

ENVIRONMENTAL DEGRADATION

In April, the government announced its intention to revive the Jonglei Canal project to divert water from the Sudd to the Nile in Sudan and Egypt. Senior government officials argued that the project would help prevent flooding in Jonglei and Unity states and in May, Egypt sent machines to help with dredging. However, academics, environmentalists and activists argued that the plans would adversely affect communities and wildlife which depend on the water, and could lead to a lack of rain resulting from reduced water evaporation. In July, according to media reports, President Kiir ordered the suspension of all dredging-related activities in South Sudan, including the Sudd wetlands and Naam river – a tributary of the Nile – pending completion of assessments on the impact on surrounding communities and the ecosystems. According to the Associated Press, the president established a committee on the Sudd region and the White Nile river to discuss options for flood and water management; its findings would inform a decision on the proposed projects.

1. [“South Sudan: Renewal of UN arms embargo positive step to help curb conflict-related sexual violence”, 26 May](#)
2. [“South Sudan: Fulfil past Universal Periodic Review commitment to develop a human rights agenda and action plan”, 4 July](#)
3. [South Sudan: “If You Don’t Cooperate, I’ll Gun You Down”: Conflict-Related Sexual Violence and Impunity in South Sudan, 18 May](#)
4. [South Sudan: African Union’s Abandoned Commitment to Justice in Africa: The Case of the Hybrid Court for South Sudan, 23 November](#)
5. [South Sudan: Human Rights Priorities for the Government of South Sudan, 3 February](#)
6. [“South Sudan: High Court releases man who was sentenced to death when he was a child”, 24 March](#)

SPAIN

Kingdom of Spain

Head of state: **Felipe VI**

Head of government: **Pedro Sánchez**

The authorities’ violent response to people’s attempts to cross the border between Melilla and Morocco resulted in deaths,

torture and unlawful expulsions. Spyware was used to target Catalan politicians and members of civil society. Violence against women persisted. A bill to remove some barriers to abortion came before parliament. A problematic bill that criminalizes aspects of sex work was tabled. The government approved a landmark bill on gender self-determination. The authorities did not protect adequately the rights to health and housing. Concerns continued about the use of electroshock equipment by police. Vaguely formulated offences were misused to curb freedom of expression and peaceful assembly. New legislation was a positive step in fighting impunity for violations perpetrated during the Civil War and dictatorship. Measures to tackle the climate crisis remained inadequate.

BACKGROUND

A police officer was sentenced to 12 months’ imprisonment for providing false evidence against certain Catalan politicians. The conviction was connected to ongoing, broader criminal investigations into the activities of a secret network, called the “patriotic police”, suspected of fabricating evidence to undermine the political group Podemos and leaders of the Catalan pro-independence movement.

REFUGEES’ AND MIGRANTS’ RIGHTS

The authorities gravely violated refugees’ and migrants’ rights at borders.

On 24 June, the Spanish and Moroccan authorities used unlawful force and acts which may amount to torture and other ill-treatment to repress an attempt by a large group of people, all Black men from Sub-Saharan Africa, to enter and seek protection in Melilla, a Spanish enclave in northern Morocco. At least 37 people died and over 470 were illegally expelled. In October, UN experts condemned the continuing lack of accountability for the deaths and the dehumanization of African migrants at Europe’s borders.¹

In March, the authorities forcibly returned an Algerian national to Algeria without

assessing the risks to his safety there. Mohamed Benhalina, a former military official and whistle-blower, was imprisoned upon arrival in Algeria and informed that he had been sentenced to death in his absence. Spanish authorities had rejected his asylum application because of his alleged involvement in activities “contrary to national security or which may be harmful for Spain’s relationship with other countries”.

The authorities granted temporary protection, under the EU Temporary Protection Directive, to 156,000 Ukrainian refugees. The government set up dedicated reception centres in Madrid, Barcelona, Alicante and Malaga to ensure a coordinated and rapid response to the refugees’ needs.

RIGHT TO PRIVACY

There was concern about the use in Spain of the NSO Group’s Pegasus spyware, which was used to target the mobile phones of prominent Catalan politicians, journalists, lawyers and their families. In May, the Director General of the National Intelligence Centre admitted that several pro-independence Catalan politicians had been spied on. The government also confirmed that the official phones of the President, the Minister of the Interior and the Minister of Defence were infected with Pegasus spyware; in May the High Court began an investigation. Unrelated investigations by Catalan courts into the targeting of Catalan politicians and members of civil society remained stalled.

SEXUAL AND GENDER-BASED VIOLENCE

Violence against women persisted, with 49 women killed by their partners or ex-partners during the year. Since 2013, when records began, 48 children had been killed in the context of gender-based violence against their mothers, including two in 2022.

In a positive development, the Ministry of Equality began collecting data about violence against women perpetrated by individuals other than their partners and ex-partners.

The Law on Comprehensive Protection of Sexual Freedom, which amended the Criminal Code redefining the offence of

sexual violence based on lack of consent, came into force in October.

SEXUAL AND REPRODUCTIVE RIGHTS

In December, Congress passed a bill to amend the law on sexual and reproductive rights to remove the requirement of parental consent for 16- and 17-year-olds to have an abortion, together with other barriers to accessing a timely abortion, such as mandatory counselling and reflection periods.

WORKERS’ RIGHTS

A bill to amend the Criminal Code to criminalize aspects of sex work, including clients and third parties, that would impact sex workers’ rights and their safety was pending in parliament at the end of the year.

LGBTI PEOPLE’S RIGHTS

In June, the government approved a landmark bill that recognizes people’s right to gender self-determination, allowing transgender people to obtain legal recognition of their gender and change their gender markers on identity documents without the need for hormonal treatment or a medical report; this includes children aged 12 and over. In December, Congress passed the bill, with the Senate expected to approve it in early 2023.

RIGHT TO HEALTH

National and regional governments allocated insufficient resources to protect the right to health. The national budget for primary healthcare was 14% of the total public healthcare budget, far from the WHO recommended level of at least 25%. The Autonomous Communities’ total healthcare budget was only 4.5% higher than in 2021, less than half of the increase in healthcare spending between 2019 and 2020. Aragón and Castilla La Mancha actually reduced their healthcare budgets compared with 2021.

The new Mental Health National Strategy 2022-2026, approved in December 2021 after a 15-year long hiatus, started to be implemented.

OLDER PEOPLE

The authorities did not investigate adequately the deaths of older people in care homes during the Covid-19 pandemic. About 90% of prosecutors' investigations were closed, despite the General Public Prosecutor acknowledging that there had been human rights violations in care homes.

The majority of regional truth commissions tasked with looking into the treatment of older people in care homes were closed down without clear explanation and the authorities failed to establish a national truth commission to hold those responsible for the care home deaths to account.

RIGHT TO HOUSING

Thousands of families were denied their right to adequate housing. Between January and September there were 29,285 evictions. In June, the government renewed the suspension of evictions of economically vulnerable people until 31 December. While welcome, the measure was insufficient to protect from homelessness thousands of people not in this category.

The rising cost of energy affected thousands of families, with 14.3% of the population unable to afford to keep their homes at an adequate temperature, compared to 10.9% in 2020. In the neighbourhood of Cañada Real, in Madrid, 4,500 people, including 1,800 children, continued to live without access to electricity after being disconnected in 2020, despite the Ombudsman recommending that the connection be re-established.

EXCESSIVE USE OF FORCE

Concerns remained over the adequacy of training and protocols for the use of "less lethal" weapons by various police forces in the country. The Ministry of the Interior extended the inclusion of electroshock equipment as standard equipment for the National Security Police and Civil Guard and also for the regional police forces in the Basque Country and Catalonia.

By the end of the year, no suspects had been charged in relation to the death, in

November 2021, of a man in Barcelona who was electroshocked by regional police several times, including after he had been restrained.

People seriously injured by foam bullets fired by police during demonstrations risked being denied justice as prosecutors planned to close criminal investigations due to a lack of cooperation by police.

At the end of the year, criminal investigations into the unlawful use of force by police in the context of the protests of October 2017 in Catalonia were still ongoing.

FREEDOM OF EXPRESSION AND ASSEMBLY

The authorities continued to misuse the Public Security Act to limit the freedom of expression of demonstrators and journalists. Data on enforcement of the law showed an increase in the number of fines imposed for vaguely defined administrative offences, such as "showing disrespect towards a law enforcement official" or "disobedience or resistance to the authorities or their agents".

Parliament began amending the Criminal Code to repeal the crimes of "insults to the Crown" and "insults to the institution", also misused to limit freedom of expression.

IMPUNITY

In October, the Democratic Memory Act entered into force, replacing the 2007 Historical Memory Law. Under the new law the search for victims of enforced disappearance during the Civil War and dictatorship is the responsibility of the state and judgments passed by military, civil and special courts on political grounds are annulled. However, the act does not allow for crimes under international law committed during the same period to be pursued.

The 1968 Law on Classified Secrets, passed during the dictatorship, remained an obstacle to access to justice.

FAILURE TO TACKLE CLIMATE CRISIS

The Carlos III Health Institute estimated that between January and October there were 5,829 deaths attributable to high temperatures. In the same period, fires

destroyed 259,491.42 hectares of land, three times more than in the same period in 2021. The Greenhouse Gas Emissions Inventory estimated a gross emission of 288.6 million tonnes of carbon dioxide in 2021, which constituted a 5.1% increase over the previous year.

1. *Morocco: "They beat him in the head, to check if he was dead": Evidence of Crimes Under International Law by Morocco and Spain at the Melilla border, 13 December*

SRI LANKA

Democratic Socialist Republic of Sri Lanka
Head of state and government: **Ranil Wickremesinghe**
(replaced Gotabaya Rajapaksa in July)

The government intensified its crackdown on dissent as thousands of people protested against the dire economic situation. The rights to freedom of expression and peaceful assembly came under fierce attack by law enforcement agencies, which at times used unlawful force leading to deaths and injuries. Protesters were arbitrarily arrested, detained using draconian counterterrorism legislation, and ill-treated in custody. Serious human rights violations committed during the internal armed conflict remained unaddressed. Families of people forcibly disappeared continued to seek truth and justice. Amendments to the Prevention of Terrorism Act failed to address key human rights concerns, and Muslims and Tamils continued to be targeted under the Act.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Sri Lanka's economic crisis had a devastating impact on human rights, with inflation rising to 73.7% in September, and 85.8% for food. Access to food, healthcare and education were gravely impacted, and existing social security programmes were inadequate to address growing needs. Fuel shortages prompted power outages for up to 13 hours a day. People with precarious jobs who relied

on daily wages were particularly affected by the economic situation.

FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The state's crackdown on dissent worsened rapidly when people took to the streets to protest against the economic crisis. From late March, hundreds of protesters gathered outside government buildings and residences of the political elite. Despite the protests being largely peaceful, the authorities used various means to restrict freedom of expression, association and peaceful assembly.

States of emergency were declared on at least three occasions in April, May and July; the last one lapsed in mid-August. Emergency regulations published alongside the states of emergency gave sweeping powers to the authorities to arrest and detain people without due process or judicial oversight. On 9 May, the peaceful protest site outside the Presidential Secretariat was attacked by pro-government supporters. In response, anti-government groups launched retaliatory attacks. According to authorities, nine people died in the ensuing violence, including an MP, and more than 220 people were injured.

Law enforcement authorities regularly sought pre-emptive court orders against protests without reasonable basis, or refused to grant permission for planned demonstrations, violating the right to freedom of peaceful assembly.

The government remained in discussions to amend the Voluntary Social Services Organizations Act. The proposed amendments would restrict the right to freedom of association, potentially hampering the operations of NGOs, for example through lengthy registration processes, imposing fines and imprisonment for non-registration, and giving powers to authorities to suspend, ban and dissolve NGOs.

ARBITRARY ARRESTS AND DETENTIONS

On numerous occasions, law enforcement authorities arbitrarily arrested protesters