

HUMAN
RIGHTS
WATCH



WORLD REPORT

2023

EVENTS OF 2022

HUMAN RIGHTS WATCH

350 Fifth Avenue
New York, NY 10118-3299
www.hrw.org

This 33rd annual World Report summarizes human rights conditions in over 100 countries and territories worldwide in 2022.

It reflects extensive investigative work that Human Rights Watch staff conducted during the year, often in close partnership with domestic human rights activists.



WORLD REPORT

2023

EVENTS OF 2022

HUMAN
RIGHTS
WATCH

Copyright © 2023 Human Rights Watch
All rights reserved.
Printed in the United States of America
ISBN 978-1-64421-240-0



Cover photo: Children from Mariupol, Ukraine, look out the window of their family's car, marked with the word "children," after arriving at an evacuation point for people fleeing areas under Russian control, May 2, 2022.

© 2022 Chris McGrath/Getty Images

Cover and book design by Rafael Jiménez

www.hrw.org

Human Rights Watch defends the rights of people worldwide.

We scrupulously investigate abuses, expose facts widely, and pressure those with power to respect rights and secure justice.

Human Rights Watch is an independent, international organization that works as part of a vibrant movement to uphold human dignity and advance the cause of human rights for all.

Human Rights Watch began in 1978 with the founding of its Europe and Central Asia division (then known as Helsinki Watch). Today it also includes divisions covering Africa, the Americas, Asia, Europe and Central Asia, the Middle East and North Africa, and the United States. There are thematic divisions or programs on arms; business and human rights; children's rights; crisis and conflict; disability rights; the environment and human rights; international justice; lesbian, gay, bisexual, and transgender rights; refugee rights; and women's rights.

The organization maintains offices in Amman, Amsterdam, Beirut, Berlin, Bishkek, Brussels, Chicago, Geneva, Goma, Hong Kong, Johannesburg, Kiev, Kinshasa, London, Los Angeles, Miami, Moscow, Nairobi, New York, Paris, San Francisco, São Paulo, Seoul, Silicon Valley, Stockholm, Sydney, Tokyo, Toronto, Tunis, Washington DC, and Zurich, and field presences in more than 50 other locations globally.

Human Rights Watch is an independent, nongovernmental organization, supported by contributions from private individuals and foundations worldwide. It accepts no government funds, directly or indirectly.

Table of Contents

A New Model for Global Leadership on Human Rights 1
by Tirana Hassan

COUNTRIES 15

Afghanistan17

Algeria24

Angola29

Argentina34

Armenia40

Australia47

Azerbaijan.....54

Bahrain61

Bangladesh.....67

Belarus73

Bolivia80

Bosnia and Herzegovina.....86

Brazil91

Burkina Faso101

Burundi.....106

Cambodia111

Cameroon117

Canada.....125

Central African Republic132

Chad138

Chile142

China149

Colombia.....162

Cuba171

Democratic Republic of Congo.....180

Ecuador.....185

Egypt191

El Salvador199

Eritrea.....208

Eswatini213

Ethiopia.....217

European Union224

France236

Georgia244

Germany250

Greece259

Guatemala265

Haiti.....272

Honduras.....280

Hungary287

India291

Indonesia300

Iran.....306

Iraq315

Israel and Palestine324

Italy334

Japan340

Jordan345

Kazakhstan.....351

Kenya357

Kosovo.....362

Kuwait366

Kyrgyzstan371

Lebanon.....377

Libya.....385

Malaysia393

Maldives.....	400
Mali	405
Mexico.....	411
Morocco and Western Sahara	420
Mozambique	427
Myanmar.....	432
Nepal.....	440
Nicaragua	444
Nigeria	451
North Korea.....	460
Pakistan	466
Papua New Guinea	473
Peru	478
Philippines.....	485
Poland	490
Qatar	495
Russian Federation.....	500
Rwanda	513
Saudi Arabia.....	518
Serbia	525
Singapore	529
Somalia.....	533
South Africa	538
South Korea.....	545
South Sudan	550
Spain	555
Sri Lanka	561
Sudan	569
Syria.....	575
Tajikistan	585
Tanzania	590

Thailand.....	593
Tunisia.....	600
Turkey.....	606
Turkmenistan.....	617
Uganda	623
Ukraine.....	629
United Arab Emirates.....	646
United Kingdom.....	651
United States	661
Uzbekistan	677
Venezuela	683
Vietnam	693
Yemen	700
Zimbabwe	706

A New Model for Global Leadership on Human Rights

By Tirana Hassan, *Acting Executive Director*

The obvious conclusion to draw from the litany of human rights crises in 2022—from Russian President Vladimir Putin’s deliberate attacks on civilians in Ukraine and Xi Jinping’s open-air prison for the Uyghurs in China to the Taliban’s putting millions of Afghans at risk of starvation—is that unchecked authoritarian power leaves behind a sea of human suffering. But 2022 also revealed a fundamental shift in power in the world that opens the way for all concerned governments to push back against these abuses by protecting and strengthening the global human rights system, especially when the actions of the major powers fall short or are problematic.

We have witnessed world leaders cynically trading away human rights obligations and accountability for human rights abusers in exchange for seeming short-term political wins. US presidential candidate Joe Biden’s principled pledge to make Saudi Arabia a “pariah state” over its human rights record was eviscerated once he was in office and facing high gas prices by his bro-like fist bump with Saudi Arabia’s Mohammed Bin Salman. And the Biden administration, despite its rhetoric about prioritizing democracy and human rights in Asia, has tempered criticism of abuses and increasing authoritarianism in India, Thailand, the Philippines, and elsewhere in the region for security and economic reasons, instead of recognizing that all are linked.

Of course, these kinds of double standards are not solely the purview of global superpowers. Pakistan has supported the United Nations high commissioner for human rights’ monitoring of abuses in Muslim-majority Kashmir, but owing to its close relationship with China, has turned its back on possible crimes against humanity against Uyghur and other Turkic Muslims in Xinjiang. Pakistan’s hypocrisy is especially glaring given its coordinator role of the 57-member Organisation of Islamic Cooperation.

Human rights crises do not arise from nowhere. Governments that fail to live up to their legal obligations to protect human rights at home sow the seeds of discontent, instability, and ultimately crisis. Left unchecked, the egregious actions of abusive governments escalate, cementing the belief that corruption, censor-

ship, impunity, and violence are the most effective tools to achieve their aims. Ignoring human rights violations carries a heavy cost, and the ripple effects should not be underestimated.

But in a world of shifting power, we also found opportunity in preparing our 2023 World Report, which examines the state of human rights in nearly 100 countries. Each issue needs to be understood and addressed on its own merits, and each requires leadership. Any state that recognizes the power that comes from working in concert with others to affect human rights change can provide that leadership. There is more space, not less, for governments to stand up and adopt rights-respecting plans of action.

New coalitions and new voices of leadership have emerged that can shape and further this trend. Finland, Norway, and Sweden have taken a principled approach to holding Saudi Arabia accountable for war crimes in Yemen. South Africa, Namibia, and Indonesia have paved the way for more governments to recognize that Israeli authorities are committing the crime against humanity of apartheid against Palestinians.

Pacific Island nations as a bloc have demanded more ambitious emissions reductions from those countries that are polluting the most, while Vanuatu leads an effort to put the adverse effects of climate change before the International Court of Justice for their own sake—and ours.

And while the US Supreme Court struck down 50 years of federal protection for reproductive rights, the “green wave” of abortion-rights expansions in Latin America—notably Argentina, Colombia, and Mexico—offers a compelling counternarrative.

This is the overarching lesson of our ever-more disrupted world: we need to reimagine how power in the world is exercised, and that all governments not only have the opportunity but the responsibility to take action to protect human rights within and beyond their borders.

Ukraine: Beacon and Rebuke

Vladimir Putin’s full-scale invasion of Ukraine in February and ensuing atrocities quickly rose to the top of the world’s human rights agenda in 2022. After Ukrainian troops forced the Russian military’s withdrawal from Bucha, north of the cap-

ital, Kyiv, the UN found that at least 70 civilians had been the victims of unlawful killings, including summary executions, which are war crimes. This pattern of Russian atrocity has been repeated countless times.

At the Drama Theater in Mariupol, hundreds of displaced residents took refuge, painting the Russian word “DETI” (children) on the ground outside in letters so large they could be seen in satellite imagery. This alert was meant to protect the civilians, including many children, sheltering inside. Instead, it seemed only to serve as an inducement for Russian forces whose bombs destroyed the building and killed at least a dozen, and likely more, of its occupants. Inflicting civilian suffering, such as the repeated strikes on the energy infrastructure that Ukrainians depend on for electricity, water, and heat, seems to be a central part of the Kremlin’s strategy.

Putin’s brazenness has been made possible largely because of his longstanding free hand to operate with impunity. The loss of civilian life in Ukraine comes as no surprise to Syrians who suffered grave abuses from airstrikes following Russia’s intervention to support Syrian forces under Bashar al-Assad in 2015. Putin tapped prominent military commanders from that campaign to lead the war effort in Ukraine, with predictable—and devastating—consequences for Ukrainian civilians. Russia has accompanied its brutal military actions in Ukraine with a crackdown on human rights and anti-war activists in Russia, throttling dissent and any criticism of Putin’s rule.

But one positive outcome of Russia’s actions has been to activate the full global human rights system created to deal with crises like this. The UN Human Rights Council promptly opened an investigation to document and preserve evidence of human rights violations in the war, and later created a special rapporteur to monitor the human rights situation inside Russia. The UN General Assembly four times condemned—mostly by wide margins—both Russia’s invasion and its human rights violations. The General Assembly also suspended Russia from the UN Human Rights Council, blunting its spoiler capacity on Ukraine and other serious human rights crises on the council’s docket.

European countries welcomed millions of Ukrainian refugees, a commendable response that also exposed the double standards of most European Union member countries in their ongoing treatment of countless Syrians, Afghans, Palestini-

ans, Somalis, and others seeking asylum. The prosecutor of the International Criminal Court (ICC) in The Hague opened a Ukraine investigation following a referral of the situation by an unprecedented number of the court's member countries. Governments have also mobilized to weaken Putin's global influence and military power, with the European Union, the United States, the United Kingdom, Canada, and others imposing targeted international sanctions against Russian individuals, companies, and other entities.

This extraordinary response showed what is possible for accountability, for refugee protection, and for safeguarding the human rights of some of the world's most vulnerable people. At the same time, the attacks on civilians and horrendous abuses in Ukraine should be a reminder that this consolidated support, critical as it is, should not be confused with a quick fix.

Rather, governments should reflect on where the situation would be if the international community had made a concerted effort to hold Putin to account much earlier—in 2014, at the onset of the war in eastern Ukraine; in 2015, for abuses in Syria; or for the escalating human rights crackdown within Russia over the last decade. The challenge going forward is for governments to replicate the best of the international response in Ukraine and scale up the political will to address other crises around the world until there is meaningful human rights improvement.

Achieving Accountability in Ethiopia

The armed conflict in northern Ethiopia has received only a tiny fraction of the global attention focused on Ukraine, despite two years of atrocities, including a number of massacres, by the warring parties.

In 2020, tensions between Ethiopia's federal government and Tigray's regional authorities, the Tigray People's Liberation Front (TPLF), boiled over into conflict in the Tigray region, with Amhara regional forces and Eritrea's military supporting the Ethiopian armed forces. The government has heavily restricted access to conflict-affected areas for independent rights investigators and journalists ever since, making scrutiny of abuses as they unfold difficult, even as the conflict spread to the neighboring Amhara and Afar regions.

Governments and the UN have condemned the summary killings, widespread sexual violence, and pillage, but have done little else. An ethnic cleansing cam-

paign against the Tigrayan population in Western Tigray resulted in many deaths, sexual violence, mass detention, and the forced displacement of thousands. The government's effective siege of the Tigray region continued through 2022, denying the civilian population access to food, medicine, and life-saving humanitarian aid, as well as electricity, banking, and communication, in violation of international law.

The three elected African members of the UN Security Council—Gabon, Ghana, and Kenya—as well as Russia and China, have blocked even placing Ethiopia on its formal agenda for discussion, despite the council's mandate to maintain and restore international peace and security.

Governments have also hesitated to adopt targeted sanctions against Ethiopian entities and individuals responsible for abuses. International scrutiny has instead rested with the UN Human Rights Council, which narrowly renewed the mandate of the mechanism it created in December 2021 to investigate and preserve evidence of grave abuses and identify those responsible. However, Ethiopian federal authorities continue to block its work fiercely.

A 10-day African Union-led peace process culminated in November in a truce between the Ethiopian federal government and Tigrayan authorities, which offers an opportunity for outside states to play a leadership role in supporting solutions that can break deadly cycles of violence and impunity. With pathways for domestic accountability elusive, international monitoring of the agreement is needed, along with credible efforts to hold accountable those responsible for wartime abuses.

The agreement's key backers and observers, including the AU, UN, and US, should signal and maintain pressure to ensure that independent investigative organizations can access conflict areas, and document and preserve evidence. Accountability for these crimes needs to remain a priority so victims and their families can obtain a measure of justice and reparations.

A Brighter Spotlight on Beijing

Chinese President Xi Jinping secured a precedent-breaking third term as head of the Chinese Communist Party in October, setting himself up as a "leader for life," and all but ensuring the Chinese government's unrelenting hostility to human rights protections will continue. Xi has surrounded himself with loyalists

and doubled down on building a security state, deepening rights violations across the country.

In the Xinjiang region, Beijing's mass detention of an estimated one million Uyghurs and other Turkic Muslims—who are subject to torture, political indoctrination, and forced labor—and severe restrictions on rights to religion, expression, and culture for the general population, stand out for their gravity, scale, and cruelty. The UN found that violations in Xinjiang could amount to crimes against humanity, echoing the findings of Human Rights Watch and other human rights groups.

The rigorous report of the then-UN high commissioner for human rights, Michelle Bachelet, based on years of investigation and the Chinese government's internal documents, laws, policies, data, and policy statements, created a critical common reference point from which governments should act. That the report was released only in the final minutes of Bachelet's term is indicative of Beijing's intense pressure to bury it.

The report sparked notable diplomatic mobilization. A resolution to open a debate about the report was introduced in the Human Rights Council and fell short by only two votes. The result reflected Beijing's pressure on governments like Indonesia—which said we “must not close our eyes” to the plight of Uyghurs and then voted “no”—as well as its influence on the actions of those states that abstained, including Argentina, India, Mexico, and Brazil. But the “yes” votes of Somalia, Honduras, and Paraguay, and the co-sponsorship support of Turkey and Albania, together with 24 mostly Western countries, show the potential in cross-regional alliances and fresh coalitions to come together to challenge the Chinese government's expectation of impunity.

The collective spotlight on the dismal human rights situation in Xinjiang has put Beijing on the defensive, and the Chinese government is working hard to explain away its heinous behavior. The outcome in Geneva heightens the responsibility of the UN leadership to throw its full political weight behind the report and to continue to monitor, document, and report on the situation in Xinjiang, and more broadly in China. Anything less would be an abdication of the human rights pillar of the UN system's responsibility to protect Turkic Muslims in Xinjiang.

Meanwhile, as discomfort around the Chinese government's repressive ambitions has grown, governments, including those of Australia, Japan, Canada, the UK, EU, and US have looked to cultivate trade and security alliances with India, taking cover behind its brand as the “world's largest democracy.” But Prime Minister Narendra Modi's Hindu-nationalist Bharatiya Janata Party has mimicked many of the same abuses that have enabled Chinese state repression—systematic discrimination against religious minorities, stifling of peaceful dissent, and use of technology to suppress free expression—to tighten its grip on power.

The seemingly careless trade-off on human rights that world leaders make, justified as the cost of doing business, ignores the longer-term implications of their compromises. Deepening ties with the Modi government while avoiding its troubling rights record squanders valuable leverage to protect the precious, but increasingly endangered, civic space on which India's democracy relies.

Respect for Rights as a Prescription for Stability

Autocrats benefit from the illusion they project as being indispensable to maintaining stability, which in turn seemingly justifies their oppression and widespread human-rights violations committed toward achieving that end.

But this “stability,” driven by the endless quest for power and control, infects and erodes every pillar needed for a functional society based on the rule of law. The result is frequently massive corruption, a broken economy, and a hopelessly partisan judiciary. Vital civic space is dismantled, with activists and independent journalists in jail, in hiding, or fearing retaliation.

The months-long protests in Iran in 2022 underline the grave risks for autocracies of imagining that repression is a shortcut to stability. Protests erupted across the country in response to the death of the 22-year-old Kurdish-Iranian woman Mahsa (Jina) Amini in September, following her arrest by “morality police” for wearing an “improper hijab.” But protest against the mandatory use of the hijab is just the most visible symbol of repression. The new generation of protesters across the country echoes the frustrations of generations past: people tired of living without fundamental rights, and of being ruled by those who callously disregard the welfare of their people.

The demand for equality triggered by women and schoolgirls has morphed into a nationwide movement by the Iranian people against a government that has systematically denied them their rights, mismanaged the economy, and driven people into poverty. Iranian authorities have ruthlessly cracked down on what became widespread anti-government protests with excessive and lethal force, followed by sham trials and death sentences for those who dare challenge the government's authority. Hints that authorities may disband the morality police fall well short of the demand to abolish the discriminatory compulsory hijab laws, and even further from the fundamental structural reforms the protesters are demanding to make the government more accountable.

The link between impunity for abuses and mismanaged governance can be seen elsewhere. Shortages in fuel, food, and other essentials, including medicine, sparked massive protests in Sri Lanka, forcing Prime Minister Mahinda Rajapaksa, and then his brother, President Gotabaya Rajapaksa, to resign. Unfortunately, the man who parliament chose to replace them, Ranil Wickremasinghe, has walked away from commitments to justice and accountability for egregious violations committed during the country's 26-year civil war, which ended in 2009. President Wickremasinghe, instead of focusing on the economic crisis and ensuring social justice, cracked down on protests, even using the notorious Prevention of Terrorism Act to detain student activists.

Cracks have also emerged in the foundations of seemingly impenetrable countries. In November, mounting frustration over Beijing's strict lockdown measures as part of its "zero Covid" strategy spilled over into the streets, with protesters in cities across the country denouncing the Communist Party's draconian measures and, in some cases, Xi's rule. These remarkable shows of defiance, led mostly by young people and young women, demonstrate that desires for human rights cannot be erased despite the enormous resources the Chinese government has devoted to repressing them.

It is easy to celebrate the protesters who take the fight for human rights to the streets. But we cannot expect the protesters to diagnose the problems—which they do at great risk to themselves and their families—and to hold those responsible for the deprivations they have suffered to account by themselves. Rights-respecting governments need to lend their political stamina and attention to ensure that needed human rights change comes to fruition. Governments should

live up to their global human rights responsibilities, not just ponder and posture about them.

Consider Sudan, whose people's revolution of 2018-19 challenged the abusive power structure that repressed the country for decades. The two-year joint civilian-military transition that led the country was sabotaged by a military coup in late 2021, putting Sudanese autocrats and military commanders implicated in serious abuses—some of whom are once again committing abuses—in charge of the country's future.

But Sudanese grassroots Resistance Committees—pro-democracy civilian groups created out of the 2018 revolution—persist, despite deadly crackdowns. These groups insist on a civilian-only transition and want those responsible for abuses to be held to account. In December, political actors reached a preliminary agreement with the military coup leaders, postponing discussions on justice and security sector reforms to a later stage, but protesters and victims' groups have rejected the deal.

If Sudan is to move toward a more rights-respecting future, the demands of these groups, including calls for justice and an end to impunity for those in command, should be a priority of the US, UN, EU, and regional partners in engaging with Sudan's military leadership. Those who staged a coup to obtain power will not give it up without deterrents or financial costs.

Similarly, centering the demands of the millions of people pressing for human rights and democratic civilian rule in Myanmar remains critical to addressing the ongoing crisis. In February 2021, Myanmar's military staged a coup and has brutally suppressed widespread opposition ever since. For two years, the military junta has carried out systematic abuses, including extrajudicial killings, torture, and sexual violence, that amount to crimes against humanity and war crimes.

The Association of Southeast Asian Nations (ASEAN) produced a "Five Point Consensus"—negotiated between the bloc and Myanmar's junta—to address the crisis in the country. It has failed, with several ASEAN countries, including Malaysia, Indonesia, and Singapore acknowledging the junta's refusal to comply. Since the coup, ASEAN has barred Myanmar junta representatives from the bloc's high-level meetings. Beyond that, ASEAN has imposed minimal pressure on Myanmar, while other powerful governments, including those of the US and UK, hide behind regional deference to justify their own limited action.

To achieve a different result, ASEAN needs to adopt a different approach. In September, Malaysia's then-Foreign Minister Saifuddin Abdullah was the first ASEAN official to meet openly with representatives of Myanmar's opposition National Unity Government, formed by elected lawmakers, ethnic minority representatives, and civil society activists after the coup. The bloc should follow suit and extend its engagement to representatives of civil society.

ASEAN should also intensify pressure on Myanmar by aligning with international efforts to cut off the junta's foreign currency revenue and weapons purchases, which would in turn weaken Myanmar's military. As ASEAN chair in 2023, Indonesia should lead a review of the junta's human rights record and failure to comply with the Five-Point Consensus and consider suspending Myanmar to uphold the bloc's commitment to a "people-oriented, people-centered ASEAN."

Human Rights Can Define—and Design—the Path Ahead

Another year of shrinking real and virtual civic space around the world brings the recognition that attacks on the human rights system are due in part to its effectiveness—because by exposing the abuses and elevating the voices of survivors and those at risk, the human rights movement makes it harder for abusive governments to succeed.

In 2022, six weeks into the full-scale invasion of Ukraine, Russian authorities summarily shuttered the Human Rights Watch office in Moscow after 30 years of continuous operation, together with those of more than a dozen foreign non-governmental organizations. The closures followed a decade of repressive laws and measures that the Russian government adopted to decimate civil society and force hundreds of activists, journalists, human rights lawyers, and other critics into exile. The Kremlin has gone to such great lengths to extinguish dissent because dissent threatens it. And therein lies a fundamental truth: those who work assiduously to repress human rights show their weakness, not their strength.

Time and again, human rights prove to be a powerful lens through which to view the most existential threats we face, like climate change. From Pakistan to Nigeria to Australia, every corner of the world faces a nearly nonstop cycle of catastrophic weather events that will intensify because of climate change, alongside slow onset changes like sea-level rise. In simple terms, we are seeing the cost of

government inaction, a continued assault by big polluters, and the toll on communities, with those already marginalized paying the highest price.

The unbreakable link between people and nature has been recognized by the UN General Assembly, which last year confirmed the universality of the human right to a clean, healthy, and sustainable environment. With the destructive effects of climate change intensifying around the world, there is a legal and moral imperative for government officials to regulate the industries whose business models are incompatible with protecting basic rights.

To stave off the worst effects of climate change and confront the human rights toll at all stages of their operations, governments need to urgently work to implement a just transition to phase out fossil fuels and prevent agribusiness from continuing to raze the world's forests. At the same time, governments should act with urgency in upholding human rights in their responses to climate extremes and slow-onset changes that are already inevitable, protecting those populations most at risk, including Indigenous peoples, women, children, older people, people with disabilities, and people living in poverty.

Many of these communities are also leading the charge to protect their ways of life and their homes against coal, oil, and gas operations that pollute the water they rely on to cook, clean, and drink, and result in the rising of the seas that engulf the lands where they live. Centering frontline communities and environmental defenders is one of the most powerful ways to push back against corporate and government activities that harm the environment and protect critical ecosystems needed to address the climate crisis.

Indigenous forest defenders are critical to the protection of the Brazilian Amazon, an ecosystem vital for slowing climate change by storing carbon. Rather than supporting them, the administration of then-President Jair Bolsonaro enabled illegal deforestation and weakened Indigenous rights protections. The spectacular environmental destruction during his four-year term went hand-in-hand with serious rights violations, including violence and intimidation against those who tried to stop it.

Brazil's newly elected president, Luiz Inácio Lula da Silva, has pledged to reduce Amazon deforestation to zero and defend Indigenous rights. During his previous two terms from 2003 to 2010, deforestation dropped dramatically, but his administration also promoted dams and other infrastructure projects with high en-

vironmental and social impacts in the Amazon. President Lula's ability to deliver on his climate and human rights commitments are critical for Brazil and the world.

A New International Embrace of Human Rights

The magnitude, scale, and frequency of human rights crises across the globe show the urgency of a new framing and new model for action. Viewing our greatest challenges and threats to the modern world through a human rights lens reveals not only the root causes of disruption but also offers guidance to address them.

Every government has the obligation to protect and promote respect for human rights. After years of piecemeal and often half-hearted efforts on behalf of civilians under threat in places including Yemen, Afghanistan, and South Sudan, the world's mobilization around Ukraine reminds us of the extraordinary potential when governments realize their human rights responsibilities on a global scale. All governments should bring the same spirit of solidarity to the multitude of human rights crises around the globe, and not just when it suits their interests.

HUMAN
RIGHTS
WATCH



LEAVE NO ONE BEHIND

People with Disabilities and Older People
in Climate-Related Disasters

HUMAN
RIGHTS
WATCH

WORLD REPORT
2023

COUNTRIES

Tunisia

In 2022, serious human rights violations continued, including restrictions on free speech, violence against women, and arbitrary restrictions under the country's state of emergency. Authorities have taken a range of repressive measures against opponents, critics, and political figures, including assigning them to fixed residences, imposing travel bans, and prosecuting them—sometimes in military courts—for public criticism of the president, security forces, or other officials. President Kais Saied's July 2021 power grab has weakened government institutions designed to check presidential powers and stunted the country's democratic transition.

In September 2021, President Saied suspended most of the 2014 constitution and granted himself almost unlimited power to rule by decree. He used this authority to consolidate power in 2022 by introducing a series of regressive reforms and undermining the independence of the judiciary. After suspending parliament in July 2021, Saied dissolved it completely in March 2022 after parliamentarians tried to meet online to protest his exceptional measures.

President Saied maintained his declared political roadmap by holding a constitutional referendum on July 25 and early legislative elections on December 17. However, the constitutional reform process has been opaque and was boycotted by a large part of the opposition and civil society. The new constitution, which was approved on July 26, granted almost unchecked powers to the president without strong protections for human rights.

Constitutional Reform

President Saied ordered a national referendum to take place on July 25 on a new draft constitution to replace the 2014 constitution. Saied's proposed constitution was drafted by a panel whose members the president named himself and who worked behind closed doors, soliciting little if any input from others. The draft was published only three weeks prior to the referendum, leaving virtually no time for public debate.

The new constitution was approved on July 26 by 94.6 percent of eligible voters, based on a turnout of only 30.5 percent. It came into force on August 17 after the final results were announced.

The new constitution establishes a presidential system similar to what Tunisia had prior to the 2011 uprising, and concentrates powers in the presidency. It creates a second chamber alongside the Assembly of Representatives of the People, consisting of people elected by members of the regional and district councils instead of by universal suffrage. The text drastically scales back the role of the Parliament compared to the country's post-revolutionary constitution.

The new constitution enumerates many rights but eviscerates the checks and balances needed to protect them. It doesn't fully ensure the independence of the judiciary and the Constitutional Court that Tunisia has yet to establish.

On September 22, the African Court of Human and Peoples' Rights issued a significant ruling stating the exceptional measures taken by Saied were disproportionate. The court ordered the abrogation of several decrees, including the one suspending most of the 2014 constitution, and ordered the establishment of the Constitutional Court within two years.

Judicial Independence

On February 12, Saied dissolved the High Judicial Council (HJC) in a move that compromised the judiciary's independence from the executive. The HJC was Tunisia's highest judicial body and oversaw judicial appointments, discipline, and career progression of magistrates. President Saied replaced the HJC with a temporary body partly appointed by the president and granted himself powers to intervene in the appointment, career tracks, and dismissal of judges and prosecutors.

Tunisian judges went on strike for four weeks to oppose the decree dissolving the HJC. The new constitution, which came into force in August, deprives judges of the right to strike.

On June 1, Saied issued a decree that further undermined the independence of the judiciary by giving the president the authority to summarily dismiss magis-

trates. Under the same decree, he sacked 57 magistrates, accusing them of corruption and obstructing investigations.

On August 10, the administrative court of Tunis suspended the president's decision with respect to 49 of the 57 magistrates and ordered their reinstatement. The authorities have not yet acted on the court's ruling.

Elections

President Saied dismantled a number of national institutions, including the independent electoral commission (Instance Supérieure Indépendante pour les Elections) that he restructured only three months before the referendum vote. On April 21, Saied issued a decree which changed the composition of the body, giving himself the right to intervene in the nomination of all its members.

Three months before the legislative elections, Saied amended the electoral law without any public consultation or debate. Decree 2022-55, issued on September 15, reduces the members of the assembly from 217 to 161 and allows voters to cast ballots for individual candidates instead of party lists, a change intended to diminish political parties' influence, according to observers. The new law no longer imposes the principle of gender parity to ensure equal participation of women.

Backsliding on Freedoms

Tunisia has seen significant regression in freedom of expression and the press. The authorities have harassed, arrested, and prosecuted activists, journalists, political opponents, and social media users for speech offenses, including for criticizing President Saied, the security forces, or the army. Some were tried in military courts.

Lawyer Abderezzak Kilani, a former government minister and head of the National Bar Association, was jailed on March 2 and tried by a military court on charges including "disturbing the public order," and "insulting public officials" in connection with a verbal exchange he had with security forces while trying to visit a client.

On June 11, journalist Salah Attia was arrested and subsequently tried by a military court on charges of "accusing a public official of illegal acts related to his

functions without proof," "denigrating the army," and "knowingly disturbing others via public telecommunications networks." His prosecution was related to comments he made on the Al Jazeera TV channel related to President Saied and the Tunisian army. On August 16, Attia was sentenced to three months in prison.

According to the National Syndicate of Tunisian Journalists (SNJT), harassment and detention of journalists in connection with their work have increased over the past year, and access to information has become more difficult. In 2022, Tunisia fell in the Reporters Without Borders press freedom index from 73rd to 94th place.

On September 16, President Saied issued a new decree on combating crimes related to information and communication systems that could severely curtail freedoms of expression and the press and the right to privacy. Producing, promoting, or publishing "false news or rumors" is now punishable under Article 24 of the decree by up to five years in prison, and up to 10 years if deemed to target public officials.

Security forces periodically prevented demonstrations by blocking access to certain locations and used excessive force to disperse demonstrators, including on January 14, during the anniversary of the 2011 revolution when authorities banned public gatherings on health grounds, and on July 22, during a protest opposing the constitutional referendum.

Since Saied's power grab, authorities have imposed dozens of arbitrary travel bans without judicial oversight, restricting people's freedom of movement. In June and July, former parliamentarians Saida Ounissi and Jamila Ksiksi were prevented from leaving Tunisia.

Women's Rights

President Saied has done little to advance women's rights. While his 2021 appointment of a female prime minister, Najla Bouden, is a first in North Africa, Saied has granted her little to no political autonomy.

Tunisian law continues to discriminate against women in inheritance rights. In 2018, former President Beji Caïd Essebsi introduced a bill to parliament to set equality in inheritance rights as the default, but it was never adopted. President Saied has expressed his firm opposition to the reform of inheritance laws.

Tunisia lacks a policy that protects pregnant girls' right to education, leading to irregular enforcement of their education rights when school officials impose arbitrary restrictions.

Despite the 2017 violence against women law, which set out new support services, prevention, and protection mechanisms for survivors, there are numerous shortcomings in the law's implementation, particularly in the way the police and judiciary address complaints of domestic violence. The insufficiency of state funding for the law's implementation is a critical gap, as well as the lack of shelters for women who have nowhere to turn.

President Saïed's dissolution of parliament has precluded the body from debating or adopting any legislation that could secure or expand women's rights.

Retaining some of the 2014 constitution's provisions, the 2022 constitution stipulates women and men are "equal in rights and duties and are equal before the law without any discrimination," and commits the state to take measures to eliminate violence against women. However, the 2022 constitution introduced a new provision stipulating "Tunisia is part of the Islamic Umma [community/nation]" and making the realization of the purposes of Islam a responsibility of the state (article 5). Such provisions could be used to justify curbs on rights, notably women's, based on religious precepts' interpretations, as other states in the region have also done.

Sexual Orientation and Gender Identity

Article 230 of the penal code punishes consensual same-sex conduct between both men and women with up to three years in prison.

State actors in Tunisia have undermined lesbian, gay, bisexual, and transgender (LGBT) people's right to privacy with digital targeting, namely online harassment and "outing," and monitoring social media. Authorities sometimes rely on illegitimately-obtained digital evidence in prosecutions. Human Rights Watch documented cases where government digital targeting has resulted in crackdowns on LGBT organizing, as well as arbitrary arrests. As a result of online harassment, LGBT people reported being forced to change their residence and phone numbers, delete their social media accounts, flee the country for risk of persecution, and suffer severe mental health consequences.



HUMAN
RIGHTS
WATCH

“So What If He Hit You?”

Addressing Domestic Violence in Tunisia



WORLD REPORT 2023

This 33rd annual World Report summarizes human rights conditions in over 100 countries and territories worldwide in 2022.

It reflects extensive investigative work that Human Rights Watch staff conducted during the year, often in close partnership with domestic human rights activists.

Cover photo: Children from Mariupol, Ukraine, look out the window of their family's car, marked with the word "children," after arriving at an evacuation point for people fleeing areas under Russian control, May 2, 2022.

© 2022 Chris McGrath/Getty Images

HUMAN RIGHTS WATCH

350 Fifth Avenue, New York, NY 10118-3299
www.hrw.org



SEVEN STORIES PRESS

140 Watts Street
New York, NY 10013
www.sevenstories.com

\$44.00 US / \$59.00 CAN / £36.99 UK

ISBN 978-1-64421-240-0



5 4 4 0 0



9 781644 212400