three German states continued to forcibly return Roma, Ashkali, and Egyptians to Kosovo without adequate risk assessments and despite concerns about discrimination and inadequate integration measures upon return.

The German Institute for Human Rights reported in June that ethnic profiling is a common police practice, particularly in transportation hubs for immigration control purposes, and recommended legal and policy reforms.

The government denied allegations that German intelligence and police services profited from US mass surveillance technology and collaborated with US intelligence agencies despite leaked information suggesting the contrary.

In September, Germany ratified the ILO Domestic Workers Convention. In December 2012, the parliament adopted a bill clarifying that parents have the right to have their sons circumcised for religious reasons in accordance with certain medical standards.

Political uncertainty marked Greece's third year of economic crisis. In May, the UN independent expert on foreign debt and human rights warned that bailout conditions undermine human rights. The sudden closure of the national public broadcaster in June raised media freedom concerns, and resulted in a government reshuffle.

Despite the creation in January of anti-racism police units and some arrests, attacks on migrants and asylum seekers continued, with an NGO network recording 104 incidents by the end of August. Anti-LGBT attacks appeared to increase. The Greek ombudsman warned in September that racist violence and impunity for the perpetrators undermine social cohesion and rule of law. In November, the government tabled a bill to sanction hate speech and incitement to violence, failing to address problems in existing legislation and practice with respect to racist violence. Two people were convicted of racially aggravated crimes in November, the first known time the 2008 statute has been applied.

The fatal stabbing of an anti-fascist activist in Athens in September by an alleged member of Golden Dawn sparked a crackdown on the party and the arrest of the party leader and five parliamentarians on charges of managing a criminal organization. An internal police investigation found in October that 10 Greek police officers were linked to Golden Dawn.

In November, two Golden Dawn members were murdered outside a party's branch in Athens, and a third man was seriously injured. At time of writing, no arrests had been made.

In April, three Greek foremen were arrested after shooting at 100 to 200 Bangladeshi strawberry pickers demanding unpaid wages. The 35 injured were granted humanitarian visas while the foremen and the farm's owner were in pretrial detention at time of writing.

In July, the Joint United Nations Programme on HIV/AIDS expressed concern after the government reintroduced a health regulation used in the past to justify detention and forced HIV testing of alleged sex workers. A separate law allowing police to detain foreigners based on overly broad public health grounds was still in force.

In October, the ECtHR held that the failure by the Greek Supreme Court to condemn a private company's dismissal of an employee, because he was HIV-positive, amounted to a violation of his right to protection from discrimination taken together with his right to a private life.

Increased security along the land border with Turkey rerouted flows of irregular migrants and asylum seekers, including Syrians, to Aegean Sea islands. Sea crossings were marked by at least ten deaths. UNHCR expressed concern over allegations of pushbacks to Turkey, including of people fleeing Syria.

The UN Working Group on Arbitrary Detention, the UN special rapporteur Crépeau, and CoE Commissioner Muižnieks criticized abusive stops and arbitrary detention during an ongoing police operation Xenios Zeus against irregular migrants, and noted substandard conditions of migrants and asylum seekers in often systematic and prolonged detention. The ECtHR condemned Greece over inhuman and degrading treatment in immigration detention in three separate cases. Detainees rioted at the Amgydaleza facility in August.

The new asylum service began processing applications in Athens in June, but access to asylum in the rest of the country, and in detention, remains difficult. Data published in 2013 show Greece had the lowest protection rate at first instance in the EU (0.9 percent in 2012).

In May, the ECtHR ruled for the third time since 2008 that school segregation of Roma pupils in Greece amounted to discrimination. CoE Commissioner Muižnieks expressed concern over persistent reports of ill-treatment of Roma by law enforcement agencies. In the first nine months of 2013, Greek police conducted 1,131 operations in Roma camps throughout the country, raising concerns about ethnic profiling.

In March, the UN Committee on the Elimination of Discrimination against Women (CEDAW) expressed concern over Greece's response to violence against women noting the lack of statistical data, and urged authorities to ensure that victims have access to immediate means of redress and protection, and that perpetrators are prosecuted and punished.

Legal changes introduced by the government continued to threaten the rule of law and weaken human rights protections. Constitutional amendments in March further undermined judicial independence, stripped the Constitutional Court of significant powers, and introduced several legal provisions previously ruled unconstitutional.

Despite piecemeal changes to the media laws in March, the main media regulator, the Media Council, continues to lack political independence. Potential fines for journalists remain excessive, and requirements for content regulation are still unclear. In March, independent news station Klubradio was able to renew license after four favorable court rulings.

In response to international criticism, including a detailed opinion by the CoE Venice Commission and a damning EP report highlighting concerns about, inter alia, the independence of the judiciary, the legal status of churches, and political advertising, the government made cosmetic changes to the constitution in September that did not put an end to discrimination of religious groups and only partially addressed limitations on political advertising in private media.

Roma continue to face discrimination and harassment. The mayor of northern city Ozd shut off public water supplies to Roma settlements, affecting some 500 families. The ECtHR ruled in January that Hungary discriminated against two Roma pupils by enrolling them in special education and in July upheld a Hungarian court's ban of the Hungarian Guard, an

anti-Roma and anti-Semitic group. In August, a Budapest court convicted four men of killing six Roma, including one child, in racist attacks in 2008 and 2009.

Anti-Semitism remains a problem. Police are investigating the April assault on the president of the Raoul Wallenberg Association after a soccer game where supporters chanted the Nazi slogan *sieg heil*.

In March, the UN CEDAW Committee urged Hungarian authorities to strengthen legal protections for domestic violence victims and increase space in shelters. A domestic violence offense introduced in July created stiffer penalties and widens public prosecution but excludes non-cohabitating partners without common children and is only triggered by repeated abuse. In September, the UN Committee on the Rights of People with Disabilities told Hungary to repeal a constitutional provision restricting voting rights for persons under legal guardianship and reinstate six such applicants to electoral lists.

In July, the government reinstated detention for asylum seekers on overly broad grounds. In October, the UN Working Group on Arbitrary Detention urged Hungary to take effective measures to prevent arbitrary detention of asylum seekers and irregular migrants. By the end of August, 15,069 people, including 588 Syrians, had applied for asylum, a significant increase from 1,195 applications during the same period last year.

In September, parliament adopted a law enabling local governments to criminalize homelessness, punishable by fines, community service, and even prison.

Over 35,000 people reached Italy by sea by October, a significant increase over the previous year; over one-fourth were Syrians. Reports emerged of Italy instructing commercial vessels to return rescued migrants to ports in Libya if closest, raising concerns about refoulement.

After several extensions, the North Africa emergency plan for receiving migrants that was initiated in 2011 during the Libyan conflict ended officially on March 31, and emergency shelters closed. Rejected asylum seekers were given the chance to reapply or receive a

one-year permits to stay and 500 euros; many traveled elsewhere in Europe. In September the government announced an increase from 3,000 to 16,000 spaces in specialized reception centers for asylum seekers and refugees. In July, UNHCR, which welcomed the move, emphasized the need for a comprehensive reform of the reception system to improve vastly insufficient support measures for refugees.

In April, UN special rapporteur Crépeau criticized Italy's immigration detention system, including substandard conditions and inadequate access to justice. Detainees protested in several centers, including over the death of a Moroccan man in the Crotone center in August. Crépeau reiterated concerns about automatic summary returns to Greece, and inadequate safeguards in "quick return" agreements with Tunisia and Egypt. Crépeau and UNHCR called on Italy to introduce an effective age determination procedure to ensure that children enjoy appropriate protections.

Three UN experts expressed concern over the illegal deportation of the wife and daughter of Mukhtar Ablyazov, a critic of the Kazakhstan government, from Rome in May, saying it appeared to be "extraordinary rendition." Acknowledging improper involvement of Kazakh authorities, the government rescinded the deportation order in July, though mother and daughter remain in Kazakhstan under travel restrictions.

A European Committee for the Prevention of Torture (CPT) report in November criticized overcrowding in prisons and ill-treatment, particularly of foreigners, by police and Carabinieri.

The lower house of parliament approved a bill in September to extend hate crime protections to lesbians, gays, bisexuals, and transgender people (LGBT). LGBT organizations criticized an amendment to the bill, which must pass the Senate, exempting a range of organizations from criminal liability for hate speech.

In February, an appeals court sentenced three US citizens, including a former Rome CIA station chief, for their role in the 2003 abduction of an Egyptian cleric in Milan, overturning a lower court's finding of diplomatic immunity. Separately, the court found guilty five Italian intelligence officers whose involvement had been cloaked in state secrecy.

In January, Italy became the first EU country to ratify the ILO Convention on Decent Work for Domestic Workers. In October parliament converted into law an August government decree creating new measures against domestic violence and stalking including stiffer penalties in certain cases, and humanitarian visas for undocumented victims. UN expert Joy Ngozi Ezeilo called on the government in September to ensure a national approach to all forms of trafficking, including for labor as well as sexual exploitation.

Concerns about immigration and asylum policy persist. In June, the UN Committee against Torture (CAT) expressed concerns about immigration detention beyond the legal 18-month limit of unaccompanied children asylum seekers and of families with children pending age determination, and conditions and treatment in detention. The committee recommended effective use of alternatives to detention. Detainees in Rotterdam and at Schiphol airport went on hunger strikes in May to protest their poor treatment.

At time of writing, parliament is examining a bill to make irregular stay a crime punishable by fines up to € 3,900 and prison up to six months for repeat offenders. The Ministry of Security and Justice set a police target of 4,000 arrests of irregular migrants during the year.

As of June, unaccompanied asylum-seeking children are processed under an accelerated procedure; those over the age of 16 whose asylum requests have been rejected may be returned immediately unless adequate care in their home country is unavailable or the child is unable to provide for him or herself. The Dutch children's rights ombudsman expressed concern that the procedure does not adequately take into account the best interests of the child.

The government acknowledged in April that almost 300 people were misclassified as "removable" despite pending asylum appeals, including a Russian who committed suicide in January while in detention pending deportation. In September, the government announced plans to reduce detention of asylum seekers.

In September, the government granted permanent residence to 620 children (and 690 family members) who had been living in the Netherlands for at least five years and had applied for asylum, less than half of those who applied for the program.

The Netherlands decided it could return failed Somali asylum seekers in late 2012, though court appeals halted deportations throughout 2013. In September, shortly after the ECtHR ruled (in a case involving Sweden) that improved security in the Somali capital allowed for returns, the government began returns. In November, a Somali man was injured in a blast in Mogadishu three days after his deportation from the Netherlands.

At time of writing, the Senate was examining a bill, already passed by the lower house in February, to eliminate the sex reassignment surgery requirement for transgender people wanting new identification documents.

The five-year investigation into secret CIA detention in Poland continued amid lack of transparency. In November, the UN Committee Against Torture urged Poland to complete the investigation within reasonable time. News emerged early in the year that charges, never officially confirmed, against Poland's former intelligence chief would be dropped. In October, the prosecutor general granted victim status in the case to a Yemeni national detained at Guantánamo Bay.

In January, an appeals court acquitted the editor of the *Antykomor.pl* website of charges of defaming the president. His conviction by a lower court in September 2012 prompted the Organization for Security and Co-operation in Europe to call for repeal of criminal defamation in Poland.

In February, the ECtHR found Poland in violation of the prohibition of inhuman and degrading treatment for detaining a paraplegic in a prison unsuitable for persons with disabilities.

At time of writing, Parliament was examining a bill to protect against discrimination on grounds of sexual orientation and gender identity, and broaden the legal definition of harassment.

The Senate was examining a bill to create a high-security facility for convicts who are deemed to pose a threat to the life, health or sexual freedom of others or to children. While safeguards are written into the bill, concerns remain that the measure could lead to indefinite detention of individuals who have already served out their sentences.

The European Commission concluded in January that the 2012 constitutional crisis had been averted following implementation of its recommendations, but pointed to continuing problems with the rule of law and judicial independence and stability, due in part to intimidation and harassment of judges.

Discrimination and forced evictions of Roma, on short notice and without alternative accommodation, persist. In August, authorities demolished 15 homes in the Craica Roma settlement in Baia Mare. At this writing, the remaining 15 families in the settlement face eviction. In September, local authorities in Eforie Sud evicted 100 Roma, including 60 children. Also in September, the secretary of state for minorities said that he would not send his child to a school with many Roma students, fueling negative stereotypes and rationalizing segregation in education.

UN special rapporteur on contemporary forms of racism, Mutuma Ruteere, raised concerns in January about the worsening of the situation of migrants including unemployment, restrictions on access to health care and de facto segregation of migrant neighborhoods, as well as anti-Roma sentiment. In October, CoE Commissioner Muižnieks raised concerns about the impact of budget cuts on vulnerable groups including children and persons with disabilities, and impunity for law enforcement officials for ill-treatment and torture.

Rejecting a bill promoted by civil society calling for mortgage debt cancellation, parliament adopted limited reforms to address the housing crisis in May. The law improves judicial

review of mortgage contracts, following a March European Union Court of Justice ruling that existing law violated EU consumer protection rules, slightly broadens the moratorium on evictions, and includes measures to alleviate mortgage debt.

The national ombudsperson called on the police in May to introduce stop forms recording ethnicity, race and/or nationality and the reason for the identity check. In June the central government representative in Lleida, Catalonia, stated that police applied ethnic criteria when conducting immigration-related stops.

In October, a judge in Argentina exercised universal jurisdiction and requested extradition of two former Franco regime officials for torture. In November, the UN Committee on Enforced Disappearances urged Spain to investigate all enforced disappearances regardless of when they were committed, and concluded that incommunicado detention breaches the prohibition of secret detention under the UN Convention on Enforced Disappearance.

In February, Spain's Supreme Court annulled the Lleida, Catalonia, city ordinance banning full-face veils, saying it violated freedom of religion. The regional government announced its intention in July to prohibit face coverings in public on security grounds, while news emerged in August that Catalonia police were collecting data on women wearing the full-face veil.

The CPT expressed concerns in April about allegations of ill-treatment of incommunicado terrorism-suspects and of people in police custody, and prison conditions. The committee also criticized the "prison-like" atmosphere in immigration detention centers.

In October, the ECtHR upheld its 2012 ruling that retroactive lengthening of prison sentences, limiting eligibility for parole for people convicted of terrorism offenses, violated fair trial standards. By mid-November, 31 prisoners—24 of them ETA members—had been released in compliance with the ruling.

The Interior Ministry reported in September that almost 3,000 migrants attempted to enter the Spanish enclave of Melilla since January, almost double the number in the same period in 2012. Over three-quarters were prevented from entering, amid allegations that

Spanish law enforcement officials summarily returned migrants to abuse at the hands of Moroccan police.

Senior ministers regularly attacked the Human Rights Act and the ECtHR, and Home Secretary Teresa May stated that if re-elected in 2015 the Conservative party would scrap the Act and possibly withdraw from the European Convention on Human Rights.

Accountability for counterterrorism and overseas abuse suffered setbacks. An April law extended secret hearings on national security grounds in civil courts. The government did not establish a new inquiry into UK involvement in rendition and torture overseas, nor had it published any part of the aborted Gibson inquiry's interim report.

The UN Committee Against Torture (CAT) urged the UK in May to establish a comprehensive inquiry into allegations of torture and other ill-treatment during the UK's military intervention in Iraq between 2003 and 2009. The same month, the High Court said there had been no adequate inquiry into the deaths of Iraqis in British custody except in one case, and in a second ruling in October ordered public inquiries into alleged killings of Iraqis by British forces. A public judge-led inquiry investigating the alleged torture and execution of up to 20 Iraqis by British soldiers in Iraq in 2004 began in March. In November, a military court convicted a UK marine of murdering an injured Afghan prisoner in September 2011 in Afghanistan.

Jordanian cleric Abu Qatada was deported in July to face terrorism charges in Jordan on the basis of a treaty guaranteeing the right to a fair trial, but concerns remained about the use of torture evidence.

Same-sex marriage became legal in July.

In November, the trial began of two men for the brutal murder in May of British soldier Lee Rigby in London. Attacks against Muslims and Islamic centers, including arson attacks, rose in the months following Rigby's murder. In London, the Metropolitan police recorded a 51 percent rise in anti-Muslim crime in the 12 months leading up to October 2013, compared to the previous year.

In July, the CEDAW Committee urged the UK to mitigate the impact of cuts to services to women, particularly women with disabilities and older women. In September, the UN special rapporteur on the right to housing, Raquel Rolnik, criticized the impact of austerity measures, noting also testimonies of discrimination in housing against Roma and Traveller communities, migrants, and asylum seekers.

Rights groups reported worsening abuse of migrant domestic workers since their right to change employers was removed in 2012.

In September, UN special rapporteurs on freedom of expression and on human rights and counterterrorism requested further information on the August detention of David Miranda, the partner of a *Guardian* newspaper journalist who wrote articles about US surveillance programs, for nine hours at Heathrow airport, the maximum time allowed under UK anti-terrorism law. The High Court heard Miranda's challenge to the legality of his detention in November. In October Prime Minister David Cameron specifically mentioned the *Guardian* when he warned that the government could take unspecified action against newspapers if they did not show "social responsibility" in reporting on mass surveillance.

In May, the UN CAT called for a "comprehensive framework for transitional justice" in Northern Ireland. An inter-party group in the Northern Ireland executive was expected to deliver recommendations on controversial issues by the end of the year.

In February, the High Court suspended returns of Tamils to Sri Lanka pending a review of an immigration tribunal's country guidance on Sri Lanka. The new guidance in July acknowledged torture, bribery, and availability of mental health treatment in Sri Lanka as relevant factors, but narrowed the group of people whose asylum claims are likely to succeed.