

defamation, insults, the transmission or distribution of images contrary to morality, and spreading false news. It criminalized various techniques used by whistleblowers, for which prison terms would be imposed. Article 227 allowed for restriction of access to online content deemed to be “contrary to morality”, to “degrade honour” or to be “patently unlawful”, in certain cases.

DETENTION AND DEATHS IN CUSTODY

Prison conditions remained harsh and overcrowded. At least four people died in custody, including two who were believed to have hanged themselves.

Dozens remained in prolonged pre-trial detention on terrorism-related charges. Imam Ndao had been detained for over two years on charges including “acts of terrorism” and “glorifying terrorism” before being brought to trial on 27 December. He was denied adequate medical treatment for his deteriorating health.

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

The Criminal Code continued to criminalize consensual same-sex sexual relations between adults. LGBTI people faced discrimination, particularly in accessing health services and justice.

CHILDREN'S RIGHTS

In July, Human Rights Watch reported that over 1,000 of the approximately 1,500 children taken off the streets between July 2016 and March 2017 had returned to their traditional Qur'anic boarding schools. They were taken out of the schools under a 2016 government initiative to protect them from forced begging and other abuses by Qur'anic schoolteachers. Official inspections were not conducted in most of these schools, and many children were forced to beg on the streets again. Few investigations into or prosecutions of those responsible for the abuses were carried out.

IMPUNITY

In April the UN Committee on Enforced Disappearances issued its concluding observations on Senegal. It recommended that criminal legislation and investigation procedures be brought in line with the International Convention for the Protection of All Persons from Enforced Disappearance and that the Senegalese Human Rights Committee be strengthened in line with the Principles relating to the Status of National Institutions (Paris Principles).

INTERNATIONAL JUSTICE

In April, the Extraordinary African Chambers in Senegal upheld the conviction and sentence of life imprisonment of former Chadian President Hissène Habré for war crimes, crimes against humanity and torture committed in Chad between 1982 and 1990.

SERBIA

Republic of Serbia, including Kosovo

Head of state: **Aleksandar Vučić (replaced Tomislav Nikolić in May)**

Head of government: **Ana Brnabić (replaced Aleksandar Vučić in June)**

Impunity continued for crimes under international law. Slurs by officials and media close to the government created a toxic environment for transitional justice activists and independent media.

BACKGROUND

Mass demonstrations, protesting against electoral corruption and media bias, followed the presidential elections won by the ruling party in April. Former Serbian military leaders released after serving sentences handed down by the International Criminal Tribunal for the former Yugoslavia (ICTY) were increasingly afforded influential positions. In December, despite a UN Committee against Torture ruling against his extradition, Serbia returned a Kurdish activist, Cevdet Ayaz, to certain imprisonment in Turkey.

CRIMES UNDER INTERNATIONAL LAW

In November, Ratko Mladić, former Commander of the Republika Srpska Army, was convicted and sentenced to life imprisonment by the ICTY for genocide, crimes against humanity and war crimes in Bosnia and Herzegovina (BiH). In August, the Appeal Court acquitted 10 people indicted for concealing Ratko Mladić, arrested in Serbia in 2011.

In May, Snežana Stanojković was elected Chief War Crimes Prosecutor. Only three prosecutions, all resulting in acquittals, were concluded at the Special War Crimes Chamber. The retrial continued of former soldiers indicted for war crimes in Kosovo, including the first indictment for rape.

In July, the trial of eight former Bosnian Serb special police – accused of killing 1,313 Bosniak civilians near Srebrenica in July 1995 – was halted because the 2016 indictment had been filed in the absence of a Chief Prosecutor. On appeal, the indictment was reinstated; proceedings started afresh in November. In October, the Appeals Court similarly dismissed charges against five former Bosnian Serb paramilitaries indicted for the February 1993 abduction of 20 people from a train at Štrpci station in BiH and their murder.

ENFORCED DISAPPEARANCES

Relatives of the disappeared were denied recognition as civilian victims of war, if their missing family member had died outside Serbia.

In May, relatives of missing Kosovo Serbs called on the government to make progress in recovering their bodies. There was no progress towards the prosecution of those responsible for the transfer and subsequent burial of bodies of Kosovo Albanians in Serbia in 1999.

HUMAN RIGHTS DEFENDERS

Transitional justice NGOs were attacked by senior government officials, including Aleksandar Vučić, by media supportive of the government and on social media. In January, intruders left bags of fake bank notes at the

Youth Initiative for Human Rights (YIHR) office, and messages accusing the NGO of being “foreign mercenaries”. Also in January, YIHR activists were physically attacked at a ruling party meeting where Veselin Šljivančanin, convicted for war crimes in Croatia, was speaking.

FREEDOM OF EXPRESSION – JOURNALISTS

Investigative journalists were subjected to smear campaigns by ministers and media close to the government. The ruling party's private security staff physically attacked six journalists reporting on demonstrations held during the presidential inauguration on 31 May. In July, journalists working for the Network for Investigating Crime and Corruption (KRIK) received death threats, and the flat of investigative reporter Dragana Pećo was broken into. In September, the Defence Minister's political party accused KRIK editor-in-chief, Stevan Dojčinović, of being a drug addict and paid by foreigners. This followed KRIK's investigation into the minister's property.

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

The appointment of Ana Brnabić, a lesbian, as Prime Minister, and her presence at the Belgrade Pride in the capital in September was welcomed by some as progress. However, the authorities failed to protect LGBTI individuals and organizations from discrimination, threats and physical attacks. In April, the UN Human Rights Committee urged Serbia to implement hate crime legislation effectively, and to introduce a procedure for legal gender recognition compatible with international standards.

DISCRIMINATION – ROMA

Roma families in Belgrade continued to live in informal settlements. They were denied access to social and economic rights, including health, education, water and sanitation, and were at risk of forced eviction. Some 44 of over 100 Roma families forcibly evicted in 2012 were still living in containers

awaiting resettlement; planned apartments for 22 families were not due to be completed until February 2019; by November, two of the remaining families due to be moved to villages north of Belgrade had been rehoused.

Roma continued to face ill-treatment by police. In April, a Roma couple, who reported that their car had been stolen, were detained by the police for 13 hours, denied access to a lawyer, severely ill-treated, and threatened that their children would be taken to an orphanage.

REFUGEES' AND MIGRANTS' RIGHTS

Refugees and migrants were trapped in the country; those trying to enter the EU via Hungary and Croatia were repeatedly and violently returned to Serbia.

In January, up to 1,800 refugees and migrants were still living in abandoned warehouses, often in sub-zero temperatures. By May, they had all been evicted and transferred to government-run centres, where conditions were inadequate and overcrowded. There were continued obstacles and delays in registering, interviewing and providing identification for asylum-seekers. By August, out of 151 asylum applications that were received, two were accepted and 28 rejected; 121 asylum applications were being processed.

The EU negotiated an agreement with Serbia, enabling the European Border and Coast Guard Agency (FRONTEX) to operate within Serbia.

VIOLENCE AGAINST WOMEN AND GIRLS

In May, Serbia adopted 18 May as Remembrance Day for women killed by their husbands or partners. In July, women's organizations protested at the authorities' failure to protect two women and one of their children, who were killed by their former husbands in two separate incidents at the Belgrade Centre for Social Work. In November, Serbia ratified the Istanbul Convention on preventing and combating violence against women.

KOSOVO

CRIMES UNDER INTERNATIONAL LAW

Under 2014 legislation, the competencies of the EU-led Police and Justice Mission (EULEX) for the prosecution of crimes under international law were limited, although some prosecutions continued. The absence of any agreement on mutual legal assistance between Kosovo and Serbia hampered the prosecution of Serbs suspected of crimes under international law during the 1998-99 armed conflicts, including conflict-related sexual violence (CRSV).

Hundreds of unresolved case files were due to be transferred by June 2018 to Kosovo's Special Prosecution Office. Prosecutors, NGOs and survivors of CRSV were concerned that testimonies, known to have been gathered after the armed conflict by the UN Mission in Kosovo (UNMIK), had not been promptly or adequately investigated. In June, former president Atifete Jahjaga was denied entry to Serbia, where she was due to present a book of testimonies from survivors of CRSV.

REPARATION

Progress was made in implementing legislation introduced in 2014, which provided some reparation for survivors of CRSV. A commission was appointed to consider applications from survivors, who were due to be able to apply for monthly compensation payments from January 2018. Other reparation measures did not meet international standards, failing to provide survivors with free health care or adequate rehabilitation. Stigma associated with war-time rape continued to overshadow survivors.

ENFORCED DISAPPEARANCES

Little progress was made in locating people still missing from the armed conflict and its aftermath. Of the few remains recovered, the body of a man buried by Albanian villagers, who had found him in a river flowing from Kosovo, was exhumed in September. Some 1,658 people were still missing.

The Kosovo Specialist Chambers opened in The Hague on 28 June. It had been established to investigate the alleged abduction, torture and murder of Kosovo Serbs and some Kosovo Albanians,

transferred to Albania by members of the Kosovo Liberation Army (KLA) during and after the war. In December, MPs failed to revoke the law governing the Specialist Chambers, which they considered discriminated against the KLA.

DETENTION

In May, the Kosovo Rehabilitation Centre for Torture Victims, authorized to monitor the treatment of the people in detention, was refused access to prison hospitals after these had been transferred to the Ministry of Health. Some detainees were held for long periods before and during trial; one defendant was detained for over 31 months, in violation of the Criminal Procedure Code. The Ministry of Justice failed to provide an explanation for the death in detention of Astrit Dehari, a member of the Vetëvendosje opposition party, in November 2016.

FREEDOM OF EXPRESSION

In October, the first Pride took place with government support. Hate crimes investigations were opened after a speaker on transgender rights subsequently received serious threats.

The Association of Kosovo Journalists reported an increase in attacks, especially on investigative journalists.

RIGHT TO HEALTH

In May, the UN Secretary-General agreed to set up a voluntary trust fund, but refused to pay compensation, apologize or accept responsibility – as recommended in 2016 by the UNMIK Human Rights Advisory Panel – for the lead poisoning of 138 Roma, Egyptians and Ashkali who were relocated by UNMIK to an internally displaced persons camps in northern Kosovo in 1999. The Panel found that the right to life, health and non-discrimination of the 138 internally displaced people had been violated. They had suffered from lead poisoning and other health conditions, including seizures, kidney disease, and memory loss, after they had been placed in the camps on land known to be contaminated.

VIOLENCE AGAINST WOMEN AND GIRLS

In April, a National Strategy for Protection from Domestic Violence was launched. In

May, the Law on Compensation for Crime Victims was extended to victims of domestic violence, trafficking, rape and child sexual abuse. However, few received adequate protection from the authorities.

SIERRA LEONE

Republic of Sierra Leone

Head of state and government: **Ernest Bai Koroma**

Restrictions were imposed on the rights to freedom of expression, of peaceful assembly and of association. Hundreds of people died and thousands were left homeless following a mudslide. Prison conditions fell far below international standards. Pregnant girls were excluded from school.

FREEDOM OF EXPRESSION

Abdul Fatoma of the Campaign for Human Rights and Development International was arrested in the capital, Freetown, on 31 January after he participated in a radio discussion in which he criticized the government and Anti-Corruption Commission for their lack of accountability. He was released on bail on 1 February but his passport was withheld for 45 days.¹

Three journalists from the *Salone Times* and *New Age* newspapers were summoned to court on 22 September to respond to various charges of seditious libel under the Public Order Act 1965, after they published stories criticizing plans by the National Telecommunications Commission to increase telecommunications prices. Their preliminary hearing was adjourned twice and they had not been summoned to appear in court by the end of the year.

FREEDOM OF ASSEMBLY

On 23 March, security forces killed a teenage boy of around 16 and seriously injured two students when they opened fire on a Njala University student protest in Bo, southern region. The students were protesting against a lecturers' strike during which time the

university was closed for several months. Police said that the students did not obtain a permit to protest, and that they burned tyres and blocked roads. Seven students were arrested but released without charge after being detained for two days. The Independent Police Complaints Board launched an investigation into allegations that police used excessive force.

On the same day, police fired tear gas to disperse students protesting against the strike in front of the President's residence in Freetown. Fourteen students were arrested and charged with riotous conduct, and fined and released by the Magistrate Court. Two other students were arrested that day at State House and charged with conspiracy and possession of an offensive weapon. They were released on bail and their case was ongoing at the end of the year.

On 21 September, police prevented the Malen Land Owners and Users Association (MALOA) from holding a peaceful assembly in Pujeheun town. The gathering had been organized to coincide with a meeting between MALOA members and the District Security Committee on the International Day against monoculture tree plantations. The police blocked the road and prevented them from joining the assembly, but allowed six members to attend the meeting.

In October, the District Security Committee denied MALOA permission to hold a meeting in Pujeheun on the grounds that the association was not registered in the Chiefdom. The Paramount Chief had refused to register the group since 2013, even though they were registered with the Registrar General in Freetown.

HUMAN RIGHTS DEFENDERS

In February, the Human Rights Defenders Network submitted a draft bill to protect human rights defenders to the Attorney General's office.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

On 14 August, a mudslide in the Regent community of Freetown left more than 400

people dead and around 3,000 homeless. Most of the victims had been living in informal settlements. Poor planning, and a failure to implement relevant legislation or provide adequate housing exacerbated the scale of the disaster.² The authorities provided immediate support and temporary shelter for survivors but closed these camps in mid-November. Households were given cash and other benefits to help them relocate. No public enquiry had been established into the incident by the end of the year.

In August, the UN Special Rapporteur on human rights and hazardous substances and wastes visited Sierra Leone. He raised concerns about the human rights impact of hazardous substances and waste, and called on the government to adopt and enforce laws and policies related to waste reduction and labour inspection requirements.

CHILDREN'S RIGHTS

In October, civil society organizations reiterated calls on the government to allow pregnant girls to attend mainstream schools and sit exams. Part-time education schemes for pregnant girls, available three days a week with a reduced curriculum, ended in July and were due to resume in January 2018. Many girls who had given birth were unable to return to school due to costs such as child care, school fees or other associated costs like uniforms.

DETENTION

Prisons remained overcrowded, largely due to prolonged pre-trial detention periods, and fell far below international standards. Civil society organizations raised concerns about delayed access to health care for inmates; inadequate food and basic items; poor conditions in police cells, including inadequate sanitation; and extended detention periods which violated detainees' constitutional rights.

In November, civil society organizations called for the decriminalization of petty offences, such as fraudulent conversion (criminalization of debt), and loitering, which were used disproportionately against women