

Although the law allows abortion in such cases, the Director of a public hospital in Warsaw refused to allow the abortion to be performed in the hospital, citing grounds of conscience, despite the fact that the conscientious objection exemption extends to individuals not institutions. The child died 10 days after the birth. In July, the Ministry of Health fined the hospital for violating the patient's rights and the Mayor of Warsaw dismissed the Director from his post. In response to the case, the Commissioner for Patients' Rights recommended that the government amend the regulations on conscientious objection.

## DISCRIMINATION

In March, the UN Committee on the Elimination of Racial Discrimination noted an increase in hate crimes, including anti-Semitic attacks. It criticized the lack of a provision in the Criminal Code establishing racial motivation as an aggravating circumstance of a crime.

Anti-discrimination legislation failed to provide equal protection against discrimination in all areas on all grounds. Discrimination was not explicitly prohibited on the grounds of sexual identity, and was only prohibited in respect of sexual orientation in the sphere of employment.

## JUSTICE SYSTEM

In January, the Act on Proceedings against Persons with Mental Disorders came into force. The new law allowed courts to impose preventive measures against convicted persons with mental disorders who threaten the life, health and sexual freedom of others. Possible measures included isolation in closed mental health units following a completed jail sentence. The President referred the law to the Constitutional Tribunal for review.

## REFUGEES' AND MIGRANTS' RIGHTS

The new Law on Foreigners, which entered into force in May, extended the maximum

period of detention for asylum-seekers to 24 months. According to the Polish NGOs Helsinki Foundation for Human Rights and the Association for Legal Intervention, nearly one in four people held in migration detention were children.

In October, the European Court of Human Rights asked the government to clarify the circumstances of the administrative detention of an ethnic Chechen asylum-seeker and her five children. The woman and children were deported to Chechnya in March, even though their asylum procedure was still pending.

# PORTUGAL

---

## Portuguese Republic

Head of state: **Aníbal António Cavaco Silva**

Head of government: **Pedro Manuel Mamede Passos Coelho**

---

**Reports of excessive use of force by police and inadequate prison conditions continued. Roma continued to face discrimination. Austerity measures affected the enjoyment of economic and social rights and in some instances were found unconstitutional.**

## BACKGROUND

In May, the report of the Working Group on the UN Universal Periodic Review of Portugal highlighted the need for Portugal to protect the human rights of vulnerable groups from the negative impact of austerity measures adopted in 2013. Also in May, the Constitutional Court declared several austerity measures unconstitutional due to their disproportionate impact on economic and social rights. The measures adopted in 2013 were related to public servants' salaries, pensions and sickness and unemployment benefits. In the case of salaries, there was no retroactive reparation for the negative effects already created by such measures.

At the end of the year the government was planning to reintroduce similar measures in the new budget.

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

In July 2014, two prison officers were handed an eight-month suspended sentence by the court of Paços de Ferreira for using excessive force against a detainee in the Paços de Ferreira prison in 2010. The two officers had entered the prisoner's cell to force him to either clean it or leave in order for the cell to be cleaned. Even though the detainee obeyed orders to stand up, turn his back to the cell door and face the window, the officers used a Taser to immobilize him. The court considered that the Taser was used disproportionately, particularly as the man had not resorted to any violence against the prison officers.

### **Prison conditions**

In December 2013, the UN Committee against Torture highlighted reports of ill-treatment and excessive use of force, as well as prison overcrowding and deplorable prison conditions, particularly in the Prison of Santa Cruz do Bispo and the Lisbon Central Prison.

## **DISCRIMINATION - ROMA**

Forced evictions of Roma families continued to be reported.

In June, the homes of 67 members of the Vidigueira Roma Community, including 35 children and three pregnant women, were demolished by the municipality in their absence. According to reports, the eviction was implemented without prior notice and the families had no opportunity to collect their belongings before their homes were demolished. The families were made homeless as a result of the eviction. In September, a class consisting exclusively of Roma children, aged seven to 14, was created in a school in Tomar. No action was taken by relevant authorities to address the segregation of Roma children.

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

A proposed bill, amending current legislation to ensure the right of same-sex couples to co-adopt children, was rejected in March.

## **REFUGEES AND ASYLUM-SEEKERS**

New asylum legislation adopted in January extended the criteria for detaining persons seeking international protection. Overcrowding remained in the Reception Centre for Refugees of the Portuguese Refugee Council in Lisbon, which accommodated asylum-seekers awaiting a decision on their status.

## **VIOLENCE AGAINST WOMEN AND GIRLS**

According to data provided by the NGO UMAR (União de Mulheres Alternativa e Resposta), as of 30 November, 40 women were killed by partners, ex-partners and close family members. There were also 46 attempted murders. The number had risen since 2013, when 37 homicides were registered for the whole year.

# **PUERTO RICO**

---

### **Commonwealth of Puerto Rico**

Head of state: **Barack Obama**

Head of government: **Alejandro García Padilla**

---

**The US Department of Justice continued to pursue death sentences on federal charges. Despite some advances in law, LGBTI people continued to be denied their right to non-discrimination. Laws restricting the rights to freedom of assembly and expression were repealed.**

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

In October 2014, a US federal district judge in San Juan upheld Puerto Rico's ban on same-sex marriage. The judge stated: "Because no